

COMMON COUNCIL

Special Meeting
December 2, 2015

Mayor Joseph Maiurano presided at a special meeting of the Common Council held at 6 PM on December 2, 2015, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Bryan McCracken
Ald. Brian Doliver
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Kecia Funaro-Burton
Ald. Thomas LoPiccolo

Also:

City Chamberlain/City Clerk John Zielinski
Director of Human Resources Deborah DeForest
Fire Chief Tracy Chawgo
Police Chief Rodney Marsh
DPW Superintendent Carl Ivarson
Deputy City Clerk Brian Drake
Deputy City Chamberlain Dee DuFour
EMO A. Jones
City Attorney Patrick Flanagan
Media Representative Shawn Magrath

Absent:

Supervisor James McNeil
Supervisor Robert Jeffrey

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 6:09 p.m.

Motion

Receive Remainder of Tentative 2016 Budget Ald. Doliver **moved** to receive the remainder of the tentative 2016 Budget of the City of Norwich, including the Water, Wastewater, Debt Service, and Special Grants Funds. A public hearing has been set for December 9, 2015 at 6:00 p.m. Seconded by Ald. LoPiccolo and duly adopted 6-0 on a roll call vote.

Resolution

RESOLUTION #85-2015

**ADOPTING PROPOSED LOCAL LAW NO. (A) OF 2015 - OVERRIDING THE
TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Ald. Schermerhorn introduced the following and **moved** its adoption:

WHEREAS, the Common Council received proposed Local Law No. (A) of 2015 on October 20, 2015, overriding the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, the tax cap for the City of Norwich for 2016 is calculated by the New York State Comptroller at 0.73%; and

WHEREAS, a public hearing was held on November 4, 2015, in connection with said proposed local law; now, therefore be it

RESOLVED, that Proposed Local Law No. (A) of 2015, overriding the tax levy limit established in General Municipal Law §3-c, as presented to the Common Council on October 20, 2015, be and hereby is adopted, and is hereby designated as Local Law No. 1 of 2015.

Seconded by Ald. Deierlein and duly adopted, 5-1, on a roll call vote, Ald. McCracken voting nay.

LOCAL LAW NO. 1 OF 2015

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

BE IT ENACTED by the Common Council of the City of Norwich as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Norwich to adopt a budget for the fiscal year commencing January 1, 2016, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Norwich, County of Chenango, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2016, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Discussion: Ald. McCracken stated he was originally opposed to this law being received before a budget had been presented to the Council. He understands that it is impossible to stay within the tax cap but said he will vote against the law. City Attorney Patrick Flanagan stated that voting for the law did not mean the Council would necessarily exceed the property tax cap. City Chamberlain John Zielinski stated that the portions of the budget received at tonight's meeting do not affect the tax levy. Ald. Funaro-Burton asked that the 2016 tax cap limit be stated for the public. J. Zielinski said that it will be 0.73%, as computed by the State Comptroller's Office, and explained how a tax cap operates. P. Flanagan stressed that this law provides protection for the City. If the City is held to the property tax cap of 0.73%, it would face strictures worse than those contemplated in the proposed budget. Ald. McCracken asked why action had to be taken tonight. Deputy City Clerk Brian Drake explained that the local law must be adopted and filed with the Secretary of State before the budget can be adopted.

Announcement of Vacancy on Assessment Board of Review Mayor Maiurano announced that, due to the election of David Zieno to the Common Council, there will be a vacancy on the Assessment Board of Review as of January 1, 2016.

Adjournment

Ald. Schermerhorn **moved** to adjourn at 6:16 p.m. Seconded by Ald. Funaro-Burton, accepted ayes all.

The special meeting of the Common Council was reconvened by Ald. Deierlein at 9:37 p.m.

Motions

Amending Tentative 2016 General Fund Budget J. Zielinski said that an amendment to the tentative 2016 General Fund budget had been presented to the Common Council. Ald. Deierlein **moved** to revise the 2016 General Fund Tentative Budget, originally received by the Common Council on November 17, 2015, as summarized in the accompanying schedule of revisions attached hereto. Seconded by Ald. McCracken, and duly adopted, 6-0, on a roll-call vote.

Ratifying Memorandum of Agreement Ald. Funaro-Burton **moved** to ratify an amended Memorandum of Understanding with the City of Norwich Firefighters Association as signed by the Mayor and approved by the Council and Firefighters Association. Seconded by Ald. McCracken, approved ayes all.

Adjournment Ald. Funaro-Burton **moved** to adjourn at 9:44 p.m. Seconded by Ald. McCracken, approved ayes all.

City of Norwich

12/02/15

Amendments made to the 2016 General Fund Budget that was previously presented and accepted at the November 17, 2015 City of Norwich Common Council Meeting.

(Amounts in Nearest Whole Dollars)

**Amended on
December 2,
2015**
increase
(decrease)

Dept	Account	Description:	
ESTIMATED REVENUES			
FEDERAL AID REVENUES:			
	A4390	SAFER Grant	\$
			86,777
Total Increase in Estimated Revenues			\$
			86,777
APPROPRIATIONS & PROVISIONS FOR RESERVES			
MAYOR:			
A1210	.4030	Travel, Training, & Meetings	\$
			(1,000)
DEPARTMENT OF FINANCE:			
A1325	.1010	Personal Services - Regular	\$
			(3,280)
A1325	.4020	Contracted Services	\$
			(2,500)
ASSESSMENT:			
A1355	.1010	Personal Services - Regular	\$
			(532)
CLERK :			
A1410	.1010	Personal Services - Regular	\$
			(1,421)
ATTORNEY:			
A1420	.1010	Personal Services - Regular	\$
			(698)
HUMAN RESOURCES:			
A1430	.1010	Personal Services - Regular	\$
			(2,167)
A1430	.4010	Office Expense	\$
			(500)
A1430	.4020	Contracted Services	\$
			(1,300)
A1430	.4021	Contracted Services - ADP	\$
			(3,000)
MUNICIPAL BUILDINGS:			
A1620	.1010	Personal Services - Regular	\$
			(644)
A1620	.4040	Repairs & Maint. Reg.	\$
			(10,000)
MANAGEMENT INFORMATION SYSTEMS:			
A1680	.2100	Equipment	\$

			(15,000)
OTHER:			
A1990	.4	Contingency	\$
			(20,000)
POLICE DEPARTMENT:			
A3120	.1010	Personal Services - Regular	\$
			(24,121)
A3120	.1090	Personal Services - Post Employment	\$
			(30,000)
FIRE DEPARTMENT / EMS:			
A3410	.1010	Personal Services - Regular	\$
			193,650
A3410	.1020	Personal Services - Overtime	\$
			3,229
A3410	.1090	Personal Services - Post Employment	\$
			(75,000)
CODE ENFORCEMENT:			
A3620	.1010	Personal Services - Regular	\$
			17,408
STREET MAINTENANCE:			
A5110	.1010	Personal Services - Regular	\$
			(4,600)
SNOW & ICE REMOVAL:			
A5142	.1010	Personal Services - Regular	\$
			(1,325)
SIDEWALKS:			
A5410	.1010	Personal Services - Regular	\$
			(281)
PARKS:			
A7110	.1010	Personal Services - Regular	\$
			(1,760)
PLAYGROUNDS & RECREATION CENTERS:			
A7140	.1010	Personal Services - Regular	\$
			27,431
BAND CONCERTS:			
A7270	.4020	Contracted Services	\$
			(2,756)
YOUTH BUREAU:			
A7310	.1010	Personal Services - Regular	\$
			(434)
PLANNING:			
A8020	.1010	Personal Services - Regular	\$
			(1,642)
STREET CLEANING:			
A8170	.1010	Personal Services - Regular	\$
			(540)
STREET TREES MANAGEMENT			
A8560	.1010	Personal Services - Regular	\$
			(48)
FLOOD & EROSION CONTROL:			
A8745	.1010	Personal Services - Regular	\$

				(106)
EMPLOYEE BENEFITS				
A9010	.8	State Retirement	*	\$
				2,949
A9015	.8	Fire & Police Retirement	*	\$
				41,551
A9030	.8	Social Security		\$
				17,107
A9050	.8	Unemployment Insurance		\$
				(68,660)
A9060	.8	Hosp. & Med. Insurance		\$
				37,265

Total Increase in Appropriations and Provisions for Reserves