COMMON COUNCIL
June 21, 2016

Mayor Christine Carnrike presided at a meeting of the Common Council held at 6:00 PM on June 21, 2016, in the Common Council Chambers at One Court Plaza.

Present:
Mayor Christine Carnrike
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. David Zieno
Ald. Thomas LoPiccolo

Supervisor Robert Jeffrey
Supervisor James McNeil

Also:

City Chamberlain/City Clerk John Zielinski
Director of Human Resources Deborah DeForest
DPW Superintendent Carl Ivarson
Community Development Specialist Todd Dreyer
Police Chief Rodney Marsh
Code Enforcement Officer/Fire Marshall Jason Lawrence
Youth Bureau Director Robert Mason
Deputy City Chamberlain Dee DuFour
City Attorney Patrick Flanagan

Media Representatives: Cameron Turner
Shawn McGrath

Call to Order
The meeting of the Common Council was called to order by Mayor Carnrike at 6:00p.m.

Approval of Minutes
Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of May 17, 2016. Seconded by Ald. Caldwell and duly approved ayes all.

Open Forum
Robert Jeffery, 17 York St., spoke regarding the City proposal for the purchase of the street lighting. He stated that the Public Service Commission did grant NYSEG's request to raise their rates. Under the agreement between the PSC and NYSEG, NYSEG must now file a street light LED tariff and he suggested the City look into this.

Correspondence

Colorscape Dash 5K – Ald. Schermerhorn **moved** to receive and approve the request from the Colorscape Color Dash 5k committee that is planning its 3rd Annual run/walk that will take place on Saturday, September 10, 2016 at 9 a.m. The route begins at Gate 3 of the Chenango County Fairgrounds; then east on East Main St to County Rt. 32 continuing south on Rt. 32 turning right onto Hale St. Extension and continuing west until a right hand turn onto Midland Dr. to Burr Ave., then Marconi Ave; left onto Grove Ave; left onto Maydole St.; right onto Midland Dr.; left onto East Main St. and continuing to the finish line at Gate 3 of the fairgrounds. As in the past two years they are requesting Police Assistance with this event. Seconded by Ald. LoPiccolo, approved ayes all.

Saturday in the Park – Ald. Schermerhorn **moved** to receive and approve the BID's request for special event status for the new events entitled "Saturday in the Park" being held on July 16, July 30, August 13 and August 27, 2016 from 2-6 in the East Park. The events will include vendors, informational instructors, interactive demonstrations, and independent consultants as well as entertainment. Seconded by Ald. Deierlein, approved ayes all.

Discussion: Ald. Caldwell asked for verification that the four dates will be considered as four separate events. D. DuFour answered that they would be, as the vendors for each of the dates could change.
Gus Macker – Ald. Schermerhorn **moved** to receive and approve the request from the YMCA for the Gus Macker Tournament for July 8, 9 and 10, 2016. They are requesting East Main St. be closed down by 8 a.m. on Friday, July 8th and not re-open until 8 p.m. Sunday, July 10th. As in the past, they are requesting the bleachers,

picnic table and a water attachment to the fire hydrant on the Northeast corner of East Park Place. In addition, police coverage for the event is very important. Special event status will also be necessary. Seconded by Ald. Deierlein, approved ayes all.

Fireman's Parade - Ald. LoPiccolo **moved** to receive and approve a request from The Chenango County Fair for assistance with their opening day parade held on Tuesday, August 9, 2016.They are requesting Police assistance with road closures. The parade will begin approximately at 6:50 and will follow the usual route from Midland Dr. onto the fairgrounds through Gate 2 to the Grandstand. Seconded by Ald. Zieno, approved ayes all.

Fireworks Over the Fairgrounds – Ald. Caldwell **moved** to receive and approve a request from Terry Potter on behalf of Fireworks Over the Fairgrounds for assistance with traffic control on July 4, 2016. Seconded by Ald. LoPiccolo approved ayes all.

Department, Board and Commission Reports

- Youth Bureau Minutes – June
- Water Commission Minutes – June
- Traffic Commission Minutes – May
- Police Department Report - May

Ald. Doliver **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Schermerhorn, approved ayes all.

Ward Reports

Ward 1
Ald. Caldwell reported he has received a lot of general inquires this month.

Ward 2
Ald. Doliver reported receiving communication regarding high grass and Kurt Beyer Pool.

Ward 3
Ald. Deierlein reported also receiving communication regarding high grass which has been remediated.

Ward 4
Ald. Schermerhorn reported he has received no communications from constituents during the last month.

Ward 5
Ald. Zieno reported he has received one communication from a constituent regarding the traffic on Grove Ave. This issue has gone to the Traffic Commission and will be presented to the Joint Committee next month.

Ward 6
Ald. LoPiccolo reported he has received communication from a constituent regarding Kurt Beyer Pool.

Ald. Deierlein **moved** to receive and file the ward reports. Seconded by Ald. Schermerhorn, approved ayes all.

Other

- Discussion of using a motion instead of a resolution to make changes to the Vehicle and Traffic Code -

Ald. Doliver stated that the Traffic Commission would like the Common Council to consider approving changes by the way of a motion instead of a Resolution with the intention of saving time in order to take action. P. Flanagan responded that local laws are amended by local laws, ordinances are amended by ordinances and resolutions are amended by resolutions. It was not clear to the Council how a motion versus a resolution would save time since both a motion and/or a resolution would come before the Common Council. The issue was tabled until Assistant Police Chief Scott Burlison could shed some light on the issue.

Resolutions

RESOLUTION #38 - 2016 **AUTHORIZING BUDGET TRANSFER FOR HUMAN RESOURCES - CONTRACTED SERVICES**

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

WHEREAS, the 2016 budget for account A1430.4020, Human Services – Contracted Services is $21,775.00; and

WHEREAS, it has been necessary for the City to incur additional legal costs related to certain personnel matters in excess of the amount originally budgeted within account A1430.4020, Human Resources – Contracted Services; and

WHEREAS, the Director of Human Resources and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the City Chamberlain be and hereby is authorized to make the following transfer of funds in the 2016 General Fund Budget:

From:

Account Number	Name	Amount
A1990.4	Miscellaneous - Contingency	$ 15,000.00

To:

Account Number	Name	Amount
A1430.4020	Human Resources – Contracted Services	$ 15,000.00

Seconded by Ald. LoPiccolo, and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #39 - 2016 **AUTHORIZING A CONTRACT FOR INTERNET SERVICE AT THE WASTE WATER TREATMENT PLANT**

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

WHEREAS, Frontier Communications currently supplies internet service to the City at the waste water treatment plant; and

WHEREAS, this service is acceptable and provided on a month to month basis; and

WHEREAS, the City will save approximately $700 per year if it enters in to a three year contract with Frontier Communications to provide internet service at the waste water treatment plant rather than the current month to month basis; and

WHEREAS, the Superintendent and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a three year contract with Frontier Communications for up to three years, for the purpose of supplying internet service at the waste water treatment plant.

Seconded by Ald. Zieno, and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #40 - 2016 **AUTHORIZING A CONTRACT FOR CONSTRUCTION SUPPORT SERVICES FOR THE NEW WATER FILTRATION TREATMENT PLANT PROJECT**

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

WHEREAS, Multivista CNY LLC currently performs construction documentation services in support of the Wheeler Avenue Water Storage Tank Replacement Project; and

WHEREAS, the Superintendent believes that this service is very valuable both in documenting the construction of and for the future repair & maintenance of the new Wheeler Avenue Water Storage Tank; and

WHEREAS, the Superintendent also believes that this type of documentation will have the same benefits for the new Water Filtration Plant and has made the recommendation to the Joint Committees that Multivista CNY LLC be contracted to provide the same construction documentation services during the construction of the new Water Filtration Plant as they have provided during the construction of the Wheeler Avenue Water Storage Tank; and

WHEREAS, the Superintendent and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract with Multivista CNY LLC of Homer, NY to provide construction documentation services to support the construction of the new Water Filtration Plant.

Seconded by Ald. Schermerhorn, and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #41 - 2016 **AUTHORIZING CHANGE ORDER – WHEELER AVENUE WATER STORAGE TANK REPLACEMENT PROJECT**

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

WHEREAS, a bid was awarded in September 2015 to DN Tanks, Inc. of Wakefield, MA (the ”Contractor”) for the replacement of the Wheeler Avenue Water Storage Tank (the “Project”); and

WHEREAS, during the construction stage of the Project, it was necessary to remove and relocate an electric service pole in order to allow trucks larger than anticipated to access the construction site to remove contaminated soil:

and

WHEREAS, the cost of relocating the electric service pole, $7,534.90, was beyond the original scope of the Project; and

WHEREAS, there are line items within the Project budget as originally awarded in excess of $40,000 that will not be spent; and

WHEREAS, the Superintendent and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that a Change Order in the amount of $7,534.90 to be funded within the Project budget of the contract as originally awarded be and hereby is approved.

Seconded by Ald. Doliver, and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #42 - 2016 **AUTHORIZING APPROPRIATION OF GRANT FUNDS TO PURCHASE OF PLAYGROUND EQUIPMENT FOR CITY PARKS**

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

WHEREAS, the City of Norwich Common Council has previously authorized the submission of grant applications to various foundations and organizations soliciting funding support for the purchase and installation of a new piece of playground equipment at Bruchhausen Park; and

WHEREAS, total grant funding support in the amount of $27,643.28 has been received for the project as follows:

$13,243.00	Constitution Pipeline Community Grant Program
$13,145.00	RC Smith Foundation
$ 755.28	Healthy Kids Running Series
$ 500.00	Sonbyrne Sales, Inc.; and

WHEREAS, the piece of playground equipment considered most desirable by the City Parks commission is manufactured by PlayPower LT Farmington, Inc. (aka Little Tikes Commercial) of Farmington, Missouri is available on New York State contract #PC66775; and

WHEREAS, the grant funding entities have approved the use of residual funds for the purchase and installation of other minor pieces of playground equipment at other City parks; and

WHEREAS, the Joint Committees have made certain recommendations; and

WHEREAS, this proposed action, as well as the installation of the playground equipment, is appropriately classified as a Type 2 Action according to applicable provisions of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that the $27,643.28 from the above-referenced grant awards be and hereby are appropriated for the purchase and installation of the Little Tikes Commercial play structure at Bruchhausen Park, and that any such remaining funds from the grant awards may be used for the purchase and installation of other minor pieces of playground equipment at other City parks according to recommendations provided by the City Parks Commission; and, further be it

RESOLVED, that the City Chamberlain be and hereby is authorized to make the following transfer of funds in the 2016 General Fund budget:

From:

Account Number	Name	Amount
HR20-878	Capital Reserves - Parks Equipment	$27,643.28

To:

Account Number	Name	Amount
A7110.2100	Parks - Equipment	$27,643.28

Seconded by Ald. Deierlein, and duly adopted, 6 - 0, on a roll call vote.

Discussion: Ald. Caldwell asked why there would be residual funds and are the donors aware of this. T. Dreyer stated that the original quote for equipment was $24,000 but was later found on State contract for $18,000. The installation costs came back twice as much as previously thought, but should still result in a net cost savings of $4,900. Regarding the spending of the excess funds, he has received a positive response from the Constitution Pipeline and has yet to hear from the RC Smith Foundation. He went on to say that emails had been sent to the donors regarding the cost change.

RESOLUTION #43 -- 2016 SUPPORTING APPLICATION OF THE NORWICH BIDMA FOR 2016 ROUND OF NY MAIN STREET GRANT FUNDING

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

WHEREAS, the Norwich Business Improvement District Management Association, Inc. (Norwich BIDMA) has previously received New York Main Street grant funding through NYS Homes and Community Renewal, and

WHEREAS, previous NY Main Street grant funding support in the city of Norwich has resulted in substantive rehabilitation projects at more than twenty-five properties in the city's downtown; and

WHEREAS, an opportunity exists for the Norwich BIDMA to apply for the 2016 round of NY Main Street grant funding through NYS Homes Community Renewal to support the rehabilitation of additional commercial and mixed-use properties located within the BID District target area, and

WHEREAS, the City is committed to the ongoing efforts of the Norwich BIDMA to revitalize and improve the downtown; now, therefore be it

RESOLVED, that the City of Norwich hereby provides its support for the Norwich BIDMA's application to 2016 round of funding through the NY Main Street grant program.

Seconded by Ald. Schermerhorn and duly adopted, 6 - 0, on a roll call vote.

Discussion: Ald. Deierlein asked if there were a specific purpose for this grant. T. Dreyer explained that this would fall under the category of a target are grant. Any property within the BID can apply for participation in the grant. Letters were sent out to all property owners and they are beginning to receive responses to those letters.

RESOLUTION #44 -- 2016 **DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTY AT 169 EAST MAIN STREET**

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

WHEREAS, the City of Norwich acquired the real property at 169 East Main Street through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the subject property was advertised for sale in the May 2, 2016 edition of *The Evening Sun* newspaper; and

WHEREAS, the Common Council considers the purchase offer to be acceptable based on the amount offered and the proposed rehabilitation of the property for use as a single-family dwelling; and

WHEREAS, the sale of the subject property to a private party is appropriately classified as an Unlisted action pursuant to the applicable provisions of the State Environmental Quality Review Act (SEQRA) and an accompanying short environmental assessment form (EAF) has been prepared; now, therefore, be it

RESOLVED, the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and be it further

RESOLVED, the Common Council hereby designates Anna M. Miller, residing at 169 East Main Street, Norwich, NY, as the "preferred purchaser" of the City-owned property at 169 East Main Street for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property; and be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 169 East Main Street to Anna M. Miller as indicated above.

Seconded by Ald. Caldwell and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #45 -- 2016 **DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTY AT 20 HICKOK AVENUE**

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

WHEREAS, the City of Norwich acquired the real property at 20 Hickok Avenue through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the subject property was advertised for sale in the May 10, 2016 edition of *The Evening Sun* newspaper; and

WHEREAS, the Common Council considers the purchase offer to be acceptable based on the amount offered and the proposed rehabilitation of the property for use as a two-family dwelling; and

WHEREAS, the sale of the subject property to a private party is appropriately classified as an Unlisted action pursuant to the applicable provisions of the State Environmental Quality Review Act (SEQRA) and an accompanying short environmental assessment form (EAF) has been prepared; now, therefore, be it

RESOLVED, the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and be it further

RESOLVED, the Common Council hereby designates Stroh Real Estate LLC, having offices at 120 West Shore Road, Norwich, NY, as the "preferred purchaser" of the City-owned property at 20 Hickok Avenue for the purpose of rehabilitating the residential structure and establishing a two-family residential use at the property; and be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 20 Hickok Avenue to Stroh Real Estate LLC as indicated above.

Seconded by Ald. Schermerhorn and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #46 -- 2016 **DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTY AT 10 WAITE STREET**

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

WHEREAS, the City of Norwich acquired the real property at 10 Waite Street through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the subject property was advertised for sale in the May 12, 2016 edition of *The Evening Sun* newspaper; and

WHEREAS, the Common Council considers the purchase offer to be acceptable based on the amount offered and the proposed rehabilitation of the property for use as a single-family dwelling; and

WHEREAS, the sale of the subject property to a private party is appropriately classified as an Unlisted action pursuant to the applicable provisions of the State Environmental Quality Review Act (SEQRA) and an accompanying short environmental assessment form (EAF) has been prepared; now, therefore, be it

RESOLVED, the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and be it further

RESOLVED, the Common Council hereby designates Nancy Gallaher, residing at 27 Locust Street, Norwich, NY, as the "preferred purchaser" of the City-owned property at 10 Waite Street for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property; and be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 10 Waite Street to Nancy Gallaher as indicated above.

Seconded by Ald. Schermerhorn and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #47 - 2016 **AUTHORIZING APPROPRIATION OF GRANT FUNDS FROM R.C. SMITH FOUNDATION & THE GREATER NORWICH FOUNDATION FOR CITY BAND SUMMER CONCERT SERIES**

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

WHEREAS, a grant in the amount of $1,815.00 has been received from the R.C. Smith Foundation for supporting the Norwich City Band 2016 summer concert series; and

WHEREAS, a grant in the amount of $1,815.00 has also been received from The Greater Norwich Foundation for supporting the Norwich City Band 2016 summer concert series; and

WHEREAS, corresponding increases are therefore required in budgeted appropriations for the above designated purpose; and

WHEREAS, the Finance/Personnel Committee has made certain recommendations; now, therefore be it

RESOLVED, that $1,815.00 from the RC Smith Grant and $1,815.00 from The Greater Norwich Foundation grant be and hereby are appropriated for the Norwich City Band 2016 summer concert series; and, further be it

RESOLVED, that the City Chamberlain be and hereby is authorized to make the following supplemental appropriation in the 2016 General Fund budget:

From:

Account Number	Name	Amount
A910	General Fund – Appropriated Fund Balance	$ 3,630.00

To:

Account Number	Name	Amount
A7270.4020	Band Concerts - Contracted Services	$ 3,630.00

Seconded by Ald. Schermerhorn, and duly adopted, 6 - 0, on a roll call vote.

Payment of June 2016 Bills

Ald. Schermerhorn **moved** to pay the June 2016 bills after proper audit and certification. Seconded by Ald. Deierlein and duly adopted ayes all.

	Prepaid	05/17/2016	Grand Total
General Fund	$718,257.37	$52,815.45	$ 771,072.82
Sewer Fund	55,762.03	22,607.19	78,369.22
Water Fund	6,577.20	13,440.78	20,017.98
Trust	10,145.63	-	10,145.63
Debt Service	206,580.51	-	206,580.51
Capital Projects	261,188.85	787.57	261,976.42
TOTALS	**$1,258,511.59**	**$89,650.99**	**$1,348,162.58**

Executive Session

Ald. Deierlein **moved** to enter executive session to discuss issues effecting contract negotiations at 6:37 p.m. Seconded by Ald. Doliver, approved ayes all.

Ald. Caldwell **moved** to enter executive session to discuss the history of a particular corporation at 6:37 p.m. Seconded by Ald. LoPiccolo, approved ayes all.

Ald. Doliver **moved** to exit executive session at 8:21 p.m. Seconded by Ald. Caldwell, approved ayes all.

Adjournment
Ald. Deierlein **moved** to adjourn at 8:21 p.m. Seconded by Ald. Caldwell, approved ayes all.