

COMMON COUNCIL

August 16, 2016

Mayor Christine Carnrike presided at a meeting of the Common Council held at 6:00 PM on August 16, 2016, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Christine Carnrike
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. Walter Schermerhorn
Ald. David Zieno
Ald. Thomas LoPiccolo

Also:

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

Supervisor James McNeil
Supervisor Robert Jeffrey
Absent:
Ald. Deierlein

Media Representative: Grady Thompson

Call to Order

The meeting of the Common Council was called to order by Mayor Carnrike at 6:01p.m.

Approval of Minutes

Ald. LoPiccolo **moved** to approve the minutes of the regular meeting of July 19, 2016. Seconded by Ald. Schermerhorn and duly approved ayes all.

Open Forum

Robert Jeffrey, 17 York St., reported he has had contact with constituents on Gold St. regarding the revaluation within the City. Gold St. is an area of potential contamination and were wondering if it effects their assessment. They did contact the assessor, who is not aware of anything. They did ask Mr. Jeffrey to pass this on to the Common Council. He went on to express his hopes that the Firefighter positions that will become vacant due to retirement will be filled. If there are SAFER grants available this would be the time to utilize them so funds would not be taken from the General Fund.

Mayor Carnrike took a moment to thank the Fire, Police, DPW, and EMO Departments for handling things during the storm over the weekend.

Correspondence

Colorscape 2016 – Ald. Schermerhorn **moved** to approve the request from Colorscape Chenango for the additional road closure on West Main St. from the westerly end of the circle driveway at Norwich Senior Housing to Maple St. Closure would only be during festival hours on Sat. Sept 10, 2016 from 9:30 a.m. - 6:30 p.m. and Sunday, Sept. 11, 2016 from 10:30 a.m. – 5:30 p.m. Seconded by Ald. Zieno, approved ayes all.

Hayes Street Block Party – Ald. Caldwell **moved** to approve the request from Paul Bird to hold their annual Hayes Street Block Party from 12:00 p.m. to 6:00 p.m. on Saturday, Sept. 17, 2016 with a rain date of Sunday, Sept. 18, 2016. They are requesting assistance from the Police Department with road closures from Locust St. to Elm St. Seconded by Ald. Schermerhorn, approved ayes all.

Liquor License Application – 28 South Broad Street Ald. Schermerhorn **moved** to receive and file a new liquor license application from Michael LaCroce for 28 South Broad Street. Seconded by Ald. LoPiccolo and duly adopted, ayes all.

Department, Board and Commission Reports

-  Water Commission Minutes – July
-  Civil Service Minutes – February and July

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

Ward Reports

Ward 1

Ald. Caldwell reported he has received a few communications from constituents and issues are being resolved.

Ward 2

Ald. Doliver reported no communications from constituents during the last month.

Ward 4

Ald. Schermerhorn reported he has received questions regarding drug problems in the city.

Ward 5

Ald. Zieno reported he has received communication similar in nature to the drug problems. Some citizens in his ward are interested in starting a neighborhood watch group. He has spoken to the Police Chief and although there is currently not a program here, they will be looking into it. Ald. Zieno was provided with reference materials, and he is also contacting the Sheriff for additional reference materials. He also has continued complaints of excessive speed on Grove Ave. He will be looking into that further to see what can be done.

Ward 6

Ald. LoPiccolo reported he has received no communications from constituents during the last month.

Discussion: R. Marsh responded to Ald. Schermerhorn that they had two arrests on Cortland St. for cocaine.

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

MOTIONS

Ald. Schermerhorn **moved** to award the bid for the dump truck to Chenango Sales of Greene, NY in the amount of \$61,824. Funds were transferred into the Treatment & Disposal – Equipment account in Resolution #86-2015. Seconded by Ald. LoPiccolo, approved ayes all.

Resolutions

RESOLUTION #63 - 2016

AUTHORIZING CONTRACT WITH MUNICIPAL SOLUTIONS, INC. FOR FINANCIAL ADVISORY SERVICES

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

WHEREAS, the City of Norwich requires financial advisory services regarding bonding, short-term borrowings, ;

WHEREAS, a contract proposal for financial advisory services has been received from Municipal Solutions, Inc. of LeRoy, NY; and

WHEREAS, the Common Council of the City of Norwich hereby finds the proposal to be reasonable and in the best interest of the City; and

WHEREAS, the procurement policies of the City of Norwich and the applicable laws of the State of New York allow the City to enter into a professional services contract on this matter; now therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized, under the direction of the City Attorney to negotiate and enter into a contract with Municipal Solutions, Inc. of LeRoy, NY for financial advisory services.

Seconded by Ald. Doliver

Discussion: Ald. Caldwell said he is not comfortable moving on this at this time. He has had discussion with D. DuFour who has valid points regarding this, but would like the rest of the Council to see an email from Ald. Deierlein who also has some valid points. He went on to say that Ald. Deierlein would like the Council to take a closer look at this. Ald.

Caldwell moved to table Resolution #63-2016 until Ald. Deierlein could participate in the discussion. Ald. Schermerhorn stated he thought a problem existed currently which was why they were switching back (to Municipal Solutions). Ald. Doliver agreed, but went on to say an email had gone out by Ald. Deierlein with other information that needs to be considered. Mayor Carnrike asked the Council if they had reviewed the response by D. DuFour to Ald. Deierlein's email. Some had not reviewed the response. Ald. Caldwell and Ald. Zieno stressed the need to have Ald. Deierlein present since he is the most knowledgeable member of the Council regarding this matter. Ald. Zieno asked D. DuFour for a list or schedule of fees to compare. D. DuFour responded that she would do that, but there are other issues to consider but they must be discussed in executive session.

Ald. Caldwell **moved** to table Resolution #63-2016. Seconded by Ald. Zieno, and duly adopted, 4-1, on a roll call vote with Ald. Schermerhorn voting nay.

RESOLUTION #64 - 2016

AUTHORIZING APPOINTMENT OF FINANCIAL ADVISOR FOR WHEELER AVENUE STORAGE TANK REPLACEMENT PROJECT

Ald. Caldwell **moved** to table:

WHEREAS, the Common Council, by Resolution #21-2014 on the 15th day of April, 2014, authorized the establishment of a capital project for the replacement of the existing water storage tank on Wheeler Avenue (the "Wheeler Avenue Water Storage Tank Replacement Project"); and

WHEREAS, said resolution authorized the Mayor, the Superintendent of Public Works, and the Director of Finance to pursue and negotiate funding sources for the project, including the related professional bonding services of a Financial Advisor and Bond Counsel;

WHEREAS, the City is terminating its current financial advisory services agreement with their current fiscal advisor under the direction of the City Attorney; now therefore be it

RESOLVED, that the appointment and retention of Municipal Solutions, Inc., as Financial Advisor for the City of Norwich Water Filtration Project, under the terms as outlined in the letter from Municipal Solutions, Inc. of August 10, 2016 be and hereby is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to acknowledge acceptance on behalf of the City of said retention according to said terms.

Seconded by Ald. Doliver, and duly adopted, 4-1, on a roll call vote with Ald. Schermerhorn voting nay.

RESOLUTION #65 - 2016

AUTHORIZING APPOINTMENT OF FINANCIAL ADVISOR FOR WATER FILTRATION PROJECT

Ald. Caldwell **moved** to table its adoption:

WHEREAS, the Common Council, by Resolution #104-2012 on the 11th day of December, 2012, authorized the establishment of a capital project for the replacement of the existing water filtration facilities (the "Water Filtration Project"); and

WHEREAS, said resolution authorized the Mayor, the Superintendent of Public Works, and the Director of Finance to pursue and negotiate funding sources for the project, including the related professional bonding services of a Financial Advisor and Bond Counsel;

WHEREAS, the City is terminating its current financial advisory services agreement with their current fiscal advisor under the direction of the City Attorney; now therefore be it

RESOLVED, that the appointment and retention of Municipal Solutions, Inc., as Financial Advisor for the City of Norwich Water Filtration Project, under the terms as outlined in the letter from Municipal Solutions, Inc. of August 10, 2016 be and hereby is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to acknowledge acceptance on behalf of the City of said retention according to said terms.

Seconded by Ald. Doliver, and duly adopted, 4-1, on a roll call vote with Ald. Schermerhorn voting nay.

RESOLUTION #66 - 2016

AUTHORIZING AGREEMENTS WITH TOWNS FOR YOUTH RECREATION SERVICES

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

WHEREAS, the City has reached agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to the residents of such towns for a lump sum per town, without individual charges being made to such participants; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to residents of such towns during the 2017 fiscal year.

Seconded by Ald. LoPiccolo and duly adopted, 5 - 0, on a roll call vote.

Discussion: Ald. Doliver asked if the Towns had been contacted regarding the possible increase in charges. R. Mason reported that letters were sent to the respective towns and he has not heard back from any of them so far. He will be meeting with Dave Law, the Town of Norwich Supervisor, later this week.

RESOLUTION #67- 2016

ADOPTING PROGRAM INCOME PLAN AND REVOLVING LOAN FUND PLAN RELATING TO CDBG PROGRAM INCOME

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

WHEREAS, the City of Norwich has been informed by NYS Homes and Community Renewal of a requirement to establish a Program Income Plan (PIP) and a Revolving Loan Fund (RLF) Plan relating to the administration of program income which is derived from Community Development Block Grant (CDBG) grant and loan programs; and

WHEREAS, the City of Norwich desires to be in compliance with the program income reporting and administration requirements of the CDBG Program; and

WHEREAS, a Program Income Plan (PIP) and a Revolving Loan Fund (RLF) Plan have been drafted and are hereby incorporated into this resolution by reference; and

WHEREAS, this action is appropriately classified as a Type 2 Action under the applicable provisions of the New York State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that the Common Council hereby adopts on behalf of the City of Norwich the accompanying CDBG Program Income Plan and CDBG Revolving Loan Fund Plan in satisfaction of the requirements of the Community Development Block Grant Program.

Seconded by Ald. Schermerhorn and duly adopted, 5 - 0, on a roll call vote.

RESOLUTION #68 - 2016

AUTHORIZING CONTRACT FOR NYS DOH FLUORIDATION GRANT AWARD

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

WHEREAS, the City of Norwich submitted an application for grant funding through the New York State Department of Health for Drinking Water Fluoridation to upgrade both the Borden Avenue well house and the Rexford Street booster pump station with new equipment, monitoring, tankage and scales; and

WHEREAS, notification has been received from the NYS DOH that the City of Norwich has been selected for an award in the amount of \$301,400 for the anticipated contract period of July 1, 2016 - June 20, 2017; and

WHEREAS, 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 sign a contract with the New York State Department of Health, to accept a grant in the amount of \$301,400 for Drinking Water Fluoridation and to act in all respects relative to carrying out its provisions.

Seconded by Ald. Caldwell and duly adopted, 5 - 0, on a roll call vote.

Ordinance (A) of 2016 - Ald. Caldwell **moved** to receive proposed Ordinance No. A of 2016, an ordinance to amend the Peddling And Soliciting Ordinance of the City of Norwich, and set a public hearing for September 20, 2016. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

ORDINANCE NO. (A)
OF 2016

AN ORDINANCE TO AMEND THE
PEDDLING AND SOLICITING ORDINANCE
OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Section 1. Chapter 383-5 A, Fees - Peddling and Soliciting Ordinance of the City of Norwich, New York, is hereby amended as follows:

Section 383-5 A. Fees

[Amended 10-9-1956; 8-13-1991 by Ord. No. 2-1991; 6-16-1998 by Ord. No. 2-1998; 5-18-1999 by Ord. No. 3-1999; 9-22-2009 by L.L. No. 2-2009]

The following fees shall be paid for the license hereinabove required:

A. Where a vehicle or vehicles is or are to be used by the applicant, the fees shall be:

(1) Designated area annual fee: as set by the Common Council; allows for the lease of one of the six designated spaces in the City where goods and services may be sold from a mobile unit without having to fulfill the requirement of movement every 10 minutes.

(a) All four of the downtown spaces are available for annual lease. Permits are nontransferable. Limit one designated space per vendor. The annual permit may be renewed by the same vendor. To assure renewal of the same space the vendor must renew by the last day of February of the licensing year. [Amended 9-14-2010 by Ord. No. 3-2010]

(b) Designated spaces for annual lease are as follows:

- (1) Northwest corner of East Side Park.
- (2) Southeast corner of East Side Park.
- (3) Northeast corner of East Side Park.
- (4) Northeast corner of West Side Park.

(2) Designated area seasonal fee: as set by the Common Council; allows for the length of six months from the date of permit or December 31st, whichever comes first.

(a) Designated spaces for seasonal lease are as follows:

(1) [Old Borden Avenue Road across from Weiler Park]
Parking lot at Weiler Park near the Pavilion.

(2) Kurt Beyer Park, next to the Kurt Beyer Pool Filter House.

(3) Standard (all others): fee as set by the Common Council; allows for a calendar year permit allowing a vendor to sell throughout the City of Norwich under the standard conditions, including moving every 10 minutes.

(4) Any person using a vehicle may employ under the same license not more than one person to assist in selling and delivering, but such person shall so act only when accompanying a licensed hawker, peddler or solicitor and, when any additional persons are so employed, an additional license shall be required for each such additional person and the fee fixed in Subsection A(3) shall be paid therefor.

Section 2. This ordinance shall take effect immediately.

New material is underlined; deleted material is [bracketed].

Payment of August 2016 Bills

Ald. Schermerhorn **moved** to pay the August 2016 bills after proper audit and certification.

	<u>Prepaid</u>	<u>0 / /2016</u>	<u>Grand Total</u>
General Fund	\$174,061.47	\$70,835.02	\$ 244,896.49
Sewer Fund	79,147.84	24,104.37	103,252.21
Water Fund	9,758.67	12,640.62	22,399.29
Trust	27,369.88	-	27,369.88
Debt Service	162,529.23	-	162,529.23
Comm. Dev. - Special Grants	-	330.00	330.00
Capital Projects	293,455.10	-	293,455.10
TOTALS	\$746,322.19	\$107,910.01	\$854,232.20

Seconded by Ald. Caldwell and duly adopted, 5 - 0.

Executive Session

Ald. Zieno **moved** to enter executive session to discuss the employment history of a particular individual at 6:40 p.m.
Seconded by Ald. Caldwell, approved ayes all.

Ald. Zieno **moved** to exit executive session at 8:00 p.m. Seconded by Ald. Schermerhorn, approved ayes all.

Adjournment

Ald. Schermerhorn **moved** to adjourn at 8:01 p.m. Seconded by Ald. LoPiccolo, approved ayes all.