

COMMON COUNCIL

AGENDA
September 20, 2016
6:00 PM

Call To Order

Pledge of Allegiance

Invocation

Approval of minutes of the regular meeting of August 23, 2016

Open Forum

Public Hearing – Proposed Ordinance (A) of 2016 Regarding Peddling and Soliciting

Correspondence

- ☞ YMCA Turkey Trot

Department, Board and Commission Reports

- ☞ Youth Bureau Minutes – September 2016
- ☞ Parks Commission Minutes – August 2016
- ☞ Traffic Commission Minutes – June 2016
- ☞ Police Department Reports – June, July, August 2016

Ward Reports

Motions

- ☞ Remove Resolutions #63-2016, #64-2016 and #65-2016 from the table for Fiscal Advisors

Resolutions

- ☞ Authorizing SEQRA Circulation Concerning 2016 Restore NY Grant Application
- ☞ Authorizing of Application 2016 Restore NY Grant Round 4 and Scheduling a Public Hearing
- ☞ Establishing No Parking on Hickok Ave.
- ☞ Tobacco-Free Parks Policy
- ☞ Adopting Proposed Ordinance (A) of 2016 Regarding Peddling and Soliciting
- ☞ Authorizing Contract with Municipal Solutions, Inc. for Financial Advisory Services
- ☞ Authorizing Appointment of Financial Advisor for Wheeler Avenue Storage Tank Replacement Project
- ☞ Authorizing Appointment of Financial Advisor for Water Filtration Project
- ☞ Updating Municipal Fees and Fines Schedule

Payment of September 2016 Bills

Other

- ☞ Water System Vacancy

Executive Session to discuss contract negotiations, employee history of a particular individual, and the sale and/or purchase of real property where the value may be affected.

Adjournment

Correspondence -YMCA Turkey Trot - Ald. _____ moved to receive and approve a request from the YMCA for their annual Turkey Trot 5K on November 20, 2016. The Kids Fun Run would be at noon and they are requesting 15 minute street closures for the children's race starting at the YMCA on Mechanic St., left onto Silver St., left onto Mitchell St. and left onto Merrill St. and finally a right back onto Mechanic St. to the YMCA. The adult race will begin at 12:30 and are requesting that North Broad St. be closed for the start of the race. In addition, a police presence at the intersection of Borden Ave. and North Broad St. would be helpful as this is a dangerous turn for runners. Seconded by Ald. _____, approved ayes all.

Motions

Ald. _____ moved to remove Resolutions #63-2016, #64-2016 and #65-2016 from the table for Fiscal Advisors

Resolutions

RESOLUTION # -- 2016

AUTHORIZING SEQRA CIRCULATION CONCERNING 2016 RESTORE NY GRANT APPLICATION

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

WHEREAS, the City of Norwich anticipates applying to the 2016 Restore NY program for the purpose of obtaining grant funding to demolish a vacant dilapidated multi-family residential building at 45 Silver Street and to construct a new single-family residential building in its place; and

WHEREAS, the proposed action is subject to the regulations of 6NYCRR Part 617, the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the proposed action is expected to involve permitting and funding from other state and local government agencies; and

WHEREAS, the project site is neither individually listed or contained within an existing district listed on either the national or state registries of historic places; and

WHEREAS, the vacant dilapidated residential building proposed for demolition is potentially eligible for listing on the national and state registries of historic places, and consultation with the NYS Historic Preservation Office (SHPO) is required; and

WHEREAS, the proposed action is preliminarily classified as a Unlisted Action because it does not qualify for either a Type 1 or Type 2 classification; and

WHEREAS, the City of Norwich Common Council believes that it is the most involved agency and desires to serve as the lead agency; now, therefore be it

RESOLVED, that the City of Norwich Common Council hereby determines that the above-described action is subject to the regulations of the State Environmental Quality Review Act (SEQRA); and further be it

RESOLVED, that the Common Council hereby expresses its desire to serve as the lead agency for the environmental review of the above-described action; and further be it

RESOLVED, a coordinated review of the proposed action will be conducted with other potentially involved agencies; and further be it

RESOLVED, that the Common Council hereby authorizes the circulation of a short environmental assessment form (EAF) and related documents to other potentially involved agencies to allow their comment and opportunity to consent or object to the Common Council's designation as lead agency.

Seconded by Ald. _____ and duly adopted, _____, on a roll call vote.

RESOLUTION # -2016

**AUTHORIZING OF APPLICATION 2016 RESTORE NY GRANT ROUND 4 AND
SCHEDULING A PUBLIC HEARING**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the City of Norwich desires to stabilize residential neighborhoods and restore vacant properties to productive residential use, it is considered to be in the public interest for the City to acquire ownership or other satisfactory form of site control of severely damaged or otherwise derelict properties for the purpose of restoring existing structures or reconstructing new residences in their place, and

WHEREAS, an opportunity exists for the City to apply for a 90/10 matching grant (90% state funds / 10% local funds) to fund the restoration or reconstruction of such properties; and

WHEREAS, a public hearing is required concerning the grant application; and

WHEREAS, City staff has identified a City-owned property at 45 Silver Street, which is believed to be an eligible candidate for redevelopment under the Restore NY program; and

WHEREAS, the proposed project is consistent with the Comprehensive Plan; and

WHEREAS, the proposed project will facilitate effective and efficient use of existing and future public resources so as to promoted both economic development and preservation of community resources; and

WHEREAS, appropriate reviews according to the provisions of the New York State Environmental Quality Review Act (SEQRA) and the State Historic Preservation Office (SHPO) will be conducted prior to approval of the grant application by the Empire State Development Corporation; now, therefore be it

RESOLVED, that the Mayor of the City of Norwich be and hereby is authorized to file an application for funds from the Empire State Development Corporation (ESDC) in an amount not to exceed \$120,000, and upon approval of said request to execute, under the direction of the City Attorney, a project agreement and any related documents with the ESDC for such financial assistance for the City of Norwich to proceed with the redevelopment of the subject property at 45 Silver Street that is the subject of the grant; and further be it

RESOLVED, that a public hearing concerning the above-described grant application is hereby scheduled for September 27, 2016, commencing at 6:00 PM in the Common Council chambers at One Court Plaza in the City of Norwich.

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

RESOLUTION # -2016

ESTABLISHING NO PARKING ON HICKOK AVENUE

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

WHEREAS, pursuant to Section 525-14 of Chapter 525 of the Code of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Traffic Commission has made certain recommendations; now, therefore be it

RESOLVED, that the following paragraph be added to Section 525-54, No Parking, of Chapter 525 of the Code of the City of Norwich:

HICKOK AVENUE, south side.

Underlined material is new.

Seconded by Ald. _____ and duly adopted, ____, on a roll call vote

RESOLUTION # -- 2016

ADOPTING A NO-SMOKING POLICY AT CITY-OWNED PARKS

Alderman _____ introduced the following and **moved** its adoption:

WHEREAS, New York State Public Health Law Article 13-E prohibits smoking at public playgrounds in the presence of children during daylight hours; and

WHEREAS, the City of Norwich Common Council desires to promote public health in City-owned parks; 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 of the City of Norwich hereby adopts and establishes as policy the prohibition of smoking in City-owned parks; and be it further

RESOLVED, that, acting under the direction of the Mayor, appropriate City personnel are hereby authorized to acquire and post signage at City-owned parks as may be considered necessary to inform the public about this policy.

Seconded by Alderman _____ and duly adopted, ____, on a roll call vote.

RESOLUTION # -- 2016

**ADOPTING PROPOSED ORDINANCE NO. (A) OF 2016 REGARDING
PEDDLING AND SOLICITING**

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

WHEREAS, the Common Council received proposed Ordinance No. (A) of 2016 on August 16, 2016; and

WHEREAS, a public hearing was held September 20, 2016, in connection with said proposed ordinance; now, therefore be it

RESOLVED, that Ordinance No. (A) of 2016, regarding Chapter 383-5 A. Fees – Peddling and Soliciting Ordinance, as presented to the Common Council on August 16, 2016, be and hereby is adopted, and hereby designated as Ordinance No. 1 of 2016.

**PROPOSED ORDINANCE NO. (1)
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].

Seconded by Ald. _____ and duly adopted, ____, on a roll call vote.

RESOLUTION #63 - 2016

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

Ald. _____ 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 Alderman _____ and duly adopted, ____, on a roll call vote.

RESOLUTION #64 - 2016 **AUTHORIZING APPOINTMENT OF FINANCIAL ADVISOR FOR WHEELER AVENUE STORAGE TANK REPLACEMENT PROJECT**

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

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. _____ introduced the following and **moved** 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 # -2016 UPDATING MUNICIPAL FEES AND FINES SCHEDULE

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

WHEREAS, the Common Council adopted Resolution #71-2010 on October 19, 2010, establishing a consolidated Municipal Fees & Fines Schedule of various fees and certain fines into a single document; and

WHEREAS, it has been determined that Dog License Fees for late renewal in surrounding municipalities are at least \$25 for the Initial Fine; and

WHEREAS, the late fee would be applied 30 days after the expiration of the dog license renewal date; and

WHEREAS, the Common Council have made certain recommendations; now, therefore be it

RESOLVED, that the following portions of the Municipal Fees & Fines Schedule be and hereby are updated effective as of January 1, 2017:

**CITY OF NORWICH
UPDATED MUNICIPAL FEES & FINES
Effective Date as of January 1, 2017**

	<u>Current Fee</u>	<u>Revised Fee</u>
A. Dog Licensing Fees		
(1) Spayed or neutered	\$11.00	\$11.00
(2) Unspayed or unneutered	\$23.00	\$23.00
(3) Late Renewal Fee		\$25.00

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

Payment of September 2016 Bills

Ald. _____ **moved** to pay the September 2016 bills after proper audit and certification.

	<u>Prepaid</u>	<u>9/20/2016</u>	<u>Grand Total</u>
General Fund	\$381,530.18	\$58,735.29	\$ 440,265.47
Sewer Fund	9,056.20	56,802.90	65,859.10
Water Fund	1,524.23	19,668.37	21,192.60
Trust	9,539.73	-	9,539.73
Comm. Dev. - Special Grants	8,367.50	630.00	8,997.50
Capital Projects	324,546.60	16,643.44	341,190.04
TOTALS	\$734,564.44	\$152,480.00	\$887,044.44

Seconded by Ald. _____ and duly (adopted/defeated) _____.