COMMON COUNCIL
April 19, 2016

Mayor Christine Carnrike presided at a meeting of the Common Council held at 6:00 PM on April 19, 2016, in the Common Council Chambers at One Court Plaza.

Present:	Also:
Mayor Christine Carnrike	
Ald. Matthew Caldwell	City Chamberlain/City Clerk John Zielinski
Ald. Brian Doliver	Director of Human Resources Deborah DeForest
Ald. David Zieno	DPW Superintendent Carl Ivarson
Ald. Thomas LoPiccolo	Community Development Specialist Todd Dreyer
	Youth Bureau Director Robert Mason
	Deputy City Chamberlain Dee DuFour
	Police Chief Rodney Marsh
Supervisor Robert Jeffrey	

Absent:
Ald. John Deierlein
Ald. Walter Schermerhorn
Supervisor James McNeil

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

Approval of Minutes
Ald. Caldwell **moved** to approve the minutes of the regular meeting of March 15, 2016 and the Special meeting of April 5, 2016. Seconded by Ald. Doliver and duly approved ayes all.

Correspondence

Allegro Run for the Arts – Ald. Doliver **moved** to receive and approve a request from The Chenango Arts Council for its 15th annual Allegro Run for the Arts on Saturday May 7, 2016. Registration will begin at 8 a.m. with the run starting at 9 a.m. They are requesting street closures from West Main St. in front of their building from Elm St. to Broad St. from early morning until the end of the race (about 10:15 a.m.), as well as Guernsey St. at West Main for the start of the race, and NO PARKING signs going south on Broad St. for a running lane. The intersections of Elm and West Main, West Main and Canasawacta, and Canasawacta and Pleasant are crossover points and police or fire police presence would be helpful. Seconded by Ald. LoPiccolo, approved ayes all.

May Day "Block Party" – Ald. Caldwell **moved** to receive and approve a request from The Chenango Arts Council for Special Event designation for their May Day "Block Party" in addition to the Allegro Run on the same day of Saturday, May 7, 2016. They are requesting road closures from 8 a.m. – 6 p.m. at Maple St. from Guernsey to Court Sts. Seconded by Ald. Doliver, approved ayes all.

Parade of Lights – Ald. LoPiccolo **moved** to receive and approve The Pennysaver/Evening Sun's request for Special Event status for its annual "A Christmas to Remember Parade of Lights" on Saturday, November 26th, 2016 at 6:00 p.m. and to use Route 12 from Division Street to Fair Street. The lineup to their assigned streets will begin at 5:30 p.m. They are requesting as many barricades as possible to control crowds along the route with the assistance of Fire police with radios at each parade entrance street. Seconded by Ald. Zieno, approved ayes all.

Northeast Classic Car Museum Event – Ald. Caldwell **moved** to receive and approve a request from The NECCM requesting Police presence and a partial street closure on State St. from 11:00 a.m. to 5:00 p.m. on Sunday, July 17, 2016 from Rexford St to the entrance of Cobbler's Square for a large outdoor event being held at the Northeast Classic Car Museum. Residents of State St. will have access to the street during the event. Seconded by Ald. Doliver, approved ayes all.

Norwich High School SADD, Mock Crash Exercise - Ald. LoPiccolo **moved** to receive and approve a request from the Norwich High School SADD for police and fire assistance to conduct a Mock Crash Exercise on

Thursday, May 12, 2016 at 12:30 p.m. with a rain date of Friday, May 13, 2016. This is part of the pre-prom activities and will bring awareness of the dangers of drinking, drug use, excessive speed and the reality of a car crash as a result of these dangers. Seconded by Ald. Doliver, approved ayes all.

Department, Board and Commission Reports

- Youth Bureau Report – 1st Quarter 2016
- Water Commission Minutes – March 16, 2016
- Parks Commission Minutes – March 16, 2016
- Traffic Commission Minutes – March 9, 2016
- Code Enforcement Report – 1st Quarter 2016
- Fire Department Report - March
- Police Department Report - March

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

Motions

Remove Resolution # 18 – 2016 from the table

Ald. Caldwell **moved** to remove from the table Resolution # 18 - 2016 regarding the Adoption by the City of Norwich of the CHENANGO COUNTY ALL HAZARD MITIGATION PLAN.

Seconded by Ald. Zieno, duly approved ayes all.

Resolutions

RESOLUTION # 18 - 2016 **ADOPTION OF THE CHENANGO COUNTY ALL HAZARD MITIGATION PLAN**

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

WHEREAS, the City of Norwich, with the assistance of TetraTech, EM Inc., has gathered information and prepared the Chenango County All Hazard Mitigation Plan; and

WHEREAS, the Chenango County All Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, City of Norwich is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Norwich Common Council has reviewed the Plan and affirms that the Plan will be updated no less than every five years; now, therefore be it

RESOLVED, by the City Council that the City of Norwich adopts the Chenango County All Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Seconded by Ald. Caldwell, and duly adopted, 4 - 0 on a roll call vote.

RESOLUTION # 22 - 2016 **AUTHORIZING BUDGET TRANSFER AND PURCHASE FOR THE REPLACEMENT OF SKATELITE PANELS AT THE SKATEBOARD PARK**

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

WHEREAS, the Youth Bureau Director has reported to the Joint Committees that 19 of the Skatelite Panels that cover the skateboard ramps at the skateboard park need to be replaced due to normal wear and tear ; and

WHEREAS, these 19 Skatelite Panels were installed in 2003 and are past the end of the 10 year manufacturer's warranty; and

WHEREAS, the Youth Bureau Director has received a quote of $8,804.98 from R.C. Woodson to replace these 19 Skatelite Panels; and

WHEREAS, the Common Council had previously increased the Skateboard Park Capital Reserve Fund by transfer of residual funds in the amount of $31,147.44 from the original Skating Rink Capital Project through Resolution #14 – 2015 on March 25, 2015; and

WHEREAS, the current balance of the Skateboard Park Capital Reserve Fund is $35,779.71: and

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

RESOLVED, that the Youth Bureau Director be and is hereby authorized to purchase 19 Skatelite Panels for the skateboard ramps at the skateboard park from R.C Woodson for an amount not to exceed $8,804.98; and, be it further

RESOLVED, that the City Chamberlain be and hereby is authorized to make the following transfer of funds from the Skateboard Park Capital Reserve Fund to the General Fund as follows:

Account Number	Name	Amount
From:		
HR18-878	Skateboard Park Capital Reserve Fund	$ 8,804.98
To:		
A7140.2100	Playgrounds & Recreation- Equipment	$ 8,804.98

Seconded by Ald. Zieno and duly adopted, 4 - 0, on a roll call vote.

Discussion: Ald. Caldwell asked Youth Bureau Director R. Mason for clarification of the installation. R. Mason stated that installation would be done by City employees. Ald. Zieno asked if the Skateboard Park Capital Reserve Fund is part of the overall calculation for the General Fund. J. Zielinski responded that the Capital Reserve Funds are separate from the General Fund Balance and Capital Project Funds.

RESOLUTION # 23 -2016 **DECLARING CONCRETE MATERIAL SURPLUS AND AUTHORIZING DISPOSAL**

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

WHEREAS, certain concrete material stored at the Borden Ave. DPW site has been deemed to be surplus by the Department of Public Works; and

WHEREAS, the railroad has expressed an interest in obtaining and using this material to repair washed out areas along its train track : and

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

RESOLVED, that the concrete material stored at the Borden Ave. DPW site be and hereby is declared surplus

Seconded by Ald. Doliver, and duly adopted, 4 - 0, on a roll call vote.

RESOLUTION #24 -2016 **DECLARING VEHICLES SURPLUS AND AUTHORIZING DISPOSAL**

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

WHEREAS, certain confiscated and obsolete vehicles have been deemed to be surplus by the Police Department and the Department of Public Works; and

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

RESOLVED, that the following items, as presented to the Common Council, be and hereby are declared surplus:

1982	Datsun	2DSD	VIN # JN1HZ04S9CX465461
1998	Chevrolet	2DSD	VIN # 2G1WW12M1W9157249
1998	Mazda	4DSD	VIN # JM1TA2212W1413195
2002	Jeep Liberty		VIN # 1J4GL48192W251622
2005	Chrysler PT Cruiser		VIN # 3C4FY48B55T532080
1990	Ford Truck Unit # 33		VIN # 2FDLF47M4LCA82223
1992	Ford Truck Water #5		VIN # 2FDLF47M9NCA62293
1997	Ford Truck Unit #28		VIN # 1FTHF36H9VEB82842

and, further be it

RESOLVED, that the City Chamberlain be and hereby is authorized to dispose of such equipment as is provided for by law.

Seconded by Ald. Caldwell, and duly adopted, 4 - 0, on a roll call vote.

Discussion: Ald. Caldwell asked if any of the vehicles are ones located in the impound lot. J. Zielinski responded that these do include some of those vehicles. He added that the Fire Department vehicles had previously been declared surplus and several Council members concurred. Ald. LoPiccolo wanted to know who was in charge of the vehicle disposal as he has asked this question before and has received different answers. J. Zielinski said one of the problems is in order to sell a vehicle we need the title and also that Fire vehicles can sometimes be given an exemption from title requirements.

RESOLUTION #25 -2016 **AUTHORIZING APPLICATION TO USDA-RD FOR A COMBINATION OF LOANS & GRANTS THROUGH THE COMMUNITY FACILITY PROGRAM FOR VEHICLES & EQUIPMENT**

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

WHEREAS, the City of Norwich is in need of various vehicles & items of equipment necessary to serve the residents of the City; and

WHEREAS, the United States Department of Agriculture – Rural Development (USDA-RD) has deemed the City eligible to participate in its Community Facility Program which assists rural communities in purchasing needed vehicles and equipment to serve their residents through a program that combines grants with low interest loans; and

WHEREAS, during the 2016 Budget process the City Chamberlain determined that the maximum amount reasonably necessary to purchase all of the necessary vehicles & items of equipment was $1.5 million ; and included the costs of a $1.5 million serial bond issue in the 2016 General Fund Budget; and

WHEREAS, the USDA-RD grants would constitute a minimum of 10% up to a maximum of 30% of the funds received through their Community Facility Program, potentially saving the City between $150,000 and $450,000 for the purchase of necessary vehicles & items of equipment; and

WHEREAS, the proposed action is classified as a Type 2 action for the purpose of SEQRA review; now, therefore be it

RESOLVED, that Christine A. Carnrike, as Mayor of the City of Norwich, acting under the advice of the City Attorney and City Chamberlain, is hereby authorized to submit an application for funding assistance to the United States Department of Agriculture – Rural Development (USDA-RD) Community Facility Program in an amount not to exceed $1.5 million for the purpose of purchasing vehicles and items of equipment necessary to serve the residents of the City of Norwich. Seconded by Ald. LoPiccolo.

Discussion: Ald. Doliver asked if there was a list of equipment. J. Zielinski stated he has only received a list from the Police and Human Resources Departments. The DPW and the Fire Department are both waiting on prices for equipment that are in transition. Ald. Doliver asked if this was an ongoing program. J. Zielinski stated that you can apply in separate pieces or groups of items as you deem the equipment worthy of buying. Ald. Doliver asked what the length of the loan would be. J. Zielinski said it would depend on the estimated useful life of the equipment. He restated that there is the grant component to this of 10%-30%. J. Zielinski reminded the Council that there are not the resources or funds for the DPW, Human Resource and Financial equipment like there are for Fire and Police Departments. Ald. Doliver asked what portion would be grant and what portion loan. J. Zielinski stated that application would have to be made first and then the USDA would make that determination when they go through the vetting process. Ald. Zieno stated that even at the maximum of 30% grant, that still leaves 70% to repay. J. Zielinski stated that the costs on the current list is $102,000 from the Police Department and $7,000 from Human Resources. The larger dollar items that will be coming in will be Fire Trucks, Ambulances, and DPW heavy equipment. Ald. Zieno asked if the grant was approved and then the City wanted to move ahead to purchase items, would those items then come back to Council for approval or can they be automatically purchased. He is very concerned about the effect of debt service on the budget. J. Zielinski suggested adding a "Further Resolved" that any purchases under this program are subject to Common Council approval. Ald. Zieno **moved** to amend Resolution #25 - 2016 to say "No purchase orders will be issued or purchases made without further approval of the Common Council." Seconded by Ald. LoPiccolo. C. Ivarson had concerns that if the City's application is approved and then turns down the grant that it will greatly affect the City's chances of any other grant approval in the future. After a brief discussion about obtaining a complete list of equipment and concerns over the impact on the budget, Ald. Doliver **moved** to table Resolution #25 - 2016, Seconded by Ald. Caldwell, approved ayes all.

<u>RESOLUTION # 26 - 2016</u> **DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTY AT 106-108 EAST MAIN STREET**

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

WHEREAS, the City of Norwich is the owner of the real property at 106-108 East Main Street in the City of Norwich; and

WHEREAS, the subject property, a vacant lot, was declared to be surplus by the Common Council at a special meeting held on April 5, 2016; and

WHEREAS, with Common Council authorization provided at the February 16, 2016 meeting, the subject property was advertised for sale in the February 22, 2016 edition of *The Evening Sun* newspaper; and

WHEREAS, one written purchase proposal has been received; and

WHEREAS, the Common Council considers the purchase proposal to be acceptable based on the amount offered and the proposed rehabilitation of the property for use as a parking lot; 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); now, therefore, be it

RESOLVED, the Common Council has reviewed the related short environmental assessment form (EAF) and has determined that the sale of the subject property and its subsequent use as a parking lot is not expected to result in a significant adverse environmental impact; and, be it further

RESOLVED, the Common Council hereby designates Giuseppe Magro and Vincenzo Magro, both residing in Sherburne, NY, as the "preferred purchaser" of the City-owned property at 106-108 East Main Street for the purpose of using it as a parking lot; 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 106-108 East Main Street to Giuseppe Magro and Vincenzo Magro as indicated above.

Seconded by Ald. Doliver and duly adopted, 4 - 0, on a roll call vote.

RESOLUTION #27 - 2016 **SUPPORTING PROPOSAL OF CHENANGO COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH AND CHENANGO UNITED WAY FOR A FIT PATH AT WEILER PARK**

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

WHEREAS, the City of Norwich has been informed of the desire of the Chenango County Department of Environmental Health and the Chenango United Way to apply for funding through the Chobani Foundation for the purpose of purchasing and installing a "fit path" exercise circuit at Weiler Park; and

WHEREAS, the Chenango County Department of Environmental Health and the Chenango United Way have organized an informal group known as the Building a Healthy Community Coalition, which is dedicated to reducing obesity and promoting healthy lifestyles in the county; and

WHEREAS, the proposed location of the fit path stations will be coordinated with the City Department of Public Works in order to avoid conflicts with other park amenities; and

WHEREAS, the installation of the fit path stations is expected to be done using a "community build" process, and adequate liability insurance coverage concerning the installation shall be presented by the Chenango United Way to the satisfaction of the City before the installation of the stations; and

WHEREAS, the future maintenance of the fit path stations will be conducted by the City, and such maintenance is expected to be minor; 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 City of Norwich hereby provides its support and cooperation to the Chenango County Department of Environmental Health and the Chenango United Way in their efforts to install a fit path exercise circuit at Weiler Park.

Seconded by Ald. Doliver and duly adopted, 4 - 0, on a roll call vote.

RESOLUTION #28 - 2016 **ADOPTING A GRIEVANCE PROCEDURE POLICY FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990**

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

WHEREAS, the City of Norwich has been informed by NYS Homes and Community Renewal that federal law requires the City to adopt a policy establishing grievance procedures concerning the Americans with Disabilities Act of 1990 (ADA); and

WHEREAS, the City of Norwich desires to be in compliance with the Americans with Disabilities Act; and

WHEREAS, a grievance procedure policy has been drafted and is 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 policy establishing a grievance procedure concerning the Americans with Disabilities Act of 1990.

Seconded by Ald. Zieno and duly adopted, 4 - 0, on a roll call vote.

RESOLUTION #29 - 2016 **UPDATING MUNICIPAL FEES AND FINES SCHEDULE**

Ald. Doliver 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, the fee for Special Events has not been increased since January 18, 2011 by Common Council Resolution #04-2011; and

WHEREAS, Ald. Doliver has determined that the fee for Special Events should be increased to keep pace with the
increased costs to the City when such events are held; and

WHEREAS, Ald. Doliver and the Joint Committees 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 May 1, 2016 :

CITY OF NORWICH
UPDATED MUNICIPAL FEES & FINES
Effective Date as of May 1, 2016

	Current Fee	Revised Fee
LICENSING FEES		
Peddler's Permits		
Special Events	$ 25.00 per event	$ 50.00 per event

Seconded by Ald. LoPiccolo, and duly adopted, 4 - 0, on a roll call vote.

RESOLUTION #30 - 2016 **AUTHORIZING EXPENDITURE FOR AN ENGINEERING STUDY TO DETERMINE THE FLOOR PLAN FOR LOCATING CITY HALL ON THE THIRD FLOOR OF THE FIREHOUSE, AND TRANSFER OF FUNDS**

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

WHEREAS, the third floor of the firehouse is vacant and has adequate space to house all of the functions now located within the current City Hall and to store City records currently located at the former wastewater treatment facility on Hale Street; and

WHEREAS, if the current City Hall functions and the records stored at the former wastewater treatment facility on Hale Street were relocated to the third floor of the firehouse the City would eliminate the costs associated with those properties and those two properties could be sold and restored to the tax rolls ; and

WHEREAS, it is in the best interests of the City that the vacant space on the third floor of the firehouse be utilized most efficiently; and

WHEREAS, the DPW Superintendent has received two proposals from engineering firms, GHD for $9,500 and Delaware Engineering for $6,000, for the design and layout of the third floor of the firehouse to be utilized to house the functions currently located in City Hall and to store the records currently stored at the former wastewater treatment facility on Hale Street; and

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

RESOLVED, that the proposal from Delaware Engineering in the amount of $6,000 is hereby approved; 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:

A1620.4040 Municipal Buildings- Maintenance $ 6.000.00

To:
A1440- 4020 Engineering- Contracted Services $ 6,000.00

Seconded by Ald. Caldwell, and duly defeated, 0 - 4, on a roll call vote.

Discussion: Ald. Caldwell felt this should be thought through carefully. The Water Tank, the Filter Plant and the Solar Project are large endeavors and $6,000 may be needed elsewhere. Ald. Zieno stated that $6,000 may be needed to pay debt service on equipment that cannot wait. Mayor Carnrike stated that until there is something more concrete for the existing City Hall building it would be premature for any study. There are also multiple sets of plans already available.

RESOLUTION #31 - 2016 **APPROVAL OF THE LEASE OF VACANT PROPERTY TO LAURIE CRANDALL D/B/A EICKE'S RESTAURANT**

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

WHEREAS, the City of Norwich is the owner of vacant real property located on East Main Street, alongside Bohemian Moon Restaurant, known as 99-101 East Main Street, Norwich, New York, having dimensions of 62.0 feet wide by 162.0 feet deep and known as tax map #136.34-2-19.1, hereinafter referred to as the "property", which is not currently needed for municipal purposes, and

WHEREAS, Laurie Crandall, dba Eicke's Restaurant, is in need of parking for her restaurant at 105 East Main Street, and in return for the use of this property, agrees to, among other things, maintain said lot, provide insurance on said lot, and hold the City of Norwich harmless for use of said lot, and

WHEREAS, the proposed Lease Agreement provides that the City has the right to terminate the lease upon notice if the property is ever needed for municipal purposes; now, therefore be it

RESOLVED, that Christine A. Carnrike, as Mayor of the City of Norwich, is hereby authorized to enter into a lease under the direction of the City Attorney for the lease of the City owned property, known as 99-101 East Main Street, Norwich, New York to Laurie Crandall, dba Eicke's Restaurant.

Seconded by Ald. Doliver, and duly adopted, 4 - 0, on a roll call vote.

Payment of April 2016 Bills

Ald. Doliver **moved** to pay the April 2016 bills after proper audit and certification.

	Prepaid	04/19/2016	Grand Total
General Fund	$140,020.85	$538,451.11	$ 678,471.96
Sewer Fund	21,262.79	23,072.84	44,335.63
Water Fund	16,148.04	7,320.94	23,468.98
Trust	43,123.07	-	43,123.07
Debt Service	1,100.00	-	1,100.00
Comm. Dev. - Special Grants	-	17,208.75	17,208.75
Capital Projects	185,079.56	38.47	185,118.03
TOTALS	**$406,734.31**	**$ 586,092.11**	**$992,826.42**

Seconded by Ald. Zieno and duly adopted 4 - 0.

Discussion: Ald. Caldwell asked for clarification on payment to Multi Med. J. Zielinski stated it is a payment to Multi Med based upon the number of claims actually collected from Medicaid and Medicare and as a percentage of claims actually collected from third party payors such as Excellus.

Adjournment

Ald. Zieno **moved** to adjourn at 7:02 p.m. Seconded by Ald. LoPiccolo, approved ayes all.