

COMMON COUNCIL

February 21, 2017

Mayor Christine Carnrike presided at a meeting of the Common Council held at 6:00 PM on February 21, 2017, 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

Supervisor James McNeil
Supervisor Robert Jeffrey

Absent

Ald. John Deierlein

Also:

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

Media Representative: Grady Thompson, Ashley Babbitt

Call to Order

The meeting of the Common Council was called to order by Mayor Carnrike at 6:03 p.m.

RESOLUTION #9 - 2017

PROMOTING POLICE OFFICERS TO POLICE SERGEANTS

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

WHEREAS, vacancies exist in the position of Police Sergeant in the Norwich Police Department; and

WHEREAS, the Joint Committees have recommended the promotion of Officers Christopher Rotundo of Norwich NY and Paul Slack of Oxford, NY to such positions; now, therefore be it

RESOLVED, that Christopher Rotundo of Norwich, NY, be and hereby is granted a permanent appointment as Police Sergeant in the Norwich Police Department, effective February 22, 2017, subject to such action as may be necessary by the Norwich Civil Service Commission; and, further be it

RESOLVED, that Paul Slack of Oxford, NY, be and hereby is granted a provisional appointment as Police Sergeant in the Norwich Police Department, effective February 23, 2017, subject to such action as may be necessary by the Norwich Civil Service Commission.

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

Swearing-In Police Chief Rodney Marsh swore in Christopher Rotundo and Paul Slack as Police Sergeants.

Approval of Minutes Ald. Caldwell **moved** to approve the minutes of the regular meeting of January 17, 2017. Seconded by Ald. Schermerhorn and duly approved ayes all.

Open Forum Robert Jeffrey, 17 York St., asked that if the Boys' or Girls' basketball teams were to win the Class B sectionals that they receive a police and/or fire escort similar to what has been done in the past.

Correspondence

Norwich Dollars for Scholars 5K – Ald. Caldwell **moved** to approve Norwich Dollars for Scholars request to hold their annual 5K run and walk on Saturday, April 22, 2017 from approximately 8:45 a.m. – 10:15 a.m. with no road closures being necessary. One patrol car for the safety of the runners is requested. The race route will remain the same as the last 4 years. Seconded by Ald. Schermerhorn, approved ayes all.

Norwich/Oxford Little League Parade - Ald. Schermerhorn **moved** to approve The Norwich/Oxford Little League request to hold their annual parade Saturday April 22, 2017. The parade will form in the TOPS parking lot on East Main St. at 9:30 a.m. The parade will commence at 10:00 a.m., proceeding east on East Main St., then south on Midland Dr. and ending at the ball fields at the High School. Monitoring by the City of Norwich Police Department is requested. Seconded by Ald. Zieno, approved ayes all.

Valley Heights Christian Academy 15th Annual Walk-A-Thon – Ald. Zieno **moved** to approve the Valley Heights Christian Academy request to hold their 15th annual Walk-A-Thon on Saturday, May 20, 2017 starting with a march in parade formation from the TOPS parking lot to the main gate of the fairgrounds. Participants will gather at 9:15 a.m. with the parade commencing at 10:00 a.m. A patrol car and officer is requested as an escort to the fairgrounds. Seconded by Ald. Doliver, approved ayes all.

Department, Board and Commission Reports

- ☞ Youth Bureau Minutes – January
- ☞ Water Commission Minutes – January and February 8, 2017 Emergency Meeting
- ☞ Water and Waste Water Reports - January
- ☞ Parks Commission Minutes – January
- ☞ Traffic Commission Minutes – January
- ☞ Police Department Report – December 2016 and January 2017
- ☞ Civil Service Commission Minutes – December 2016

Ald. Caldwell **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 a few communications, some being resolved and others are being researched.

Ward 2

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

Ward 4

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

Ward 5

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

Ward 6

Ald. LoPiccolo reported a few communications and were referred to the appropriate department.

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

Motions

Leachate - Chenango County Landfill - Ald. Doliver **moved** to authorize an increase in billing fees to .03 cents per gallon effective March 1, 2017. Seconded by Ald. Schermerhorn and duly adopted, ayes all on a roll call vote, 5 - 0.

Mayoral Appointments

The Mayor Reported the following appointments:

Youth Board

- ☞ Harry Graves, 54 Mitchell Street, re-appointment to a 3-year term expiring December 31, 2019

- ☞ *Brian Burton, 7 Barnes Street, re-appointment to a 3-year term expiring December 31, 2019*
- ☞ *Deborah Elwood, 74 Elm Street, re-appointment to a 3-year term expiring December 31, 2019*
- ☞ *Harold Cole, 42 Pleasant Street, to a 3-year term expiring December 31, 2019*
- ☞ *Matt Telesky, 114 Telesky Drive, to a 3-year term expiring December 31, 2019*

Zoning Board of Appeals

- ☞ *Judy Wright, 40 Borden Avenue, re-appointment to a 2-year term as Chairman expiring December 31, 2018*
- ☞ *Frank VanAlthuis, 49 Eaton Avenue, re-appointment to a 3-year term expiring December 31, 2019*
- ☞ *Bartolo Natoli, 40 Sunset Drive, re-appointment to a 3-year term expiring December 31, 2019*

Mayoral Appointments with Council Approval

The Mayor Reported the following appointments:

Parks Commission

- ☞ *Chris Sprague, 27 Plymouth Street, re-appointment to a 3-year term expiring December 31, 2019*
- ☞ *Renee Loucks, 41 Hillview Drive, re-appointment to a 3-year term expiring December 31, 2019*
- ☞ *Melody Genung, 54 Borden Avenue, re-appointment to a 3-year term expiring*

Ald. Caldwell **moved** to approve the appointments. Seconded by Ald. Schermerhorn, approved ayes all.

Council Appointment

Ald. Caldwell **moved** to approve the following Common Council appointments:

Traffic Commission

- ☞ *Eric Warren, 28 Locust Street, as an Alternate to a 3-year term expiring December 31, 2019*

Seconded by Ald. LoPiccolo, approved ayes all.

Resolutions

RESOLUTION #10 - 2017

AUTHORIZING NO PARKING SIGNS ON TERRACE STREET

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

WHEREAS, the Traffic Commission has recommended that "No Parking" signs be placed at the end of Terrace Street; and

WHEREAS, the DPW is now authorized to post "No Parking" signage, one at the end of Terrace Street and one at the southeast corner of Terrace Street; and

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

RESOLVED, that the City Clerk update the City Code Chapter 525-54 A. Parking; Regulations - No Parking of the Vehicle and Traffic code to include the end of Terrace Street.

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

RESOLUTION #11 - 2017

DONATION OF PROPERTY - AUBURN PARK

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

WHEREAS, Carnrike Construction owns property on King Street which is adjacent to Auburn Park; and

WHEREAS, they would like to donate that property to the City of Norwich to expand the Park in memory of Former Mayor George Carnrike; and

WHEREAS, the City of Norwich is pleased to accept the donation of property from Carnrike Construction; and

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

RESOLVED, that an official change in name of the above described park be and hereby is approved, designating that "Auburn Park" be re-named hereafter as "Carnrike Park" and, further be it

RESOLVED, that the Parks Commission be advised that new signage for the park must be consistent with the form of signage use in all other City parks as determined by the Superintendent of Public Works.

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

Discussion: Ald. Caldwell asked which party would be paying the fees associated with the transfer. Discussion ensued regarding the fees and the fact that another property was being taken off the tax roll. Ald. Doliver stated that when he was on the Parks Commission several years ago he had approached George Carnrike regarding the land. Mayor Carnrike said the Carnrike family would be paying for the sign.

RESOLUTION #12 - 2017

APPROVAL OF DPW EMPLOYMENT TIMELINE AND INCREASE IN WAGES

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

WHEREAS, an emergency meeting was held by the Public Works/Public Safety Committee with the Water Commission on February 8, 2017 to address immediate concerns about staffing levels in the Department of Public Works; and

WHEREAS, the DPW Superintendent presented a detailed timeline to address concerns about staffing and to increase wages in certain positions; and

WHEREAS, the Public Works/Public Safety Committee has made certain recommendations; now, therefore be it

RESOLVED, that the City of Norwich Common Council has approved the DPW Superintendent's employment timeline and increase in wages.

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

RESOLUTION #13 -2017

AUTHORIZING RENEWAL / EXTENSION OF PILOT AGREEMENT FOR MARLENE MEADOWS HOUSING PROJECT

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

WHEREAS, the City of Norwich and Chenango Limited Partnership ("CLP"), a redevelopment company formed under Article V of the Private Housing Finance Law and under the aegis of Chenango Housing Improvement Program, Inc. ("CHIP") entered into a Payment In Lieu of Taxes agreement on October 22, 1996 (the "PILOT Agreement") for a multi-family housing project for the elderly, known as Marlene Meadows Senior Citizen Apartments ("Marlene Meadows"); and

WHEREAS, the subsequent ownership of Marlene Meadows was established under the formation of the Chenango Housing Development Fund Corporation ("CHDFC"), a not-for-profit-corporation pursuant to Article XI of the Private Housing Finance Law, also under the aegis of CHIP; and

WHEREAS, on April 15, 1997, by Resolution Number 39 of 1997, the City authorized consent to the formation of CHDFC and also consented to the assignment of the PILOT Agreement to CHDFC; and

WHEREAS, the original term of the PILOT Agreement expired December 31, 2011, Resolution #98-2011 was adopted on December 20, 2011 to extend the Agreement through December 31, 2016, with all other terms and conditions remaining unchanged; and

WHEREAS, the term of the PILOT Agreement expired after December 31, 2016, and both the City and CHIPs desire that it be renewed by extension of the term to December 31, 2021, with all other terms and conditions remaining unchanged; 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 execute an addendum to the Marlene Meadows PILOT Agreement between the City and the Chenango Housing Development Fund Corporation to extend the term of said agreement to December 31, 2021.

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

RESOLUTION #14 -2017 AUTHORIZING END OF YEAR 2016 BUDGET TRANSFERS

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

WHEREAS, funds need to be reallocated among line items to cover the cost of expenses through December 31, 2016; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2016 Budgets:

2016 Budget Transfers

GENERAL

TO:

A1210.1010	Mayor - Personal Services	\$	26.04
A1325.1020	Finance - Overtime	\$	465.47
A1620.1010	Municipal Buildings - Personal Services	\$	1,424.19
A3120.1020	Police Department - Overtime	\$	33,627.22
A3410.1010	Fire Department - Personal Services	\$	58,673.26
A3410.1020	Fire Department - Overtime	\$	66,820.86
A3620.1010	Code Enforcement - Personal Services	\$	331.60
A3640.1010	Emergency Preparedness - Personal Services	\$	39.09
A5110.1010	Street Maintenance - Personal Services	\$	77,855.76
A5110.4020	Street Maintenance - Contracted Services	\$	10,000.00
A5182.4020	Street Lighting - Contracted Services	\$	3,164.48
A7110.1010	Parks - Personal Services	\$	7,794.49
A8020.1010	Planning - Personal Services	\$	7,843.99
		\$	-
	GENERAL	\$	268,066.45

FROM:

A1620.4090	Municipal Buildings - Utilities & Telephone	\$	25,860.67
------------	---	----	-----------

A1430.4020	Human Resources - Contracted Services	\$	17,292.88
A5110.4040	Street Maintenance - Vehicle Maintenance	\$	43,420.37
A5110.4060	Street Maintenance - Materials & Supplies	\$	50,214.00
A5142.1010	Snow & Ice Removal - Personal Services	\$	54,332.05
A5142.1020	Snow & Ice Removal - Overtime	\$	18,318.28
A5142.4060	Snow & Ice Removal - Materials & Supplies	\$	39,309.13
A7140.1010	Playgrounds & Rec - Personal Services	\$	18,010.78
A8560.1010	Tree & Stump Removal - Personal Services	\$	1,308.29
GENERAL		\$	268,066.45

SEWER

TO:

G8110.1010	Sewer Administration - Personal Services	\$	6,172.78
G8110.1020	Sewer Administration - Overtime	\$	98.82
G8120.1010	Sanitary Sewers - Personal Services	\$	7,186.04
SEWER		\$	13,457.64

FROM:

G8130.1010	Treatment & Disposal - Personal Services	\$	13,457.64
SEWER		\$	13,457.64

WATER

TO:

F8310.1010	Water Administration - Personal Services	\$	9,728.82
WATER		\$	9,728.82

FROM:

F8340.1010	Distribution - Personal Services	\$	9,728.82
WATER		\$	9,728.82

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

RESOLUTION #15 -2017

AUTHORIZING BUDGET TRANSFER TO MISC RESERVE - YOUTH PROGRAM

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

WHEREAS, Resolution #9-2016 transferred funds for a Recreation Coordinator in the Youth Bureau for 2016 not funded in the 2016 budget; and

WHEREAS, excess funds were transferred from the reserve; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following supplemental appropriation transfer of funds in the 2016 General Fund Budget:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7310.1010	Youth Bureau- Personal Services	\$ 1,318.54

<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A 889 (YB)	General- Misc Reserve- Youth Programs	\$ 1,318.54

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

RESOLUTION #16 -2017 DECLARING VEHICLE SURPLUS AND AUTHORIZING DISPOSAL

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

WHEREAS, Car #22 is obsolete and has have been deemed to be surplus by the Police Department; and

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

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

2005 Ford Crown Victoria VIN # 2FAFP71W45X164786

and, further be it

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

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

RESOLUTION #17 -2017 AUTHORIZING CHANGE ORDER FOR WHEELER AVENUE STORAGE TANK PROJECT

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

WHEREAS, it has been determined that additional work is needed at the Wheeler Avenue Storage Tank site to complete the project; and

WHEREAS, the additional work needed includes paving and fencing along with engineering services; and

WHEREAS, USDA-RD has reviewed the Change Order request submitted by GHD Consulting Services, Inc. and has recommended its approval; and

WHEREAS, funds are available in the project to cover the costs of the Change Order; now, therefore be it

RESOLVED, that the Mayor be and herby is authorized to execute the change order for the Wheeler Avenue Storage Tank Project at a cost not to exceed \$36,621.00.

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

RESOLUTION #18 - 2017 AUTHORIZING AGREEMENT WITH DELAWARE ENGINEERING FOR PROFESSIONAL SERVICES WATER SYSTEM FLUORIDATION UPGRADES

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

WHEREAS, the City of Norwich requires professional engineering services for Water System Fluoridation Upgrades which would include replacing existing fluoridation components, new fluoridation equipment, preparing contract documents for bidding and construction, grant administration; 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 execute an agreement with Delaware Engineering for professional services related to Water System Fluoridation Upgrades at a cost not to exceed \$59,000.

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

RESOLUTION #19 - 2017

**APPROVAL OF WRITTEN SANITARY SEWER SYTEM
OPERATION AND MAINTENANCE PROCEDURES**

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

WHEREAS, the Environmental Protection Agency, Region 2 has recommended that the City of Norwich write a Sanitary Sewer Collection System Operation and Maintenance procedure manual; and

WHEREAS, at all times the City of Norwich must properly operate and maintain all disposal facilities, which are used by the City of Norwich to achieve compliance with the conditions of the permit; and

WHEREAS, a preventive, corrective maintenance program for all critical facilities and systems of treatment and control which are installed or used by the City of Norwich to achieve compliance with the conditions of the permit; and

WHEREAS, written procedures for operation and maintenance, training new operators, adequate laboratory controls and appropriate quality assurance are disposal system operation and quality control requirements for SPDES permit; and

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

RESOLVED, that the City of Norwich Common Council has approved the written Sanitary Sewer System Operation and Maintenance procedures that were presented to them by the DPW Superintendent.

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

RESOLUTION #20 - 2017

**AUTHORIZING AGREEMENT WITH DELAWARE ENGINEERING FOR
ENGINEERING PLANNING SERVICES CONTRACT FOR SEWER LINE
REHABILITATION/REPLACEMENT PROJECT**

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

WHEREAS, the City of Norwich requires planning/engineering services to provide the City with Clean Water State Revolving Fund (CWSRF) funding application assistance for Sewer Line Rehabilitation/Replacement Project; and

WHEREAS, the City has applied for and received a \$100,000 grant from the NYS Environmental Facilities Corporation (NYSEFC) to fund a sanitary sewer infiltration and inflow study, and the study produced an Engineering Report dated September 2, 2016 which identified sections of the existing sanitary sewer collection system in the worst condition and are potential sources of infiltration and in-flow; and

WHEREAS, NYSEFC administers the CWSRF program to assist municipalities by providing financial assistance to fund upgrades to municipal sanitary sewer systems; and

WHEREAS, under the contract Delaware Engineering will coordinate and assist the City with the project including preparing the CWSRF funding application, financing for the project, conducting the SEQRA determination, obtaining required documents from the Historic Preservation Office and other services per the agreement; 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 execute an agreement with Delaware Engineering for planning/engineering services to provide the City of Norwich with Clean Water State Revolving Fund funding application assistance for the Sewer Line Rehabilitation/Replacement Project at a cost not to exceed \$5,000.

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR34-909	Sewer Mains - Capital Reserves	\$5,000.00
 <u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
G1989.0	Sewer - Special Projects	\$5,000.00

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

RESOLUTION #21 - 2017 **AUTHORIZING THE IMPROVEMENTS TO THE SEWER COLLECTION SYSTEM, IN AND FOR THE CITY OF NORWICH, CHENANGO COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,360,000, AND AUTHORIZING THE ISSUANCE OF \$3,360,000 BONDS OF SAID CITY TO PAY THE COST THEREOF**

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the state environmental quality review act, have been performed, and

WHEREAS, it is now desired to authorize the financing of such capital project; now therefore be it

RESOLVED, by affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Norwich, Chenango County, New York, as follows:

Section 1. Improvements to the Sewer Collection System in and for the City of Norwich, Chenango County, New York, including incidental costs and expenses, is hereby authorized at a maximum estimated cost of \$3,360,000.

Section 2. It is hereby determined that the aforesaid purpose constitutes a type II action as defined under regulations of the State of New York, promulgated under the state environmental quality review act, which by definition, will not have a significant adverse impact upon the environment.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance of \$3,360,000 bonds of said City, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds ultimately to be issued shall be reduced dollar for dollar by the amount of any grant monies received therefor.

Section 4. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph (A) of section 11.00 of the Local Finance Law.

Section 5. The faith and credit of said City of Norwich, Chenango County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell Bond Anticipation Notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the Director of Finance, the Chief Fiscal Officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 7. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Director of Finance, the Chief Fiscal Officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 8. This resolution shall constitute a statement of official intent for purpose of treasury regulations section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The Director of Finance is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in section 1 hereof, or a portion thereof, by a bond or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violations of the provisions of the constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph A of section 81.00 of the Local Finance Law.

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

Discussion: C. Ivarson explained this came about in 2012 after the WWTP did not meet flow requirements for Inflow and Infiltration (I&I) which resulted in 3 years of videotaping. A plan to replace the sewer system which was installed in the 1880's was created in order to stop the I&I. The governor has money set aside for these types of projects, but the City must be "shovel-ready" if the City wants to qualify for any of the funds. This can be approved now and if the City does not get funding from the State we do not have to proceed. A representative from Delaware Engineering stated that the application to the SRF program requires that a bond resolution be in place, it is not a commitment to spend the money. C. Ivarson stated this is not a maintenance issue. The last sewer program was in 1980 at a cost of \$2 million which was to be done in 3 phases, but only 1 phase was completed.

RESOLUTION #22 - 2017

SEQRA DETERMINATION (TYPE II)

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

WHEREAS, 6 NYCRR Section 617.5, (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; now; therefore be it

RESOLVED, that the City of Norwich hereby determines that the proposed Sanitary Sewer Line Rehabilitation and Replacement Project is a Type II action in accordance with 6 NYCRR Section 617.5 (c)(5) which constitutes "street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities" and is therefore not subject to further review under 6 NYCRR Part 617.

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

Other

Labor Negotiator - Ald. Schermerhorn asked what the plan would be if a negotiator was hired. D. DeForest stated that the Labor Attorney would still be needed. In the past a Labor Attorney has not been at the table for contract negotiations; for the last 8 years the Mayor and Director of Human Resources have been representing the City. Ald. Caldwell stated that the purpose of the negotiator is to utilize an expert who will arrive at a fair contract. More information was deemed necessary.

Fire Captains - Ald. Caldwell asked if it was necessary to do promotions. D. DeForest stated that without the Fire Captains, the senior person would be paid an extra \$1 per hour to do some of those duties. T. Chawgo reported that Fire Captains are also assigned additional duties as well as being the first line supervisor.

Payment of January 2017 Bills

Ald. Caldwell **moved** to pay the January 2017 bills after proper audit and certification.

	<u>Prepaid</u>	<u>1/17/2017</u>	<u>Grand Total</u>
General Fund	\$1,267,584.44	\$71336.78	\$ 1,338,921.22
Sewer Fund	88,340.35	21,892.77	110,233.12
Water Fund	80,920.50	10,424.26	91,344.76
Trust	26,307.99	-	26,307.99
Debt Service	40,828.22	-	40,828.22
Comm. Dev. - Special Grants	7,130.00	-	7,130.00
Capital Projects	102,056.81	-	102,056.81
TOTALS	\$1,613,168.31	\$103,653.81	\$1,716,822.12

Seconded by Ald. Schermerhorn and duly adopted, approved ayes all._

Payment of February 2017 Bills

Ald. Schermerhorn **moved** to pay the February 2017 bills after proper audit and certification.

	<u>Prepaid</u>	<u>2/21/2017</u>	<u>Grand Total</u>
General Fund	\$465,759.35	\$58,112.01	\$ 523,871.36
Sewer Fund	14,753.07	11,626.41	26,379.48
Water Fund	6,340.03	4,038.50	10,378.53
Trust	3,265.17	-	3,265.17
Capital Projects	75,767.99	-	75,767.99
TOTALS	\$565,885.61	\$73,776.92	\$639,662.53

Seconded by Ald. Doliver and duly adopted, approved ayes all.

Executive Session

Ald. Caldwell **moved** to enter executive session to discuss contract negotiations at 7:10 p.m. Seconded by Ald. LoPiccolo, approved ayes all.

Ald. Caldwell **moved** to exit executive session at 8:50 p.m. Seconded by Ald. Schermerhorn, approved ayes all.

Adjournment

Ald. Schermerhorn **moved** to adjourn at 8:50 p.m. Seconded by Ald. Caldwell, approved ayes all.