

COMMON COUNCIL

July 16, 2013

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on July 16, 2013, in the Common Council Chambers at One Court Plaza.

Present:

Ald. Bryan McCracken
Ald. Terry Bresina
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Daniel Palmer
Mayor Joseph Maiurano
Supervisor James McNeil

Also:

Director of Finance/City Clerk William Roberts
Human Resources Director Deborah DeForest
Police Chief Joseph Angelino
Fire Chief Tracy Chawgo
City Attorney Patrick Flanagan
Deputy City Clerk Brian Drake
Code Enforcement Officer/Fire Marshall Jason Lawrence
Youth Bureau Director Robert Mason
Community Development Specialist Todd Dreyer
DPW Superintendent Carl Ivarson
First Assistant Fire Chief Jan Papelino
Media Representative Shawn Magrath
EMO A. Jones

Absent:

Supervisor Robert Jeffrey

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:05 p.m.

Approval of minutes

Ald. McCracken **moved** to approve the minutes of the regular meeting of June 18, 2013. Seconded by Ald. Schermerhorn, duly approved ayes all.

Open Forum There were no comments.

Mayoral Appointment with Council Approval - Parks Commission Mayor Maiurano appointed Roz DeRensis, 22 Hillview Drive, to the Parks Commission to fill a term expiring December 31, 2014. Ald. Bresina **moved** to approve the mayoral appointment of Roz DeRensis, 22 Hillview Drive, to the Parks Commission to fill a term expiring December 31, 2014. Seconded by Ald. Schermerhorn, and approved ayes all.

Correspondence

Commerce Chenango 5k Run/Walk Ald. Laughlin **moved** to accept and approve a request from Jill Eddy of Commerce Chenango to hold the second annual Commerce Chenango 5k Run/Walk on September 14, 2013, with police assistance and attendant street closings. Seconded by Ald. Bresina, approved ayes all.

Eddie Caputo Memorial 5k Walk/Run Ald. Schermerhorn **moved** to receive and approve a request from Anthony Testani to hold the second Eddie Caputo Memorial 5k Walk/Run on Saturday, August 24, 2013, beginning at 10:30 a.m. until the end of the event at approximately 12:30 p.m., with police assistance along the route designated. Seconded by Ald. Laughlin, approved ayes all. Police Chief Joseph Angelino stated he has requested a route change for the Walk/Run.

Park Place Restaurant Ald. Laughlin **moved** to approve a request from David J. Cirello of Park Place Restaurant & Lounge to serve alcohol outdoors on August 3, 2013, in connection with the Chenango County Blues Association Summer Jam. Seconded by Ald. Schermerhorn and approved ayes all. Chief Angelino stated the event caused no difficulties last year and the area is fenced in.

Department, Board and Commission Reports

Parks Commission Minutes June 17, 2013
Traffic Commission Minutes of June 12, 2013
Water Commission Minutes of June 19, 2013
Water System Monthly Operating Report of May 2013

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

Ward Reports

Ward 1

Ald. McCracken reported that all matters had been referred to the appropriate department heads and had been or are in the process of being resolved.

Ward 2

Ald. Bresina reported that he had received comments from constituents that the Police Department rapid responses to calls has greatly improved the City.

Ward 3

Ald. Deierlein reported that all matters had been referred to the appropriate department heads and had been or are in the process of being resolved.

Ward 4

Ald. Schermerhorn reported that all matters had been referred to the appropriate department heads and had been or are in the process of being resolved.

Ward 5

Ald. Laughlin reported that all matters had been referred to the appropriate department heads and had been or are in the process of being resolved.

Ward 6

Ald. Palmer reported that he received no communication from constituents during the past month.

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

Motions

Designate City Clerk to Receive Notice of Claim Ald. Bresina **moved** to designate William J. Roberts, Director of Finance/City Clerk, as the individual to receive notices of claim from the Secretary of State under Section 53 of General Municipal Law. Seconded by Ald. Deierlein and approved ayes all. **Discussion:** Ald. Deierlein asked the reason for the necessity of such a designation. Director of Finance William Roberts explained that New York State has adopted Section 53 of General Municipal Law allowing notices of claims against municipal corporations to be filed with the Secretary of State, and a requirement of the new law is that an individual be designated within each municipality to receive such notices of claim from the Secretary of State. City Attorney Patrick Flanagan also noted that the Secretary of State will charge \$250 to receive a notice of claim, half of which is then shared with the municipality.

Remove from table Proposed Local Law No. (A) of 2013 Ald. McCracken **moved** to remove from the table Proposed Local Law No. (A) of 2013 regarding 421-m tax exemption. Seconded by Ald. Deierlein, duly approved ayes all.

Receive Proposed Local Law No. (A) of 2013 and Set Public Hearing Ald. Deierlein **moved** to receive Proposed Local Law No. (A) of 2013 regarding 421-m tax exemption and set a public hearing for 7:00 p.m. on August 20, 2013. Seconded by Ald. Schermerhorn, duly approved 5-1, Ald. Palmer voting nay.

PROPOSED LOCAL LAW NO. (A) OF 2013

EXEMPTION OF CERTAIN NEW OR SUBSTANTIALLY REHABILITATED MULTIPLE DWELLINGS

BE IT ENACTED by the Common Council of the City of Norwich as follows:

Section 1.

1. Basis for Exemption

Pursuant to authority granted by the Real Property Tax Law Section 421-m, an eligible multiple dwelling constructed or substantially rehabilitated in the benefit area designated pursuant to this section shall be eligible for an exemption from taxation and local ad valorem levies for the tax years commencing during the construction or rehabilitation of such structure pursuant to the following schedule. Provided however,

that the amount of taxes paid during such period shall be at least the amount of the taxes paid on such land and any improvements thereon immediately preceding the commencement for the exemption. In addition, any improvements to property receiving this exemption shall not be eligible to receive any other exemption under any other section of law.

CONSTRUCTION OR SUBSTANTIAL REHABILITATION OF MULTIPLE DWELLINGS

During construction or substantial rehabilitation (maximum three years)	100%
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Following completion of work year:	
1 through 12	100%
13-16	80%
15-16	60%
17-18	40%
19-20	20%

2. Definitions

When used in this local law, the following terms shall have the following meanings:

“Designated Benefit Area(s)” means the contiguous geographic properties that have been identified as by the common Council of the City of Norwich as being eligible and desirable for the creation of the benefits of the 421-m tax exemption program. Additional benefit areas may be created from time to time by amendment to this local law as the Common Council may find appropriate.

“Substantial Rehabilitation” shall mean all work necessary to bring a property into compliance with applicable laws and regulations and shall include but not be limited to the installation, replacement or repair of, heating, plumbing, electrical and related systems and the elimination of all hazardous and violations in the structure in accordance with state and local law and regulation.

“Multiple dwelling” shall mean a dwelling, other than a hotel which is to be occupied or is occupied as the residence or home of three or more families living independently from one another including dwellings rented or owned as a cooperative or a condominium

3. Eligibility

In order to grant the real property tax exemption provided under Section one, the City shall determine that:

(a) Such construction or rehabilitation of a multiple dwelling will occur on land which:

- (i) is vacant, predominantly vacant, or
- (ii) is improved with a non-conforming use or
- (iii) contains one or more substandard or structurally unsound buildings or a building that has been certified as unsanitary by the local health agency.

(b) At least 20% of the units shall be affordable to individuals or families of low or moderate income whose incomes at the time of initial occupancy do not exceed 90% of the area median income adjusted for family size and the individual or family shall pay in rent or carrying charges no more than 30% of their adjusted gross income as reported in their federal income tax return or would be reported if such return were required, less personal exemptions and deductions and medical expenses as are actually taken by the taxpayer, as verified according to procedures established by the state division of housing and community renewal. The City shall consult annually with the division to determine that the property is in compliance with the affordability requirements of this local law. If such requirements are not met, the multiple dwelling shall not qualify for the exemption in that year.

(c) Such construction or substantial rehabilitation is carried out with the assistance of grants, loans or subsidies for the construction or substantial rehabilitation of affordable housing from any state, local, or federal agency.

(d) Such construction or substantial rehabilitation shall commence after the effective date of this section, but no later than December 15, 2015, for the North Broad Street Benefit Area and the Ungentine Building Benefit Area. Such commencement date requirement may be extended by amendment of this section to accommodate these or other benefit areas designated in the future.

(i) The North Broad Street Benefit Area shall be comprised of the properties at 33 North Broad Street (tax parcel #136.48-3-11), 37-39 North Broad Street (tax parcel #136.48-3-10), 42 North Broad Street (tax parcel #136.48-5-18), 44-46 North Broad Street (tax parcel #136.48-5-19).

(ii) The Ungentine Building Benefit Area shall be comprised of the properties at 20 American Avenue (tax parcel #136.56-4-6) and American Avenue (tax parcel #136.57-1-50.3).

(e) If such property is to be used partially as a multiple dwelling and partially for commercial or other purposes, that:

(i) the square footage of the portion of the property used as a multiple dwelling represents at least 50% of the square footage of the entire property and;

(ii) at least 20 % of the units are affordable to individuals of families of low and moderate income and;

(iii) the requirements of this section relative to a multiple dwelling are otherwise satisfied.

(f) Any property owner seeking an exemption within the designated benefit area shall file the appropriate form(s) with the City Assessors' office for review.

Section 2.

If any part of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the City Council of the City of Norwich hereby declares it would have passed this local law or the remainder thereof had such invalid application or invalid provision have been apparent.

Section 3.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Resolutions

RESOLUTION #37-2013

AUTHORIZING ENGINEERING SERVICES AGREEMENT FOR ELM STREET REHABILITATION

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

WHEREAS, the Common Council has been briefed on the need for the infrastructural rehabilitation of Elm Street in the area from Hayes Street to Eaton Avenue; and

WHEREAS, on June 18, 2013 the Common Council authorized a transfer of funds in the amount of \$8,000.00 for preliminary engineering services for the initial preparation of scope of work and related project planning details; and

WHEREAS, Delaware Engineering LLC has presented a full proposal to provide surveying, design, bid/award and construction-related engineering services for the project in the amount of \$60,000, which encompasses all professional engineering services including those related to the aforementioned transfer of funds; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel 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 an agreement with Delaware Engineering to provide surveying, design, bid/award and construction-related engineering services for work associated with the infrastructural rehabilitation of Elm Street in an amount not to exceed \$60,000.

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

RESOLUTION #38-2013 AUTHORIZING TRANSFER OF FUNDS - WELL 3 GAS ENGINE

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

WHEREAS, funds are required for necessary repairs on the gas engine at Well number 3; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2013 General Fund Budget:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR28-898	Capital Reserves - Water Equipment	\$4,000.00
 <u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F8320.4040	Water Source of Supply - Repairs	\$4,000.00

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

RESOLUTION #39-2013 SUPPORTING AN APPLICATION OF DEVELOPMENT CHENANGO FOR RURAL AREA REVITALIZATION PROGRAM (RARP) GRANT FUNDING THROUGH THE NYS OFFICE COMMUNITY RENEWAL

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

WHEREAS, Development Chenango Corporation (“Development Chenango”) has made the City of Norwich aware of its desire to apply for a Rural Area Revitalization Program grant to assist with the rehabilitation of buildings at 17-19 South Broad Street and 42 and 44-46 North Broad Street in downtown Norwich; and

WHEREAS, a supporting municipal resolution from the City of Norwich Common Council is required for Development Chenango’s RARP application to proceed to the NYS Office of Community Renewal for consideration; and

WHEREAS, the Common Council believes that the proposed grant application seeking \$50,000 in rehabilitation assistance for the building at 17-19 South Broad Street and \$100,000 in rehabilitation assistance for the buildings at 42 and 44-49 North Broad Street is desirable for the revitalization of downtown and is consistent with the City’s Comprehensive Plan and the Norwich BIDMA’s Strategic Plan; and

WHEREAS, the proposed grant application of Development Chenango does not impose any financial burden or matching requirement on the City of Norwich; and

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

RESOLVED, that the City of Norwich hereby provides its support for Development Chenango’s application for RARP funding to assist in the rehabilitation of the buildings at 17-19 South Broad Street and 42 and 44-46 North Broad Street in the city of Norwich.

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

RESOLUTION #40-2013 SUPPORTING AN APPLICATION OF THE NORWICH BIDMA FOR MAIN STREET GRANT FUNDING THROUGH THE NYS OFFICE OF COMMUNITY RENEWAL

Ald. Schermerhorn 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, which has been used to make significant improvements to numerous downtown properties; and

WHEREAS, an opportunity exists for the Norwich BIDMA to apply for the current round of Main Street grant funding to support the rehabilitation of additional commercial and mixed-use properties located within the BID 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 for grant funding through the NYS Main Street grant program.

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

RESOLUTION #41-2013 **DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 49 FRONT STREET**

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

WHEREAS, the City of Norwich owns the real property at 49 Front Street; and

WHEREAS, the City has determined that the most useful and productive purpose for the subject property is to return it to use as a privately owned single-family dwelling; and

WHEREAS, the City publicly advertised the property for sale in the Norwich *Evening Sun* and the *Pennysaver*; and

WHEREAS, two purchase offers were received and considered; and

WHEREAS, the purchase offer submitted by Justin Carpenter of 17 Beech Street, Norwich, NY, in the amount of \$104,500, is the higher of the two offers received, the Common Council believes that it is an adequate offer and in the best interest of the City to accept it; 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 a Determination of Non-Significance, a negative declaration, accompanies this resolution; now, therefore be it

RESOLVED, that the Common Council hereby declares the subject property at 49 Front Street to be surplus and of no continuing productive use under municipal ownership; and, be it further

RESOLVED, that the Common Council hereby designates Justin Carpenter of 17 Beech Street, Norwich, NY, as the “preferred purchaser” of the City-owned property at 49 Front Street for the purpose of reestablishing 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 49 Front Street to Justin Carpenter for the purpose of reestablishing a single-family residential use at the property.

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

RESOLUTION #42-2013 **AUTHORIZING APPLICATION TO CFA AND SOUTHERN TIER REGION COMMUNITY REVITALIZATION PROJECT FOR HERITAGE BLOCK REDEVELOPMENT PROJECT**

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

WHEREAS, the City of Norwich recognizes the need to conduct a downtown revitalization program for the purpose of rehabilitating buildings, improving employment opportunities, creating upper floor residential uses, and enhancing the economic vitality of the city’s downtown business district; and

WHEREAS, the City of Norwich desires to apply for funding assistance through the current rounds of the Consolidated Funding Application (CFA) process and the Southern Tier Region Community Revitalization Project to assist with building rehabilitation, parking lot improvements, and streetscape enhancements in connection with the redevelopment of a portion of North Broad Street between Lackawanna Avenue and Mechanic Street in downtown Norwich; and

WHEREAS, the City of Norwich is currently soliciting owners of property within the target area, to be known as the Heritage Block, who may be interested in participating in a rehabilitation program utilizing state and regional funding assistance; and

WHEREAS, the City of Norwich has been designated an economically distressed area, having a poverty rate of 21.8%; and

WHEREAS, the City of Norwich has previously participated with the Norwich BIDMA, Inc. in conducting successful NY Main Street programs; and

WHEREAS, the Common Council finds that the proposed Heritage Block Redevelopment Project is consistent with the City's Comprehensive Plan, which serves as the City's local revitalization plan; and

WHEREAS, the Common Council finds that the proposed financing is appropriate for the proposed Heritage Block Redevelopment Project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities; and

WHEREAS, the Common Council understands and accepts that certain forms of state and regional grant funding assistance may be provided on a reimbursement basis, thus requiring the City or participating property owner to pay project costs prior to receiving grant disbursements after the completion of a project; and

WHEREAS, the Common Council understands and accepts that certain forms of state and regional low-interest loan funding assistance may require the City to act as a "pass-through" entity in the administration of loan funds to participating property owners; and

WHEREAS, the proposed Heritage Block Redevelopment Project area is contained within the Norwich Business Improvement District and contains properties within the Broad Street-Main Street Historic District; and

WHEREAS, the proposed redevelopment action is classified as a Type 1 action for the purpose of SEQRA review, and will receive a coordinated review with other potentially involved agencies; now, therefore be it

RESOLVED, that Joseph P. Maiurano, as Mayor of the City of Norwich, acting under the advice of the City Attorney, is hereby authorized and directed to file applications for funding assistance through the CFA and the Southern Tier Region Community Revitalization Project for the purpose of supporting the above-described Heritage Block Redevelopment Project.

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

Discussion: Ald. Palmer asked for clarification of the Heritage Block. Community Development Specialist Todd Dreyer explained that it is from Mechanic Street to Lackawanna Avenue, including 42 and 44-46 North Broad Street, buildings on Lackawanna Avenue, and that the project may include resurfacing of associated parking areas. Ald. Deierlein asked if there will be any cost to the City for supporting this project. T. Dreyer replied that there should be no direct cost, but there may be in-kind services required.

RESOLUTION #43-2013

DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTIES AT 42 AND 44-46 NORTH BROAD STREET

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

WHEREAS, the City of Norwich owns two parcels of real property at 42 and 44-46 North Broad Street, having acquired them through tax foreclosure; and

WHEREAS, the subject properties are contributing elements within the Broad Street-Main Street Historic District, and the properties were formerly used for mixed-use commercial and multi-family residential purposes, and

WHEREAS, the City has determined that the most useful and productive purpose for the subject properties is to return them to private ownership for mixed-use commercial and multi-family residential purposes; and

WHEREAS, the City publicly advertised the properties for sale and conducted a request for proposals (RFP) process; and

WHEREAS, one purchase offer was received and considered; and

WHEREAS, the purchase offer submitted by Hercules Properties, LLC, having offices at 141 North Broad Street, Norwich, NY, proposes a purchase amount of one dollar (\$1.00), and is subject to other conditions related to securing adequate grant and/or loan funding to support the redevelopment of the properties; and

WHEREAS, the Common Council considers the purchase offer and the related commitment of the proposed purchaser to redevelop the properties for mixed-use commercial and multi-family residential purposes to be adequate and in the best interest of the City; and

WHEREAS, the proposed sale of the subject properties to a private party and the related redevelopment of the properties, which is expected to involve public funds, is appropriately classified as a Type 1 action pursuant to the applicable provisions of the State Environmental Quality Review Act (SEQRA) and will receive a coordinated review with other potentially involved agencies; now, therefore be it

RESOLVED, that the Common Council hereby declares the subject properties at 42 and 44-46 North Broad Street to be surplus and of no continuing productive use under municipal ownership; and, be it further

RESOLVED, that the Common Council hereby designates Hercules Properties, LLC, having offices at 141 North Broad Street, Norwich, NY, as the “preferred purchaser” of the City-owned properties at 42 and 44-46 North Broad Street; 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 properties at 42 and 44-46 North Broad Street to Hercules Properties, LLC for the purpose of redeveloping the properties and returning them to mixed commercial and multi-family residential uses.

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

RESOLUTION #44-2013

**AUTHORIZING SEQRA CIRCULATION CONCERNING CFA AND
SOUTHERN TIER REGION COMMUNITY REVITALIZATION PROGRAM
FUNDING FOR HERITAGE BLOCK REDEVELOPMENT PROJECT**

Ald. McCracken introduced the following and moved its adoption:

WHEREAS, the City of Norwich intends to apply for funding assistance through the current rounds of the Consolidated Funding Application (CFA) process and the Southern Tier Region Community Revitalization Program to assist with the redevelopment of a downtown block to be known as the Heritage Block, which involves properties located in the North Broad Street block between Lackawanna Avenue and Mechanic Street; and

WHEREAS, the City of Norwich is participating with property owners within the Heritage Block area whose properties are in need of repair or rehabilitation and may be eligible for funding assistance through the above-mentioned funding sources; 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 area is located within the Norwich Business Improvement District, and contains properties within the Broad Street–Main Street Historic District (aka Chenango County Courthouse District) including the properties at 42, 44-46 North Broad Street; and

WHEREAS, the proposed action is preliminarily classified as a Type 1 action because of the involvement of the above-mentioned historic district listed in the national and state historic registries; and

WHEREAS, the City of Norwich Common Council believes that it is the most involved agency, since it expects to provide local administration of the proposed redevelopment project; 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, be it further

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, be it further

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

RESOLVED, that the Common Council hereby authorizes the circulation of the Long Form (EAF) and other 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. Bresina and duly adopted, 6-0, on a roll call vote.

Other Items

Aerial Truck Update Fire Chief Tracy Chawgo reported that a Committee of Fire Department employees and volunteers has continued to search for a solution to replacing the aerial truck, and have located a 1994 E-One 100-foot Quint aerial truck in Northfield, Illinois, a suburb of Chicago. The truck is certified and is currently being used. It has 32,000 miles and 3,000 engine hours. The Northfield company is selling the truck because it is being combined with another company that has a newer aerial truck. Chief Chawgo has reviewed photos and maintenance records. The asking price for the truck is \$110,000, which can be covered by equipment reserves, though this will deplete the reserve account. Two other municipalities have inquired about the truck and it is imperative that the Department act quickly. Ald. Schermerhorn asked if other equipment is going to need to be bought after the reserves account is depleted. Chief Chawgo stated that he does not foresee more equipment needed in the near future. W. Roberts noted that in future, funds must be budgeted to replenish the reserve account. Mayor Maiurano stated that the purpose of the reserve account is to keep funds required for such purchases. In the past eight years the Department has replaced all of its old equipment and this is the last vehicle to be replaced. Ald. Deierlein said that the purchase of the truck will protect the fire contracts the City has with the surrounding towns, contracts which bring significant revenue to the City. Ald. Schermerhorn stated that these contracts should be negotiated to include shared equipment expenses. Ald. Palmer asked about fund raising. Chief Chawgo replied that the Volunteers will be instituting new fund raising events to help replenish the reserves. W. Roberts clarified that, legally, the City is not allowed to be involved in fund-raising activities.

RESOLUTION #45-2013

AUTHORIZING PURCHASE OF USED AERIAL FIRE TRUCK AND TRANSFER OF FUNDS

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

WHEREAS, the aerial system of the 1983 Sutphen Tower Fire Truck, which was purchased used in November of 2002 for \$85,000, is not in a safe operational mode, with modifications and repairs not being a cost-effective alternative; and

WHEREAS, an aerial fire truck is deemed to be an urgently needed and essential operational component of fire protection reliability, and extensive efforts have therefore been undertaken by the Fire Department truck committee to pursue options for its expedient replacement, including new and demo vehicles at costs ranging from close to \$1,000,000 for new and over \$700,000 for a demo unit; and

WHEREAS, the cost of such options has been determined to not be reasonably affordable under the City's very tight fiscal constraints; and

WHEREAS, a used 1994 E-One Cyclone 100-foot Quint aerial truck from the Northfield, Illinois Fire Department has recently been located through the Brindlee Mountain Fire Apparatus brokerage company of Union Grove, Alabama; and

WHEREAS, said vehicle is in excellent condition and is projected to be an operationally viable means for filling this important need for the next ten to fifteen years, and has therefore been highly recommended by the Fire Department truck committee; and

WHEREAS, the expedient purchase of said vehicle, in consideration of public safety and optimum cost-effectiveness for City taxpayers, is consistent with Sections 6.b) and 6.c) of the City's Procurement Policy and with General Municipal Law Section 103(4.); now, therefore be it

RESOLVED, that the purchase of a used 1994 E-One Cyclone 100-foot Quint aerial truck through Brindlee Mountain Fire Apparatus, LLC, of Union Grove, Alabama, be and hereby is authorized in an amount not to exceed \$110,000; and, be it further

RESOLVED, that the 1983 Sutphen Tower Fire Truck be and hereby is declared surplus, and the Director of Finance be and hereby is authorized to dispose of such equipment as is provided for by law; and, be it further

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2013 General Fund Budget not to exceed the amount indicated:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR32-898	Capital Reserves - Fire Equipment	\$110,000.00
<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3410.2100	Fire Department – Equipment	\$110,000.00

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

Payment of July 2013 Bills Ald. Schermerhorn **moved** to pay the July 2013 bills after proper audit and certification. Seconded by Ald. Deierlein and duly adopted, ayes all..

July Bills

	<u>Prepaid</u>	<u>7/16/13</u>	<u>Grand Total</u>
General Fund	\$ 290,159.10	\$ 86,214.37	\$ 376,373.47
Sewer Fund	33,879.27	33,292.04	67,171.31
Water Fund	23,260.66	15,178.92	38,439.58
Trust	5,413.48	-	5,413.48
Comm. Dev. Small Cities	-	271.40	271.40
Comm. Dev. Special Grants	-	10.00	10.00
TOTALS	\$ 352,712.51	\$ 134,966.73	\$ 487,679.24

Adjournment

Ald. Schermerhorn **moved** to adjourn at 7:46 p.m. Seconded by Ald. Laughlin, accepted ayes all.