

COMMON COUNCIL

AGENDA
July 16, 2019
6:30 PM

Call To Order

Pledge of Allegiance

Invocation

Approval of minutes of the regular meeting of June 18, 2019

Audit Presentation by Stan Cwynar

Open Forum

Correspondence

- ◆ Recovery Walk-Run
- ◆ Plymouth St. Block Party
- ◆ Fireman's Parade

Department, Board and Commission Reports

- ◆ Police Department Reports – April, May
- ◆ Youth Board Report – 2nd Quarter
- ◆ Park Commission Minutes – March, April
- ◆ Civil Service Minutes – April, May, Special June 5th
- ◆ Fire Department Activity – June
- ◆ Finance Department - June

Ward Reports

Motions

- ◆ Set Public Hearing for “No Parking” on Ross Ave.
- ◆ Approval of Sewer Policy
- ◆ Approval of Policies for Workplace Violence; Computer, Email, Internet Usage; Family and Medical Leave Act
- ◆ Approval for Offering Voluntary Vision and Dental Insurance
- ◆ Approval of Curb Cut at 26 Adelaide St.
- ◆ Correction of Resolution #16-2013

Resolutions

- ◆ Create the Job Title of Custodian Within the City of Norwich DPW
- ◆ Reporting Resolution for the New York State and Local Employees' Retirement System
- ◆ A Resolution of the Common Council of the City of Norwich Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of the Cost of Acquiring, Constructing, Enlarging, Improving, and/or Extending its Drinking Water Filtration and Treatment Facility to Serve an Area Lawfully Within its Jurisdiction to Serve

Payment of June 2019 Bills

Executive Session (if needed)

Adjournment

Correspondence

- ◆ **Recovery Walk-Run** – Ald. _____ **moved** to approve a request from the Suicide Prevention Coalition and Improve Norwich Now for Police and Fire Department assistance at their event on Friday, September 20, 2019 from 6:30 p.m. to 9:00 p.m. The race route will start at the Fairgrounds proceeding to Maydole St. to Midland onto Hale, Birdsall and continuing onto Silver, then Gold, River, Mitchell, Park continuing onto Grove, to Maydole and finishing at the Fairgrounds. Seconded by Ald. _____, approved ayes all.
- ◆ **Plymouth St. Block Party** – Ald. _____ moved to approve the request for Plymouth St. to be blocked from Pleasant to Cortland on July 21, 2019 for their annual Block Party beginning at 5 p.m. Seconded by Ald. _____, approved ayes all.
- ◆ **Fireman's Parade** – Ald. _____ moved to approve the request for Police and Fire Police assistance for the Annual Fireman's Parade on Tuesday, August 6, 2019 beginning at 7 p.m. Seconded by Ald. _____, approved ayes all.

Motions

- ◆ **Set Public Hearing for "No Parking" on Ross Ave.** - Ald. _____ moved to set a Public Hearing for August 20, 2019 to hear public comment relative to "No Parking" on Ross Ave. Seconded by Ald. _____, approved ayes all.
- ◆ **Approval of Sewer Policy** – Ald. _____ moved to approve the Sewer policy as presented to the Joint Committee on July 2, 2019. Seconded by Ald. _____, approved ayes all.
- ◆ **Approval of Policies for Workplace Violence; Computer, Email, Internet Usage; Family and Medical Leave Act** – Ald. _____ moved to approve the Workplace Violence, the Computer, Email, Internet Usage, and the Family and Medical Leave Act policies. Seconded by Ald. _____, approved ayes all.
- ◆ **Approval for Offering Voluntary Vision and Dental Insurance** – Ald. _____ moved to approve the City offering Voluntary Vision and Dental Insurance to its employees. Seconded by Ald. _____, approved ayes all.
- ◆ **Approval of Curb Cut at 26 Adelaide St.** – Ald. _____ moved to approve the curb cut request at 26 Adelaide St. Seconded by Ald. _____, approved ayes all.
- ◆ **Correction of Minutes and Resolution #16-2013** – Ald. _____ **moved** to correct Resolution #16-2013 in the minutes of February 19, 2019 to reflect that the Mayor and Director of Finance/City Clerk are both authorized to execute any and all documents. Corrections are in *Italic*. Seconded by Ald. _____, approved ayes all.

RESOLUTION #16-2013

AUTHORIZING MAYOR AND DIRECTOR OF FINANCE/CITY CLERK TO EXECUTE DOCUMENTS FOR USDA RD LOAN AND GRANT AND FOR OTHER FUNDING SOURCES AS MAY BE NEEDED FOR WATER FILTRATION FACILITIES CAPITAL PROJECT

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

WHEREAS, the Common Council, on December 11, 2012, adopted Resolution number 104-2012, authorizing the establishment of a capital project for the replacement of the existing drinking water filtration facilities (the "Project"); and

WHEREAS, said resolution also authorized the submittal of a funding application to the United States Department of Agriculture Rural Development agency ("Rural Development") and also to any other funding sources as may be needed for the funding of the Project; and

WHEREAS, a funding application has been submitted to Rural Development, which will require the execution of documents by the Mayor for any obligations and related paperwork associated with the award and issuance by Rural Development of any loan and grant; now, therefore be it

RESOLVED, that the Mayor *and the Director of Finance/City Clerk* be and hereby is authorized under the direction of the City Attorney, to execute any and all documents as may be required by Rural Development for its award and issuance of any loan and grant funding for the Project; and, further be it

RESOLVED, that the Mayor *and the Director of Finance/City Clerk* be and hereby is authorized under the direction of the City Attorney, to execute any and all documents as may be required by any other sources as may be needed for funding the Project.

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

Resolutions

**RESOLUTION # -2019 CREATE THE JOB TITLE OF CUSTODIAN WITHIN THE CITY OF NORWICH
DPW**

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

WHEREAS, the City Council has reviewed the proposed job duties, requirements and qualifications; and

WHEREAS, the City Council desires to create within the City DPW the job title of Custodian; and

WHEREAS, the City of Norwich Civil Service Commission has pre-classified the position as competitive now, therefore be it

RESOLVED, that the job duties, requirements and qualifications are hereby approved; and further be it

RESOLVED, that the job description for Custodian is approved; and further be it

RESOLVED, that the position of Custodian be placed in the CSEA DPW bargaining unit.

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

**RESOLUTION # -2019 REPORTING RESOLUTION FOR THE NEW YORK STATE AND LOCAL
EMPLOYEES' RETIREMENT SYSTEM**

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

WHEREAS, the New York State and Local Employees' Retirement System requires a resolution to establish a Standard Work Day and Reporting Resolution for certain elected and appointed officials; and

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

RESOLVED, that the City of Norwich/20037 hereby establishes the following standard workdays for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

					Paid by Employer Time Keeping System
Title	Name	Registration #	Standard Work Day	Term Begins/Ends	
Elected Officials					
Alderman	Matthew Caldwell		11.16 ROA	01/01/2016- 12/31/2019	Yes

Alderman	John Deierlein	42663286	6	01/01/2016-12/31/2016	Yes
Alderman	Robert D. Jeffrey	6222071-0	6	1/1/2018-12/31/2021	Yes
Alderman	Brian Doliver	38238440	6	1/1/2018-12/31/2021	Yes
Appointed Officials					
Assessor	Jeffrey Lowe		8	1/23/2017-09/30/2019	Yes
City Attorney	Steven Natoli	39724646	6	01/01/2018-12/31/2020	Yes
City Clerk/Director of Finance	Deana DuFour	36097186	8	01/01/2018-12/31/2020	Yes
City of Norwich Positions/Titles					
Account Clerk Typist			8		Yes
Assistant Police Chief			8		Yes
Cleaner			8		Yes
Coordinator of Disaster Preparedness			6		Yes
Detective Sergeant			8		Yes
Fire Assistant			6		Yes
Fire Captain			8		Yes
Fire Fighter			8		Yes
Lead Operator			8		Yes
Lead Treatment Plant Operator			6		Yes
Matron			6		Yes
MEO 1			8		Yes
Meter Reader Maintainer			8		Yes
Motor Equipment Mechanic			8		Yes
Police Officer			8		Yes
Police Sergeant			8		Yes
Pool & Grounds Technician			8		Yes
School Crossing Guard			6		Yes
Senior Account Clerk Typist			8		Yes
Wastewater Plant Attendant			8		Yes

Water System Maintainer			8		Yes
Water System Operator			8		Yes
Water System Operator Trainee			8		Yes
Youth Services Coordinator			6		Yes
Deputy Director of Finance			8		Yes
MEO II			8		Yes
Grants Coordinator			8		Yes

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

RESOLUTION # - 2019

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORWICH
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF
INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE
COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING,
AND/OR EXTENDING ITS DRINKING WATER FILTRATION AND
TREATMENT FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS
JURISDICTION TO SERVE**

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

WHEREAS, it is necessary for the City of Norwich (hereinafter called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of Nine Hundred Sixty-Six Thousand dollars (\$966,000.00) pursuant to the provisions of NYS Local Finance Laws; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association;

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for

repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.
11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$966,000 under the terms offered by the Government; that the Director of Finance/City Clerk of the Association is hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

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

Payment of June 2019 Bills

Ald. _____ **moved** to pay the June 2019 bills after proper audit and certification.

	<u>Prepaid</u>	<u>0 / /2019</u>	<u>Grand Total</u>
General Fund	\$	\$	\$
Sewer Fund			
Water Fund			
Trust			
Debt Service	-	-	-
Comm. Dev. - Special Grants	-	-	-
Capital Projects			
TOTALS	\$	\$	\$

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