

COMMON COUNCIL

November 21, 2013

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on November 21, 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 Robert Jeffrey

Also:

Director of Finance/City Clerk William Roberts
Police Chief Joseph Angelino
DPW Superintendent Carl Ivarson
Community Development Specialist Todd Dreyer
Youth Bureau Director Robert Mason
EMO A. Jones
City Attorney Patrick Flanagan
Code Enforcement Officer/Fire Marshall Jason Lawrence
Deputy City Clerk Brian Drake

Absent:

Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:01 p.m.

Approval of minutes

Ald. Palmer requested an amendment to the minutes of the special meeting of November 12, 2013, showing a motion to open the floor for comments. Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of October 15, 2013, and the special meeting of November 12, 2013, as amended. Seconded by Ald. Palmer, duly approved ayes all.

Public Hearings

Proposed Ordinance No. (A) of 2013 amending the Code regarding placement of a bus stop

Mayor Maiurano opened the public hearing at 7:03 p.m.

Paul Dougher, General Manager of First Transit, stated that the company has provided transportation services in Chenango County for approximately 30 years. The City asked that the bus stop on East Park Place be moved three years ago, and he has worked with the City to find another location. The first location proposed was on South Broad Street in front of East Park, which he believed was confirmed and that signs would be ordered. Three months later he was told this location would not work. After more meetings the move to West Main Street was proposed. He met with the B.I.D. and the Police Chief, measured the area and agreed. Again he was told this would not work. He was then told to direct all bus traffic to the stop on West Park Place or Tops Plaza. He explained that Tops Plaza would not work as a location because East and West Parks are the hub of the transportation system, where many transfers take place. He noted that his company transports approximately 125,000 persons a month. He says he is told that people riding the bus leave shopping carts at the stop. He monitored the area and saw no one leaving a cart there, and that if anyone did, it is a police matter, not a transportation matter. Other problems that have been claimed by other business owners are also matters that should be handled by the police, not by the bus company. He noted that he is running a business, that First Transit has contributed close to \$3 million annually to the local economy for eleven years, and asked why one business should take precedence over another. He has twice agreed to move the stop, only to have the move canceled.

Kathy Darrah, Guernsey Memorial Library Board, repeated the concerns of the Library Board expressed at an earlier meeting, emphasizing that the safety of people using the crosswalks is their priority and a bus stop would diminish visibility at that location.

There being no further comments, Mayor Maiurano closed the public hearing at 7:17 p.m.

Proposed Ordinance No. (B) of 2013 regarding a Senior Partial Property Tax Exemption

Mayor Maiurano opened the public hearing at 7:17 p.m.

Jason Miller, 127 South Broad Street, congratulated the aldermen who had been re-elected. He asked how much tax revenue was being shifted from the senior citizens to younger people. Director of Finance William Roberts said that, based on the current tax roll, there are 72 parcels out of 2,375 that qualify. Under the proposed change in income

limits, the total amount affected would be \$6,500, making an average of \$2.84 per year added to other parcels. Mr. Miller stated that he thinks we've done enough to help seniors and this is not a good move at this time. He believes the proposed ordinance and the proposed local law to override the State-imposed property tax levy cap are contradictory.

Rich Barnes, 17 Division Street, asked how many of the parcels out of 2,375 are non-profit. W. Roberts replied that no non-profits are included in that number. Mr. Barnes said he understands that the City is trying to help, but should not keep giving out tax breaks and expect business and taxpayers to pick up the tab.

An unidentified woman agreed with Mr. Barnes.

There being no further comments, Mayor Maiurano closed the public hearing at 7:24 p.m.

Proposed Local Law No. (B) of 2013 Overriding the Tax Levy Limit

Mayor Maiurano opened the public hearing at 7:24 p.m.

Jason Miller noted that the City overrode the tax-levy cap last year and that the tax cap was put in place for a reason. He said it is absurd to pass this law in anticipation of the budget. He demanded the City stop spending money and that services should be cut if necessary. He then complained about litter on his lawn and didn't understand why the City wouldn't put in a trash can for litter at his corner. He urged the Council not to pass the proposed law.

Ald. Schermerhorn noted that this year the cap is not 2% but only 1.6%.

Linda Kays Biviano, no address given, wants to see a budget and a five-year business plan for the City. She asked the Council not to pass the law and tighten their belts.

Rich Barnes asked how the cap could be raised before a budget is in place. He demanded City employees be fired and cuts instituted, and complained about paying property taxes.

Mayor Maiurano noted that at the NYCOM meeting it was stressed to all mayors in the State that a local law to override the State-imposed property tax levy cap should be passed as a matter of procedure, to protect the municipality in case the adopted budget must exceed the cap. He stated that last year was the first time over the last several years in which the increase in tax rate exceed 3%.

There being no further comments, Mayor Maiurano closed the public hearing at 7:35 p.m.

Open Forum

Jason Miller repeated his demand that the City cut services to keep property taxes down. He then demanded that a trash can be placed and maintained by the City at Hale and South Broad Streets for the McDonald's litter that people leave in his and his neighbors' yards. DPW Superintendent Carl Ivarson said that this is impossible as he does not have the manpower to remove trash from more cans, because his workforce has been reduced by eleven over the last several years. Mr. Miller repeated his demands several times.

Paul Dougher, 44 Henry Street, stated he has lived in Norwich eight years. The City's animal ordinance relating to dogs is excellent and is well enforced, and he asked that a similar ordinance be adopted for cats. Mayor Maiurano replied that the City has investigated this issue many times in the past, and almost no communities have cat ordinances because of the impossibility of enforcement. Mr. Dougher said imposing fines would solve the problem.

Mark Ostrom, no address given, asked why the City would move a bus stop that has worked well for so long.

Linda Kays Biviano complained of a friend who has twenty cats that defecate in her yard. She believes there should be an ordinance limiting the number of cats able to be kept and demanding they be spayed.

Mayoral Appointment Mayor Maiurano appointed Mike King as mayor's representative to the Norwich B.I.D. Board of Directors.

Council Appointment Ald. Palmer **moved** to appoint Bryan McCracken as Council representative to the Norwich B.I.D. Board of Directors. Seconded by Ald. Bresina and duly adopted ayes all.

Department, Board and Commission Reports

Parks Commission Minutes of November 11, 2013
Police Department Report of October 2013
Traffic Commission Minutes of October 9 and November 13, 2013
Youth Board Meeting Minutes of November 6, 2013
Youth Bureau Report of October 2013
Water Commission Minutes of October 16, 2013

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

Ward Reports

Ward 1

Ald. McCracken reported that two communications had been received; one was referred to the appropriate department and had been addressed, the other had been brought forward during the open forum.

Ward 2

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

Ward 3

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

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 he received no communication from constituents during the past month.

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. Mayor Maiurano commented that many concerns are handled by the department heads in the regular course of business.

Motions

Appointment of Acting City Court Judge – Ald. Deierlein **moved** to re-appoint James G. Cushman for Acting City Court Judge for the City of Norwich for a six-year term commencing December 18, 2013 and expiring December 17, 2019. Seconded by Ald. Palmer and duly adopted ayes all.

Authorize 2014 CSPCA Agreement for Animal Services Ald. Schermerhorn **moved** to authorize the Mayor, under the direction of the City Attorney, to sign an agreement with the Chenango County SPCA for Animal Shelter Services from January 1, 2014 through December 31, 2014, such agreement to include a fee of \$75 for each dog and an additional boarding fee of \$15 per day per dog seized whose holding period exceeds five business days. Seconded by Ald. Laughlin and duly adopted ayes all..

Approve Water System Policies Ald. Bresina moved to approve the consolidated Water System Policies as presented by the Superintendent of the Department of Public Works. Seconded by Ald. Schermerhorn and duly adopted ayes all.

Resolutions

RESOLUTION #60-2013

SUPPORTING THE PLANTING OF A COMMEMORATIVE TREE IN HONOR OF STEWART CHASE

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

WHEREAS, Stewart “Stew” Chase was a valued member of the City of Norwich Parks Commission from 2000 to 2012; and

WHEREAS, Stewart Chase was a valued member of the community who dedicated a significant portion of his time each year to beautifying the City’s parks; and

WHEREAS, Stewart Chase passed at the age of 85 on December 4, 2012; now, therefore be it

RESOLVED, that the Common Council supports wholeheartedly the planting of a commemorative tree in East or West Park to honor the memory of Stewart Chase.

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

RESOLUTION #61-2013

AUTHORIZING BUDGET TRANSFERS FOR HUMAN RESOURCES LEGAL SERVICES AND TAX PROPERTY COSTS

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

WHEREAS, funds are required for additional legal services with regard to numerous Human Resources matters; and

WHEREAS, the timing of the City’s acquisition of several unredeemed tax properties after the March 1, 2013 taxable status date has resulted in the need for funds to pay related School taxes; and

WHEREAS, property maintenance costs have also been incurred on the unredeemed tax properties; and

WHEREAS, the Finance/Personnel Committee has 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:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$11,162.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1430.4020	Human Resources – Contracted Services	\$ 3,000.00
A1950.4	Refunds & Taxes on City Owned Property	\$ 6,137.00
A1989.4	Miscellaneous Government Support Costs	\$ 2,025.00

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

RESOLUTION #62-2013

AUTHORIZING ADDENDUM TO FILTER PLANT PROJECT AGREEMENT WITH DELAWARE ENGINEERING

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

WHEREAS, on December 11, 2012, the Common Council adopted Resolution #104-2012, authorizing the establishment of the Water Filtration Facilities Capital Project with a grand total budget amount of \$6,135,000.00 (the “Project”) which included the execution of an agreement with Delaware Engineering P.C. of Oneonta, New York (“Delaware”), for associated professional services in the amount of \$749,000 (the “Engineering Agreement”); and

WHEREAS, it has been determined that preliminary pilot testing work on the Project’s design and configuration is an essential and prudent measure to ensure its reliable and cost effective completion (the “Pilot Testing”); and

WHEREAS, Delaware has proposed an addendum to the Engineering Agreement in the amount of \$42,000.00 for providing necessary additional services to accommodate the Pilot Testing; and

WHEREAS, the contingency line of the original Project budget will provide for the Pilot Testing and additional engineering services to be accomplished without any increase in the original Project budget; 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 Engineering Agreement with Delaware for additional services for Pilot Testing in an amount not to exceed \$42,000.

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

RESOLUTION #63-2013 **ADOPTING PROPOSED ORDINANCE NO. (A) OF 2013 - AMENDING CHAPTER 525 "VEHICLES AND TRAFFIC" OF THE CITY CODE**

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

WHEREAS, the Common Council received proposed Ordinance No. (A) of 2013 on October 15, 2013, amending Chapter 525 "Vehicles and Traffic" of the City Code in regards to placement of a bus stop; and

WHEREAS, a public hearing was held on November 21, 2013, in connection with said proposed ordinance; now, therefore be it

RESOLVED, that Ordinance No. (A) of 2013, amending Chapter 525 "Vehicles and Traffic" of the City Code as presented to the Common Council on October 15, 2013, be and hereby is adopted, and is hereby designated as Ordinance No. 1 of 2013.

Seconded by Ald. McCracken and duly defeated, 1-5, on a roll call vote, Ald. Palmer voting aye.

Discussion: Ald. Palmer asked if this would move the bus stop to West Main Street. Mr. Dougher replied that it would. He stated that he and the Police Chief had studied the spot and moved the proposed stop further from the corner to address the problem with blocking the crosswalk. Police Chief Joseph Angelino said they had investigated many different locations, and that the company wanted to remain in the core of the City. Mr. Dougher noted that during the 12-hour span during which buses run, a bus would be at the stop approximately 45 minutes. Ms. Darrah repeated her concerns. Another unidentified person thought a shelter was to be installed in the proposed stop and suggested that a shelter instead be placed at the current stop on East Park Place. Mayor Maiurano noted that they had investigated many solutions over the years and could not get all parties to agree on a location.

RESOLUTION #64-2013 **ADOPTING PROPOSED ORDINANCE NO. (B) OF 2013 - SENIOR PARTIAL PROPERTY TAX EXEMPTION**

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

WHEREAS, the Common Council received proposed Ordinance No. (B) of 2013 on October 15, 2013, authorizing partial exemption of certain real property owned by persons sixty-five years of age and over in the City of Norwich; and

WHEREAS, a public hearing was held on November 21, 2013, in connection with said proposed ordinance; now, therefore be it

RESOLVED, that Ordinance No. (B) of 2013, authorizing partial exemption of certain real property owned by persons sixty-five years of age and over in the City of Norwich, as presented to the Common Council on October 15, 2013, be and hereby is adopted, and is hereby designated as Ordinance No. 1 of 2013.

Seconded by Ald. Laughlin and duly adopted, 4-3, on a roll call vote:

Ald. McCracken	Nay	Ald. Schermerhorn	Yea
Ald. Bresina	Yea	Ald. Laughlin	Yea
Ald. Deierlein	Nay	Ald. Palmer	Nay
Mayor Maiurano	Yea		

ORDINANCE NO. 1 OF 2013

AN ORDINANCE TO AMEND AN ORDINANCE AUTHORIZING PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS SIXTY-FIVE YEARS OF AGE AND OVER IN THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Section 1. Paragraph (a) of Section 1 of An Ordinance Authorizing Partial Exemption from Taxation of Certain Real Property Owned by Persons in the City of Norwich, as adopted on May 7, 1967, and as amended on March 23, 1971, March 27, 1983, February 25, 1975, December 28, 1976, January 10, 1978, January 23, 1979, February 12, 1980, February 24, 1981, June 14, 1983, {and} February 28, 1989, and February 27, 1990, be and hereby is amended to reflect an exemption formula provided for pursuant to Section 467.1(b) of the State Real Property Tax Law, as follows:

(a) The income of the owner or the combined incomes of the owners of such property did not exceed the following sum for the stated exemption for the twelve consecutive months immediately preceding the date of making application for such exemption:

Income	Exemption
Under {9200} <u>11,000</u>	50% exemption
{9201 – 10,200} <u>11,000 – 11,999</u>	45% "
{10,201 – 11,200} <u>12,000 – 12,999</u>	40% "
{11,201 – 12,200} <u>13,000 – 13,999</u>	35% "
{12,201 – 13,100} <u>14,000 – 14,900</u>	30% "
{13,101 – 14,000} <u>14,901 – 15,800</u>	25% "
{14,001 – 14,900} <u>15,801 – 16,700</u>	20% "

Where title is vested in either the husband or the wife, their combined income did not exceed such sum. The word "income" includes social security and retirement benefits, interest dividends, net rentals, salary earnings, and income from self-employment, but does not include gifts and inheritances.

New material is underlined; deleted material is {bracketed}

Discussion: Ald. McCracken asked if there is a residency requirement for this benefit. W. Roberts replied that the owners must reside in the property. Ald. McCracken asked if costs of the program had been projected for future impact. W. Roberts replied that he does not have data to provide such projections. Ald. Deierlein reported talking to a resident who felt it unfair to shift any portion of the tax burden and that he could not support this resolution. Ald. Palmer suggested that all senior citizens on fixed incomes should move to senior residences such as Golden Age or Valley View. Mayor Maiurano stated that the County suggests an update on this ordinance every few years. Ald. Bresina said that the few households affected by this ordinance provide a stabilizing element in the community, being people who have owned their homes for many years, paying property taxes all the while, and that it is right the community should offer this small assistance. Ald. Deierlein repeated that he believes it is unfair to shift a portion of the tax burden from senior citizens on small fixed incomes to other property owners. Ald. Laughlin noted that senior citizens living solely on Social Security do not always receive cost of living increases and that the income limits under this ordinance have not been raised to parity with other communities in the County for more than ten years. Mayor Maiurano said it is sad that people will give large donations to charities but fight a tiny increase in their property taxes to help the needy elderly.

Following the vote, there was confusion as to whether the resolution passed. Further investigation has clarified that the resolution was indeed passed because the Mayor is a member of the Council and can vote in the case of a tie, which resulted in a four aye votes, which is a majority of the whole membership of the Council (4) and is in accordance with the Rules of Procedure and the Charter.

Additionally, a question was raised if the age of the aldermen constituted a conflict of interest requiring them to abstain. Further investigation in consultation with the City Attorney indicates that this does not pose a conflict. It is always the option of any alderman to abstain if they personally feel a conflict of interest.

RESOLUTION #65-2013

**ADOPTING PROPOSED LOCAL LAW NO. (B) OF 2013 - OVERRIDING
THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW
§3-c**

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

WHEREAS, the Common Council received proposed Local Law No. (B) of 2013 on October 15, 2013, overriding the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, a public hearing was held on November 21, 2013, in connection with said proposed local law; now, therefore be it

RESOLVED, that Local Law No. (B) of 2013, overriding the tax levy limit established in General Municipal Law §3-c, as presented to the Common Council on October 15, 2013, be and hereby is adopted, and is hereby designated as Local Law No. 1 of 2013.

Seconded by Ald. Bresina. Ald. Palmer **moved** that the resolution be tabled pending submission of proposed budget. Seconded by Ald. Laughlin, approved ayes all.

RESOLUTION #66-2013 **AUTHORIZING REVISION TO MORTGAGE SECURITY INTEREST POSITION FOR ECONOMIC DEVELOPMENT LOAN – CIRELLO, LLC**

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

WHEREAS, by Resolution Number 12-2009 on March 17, 2009, the Common Council authorized an economic development loan to Cirello, LLC for the acquisition and start-up of its Park Place Restaurant operations in the amount of \$100,000, subject to all terms and conditions as specified by the Loan and Finance Committee (the “City Loan”); and

WHEREAS, said terms and conditions included, among other provisions, a Mortgage Priority Sharing Agreement between the City and NBT Bank, N.A. (the “Sharing Agreement”) which was duly executed by both parties on April 10, 2009; and

WHEREAS, given that financing was separately and concurrently provided by the City and NBT Bank, N.A. (the “Bank”), rather than subordinate either party’s mortgage priority interest to the other, the Sharing Agreement provided for a mutual sharing of priority position for their respective mortgages held on certain real property in proportion to the amount of loans provided by each entity; and

WHEREAS, Cirello, LLC is presently pursuing substantial facility renovations and operational modifications of its Park Place Restaurant location, which will require a consolidation of its currently outstanding indebtedness to the Bank with additional new financing to be provided by the Bank for that purpose (the “Consolidated Bank Financing”); and

WHEREAS, the City Loan is considered to be adequately secured through other means in addition to the aforementioned mortgage held by the City, and the City wishes to be supportive of such endeavor in light of its associated economic development benefits; and

WHEREAS, the Personnel/Finance Committee has 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 such documents as may be necessary for the purpose of effecting a revised security interest position of the mortgage the City presently holds for the City Loan which will allow such position to be subordinated to the security interest position of the Bank resulting from the completion of the Consolidated Bank Financing.

Seconded by Ald. Schermerhorn, and duly adopted, 4-1, on a roll call vote, Ald. Palmer voting nay, and Ald. McCracken abstaining.

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

November Bills

	<u>Prepaid</u>	<u>11/21/13</u>	<u>Grand Total</u>
General Fund	\$ 132,133.49	\$ 104,165.86	\$ 236,299.35
Sewer Fund	14,567.55	27,519.05	42,086.60
Water Fund	11,844.41	18,987.09	30,831.50
Trust	26,842.07	-	26,842.07
Debt Service	53,800.00	-	53,800.00
Comm. Dev. Small Cities	2,332.86	-	2,332.86
Comm. Dev. Special Grants	100,000.00	540.00	100,540.00
Capital Projects	154,348.72	-	154,348.72
TOTALS	\$ 495,869.10	\$ 151,212.00	\$ 647,081.10

Executive Session

Ald. McCracken **moved** to enter executive session at 8:17 p.m. to discuss the sale of real property where price may be affected. Seconded by Ald. Deierlein, approved ayes all.

Ald. Deierlein **moved** to exit executive session at 8:57 p.m. Seconded by Ald. McCracken, approved ayes all.

RESOLUTION #67-2013 DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 45 GOLD STREET

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

WHEREAS, the City of Norwich acquired the real property at 45 Gold Street through property tax foreclosure;
and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the City advertised and conducted a public Request for Proposals (RFP) for the sale of the subject property; and

WHEREAS, the Common Council subsequently received one proposal, that being from Paul Knuth, Sr. of 127 Stevenscrest, Norwich, NY, that the Council believes is acceptable based on the purchase amount offered and the proposed rehabilitation of the property for use as a single-family dwelling; 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, that the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and, be it further

RESOLVED, that the Common Council hereby designates Paul Knuth, Sr., residing at 127 Stevenscrest, Norwich, NY, as the “preferred purchaser” of the City-owned property at 45 Gold Street for the purpose of rehabilitating the residential structure and establishing 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 45 Gold Street to Paul Knuth, Sr. for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property.

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

RESOLUTION #68-2013 DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 33 HICKOK AVENUE

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

WHEREAS, the City of Norwich acquired the real property at 33 Hickok Avenue through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the City advertised and conducted a public Request for Proposals (RFP) for the sale of the subject property; and

WHEREAS, the Common Council subsequently received one proposal, that being from Dutch Associates, Inc. (Christopher Antonakas, principal) having offices at 74 Avenue O, Brooklyn, NY, that the Council believes is acceptable based on the purchase amount offered and the proposed rehabilitation of the property for use as a single-family dwelling; 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, that the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and, be it further

RESOLVED, that the Common Council hereby designates Dutch Associates, Inc. (Christopher Antonakas, principal), having offices at 74 Avenue O, Brooklyn, NY , as the “preferred purchaser” of the City-owned property at 33 Hickok Avenue for the purpose of rehabilitating the residential structure and establishing 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 33 Hickok Avenue to Dutch Associates, Inc. (Christopher Antonakas, principal) for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property.

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

**RESOLUTION #69-2013 DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED
PROPERTY AT 12 WALNUT STREET**

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

WHEREAS, the City of Norwich acquired the real property at 12 Walnut Street through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the City advertised and conducted a public Request for Proposals (RFP) for the sale of the subject property; and

WHEREAS, the Common Council subsequently received three purchase proposals, the most satisfactory being received from Vincent J. and Lisa A. Mirabito, residing at 11 Maydole Street, Norwich, NY, based on the purchase amount offered and the proposed rehabilitation of the property as a single-family dwelling; 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, that the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and, be it further

RESOLVED, that the Common Council hereby designates Vincent J. and Lisa A. Mirabito, residing at 11 Maydole Street, Norwich, NY, as the “preferred purchaser” of the City-owned property at 12 Walnut Street for the purpose of rehabilitating the residential structure and establishing 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 12 Walnut Street to Vincent J. and Lisa A. Mirabito for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property.

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

**RESOLUTION #70-2013 DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED
PROPERTY AT 79 SHELDON STREET**

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

WHEREAS, the City of Norwich owns the real property located at 79 Sheldon Street, tax map parcel number 136.43-1-2, having acquired it through tax foreclosure; and

WHEREAS, the Common Council has determined that the subject property is not required for use by the City; and

WHEREAS, the City has further determined that the most useful and productive purpose for the subject property is to return it to use as an owner-occupied, single-family dwelling; and

WHEREAS, the City publicly advertised the property for sale and has received one offer to purchase it; and

WHEREAS, in consideration of the present condition of the property, the purchase offer submitted by David R. Spencer and Jamie L. Spencer of Norwich, NY, is considered by the Common Council to be an adequate offer and in the best interest of the City to accept; 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 designates David R. Spencer and Jamie L. Spencer of Norwich, NY, as the “preferred purchaser” of the City-owned property at 79 Sheldon Street, tax map parcel number 136.43-1-2; 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 79 Sheldon Street to David R. Spencer and Jamie L. Spencer.

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

Adjournment

Ald. McCracken **moved** to adjourn at 9:04 p.m. Seconded by Ald. Deierlein, accepted ayes all.