

COMMON COUNCIL

September 20, 2011

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on September 20, 2011, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Robert Carey
Ald. Terry Bresina
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Robert Jeffrey
Supervisor James McNeil
Supervisor Linda Natoli

Also:

Finance Director William Roberts
Police Chief Joseph Angelino
Fire Chief Tracy Chawgo
Code Enforcement Officer/Fire Marshall Jason Lawrence
Youth Bureau Director Robert Mason
City Attorney Patrick Flanagan
Deputy City Clerk Brian Drake
Media Representative Brian Golden

Absent

None

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. Laughlin **moved** to approve the minutes of the regular meeting of August 16 and the Special Meetings of August 23 and September 6, 2011. Seconded by Ald. Schermerhorn, duly approved ayes all.

Promotion Ceremony

Police Chief Joseph Angelino promoted police officer Stephen A. Zieno to the rank of sergeant. The Council and Mayor offered their congratulations.

Open Forum

Rosemary Reynolds, 10 Grove Avenue, spoke about the deterioration of her neighborhood with the increase of absentee landlords who do not keep up their properties and who rent to unsavory tenants. These properties receive numerous police visits and are often occupied by numbers of people in excess of what she deems safe. She remarked that one of her children is afraid to walk the street alone. She stated her belief that her property value has declined significantly due to these problems and appealed to the Council for solutions. Mayor Maiurano replied that City government and law enforcement is very aware of the problems on Grove Avenue and is working with the various organizations that place residents in these rental properties to ensure that they are not subsidizing bad landlords. He stated that Code Enforcement Officer Jason Lawrence is teaching classes for landlords and tenants on "How to Be a Good Neighbor." Chief Angelino commented that the police attempt to keep the peace and urged residents to contact the Department with fears and complaints. He noted that some landlords are now checking with Code Enforcement and Police before accepting tenants. Ald. Carey stated that the City is only able to enforce laws and ordinances, and that concerned residents should contact directly those who set the policies, the State and County elected officials, as well as the various organizations and agencies that are placing undesirable tenants, to demand that changes to the system be made.

Brian Golden, reporter for the *Evening Sun*, announced that he has been reassigned and will not be covering City meetings in future. He thanked the Council and also urged concerned residents to contact the newspaper and write letters to the editor, so that he could publicize their issues.

City Supervisor Linda Natoli remarked upon a decision taken by the County to accept for a period of two or three months a limited amount of debris from Broome County, caused by the recent devastating flood. She stressed that this would have an insignificant impact on the life of the local landfill, which is not due for a new cell until 2016, and that this is the type of cooperation between the Counties would be reciprocated if Chenango County had sustained similar damage. Mayor Maiurano thanked the County for waiving landfill fees for flood debris from the City of Norwich.

Correspondence

Curb Cut Request - 17 Midland Drive Ald. Jeffrey **moved** to approve a curb cut request at 17 Midland Drive. Seconded by Ald. Laughlin and duly adopted ayes all. Ald. Laughlin stated that he had spoken to DPW Superintendent Carl Ivarson, who approved the request, and noted that a utility pole will have to be moved by the petitioner.

Pumpkin Festival Ald. Carey **moved** to approve a request from Pegi LoPresti, Pumpkin Festival Coordinator, to close East Park Place and West Park Place from 8 a.m. Friday, October 28, through completion of cleanup around 12 p.m. Sunday, October 30, and the closure of West Main Street from North Broad Street to Court Street from 8 a.m. Friday, October 28, through 9:30 p.m. Saturday, October 29, for the 13th annual Norwich Pumpkin Festival, with special event designation. Seconded by Ald. Deierlein and duly approved ayes all.

Liquor License Application - Nina's Ald. Laughlin **moved** to receive and file correspondence from David Shull regarding application for an on-premise liquor license at Nina's Pizzeria & Restaurant, 32 South Broad Street. Seconded by Ald. Carey and duly approved ayes all.

Department, Board and Commission Reports

- ◆ Parks Commission Minutes of August 8, 2011
- ◆ Police Department Monthly Report of August 2011
- ◆ Traffic Commission Minutes of September 14, 2011
- ◆ Youth Board Minutes of September 13, 2011
- ◆ Youth Bureau Monthly Report July/August 2011

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

Ward and Committee Reports

Joint Committee Meeting of September 6, 2011

Stan Cwynar presented to the Committees the 2010 Audit Report. He reviewed the Executive Summary, covering one qualification regarding lack of actuarial data for post-employment benefits. Mr. Cwynar stated that more communities have adopted it because the price of the report has dropped. The report of actuarial data is a GASB requirement, not New York State law. Mr. Cwynar covered several minor matters that could be improved, including upgrading of financial software.

Chief Angelino noted that the current laptop computers used in police vehicles are out of warranty and outdated and that he would like to replace them with laptops obtained through New York State contract. This cost has been budgeted, but is slightly more than \$10,000 and thus requires the approval of the Committees to proceed. The Committees approved the request.

Ald. Jeffrey asked about reimbursements for damages during recent storms. EMO A. Jones stated that there was little damage from the April storm but that overtime and some other expenses are being calculated for FEMA reimbursement. The August storm caused no monetary damage, but fire crews were sent to Schoharie County and that county may cover some of those expenses.

The Committees moved to approve a release of certain copyrighted materials former City Historian Pat Scott wrote during her tenure for publication in book form, with acknowledgment to the City in the publication and copies made available to the City of Norwich.

Finance Director William Roberts provided further information regarding the bid sourcing for gas and electric supplies. The City currently uses MEGA, a nonprofit organization, to source such bids. A presentation was made at the March 2011 Committees meeting by U-Source to provide such services. U-Source appears to be more technologically advanced, more responsive, and more proactive than MEGA, and W. Roberts recommended the City use their services, especially as natural gas and electric rates are at a five-year low and more favorable prices could be obtained than the City now enjoys.

C. Ivarson reported that weather delayed installation of the screw pump, but that the air system is being installed and new RBCs will be delivered September 29, so that work should be completed by the end of October.

NYSEG has decorative lighting which can be installed on Liberatore and Biviano Lanes, but power outages caused by recent storms delayed installation. The lights will probably be 250 Watts.

C. Ivarson stated he has received no response yet from NYSEG regarding his proposed schedule of street paving for next year, probably due to the recent power outages NYSEG has been dealing with. He proposed a new schedule including a portion of Mitchell Street, Hickok and South Hickok, Francis Avenue, and Sharman Drive. This would leave a \$10,000 shortfall after CHIPS funds.

Ward Reports

Ward 1

Ald. Carey reported that no communications from constituents were received during the past month.

Ward 2

Ald. Bresina reported that no communications from constituents were received during the past month.

Ward 3

Ald. Deierlein remarked that he is still receiving good comments regarding the renovation of East and West Parks.

Ward 4

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

Ward 5

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

Ward 6

Ald. Jeffrey noted that streetlights along North and South Broad Streets are out. Mayor Maiurano explained that a part has failed and as soon as the replacement part arrives, the problem will be resolved. Ald. Jeffrey reported that all other issues have been referred to the appropriate department heads and have been or are in the process of being resolved.

Ald. Carey **moved** to receive and file the Committee and Ward reports. Seconded by Ald. Bresina, duly approved ayes all.

Motion

Reject All Bids - Uniform Supply & Laundry Ald. Jeffrey **moved** to reject all bids received for a uniform supply and laundry services and authorize re-bidding for such supply and services. Seconded by Ald. Laughlin, duly approved ayes all.

Resolutions

RESOLUTION #68-2011

AUTHORIZING AGREEMENTS WITH TOWNS FOR YOUTH RECREATION SERVICES

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

WHEREAS, the City has reached agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to the residents of such towns for a lump sum per town, without individual charges being made to such participants; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to residents of such towns during the 2012 fiscal year.

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

RESOLUTION #69-2011**AUTHORIZING INCREASE IN NYSERDA GRANT FOR ENERGY-EFFICIENT LIGHTING UPGRADES, AWARD OF BID, AND TRANSFER OF FUNDS**

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

WHEREAS, on May 18, 2010, by Resolution #37-2010, the Common Council authorized the acceptance of a grant award from the New York State Energy Research and Development Authority ("NYSERDA") for the installation of energy-efficient lighting upgrades in City facilities, in the amount of \$31,320.00 (the "Grant Award") and matching funds to be provided by the City in the amount of \$3,480.00, for a total project amount of \$34,800.00; and

WHEREAS, three bids were received for the project work in August, 2011, but the low bid meeting specifications was \$46,956.57, thereby exceeding the original grant parameters; and

WHEREAS, following the submittal of a grant increase request, NYSEDA has approved an increase in the Grant Award to the maximum amount of \$37,584.00; and

WHEREAS, based on the aforementioned bid, in conjunction with the increased Grant Award amount, the revised matching funds to be provided by the City will be \$9,372.57; now, therefore be it

RESOLVED, that the increased grant award amount of \$37,584.00 and the increased City matching funds amount of \$9,372.57 be and hereby are authorized; and, further be it

RESOLVED, that the NYSEDA Lighting Upgrade Project bid be awarded to the lowest qualified bidder meeting specifications, Eastern Energy Solutions of Afton, New York, in the amount of \$46,956.57; and, further be it

RESOLVED, that the proceeds of the Grant Award shall be deposited in the Capital Reserves Fund for Municipal Buildings; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2011 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR33-878	Capital Reserves – Municipal Buildings	\$46,956.57

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.2200	Municipal Buildings – Capital Outlay	\$46,956.57

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

Discussion: Ald. Jeffrey asked about the timeline for the upgrade. J. Lawrence stated that after notice of award is received from the State, the agreement with the bidder will be executed and work should be completed within 30-60 days.

RESOLUTION #70-2011**APPOINTING CLERK - FINANCE DEPARTMENT**

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

WHEREAS, an individual was hired on a temporary basis for assignment to the position of Clerk in the Finance Department effective May 19, 2011; and

WHEREAS, said individual has satisfactorily met all employment eligibility requirements as established by the Human Resources Department; and

WHEREAS, the Directors of Finance and Human Resources have recommended that said temporary employee be permanently appointed to the position of Clerk subject to provisions of Civil Service testing requirements; and

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

RESOLVED, that said temporary employee be and hereby is appointed to the full-time position of Clerk in the Finance Department, at the entry-level hourly rate of \$12.04, effective September 26, 2011; and, further be it

RESOLVED, this appointment shall be subject to the provision of satisfying testing requirements and other such action as may be necessary by the Norwich Civil Service Commission; and, further be it

RESOLVED, that fifty percent of the total cost of salary and benefits for this position shall be charged to the Wastewater Fund, and that fifty percent of said total cost shall be charged to the General Fund.

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

RESOLUTION #71-2011 **AUTHORIZING ENERGY-BUYING SERVICE AGREEMENT WITH USOURCE, LLC**

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

WHEREAS, the City of Norwich has sourced its energy supply needs through the Municipal Electric and Gas Alliance ("MEGA") a non-profit local development corporation in Ithaca, New York, for the past several years; and

WHEREAS, during the past year, the pricing of natural gas and electricity to the City has become uncompetitive through MEGA-sourced suppliers, and it is desired to have a more efficient and strategically effective means for bidding and securing best available pricing; and

WHEREAS, Usource LLC, through their office in Sidney, New York, has made a compelling presentation of their access to markets and ability for securing best bid options for energy supply pricing; and

WHEREAS, the volatility of energy commodity supply prices requires same-day execution of purchase contracts with lowest bid suppliers to secure the best price options, now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to execute an energy-buying service agreement with Usource, LLC, of Hampton, New Hampshire; and, further be it

RESOLVED, that the Mayor, in coordination with review and recommendation by the Superintendent of Public Works and Director of Finance, be and hereby is authorized to execute contracts with energy suppliers resulting from Usource, LLC bidding and award procedures.

Seconded by Ald. Carey, and duly defeated, 0-6, on a roll call vote.

Discussion: Ald. Carey stated that although the Council had been informed that local suppliers could bid through Usource (a broker), local brokers could not, and firmly opposed entering into a binding contract that would rule out competition from local sources. The Council discussed bidding through multiple brokers to achieve the best pricing for energy.

RESOLUTION #72-2011 **AWARDING BID - FUEL CARD SYSTEM**

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

WHEREAS, a bid for a fuel card system has been received and was opened on September 1, 2011; and

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

RESOLVED, that the bid for a fuel card system be awarded to the lowest qualified bidder meeting specifications, Mirabito Fuel Group, of Sidney, NY, in the following schedule:

		Rack	Margin	Total
Gasoline	1)	3.4363	.0525	3.4888
	2)	3.1122	.0401	3.1523
Diesel	1)	3.3047	.0405	3/3452
	2)	3.7905	.1821	3.9726

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

RESOLUTION #73-2011 **AUTHORIZING EMERGENCY HOME REPAIR PROGRAM GRANT ASSISTANCE TO ARLENE NOBLE AT 22 RIVER STREET FOR ROOF REPAIRS**

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

WHEREAS, the City of Norwich administers an Emergency Home Repair Program designed to provide grants and/or loans to income-qualifying homeowners for the purpose of making emergency home repairs, and

WHEREAS, an application has been received from Arlene Noble for the purpose of repairing a deteriorated roof at her residence at 22 River Street in the River View Trailer Court, and

WHEREAS, the applicant has arranged for volunteer labor to be provided by a qualified contractor (Chris Lockwood of Lockwood Home Improvement, LLC), and

WHEREAS, the applicant qualifies under the Emergency Repair Program for one hundred percent (100%) grant assistance, and

WHEREAS, the applicant is seeking a \$500 grant from the City to assist in paying for the roofing materials, and

WHEREAS, the applicant will be responsible for the cost of materials that may exceed the \$500 grant made by the City, and

WHEREAS, the City Code Enforcement Officer has confirmed the deteriorated condition of the roof at the subject property and the need for prompt remediation, and

WHEREAS, no USDA Rural Development Housing Preservation Grant funding will be used for this project, and

WHEREAS, the Joint Committee of the Common Council has considered the application and recommends its approval, and

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

RESOLVED, that the City of Norwich Finance Director be and hereby is authorized to prepare necessary documents and to issue on behalf of the City an Emergency Home Repair grant in the amount of \$500 (Five Hundred Dollars) to Arlene Noble of 22 River Street, which shall be paid in two installments directly to the approved contractor performing the work.

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

RESOLUTION #74-2011 **AUTHORIZING EMERGENCY HOME REPAIR PROGRAM GRANT/LOAN ASSISTANCE – 61 CORTLAND STREET**

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

WHEREAS, the City of Norwich administers an Emergency Home Repair Program designed to provide grants and/or loans to income-qualifying homeowners for the purpose of making emergency home repairs; and

WHEREAS, an application for assistance was received from Kenneth King for the purpose of funding roof replacement, repair of front and rear porches, ceiling repairs, and window trim painting at his residence at 61 Cortland Street; and

WHEREAS, it has been determined that the applicant is income-eligible for fifty percent grant and fifty percent loan assistance; and

WHEREAS, the applicant has solicited and received two price quotations based on a work scope prepared by City staff; and

WHEREAS, an estimated 77.44% of the City funds to be expended on the repair work for this Emergency Home Repair Program project will be reimbursed to the City from the current USDA Rural Development Housing Preservation grant; and

WHEREAS, the proposed action is appropriately classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, this resolution supersedes Resolution #66-2011 approved on August 16, 2011; and, further be it

RESOLVED, that the Mayor of the City of Norwich be and hereby is authorized to prepare necessary documents related to the issuance of City Emergency Home Repair Program grant in the amount of \$3,750 and a low-interest loan in the amount of \$3,750 (3% compounded monthly) to the applicant; and, further be it

RESOLVED, that in administering the program funds indicated above, the City of Norwich Finance Director be and hereby is authorized to make payments to the contractor for direct repair costs of up to \$7,500 (seven thousand, five hundred dollars), and other minor amounts for necessary change orders that may be approved by the City Office of Planning and Community Development, and payments to the lead testing firm for lead assessment and lead clearance costs, such additional costs to be borne by the City Emergency Home Repair Program.

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

Discussion: W. Roberts reviewed the history of this request for an emergency home repair grant/loan and the changes required because of revised information. He confirmed that this property is a single-family, owner-occupied home.

Payment of September 2011 Bills Ald. Carey **moved** to pay the September 2011 bills after proper audit and certification. Seconded by Ald. Schermerhorn and duly adopted ayes all.

September Bills

	<u>Prepaid</u>	<u>9/20/11</u>	<u>Grand Total</u>
General Fund	\$ 257,582.78	\$ 42,689.73	\$ 300,272.51
Sewer Fund	15,344.31	28,554.94	43,899.25
Water Fund	32,478.83	27,362.49	59,841.32
Trust	42,444.26	-	42,444.26
B.I.D.	-	-	-
Debt Service	-	-	-
Reserves	-	-	-
Unemployment	-	-	-
Community Dev. Small Cities	53,540.71	-	53,540.71
Community Dev. Special Grants	-	147.00	147.00
Economic Development	2,840.00	-	2,840.00
Capital Projects	-	2,800.00	2,800.00
TOTALS	\$ 404,230.89	\$ 101,554.16	\$ 505,785.05

Adjournment

Ald. Schermerhorn **moved** to adjourn at 8:10 p.m. Seconded by Ald. Carey, accepted ayes all.