

COMMON COUNCIL

AGENDA February 21, 2012

Call To Order

Pledge of Allegiance

Invocation

Approval of minutes of the regular meeting of January 17, 2012

Open Forum

Mayoral Appointments

Youth Board

- ◆ *James Zieno, 29 Park Street, to a three-year term expiring December 31, 2014*
- ◆ *Nicholas Mooney, 21 Locust Street, to a three-year term expiring December 31, 2014*
- ◆ *Jill Eddy, 123 Bartlett Road, as ex officio member.*

Parks Commission

- ◆ *Courtney Crisler, 18 Francis Avenue, to a three-year term expiring December 31, 2014*

Correspondence

- ◆ Allegro Run for the Arts
- ◆ Christmas Parade of Lights
- ◆ Fireman's Parade

Department, Board and Commission Reports

- ◆ Civil Service Commission Minutes of May 26 and September 29, 2011, and January 26, 2012
- ◆ Parks Commission Minutes of January 9, 2012
- ◆ Police Department Monthly Report of January 2012
- ◆ Police Department Annual Report for 2011
- ◆ Water Commission Minutes of January 18, 2012 and February 15, 2012
- ◆ Youth Board Minutes of February 1, 2012
- ◆ Youth Bureau Report of January 2012

Ward Reports

Resolutions

- ◆ Authorizing 2011 Year-End Budget Transfers
- ◆ Establishing Time and Procedures for Disposition of Unredeemed Tax Properties from 2010 Tax Sale
- ◆ Awarding Bid - Kurt Beyer Pool Improvements
- ◆ Accepting Grant Funds - Kurt Beyer Pool Improvements
- ◆ Authorizing Professional Services for Dam Assessments and Transfer of Funds
- ◆ Authorizing Transfer of Funds - Bar Screen Repair Parts
- ◆ Authorizing Transfer of Funds - Gas Compressor
- ◆ Authorizing 2012 Paint Rebate Program
- ◆ Authorizing 2012 Sidewalk Program
- ◆ Authorizing Economic Development Loan - 28 South Broad Street

Other Items

- ◆ None

Payment of January Bills

Payment of February Bills

Executive Session to discuss proposed litigation

Adjournment

CORRESPONDENCE

Allegro Run for the Arts Ald. _____ **moved** to approve a request from Victoria Calvert Kappel of the Chenango County Council of the Arts to hold the tenth annual Allegro Run for the Arts on Saturday, May 5, 2012, beginning at 9:00 a.m., with attendant street closings on West Main and Guernsey Streets. Seconded by Ald. _____, (approved / denied).

Christmas to Remember Parade of Lights Ald. _____ **moved** to approve a request from Michael McCormack to hold the Christmas to Remember Parade of Lights on Saturday, November 24, 2012, beginning at 5:30 p.m., with closure of North and South Broad Streets from Division to Fair Streets, and designation as a Special Event. Seconded by Ald. _____, (approved / denied)

Fireman's Parade Ald. _____ **moved** to approve a request from Mary Weidman of the Chenango County Agricultural Society to hold the 4-H and Fireman's Parade on Tuesday, August 7, from 6:00 p.m. with closure of Midland Drive and East Main Street to the fairgrounds. Seconded by Ald. _____, (approved / denied)

MOTIONS

Payment of January 2012 Bills Ald. _____ **moved** that, based on the fact that the detailed January 2012 bill list has been completed and made available subsequent to last month's regular Council meeting, its prior payment approval be hereby ratified, subject to final audit and verification. Seconded by Ald. _____ and duly (adopted / defeated), _____.

Payment of February 2012 Bills Ald. _____ **moved** to pay the February 2012 bills after proper audit and certification. Seconded by Ald. _____ and duly (adopted/defeated) _____.

RESOLUTIONS

RESOLUTION # -2012 AUTHORIZING END OF YEAR 2011 BUDGET TRANSFERS

Ald. _____ introduced the following and moved its adoption:

WHEREAS, funds need to be reallocated among line items to cover the cost of expenses through December 31, 2011; and

WHEREAS, the Finance Committee has made certain recommendations; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2011 General Fund, Sewer Fund, and Water Fund Budgets:

2011 Budget Transfers

GENERAL		
TO:		
A1355.1010	Assessment - Personal Services	\$ 1,204.66
A1410.1010	City Clerk - Personal Services	\$ 1,849.07
A1420.1010	City Attorney - Personal Services	\$ 67.33
A1430.1010	Human Resources - Personal Services	\$ 3,059.91
A1620.1010	Municipal Buildings - Personal Services	\$ 4,239.05
A1620.1020	Municipal Buildings - Overtime	\$ 2,536.65
A3120.1011	Police Department - Personal Services Fed ARRA	\$ 5,651.87
A3120.1020	Police Department - Overtime	\$ 4,269.43
A3410.1010	Fire Department - Personal Services	\$ 8,679.17
A3410.1020	Fire Department - Overtime	\$ 22,498.98
A3620.1010	code Enforcement - Personal Services	\$ 6,731.36
A3620.1020	Code Enforcement - Overtime	\$ 15.90
A5110.1010	Street Maintenance - Personal Services	\$ 45,087.48
A5110.1020	Street Maintenance - Overtime	\$ 2,900.36
A8020.1010	Planning - Personal Services	\$ 10,015.79
A9030.8	Social Security	\$ 2,318.79
	GENERAL	\$ 121,125.80
FROM:		
A1990.4	Contingency	\$ 33,091.14
A3120.1010	Police Department - Personal Services	\$ 48,318.29
A5110.2100	Street Maintenance - Equipment	\$ 23,022.42
A8170.1010	Street Cleaning - Personal Services	\$ 16,693.95
	GENERAL	\$ 121,125.80
WATER		
TO:		

F8310.1010	Water Administration - Personal Services	\$ 3,180.42
F8330.1010	Treatment - Personal Services	\$ 593.31
F8330.1020	Treatment - Overtime	\$ 233.26
F8340.1010	Distribution - Personal Services	1367.24
F8340.1020	Distribution - Overtime	3031.73
	WATER	\$ 8,405.96
FROM:		
F8310.4020	Water Administration - Contracted Services	\$ 5,265.76
F8320.1010	Source of Supply - Personal Services	\$ 3,140.20
	WATER	\$ 8,405.96

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

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

WHEREAS, the City of Norwich (the "City") bid in on certain parcels of real estate sold for unpaid taxes on October 26, 2010; and

WHEREAS, said delinquent parcels were not redeemed within the fifteen month period as provided under Section 218 of the Charter of the City of Norwich (the "Charter"); and

WHEREAS, Sections 216 and 220 of the Charter provide that the City may acquire such unredeemed parcels; and

WHEREAS, Section 74 of the Charter provides that real estate owned by the City and designated by the Common Council as not required for use by the City may be sold by the City in such manner as described therein; and

WHEREAS, the Finance/Personnel Committee has made certain recommendations; now, therefore be it

RESOLVED, that

1. the following properties be and hereby are subject to acquisition by the City from the Director of Finance in accordance with the above cited provisions of the Charter:

<u>Property Address</u>	<u>Tax Map Id #</u>	<u>Owner's Name of Record at 2010 Tax Sale</u>
16-18 American Ave.	136.56-4-28	Andrew S. Utter
22 Barnes St.	136.51-1-37	Audrey Loftus & Thomas Loftus (Life Use)
38 Berry St.	136.33-2-39	Lisa M. Merrill-Black
17 Cole Drive	123.63-1-2	Karen Donohue
150 East Main St.	136.5-4-17	Terry Drake
163 East Main St.	136.51-1-19	James G. Loftus & Thomas M. Loftus
169 E. Main St. (Olendorf Pl.)	136.51-1-16	Karen Kinney & Kathleen Heath
42 Henry St.	136.47-2-23	Kathleen Vazquez & Albert Vitiello
17.5 King St. (Rear)	136.39-2-15	Lisa M. Merrill-Black
12 Lee Ave.	136.33-1-19	James Jablonski & Lorraine Jablonski
7 Maydole St.	136.58-1-20	James F. Mirabito & Suzanne L. Mirabito
108 North Broad St.	136.4-1-10.2	Robert J. & Nancy D'Angelo
108-110 Pleasant St.	136.3-1-31	Robert Higgie & Marie M. Higgie
94 Silver St.	136.33-1-46	Wilbur W. French (Deceased)

2. affected property owners shall have until five o'clock PM, prevailing time, on March 30, 2012 as a final deadline to redeem their property from said acquisition by the City by paying their taxes and all associated fees; and
3. the Director of Finance shall send courtesy notices through the United States Postal Service to all affected property owners of this resolution stating the amount due, date and time of the final deadline and the urgency of the notice; and
4. any of the above properties remaining unredeemed after the date and time set forth above shall be disposed of by the City in accordance with the cited provisions of the Charter; and
5. the City Attorney and the Director of Finance be and hereby are directed to take all other necessary and legal steps to prepare for and conduct such disposition.

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

RESOLUTION # -2012 AWARDING BID – KURT BEYER POOL IMPROVEMENTS

Ald. _____ introduced the following and moved its adoption:

WHEREAS, one bid has been received for Kurt Beyer Pool Improvements; and

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

RESOLVED, that the bid for Kurt Beyer Pool Improvements be awarded to the lowest qualified bidder meeting specifications, Willcox Construction Co. of Norwich, NY, for the following base bid and bid alternate work items as specified and recommended by Delaware Engineering, P.C., for the total contract price of \$219,698:

1.01 for Mobilization, Demobilization, Bonds & Insurances	\$ 14,215.00
2.01 Pool Filter House Work	151,646.00
3.01 Pool Filter House Electrical Work	22,976.00
5.01 Wading Pool Work	13,786.00
BA-4.01 Existing Guard House Hot Water Heater Replacement	17,075.00
Total	<u>\$219,698.00</u>

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

RESOLUTION # -2012 ACCEPTING GRANT FUNDS – KURT BEYER POOL IMPROVEMENTS

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the City of Norwich has been awarded grants by Greater Norwich Foundation, the R.C. Smith Foundation, Inc., and the Roger Follett Foundation, to be used for improvements to Kurt Beyer Pool in the amount of \$40,000 each, for a total of \$120,000; and

WHEREAS, the grants represent supplemental revenue which had not been anticipated in the 2012 and future General Fund and Capital Projects Budgets; and

RESOLVED, that said foundation grants be and hereby are accepted; and, further be it

RESOLVED, that said foundation grants shall be used for improvements to Kurt Beyer Pool, as specified by grantors; and, further be it

RESOLVED, that the Common Council of the City of Norwich expresses its appreciation to the Greater Norwich Foundation, the R.C. Smith Foundation, Inc., and the Roger Follett Foundation for their generous contributions, and further expresses its continuing commitment, as it has always done in the past, to build future capital project and capital reserve funds to cover necessary repairs and improvements to the pool as well as other amenities which it provides to the citizens of this municipality.

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

Ald. _____ introduced the following and moved its adoption:

WHEREAS, State regulations require assessment of dams by qualified professional engineers; and

WHEREAS, GHD Consulting Engineers, LLC, of Cazenovia, NY (“GHD”), is a qualified engineer for such purpose; and

WHEREAS, GHD has submitted a proposal for professional services, at a cost of such assessments of both dams at the upper and lower reservoirs of \$43,600; 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 to execute a contract with GHD for performance of said assessment services at a cost not to exceed \$43,600.00; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2012 Water Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR30-898	Capital Reserves - Water Improvements	\$43,600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F1989.4	Water Fund - Special Projects	\$43,600.00

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

RESOLUTION # - 2012**AUTHORIZING TRANSFER OF FUNDS - REPLACEMENT OF BAR
SCREEN REPAIR PARTS**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the wastewater treatment plant's bar screen is in need of replacement parts; and

WHEREAS, costs of replacement parts will be \$10,148.96; 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 2012 Wastewater Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR42-898	Capital Reserves - Wastewater Equipment	\$10,148.96

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
G8130.4040	Wastewater Fund - Repairs & Maintenance	\$10,148.96

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

RESOLUTION # - 2012**AUTHORIZING TRANSFER OF FUNDS - REPLACEMENT OF GAS
COMPRESSOR**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, a spare gas compressor is required at the wastewater treatment plant for maintaining reliable operations; 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 2012 Wastewater Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR42-898	Capital Reserves - Wastewater Equipment	\$7,600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
G8130.2100	Wastewater Fund Treatment & Disposal - Equipment	\$7,600.00

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

**AUTHORIZING 2012 RESIDENTIAL PAINT REBATE PROGRAM
AND USE OF COMMUNITY DEVELOPMENT FUNDS FOR THE
PROGRAM**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the City of Norwich desires to promote and facilitate the beautification of residential neighborhoods throughout the city, and

WHEREAS, members of the Common Council and other City officials have suggested that offering a rebate program to reduce the cost of house paint would encourage homeowners and residential landlords to undertake needed exterior house painting, and

WHEREAS, certain community development funds are available to pay for the cost of establishing a residential paint rebate program for the painting season of 2012, and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; 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 and relevant City staff be and hereby are authorized to develop and implement a residential paint rebate program in effect through October 31, 2012 to reimburse residential property owners \$7.00 per gallon of paint, up to twenty gallons per property, for exterior house painting within the city of Norwich; and further, be it

RESOLVED, that the City of Norwich Finance Director be and hereby is authorized to draw upon appropriate community development fund sources to establish an account from which to pay rebate claims and associated incidental administrative expenses, with a budgeted amount not to exceed Five Thousand Dollars (\$5,000).

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

RESOLUTION # -2012 **AUTHORIZING 2012 SIDEWALK PROGRAM**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the City of Norwich Common Council desires to facilitate the improvement of sidewalk infrastructure in residential neighborhoods throughout the city to enhance safety and accessibility for pedestrians; and

WHEREAS, the City of Norwich has conducted residential sidewalk replacement programs each year since 2007; and

WHEREAS, the sidewalk replacement programs have traditionally worked on cost share basis, with the homeowner paying the approximate cost of materials and the City providing the labor component, and

WHEREAS, the City's superintendent of public works estimates that materials costs for the upcoming construction season are expected to be about \$22 per linear feet of sidewalk and recommends the warranty period be limited to one year; and

WHEREAS, at the February 7 joint committee meeting, the Finance/Personnel Committee considered the proposed program 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 appropriate City staff is hereby authorized to develop and implement a residential sidewalk replacement program to occur during the spring and early summer of 2012 as work crew staffing may allow; and, further be it

RESOLVED, that the homeowner contribution for the cost of sidewalk work shall be set at \$22 per linear foot for the 2012 program and the warranty period shall be limited to one year.

Seconded by Ald. _____, and duly (adopted / defeated), _____, on a roll call vote.

**AUTHORIZING RETAIL LOAN ASSISTANCE TO NICOLE ANN
CRUZ FOR PURCHASE OF RESTAURANT OPERATION AT 28
SOUTH BROAD STREET**

Ald. _____ introduced the following and moved its adoption:

WHEREAS, the City of Norwich administers a Retail Loan Program designed to provide assistance to local businesses for the purpose of undertaking business acquisition, expansion, and other types of economic development activities beneficial to the Norwich community; and

WHEREAS, an application for loan assistance was received from Nicole Ann Cruz for the purpose of funding the purchase of the restaurant operation commonly known as Café Connection, located at 28 South Broad Street, Norwich, NY; and

WHEREAS, the loan application was reviewed favorably by the City's loan committee and was referred by the joint committee of the Common Council to the Common Council with a favorable recommendation; and

WHEREAS, this loan is made conditioned upon the showing of adequate proof that all other funding needed to complete the purchase of the restaurant business has been obtained; and

WHEREAS, this loan shall be secured by a general lien against the assets of the business and personal guarantees provided by the applicant and by her husband, Angle Kiplind; 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, that the Mayor of the City of Norwich, acting under the advice of the City Attorney, be and hereby is authorized to prepare necessary documents related to the issuance of a retail loan to the applicant in an amount not to exceed \$25,000.00 (twenty-five thousand dollars) repayable to the City of Norwich at monthly intervals over a five-year period at an annual interest rate of 3.5% compounded monthly; and be it further

RESOLVED, that in executing the loan agreement with the applicant, the City of Norwich Finance Director be and hereby is authorized to impose terms and conditions that he may find necessary to protect the interests of the City of Norwich.

Seconded by Ald. _____ and duly (adopted / defeated), ____, on a roll call vote.