COMMON COUNCIL
February 16, 2010

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on February 16, 2010, 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
Supervisor James McNeil

Absent
Ald. Robert Jeffrey
Supervisor Linda Natoli

Also:
Clerk/Director of Finance William Roberts
Human Resources Director Deborah DeForest
DPW Superintendent Carl Ivarson
Code Enforcement Officer/Fire Marshall Jason Lawrence
Police Chief Joseph Angelino
Community Development Specialist Todd Dreyer
Deputy City Clerk Brian Drake
City Attorney Patrick Flanagan
Media Representative Brian Golden

Call to Order
The meeting of the Common Council was called to order by Mayor Maiurano at 7:03 p.m.

Mayor Maiurano notified the Council of the passing of Ald. Jeffrey's father.

Approval of minutes
Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of January 19, 2010. Seconded by Ald. Deierlein, duly approved ayes all.

Swearing-In of Police Officer
Chief of Police Joseph Angelino swore in new police officer Evan Romaine. Officer Romaine's father, Rick Romaine, pinned the badge on his son.

Eagle Scout Recognition Ceremony
Bob Neira and Bill Feldman of the New York State Marine Corps League formally honored Brian Howe, 18, 198 Crandall Street, Norwich, NY, for achieving Eagle Scout status. They presented a Good Citizen aware to Mr. Howe. Mayor Maiurano expressed the City's pride in its Scouts and noted the many projects Scouts have performed in the City.

Mayoral Appointment
Mayor Maiurano re-appointed Marcus Flint, 54 Borden Avenue, to the Plumbing Board to a three-year term expiring December 31, 2012.

Mayoral Proclamation
Mayor Maiurano made the following proclamation:

NEA Read Across America

March 2, 2010

By the Mayor:

WHEREAS, NEA's Read Across America is an annual reading motivation and awareness program that calls for every child in every community to celebrate reading on March 2, the birthday of beloved children's author Dr. Seuss; and

WHEREAS, NEA's Read Across America also provides NEA members, parents, caregivers, and children the resources and activities they need to keep reading 365 days a year; and

WHEREAS, in cities and towns across the nation, teachers, teenagers, librarians, politicians, actors, athletes, parents, grandparents, and others develop NEA's Read Across America activities to bring reading excitement to children of all ages and recognize the role reading plays in our communities and issue reading challenges to young readers; now, therefore be it

RESOLVED, that I, Joseph P. Maiurano, Mayor of the City of Norwich, New York, on behalf of the citizens of the City of Norwich, hereby express our support for the NEA's Read Across America celebration.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 2nd day of March, 2010.

____
Mayor

Open Forum
Mayor Maiurano opened the public forum at 7:14 p.m. There were no comments.

Correspondence

Autism Awareness Walk Ald. Schermerhorn **moved** to approve a request from Christine Hendrickson to hold an Autism Awareness Walk with police assistance from McDonalds down South Broad Street to East Park on April 10, 2010 at 1 p.m. Seconded by Ald. Deierlein and duly approved ayes all.

Department, Board and Commission Reports
- Civil Service Commission Minutes of January 28, 2010
- Parks Commission Minutes of January 11 and February 8, 2010
- Police Department Report for January 2010
- Police Department Annual Report 2009
- Traffic Commission Minutes of February 10, 2010
- Water Commission Minutes of January 20, 2010
- Youth Board Minutes of February 3, 2010
- Youth Bureau Report of January 2010

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

Ward and Committee Reports

Public Safety/Public Works Meeting of January 28, 2010
Fire Chief Tracy Chawgo reported that the "jaws of life" equipment is old and has needed replacement for several years. A bequest of close to $15,000 has been established and will be used to cover most of the costs for new equipment. He then told the Committee that quotes have been received for the renovation of Engine 232 and are being reviewed.

Code Enforcement Officer Jason Lawrence presented a draft law regarding nuisance properties. He investigated similar laws in other communities, some of which use a "point system," but determined that such a system would be too onerous in administrative tracking. The draft law offers sanctions against properties at which violations have taken place.

A. Jones reported that the New York Alert notification system is being promoted now with fliers and posters. This is a County project that will allow reverse 911 calling to subscribers to notify them of emergency situations. People may subscribe at www.nyalert.gov; a press conference will be held, with advertising, fliers, etc., to encourage sign-up.

DPW Superintendent Carl Ivarson reported that he has investigated replacing the current screw pumps with submersibles. Submersibles would be very expensive to work on and could not be repaired in-house. The bearings that support each unit are old and also need to be replaced. He recommended replacing Screw Pump #3 and the bearings on Pumps 1 and 2. This work will cost approximately $500,000, with additional engineering costs of $48,000. This involves a change order to the current RBCs capital project.

C. Ivarson reported that the very old phone system at the WWTP is in bad disrepair and cannot be fixed. Only two phones out of seven currently work. He received a quote from Frontier for a new, updated system. This expense was anticipated and is in the budget.

The DPW Standards do not include specifications for borings. C. Ivarson presented a draft of such specifications to be included in the Standards. Ald. Deierlein asked if the proposed specifications allowed for variances. C. Ivarson said he would include such language if variances are not covered in the general language of the Standards.

C. Ivarson reported that the natural-gas engine has run nonstop for the last 14 years and has developed leaks. He proposes rebuilding the engine on-site. A new engine would cost over $150,000. The total cost for a rebuild is approximately $30,000, already in the budget for special projects. The rebuild will take approximately three weeks, during which time Well 4 will supply water to the City.

C. Ivarson then reported that State DEC changes to rules and regulations regarding dams require annual certification of dams by an engineer licensed for dam inspections and that municipalities have an emergency action plan in place. The City's emergency action plan is already in place.

The Traffic Commission, at the request of a resident, recommended posting the south side of Waite Street from Lee Avenue to Silver Street as "no parking." Ald. Deierlein moved to forward the request to the Common Council with a recommendation not to approve, then withdrew the motion. Ald. Carey moved to direct the Chair of the Committee to respond to the Traffic Commission by mail that the Committee would not approve this recommendation.

Finance/Personnel Committee Meeting of February 2, 2010

Chief Angelino presented bid specifications for a new patrol vehicle to be purchased under the ARRA grant, which stipulates funds should help the local community; therefore, though police vehicles are usually purchased via state bid, this will be offered to local dealers.

Director of Finance William Roberts reminded the Committee that they had declared an emergency situation to purchase a new police vehicle following a vehicular accident. Funds to purchase a new vehicle will be replenished with insurance claims and a bequest.

Chief Chawgo reported that bids have been received for restoration of Engine 232 (old Engine 234). Body work must be done by Central Stations, a company which builds fire trucks. The bids for restoration are under review. Ald. Jeffrey asked the estimate of costs for restoration. Chief Chawgo replied that he had estimated approximately $30,000 for such restoration; this amount can be covered by capital reserves.

Ald. Schermerhorn asked about the traffic problems on Berry Street. J. Lawrence replied that the Traffic Commission is reviewing that situation. Problems there regarding garbage have been resolved.

Community Development Specialist Todd Dreyer reported that the Loan Committee approved a loan request from Kristina Passafiume for $8,000 for down payment on the purchase of Millie's Diner. Ms. Mercurio will hold the mortgage; a property owned by Ms. Passafiume will serve as collateral for the loan. Ald. Jeffrey asked about Ms. Passafiume's experience. T. Dreyer replied that she cited eight years of restaurant experience.

Ald. Jeffrey asked how the Open House on Fair Street went. T. Dreyer said that a number of people attended and one visitor has already submitted an application. Ald. Jeffrey said he was impressed by the workmanship at the house.

C. Ivarson recommended that rates for the sidewalk replacement program be kept at 2009 levels as cost increases have been minimal.

C. Ivarson reported that he received a proposal of $15,000 for dam inspections. Carl explained that because of manpower issues limiting his ability to take time off, he wants to buy back seven weeks of vacation time. W. Roberts added that the Public Safety/Public Works Committee recommended approval of this request.

Bill explained that estimated actual results for 2009 allow the projected transfer of $50,000 into the Infrastructure Capital Reserves fund. Ald. Jeffrey asked about sales tax revenues. W. Roberts replied that estimated actual overall revenues as compared to overall expenditures will result in a small surplus after the transfer of $50,000 into the Infrastructure Capital Reserves fund.

Ward Reports

Ward 1
Ald. Carey reported that all matters were referred to the appropriate Department Heads for resolution and resolved efficiently.

Ward 2
Ald. Bresina reported that no calls were received in Ward 2 during the last month.

Ward 3
Ald. Deierlein reported that all matters were referred to the appropriate Department Heads for resolution.

Ward 4
Ald. Schermerhorn reported that he received no complaints or inquiries during the last month and all prior matters had been resolved.

Ward 5
Ald. Laughlin reported that no complaints were received in Ward 5 during the last month.

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

Resolutions

RESOLUTION #07-2010 **RATIFYING EMERGENCY PURCHASE OF POLICE VEHICLE AND TRANSFER OF FUNDS**

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

WHEREAS, the Police Chief's vehicle was recently totaled in a motor vehicle accident; and

WHEREAS, on January 12, 2010, the Finance / Personnel Committee declared an emergency situation for its replacement, which is provided for under Section 103 (4) of New York State General Municipal Law; and

WHEREAS, an appropriate replacement vehicle has been identified and procured from a local dealership; and

WHEREAS, deposits into the Police Equipment Capital Reserve Fund for an insurance settlement in the amount of $8,047.00, combined with an unanticipated bequest in the amount of $14,644.80 to the City Police Department, will far exceed the cost of a replacement vehicle now, therefore be it

RESOLVED, that the purchase of a 2009 Chevrolet Impala from Christman Motor Sales, Inc., of Norwich, New York, at a price not to exceed $15,850 is hereby ratified; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds into the 2010 General Fund Budget:

From:

Account Number	Name	Amount
HR21-898	Capital Reserves - Police Equipment	$15,850.00

To:

Account Number	Name	Amount
A3120.2100	Police Department – Equipment	$15,850.00

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

RESOLUTION #08-2010 **AWARDING BID – POLICE VEHICLE**

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

WHEREAS, due to short police vehicle build and delivery deadlines, the Finance/Personnel Committee approved moving forward expeditiously with the solicitation of bids for anew police vehicle to be purchased under the ARRA grant; and

WHEREAS, bids for a police vehicle have been received and were opened on February 16, 2010; and

WHEREAS, the Chief of Police and Director of Finance have made certain recommendations; now, therefore be it

RESOLVED, that the bid for a police vehicle be awarded to the lowest qualified bidder, Smith Ford LLC, of Norwich, NY, in the amount of $22,102.92.

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

RESOLUTION #09-2010 **AUTHORIZING PURCHASE OF HURST TOOLS AND TRANSFER OF FUNDS – FIRE DEPARTMENT**

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

WHEREAS, the Hurst Tools "Jaws of Life" is outdated and long in need of replacement; and

WHEREAS, a deposit in to the Fire Equipment Capital Reserve Fund from an unanticipated bequest in the amount of $14,644.80 will cover a major portion of the replacement cost; and

WHEREAS, the balance of the replacement cost will be covered within the 2010 Fire Department budget line; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2010 General Fund Budget:

From:

Account Number	Name	Amount
HR32-898	Capital Reserves - Fire Equipment	$14,644.80

To:

Account Number	Name	Amount
A3410.2100	Fire Department - Equipment	$14,644.80

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

Discussion: Ald. Carey noted that the Police and Fire Departments had received bequests from the Estate of Audrey A. Breward making these purchases possible. Mayor Maiurano noted that the emergency purchase of police vehicle is covered by the bequest and the bid for a replacement police vehicle is covered under the ARRA grant. He expressed the City's thanks to the Breward family for the bequest.

RESOLUTION #10-2010 **AUTHORIZING ECONOMIC DEVELOPMENT LOAN – KRISTINA PASSAFIUME**

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

WHEREAS, funds are available for eligible applicants through the City's Retail Development Loan Program; and

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

RESOLVED, that an economic development loan through the Retail Development Loan Program be and hereby is approved in the amount of $8,000 to Kristina Passafiume, proprietor, for the purpose of purchasing Millie's Diner, located on East Main Street in Norwich, NY; and, further be it

RESOLVED, that such loan shall be for a term of five years at a fixed rate of 50% of prime and subject to all terms and conditions as specified by the Loan and Finance/Personnel Committees.

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

Discussion: City Attorney Patrick Flanagan disclosed to the Council his representation of Kristina Passafiume in the purchase of Millie's Diner and stated that he did not participate in the City's decision to make a loan available to his client. Ald. Carey stated that it is good to see someone wishes to purchase the business and invest in the community.

RESOLUTION #11-2010 **AWARDING BIDS – SURPLUS EQUIPMENT**

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

WHEREAS, bids for surplus equipment have been received and were opened on January 27, 2010; 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 bids for the following surplus equipment be awarded to the highest qualified bidders:

Bidder	Item	Amount
Daniel Spencer, Oxford, NY	1989 Kubota	$4,888.88
Robert L. Brown, Norwich, NY	1990 Ford F250 Pick-Up	$ 225.00

and, further be it

RESOLVED, that all other bids be rejected.

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

RESOLUTION #12-2010 **AWARDING BID – JAMBA FARMS LEASE**

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

WHEREAS, a bid for the lease of Jamba Farms has been received and was opened on January 28, 2010; 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 the lease of Jamba Farms for the twelve months from April 1, 2010 through March 31, 2011, with a renewal provision for two succeeding twelve-month periods, be awarded to the highest qualified bidder meeting specifications, Michael Place, of Oxford, NY, in the amount of $4,000.

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

RESOLUTION #13-2010 **AUTHORIZING SALE OF 52 FAIR STREET PROPERTY UNDER RESTORE NY II PROGRAM**

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

WHEREAS, construction of the 52 Fair Street location under the City's Restore NY II Program, funded in part through a grant from the Empire State Development Corporation (the "Program"), is completed, and an accurate projection of final costs has been determined; and

WHEREAS, the Finance/Personnel Committee has concurred and recommends that the selling prices for the houses constructed under the Program be established at levels which will be affordable for first-time moderate-income home buyers, and which will also cover the net Program costs after grant funding; and

WHEREAS, an application and a letter of intent have been received from the prospective buyer, and the sale has been recommended by the Program's Home Buyer Selection Committee; now, therefore be it

RESOLVED, that the sale of the Program's real property located at 52 Fair Street in the City of Norwich be and hereby is authorized to be made in the amount of $108,000 to Francesco and Elizabeth Speziale; and, further be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney to execute all appropriate and necessary documents leading up to and closing out the aforesaid sale.

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

Discussion: Mayor Maiurano stated that the City is proud of the new houses built through the Restore NY II Program and is glad to have this one sold. Francesco Speziale introduced himself to the Council.

RESOLUTION 14 -2010 **AUTHORIZING AMENDMENT NO. 2 TO RBCS CAPITAL PROJECT FOR INFLUENT PUMP REPLACEMENT AND ENGINEERING SERVICES AGREEMENT WITH DELAWARE ENGINEERING**

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

WHEREAS, it has become necessary that replacement and repairs of the influent screw pumps at the Wastewater Treatment Plant be accomplished in the near future; and

WHEREAS, a proposal has been received from Delaware Engineering, P.C. ("Delaware") for an Amendment No. 2 to the Rotating Biological Contactors Capital Project (the "Project") which would incorporate said replacement and repairs as a further expanded scope of the Project; and

WHEREAS, bids for the original specifications of the Project came in lower than expected such that funds from existing authorized Project financing sources remain more than sufficient to cover the estimated costs of the proposed Amendment No. 2, which range from $400,000 to $500,000; and

WHEREAS, included in the above cost estimate range is a proposed amount for additional engineering services to be provided by Delaware in an amount not to exceed $48,000 for the necessary planning/design and construction phase services, plus coordination with applicable funding and regulatory agencies; and

WHEREAS, it specifically has been determined that because proposed Amendment No. 2 consists of the new, in-kind replacement and repairs of existing components on the same site, it is therefore a Type II Action and is not subject to review, as indicated under Section 617.5 (c) (2) of the Rules and Regulations of the State Department of Environmental Conservation for the implementation of the provisions of the State Environmental Quality Review Act; now, therefore be it

RESOLVED, that the aforesaid proposed Amendment No. 2 to the Project be and hereby is approved for implementation and completion; and, further be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney to sign an Amendment No. 2 to the Project engineering agreement with Delaware for the aforesaid corresponding professional services in an amount not to exceed $48,000.

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

Discussion: Ald. Carey clarified that the $48,000 amount mentioned referred only to the increased engineering costs.

RESOLUTION #15-2010 **AUTHORIZING PURCHASE OF WWTP TELEPHONE SYSTEM**

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

WHEREAS, the very old telephone system at the Wastewater Treatment Plant is in bad disrepair and in need of replacement; and

WHEREAS, corresponding funds have been provided for in the 2010 WWTP budget; and

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

RESOLVED, that the purchase of a new system under a proposal from Frontier Communications, to include a 5-year maintenance agreement, at a total cost of $7,282.80, be and hereby is authorized.

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

RESOLUTION #16-2010 **AUTHORIZING NATURAL GAS ENGINE REBUILD**

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

WHEREAS, a quote has been received from Kraft Power Corporation of Syracuse, New York, for a necessary rebuild of the well water pumping system natural gas engine at a cost of $27,175 plus freight estimated at approximately $3,000; and

WHEREAS, funds have been provided in the 2010 Water Fund Budget for the costs of suck work; and

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

RESOLVED, that the aforementioned natural gas engine rebuild be and hereby is authorized for performance by Kraft Power Corporation at a cost of $27,175 plus applicable freight.

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

RESOLUTION #17-2010 **AUTHORIZING CONTRACT FOR DAMS CERTIFICATION AND PLANNING AND TRANSFER OF FUNDS**

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

WHEREAS, new NYS DEC regulations require dam inspections by engineers specifically licensed to perform them and that all dam owners establish certification forms and Inspection and Maintenance Plans to provide for future annual inspections; and

WHEREAS, a proposal has been received from Stearns & Wheler of Cazenovia, New York, to prepare annual certification forms and establish Inspection and Maintenance Plans for future annual inspections of the two dams at the City's reservoirs for a lump sum fee of $15,000; and

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

RESOLVED, that said Stearns & Wheler proposal be and hereby is authorized at a cost not to exceed $15,000; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer from Capital Reserves to the 2010 Water Fund Budget:

From:

Account Number	Name	Amount
HR29-878	Capital Reserves - Water System Repairs and Maintenance	$15,000.00

To:

Account Number	Name	Amount
F8320.4040	Source of Supply - Repairs and Maintenance	$15,000.00

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

RESOLUTION #18-2010 AUTHORIZING VACATION BUY-BACK – SUPERINTENDENT OF PUBLIC WORKS & 2010 BUDGET TRANSFER

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

WHEREAS, due to a lack of personnel at the Wastewater Treatment Plant, special conditions exist wherein the City receives benefits by the Superintendent of Public Works covering related time requirements; and

WHEREAS, as a result, the Superintendent of Public Works will be unable to utilize the full amount of his vacation time; and

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

RESOLVED, that the request for buyback of seven weeks of vacation time by the Superintendent of Public Works be and hereby is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2010 Wastewater Fund Budget:

From:

Account Number	Name	Amount
G8130.1010	Treatment & Disposal - Personal Services	$11,216.00

To:

Account Number	Name	Amount
G8110.1010	Administration - Personal Services	$11,216.00

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

Discussion: Ald. Carey noted that the City receives substantial benefits from Carl Ivarson's efforts, that he has no person second-in-command, and that he goes above and beyond expectations.

RESOLUTION #19-2010 ESTABLISHING TIME AND PROCEDURES FOR TAX AUCTION

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

WHEREAS, the City of Norwich bid in on certain parcels of real estate sold for unpaid taxes on October 28, 2008; 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; and

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

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

RESOLVED, that

1. the following properties be sold at public auction by the Director of Finance:

Property Address	Tax Map Id #	Owner's Name
110 Birdsall Street	136.73-4-11.1	110 Birdsall St Trust Raymond P. Mannion, Jr.
25 Cortland Street	136.48-1-4	Robert B. Womack & Betty A. Womack
27 Cortland Street (Rear)	136.48-1-3.2	Robert B. Womack & Betty A. Womack
169 East Main Street (Olendorf Pl)	136.51-1-16	Karen Kinney & Kathleen Heath
33 Hickok Avenue	136.65-7-7	Salvatore Blanda & John Lovetro
22 King Street	136.39-3-19	Clarence P. Campbell & Carol A. Campbell
12 Lee Avenue	136.33-1-19	James Jablonski & Lorraine Jablonski
9 Merrill Street	136.49-1-5	David L. Jennings & Georgeanna F. Jennings
81 North Broad Street	136.48-3-4	Gary John Bilow
50 Pleasant Street	136.31-4-19	James F. & Lisa A. Parmalee
79 Sheldon Street	136.43-1-2	Salvatore Blanda & John Lovetro
7 State Street	136.41-1-10	Debra Jean Relyea Trustee & Jay William Relyea Trust

2. said public auction shall be conducted by sealed bid with all bids being received no later than 3 PM, prevailing time, April 23, 2010, after which time they shall be publicly opened and read; and
3. the Common Council acting through the Director of Finance reserves the right to withdraw from sale any of the above listed properties up to the moment of final sale; and
4. all bids shall be in writing, signed by the bidder, and evidenced by a certified bank check equivalent to ten percent (10%) of the bid amount at the time of the public sale; and
5. the balance of all bids shall be paid to the Director of Finance no later than three (3) business days following notification to the parties of the acceptance of the bid with such payment being by cash or certified bank check; and
6. the City will issue only quitclaim deeds; no warranty or guarantee deeds will be issued; also, no abstract of title will be provided, and no deeds will be issued until all elements of the sale are reviewed by the City Attorney; and
7. the Common Council reserves the right to reject any or all bids, and no sale shall be final until approved by the Common Council; and
8. no sale shall be made to an individual or other parties who shall be delinquent in taxes or any other obligations to the City of Norwich, Chenango County or the State of New York; and
9. 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 auction and the urgency of the notice; and
10. affected property owners shall have until five o'clock PM, prevailing time, on April 2, 2010 to redeem their property from said public auction by paying their taxes and all associated fees; and
11. all properties acquired through this tax auction and sale must be brought into compliance with all applicable codes within nine months from acquisition unless exceptions or extensions are otherwise authorized by the Common Council; and
12. 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 public auction.

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

RESOLUTION #20-2010 **AUTHORIZING SUPPLEMENTAL APPROPRIATION IN 2009 GENERAL FUND BUDGET**

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

WHEREAS, on September 16, 2008, by Resolution Number 79 of 2008, the Common Council established a Capital Reserve Fund to finance the future cost of construction, reconstruction, or acquisition of infrastructure funded through the General Fund, including but not limited to sidewalks, curbing, and public parking lots; and

WHEREAS, it is desired that funds be transferred into said Capital Reserves Fund; and

WHEREAS, favorable revenues and expenditures during 2009 have made possible a supplemental appropriation for such purpose; 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 supplemental appropriation in the 2009 General Fund budget:

From:

Account Number	Name	Amount
A910	General Fund – Appropriated Fund Balance	$50,000.00

To:

Account Number	Name	Amount
A9950.1HR40	General Fund Transfer Infrastructure Capital Reserves	$50,000.00

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

Discussion: Ald. Carey noted that the Infrastructure Capital Reserves account was created two years ago in order to prepare for inevitable upgrades to the City's 28 miles of roads and water and sewer systems, parts of which date to the 1800s. This reserve is designed to address corresponding curbing and sidewalks (as well as public parking lots). The account remained unfunded last year, but thanks to the hard work of Department Heads in holding back expenditures, the City is able to fund it this year. Mayor Maiurano thanked the Department Heads for their efforts in saving money.

RESOLUTION #21-2010 **AUTHORIZING END OF YEAR 2009 BUDGET TRANSFERS**

Ald. Deierlein 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, 2008; 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 2009 General Fund, Sewer Fund, and Water Fund Budgets:

2009 Budget Transfers

GENERAL		
TO:		
A1325.1010	Finance - Personal Service	$ 3,578.41
A1430.1010	Human Resources - Personal Services	$ 1,008.01
A3410.1010	Fire - Personal Services	$ 27,266.37
A5110.1010	Street Maintenance - Personal Services	$ 80,317.57
A7510.1010	Historian - Personal Services	$ 618.87
A8020.1010	Community Development - Personal Services	$ 16,398.18
	GENERAL	***$ 129,187.41***

FROM:		
A1990.4	Contingency	$ 72,017.85
A5142.1010	Snow & Ice Removal - Personal Services	$ 57,169.56
	GENERAL	***$ 129,187.41***
SEWER		
TO:		
G8120.1010	Sanitary Sewers - Personal Services	$ 229.25
	SEWER	**$ 229.25**
FROM:		
G8120.1020	Sanitary Sewers - Overtime	$ 229.25
	SEWER	**$ 229.25**
WATER		
TO:		
F8310.1010	Water Administration - Personal Services	$ 3,834.98
F9030.8	Water - Social Security	$ 262.38
	WATER	**$ 4,097.36**
FROM:		
F8320.4026	Source of Supply - Laboratory Expense	$ 4,097.36
	WATER	**$ 4,097.36**

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

Discussion: In response to a question from Ald. Schermerhorn, Director of Finance William Roberts clarified that this action is a technical requirement for year-end budget resolution, and that favorable balances in other lines outweighed those lines needing more, with a net positive "bottom line" result.

Payment of Bills

Payment of January 2010 Bills Ald. Carey **moved** that, based on the fact that the detailed January 2010 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. Deierlein and duly adopted, ayes all.

January Bills

	Prepaid	1/19/09	Grand Total
General Fund 2009	$ 38,651.37	$ -	$ 38,651.37
General Fund 09 with 10 CHKS	11,012.98	70,999.14	82,012.12
General Fund 2010	102,434.74	40,020.23	142,454.97
Sewer Fund 2009	14,490.38	-	14,490.38
Sewer Fund 09 with 10 CHKS	11,920.58	91,165.66	103,086.24
Sewer Fund 2010	5,205.35	13,396.91	18,602.26
Water Fund 2009	11,401.42	-	11,401.42
Water Fund 09 with 10 CHKS	5,624.26	1,608.28	7,232.54
Water Fund 2010	12,040.56	3,362.19	15,402.75
Trust 2009	15,196.69	-	15,196.69
Trust 09 with 10 CHKS	-	-	-
Trust 2010	-	-	-
BID	-	-	-
Debt Service 09 with 10 CHKS	-	-	-
Debt Service 2010	37,943.64	-	37,943.64
Reserves	-	-	-
Unemployment	-	-	-
Community Development 2009	91,642.06	-	91,642.06
Community Development 2010	8,175.69	-	8,175.69
Capital Projects 2009	51.30	-	51.30
Capital Projects 09 with 10 CHKS	-	-	-
Capital Projects 2010	2,500.00	-	2,500.00
TOTALS	**$368,291.02**	**$220,552.41**	**$ 588,843.43**

Payment of February 2010 Bills Ald. Schermerhorn **moved** to pay the February 2010 bills after proper audit and certification. Seconded by Ald. Laughlin and duly adopted ayes all.

February Bills

	Prepaid	2/16/09	Grand Total
General Fund	$ 148,992.19	$448,024.31	$ 597,016.50
Sewer Fund	34,418.32	9,636.82	44,055.14
Water Fund	18,668.43	6,881.06	25,549.49
Trust	23,067.19	-	23,067.19
	(2.50)		(2.50)
B.I.D.	48,013.01	-	48,013.01
Debt Service	48,608.52	-	48,608.52
Reserves	-	-	-
Unemployment	-	-	-
Community Development	28,081.07	-	28,081.07
Economic Development	4,000.00	-	4,000.00
Capital Projects	365,147.13	-	365,147.13
TOTALS	**$ 718,993.36**	**$464,542.19**	**$1,183,535.55**

Adjournment

Ald. Schermerhorn **moved** to adjourn at 7:45 p.m. Seconded by Ald. Carey, accepted ayes all.