

COMMON COUNCIL

September 22, 2009

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on September 22, 2009, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Robert Carey
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Robert Jeffrey
Supervisor James McNeil

Also:

Clerk/Director of Finance William Roberts
Human Resources Director Deborah DeForest
Police Chief Joseph Angelino
EMO A. Jones
DPW Superintendent Carl Ivarson
Deputy City Clerk Brian Drake
Code Enforcement Officer/Fire Marshall Jason Lawrence
City Attorney Patrick Flanagan
Youth Director Robert Mason
Dog Warden Jeremy Stopford
Police Sergeant Gard Turner
Community Development Specialist Todd Dreyer
Mike McGuire, Media Representative

Absent

Ald. John Deierlein
Ald. Terry Bresina
Supervisor Linda Natoli

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:02 p.m.

Approval of minutes

Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of August 18, 2009 and of the special meeting of September 1, 2009. Seconded by Ald. Laughlin, duly approved ayes all.

Presentation of Certificates of Service

Mayor Maiurano presented Certificates of Service to the following:

Dog Warden Jeremy Stopford for 25 years or more of service;

James Wysor, for 25 years or more of service through the Youth Board.

Youth Bureau Director Robert Mason congratulated Mr. Wysor for his years of distinguished public service, not just to the City of Norwich, but to the surrounding townships which participate in the Youth Programs. He further commended Jeremy Stopford, who served under him during his tenure as Chief of Police.

Mayoral Appointment

Mayor Maiurano re-appointed Kay Zaia, 43 Rexford Street, to the Housing Authority to a five-year term expiring June 25, 2014.

Mayoral Designation – Halloween Trick or Treat

Mayor Maiurano designated Halloween “Trick or Treat” as Saturday, October 31, from 5:30 p.m. to 8:00 p.m. The Council members concurred. Mayor Maiurano noted that hours have been shortened from prior years, and that if residents prefer to shorten them further they may turn off their porch lights, which signifies their residence is no longer available to trick-or-treaters.

Public Hearing – Proposed Local Law (B) of 2009 – Adopting Charter

Mayor Maiurano opened a public hearing to hear comments on a proposed local law regarding codification of the Charter and Code at 7:11 p.m. Hearing no comments, the hearing was closed at 7:11 p.m.

Open Forum

Steven Law, 18 Hickory Street, addressed the Council, stating that he will soon be homeless. The property where he resides was sold at tax auction this year for back taxes from 2007 and 2008, and the new owner has evicted the

residents. Attorney Patrick Flanagan, who represents the new owner of the premises in his private practice, responded to Mr. Law, stating that all procedures for the tax sale and the eviction process have been conducted appropriately and that the current owner negotiated the length of time before eviction, to which the prior owner, Elizabeth Tortorelli, agreed. Mayor Maiurano expressed his condolences and offered his assistance in his finding a new home.

Elizabeth Tortorelli, 18 Hickory Street, addressed the Council with her concerns at being evicted by the new owner of 18 Hickory Street. She admitted that she was delinquent in paying property taxes and that legal processes were followed correctly. She expressed her sadness at what she perceives as a change in the community. Mayor Maiurano repeated his offer of assistance.

Correspondence

Norwich Pumpkin Festival Ald. Carey **moved** to approve a request from Pegi LoPresti, Pumpkin Festival Coordinator, to close East Park Place and West Park Place and West Main Street from Broad Streets west to Court Street from 12 noon Friday, October 23 until cleanup is complete on Sunday, October 25, 2008, and West Main Street on Saturday, October 24, from 8 a.m. until 9 p.m., for the 10th annual Norwich Pumpkin Festival, with special event designation. Seconded by Ald. Jeffrey and duly approved ayes all.

YMCA Annual Halloween Parade Ald. Jeffrey **moved** to approve a request from Thomas S. Revoir of the Norwich Family YMCA to close North and South Broad Streets from Beebe Avenue to Howard Johnson's on October 24, 2009 from 2 p.m. to the end of the parade for the Annual Halloween Parade, with police escort. Seconded by Ald. Schermerhorn and duly approved ayes all.

Chenango Community Players Ghost Walk Ald. Jeffrey **moved** to approve a request from Kathy Glavin of the Ghost Walk Committee to close the west end of Hayes Street on October 23, 2009 from 6:30 PM to 9:15 PM for the annual Ghost Walk. Seconded by Ald. Laughlin and duly approved ayes all.

Department, Board and Commission Reports

- ◆ Police Department Report for August 2009
- ◆ Traffic Commission Minutes of September 9, 2009
- ◆ Water Commission Minutes of September 16, 2009
- ◆ Water System Report of August 2009
- ◆ Youth Board Minutes of September 2, 2009
- ◆ Youth Bureau Report of July/August 2009

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

Ward and Committee Reports

Public Safety/Public Works Committee meeting of August 27, 2009

Police Chief Angelino reported that the German shepherd has been received, microchipped, tattooed, x-rayed, examined, and declared to be in perfect condition. Training has begun and will last from four to six weeks. The officer will be trained with the dog. A press release will be issued when the dog completes training. The private donor has submitted her donation.

Chief Angelino received a quote on the new handguns. For 21 new Glock handguns, with rebate for the old guns, the total price will be \$1,990. Holsters will be an additional \$4,400. Holsters will be purchased by individual officers as part of their clothing allowance.

The deadline for the State-mandated electronic fingerprinting technology is January 10, 2010. The Norwich Police Department may be able to purchase the system through a Justice Department grant by providing a 10% match of approximately \$3,500, resulting in significant savings to the City. The Justice Department also suggested that as no CardScan equipment will be located in Chenango County, it would be advantageous for the City to also purchase that equipment to aid smaller communities that will not have the capability of accessing LiveScan in-house. Annual maintenance would be from \$2,100 to \$3,600, with a slight increase if both systems are obtained.

EMO A. Jones presented the proposed changes to the FEMA flood map for the City of Norwich. He pointed out that significant portions of the City that were formerly included in the flood plain have been removed, while a few other areas have been included. Overall, the changes are not as drastic as originally anticipated. FEMA held meetings with County and City officials for discussion.

DPW Superintendent Carl Ivarson reported that five bids were received for the RBCs Replacement/Repair project. The lowest qualified bidder, Jett Industries, Inc., has done a great deal of similar work. C. Ivarson is concerned about possible damage to the fiberglass covers when they are removed, but noted that replacement costs are covered in the contract above the bid price.

The Water System wants to purchase the old police radios that are being replaced. Chief Angelino has researched costs and with three sets of batteries, rack charger, speaker mike, etc., the Department would charge the Water System a total of \$4,500. The radios will need to be reprogrammed. New radios would cost \$800 each.

C. Ivarson reported that the salt contract for seven counties was rejected because it involved a 100% increase. He will not know the final results for at least two more months, but anticipates a 70%-80% increase.

C. Ivarson presented a letter from the NYS DEC to the Committee, which requested that the banks on Ransford Creek be removed to allow for a larger flood plain. He will not accede to such a request.

Paving has been completed. There was an increase in costs of \$22,000 because of additional work performed on Birdsall, Burr, and Borden Avenues and on Calvary Drive, which required substrate. Some work on Calvary Drive is being billed directly by the contractor to the Town of Norwich.

Finance/Personnel Committee Meeting of September 1, 2009

Chief Angelino discussed the quote on the new handguns and reminded the Committee that crossing guard Jim Dundon has resigned. The Department is having difficulty finding a replacement. The position pays \$9.30/hour and is for one hour in the morning and one hour in the afternoon.

The Committee approved extending the printing contract with BOCES.

C. Ivarson reported that necessary repairs to the gas compressor at the WWTP will be approximately \$11,000, while a new unit will cost approximately \$7,000.

Ald. Jeffrey asked about placing a new streetlight on Hale Street. C. Ivarson said he would investigate that. Ald. Jeffrey commented that the sidewalk along Hale Street is in disrepair and needs to be fixed. He asked about work being done by NYSEG on Front Street and whether the sidewalk there would be replaced. Carl said NYSEG is obligated to return the street and sidewalk to their original state. He will check the work done.

Director of Finance William Roberts reported that the Norwich B.I.D. applied for a Main Street grant and was awarded \$200,000. The Council passed Resolution #23-2009 in April supporting this application. In the past the City has reimbursed the B.I.D. for administration costs of the application, handled by Shelter Planning. Pegi LoPresti of B.I.D. has taken over much of the administrative work for this program and the previous \$20,000 fee has been negotiated to \$11,000.

Ald. Jeffrey asked about extending the B.I.D. boundaries to Silver Street. W. Roberts replied that he would research the ramifications and procedures for such an extension.

Ald. Jeffrey asked about the timeline for developing the 2010 City budget. W. Roberts responded that while the budget is currently being developed, the current economic climate and the uncertainty of the State's fiscal status make it imprudent to adopt a budget too early in the year. He suggested a special meeting of the Council in mid-November, when sales-tax revenues can be more accurately projected, but warned that the status of the State's revenue sharing may not be known until the second quarter of 2010. Ald. Schermerhorn asked about current sales tax revenues. W. Roberts replied that they are approximately 5.5% lower as compared to 2008. Ald. Schermerhorn noted that the City has done extremely well in keeping property tax increases low over the years, in the 2%-3% range, compared to other communities in the area, which have seen increases up to double digits. W. Roberts noted that ambulance recovery fees are well above projections.

The Committee moved to recommend the Council extend stipends for W. Roberts and C. Ivarson for the RBCs project through July 31, 2010. The Committee moved to fill a vacancy in the DPW for maintaining City Hall, City Court, and the Police station, by contracting through a temporary employment agency.

Ward Reports

Ward 1

Ald. Carey reported that no issues have been raised in Ward 1 during the last month.

Ward 4

Ald. Schermerhorn reported that no issues have been raised in Ward 4 during the last month.

Ward 5

Ald. Laughlin reported that no issues have been raised in Ward 5 during the last month, but he received a request for a curb cut from Lorna T. Snow of 55 Mitchell Street.

Motion

Ald. Jeffrey **moved** to approve the request for a curb cut at 55 Mitchell Street under the direction of the Superintendent of Public Works. Seconded by Ald. Laughlin, approved ayes all.

Ward 6

Ald. Jeffrey reported that all matters had been referred to the appropriate department heads for resolution. He asked as to the status of demolition work on Front Street. Code Enforcement Officer Jason Lawrence responded that he has conferred with NYSEG, which owns the properties, and they have complied with State codes by fencing the area. Demolition will proceed and the properties will be cleared.

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

Resolutions

RESOLUTION #51-2009

ADOPTING PROPOSED LOCAL LAW NO. (B) OF 2009 TO PROVIDE FOR THE CODIFICATION OF THE MUNICIPAL CODE

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

WHEREAS, a proposed local law to provide for the codification of the Municipal Code of the City of Norwich was received by the Common Council on August 18, 2008; and

WHEREAS, a public hearing has been held on September 22, 2009 relative to the enactment of such local law, notice of which was given as required by the City Charter and the Municipal Home Rule Law, the Open Meetings Law and the General City Law of the State of New York; and

WHEREAS at said public hearing the City Council considered the enactment of proposed Local Law No. (B) of 2009, entitled "A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE CITY OF NORWICH INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE CITY OF NORWICH"; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law; now therefore be it

RESOLVED, that Local Law No. (B) of 2009 be enacted and is hereby adopted as Local Law No. 2 of 2009.

LOCAL LAW NO. 2 of 2009

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE CITY OF NORWICH INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE CITY OF NORWICH"

ARTICLE I

Adoption of Code

§ 1-1. Legislative intent.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the City of Norwich, as codified by General Code, and consisting of the Charter and Chapters 1 through 575, together with an Appendix, shall be known collectively as the “Code of the City of Norwich,” hereafter termed the “Code.” Wherever reference is made in any of the local laws, ordinances and resolutions contained in the “Code of the City of Norwich” to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number where such legislation appears in the Code, as if such local law, ordinance or resolution had been formally amended to so read.

§ 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Common Council of the City of Norwich, and it is the intention of said Council that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

§ 1-3. Repeal of enactments not included in Code.

All local laws and ordinances of a general and permanent nature of the City of Norwich in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

§ 1-4. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the City of Norwich prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the City of Norwich or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the City of Norwich.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the City of Norwich.
- E. Any local law or ordinance of the City of Norwich providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance

or vacation of any right-of-way, easement, street, road, highway, park or other public place within the City of Norwich or any portion thereof.

- F. Any local law or ordinance of the City of Norwich appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the City of Norwich or other instruments or evidence of the City's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for City employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the City.
- N. Any currently effective local law, ordinance or resolution regulating traffic and parking in the City.
- O. Any local law establishing or amending boundary descriptions for Economic Development Zones or Empire Zones.
- P. Any currently effective local law or ordinance relating to property tax exemptions granted to persons sixty-five years of age and over.
- Q. Any local law adopted subsequent to July 22, 2009.

§ 1-5. Severability.

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 1-6. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the City Clerk of the City of Norwich and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified to by the City Clerk of the City of Norwich by impressing thereon the Seal of the City of Norwich, and such certified copy shall remain on file in the office of said City Clerk to be made available to persons desiring to examine the same during all times while the said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the “Code of the City of Norwich” or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Common Council to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Common Council deems desirable.

§ 1-8. Code book to be kept up-to-date.

It shall be the duty of the City Clerk to keep up-to-date the certified copy of the book containing the Code of the City of Norwich required to be filed in the office of the City Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Common Council subsequent to the enactment of this local law in such form as to indicate the intention of said Common Council to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances or resolutions until such changes, local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-9. Sale of Code book; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the City Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Common Council. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-10. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the City of Norwich in any manner whatsoever which will cause the legislation of the City of Norwich to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

§ 1-11. Changes in previously adopted legislation; new provisions.

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the City of Norwich, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Common Council that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)

C. Nomenclature.

- (1) Throughout the Code, references to “Codes Enforcement Officer” are standardized to the singular “Code Enforcement Officer.”
- (2) Throughout the Code, references to “Board of Appeals” and “Zoning Board” are revised to read “Zoning Board of Appeals.”
- (3) Throughout the Code, the terms “Master Plan” and “Comprehensive Master Plan” are revised to read “Comprehensive Plan.”

§ 1-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the City of Norwich, such local law to be entitled “General Provisions, Article I, Adoption of Code,” and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

§ 1-13. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

Copies of the text of the above-named local law shall be filed in the office of the City Clerk.

Seconded by Ald. Laughlin and duly adopted, 4-0, on a roll call vote

**RESOLUTION #52-2009 ACCEPTING U.S. DEPARTMENT OF JUSTICE RURAL LAW
ENFORCEMENT GRANT**

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

WHEREAS, the City of Norwich has been awarded a grant by the U.S. Department of Justice under the FY 09 Recovery Act Rural Law Enforcement Assistance: Combating Rural Crime program in the amount of \$288,188; and

WHEREAS, the grant award represents supplemental revenue which had not been anticipated in the 2009 and future General Fund Budgets; and

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

RESOLVED, that said law enforcement grant award be and hereby is accepted; and, further be it

RESOLVED, that the Mayor, the Chief of Police, and the Director of Finance be and hereby are authorized to execute such corresponding agreements and documents as may be required by the U.S. Department of Justice; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to establish such corresponding budgetary accounts and funding as may be required for the administration and execution of said grant program.

Seconded by Ald. Schermerhorn, and duly adopted, 4-0, on a roll call vote.

**RESOLUTION #53-2009 AUTHORIZING EXTENSION OF STIPENDS FOR EXTRA DUTIES UNDER
WWTP RBC REPLACEMENT CAPITAL PROJECT**

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

WHEREAS, the Common Council has committed to establishing the capital project for replacement of the Rotating Biological Contactors at the wastewater treatment plant; and

WHEREAS, extensive administrative and construction inspection services are required to develop, monitor, and complete the many aspects of the project; and

WHEREAS, increased requirements have extended the length of the project by necessitating further extra services involving additional NYS DEC and Susquehanna River Basin Commission design and operational requirements, as well as both Federal EPA and NYS Environmental Facilities Corporation funding reporting requirements; and

WHEREAS, it is desired that such services continue to be accomplished by extending the performance of extra overtime duties by in-house personnel at a significant savings over the cost of outsourcing of such work; and

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

RESOLVED, that stipends originally established by Resolution #53-2007 on July 17, 2007, and extended by Resolution #105-2008 on December 16, 2008, be and hereby are further extended in the amount of \$2,821 for the Director of Finance for the extra duties of administrative bookkeeping and reporting work, and in the amount of \$4,513 for the Superintendent of Public Works for the extra duties of technical resident construction inspection work; and, further be it

RESOLVED, that the extension of said stipends shall be paid over the twenty-two bi-weekly work periods running from October of 2009 through July of 2010, and shall be charged to the Capital Project Fund for the stated project.

Seconded by Ald. Carey and duly adopted, 4-0, on a roll call vote.

RESOLUTION #54-2009 AUTHORIZING UTILIZATION OF DONATED FUNDS DESIGNATED FOR K9 POLICE OPERATIONS

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

WHEREAS, the City of Norwich has received donations of \$20,000 from Proctor & Gamble, and \$4,500 from Mrs. Judy Weeks for the purpose of establishing and operating a K9 Police unit; and

WHEREAS, the above total funds in the amount of \$24,500 have been deposited in the Police Equipment Capital Reserves Fund for said designated purpose; and

WHEREAS, the Common Council has already authorized a transfer of the \$20,000 portion from the Capital Reserves by Resolution #42-2009 of July 21, 2009; and

WHEREAS, the effective utilization of the total funds will necessarily occur over more than one budget year and will involve several separate expenditures for the various aspects of the program; and

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

RESOLVED, that the Chief of Police and Director of Finance be and hereby are authorized to determine necessary expenditures for the appropriate purpose of establishing and operating said K9 unit and make as many corresponding transfers as may be required, not to exceed the total cumulative amounts as follows:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR21-878	Capital Reserves – Police Equipment	\$24,500.00
 <u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.4101	Police Department – K9 Operating Costs	\$24,500.00

and, further be it

RESOLVED, that Resolution #42-2009 of July 21, 2009 be and hereby is superseded by this resolution.

Seconded by Ald. Laughlin, and duly adopted, 4-0, on a roll call vote.

RESOLUTION #55-2009 AUTHORIZING RENEWAL OF DCMO BOCES PRINT SHOP CONTRACT

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

WHEREAS, the DCMO BOCES Print Shop Service is a plan of a number of public school districts in the Delaware-Chenango-Madison-Otsego BOCES area in New York, to jointly provide duplicating services through a centralized facility; and

WHEREAS, the City of Norwich is desirous of participating with other governmental entities in the Delaware-Chenango-Madison-Otsego BOCES area in the Service mentioned above as authorized by General Municipal Law, Section 119-o; and

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

RESOLVED, that the Common Council of the City of Norwich hereby appoints the Delaware-Chenango-Madison-Otsego BOCES Print Shop Service to represent it in all matters relating above; and, further be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to enter into an agreement with DCMO BOCES Print Shop Service for 2009/2010 to assume its share of the costs for duplicating costs; abide by majority decisions of the participating members; and abide by the terms and conditions of the Mutual Sharing Plan of the BOCES Board.

Seconded by Ald. Jeffrey, and duly adopted, 4-0, on a roll call vote.

RESOLUTION #56-2009 AUTHORIZING AGREEMENTS WITH TOWNS FOR YOUTH RECREATION SERVICES

Ald. Jeffrey 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 2010 fiscal year.

Seconded by Ald. Schermerhorn and duly adopted, 4-0, on a roll call vote.

Discussion: Ald. Carey asked if R. Mason is negotiating the contracts with the stipulated 3% increase. R. Mason replied that he is. Mayor Maiurano praised the program.

RESOLUTION #57-2009 AUTHORIZING EMERGENCY HOME REPAIR PROGRAM LOAN ASSISTANCE TO OWEN J. OWENS, II FOR ROOF REPLACEMENT AT 30 HENRY 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 has been received from Owen J. Owens, II for the purpose of replacing a deteriorated roof at his residence at 30 Henry Street, and

WHEREAS, the applicant has provided an estimate from a qualified contractor to conduct the needed roof replacement work over the main portion of the house, and

WHEREAS, preliminary income evaluation of the household indicates that the applicant will qualify under the Emergency Repair Program for low-interest loan assistance, and

WHEREAS, the City Code Enforcement Officer has confirmed the deteriorated condition of the roof and the need for prompt remediation, 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 loan to Owen J. Owens (3% compounded monthly over a repayment term of 60 months) in an amount not to exceed \$5,000, which shall be paid in three installments directly to the approved contractor performing the work.

Seconded by Ald. Laughlin and duly adopted, 4-0, on a roll call vote.

Discussion: Ald. Carey asked what funds are used for this loan. Mayor Maiurano replied that it is coming from the Emergency Loan fund, to be used for repair the roof and make other repairs. Ald. Carey asked whether the recipient of the loan owns the property and is employed. Community Development Specialist Todd Dreyer responded that the recipient owns the property and is a disabled vet, receiving compensation and expecting Social Security. A preliminary determination as to income confirmed that he is currently eligible for a loan, but will be recalculated when Social Security payments are added. Ald. Carey asked if this loan is likely to be converted to a grant. T. Dreyer responded that this is a 3% loan and will not be converted to a grant.

Payment of Bills

Ald. Schermerhorn **moved** that the payment of the September 2009 bills be authorized subject to final audit and verification.

September Bills

	<u>Prepaid</u>	<u>9/22/09</u>	<u>Grand Total</u>
General Fund	\$282,307.51	\$40,060.42	\$322,367.93
Sewer Fund	13,712.06	11,473.86	25,185.92
Water Fund	61,316.76	5,311.67	66,628.43
Trust	35,246.62	-	35,246.62
B.I.D.	-	-	-
Debt Service	5,633.64	-	5,633.64
Reserves	-	-	-
Unemployment	-	-	-
Community Development	111,674.57	-	111,674.57
Economic Development	7,700.00	-	7,700.00
Capital Projects	320,199.47	-	320,199.47
TOTALS	\$837,790.63	\$ 56,845.95	\$894,636.58

Seconded by Ald. Carey, duly approved ayes all.

Adjournment

Ald. Jeffrey **moved** to adjourn at 7:48 p.m. Seconded by Ald. Carey, accepted ayes all.