COMMON COUNCIL
June 17, 2008

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 p.m. on June 17, 2008, 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

Also:
Clerk/Director of Finance William Roberts
Police Chief Joseph Angelino
DPW Superintendent Carl Ivarson
HR Director Deborah DeForest
Code Enforcement Officer Jason Lawrence
Community Development Specialist Todd Dreyer
City Attorney Patrick Flanagan
Deputy City Clerk Brian Drake
Youth Bureau Director Robert Mason
Jessica Lewis, Press Representative

Absent
Supervisor Linda Natoli

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

Approval of minutes
Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of May 20, 2008 and the Special Meeting of June 3, 2008. Seconded by Ald. Laughlin, duly approved ayes all.

Mayoral Appointments
Mayor Maiurano re-appointed Patricia Whitmore to the Norwich Housing Authority for a five-year term expiring June 25, 2013.

Open Forum
Mayor Maiurano opened the floor to public comment at 7:05 p.m. There being no comments, the Mayor closed the forum at 7:05 p.m.

Correspondence

Liquor License Ald. Jeffrey **moved** to receive and file correspondence from Daniel Palmer of the Broad Street Tavern with notification of application for a liquor license for a stand at the County Fairgrounds. Seconded by Ald. Laughlin and duly approved ayes all.

Request for Curb Cut Ald. Bresina **moved** to receive and approve correspondence from Lloyd Warren III for a curb cut at 54-56 Henry Street. Seconded by Ald. Carey and duly approved ayes all.

Department, Board and Commission Reports
- Parks Commission Minutes of April 14, 2008
- Technology Committee Minutes of April 10, 2008
- Traffic Commission Minutes of May 14, 2008
- Water Commission Minutes of April 17, 2008
- Youth Bureau Monthly Report of April, 2008

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

Ward and Committee Reports

Public Safety/Public Works meeting of May 22, 2008

A group of residents petitioned for a curb to be installed at Willard Court/South Plymouth Street. The Committee decided to research the Charter to see how costs are handled and discuss it again at this month's meeting.

The Fire Department has dissolved the first responder unit, which was redundant. MultiMed informed Chief Chawgo that some communities add a surcharge for use of emergency medical response services for non-residents. The surcharge will not be applicable for residents within the City's certificate-of-need area or for Medicare- and Medicaid-insured services; it will mostly involve non-resident car accidents. The firehouse horn should be back in working order by the end of June. The current plan is to sound the horn for fire calls, disasters, and at noon. Chief Angelino asked that it also sound for curfew. The City's application for a low-interest loan for a new fire truck was approved. The new truck will replace two or even three vehicles.

The Committee discussed the increase in so-called "Section-8" housing within the City. Chief Angelino noted that this is why he wanted to strengthen the Code Enforcement Department to deal with substandard rental housing. Ald. Carey said that, since many of these tenants and landlords receive financial assistance from the County, the City must work with the County to mitigate the problem. Finance Director William Roberts reminded the Committee that our two City Supervisors sit on the County Board and can help on this.

EMO A. Jones reported that the State has provided about $275,000 to Chenango County for flood buyout of damaged properties. One property owner in the City with a house ruined by the flood is interested in the program. It is as yet unknown if buyout properties will be owned by the State or the City, but they will have to be used either as open space, wetlands, flood mitigation, or recreation. EMO A. Jones talked about the National Incident Management System, or NIMS. In order to receive certain types of federal funding, a community must be NIMS compliant. He's attending an executive briefing with the County in August. The City's Emergency Plan from 2001 will be updated as well. A. Jones also updated the Committee again on the river and stream gauges.

The Committee discussed City Hall and the consensus was that because of costs and the emotional attachment to City Hall, City offices should stay there and the necessary repairs be made. Therefore the Committee recommended that Finance/Personnel approve applying for a Transportation Enhancements Program grant to help cover the costs.

Ald. Bresina is involved in exploring solar-energy options for the City, and the Mayor asked Ald. Deierlein to check into leasing City properties for gas exploration. Ald. Deierlein said that citizens in Broome County have been able to negotiate good contracts with gas companies by forming a coalition. The Mayor said a coalition is already being formed here and the City has 225 acres of land with some potential. Revenues from gas exploration would go to the Water system. The Mayor also reported that he has been investigating the possibility of harnessing solar energy for the firehouse, street lighting, and other City facilities.

The Committee discussed the progress on designating South Broad Street Park as a site for vendors. Because the park is leased by the City from the Mt. Hope Cemetery Association, the Association must approve such a change in use. A formal request was sent to the Association, and a negative response has been received.

The June meeting for the Committee will be on June 19 instead of June 26.

Finance/Personnel Committee meeting of June 3, 2008

The Committee recommended Council approval of the non-resident surcharge fees of $150 for advanced life support services and $100 for basic life support services. Ald. Jeffrey asked for a report on the number of calls outside the City's service area and recovery costs for all calls. Ald. Laughlin noted that Chief Angelino had created such a study and it showed collection rates for all service calls averaged $200-$300 per call. Chief Chawgo said a revised report using location codes instead of zip codes will provide more precise data. This report should be available for the July Finance/Personnel Committee meeting.

The Committee received formal approval for the low-interest loan for a new fire truck. Unlike most loans, this loan allows for immediate drawdown of funds, which can be placed in an interest-bearing account until used. The only proviso is that if the equipment is not purchased within a certain timeframe, the interest earned must be paid back to the program.

Ald. Schermerhorn rode with Code Enforcement Officer Jason Lawrence during his rounds of City streets. He was impressed with the work being done and the conditions under which they work, and hoped other Council members will ride with the Code Officers to see their work firsthand.

DPW Superintendent Carl Ivarson reported that he's investigating less expensive, alternative treatment methods for the RBCs replacement project, including Moving Bed Bioreactors; these are used extensively in Europe and the Western United States, but in New York State they would be a pilot installation, which would significantly increase costs. He added that another RBC has failed and several more will probably fail in the next few months, so we have to move forward with the project as soon as possible.

C. Ivarson received the new water-plant design plans, which include fixing or replacing the Wheeler Avenue water tank. The cost of repainting the tank has increased dramatically. In 1989 it was less than $70,000. Now it would cost between $500,000 and $600,000. A new 1.5 million gallon tank last year cost $695,000; this year a 1.7 million gallon tank is $1.2 million. He recommended installing a new, concrete tank, which should not deteriorate like the old steel tank.

W. Roberts presented a report to the Committee on the costs of the Chenango Lake Lawsuit settlement. To date the Council has authorized $142,000 in funds to cover costs. What we hope are the final costs will be another $60,000. We'll vote on authorizing that amount tonight.

C. Ivarson said we'd received approximately $126,000 from CHIPS for repaving. W. Roberts suggested rolling the unused funds to the 2009 account, in case State funding is cut next year. C. Ivarson explained funds can be rolled over for one year for repaving, and if not used up in the second year have to be refunded to CHIPS.

The Committee also discussed applying for a TEP grant to cover the repairs to City Hall. C. Ivarson said the City is investigating alternative lighting options to decrease costs. Costs are rising and we must move on this, but the grant won't be announced until next year so work can't begin until 2009. The repairs to the third floor of the firehouse will be done at the same time, under the same contractor, to save money.

The Committee recommended Council approval of an increase in the Senior Property Tax Exemption to match County levels.

The Committee re-examined the bid for 9 State Street. W. Roberts explained that the taxes owing on the property, $2,600, was for three years as opposed to only one year for the other properties included in the tax auction, and therefore the bid of $2,500 was appropriate. Also, the bidder knows the costs involved in bringing the property up to Code, and he's acquired other properties through tax auctions and renovated them for resale. He'll also be obligated to pay the 2007-2008 property taxes, so this will save the City money. We recommended the Council approve the bid.

Ward 1
Ald. Carey reported that all matters had been referred to the appropriate department heads for resolution.

Ward 2
Ald. Bresina reported that all matters had been referred to the appropriate department heads for resolution, and noted that many issues are resolved by City departments even before they are reported.

Ward 3
Ald. Deierlein reported that all matters had been referred to the appropriate department heads for resolution.

Ward 4
Ald. Schermerhorn reported that all matters had been referred to the appropriate department heads for resolution.

Ward 5
Ald. Laughlin reported that all is quiet in Ward 5. He also noted that the goat has been replaced by a calf.

Ward 6

Ald. Jeffrey reported that all matters had been referred to the appropriate department heads for resolution. Ald. Schermerhorn **moved** to receive and file the Ward and committee reports. Seconded by Deierlein, duly approved ayes all.

Motions

Amend Ambulance Recovery Fees – Ald. Jeffrey **moved** to amend the ambulance recovery fees to include the following ambulance surcharges for patients residing outside the Certificate of Need area of the City's ambulance service, as recommended by MultiMed Billing Service and the Finance/Personnel Committee, for an effective date of September 17, 2008:

	Proposed Surcharge
Basic Life Support Services	$100
Advanced Life Support Services	$150

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

Resolutions

RESOLUTION #56-2008 AUTHORIZING RENEWAL OF DCMO BOCES PRINT SHOP CONTRACT

Ald. Jeffrey 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 2008/2009 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. Schermerhorn, and duly adopted, 6-0, on a roll call vote.

RESOLUTION #57-2008 AUTHORIZING ADDITIONAL FUNDS – CHENANGO LAKE LAWSUIT SETTLEMENT

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

WHEREAS, the authorization of additional funding is required for costs incurred through the trial phase and settlement of the Chenango Lake Lawsuit, as well as for follow-up legal work regarding a conservation easement; and

WHEREAS, a corresponding supplemental appropriation of fund balance is therefore required in the 2008 Water Fund Budget; and

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

RESOLVED, that additional funding from the Water Fund in the amount of $60,000 for the aforementioned costs of the Chenango Lake Lawsuit be and hereby is authorized; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following supplemental appropriation in the 2008 Water Fund Budget:

From:

Account Number	Name	Amount
F909	Water Fund - Unappropriated Fund Balance	$60,000.00

To:

Account Number	Name	Amount
F8310.4020	Water Administration - Contracted Services	$60,000.00

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

Discussion: Ald. Schermerhorn asked if this allocation would complete the litigation costs. W. Roberts explained that that cannot be guaranteed, but the attorneys believe this should cover final costs. C. Ivarson commented that only one negative response to the settlement has been received from a Chenango Lake resident. Ald. Carey added that he had spoken to several Chenango Lake residents and all had viewed the settlement positively.

RESOLUTION #58-2008 **AUTHORIZING APPLICATION TO TRANSPORTATION ENHANCEMENTS PROGRAM (TEP) FOR CITY HALL RENOVATIONS**

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

WHEREAS, the Common Council of the City of Norwich is aware of the need for certain renovations to City Hall, which was originally built and operated as the Erie-Lackawanna Railroad Station; and

WHEREAS, funding support to conduct such renovations is available through the Transportation Enhancements Program (TEP); and

WHEREAS, the TEP requires a local share contribution of at least twenty percent (20%) of the renovation project cost; and

WHEREAS, the Common Council understands that the TEP funding is available on a reimbursement basis; and

WHEREAS, the City of Norwich has sufficient financial resources to cover all project costs prior to receiving TEP reimbursement; and

WHEREAS, City Hall is a contributing element of the Broad Street – Main Street Historic District, which is listed on the National and State Registers of Historic Places; and

WHEREAS, project activities will be done in accordance with all applicable laws, regulations, and required agency reviews; now, therefore, be it

RESOLVED, that the Mayor of the City of Norwich is authorized to file an application for funding support to the Transportation Enhancement Program in an amount not to exceed $250,000 for the purpose of conducting roof replacement, heating system improvements, door replacements, and carpeting replacement at City Hall.

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

Discussion: Ald. Jeffrey asked when award of the grant may be announced. Community Planning Specialist Todd Dreyer replied that it should be announced in December of this year. Ald. Jeffrey asked if a letter of support had been received from Sen. Libous, as chair of the State Senate Transportation Committee. The Mayor replied that letters had been received from many elected officials. T. Dreyer added that approximately 20 letters of support had been received from concerned citizens.

RESOLUTION #59-2008 **AUTHORIZING SALE OF PROPERTY FROM TAX AUCTION**

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

WHEREAS, on April 30, 2008, the Director of Finance conducted a sealed bid auction of properties taken by the City of Norwich, pursuant to the New York State Real Property Tax Law and Norwich City Charter, for delinquent taxes from 2006 and prior years; and

WHEREAS, the bids received have been reviewed by the Director of Finance and have been confirmed to be in order; and

WHEREAS, questions leading to a rejection of bid on May 20, 2008, have been resolved; and

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

RESOLVED, that the City transfer the below-listed property to the individuals and at the price set opposite thereto:

Property Address	Tax Map Number	Buyer	Amount
9 State Street	136.41-1-8	J. Bizelka	$ 2,500.00

and, further be it

RESOLVED, that the Director of Finance and Mayor be and hereby are authorized under the direction of the City Attorney to prepare and execute the necessary documents for the transfer of the above-listed property on behalf of the City of Norwich.

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

RESOLUTION #60-2008 **REVISING FEES SCHEDULE RELATIVE TO ELECTRICIANS' TEMPORARY LICENSE FEE FOR SINGLE PROJECT**

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

WHEREAS, the Fees Schedule relative to various Codes-related activities has not been changed in several years in regard to the fee for a temporary license for single project for electricians; and

WHEREAS, there is a desire to bring such fee in line with similar fees charged by neighboring communities; and

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

RESOLVED, that the relevant section of the Fees Schedule of the City of Norwich is revised as follows:

Temporary Licenses for Single Project

Temporary Master License for qualified Electrical license holder	[500.00] <u>175.00</u>
Temporary Journeyman License for qualified Electrical license holder	100.00

New material is <u>Underlined</u>. Deleted material is [Bracketed].

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

Payment of Bills
Ald. Schermerhorn **moved** that the June 2008 bills be paid after proper audit and certification as follows:

	Prepaid	04/15/08	Grand Total
General Fund	$214,887.82	$748,859.92	$ 963,747.74
Sewer Fund	14,584.19	20,803.38	35,387.56
Water Fund	75,437.03	4,996.49	80,433.52
Trust	28,704.74	-	28,704.74
B.I.D.	-	-	-
Debt Service	1,943.64	-	1,943.64
Reserves	-	-	-
Unemployment	-	-	-
Community Development	1,748.53	-	1,748.53
Economic Development	-	-	-
Capital Projects	3,962.58	-	3,962.58
TOTALS	**$341,268.52**	**$774,659.79**	**$1,115,928.31**

Seconded by Ald. Laughlin and duly adopted ayes all.

Executive Session
Ald. Bresina **moved** to enter executive session at 7:29 p.m. to discuss labor contract negotiations. Seconded by Ald. Carey, duly approved ayes all.

Ald. Carey **moved** to exit executive session at 8:25 p.m. Seconded by Ald. Deierlein, duly approved ayes all.

Adjournment
Ald. Schermerhorn **moved** to adjourn at 8:25 p.m. Seconded by Ald. Laughlin, accepted ayes all.