

COMMON COUNCIL

April 17, 2007

Mayor Joseph Maiurano presided at the regular meeting of the Common Council held at 7:00 PM on April 17, 2007, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. A. Anthony Abraham
Ald. Terry Bresina
Ald. Suzanne Williams
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Robert Jeffrey

Also:

Clerk/Director of Finance William Roberts
Human Resources Director Deborah DeForest
City Attorney Patrick Flanagan
Police and Fire Chief Joseph Angelino
EMO A. Jones
DPW Superintendent Carl Ivarson
Planning & Community Dev. Specialist Todd Dreyer
Media Representative Jessica Lewis

Absent:

Supervisor Jim McNeil
Supervisor Linda Natoli

Call to Order

The regular 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 work session of March 13, 2007, and the regular meeting of March 20, 2007. Seconded by Ald. Abraham and duly adopted ayes all.

Open Forum

No one wished to be heard.

Bids

Mayor Maiurano stated that there were two bids to be awarded this evening and would be addressed under new business.

Correspondence

Request from Kelly Collins-Colosi of Norwich High School SAAD for Public Safety Assistance on May 1, 2007

Ald. Bresina **moved** to receive and file a request from the Norwich High School SADD (Students Against Destructive Decisions) for Public Safety assistance for a Mock Crash Accident Program on May 1, 2007. Seconded by Ald. Schermerhorn and duly adopted ayes all.

Department, Board and Commission Reports

- ◆ Police Department Report for February, 2007 & March, 2007
- ◆ Public Works/Water System monthly report for February 2007
- ◆ Water Commission minutes of March 21, 2007
- ◆ Zoning Board of Appeals (no March meeting)

Ald. Williams **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Bresina and duly adopted ayes all.

Ward and Committee Reports

- ◆ Finance / Personnel Committee Meeting of April 3, 2007
- ◆ Public Safety / Public Works Committee meeting of March 22, 2007

Ward 1 Report

Ald. Abraham reported that during yesterday's snowstorm around 5:30 a.m. he noticed what appeared to be a problem at the corner of S. Broad St. and Beebe Ave. that may have been caused by a contractor, but that the DPW took care of it. He also referred to blacktop being restored over a manhole cover and a pothole being fixed in the same area, and commended C. Ivarson and his workers for their fast work.

Ward 2 Report

Ald. Bresina commented that he was amazed Monday morning to find that the City crew had the snow off Broad St. by around 10 to 10:30 a.m. He noted that there was no major storm damage in his ward; a substantial tree damage was sustained at the end of Pleasant St., but otherwise it was smaller branches and twigs.

Ward 3 Report

Ald. Williams reported that there was some relatively minor damage in her ward, and that DPW performed a good clean-up job. She thanked C. Ivarson for following through on the new street signs that were put up.

Ward 4 Report

Ald. Schermerhorn reported that he essentially had no complaints in about a week or so, and complimented DPW on handling the storm.

Ward 5 Report

Ald. Laughlin reported that things were pretty much quiet in his ward.

Ward 6 Report

Ald. Jeffrey reported that all matters have been referred to the proper department head and appropriately handled. He wished to express his appreciation to DPW for handling everything so well during the storm.

The Mayor said that he wanted to add a big "ditto", and thanked Supt. Ivarson, Chief Angelino, and EMO Jones.

Ald. Schermerhorn **moved** to receive and file the Ward and Committee reports. Seconded by Ald. Jeffrey and duly adopted ayes all.

Ald. Williams then noted that Chief Angelino and his staff have been extremely busy for over a month now with major felonies, storm activities, and other matters. She said they should be strongly commended.

Old Business

Ald. Williams mentioned that approximately two years ago Wayne Viera of Opportunities For Chenango made a presentation to the Common Council, proposing collaborative arrangements with the City. She said that since she and Ald. Abraham are the only ones on the current Council who were present then, it would be a good idea to have it done again. W. Roberts and T. Dreyer commented that contact had been re-established with OFC on the subject of coordinating home rehab projects. Dreyer said he has met with W. Viera and has been discussing various related topics with him.

New Business

Discussion Items

Update on Account Clerk Vacancy in Finance Department

W. Roberts reported that eleven candidates from about sixty applicants had been interviewed last week, and the top candidate was offered the position, has accepted it, and is prepared to start next Monday. He said that a resolution has been inserted into tonight's agenda and will be addressed later in the meeting.

Update on Restore NY Program

T. Dreyer reported that he had some additional input following last week's lengthy discussion. He stated that professional engineer Gene Root had looked at properties previously considered for the first round of the program. He could offer a study to evaluate the structural soundness and viability of restoration, and possibly provide further details on options for various properties. Ald. Abraham asked about the status of a problem property on Front St. T. Dreyer said he spoke with the daughter of the owner, who is very interested in disposing of the property. Ald. Williams noted that several houses have been placarded, and asked if no one is living there, what about condemnation, or what else is next? Chief Angelino responded that if a house is placarded and boarded up, and meets minimum codes standards, it could stay that way for an extended time, even years. Attorney Flanagan

said he would take a look into the issue. Ald. Bresina asked if a property is vacant for a period of time, what about it being zoned non-residential? The answer was no, since that would be spot zoning.

Proclamations

Mayor Maiurano asked W. Roberts to read a summary of the following proclamations:

P R O C L A M A T I O N

Arbor Day 2007

WHEREAS, the holiday called Arbor Day was first observed in 1872 by the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood, fuel and wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, beautify our community and are a source of joy; now

THEREFORE, I, Joseph P. Maiurano, Mayor of the City of Norwich, New York, do hereby proclaim April 27, 2007, as Arbor Day in the City of Norwich.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 27th day of April, 2007.

Mayor

P R O C L A M A T I O N

National Day of Prayer 2007

BY THE MAYOR:

WHEREAS, the National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775; and

WHEREAS, it is fitting and proper that we in Norwich, NY, and surrounding area acknowledge our many blessings and express gratitude to God for them while recognizing the need for strengthening of religious and moral values in our land; and

WHEREAS, the power of prayer, and the power of God through prayer, have been at the core of the shared American experience throughout history; now,

THEREFORE, I, Joseph P. Maiurano, Mayor of the City of Norwich, New York, do hereby proclaim May 3, 2007, as **A Day Of Prayer** in the City of Norwich.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 3rd day of May 2007.

Mayor

P R O C L A M A T I O N

Founders Day Week 2007

WHEREAS, in 1790, the first settler erected a log cabin that created the start of what is now the City of Norwich;
and

WHEREAS, this venture of faith continued to grow; and

WHEREAS, such growth resulted in incorporation of the settlement into the Village of Norwich on April 17, 1816; and the Village of Norwich into the City of Norwich on March 12, 1914; and

WHEREAS, it is of great value from time to time for our residents to take time to reflect upon and gain guidance from our heritage; and

WHEREAS, Spring is the time of year that helps us to focus on both new and old awakenings; now, therefore be it

RESOLVED, that I, Joseph P. Maiurano, Mayor of the City of Norwich, New York, do hereby proclaim April 16 - 22, 2007, as **FOUNDERS DAY WEEK** in the City of Norwich and call upon its residents and those of the surrounding area to set aside time to learn about and reflect upon the heritage created through the ventures of faith by our first settlers and those who followed them in creating and shaping our great community; and, further be it

RESOLVED, that we celebrate and rejoice in this observance of the many bountiful attributes that we find contained within our community.

**IN WITNESS WHEREOF, I have hereunto set my hand and
caused the Seal of the City to be affixed this 17th day of April,
2007.**

Mayor

P R O C L A M A T I O N

Building Safety Week 2007

Whereas, through our continuing attention to building safer for everyday life and in times of disaster, we enjoy the comfort and peace of mind of structures that are safe and sound; and,

Whereas, building safety and fire prevention officials are at work year round to guide the safe construction of buildings; and,

Whereas, the dedicated members of the International Code Council®, including building safety and fire prevention officials, architects, engineers, builders, and others in the construction industry, develop and enforce codes to safeguard Americans in the buildings where we live, work, play, and learn; and,

Whereas, the International Codes®, the most widely adopted building safety and fire prevention codes in the nation, are used by most U.S. cities, counties and states. These modern building safety codes also include safeguards to protect the public from natural disasters that can occur, such as hurricanes, snowstorms, tornadoes, wildfires and, earthquakes; and,

Whereas, Building Safety Week is an excellent opportunity to educate the public and a perfect time to increase public awareness of the role building safety and fire prevention officials, local and state building departments, and federal agencies play in protecting lives and property; and,

Whereas, this year's theme, "*Building Smarter... For Disasters and Everyday Life*," encourages all Americans to raise our awareness of building safety. Everyone can take appropriate steps to ensure that the places where we live, work, play,

and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; and,

Whereas, this year, as we observe Building Safety Week, we ask everyone to consider projects to improve building safety at home and in the community, and to recognize the local building safety and fire prevention officials and the important role that they play in public safety, everyday and in times of disaster; now therefore be it

RESOLVED that May 6 through May 12, 2007 is Building Safety Week in the City of Norwich. Accordingly, our citizens are encouraged to join their fellow Americans in participating in Building Safety Week activities and assisting efforts to improve building safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 27th day of April, 2007.

Mayor

P R O C L A M A T I O N

2007 New York Library Assistants' Day

Whereas, it is the desire of the Common Council of the City of Norwich to recognize the many efforts, unselfish devotion, and community spirit of library assistants who serve the Norwich City School District, Morrisville College Norwich Campus, Guernsey Library, and libraries throughout New York State; and,

Whereas, it is right and proper to designate a day special to pay tribute to those who labor in the stacks, catalog records of human knowledge, deal pleasantly and professionally with the public, assist young learners, and connect people with the information resources of the world; and,

Whereas, National Library Week is to be celebrated and observed with an abundance of reading, learning, and enjoyment of the human condition during the week of April 16th through April 21st; and,

Whereas, the New York State Library Assistants' Association (NYSLAA) exists to promote and enhance the professional image and status of New York's library assistants; and,

Whereas, the New York State Library Assistants' Association will be holding a conference in the city at Morrisville College Norwich Campus and Howard Johnson Hotel on June 7th and June 8th; and,

Whereas, a free and public library system stands high among our nation's greatest achievements in ensuring the freedom of its citizens and the hope for its posterity; now therefore be it

RESOLVED, the City of Norwich Common Council is pleased and honored to proclaim April 19, 2007 as New York State Library Assistants' Day within the city.

IN WITNESS THEREOF, I set my hand and cause the seal of the City to be affixed on this the 17th day of April, 2007.

Joseph P. Maiurano, Mayor

Ald. Jeffrey moved to approve the proclamations. Seconded by Ald. Laughlin and duly adopted, ayes all.

Motions

Award Bid for Jamba Farms Lease

Ald. Jeffrey moved to award the bid for the Jamba Farms Lease to the highest bidder meeting specifications, Michael Place of Oxford, NY, in the amount of \$3,500.00, as recommended by the Finance/Personnel Committee. Seconded by Ald. Laughlin and duly adopted, 6-0, on a roll call vote.

Award Bid for 2007 Street Rehab Program

Ald. Schermerhorn moved to award the bid for the 2007 Street Rehab Program Grinding & Paving Project to the lowest bidder meeting specifications, Suit-Kote Corporation of Cortland, NY, in the amount of \$111,540.52, as recommended by the Public Safety/Public Works and Finance/Personnel Committees. Seconded by Ald. Bresina.

During discussion of the original motion, Ald. Jeffrey moved to amend the motion to include approval for a change order of the bid specifications to add Francis Ave., Front St., and Davis St. Seconded by Ald. Schermerhorn, with the amending motion being duly adopted, 6-0, on a roll call vote.

Ald. Schermerhorn then moved to adopt the original motion as amended. Seconded by Ald. Bresina and duly adopted, 6-0, on a roll call vote.

In discussion prior to the final vote, C. Ivarson pointed out that the total estimated additional cost of the change order is \$15,500 and it includes a \$5,000 estimate for Francis Ave., which involves the storm sewer system and it would be charged to the Sewer Fund. The remaining \$10,500 would be charged to the General Fund, bringing that estimated total to \$122,040.52. W. Roberts indicated that the General Fund Budgeted Transfer to Streets Capital Projects is \$121,083. However, since the actual final costs could be more or less, based on variations in quantities and materials costs, the net difference of \$957.52 may or may not be needed; but if it is, there are sufficient funds in contingency to cover it.

Authorize Three-Year Maintenance Contract for Firehouse Elevator

Ald. Williams moved to authorize the Mayor to sign a three-year maintenance contract for the Firehouse elevator with ThyssenKrupp Elevator of New York, as recommended by the Public Safety/Public Works and Finance/Personnel Committees. Seconded by Ald. Abraham and duly adopted, 6-0, on a roll call vote.

During discussion prior to the vote, Ald. Williams asked whether any funds transfer was needed. C. Ivarson replied no, since it is already covered in the budget and is only around \$66 per month.

Authorize Contract With Clough Harbor For Sewer Mapping & Modeling and Fire District Mapping

Ald. Bresina moved to authorize the Mayor to sign a contract with Clough Harbor & Associates LLP of Syracuse, New York for engineering services totaling \$16,400 for Sanitary Sewer System Mapping & Hydraulic Model Development, and Fire District Mapping, as recommended by the Public Safety/Public Works and Finance/Personnel Committees. Seconded by Ald. Abraham and duly adopted, 6-0, on a roll call vote.

Authorize Additional Funding – Chenango Lake Lawsuit Costs

Ald. Bresina moved to authorize additional funding of up to \$15,000 for Chenango Lake legal costs, as recommended by the Public Safety/Public Works and Finance/Personnel Committees. Seconded by Ald. Schermerhorn and duly adopted, 6-0, on a roll call vote.

Following the vote, Ald. Abraham asked W. Roberts what the City's costs to date have been. He replied approximately \$83,000 since they started in 2005. Ald. Abraham expressed his strong concerns with such a large amount, and asked when the attorneys are going to meet with the Council. C. Ivarson pointed out that the meeting scheduled for the night before had to be cancelled due to the snowstorm. He said he will be following up to get a

new date set. Ald. Jeffery asked how long the lawsuit has been going on. Ivarson said five years for the City's involvement, and much longer between the two original parties. Ald. Abraham stated that in his real opinion, the City ought to sell the lake for \$3 to \$4 million, but reserve the water rights, and be out of the lawsuit issue.

Resolutions

RESOLUTION #29-2007

AUTHORIZING RENEWAL OF DCMO BOCES PRINT SHOP CONTRACT

Ald. Laughlin 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 2007/2008 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. Williams and duly adopted, 6-0, on a roll call vote.

Prior to the vote, Ald. Williams asked if there were any more transactions that could be done with them. Mayor Maiurano commented that at last Thursday's Community Cooperation meeting at Commerce Chenango, discussions were held with BOCES to explore and pursue ideas for further possibilities, such as fuel and energy. BOCES has forwarded copies of documents to be looked over.

RESOLUTION #30-2007

AUTHORIZING ALLOCATION OF DRUG SEIZURE FUNDS TO 2007 BUDGET POLICE EQUIPMENT LINE

Ald. Jeffrey introduced the following and moved its adoption:

WHEREAS, the Norwich Police Department seized a total of \$9,425.00 in confiscated funds during a drug arrest in 2006;

WHEREAS, a portion of such funds totaling \$7,479.86 was transferred in January, 2007 back to the City of Norwich by the U.S. Marshals Service under the Federal Government Equitable Sharing Program; and

WHEREAS, the Police Department has requested that \$3,000.00 of this unbudgeted revenue be allocated towards the acquisition of technical investigative equipment to aid in the apprehension of criminal activities in general; 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 transfer in the 2007 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$ 3,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.2100	Police Department – Equipment	\$ 3,000.00

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

RESOLUTION #31-2007 AUTHORIZING 2007 BUDGET TRANSFER FOR NORWICH CITY BAND

Ald. Jeffrey introduced the following and moved its adoption:

WHEREAS, the Norwich City Band has received outside grant assistance to supplement the reduced City budget for the 2007 summer concert program, leaving a remaining balance of \$632 to complete its current year budget requirement; and

WHEREAS, funds are needed to accomplish this; 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 transfer in the 2007 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$ 632.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7270.4020	Band Concerts – Contracted Services	\$ 632.00

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

Prior to the vote, it was noted that the band does a great job. Ald. Laughlin asked the question of whether there is a need to amend the City Charter, since it still only reflects an amount of \$1,400 to be provided to the band. (This transfer will result in a total 2007 budgeted provision for the band of \$2,132). Mayor Maiurano suggested that perhaps a limit by the Charter might be appropriate. W. Roberts commented that the Charter is out of date on many matters, and should probably be amended to reflect that amounts are “as to be determined by the Council from time to time”.

RESOLUTION #32-2007 AUTHORIZING APPLICATION FOR A PRESERVE NEW YORK GRANT
FOR CULTURAL RESOURCE SURVEY

Ald. Jeffrey introduced the following and moved its adoption:

WHEREAS, the City of Norwich desires to gain a better understanding of its historic and cultural resources; and

WHEREAS, a grant funding opportunity, known as Preserve New York, is available through the Preservation League of New York State and the New York State Council on the Arts; and

WHEREAS, the City Historic Committee supports such application, and has received a proposal from a qualified historian to conduct a cultural resource survey; and

WHEREAS, no monetary contribution from the City is being sought in connection with this application; and

WHEREAS, the grant funding and cultural resource survey contemplated by this resolution are classified as a Type 2 action under provisions of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that the mayor is hereby authorized to apply for a Preserve New York grant in the amount of \$7,000, and if such grant is awarded, undertake all actions necessary to facilitate a contract with the granting agency; and be it further

RESOLVED, that the value of labor or services provided by City staff and/or members of the City Historic Committee may be applied as in-kind services as may be allowed by the grant.

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

RESOLUTION #33-2007

AUTHORIZING APPLICATION FOR FOUNDATION FUNDING OF
MUNICIPITY PARCEL MANAGEMENT SOFTWARE

Ald. Williams introduced the following and moved its adoption:

WHEREAS, the City of Norwich Common Council previously authorized the purchase of an integrated parcel management software program, known as Municipity, from the General Code company; and

WHEREAS, the Common Council appropriated \$17,500 in the 2007 City budget for one half of the cost of the Municipity software; and

WHEREAS, the Common Council requested that funding support for the remaining half of the software purchase be sought from local charitable foundations; and

WHEREAS, City staff has ascertained that funding support for the purchase of the software may be consistent with the philanthropic missions of The Greater Norwich Foundation, the Otis A. Thompson Foundation, and the Thomas M. and Esther C. Flanagan Charitable Trust; and

WHEREAS, the requested funding support and the software program contemplated by this resolution are classified as a Type 2 action under provisions of the State Environmental Quality Review Act (SEQRA); now, therefore be it

RESOLVED, that the mayor is hereby authorized to apply for funding support from The Greater Norwich Foundation, the Otis A. Thompson Foundation, and the Thomas M. and Esther C. Flanagan Charitable Trust for the purchase of Municipity parcel management software from the General Code company.

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

RESOLUTION #34-2007

AUTHORIZING 2007 BUDGET TRANSFER FOR OBSOLETE COMPUTER
REPLACEMENT IN MAYOR'S OFFICE

Ald. Laughlin introduced the following and moved its adoption:

WHEREAS, the computer equipment in the Mayor's office is obsolete and in need of replacement; and

WHEREAS, a corresponding transfer of budgeted funds is required; 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 transfer in the 2007 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1410.1010	Clerk – Personal Services	\$ 1,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1210.2100	Mayor – Equipment	\$1,000.00

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

RESOLUTION #35-2007 AUTHORIZING 2007 BUDGET TRANSFER FOR PROPERTY &
LIABILITY INSURANCE

Ald. Jeffrey introduced the following and moved its adoption:

WHEREAS, due to the variability of property & liability insurance rates, coverage, and allocation among funds, a provision was made in the 2007 General Fund Budget contingency line to include up to \$3,000 for increased costs; and

WHEREAS, while the policy renewals were lower than projected for all operations combined, the portion allocated to the General Fund line was higher than budgeted, and a transfer is therefore required; 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 transfer in the 2007 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$ 2,600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1910.4	Insurance	\$ 2,600.00

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

RESOLUTION #36-2007 AUTHORIZING AMENDMENT OF 2005 MUNICIPAL COOPERATION
AGREEMENT WITH TOWN OF NORWICH AND
TOWN OF NORTH NORWICH

Ald. Jeffrey introduced the following and moved its adoption:

WHEREAS, on June 8, 1993, there was established and created pursuant to Section 805 of the Not-For-Profit Corporation Law, a local development corporation known as Greater Norwich Local Development Corporation; and

WHEREAS, pursuant to a municipal cooperation agreement between the City of Norwich, the Town of Norwich and the Town of North Norwich, said municipalities have agreed as to each's representation on the Board of Directors of the Greater Norwich Local Development Corporation as a member/director; and

WHEREAS, for purposes of simplifying and economizing the process of economic development throughout the whole of the County of Chenango, it has been proposed that the Greater Norwich Local Development Corporation be merged with the Chenango County Area Corporation, also a Not-For-Profit local development corporation with the Chenango County Area Corporation being the surviving corporation under the new name of Development Chenango Corporation; and

WHEREAS, Supreme Court approval is required for the said merger following approval of the proposed merger by the Board of Directors and the members of both said local development corporations; and

WHEREAS, the plan for merging said local development corporations provides that the surviving corporation, Chenango County Area Corporation, under the new name of Development Chenango Corporation, shall consist of 17 members, all of whom shall serve as the members/directors of the surviving corporation; and

WHEREAS, said plan of merger provides that the City of Norwich's representation on the Board of Directors shall be the Mayor and the Director of Community Development, or its successors department or agency, and the Director of Finance who, as a non-member/director, shall serve as the EDZ certifying officer; and

WHEREAS, the said proposed plan of merger provides that the Town of Norwich's representation on the Board of Directors shall be the Town Supervisor and one Town Board member designated by the Town Board, except that if the Town Supervisor shall also be the Chairperson of the Chenango County Board of Supervisors, the Town Supervisor's position on the Board of Directors shall be filled by a member of the Town Board appointed by the Supervisor; and

WHEREAS, the said proposed plan of merger provides that the Town of North Norwich's representation on the Board of Directors shall be the Town Supervisor, except that if the Town Supervisor shall also be the Chairperson of the Chenango County Board of Supervisors, the Town Supervisor's position on the Board of Directors shall be filled by a member of the Town Board appointed by the Supervisor; and

WHEREAS, in anticipation that the proposed merger of the Greater Norwich Local Development Corporation and the Chenango County Area Corporation shall be approved, it is necessary to amend paragraph 2 of the March 7, 2005 "Municipal Cooperation Agreement" amongst the City of Norwich, the Town of Norwich and the Town of North Norwich to provide that the City's and Towns' representation on the Board of Directors of the surviving corporation shall be as aforesaid; now, therefore be it

RESOLVED, that contingent upon the merger of the Greater Norwich Local Development Corporation with the Chenango County Area Corporation, and effective the date of the filing of a certificate of merger with the Secretary of State, paragraph 2 of the March 7, 2005 "Municipal Cooperation Agreement" amongst the City of Norwich, the Town of Norwich and the Town of North Norwich, shall be amended to read as follows:

- 2) Contingent upon the merger of The Greater Norwich Local Development Corporation with the Chenango County Area Corporation, and effective the date of the filing of a certificate of merger with the Secretary of State, the City of Norwich's representation on the Board of Directors of Development Chenango Corporation, the new name of the surviving corporation of the said merger, shall be the Mayor and either one Council member or one designated City staff member, as appointed by the Common Council. Additionally, the City of Norwich Director of Finance shall be entitled to attend all meetings of the members/directors, as a non-member/director, serving as the economic development zone certifying officer. The Town of Norwich's representation on the Board of Directors as members/directors shall be the Town Supervisor and one Town Board member appointed by the Town Board. The Town of North Norwich's representation on the Board of Directors as a member/director shall be the Town Supervisor.

In the event the Supervisor for the Town of Norwich or the Town of North Norwich shall also be the Chairperson of the Chenango County Board of Supervisors, the Chairperson of the County Board of

Supervisors shall appoint a member of the Town Board to fill the Supervisor's position as member/director; and further be it

RESOLVED, that contingent upon the merger of the Greater Norwich Local Development Corporation with the Chenango County Area Corporation, and effective the date of the filing of a certificate of merger with the Secretary of State, paragraph 3 of the March 7, 2005 "Municipal Cooperation Agreement" between the City of Norwich, the Town of Norwich and the Town of North Norwich, shall be deleted in its entirety; and further be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign on behalf of the City of Norwich, a formal agreement amending said March 7, 2005 Municipal Cooperation Agreement in accordance with the provisions hereof.

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

RESOLUTION #37-2007. **APPOINTING ACCOUNT CLERK IN THE FINANCE OFFICE**

Ald. Abraham introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Account Clerk in the Finance Office; and

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

RESOLVED, that

1. Debra E. Minami of Norwich, NY, be and hereby is provisionally appointed to a full-time position as Account Clerk at the entry-level hourly rate of \$11.75 for the City of Norwich, effective April 23, 2007, and
2. such appointment is contingent upon a successful background check, and
3. this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

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

Following the vote, Ald. Jeffrey asked if the appointee is a City resident. W. Roberts confirmed that she is.

RESOLUTION #38-2007. **APPOINTING FIREFIGHTER**

Ald. Schermerhorn introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Firefighter in the Norwich Fire Department; and

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

RESOLVED, that

1. Timothy Llewellyn, 25 Midland Drive, Norwich, NY, be and hereby is permanently appointed to the full-time position of Firefighter at the entry-level, effective May 1, 2007, and
2. such appointment is contingent upon a successful physical and background check, and
3. this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

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

Council Letter of Recognition and Appreciation

In reply to Mayor Maiurano's asking for any other new business to come before the Council, Ald. Williams expressed the wish to have a special letter of recognition, commendation, and appreciation written to Police Chief Angelino and his officers, to be signed by the entire Council. Mayor Maiurano said he would pursue that.

Payment of Bills

Ald. Schermerhorn moved to pay the bills after proper audit and certification as follows:

	<u>Prepaid</u>	<u>04/17/07</u>	<u>Grand Total</u>
General Fund	\$193,280.24	\$498,403.47	\$691,683.71
Sewer Fund	29,451.53	3,751.49	33,203.02
Water Fund	46,678.49	6,114.40	52,792.89
Trust	5,108.87	0.00	5,108.87
B.I.D.	0.00	0.00	0.00
Debt Service	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Comm Development	30,856.21	0.00	30,856.21
EDZ/LDC	0.00	0.00	0.00
Capital Projects	4,840.00	0.00	4,840.00
TOTALS	310,215.34	508,269.36	818,484.70

Seconded by Ald. Laughlin and duly adopted ayes all.

Executive Session: To Discuss Labor Contract Negotiations

Ald. Jeffrey moved to enter into Executive Session to discuss labor contract negotiations at 7:48 p.m. Seconded by Ald. Laughlin and duly adopted ayes all.

Ald. Abraham moved to go out of Executive Session at 8:06 p.m. Seconded by Ald. Williams and duly adopted ayes all.

Adjournment

Ald. Schermerhorn moved to adjourn the Common Council meeting at 8:07 p.m. Seconded by Ald. Jeffrey and duly adopted ayes all.