COMMON COUNCIL

September 18, 2012

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on September 18, 2012, in the Common Council Chambers at One Court Plaza.

Present:
Ald. Bryan McCracken
Ald. Terry Bresina
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Thomas LoPiccolo
Mayor Joseph Maiurano
Supervisor James McNeil
Supervisor Robert Jeffrey

Absent:
Ald. John Deierlein

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

Call to Order
The meeting of the Common Council was called to order by Mayor Maiurano at 7:00 p.m.

Approval of minutes
Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of August 21, 2012. Seconded by Ald. McCracken, duly approved ayes all. Ald. Laughlin noted an error in the minutes of the Joint Committees meeting of September 4, 2012, which was corrected.

Appointment of Director of Finance Representative to BIDMA Board of Directors
Director of Finance William Roberts appointed Pegi LoPresti as the Director of Finance Representative to the BID Board of Directors effective September 11, 2012.

Council Re-Appointment
Ald. Laughlin **moved** to re-appoint Dave Zieno, 19 Maydole Street, to the Assessment Board of Review for a five-year term expiring September 30, 2017. Seconded by Ald. Schermerhorn, approved ayes all.

Halloween Trick or Treat Mayor Maiurano announced that the hours for Trick or Treat would be on Halloween, Wednesday, October 31, 2012, from 5:00 p.m. to 8:00 p.m.

Open Forum Supervisor Robert Jeffrey, 17 York Street, reported that the September Board of Supervisors meeting addressed the clean-up of the railroad track through the City, and noted that clean-up has begun. Code Enforcement Officer Jason Lawrence reported that a local contractor is doing the clean-up and is starting a second pass through the City.

Visitor Eric Larsen of Friends of the Parks reported that a generous donation has been made by Norwich Pharmaceuticals to mark their anniversary. This donation will be used to replace the fountain, benches, and lights in Gordon Park to match those used in the East and West Parks renovation. The donation will cover most of the cost, and grant funds should cover any remainder. The funds must be committed before the end of September, and Friends of the Parks would like to order the replacement benches and lights immediately. Director of Finance William Roberts clarified that the project would be handled similarly to the East and West Parks renovation, with the donated funds being managed by either Friends of the Parks or the B.I.D., and without the City's direct involvement. Ald. Schermerhorn commented that the East and West Park renovations were handled beautifully. Ald. Laughlin asked about the drinking fountain that had been in West Park. Carl Ivarson replied that the fountain was vandalized frequently and therefore taken out, though plumbing remains. Ald. Schermerhorn **moved** to support the Friends of the Parks project to renovate Gordon Park. Seconded by Ald. Laughlin, approved ayes all.

Proclamation
Mayor Maiurano presented the following proclamation:

CITY OF NORWICH
STATE OF NEW YORK

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

Chenango County Courthouse
On the Occasion of its 175th Anniversary

WHEREAS, the Chenango County Courthouse was first erected in 1837; and

WHEREAS, the Chenango County Courthouse has served as the judicial center of Chenango County for 175 years; and

WHEREAS, former Presidents Theodore and Franklin Roosevelt have spoken to the people of Chenango County from its steps; and

WHEREAS, New York State Governors Al Smith, George Pataki, and Thomas Dewey, as well as United States Senators Robert Kennedy and Irving Ives have made addresses from these same steps; and

WHEREAS, the Chenango County Courthouse was added to the National Registry of History Places in 1975; therefore, be it

RESOLVED, that I, Joseph P. Maiurano, Mayor of the City of Norwich, New York, do hereby honor and acclaim the 175th Anniversary of the Chenango County Courthouse; and, further be it

RESOLVED, that I, Joseph P. Maiurano, do hereby proclaim September 29, 2012, as a day of recognition of the Chenango County Courthouse.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 29th day of September 2012.

Correspondence

Fall Craft Festival Ald. Bresina **moved** to approve a request from Roz DeRensis of Norwich B.I.D., with the participation of the Norwich Merchants Association, to hold a Fall Craft Festival on Saturday, October 13, 2012, from 9 a.m. to 4 p.m. on South Broad Street, and designation as a Special Event. Seconded by Ald. LoPiccolo, approved ayes all.

Pumpkin Festival Ald. McCracken **moved** to approve a request from Roz DeRensis of Norwich B.I.D. to close East Park Place and West Park Place from 8 a.m. Friday, October 12, through completion of cleanup around 12 p.m. Sunday, October 14, and the closure of West Main Street from North Broad Street to Court Street from 8 a.m. Friday, October 12, through 9:30 p.m. Saturday, October 13, for the annual Norwich Pumpkin Festival, with special event designation. Seconded by Ald. Schermerhorn and duly approved ayes all.

Department, Board and Commission Reports

- Civil Service Minutes of May 31, 2012
- Park Commission Minutes of September 10, 2012
- Police Department Report for August 2012
- Water System Reports of July and August 2012
- Youth Board Minutes of September 5, 2012
- Youth Bureau Report of July/August 2012

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

Ward Reports

Ward 1
Ald. McCracken reported that he has received no comments from constituents during the past month.

Ward 2
Ald. Bresina reported he received no comments during the past month.

Ward 4
Ald. Schermerhorn reported that all matters have been referred to the appropriate department heads and have been or are in the process of being resolved.

Ward 5
Ald. Laughlin reported that he received no comments during the past month.

Ward 6
Ald. LoPiccolo reported that all matters have been referred to the appropriate department heads and have been or are in the process of being resolved.

Ald. Laughlin **moved** to receive and file the ward reports. Seconded by Ald. Schermerhorn, approved ayes all.

Resolutions

RESOLUTION #80-2012 **AUTHORIZING TRANSFER OF FUNDS – CONTRACTED COSTS FOR WELL 3 GENERATOR REPLACEMENT**

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

WHEREAS, a bid in the amount of $36,500.00 was awarded by Council Resolution #31 of 2012 to Vacri Construction Corporation for replacement of the emergency generator at Well 3 on Borden Avenue; and

WHEREAS, funds are required for the associated contracted costs; and

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

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

From:

Account Number	Name	Amount
HR28-898	Capital Reserves - Water Equipment	$36,500.00

To:

Account Number	Name	Amount
F8320.2100	Water Fund Source of Supply - Equipment	$36,500.00

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

Payment of September 2012 Bills Ald. Laughlin **moved** to pay the September 2012 bills after proper audit and certification. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

September Bills

	Prepaid	9/18/12	Grand Total
General Fund	$ 26,825.05	$ 73,330.20	$100,155.25
Sewer Fund	3,517.15	28,302.56	31,819.71
Water Fund	17,407.71	57,121.89	74,529.60
Trust	9,709.14	-	9,709.14
Community Dev. Small Cities	-	-	-
Community Dev. Special Grants	4,400.00	723.00	5,123.00
Economic Dev.	5,484.00	-	5,484.00
Capital Projects	18,262.00	-	18,262.00
TOTALS	**$ 85,605.05**	**$159,477.65**	**$245,082.70**

Executive Session

Ald. Schermerhorn **moved** to enter executive session at 7:18 p.m. to discuss the sale of real property where price may be affected, to discuss matters leading to the employment of a particular corporation, and to discuss the financial and credit history of a particular corporation. Seconded by Ald. McCracken, approved ayes all.

Ald. Schermerhorn **moved** to exit executive session at 8:03 p.m. Seconded by Ald. LoPiccolo, approved ayes all.

Resolutions

RESOLUTION #81-2012 **DESIGNATING "PREFERRED PURCHASER" OF CITY-OWNED PROPERTY AT 42 HENRY STREET**

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

WHEREAS, the City of Norwich acquired the real property at 42 Henry Street through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the City previously conducted an unsuccessful public Request for Proposals (RFP) for the subject property; and

WHEREAS, the Common Council subsequently received an offer to purchase the property from Carey Properties, LLC that it believes is acceptable based on the purchase amount offered, the settlement of outstanding property taxes, the proposed use of the existing residential structure, and the relevant experience of the applicant; and

WHEREAS, the sale of the subject property to a private party is appropriately classified as an Unlisted action pursuant to the applicable provisions of the State Environmental Quality Review Act (SEQRA); now, therefore, be it

RESOLVED, that the Common Council hereby determines that the proposed action will not result in a significant adverse environmental impact, and hereby issues a Determination of Non-Significance (a negative declaration) in the accompanying short environmental assessment form (EAF); and, be it further

RESOLVED, that the Common Council hereby designates Carey Properties, LLC, having offices at 17 Francis Avenue as the "preferred purchaser" of the City-owned property at 42 Henry Street for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property; and, be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 42 Henry Street to Carey Properties, LLC for the purpose of rehabilitating the residential structure and establishing a single-family residential use at the property.

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

RESOLUTION #82-2012 **AUTHORIZING ECONOMIC DEVELOPMENT LOAN – SMS ENTERPRISES, INC.**

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

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

WHEREAS, an application for such a loan was received from SMS Enterprises, Inc., for the purpose of the rehabilitation of properties located at 33 and 37-39 North Broad Street in downtown Norwich; and

WHEREAS, considering the positive effects such rehabilitation will contribute toward the overall improvement and revitalization of the downtown area, the loan application was reviewed favorably by the City's Loan Committee and has been referred to the Common Council with a favorable recommendation; and

WHEREAS, the proposed action is appropriately classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA); now therefore be it

RESOLVED, that an economic development loan be and hereby is approved in the amount of $25,000 to SMS Enterprises, Inc.; and, further be it

RESOLVED, that such loan shall be for a term of five (5) years at a fixed rate of 4.5% and subject to all terms and conditions as specified by the Loan and Finance Committee and the Director of Finance.

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

RESOLUTION #83-2012 **AUTHORIZING EXPENDITURE FOR TESTING AND MONITORING SERVICES AT 17.5 KING STREET PROPERTY**

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

WHEREAS, the City-owned tax foreclosure property located at 17.5 King Street requires demolition and clearance of the existing structure due to its uninhabitable, unsafe and extensively deteriorated condition; and

WHEREAS, a proposal has been received from Matthew Weintraub of Atlantic Environmental Consulting LLC of Endwell, New York, for professional services of testing and monitoring activities required for the demolition and clearance of the structure; and

WHEREAS, such expenditure is a necessary and appropriate component of the objective of neighborhood rehabilitation and removal of blight in the affected location; now, therefore be it

RESOLVED, that an expenditure not to exceed $2,000.00 for professional testing and monitoring services by Atlantic Environmental Consulting LLC in connection with the demolition and removal of the existing structure at 17.5 King Street, be and hereby is authorized for payment under the Community Development Small Cities Fund, account number CD52-07-8666.4020.

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

RESOLUTION #84-2012 **AUTHORIZING AGREEMENT WITH ADP, INC. FOR PAYROLL AND HUMAN RESOURCE RELATED SYSTEMS SERVICES**

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

WHEREAS, the City of Norwich has for an extended period of time been in need of computerized systems for more effectively managing human resource related information, in addition to N.Y.S. Civil Service mandated records, both for the City's employees as well as for services provided to the Norwich City School District, Guernsey Library, and Norwich Housing Authority; and

WHEREAS, the mode of record keeping to date, in the form of paper files, has resulted in the need for more efficient accessibility of information such as benefits, employment status and history, as well as other factors such as security and disaster preparedness; and

WHEREAS, the City's past efforts and experience with identifying the availability of such specialized systems and their integrated compatibility with payroll processing and compliance with Civil Service requirements at a reasonably manageable cost has not been fruitful; and

WHEREAS, a proposal has been received from the Utica/Rome/Norwich/Oneonta Sales District Office of ADP, Inc., headquartered in Roseland, New Jersey; and

WHEREAS, such proposal includes the provision of comprehensive and integrated payroll processing and human resource management data systems as described above; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to execute an agreement with ADP, Inc. for the provision of payroll and human resource related systems services at a total annual cost which is projected to not exceed $25,000 based on currently estimated employee levels at ADP's proposed discounted rates and fees (the "Agreement"); and, further be it

RESOLVED, that the Agreement shall be subject to such terms and conditions to appropriately ensure reasonable future costs and flexibility of operation in the City's best interests, as determined by the Directors of Finance and Human Resources under the direction of the City Attorney.

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

Adjournment

Ald. Schermerhorn **moved** to adjourn at 8:09 p.m. Seconded by Ald. LoPiccolo, accepted ayes all.