

COMMON COUNCIL

January 19, 2016

Mayor Christine Carnrike presided at the meeting of the Common Council held at 7:00 PM on January 19, 2016, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Christine Carnrike
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. David Zieno
Ald. Thomas LoPiccolo
Supervisor James McNeil

Also:

City Chamberlain/City Clerk John Zielinski
Director of Human Resources Deborah DeForest
DPW Superintendent Carl Ivarson
Community Development Specialist Todd Dreyer
City Attorney Patrick Flanagan
Deputy City Chamberlain Dee DuFour
Police Chief Rodney March
Code Enforcement Officer/Fire Marshall Jason Lawrence
EMO A. Jones

Absent:

Supervisor Robert Jeffrey

Call to Order

The meeting of the Common Council was called to order by Mayor Carnrike at 7:04 p.m.

Approval of Minutes

Ald. Schermerhorn **moved** to approve the minutes of the organizational meeting of January 4, 2016. Seconded by Ald. Deierlein and duly approved ayes all.

Open Forum

Bryan McCracken, 106 South Broad Street, requested that the issue brought up in a December 2015 Common Council meeting regarding members taking a cut in pay be revisited. Discussion had been tabled in December 2015 due to new Council members coming aboard in the new year.

Ald. Doliver expressed his feeling that because quite a few cuts had been made at City Hall that the Council members volunteer to do certain tasks instead of taking a cut in pay. He mentioned dog licensing, the Code Enforcement Office and Youth Bureau. Ald. Deierlein stated he thought that it should be a personal choice, not something forced on them. Salaries were there when they accepted the job. The Council had agreed to no raise but not a pay cut. Ald. Schermerhorn agreed. Ald. Doliver stated he thought it important to show that the Council was committed. Ald. Caldwell asked if, legally, all Council members are required to earn the same salary. City Attorney Patrick Flanagan will check on this. Human Resource Director Deb DeForest stated that in the past, salaries have been donated back to the city. P Flanagan pointed out that the salaries were earned first and then given back. J. Zielinski stated that nothing is preventing anyone from contributing their salary after it is earned.

Hearing no further comments, Mayor Carnrike declared the open forum ended at 7:15 p.m.

Correspondence

2016 Dollars for Scholars 5K Run Ald. Doliver **moved** to approve a request from Rachel Flanagan of Dollars for Scholars for their annual run which will be held Saturday, April 16, 2016 from approximately 9:45am – 11:15am along Marconi-Midland-Hale-East River Rd. One city patrol car is requested for the safety of the runners. No street closures are necessary. Seconded by Ald. Zieno, approved ayes all.

Appointments by Common Council:

Ald. Schermerhorn **moved** to approve the following appointments by the Common Council:

Traffic Commission

- ☐ Judy Wright, 40 Borden Avenue, re-appointment as Chair to a two-year term expiring December 31, 2017.

Assessment Board of Review

- ☐ Richard Natoli, 12 Clinton Street, re-appointment to a five-year term expiring September 30, 2020.
- ☐ Giuseppe Esposito, 20 Adelaide Street, appointment to fill remainder of David Zieno's term expiring September 30, 2017.

Ald. Zieno seconded the motion, duly adopted, ayes all.

Appointments by the Mayor with the Approval of the Council

The Mayor reported the following appointments:

Parks Commission

- ☐ Kim Thompson, 32 Elm Street, re-appointment to a three-year term expiring December 31, 2018.

Ald. Doliver **moved** to approve the appointments. Seconded by Ald. Schermerhorn, duly adopted, ayes all.

Appointments to Boards and Commissions by the Mayor

The Mayor reported the following Mayoral appointments:

Electrical Board

- ☐ Charles Brooks, 518 Dan Main Road, re-appointment as Chair to a three-year term expiring December 31, 2018.
- ☐ Sean Campbell, 39 Gold Street, re-appointment to a three-year term expiring December 31, 2018.
- ☐ Richard Barnes, 17 Division Street, re-appointment to a three-year term expiring December 31, 2018.
- ☐ Jan Papelino, 24 Hayes Street, re-appointment to a three-year term expiring December 31, 2018.
- ☐ David Zieno, 19 Maydole Street, appointment as Council Representative to an indeterminate term

Planning Commission

- ☐ Kathy Campbell, 21 Francis Avenue, re-appointment to a three-year term expiring December 31, 2018.
- ☐ Jack Roque, 26 Prospect Street, appointment to a three-year term expiring December 31, 2018.
- ☐ Jason Miller, 127 South Broad Street, re-appointment as Alternate to a three-year term expiring December 31, 2018.

Plumbing Board

- ☐ Martin Morse, 40 Division Street, re-appointment as Chair to a three-year term expiring December 31, 2018.

Housing Authority

- ☐ Mary Ann Cummings, 119 North Broad Street, re-appointment to a five-year term expiring June 25, 2020.

Zoning Board of Appeals

- ☐ Clyde Birch Jr., 168 North Broad Street, appointment as alternate to a three-year term expiring December 31, 2018.

MOTIONS

Code Enforcement Ald. Doliver **moved** to approve the Code Enforcement office moving from City Hall to the Firehouse. Seconded by Ald. Deierlein, duly approved ayes all.

Discussion: Ald. Schermerhorn asked if there were changes in the cost. J. Lawrence stated there were no changes. Ald. Caldwell asked about the timeline. J. Lawrence replied that once the computer “bridge” was complete, the move would take one or two weeks.

Community Development Ald. Caldwell **moved** to receive and approve authorization to advertise for proposals for the purchase of City-owned property at 18 Conkey Avenue. Seconded by Ald. Doliver, duly approved ayes all.

Discussion: Ald. Caldwell expressed concern that the home be retained as a single family home. T. Dreyer explained that the home is in the PUD (Planned Unit Development) zone, designated mainly to accommodate the Eaton Center and Follett Hall. As long as the home remains residential, as it always has been, there would be no issue with the PUD designation. Mayor Carnrike asked how long the property has been vacant. T. Dreyer responded that the city took possession in 2014.

Department, Board and Commission Reports

- ☐ Traffic Commission Minutes of December 9, 2015
- ☐ Parks Commission Minutes of January 13, 2016

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

J. Zielinski reported to the Common Council that there are 39 properties that are still not redeemed for the 2014 Tax Sale, the deadline for payment being January 28, 2016. Twelve of the 39 properties are owned by 2 individuals and habitually will pay the taxes. Ald. Zieno asked if this is a typical number of properties. D. DuFour answered it is very close to a typical number of properties. Ald. Deierlein asked if this was the same situation as previous years where the deadline to redeem was extended to April 1st. D. DuFour confirmed that is was. Ald. Deierlein asked if, in the past, properties were redeemed by the extended deadline. D. DuFour said yes they were. P. Flanagan pointed out that the deadline extension is not part of the Charter. Previous extensions have caused some additional legal issues and that the Charter should be followed.

Ward Reports

Ward 1

Ald. Caldwell reported that he has received communication from one constituent and is being resolved by the appropriate department head.

Ward 2

Ald. Doliver reported that he has received no communications from constituents during the last month.

Ward 3

Ald. Deierlein reported that he has received no communications from constituents during the last month.

Ward 4

Ald. Schermerhorn reported that he has received no communications from constituents during the last month.

Ward 5

Ald. Zieno reported that he has received communication from one constituent and has been referred to the appropriate department head.

Ward 6

Ald. LoPiccolo reported that he has received no communications from constituents during the last month.

Ald. Deierlein **moved** to receive and file the ward reports

Resolutions

RESOLUTION #1 – 2016

AUTHORIZING A TECHNICAL SERVICES CHANGE

**ORDER TO THE CONTRACT WITH THE CHAZEN
COMPANIES, INC. FOR ENGINEERING SERVICES
PERTAINING TO GIGP HERITAGE BLOCK PARKING
AREA DESIGN AND CONSTRUCTION**

Ald. Deierlein **moved** to introduce the following. Seconded by Ald. Schermerhorn:

WHEREAS, the City of Norwich is engaged in the redevelopment of a parking area between Mechanic Street and Lackawanna Avenue, which is commonly known as the Heritage Block parking area; and

WHEREAS, the City believes it is in the public interest to redevelop the parking area, thereby improving public access and implementing environmentally sound drainage enhancements; and

WHEREAS, the City has received grant support through the Green Innovation Grant Program of the NYS Environmental Facilities Corporation to conduct the project; and

WHEREAS, the Common Council approved entering into a contract with The Chazen Companies for engineering service, dated April 10, 2015, for an amount not to exceed \$57,100 at the Regular Common Council Meeting of May 19, 2015 in Resolution #36 – 2015, by a unanimous 6-0 roll call vote, said contract being signed by the Mayor on June 4, 2015;

WHEREAS, Technical Services Change Order #1, a proposal for additional on-site engineering inspection services in the amount of \$8,250, dated December 31, 2015, has been received from The Chazen Companies, Inc.; and

WHEREAS, the Common Council of the City of Norwich hereby finds the proposal to be reasonable and in the best interest of the City to advance the redevelopment project by helping to ensure that the project is built in accordance with the specifications; and

WHEREAS, the procurement policies of the City of Norwich and the applicable laws of the State of New York allow the City to enter into a professional services contract on this matter; and

WHEREAS, this action involving the redevelopment of the Heritage Block parking area is subject to the applicable provisions of the New York State Environmental Quality Review Act (SEQRA), was previously classified as a Type 1 action, and a Determination of Non-Significance (a negative declaration) was issued on August 8, 2013; now, therefore, be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a Technical Services Change Order to the contract with The Chazen Companies, Inc., in an amount not to exceed \$8,250, for the purpose of retaining additional on-site engineering inspection services pertaining to the construction of the Heritage Block parking area.

Discussion: Ald. Caldwell asked if the actual amount of inspections is a total of \$12,000 because \$4,000 was already approved for inspections. C. Ivarson stated that the \$4,000 is for an extremely limited inspection with the contractor taking pictures and submitting them to the engineer. He reminded the Council that the City does not get to choose a contractor as it goes to the lowest bidder and can be a contractor from anywhere in the country. The total cost would be \$12,000 which would include on-site inspections as well as any reports that are made. C. Ivarson also reported he would like to speak to the City Attorney regarding the easements required. Ald. Caldwell asked if there was a timeline for this before the progress on the project came to a halt. C. Ivarson relayed that T. Dreyer stated that easements are required and are not in place at this time. Ald. Schermerhorn asked how they can vote with easements not in place. T. Dreyer thought there would not be a problem holding this over. He reminded the Common Council that they previously voted on accepting the grant with the knowledge that the City did not own the interior parking lot. He also stated that any party can secure an interest in a property through either purchase or easement, easement being the case with the parking lot. There are seven property owners in that area that have signed easements with others expected to sign. The timeline of the grant is that work will be started in the Spring and completed by the end of the year. Ald. Zieno asked if the parking lot was a separate grant and T. Dreyer responded that it was.

Ald. Caldwell **moved** to table Resolution #1 – 2016. Seconded by Ald. LoPiccolo ayes all 6-0.

Payment of January 2016 Bills Ald. Schermerhorn **moved** to pay the January 2016 bills subject to proper audit and certification. Seconded by Ald. Doliver and duly adopted ayes all.

January Bills

	<u>Prepaid</u>	<u>01/19/2016</u>	<u>Grand Total</u>
General Fund	\$ 383,301.78	\$ -	\$ 383,301.78
Sewer Fund	7,381.18	-	7,381.18
Water Fund	19,736.23	-	19,736.23
Trust	6,982.66	-	6,982.66
Debt Service	7,191.51	-	7,191.51
Comm. Dev. - Special Grants	30,005.00	-	30,005.00
Capital Projects	109,541.01	-	109,541.01
TOTALS	\$ 564,139.37	\$ -	\$ 564,139.37

Discussion: Mayor Carnrike questioned why we are approving these bills to be paid when they have, in fact, already been paid. In addition there are also bills dating back to July. This process needs to be rectified. J. Zielinski responded by saying that he can assure the Mayor that Finance does not hold bills. The bills from July were recently turned in to Finance. He stated there were various reasons this may happen. Typically bills are paid between 30-35 days. Discussion on the payment process continued and C. Iverson stated that Department Heads make/authorize a purchase, the Director of Finance verifies that there is money in the account to make that purchase. Ald. Zieno asked if there are procedures in the Charter regarding the payment process and J. Zielinski responded he would check the Charter. Ald. Schermerhorn added that the audit of the bills is a verification that the process was done accurately.

On the subject of the 2016 Budget package on the website, Mayor Carnrike asked that figures not be in red. In addition, she asked that the complete 2016 budget be placed online as it has in the past. J. Zielinski stated that he is working on the complete budget package but it was his intention to only distribute it internally. Mayor Carnrike also stated that the 2016 water budget should show it is balanced. As it shows now, it appears that revenues and expenditures are not balanced and according to the NYS Comptroller all adopted budgets must be balanced. J. Zielinski state that budgets are balanced since a surplus is added to Fund Balance while a deficit would be deducted from Fund Balance, but that he will make a change in the presentation to show more clearly that the budgets are balanced.

Executive Session Ald. Schermerhorn **moved** to enter executive session at 8:00 p.m. to discuss pending litigation; and to discuss the employment history of a particular individual; and to discuss labor contract negotiations. Seconded by Ald. LoPiccolo, approved ayes all.

Ald. LoPiccolo **moved** to exit executive session at 9:34 p.m. Seconded by Ald. Deierlein approved ayes all.

Adjournment

Ald. Deierlein **moved** to adjourn from Common Council meeting at 9:35 p.m. Seconded by Ald. Doliver and duly approved ayes all.