

City of Norwich
Planning Commission
Meeting Minutes
Norwich City Court

February 11, 2016
7:00 PM

Present: R. Mirabito, K. Campbell, S. Prentice, J. Roque

Absent: D. DeForest, M. Stewart, J. Miller, H. Graves

Staff: Mayor C. Carnrike, T. Dreyer, J. Lawrence, A. Donnison

I. Call to Order:

Chairman R. Mirabito called the meeting to order at 7:08 PM. Newest member present, Jack Roque was introduced and welcomed by all board members.

II. Sidewalk Program:

T. Dreyer distributed copies of the local law covering sidewalks for the City of Ithaca. The reason for discussion and review of the current sidewalk program that the City of Norwich has been using and comparing it to the City of Ithaca was at the request of the Common Council. Former Ald. B. McCracken is very familiar with the sidewalk program the City of Ithaca has in place and feels it would be a good fit here as well.

T. Dreyer stated that we have had the current sidewalk program in place since 2007 and was very well received in the first year: the city replaced 30+ sidewalks and it has declined in participation each year since. In 2015 there were only 5 sidewalk participants. This program was a voluntary program for residential properties only. Property owners paid approximately half of what the cost would be to hire a private contractor as well as having 3 years to pay = 1/3 each year. Any amounts due and unpaid were added to the property taxes. Some of the issues surrounding our current program is the decline of participation and parcels that get replaced are scattered all around the city. The DPW would like to work more efficiently such as doing an entire block or more that was all contiguous in a season.

S. Prentice asked who determines if a sidewalk is to be replaced? T. Dreyer noted that we do not actively hunt down owners with bad sidewalks. Sometimes insurance companies request that owners do so but for the most part the ones who have participated so far were simply showing good citizenship and were able to afford to take advantage of the savings and payment plan offered. J. Lawrence noted that there are many sidewalks in the city that are in poor condition. J. Lawrence presented a stick that was 1/4" thick to demonstrate the difference of the allowed change of height from one concrete slab to the next.

K. Campbell inquired of the process when the city cited an owner for the condition of their sidewalk. J. Lawrence stated he does an actual inspection to verify exact issues and photographs same, a certified letter is sent to the last known owner notifying them of issue(s). If a property owner disagrees with the code department findings the alternative is to be heard by the Common Council. There has been a case heard several years ago about a sidewalk, the Common Council

agreed that the side walk must be repaired or replaced but gave the owners a little more time to do so.

B. McCracken stated that when he was alderman he would send property owners in his ward a letter notifying them of the sidewalk program to encourage participants. B. McCracken admits his own sidewalk is in need of repairs and/or replacement due to its condition but feels the cost is unfair. The reason for his feelings of it being unfair is that the homeowner has to bear the full cost of repairs and replacement of sidewalks when it is not only the home owner that uses these sidewalks. In the City of Ithaca the sidewalk program is mandatory and they utilize a cost sharing formula.

R. Mirabito asked how Ithaca addresses properties that have no sidewalks as we have areas here in Norwich that have no sidewalks. B. McCracken stated that those in Ithaca are assessed differently and also evaluated if sidewalks should be needed or excluded from the program. Ithaca runs their sidewalk program not just based on if you have a sidewalk but if others besides the owner uses it. S. Prentice noted that he is aware in some communities all sidewalk maintenance and repairs are performed by the municipality and they seem to like that benefit. A. Donnison noted that in the Village of Sherburne the municipality replaces and maintains the sidewalks, which also includes clearing them of snow in the winter, but is not certain how it is funded. B. McCracken stated that the Ithaca program does not include snow clearing.

K. Campbell inquired as to how this program would be implemented here now and how it would affect a homeowner who just recently had their sidewalks replaced. B. McCracken stated that there would be credit issued for past work. The fee would be designed to create a program that would fund itself. Each property owner would pay an additional fee that could be added to their taxes so that when the time came for their sidewalk to be replaced they would still only pay the regular annual fee determined by the formula that all property owners shared.

T. Dreyer stated that the program in Ithaca was kicked off with a grant from Senator Libous in the amount of \$50,000. B. McCracken noted that the monies charged for sidewalks is not intended nor used for sidewalk maintenance. B. McCracken also asked how the city would enforce expensive repair and replacement cost on seniors and others with a fixed income or low income. It is especially costly if you live on a corner lot. T. Dreyer stated that in the past if you participated in the sidewalk program and had a corner lot you were permitted to do one side at a time. B. McCracken again stated that he was still looking for other options because he is not the sole user of his sidewalks and feels looking at the Ithaca program addresses his concern which is more about usage than ownership and that paying to repair or replace for others to use just isn't fair. R. Mirabito stated he understood the costs but also noted that you choose to live in the city. B. McCracken asked who in the city would determine what sidewalks were bad and in need of repair or replacement. J. Lawrence noted it would be either the Fire Chief or the Code Enforcement Department.

Discussion among members about the current city sidewalk policy led to a consensus among the members to leave the current policy in place at this time and have the codes department enforce the current code. One of the reasons is that with the tax and budget crisis that the city went through in 2015 and knowing that 2016 is going to be a thin year if this proposal was approved and implemented and the charges added to the tax bill it would seem to be just one more tax and the general feeling is that this simply is not acceptable at this time. If penalties need to be increased for properties that have sidewalks in very poor condition then that is an option. J. Lawrence noted that there is an avenue for appeal if a property owner disagrees with the determination of the codes office. T. Dreyer stated that the city does have an Emergency Home

Repair fund but is not certain how much money is currently in it and is not aware of any sidewalk grants available at this time. K. Campbell asked if it was known what the ball park percentage of sidewalks in the city that are in need of repair. J. Lawrence stated probably about 50%.

K. Campbell asked if there is a permit required and a fee. J. Lawrence stated yes and that the fee is a flat \$25 regardless of the amount of sidewalk.

A motion made by S. Prentice to recommend stronger enforcement of the current sidewalk ordinance and to re-examine the penalty if sidewalks are not maintained. Seconded by K. Campbell. Ayes all.

IV Adjournment:

The meeting was adjourned on a motion made by K. Campbell at 8:06 pm seconded by S. Prentice. Ayes all.