

COMMON COUNCIL

April 16, 2019

Mayor Christine Carnrike presided at a meeting of the Common Council held at 6:30 PM on April 16, 2019, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Christine Carnrike
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. John Deierlein
Ald. Linda Kays-Biviano
Ald. David Zieno
Ald. Robert D. Jeffrey

Also:

Director of Finance/City Clerk Dee DuFour
DPW Superintendent Edward Pepe
Youth Bureau Director Robert Mason
Fire Chief Jan Papelino
Police Chief Rodney Marsh
Deputy City Clerk Agnes Eaton

Media Representative: none

Supervisor Robert M. Jeffrey

Absent

Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Mayor Carnrike at 6:31 p.m.

Approval of Minutes

Ald. Kays-Biviano **moved** to approve the minutes of the regular meeting of March 19, 2019. Seconded by Ald. Caldwell and duly approved ayes all.

Open Forum

Robert Jeffrey, 17 York St., spoke in regards to the street sweeper, mentioning that he was on the Council when the initial purchase of the street sweeper was made in 2007 or 2008. He remarked that last Fall the sweeper had broken down and is once again out of commission. He expressed that this piece of equipment is vital to keeping our streets and downtown area clean for residents, visitors and events alike. He also expressed concern over the progress with EMS service discussions with the County.

Mike O'Reilly, co-owner of 125-127 East Main St., reported that there will be an Open House on Friday, April 26th at 4:00. They have created 10 apartments and are pleased with how the building has come together. However, he also expressed frustration over the Plumbing and Electrical Boards and the requirements in the City. In his view, this restricts property owners from doing work themselves with the requirement of a licensed plumber or electrician. He stated that clarification is needed to the term of "repair" which appears in the Code. In this particular building, he stated that 75-80% of the work is repair work. He hopes that this can be cleared up quickly, as they have other projects planned in the City that are upcoming.

Dan O'Reilly, co-owner of 125-127 East Main St., pointed out that a penalty for a code violation could be a 15-day prison sentence for installing toilets and said that that is absurd. As a Mechanical Engineer, he can vouch that there are no safety concerns as was reported – everything was done to Code. Ald. Kays-Biviano asked for clarification by asking if they installed the toilets in the exact same location. Mr. O'Reilly said they were not installed in exactly the same location. This is where the definition of "repair" is needed, as all major lines are existing, but the location of the toilet has changed.

Patrick McNeil, City of Norwich property owner, stated that the City has some issues they need to address in regards to projects within the City. He asked what the difference is in installing a new toilet in a new line or a new toilet in an old line? Or installing a new light fixture in a new box versus installing a new light in the same box where the old light was removed?

Discussion: Ald. Caldwell made the comment that they have done an unbelievable job on the building and congratulated them. He also said that the City would have no way of knowing if property owners are doing plumbing or electrical work themselves. He asked if this problem were that severe that we should be concerned with it. It was pointed out that a third party is still necessary to do inspections. Ald. Doliver felt that a clear definition of "repair" to follow State guidelines was needed. Ald. Jeffrey also thanked the O'Reilly's saying they are an asset to

the community. Ald. Zieno reported that the residents of Ward 5 are glad to see the work getting done on the building.

Mayor Carnrike expressed concern with the Plumbing and Electrical Boards which she brought to the City Attorney's attention 6 weeks ago for review. She stated she consistently gets phone calls from people looking for licensed persons to do work. She felt there is room to review what is existing in the City Code and Ordinance, saying licensing requirements can negatively impact growth and opportunity in the City. She also reported the last record of an Electrical Board meeting was January 2013 and the Plumbing Board meeting was January 2010. She asked that a solution be expedited in order to limit the financial burden to their project. Asking to be on the record she continued "Based on conversations with numerous residents and business owners, that the existing processes, Codes, Ordinances and regulations that we have in place regarding Electricians and Plumbers in the City of Norwich needs to be reviewed, needs to be modified, corrected, updated and what-not. Again, because everything says a third party independent electrical inspector (for electrical work). Safety is our concern, but I think the people in the Town are just as safe with a third party independent electrical inspector, who, in this case, inspected these gentlemen's work. We really need to get some answers on this...." Mayor Carnrike relayed a comment made to her that "a Plumber or Electrician licensed [person] to do work is a license to steal".

Ald. Caldwell added that if any penalty came before the Common Council in regards to any perceived Code violations that he would vote against it with Ald. Kays-Biviano agreeing with him. Mayor Carnrike stated that, if needed, a special Common Council meeting could be called in order to remedy this so that a Certificate of Occupancy would not be delayed.

Executive Session – Ald. Caldwell **moved** to enter executive session at 7:06 p.m. to discuss the employment history of a particular individual. Seconded by Ald. Zieno, approved ayes all.

Ald. Caldwell moved to exit executive session at 7:40 p.m. Seconded by Ald. Kays-Biviano, approved ayes all.

Correspondence

Little League Parade – Ald. Caldwell **moved** to approve the request from the Norwich/Oxford Little League for police assistance during their parade on May 4, 2019 at 9:30 a.m. The parade route will begin at TOPS parking lot on East Main St., south on Midland Dr. and ending at the ball fields at the High School. Seconded by Ald. Zieno, approved ayes all.

B.I.D. Cruise-In – Ald. Caldwell **moved** to approve the request from Norwich BIDMA, Inc. and the Norwich Merchants Association for the closure of East Park Place for their 17th Cruise-In on Friday, May 24, 2019 from 6:00 p.m. to 8:00 p.m. Seconded by Ald. Deierlein, approved ayes all.

Department, Board and Commission Reports

- ◆ Fire Department Report – March
- ◆ Traffic Commission Minutes – March
- ◆ Youth Board Report – 1st Quarter
- ◆ Police Department Activity – January, February
- ◆ Finance Department Activity – February, March
- ◆ Human Resources Activity – February
- ◆ Planning Commission – March

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

Discussion: Ald. Caldwell complemented Chief Papelino on the control of overtime. The Chief said that as a Firefighter is leaving, there may be an increase in overtime. J. Papelino also reported that the 4th heart monitor that was recently purchased saved a life on the ramp in the ambulance at CMH. He also reported the levels of volunteers has slowly increased, but more interior people are needed. A Recruit NY event will be held at the Firehouse on April 27th from 10-2.

Ald. Caldwell asked R. Marsh about the staffing challenges coming up. Chief Marsh reported that potentially there are 2 more officers leaving for other departments. Currently his is down 6 Officers with 1 in the Academy. The possibility of part time Officers was discussed and R. Marsh stated that if the 2 Officers do end up leaving all options will need to be taken into account.

Ward Reports

Ward 1

Ald. Caldwell reported some communications which have been forwarded to the proper department. Ald. Caldwell also received a compliment from a constituent for E. Pepe who has been working on a resolution to an issue on Locust St.

Ward 2

Ald. Doliver reported communications regarding feral cats. He also had some questions regarding the Fire Department paid staff and has spoken to the Chief on ways to educate the public.

Ward 3

Ald. Deierlein reported communications regarding feral cats and all comments were appreciative of the City removing the proposed Animal Ordinance from proceeding while also acknowledging that there is a feral cat problem and getting professionals involved.

Ward 4

Ald. Kays-Biviano reported 2 communications from a resident on Gold St. inquiring about a Sidewalk Program. She also received questions regarding the street sweeper and cats on Silver St. There were concerns that pet cats were getting scooped up with the feral cats and that the organizations picking up the feral cats are not working with the community.

Ward 5

Ald. Zieno also reported a communication from a resident on Gold St. regarding a Sidewalk Program. Another resident of Gold St. inquired about a water line which was referred to DPW. He also reported another incident on Walnut and Diamond Sts. where tractor trailers are attempting to make that tight turn resulting in property damage. Asst. Police Chief Burlison has been working on this issue with the Traffic Commission. Vendors of Achieve have been contacted and asked not to use the street. New signage for the area is pending.

Ward 6

Ald. Jeffrey reported communications regarding the street sweeper, a complaint that has been forwarded to Code Enforcement, a curb cut which is on tonight's agenda, a storm drain on Hickok Ave., compliments on the work being done on Biviano Lane, the paving of Division St., and questions on Economic Development in the City. He also reported seeing many NO PARKING signs which have faded which he sent to the Traffic Commission. A resident questioned whether there would be review of the winter NO PARKING hours.

Mayor Carnrike reported receiving communications regarding feral cats, thanking the City for allowing people to speak. She also reported an issue on Ross Ave. where signage is faded to the point of being illegible which has been sent to the Traffic Commission.

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

Motions

Curb Cut - Ald. Jeffrey **moved** to approve the curb cut request at 100 Birdsall St. Seconded by Ald. Zieno, approved ayes all.

2019 Paving Schedule – Ald. Caldwell **moved** to approve the 2019 Paving Schedule as presented by the Superintendent of DPW and to put the 2019 Paving out to bid. Seconded by Ald. Jeffrey, approved ayes all.

Resolutions

RESOLUTION #13 - 2019

DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 20-22 MAPLE STREET

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

WHEREAS, the City of Norwich acquired the real property at 20-22 Maple 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 Common Council has reviewed proposals for the purchase of the property, and considers the proposal from Paul Heath to be an acceptable offer based on the purchase amount offered, the significant investments to be made in the property's rehabilitation, and the proposed use of the property; now therefore be it

RESOLVED, that the Common Council hereby designates Paul Heath of Mt. Upton, NY as the "preferred purchaser" of the City-owned property at 10-22 Maple Street; 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 20-22 Maple Street to Paul Heath for the aforesaid purpose.

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

RESOLUTION #14 -2019

AUTHORIZING PURCHASE AND TRANSFER OF FUNDS FOR STREET SWEEPER REPAIR

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

WHEREAS, a new sweeping head is needed to replace the existing one that has reached the end of its usefulness; and

WHEREAS, the Superintendent has made the recommendation for the purchase; and

WHEREAS, a transfer from Capital Reserves is required to pay for such new purchase; and

WHEREAS, the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the purchase of a sweeper head at the price of \$13,300 is hereby approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2019 General Fund budget:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR26	Capital Reserves – Highway Equipment	\$13,300.00
<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8170.4040	Street Cleaning – Repairs and Maintenance	\$13,300.00

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

RESOLUTION #15 -2019

AWARDING BID – JAMBA FARM LEASE

Ald. Zieno introduced the following and moved its adoption:

WHEREAS, a bid for the lease of Jamba Farm has been received and was opened on April 12, 2019; and

WHEREAS, the current bid for the lease of Jamba Farm is for \$4,805 per year, an increase of \$300 per year over the current lease amount; now, therefore be it

RESOLVED, that the bid for the lease of Jamba Farm for the twelve months from April 1, 2019 through March 31, 2020, with a renewal provision for two succeeding twelve-month periods, be awarded to the highest qualified bidder meeting specifications, Michael Place, of Oxford, NY, in the amount of \$4,805 per year.

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

RESOLUTION #16 - 2019 APPOINTMENT OF SCHOOL CROSSING GUARD

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

WHEREAS, a vacancy exists in the position of School Crossing Guard in the Norwich Police Department, and;

WHEREAS, the Police Chief has made a recommendation to re-appoint Clarence Franklin of Norwich New York and; now, therefore be it

RESOLVED, that Clarence Franklin of Norwich, NY, be and hereby is granted a permanent appointment as School Crossing Guard at a rate of \$11.10 per hour in the City of Norwich Police Department effective April 17, 2019; and further be it

RESOLVED, that the appointment is subject to any action as may be necessary by the Norwich Civil Service Commission.

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

Payment of April 2019 Bills

Ald. Kays-Biviano **moved** to pay the April 2019 bills after proper audit and certification.

	<u>Prepaid</u>	<u>4/16/2019</u>	<u>Grand Total</u>
General Fund	\$621,020.43	\$509,496.41	\$ 1,130,516.84
Sewer Fund	16,865.85	21,918.62	38,784.47
Water Fund	14,477.12	7,969.44	22,446.56
Trust	26,705.44	-	26,705.44
Debt Service	-	-	-
Comm. Dev. - Special Grants	-	-	-
Capital Projects	43,692.67	-	43,692.67
TOTALS	\$722,761.51	\$539,384.47	\$1,262,145.98

Seconded by Ald. Deierlein and duly adopted 6 - 0.

Executive Session

Ald. Caldwell **moved** to enter executive session to discuss the employment history of a particular individual and contract negotiations at 8:15 p.m. Seconded by Ald. Deierlein, approved ayes all.

Ald. Caldwell **moved** to exit executive session at 8:42 p.m. Seconded by Ald. Deierlein, approved ayes all.

Adjournment

Ald. Deierlein **moved** to adjourn at 8:42 p.m. Seconded by Ald. Doliver, approved ayes all.