

COMMON COUNCIL

June 15, 2021

Mayor Shawn Sastri presided at a meeting of the Common Council held at 6:00 PM on June 15, 2021, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Shawn Sastri left at 7:45 p.m.
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. Nancy Allaire arrived 6:12 p.m.
Ald. Linda Kays-Biviano arrived 6:28 p.m.
Ald. David Zieno
Ald. Robert D. Jeffrey

Supervisor Robert M. Jeffrey

Absent

Supervisor James McNeil

Also:

Director of Finance/City Clerk Dee DuFour
Director of Human Resources Lynn Murray
DPW Superintendent Edward Pepe
Youth Bureau Director Robert Mason
Fire Chief Jan Papelino
Police Chief Rodney Marsh
EMO A Jones and Stephen Cady
City Attorney Steve Natoli
Deputy City Clerk Agnes Eaton
Assemblyman Joseph Angelino

Media Representative: Sarah Giglio

Call to Order

The meeting of the Common Council was called to order by Mayor Sastri at 6:03 p.m.

Approval of Minutes

Ald. Caldwell **moved** to approve the minutes of the regular meeting of May 18, 2021. Seconded by Ald. Jeffrey, approved ayes all.

Presentation for Police Department – Ald. Caldwell spoke about the shooting on Cortland St., thanking the Police Department for their handling of the situation which could have turned deadly but for their actions and introduced Assemblyman Angelino.

Assemblyman Joseph Angelino said he was happy to be here to commend the Officers for their actions of saving a life and not taking a life, because a split-second decision could have had a far different result. He presented a commendation “honoring the Norwich Police Department for their exemplary service and outstanding teamwork in securing the Norwich Community”.

Presentation for A Jones – Mayor Sastri thanked A Jones for his 26 years of service with the City, in particular his assistance to him as Emergency Management Officer during the Covid-19 pandemic and presented Jones with a Key to the City.

Assemblyman Joseph Angelino said that he had worked with A Jones for 24 years and expressed his thanks for assistance through floods, power outages, blizzards and every other calamity. He presented his first Resolution as Assemblyman, which was his first, and Senator Akshar and was passed unanimously which in part reads “to recognize and honor those distinguished citizens who devote themselves to public service, demonstrating great courage and diligence in providing care and welfare of citizens in our communities”.

A Jones said it was an honor and a privilege to do this and never viewed it as a job, but “a passion of labor and love.” He thanked Wayne Anderson, former Deputy Director of Chenango County, for being his mentor and giving him his knowledge and training. He also thanked Joseph Angelino, who has been a mentor for his life and an advocate for him with various City administrations. Over the years he has assisted with over two dozen Emergency Declarations stating the Police, Fire and DPW departments have been excellent to work with over the years.

Public Hearing Chapter 376 Parks and Recreation – Mayor Sastri opened the Public Hearing at 6:19 p.m. to hear public

comment on proposed Ordinance Chapter 376 Parks and Recreation to amend the hours of operation of the Baker Dog Park.

Hannah Baker, 21 Francis Ave., felt that there the hours should not be changed and there are other ways to handle noise complaints. For instance, Facebook and Park signage could be used to help to control noise and if necessary, a Police presence in the morning hours.

Kathleen Campbell, 21 Francis Ave., said that there has been positive feedback from the community since the dog park has opened, while recognizing there may be an incident of early morning dog barking and suggested this be handled on an individual basis.

Hearing no further comments, Mayor Sastri closed the Public at 6:22 p.m.

Open Forum

No one spoke.

Correspondence

CV Free Church Porch Fest – Ald. Doliver **moved** to approve the request from CV Free Church for the partial road closure of Mechanic St. beginning at Silver St. from 6:30 p.m. to 8:00 p.m. on Wednesdays beginning June 23rd to September 1st 2021 during their Porch Fest events. Seconded by Ald. Zieno, approved ayes all.

Park Place Restaurant – Ald. Jeffrey **moved** to approve the request from Park Place Restaurant for alcohol sales from 6:00 p.m. to 11:00 p.m. in a roped-off area in front of the restaurant for the Summer Concert Series held Thursday evenings in July and August subject to any State or County Health regulations. Seconded by Ald. Caldwell, approved ayes all.

Mayoral Appointment

Mayor Sastri announced the following appointment:

Water Commission

- ◆ *John Kolb, 23 Beebe Avenue, appointed to a three-year term expiring December 31, 2023.*

Department, Board and Commission Reports

- ◆ Traffic Commission Minutes – May
- ◆ Water Commission Minutes – April
- ◆ Parks Commission Minutes – April
- ◆ Youth Bureau Minutes - June
- ◆ Planning Commission Minutes – January, February
- ◆ Finance Department Report – April
- ◆ Fire Department Report - May

Ald. Caldwell **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Allaire, approved ayes all. Ald. Jeffrey thanked Fire Chief Papelino, referencing the 213 calls outside the City's C.O.N. which is up 17% over last year.

Ward Reports

Ward 1

Ald. Caldwell reported communications regarding DPW, Code Enforcement and the Police which have been referred to the proper party and have been resolved.

Ward 2

Ald. Doliver reported communications from many regarding the shooting on Cortland St. Everyone is appreciative of the work of the Police Department.

Ward 3

Ald. Allaire reported communications regarding the traffic flow from a driveway at Chenango Memorial Hospital. After a conversation with Code Enforcement, it was decided to wait until construction at the hospital is finished and to see if that has an affect on the traffic flow.

Ward 4

Ald. Kays-Biviano reported communication from CV Free Church for their Porch Fest and loud trucks on Silver and Mitchell Streets.

Ward 5

Ald. Zieno reported receiving complaints of speeding on Silver St. Deputy Chief Burlison is looking into the cost of a mobile speed detection device. He also received a complaint about a sewer line which the DPW has been at a couple of times. E. Pepe stated the issue has been resolved and will monitor it over the next few weeks.

Ward 6

Ald. Jeffrey reported communications regarding Codes that have been resolved. Complaints resulting from the heavy rain and clogging of drains on Hickok were forwarded to the DPW. He referred a parking issue on Birdsell and Delaware Square to the Police Department. He also expressed condolences to the family of Paul Laughlin, former Council Member, who passed away and thanked him for his service to the City.

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

Motions

- ◆ **Set Public Hearing for July 20, 2021 – Chapter 465 Signs** – Ald. Zieno **moved** to table setting a Public Hearing related to Chapter 465 Signs to change the regulation of political signs. He said after speaking with the City Attorney, the proposed ordinance does not fully address the issues brought up by the Supreme Court ruling and therefore needs more work. Steve Natoli stated that the term “political signs” still makes it a context-based ordinance, which is what is in dispute. Seconded by Ald. Caldwell, motion is **tabled** 6 – 0, approved ayes all.

Proposed
ORDINANCE NO. (B)
OF 2021

AN ORDINANCE AMENDING CHAPTER 465 SIGNS
OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Article II: General Provisions

465-6. Signs Not Requiring Permits.

The following types of signs are exempt from permit requirements but must be in conformance with all other requirements of this chapter:

- D. Political signs. ~~One political sign per lot,~~ **Political signage** not to exceed four square feet in sign area per sign. Such signs ~~shall not be erected more than 30 days prior to the election or referendum concerned~~ ~~and~~ shall be removed within seven days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner, **not on City property.**

Article III: Regulation of On-Premises Signs by Zone

465-11. Signs Permitted In All Zones.

The following signs are allowed in all zones:

D. Political signs. ~~One political sign per lot,~~ **Political signage** not to exceed four square feet in sign area per sign. Such signs ~~shall not be erected more than 30 days prior to the election or referendum concerned~~ and shall be removed within seven days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner, **not on City property.**

Article VIII Terminology
465-35 Definitions:

Political Sign -A temporary sign used in connection with a local, state, or national election or referendum.

Underlined and Italic is new material.

Resolutions

RESOLUTION #31 - 2021 **AWARDING BID AND AUTHORIZING TRANSFER OF FUNDS – MINI EXCAVATOR**

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

WHEREAS, bids for a new Mini Excavator were opened on May 28, 2021; and

WHEREAS, the Department of Public Works, and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the bid for a new Mini Excavator be awarded to the lowest qualified bidder meeting specifications, Alta Construction of Syracuse, NY, in the grand total amount of \$69,995; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2021 Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR28-878	Capital Reserve – Water Equipment	\$ 34,977.50
HR42-878	Capital Reserve – Sewer Equipment	\$ 34,977.50

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
F8340.2100	Equipment – Distribution	\$ 34,977.50
G8130.2100	Equipment – Treatment & Disposal	\$ 34,977.50

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

RESOLUTION #32 - 2021 **AWARDING BID AND AUTHORIZING TRANSFER FOR TWO PLOW TRUCKS**

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

WHEREAS, bids for two (2) plow trucks were opened on Jun3 1, 2021; and

WHEREAS, the Department of Public Works, and the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the bid for two (2) F-600 Plow Trucks be awarded to the lowest qualified bidder meeting specifications, Ferrario Ford of Elmira, NY, in the total amount of \$169,614; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2021 Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR 26-878	Capital Reserve – Highway Equipment	\$ 169,614

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5142.2100	Equipment - Snow and Ice	\$ 169,614

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

RESOLUTION #33 - 2021 **AUTHORIZING CHANGE ORDER FOR THE 2021 GRINDING & PAVING PROGRAM**

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

WHEREAS, bids for the 2021 Street Rehabilitation Program were opened on April 27, 2021; and

WHEREAS, the bid was awarded to Broome Bituminous Products, of Vestal, NY at the May 18, 2021 Common Council meeting; and

WHEREAS, funds are currently available through the New York State Touring Route program for the paving of touring routes in the City; and

WHEREAS, the addition of Rexford Street to the 2021 paving schedule would take advantage of the Touring Route funds; now, therefore be it

RESOLVED, that a change order is authorized to add Rexford Street to the 2021 Grinding and Paving Program in order to take advantage of the New York State Touring Route funding.

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

RESOLUTION #34 - 2021 **AUTHORIZING TRANSFER FOR PATROL CAR COMPUTER**

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

WHEREAS, a new computer for the new patrol car is needed at a cost of \$7,954.28; and

WHEREAS, funds are available from the United States Marshal seizure account; and

WHEREAS, the Joint 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 \$7,954.28 for the purchase of a new computer for the new patrol car in the General Fund Budget.

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A889	Police Reserves - Miscellaneous	\$ 7,954.28

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3120.2100	Police - Equipment	\$ 7,954.28

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

RESOLUTION #35 - 2021 **AUTHORIZING TRANSFER OF FUNDS FOR LEAD SERVICE LINE REPLACEMENT CAPITAL PROJECT**

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

WHEREAS, grant funds in the amount of \$528,750 were awarded from New York State Department of Health for the Lead Service Line Replacement Project; and

WHEREAS, Capital Reserve Water Main Replacement funds will be needed until reimbursement is received from the grant funds awarded; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of \$500,000 to establish the Lead Service Line Replacement Project account in the 2021 Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR31-878	Capital Reserve - Water Main Replacement	\$500,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
H37-909	Lead Service Line Replacement Capital Project	\$500,000

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

RESOLUTION #36 - 2021 **AUTHORIZING SUPPLEMENTAL TRANSFERS TO CAPITAL RESERVES FROM GENERAL FUNDS**

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

WHEREAS, transfers provided in the 2021 budgets, are required in capital reserves to meet future needs for municipal buildings, Police, Ambulance, Fire, Highway, Water and Sewer equipment, the Skateboard Park, employee benefits, Water repairs and upgrades, and Water Main Replacements; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make supplemental transfers, in addition to transfers provided in the 2021 budgets, up to the following amounts and in compliance with all applicable laws and regulations.

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A909	General Fund Balance	\$1,148,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR33	Capital Reserves – Municipal Buildings	\$ 135,000
HR21	Capital Reserves – Police Equipment	\$ 130,000
HR22	Capital Reserves – Ambulance Equipment	\$ 198,000
HR32	Capital Reserves – Fire Equipment	\$ 300,000
HR26	Capital Reserves – Highway Equipment	\$ 160,000
HR18	Capital Reserves – Skateboard Park	\$ 25,000
BR827	Employee Benefits Reserves	<u>\$ 200,000</u>
		\$1,148,000

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
G909	Sewer Fund Balance	\$ 300,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR42	Capital Reserves – Sewer Equipment	\$ 300,000

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
F909	Water Fund Balance	\$ 500,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
HR28	Capital Reserves – Water Equipment	\$ 100,000
HR29	Capital Reserves – Water Repair	\$ 100,000
HR30	Capital Reserves – Water Upgrade	\$ 100,000
HR31	Capital Reserves – Water Main Replacement	\$ 200,000
		<u>\$ 500,000</u>

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

RESOLUTION #37 - 2021 APPOINTMENT OF COORDINATOR OF DISASTER PREPAREDNESS

Ald. Kays-Biviano introduced the following and **moved** its adoption:

WHEREAS, Stephen Cady was appointed to the position of Coordinator of Disaster Preparedness Trainee; and

WHEREAS, the Coordinator of Disaster Preparedness position will be vacated June 30, 2021; and

WHEREAS, the Joint Committee has made recommendations; now, therefore be it

RESOLVED, that Stephen Cady of Norwich, NY, be and hereby is appointed to the part-time permanent position of Coordinator of Disaster Preparedness effective July 1, 2021 at the rate of \$17.31 per hour for **20 hours** per week.

Seconded by Ald. Allaire. Discussion: It was determined that the hours per week should be 10 hours and was duly defeated as written, 0 - 6, on a roll call vote. Ald. Caldwell **moved** to amend the Resolved to read:

RESOLVED, that Stephen Cady of Norwich, NY, be and hereby is appointed to the part-time permanent position of Coordinator of Disaster Preparedness effective July 1, 2021 at the rate of \$17.31 per hour for **10 hours** per week.

Seconded by Ald. Jeffrey, approved, 6 – 0, on a roll call vote.

RESOLUTION #38 - 2021 **ADOPTING PROPOSED ORDINANCE NO. (A) OF 2021 - AMENDING
CHAPTER 376 PARKS AND RECREATION AREAS**

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

WHEREAS, the Common Council received proposed Ordinance No. (A) of 2021 on May 18, 2021, Chapter 376 Parks and Recreation to amend the hours of operation of the Baker Dog Park; and

WHEREAS, a public hearing was held on June 15, 2021, in connection with said proposed ordinance now, therefore be it

RESOLVED, that Ordinance No. (A) of 2021 to amend Chapter 376 Parks and Recreation, as presented to the Common Council on May 18, 2021, be and hereby is adopted, and is hereby designated as Ordinance No. 1 of 2021.

ORDINANCE NO. (1)
OF 2021

AN ORDINANCE AMENDING CHAPTER 376 PARKS AND RECREATION AREAS
OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Article I Closing Hours

[Adopted 6-28-1960 (Ch. 64, § 64-2, of the 1967 Code)]

§ 376-1 Hours; exemptions.

[Amended 9-22-1981 by Ord. No. 2-1981; 12-19-2000 by Ord. No. 6-2000]

A.

With the exception of Weiler Park, ~~and~~ Gordon Park and Baker Dog Park, all parks in the City of Norwich will be closed to the public from dusk until dawn. Weiler Park and Gordon Park shall be closed from 10:00 p.m. until dawn and Baker Dog Park shall be closed from dusk to 8:00 a.m.

[Amended 8-7-2019 by Ord. No. 2-2019]

B.

Exemptions may be granted for special events designated by the Common Council.

Underlined and Italic is new material.

Seconded by Ald. Kays-Biviano and duly **defeated**, 2 - 4, on a roll call vote with Aids. Kays-Biviano and Zieno voting aye and Aids. Caldwell, Doliver, Allaire and Jeffrey voting nay.

Discussion before the vote: Ald. Caldwell is not in favor of changing the hours of individual parks based on a complaint and agreed there may be other solutions to try first with Ald. Doliver agreeing. Ald. Allaire also agreed, saying the only persons speaking during the Public Hearing were against changing the hours of the park. Ald. Zieno disagreed saying the neighborhood residents deserved quiet enjoyment of their property and felt that changing the hours would provide that. He stated that the suggested use of Police to monitor the park is a misuse of the Police Department. Ald. Kays-Biviano agreed with Ald. Zieno.

Payment of June 2021 Bills

Ald. Jeffrey **moved** to pay the June 2021 bills after proper audit and certification.

	<u>Prepaid</u>	<u>6/15/2021</u>	<u>Grand Total</u>
General Fund	\$1,056,896.58	\$32,340.13	\$1,089,236.71
Sewer Fund	47,294.02	52,037.52	99,331.54
Water Fund	39,951.40	12,467.62	52,419.02
Trust	29,973.37	-	29,973.37
Debt Service		-	
Comm. Dev. - Special Grants		-	
Capital Projects		-	
TOTALS	\$1,174,115.37	\$96,845.27	\$1,270,960.64

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

Executive Session

Ald. Caldwell **moved** to enter executive session to discuss the employment history of particular individuals at 6:49 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Ald. Caldwell **moved** to exit executive session at 9:29 p.m. Seconded by Ald. Allaire, approved ayes all.

Adjournment

Ald. Caldwell **moved** to adjourn at 9:30 p.m. Seconded by Ald. Allaire, approved ayes all.