

COMMON COUNCIL
AGENDA

Held at
One Court Plaza
October 19, 2021
6:30 PM

In accordance with CDC guidelines, all persons must wear a mask no matter their vaccination status. You are encouraged to view the meeting via the City's Facebook page at <https://www.facebook.com/NorwichNewYork/>

Call To Order

Pledge of Allegiance

Invocation

Approval of minutes of the special meeting of August 10, 2021 and the regular meeting of September 21, 2021

Public Hearing

Open Forum

Correspondence

- ◆ Rexford Street Decorative Lights
- ◆ YMCA Turkey Trot
- ◆ Chenango Blues Fest 2022 Summer Concert Series

Mayoral Appointments

Youth Bureau

- ◆ *Patrick Marks, 23 Brown Avenue, appointed to fill the remainder of a three-year term expiring December 31, 2023.*
- ◆ *Abigail Telesky, 114 Telesky Drive, appointed to fill the remainder of a three-year term expiring December 31, 2023.*

Council Appointment

Assessment Board of Review

- ◆ *Jack Roque, 26 Prospect Street, re-appointed to a five-year appointment expiring September 30, 2026.*

Department, Board and Commission Reports

- ◆ Traffic Commission Minutes – September
- ◆ Youth Board Minutes – October
- ◆ Finance Report – September
- ◆ Youth Board Report – 3rd Quarter
- ◆ Fire Department Report - September

Ward Reports

Motions

- ◆ Designating Day and Hours of Trick or Treating
- ◆ Approve Changes to Employee Handbook
- ◆ Approve Revised Community Development Director Job Description

Resolutions

- ◆ Adoption of Local Law No.1 of 2021 – Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the City of Norwich.
- ◆ Authorizing Elimination of Sales Tax Exemption on Clothing and Footwear in the City of Norwich
- ◆ Authorizing Additional ADP Services for Human Resources

- ◆ Authorizing Purchase and Transfer of Funds for Purchase of Updated Municipality Parcel Management Software
- ◆ Authorizing Purchase of Loader and Transfer of Funds
- ◆ Authorizing Change Order for the 2021 Grinding and Paving Program
- ◆ Updating Municipal Fines and Fees Schedule
- ◆ Declaring Vehicle Surplus and Authorizing Disposal
- ◆ Authorizing Purchase of Computers and Outfitting of Patrol Car and Transfer of Funds
- ◆ Authorizing Non-Unit Compensation Schedule
- ◆ Authorizing Mayor to Sign 2022 Animal Shelter Agreement with Chenango County SPCA
- ◆ Designating “Preferred Purchaser” of City-Owned Property at 20 Sheldon St.
- ◆ Designating “Preferred Purchaser” of City-Owned Property at 26 Hale St.
- ◆ Promoting Police Officer to Police Sergeant
- ◆ Promoting Police Officer to Police Sergeant

Other

- ◆ 2022 Budget Revenues and Miscellaneous Expenses

Payment of October 2021 Bills

Executive Session (if needed)

Adjournment

Correspondence

Chenango Blues Fest 2022 Summer Concert Series – Ald. ____ **moved** to approve a request from the Chenango Blues Fest for Special Event status for the 2022 Summer Concert Series held on Thursdays from July 7 to August 25th, as well as the closure of East Park Place beginning at 3 p.m. on those days. Seconded by Ald. _____, approved ayes all.

Rexford Street Decorative Lights – Ald. _____ **moved** to approve the City’s ownership and corresponding electric bills for the decorative street lighting being installed during the Museum District project. Seconded by _____, approved ayes all.

YMCA Turkey Trot – Ald. _____ **moved** to approve a request from the YMCA for road closures and Police assistance during their annual Turkey Trot 5K race on November 21, 2021. Events begin at noon with the Kids Fun Run, the adult race at 12:30 p.m. Seconded by Ald. _____, approved ayes all.

Council Appointment

Assessment Board of Review

- ◆ *Jack Roque, 26 Prospect Street, re-appointed to a five-year appointment expiring September 30, 2026.*

Ald. ____ **moved** to approve the re-appointment of Jack Roque. Seconded by Ald. ____ , approved ayes all.

Motions

- ◆ **Designating Day and Hours of Trick or Treating** – Ald. ____ **moved** to set Trick-or-Treat as Sunday, October 31, 2021 from 5:30 p.m. to 8:00 p.m. Seconded by Ald. _____, approved ayes all.
- ◆ **Approve Changes to Employee Handbook** – Ald. ____ **moved** to approve the revisions of the Employee Handbook to include 1) Break Policy - add Lactation Accommodation 2) Update protected classes per NYS Law 3) Equal Employment and Sexual Harassment – adding Notification of policy violation wording (concerning prompt reporting of incidents) 4) Added NYS Medical Marijuana Policy 5) updated complaint form for sexual harassment. Seconded by Ald. _____, approved ayes all.
- ◆ **Approve Revised Community Development Director Job Description** – Ald. ____ **moved** to approve the revised Community Development Director job description. Seconded by Ald. _____, approved ayes all.

Resolutions

RESOLUTION # - 2021

ADOPTING PROPOSED LOCAL LAW NO. (A) OF 2021 - CANNABIS LAW §131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DESPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE CITY OF NORWICH

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

WHEREAS, the Common Council received proposed Local Law No. (A) of 2021 on September 21, 2021; and

WHEREAS, a public hearing was held on October 19, 2021, in connection with said proposed law; now, therefore be it

RESOLVED, that Local Law No. (A) of 2021, regarding Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the City of Norwich., as presented to the Common Council on September 21, 2021, be and hereby is adopted, and is hereby designated as Local Law No. 1 of 2021.

Proposed Local Law No. (1) of 2021

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

A local law adopted pursuant to Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the City of Norwich.

Section 1. Legislative Intent

It is the intent of this local law to opt the City of Norwich out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law §131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Common Council of the City of Norwich, County of Chenango, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law §131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Seconded by Ald. _____, and duly adopted/defeated, _____, on a roll call vote.

RESOLUTION # - 2021

AUTHORIZING ELIMINATION OF SALES TAX EXEMPTION ON CLOTHING AND FOOTWEAR IN THE CITY OF NORWICH

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

WHEREAS, on May 9, 2006 the Common Council approved the continuation of a permanent sales tax exemption on clothing and footwear purchases under \$110, Pursuant To Article 29 Of The Tax Law of The State of New York; and

WHEREAS, the Joint Committee has made certain recommendations to remove the sales tax exemption in the City of Norwich; now, therefore be it

RESOLVED, that the sales tax exemption on clothing and footwear purchases under \$110 be eliminated until further acted upon by the Common Council of the City of Norwich; and further be it

RESOLVED, this resolution shall take effect on March 1, 2022.

Seconded by Ald. _____ and duly adopted/defeated, _____, on a roll call vote.

RESOLUTION # - 2021

AUTHORIZING ADDITIONAL ADP SERVICES FOR HUMAN RESOURCES

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

WHEREAS, ADP is the current provider of payroll services; and

WHEREAS, the Director Human Resources would like to add additional services in order to facilitate training; and

WHEREAS, recommendations have been made to add an ADP Essential Learning option at a cost of \$2,400 per year; now, therefore be it

RESOLVED, that the purchase of the ADP Essential Learning option at a cost of \$2,400 per year is hereby authorized.

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2021

**AUTHORIZING PURCHASE AND TRANSFER OF FUNDS FOR UPDATED
MUNICIPALITY PARCEL MANAGEMENT SOFTWARE**

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

WHEREAS, Municipality Parcel Management software was purchased from General Code company in 2008; and

WHEREAS, the Municipality software is being upgraded and the older version will no longer be supported; and

WHEREAS, recommendations have been made to purchase the new upgraded Municipality software for \$34,434.18; now, therefore be it

RESOLVED, that the purchase of the upgraded Municipality Parcel Management software for \$34,434.18 is hereby authorized; 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>
A8020.1010	Planning – Personal Services	\$11,478.06
A1990.4	Contingency	\$11,478.06
A9060.8	Health Insurance	\$11,478.06

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3620.2100	Code Enforcement – Equipment	\$34,434.18

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2021

AUTHORIZING PURCHASE OF LOADER AND TRANSFER OF FUNDS

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

WHEREAS, the John Deere Backhoe Loader was purchased in 1996 and has outlived its usefulness; and

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

RESOLVED, that the purchase of a new Volvo L90H backhoe loader on State bid from, Alta Construction of Syracuse, NY, in the amount of \$187,864; 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>
HR26-878	Capital Reserve – Highway Equipment	\$ 187,864

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5110.2100	Street Maintenance - Equipment	\$ 187,864

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

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

Ald. _____ 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, additional CHIP funds are available, the paving on West Main Street will be extended to include the portion from Elm Street to the West Main Street Bridge; and

WHEREAS, the bid amount of \$4,400 for new parking spaces at Baker Dog Park came in at an actual cost of \$11,326 and necessitates a transfer of funds from Reserves to cover the cost; now, therefore be it

RESOLVED, that a change order is authorized to add the remainder of West Main Street to the 2021 Grinding and Paving Program at a cost of \$63,310 which will be covered by CHIPS funds; and further be it

RESOLVED, that the change order is authorized for the additional funds for the Baker Dog Park parking spaces totaling \$11,326; 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>
HR23	Capital Reserves – Parks Maintenance & Development	\$ 11,326

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A7110.3100	Parks - Capital Improvements	\$ 11,326

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2021**UPDATING MUNICIPAL FEES AND FINES SCHEDULE**

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

WHEREAS, the Common Council adopted Resolution #71-2010 on October 19, 2010, establishing a consolidated Municipal Fees & Fines Schedule of various fees and certain fines into a single document; and

WHEREAS, it has been recommended that the Septage Waste Fee be raised to .11 per gallon to be reflective of market rates; and

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

RESOLVED, that the following portions of the Municipal Fees & Fines Schedule be and hereby is updated effective as of October 20, 2021:

CITY OF NORWICH
MUNICIPAL FEES & FINES

WATER & SEWER FEES

Water Admin Fee (Reconnection Fee)	\$30.00
Water Late Fee – Quarterly Accounts	5% per Quarter
Water Late Fee – Monthly Accounts	3.25% per Month
Hydrant Charges	\$55.00 per Hydrant/Per Quarter
Fire Service	
1 ½“ Service	\$60.00 per Quarter
4” Service	\$110.00 per Quarter
6” Service	\$110.00 per Quarter
8” Service	\$190.00 per Quarter
12” Service	\$220.00 per Quarter
Frozen Meter Charge	\$50.00
Septage Waste Fees	.05 a gallon .11 a gallon
Industrial Waste Fees	.05 a gallon
One Time Dumping Fee	\$5.00
Bulk Water Purchasing (<i>per truckload</i>)	0 - 5000 gallons \$70 Over 5000 gallons \$100

New material is bold italic

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote

RESOLUTION # - 2021**DECLARING VEHICLE SURPLUS AND AUTHORIZING DISPOSAL**

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

WHEREAS, Car #26 is obsolete and has have been deemed to be surplus by the Police Department; and

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

RESOLVED, that the following vehicle, as presented to the Common Council, be and hereby are declared surplus:

2013 Ford Taurus VIN# 1FAHP2M8XDG222557

and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to dispose of such equipment as is provided for by law.

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # -- 2021**AUTHORIZING PURCHASE OF COMPUTERS AND OUTFITTING FOR POLICE CAR AND TRANSFER OF FUNDS**

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

WHEREAS, a new patrol car has been approved for purchase in the Police Department; and

WHEREAS, the new patrol must be outfitted with computers and lights; and

WHEREAS, outfitting with lights will be \$9,817.84 and computers will be \$8,015.28; and

WHEREAS, the Joint Committee has agreed with such recommendation; now therefore be it

RESOLVED, that the computers and lighting for the new patrol car be purchased for the total amount of \$17,833.12 be and hereby is 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 2021 Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR21	Police Equipment Reserves	\$ 9,817.84
A889PD	Reserves	\$ 8,015.28

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.2100	Police Equipment	\$ 17,833.12

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2021**AUTHORIZING NON-UNIT COMPENSATION SCHEDULE**

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

WHEREAS, the 2022 compensation schedule for non-unit employees was received by the Common Council on August 3, 2021 and approved in Resolution #46-2021 as a component part of the 2022 budgets; and

WHEREAS, the minimum wage for 2022 is increasing and need to be reflected in the compensation schedule; now therefore be it

RESOLVED, that the 2022 compensation schedule be amended as follows from the 2022 non-unit compensation schedule, effective January 1, 2022.

	<u>2022 Base Annual Salary</u>	<u>2022 Salary Range</u>
<u>ASSESSMENT</u>		
Assessor (8 hours/week)	\$21,347	\$17,641 - \$23,291
<u>CITY ATTORNEY</u>		
City Attorney **	\$37,362	
<u>DEPARTMENT OF FINANCE / CLERK</u>		
Director of Finance/City Clerk	\$92,363	\$69,756 - \$92,363
Deputy City Clerk	\$49,866	\$37,661 - \$49,866
<u>DEPARTMENT OF PUBLIC WORKS/WATER/SEWER</u>		
Superintendent of Public Works	\$94,014	\$77,462 - \$102,561
Asst. Supt. of Pub Works (Vacant)	TBD	\$60,836 - \$80,548
<u>EMERGENCY PREPAREDNESS</u>		
City EMO Director *	\$9,183	
<u>FIRE DEPARTMENT / EMS / CODES</u>		
Fire Chief	\$92,363	\$69,756 - \$92,363
Ordinance Inspector - 30 hrs.	\$34,900	\$34,900
<u>HUMAN RESOURCES</u>		
Human Resources Director	\$67,320	\$63,985 - \$87,260
<u>POLICE DEPARTMENT</u>		
Police Chief **	\$101,349	
Assistant Police Chief **	\$82,159	

YOUTH BUREAU

Youth Bureau Director	\$17,889	\$17,889 - \$26,010
Recreation Coordinator	\$5,918	\$5,918 - \$7,835

SEASONAL EMPLOYEES

Lifeguards	\$13.20 - \$14.23
Laborers	\$13.20
All other seasonal and temporary employees	\$13.20 - \$15.76

* Stipend employee

** Contract employee

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote

RESOLUTION # -2021

AUTHORIZING MAYOR TO SIGN 2022 ANIMAL SHELTER AGREEMENT WITH CHENANGO COUNTY SPCA

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

WHEREAS, the Chenango County SPCA provides certain services to the City of Norwich; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign a contract with the Chenango County SPCA, to provide services per the 2022 Animal Shelter Agreement.

Seconded by Ald. _____ and duly adopted, ayes all on a roll call vote, _____.

RESOLUTION # - 2021

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

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

WHEREAS, the City of Norwich acquired the real property at 20 Sheldon 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 Don Kelly (DGK Management) of Norwich, NY 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 as a single family home; now therefore be it

RESOLVED, that the Common Council hereby designates Don Kelly of Norwich, NY as the “preferred purchaser” of the City-owned property at 20 Sheldon 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 Sheldon Street to Don Kelly for use as a single family home.

Seconded by Ald. _____ and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2021

**DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY
AT 26 HALE STREET**

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

WHEREAS, the City of Norwich acquired the real property at 26 Hale 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 Jordan Lockwood of Norwich, NY 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 as a single family home; now therefore be it

RESOLVED, that the Common Council hereby designates Jordan Lockwood of Norwich, NY as the “preferred purchaser” of the City-owned property at 26 Hale 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 26 Hale Street to Jordan Lockwood for use as a single family home.

Seconded by Ald. _____ and duly adopted, _____, on a roll call vote.

RESOLUTION # – 2021

PROMOTING POLICE OFFICER TO POLICE SERGEANT

Ald. _____ introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Police Sergeant in the Norwich Police Department, and;

WHEREAS, the Chief of Police has recommended the promotion of Steven Round of Norwich, NY to such position; now, therefore be it

RESOLVED, that Steven Rounds of Norwich, NY, be and hereby is granted a permanent appointment as Police Sergeant in the Norwich Police Department, effective October 19, 2021 at the rate of \$34.35; and further be it

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

Seconded by Ald. _____ and duly adopted, ayes all, on a roll call vote.

RESOLUTION # – 2021

PROMOTING POLICE OFFICER TO POLICE SERGEANT

Ald. _____ introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Police Sergeant in the Norwich Police Department, and;

WHEREAS, the Chief of Police has recommended the promotion of Matthew Roberts of Norwich, NY to such position; now, therefore be it

RESOLVED, that Matthew Roberts of Norwich, NY, be and hereby is granted a permanent appointment as Police Sergeant in the Norwich Police Department, effective October 20, 2021 at the rate of \$34.35; and further be it

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

Seconded by Ald. _____ and duly adopted, ayes all, on a roll call vote.

Payment of October 2021 Bills

Ald. _____ moved to pay the October 2021 bills after proper audit and certification.

	<u>Prepaid</u>	<u>10/19/2021</u>	<u>Grand Total</u>
General Fund	\$219,418.83	\$42,986.84	\$262,405.67
Sewer Fund	28,794.02	8,162.69	36,956.71
Water Fund	40,454.17	12,818.11	53,272.28
Trust	39,112.56	-	39,112.56
Debt Service		-	
Comm. Dev. - Special Grants	1,351.83	-	1,351.83
Capital Projects	313,963.91	-	313,963.91
TOTALS	\$643,095.32	\$63,967.64	\$707,062.96

Seconded by Ald. _____ and duly adopted _____.