

COMMON COUNCIL

January 18, 2022

Mayor Brian Doliver presided at a meeting of the Common Council held at 6:30 PM on January 18, 2022, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Brian Doliver
Ald. Matthew Caldwell
Ald. Fred Gee
Ald. Nancy Allaire
Ald. William Loomis
Ald. David Zieno
Ald. Robert D. Jeffrey

Also:

Director of Finance/City Clerk Dee DuFour
Director of Human Resources Lynn Murray
DPW Superintendent Edward Pepe
Fire Chief Jan Papelino
Police Chief Rodney Marsh
City Attorney Steve Natoli
Deputy City Clerk Agnes Eaton

Media Representative: Sarah Genter, The Evening Sun_____

Supervisor Robert M. Jeffrey

Absent

Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Mayor Doliver at 6:30 p.m.

Approval of Minutes

Ald. Caldwell **moved** to approve the minutes of the special meeting of December 7 and the regular meeting of December 21, 2021. Seconded by Ald. Jeffrey and duly approved ayes all.

Public Hearing – Establishing Flood Mitigation Commission – Mayor Doliver opened the Public Hearing at 6:32 p.m. to hear comment regarding the creation of a Flood Mitigation Commission. Hearing no comment Mayor Doliver closed the hearing at 6:32 p.m.

Open Forum

Jen Westervelt, resident of the Town of Norwich, City of Norwich property owner, Pastor of CVFree Church and former member of the Community Advisory Board spoke in favor of the proposed School Resource Officer (SRO) being provided to the Norwich City School District. She felt that the current proposed 2 ½ hours per day for an SRO should be increased to a full-time position. By doing so the SRO would be better able to build relationships with students, be flexible for availability throughout the day at all the schools in the district, as well as extra-curricular events. She further stated that by rotating Officers and limiting their presence in school and at events would impede building rapport and deterred bad behavior. Police presence in schools could give children a positive view of Police as a helper, rather than someone who needs to be feared due to their only encounter being when perhaps mom or dad are being arrested. Having a uniformed Officer in the schools might encourage children to choose a career in law enforcement. The SRO could speak in classes about the effects of drug use and DWI, local government, rules of the road and safe driving, participation in the 1st Responders Club or a potential future for a Police Explorer program. There is a national standard of training for SRO at State and National levels and at minimum a yearly SRO training which includes a variety of topics.

Swearing In Ceremony – J. Papelino performed the swearing-in ceremony for William Ballin promoting him to Fire Captain.

Proclamation – Mayor Doliver read the following Proclamation for Catholic Schools Week:

PROCLAMATION

Holy Family School

WHEREAS, Catholic Schools have a commitment to provide all students with an education that emphasizes academic excellence, the formation of moral values, and a strong commitment to community service; and

WHEREAS, since 1922, with the support of surrounding parishes and the guidance of the Diocese of Syracuse, Holy Family School, previously St. Paul's School has been serving the children and families in our community. This year marks the 100th year, the centennial, of offering a high-quality faith based education to children of all faiths; and

WHEREAS, each year Catholics nationwide celebrate *Catholic Schools Week* to recognize the accomplishments of Catholic students across the country. This year the theme, "Catholic Schools: Faith. Excellence. Service." continues to be proudly shared.

NOW, THEREFORE, I, Brain Doliver, Mayor of the City of Norwich, do hereby proclaim the week of January 31st to February 5th, 2022, as:

Catholic Schools Week

in the City of Norwich, and encourage all citizens to recognize the dedicated efforts of the faculty, staff, students and families of Holy Family School, as they continue to exemplify the best of Catholic education in our community.

Department, Board and Commission Reports

- ◆ Traffic Commission Minutes – December and January
- ◆ Civil Service Minutes – November
- ◆ Youth Board Minutes – January
- ◆ Youth Board Report – 4th Quarter
- ◆ Fire Department Report - December

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

Ward Reports

Ward 1

Ald. Caldwell reported a communication in favor of doing the entire project for the replacement of the water mains being discussed.

Ward 2

Ald. Gee reported several communications regarding the water main replacement project with the majority preferring to do all of Broad Street and as much of East Main Street as possible.

Ward 3

Ald. Allaire reported one communication regarding an issue which is in the process of resolution.

Ward 4

Ald. Loomis reported a communication regarding an unlicensed vehicle which has been resolved.

Ward 5

Ald. Zieno reported no communications.

Ward 6

Ald. Jeffrey reported several positive communications regarding the water main replacement with questions about the timeline of the project.

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

Motions

- ◆ Moving the School Speed Limit sign on Midland Drive to Maydole St. – Ald. Gee **moved** to approve moving the School Speed Limit sign on Midland Drive to Maydole St. Seconded by Jeffrey, 0-6 all nays. Motion failed.

Before the vote Ald. Zieno reiterated his concern that the sign being moved back to Maydole St. which is one block away from the school will not be effective in slowing down traffic. He stated that there are no other School Speed Limit signs that are that far away from school property. He questioned how many times this [speeding] is an issue as it is a right angle at the crosswalk. He suggested placing the sign closer to the school just before the cut-out. He would also like to see lighted signs for added visibility. He would like to amend the motion to cut the distance in half by placing the sign just before the cut out on Midland Drive.

Ald. Zieno **moved** to amend moving the School Speed Limit sign on Midland Drive to the just before the cut out on Midland Drive and replacing the current sign with a lighted sign. Seconded by Ald. Jeffrey, approved ayes all.

There was discussion of placing another lighted sign on Midland Drive towards Hale St. which was referred back to the Traffic Commission.

Resolutions

RESOLUTION #1 - 2022 AUTHORIZING USDA RD FUNDING APPLICATION FOR WATER MAIN REPLACEMENT PROJECT

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

WHEREAS, the New York State Department of Transportation will be repaving North and South Broad Streets (Route 12) and East Main Street in 2022 or 2023; and

WHEREAS, the replacement of the 140 year old water mains should coincide with the paving of these streets; and

WHEARAS, the replacement of the water mains in the project shall include Broad Street from Prentice Street to Pleasant Street and East Main Street from Broad Street to the railroad tracks; and

WHEREAS, the total estimated cost of the Water Main Replacement Project is projected not to exceed \$4,000,000.00; and

WHEREAS, the Joint Committee have made certain recommendations to move forward with the Water Main Replacement Project; now, therefore be it

RESOLVED, that the Mayor, the Superintendent of Public Works, and the Director of Finance be and hereby are authorized to submit a full application to USDA RD and to other funding sources as may be necessary for the funding of the Water Main Replacement Project which is projected not to exceed \$4,000,000.

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

Discussion before the vote: D. DuFour clarified that application must be made which would consist of a low-interest loan and then USDA may provide some funds through a grant with the balance as a low-interest loan. The City can still turn down the loan at that point if needed. E. Pepe stated USDA tries to make a decision within 60 days, then when the engineering is done it would go to bid which would be done in 2022. The project construction will probably be done in 2023. DOT is extending their paving of Broad Street to 2023 to coincide with the project. Mayor Doliver stated he has contacted Congresswoman Tenney's office and will be meeting with Senator Schumer's office on Friday regarding available infrastructure funds. Likely the infrastructure funds for new projects may not be available until the third year. Ald. Zieno said the State is reinstating the Clean Water Environmental Act and raising it to \$4 billion in the 2023 State Budget which may be a source of funding. Ald. Jeffrey asked if the engineering and bidding could be started now. E. Pepe stated that engineering takes a few months and is expensive so those costs need to be included in the application.

Ald. Jeffrey **moved** to enter executive session at 7:16 p.m. to discuss contract negotiations. Seconded by Ald. Caldwell, approved ayes all.

Ald. Jeffrey **moved** to exit executive session at 7:46 p.m. Seconded by Ald. Caldwell, approved ayes all.

**RESOLUTION #2 - 2022 AUTHORIZING AGREEMENT WITH NORWICH CITY SCHOOL DISTRICT
FOR A SCHOOL SECURITY AND SCHOOL RESOURCE OFFICER**

Ald. Caldwell introduced the following and moved its adoption:

WHEREAS, Article 5-G of the New York State's General Municipal Law ("GML"), provides the authority for "municipal corporations" to enter into agreements for the performance between themselves, or one for the other, of their respective functions, powers and duties on a cooperative contract basis; and

WHEREAS, the School District and City are both "municipal corporations" as that term is defined by GML §119-n (a); and

WHEREAS, the School District and City have determined that it is in their mutual best interests to enter into this Agreement to provide for the assignment of officers to serve as School Resource Officer(s) and School Security Officer(s) in the Norwich City School District; now, therefore be it

RESOLVED, that the Mayor is hereby authorized to enter into an agreement under the direction of the City Attorney with the Norwich City School District for the services of the Norwich Police Department to provide for the assignment of officers to serve as School Resource Officer(s) and School Security Officer(s) in the Norwich City School District.

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

**RESOLUTION #3 - 2022 ADOPTING PROPOSED LOCAL LAW NO. (A) OF 2022 – CREATION OF
FLOOD MITIGATION COMMISSION**

Ald. Caldwell introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Local Law No. (A) of 2022 on January 7, 2022, to amend Chapter C for the creation of a Flood Commission; and

WHEREAS, a public hearing was held on January 18, 2022, in connection with said proposed Local Law; now, therefore be it

RESOLVED, that Local Law No. (A) of 2022 to amend Chapter C for the creation of a Flood Mitigation Commission, as received by the Common Council on January 7, 2022, be and hereby is adopted, and is hereby designated as Local Law No. 1 of 2022.

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

LOCAL LAW NO. 1
OF 2022

A LOCAL LAW TO AMEND CHAPTER C CHARTER
OF THE CITY OF NORWICH

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

A local law adopted pursuant to creation of a Flood Mitigation Commission in the City of Norwich.

Chapter C Charter

Title VII-I Flood Mitigation Commission

Section 159 Organization

The Flood Mitigation Commission shall be comprised of five members who shall be appointed by the Mayor. The chairperson shall serve a two year term, expiring at the end of each odd numbered year. The remaining members shall serve three year terms, with the terms of two members to expire at the end of each year.

Section 159-a Specific Powers and Duties

The specific powers and duties of the Flood Mitigation Commission shall include:

Making recommendations to the Mayor and the Common Council relative to any matters referred to it by the public or by City officials pertaining to the prevention of flooding within the City. This may include discussions with municipalities upstream and downstream as well and Federal, State and local agencies as it pertains to flood mitigation.

Recommend programs and funding for the control or prevention of flood waters.

Recommend any necessary rules and regulations to assist in the control or prevention of flood waters.

**RESOLUTION #4 - 2022 AUTHORIZING END OF YEAR 2021 BUDGET TRANSFER FOR FIRE
OVERTIME**

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

WHEREAS, funds need to be reallocated among line items to cover the cost of expenses through December 31, 2021; now, therefore be it

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

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A9060.8	General - Health Insurance	\$33,008.85

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3410.1020	Fire - Overtime	\$33,008.85

Seconded by Ald. Loomis and duly adopted, ayes all, 6 – 0, on a roll call vote.

Mayoral Appointments

Flood Mitigation Commission

- ◆ *Christine Carnrike, 29 Jones Avenue, appointed as Chairperson to a term expiring December 31, 2023.*
- ◆ *Luke Murphy, 9 Chenango Avenue, appointed to a term expiring December 31, 2024.*
- ◆ *Jim Kandora, 21 Hayward Avenue, appointed to a term expiring December 31, 2023.*

Mayor Doliver asked Ald. Caldwell to be the Council representative for the Commission.

Payment of January 2022 Bill List

Ald. Jeffrey **moved** to pay the January 2022 bills after proper audit and certification.

	<u>Prepaid</u>	<u>1/18/2022</u>	<u>Grand Total</u>
General Fund	\$131,343.82	\$87,691.21	\$219,035.03
Sewer Fund	15,932.18	4,137.79	20,069.97
Water Fund	19,402.86	4,037.01	23,439.87
Trust	30,572.78	-	30,572.78
BID	48,078.51		48,078.51
Comm. Dev. - Special Grants	1,290.00	-	1,290.00
Capital Projects	76,366.99	-	76,366.99
TOTALS	\$322,987.14	\$95,866.01	\$418,853.15

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

Executive Session

Ald. Caldwell **moved** to enter executive session to discuss the employment history of a particular individual at 7:55 p.m.

Seconded by Ald. Jeffrey, approved ayes all.

Ald. Jeffrey **moved** to exit executive session at 9:57 p.m. Seconded by Ald. Allaire, approved ayes all.

RESOLUTION #5 - 2022

**CREATION OF A FIREFIGHTER POSITION TO ACCOMMODATE
FOR MEDICAL LEAVE**

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

WHEREAS, Employee#: 342647 has been on an authorized medical leave commencing December 3, 2019 and lasting for an undetermined duration; and

WHEREAS, the City of Norwich Common Council has authorized the hiring of Mathew Parella into a temporary Firefighter position by resolution #: 51-2020 in the absence of Employee # 342647; and

WHEREAS, the duration of the temporary appointment for Firefighter Mathew Parella has expired; and

WHEREAS, the City of Norwich wishes to retain Firefighter Mathew Parella as a permanent employee; and

WHEREAS, as a result of retaining Firefighter Mathew Parella as a permanent employee there are not a sufficient number of classified Firefighter positions; now, therefore be it

RESOLVED, that the City of Norwich Common Council authorize the creation of one (1) Firefighter position under all of the following terms and conditions only:

1. This Firefighter position is being created solely for the purpose of maintaining the Firefighter with employee#: 342647 on the medical leave on the City of Norwich roster and may be filled only by the Firefighter with employee #: 342647 on the current medical leave commencing December 3, 2019.
2. Upon separation of service with the City of Norwich of employee#: 342647 by any means, this position will be permanently abolished immediately.
3. This new position will remain unfunded for the duration of its existence.
4. If the Firefighter with employee#: 342647 returns from the medical leave and/or is returned to the payroll, the City of Norwich Common Council requires the abolition of a Firefighter position effective the same date as the date of return from medical leave and/or return to the payroll of employee#: 342647 in which case the following will occur in the following order:
 - a. A vacant Firefighter position will be abolished.
 - b. If no vacant Firefighter positions exists the City of Norwich Civil Service Commission will follow the layoff rules and procedures prescribed by the City of Norwich Civil Service Rules and the New York State Civil Service Law.

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

Adjournment

Ald. Jeffrey **moved** to adjourn at 9:58 p.m. Seconded by Ald. Allaire, approved ayes all.