

COMMON COUNCIL

May 16, 2022

Mayor Brian Doliver presided at a meeting of the Common Council held at 6:30 PM on May 16, 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 Stephanie Hanrahan
Deputy City Clerk Agnes Eaton

Media Representative: none _____

Supervisor Robert M. Jeffrey arrived 6:32

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 April 5 and the regular meeting of April 26, 2022. Seconded by Ald. Gee and duly approved ayes all.

Public Hearing – Proposed Local Law (B) of 2022 - CHAPTER C Charter, Title XI Fire Department – Mayor Doliver opened the public hearing at 6:31 p.m. Hearing no comments the public hearing was closed at 6:32 p.m.

Open Forum

No one spoke.

Correspondence

Achieve Half K – Ald. Zieno **moved** to approve a request from Achieve for Police assistance for their Half K race on Saturday, October 22, 2022. The race will begin around 10 a.m. at East Park and ending at the Northeast Classic Car Museum. Seconded by Ald. Jeffrey, approved ayes all.

B.I.D. Cruise-In – Ald. Caldwell **moved** to approve a request from B.I.D. for the closure of East Park Place on Friday, May 27th from 4 p.m. to 8 p.m. for a Cruise-In. Seconded by Ald. Allaire, approved ayes all.

Gus Macker – Ald. Caldwell **moved** to approve a request from the YMCA for the street closure of Midland Dr. from the High School down to the Golden Artist parking lot from 8 a.m. on Friday, July 8 through 8 p.m. on Sunday, July 10th for their Annual Gus Macker Tournament. Special Event designation is requested along with bleachers, picnic tables and a water attachment to a fire hydrant near the Middle School Circle. Seconded by Ald. Jeffrey, approved ayes all.

Memorial Day Parade – Ald. Caldwell **moved** to approve a request from the American Legion for Police assistance for the Memorial Day Parade on Monday, May 30, 2022. Assembly at the VFW at 10:15 a.m. with the parade commencing at 11:00 a.m., proceeding down East and West Main to West Park where ceremonies will take place and concluding at approximately 12:00 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Proclamation – Mayor Doliver read the following proclamation:

National Poppy Day

WHEREAS, we would like to expressing support for the designation of May 27, 2022, as “National Poppy Day” and recognizing the importance of honoring those that have worn our nation’s uniform; and

WHEREAS, poppies are worn and displayed as a symbolic tribute to our fallen and the future of living veterans and servicemembers; and

WHEREAS, at the end of World War I, The American Legion adopted the poppy as a symbol of freedom and the blood sacrificed by troops in wartimes; and

WHEREAS, the use of the poppy symbolically comes from the poem In Flanders Fields, which movingly begins, “In Flanders Fields the poppies blow, between the crosses, row on row,” referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and

WHEREAS, The American Legion Family has long utilized the red poppy as its official flower, symbolizing the blood shed by those who have served in our U.S. military, and it is fitting that as The American Legion and American Legion Auxiliary approach their 100th anniversaries, they expand the meaning and symbolism of the poppy, mirroring the manner in which the poppy is symbolically showcased in England and Canada in celebratory fashion on their Remembrance Day, also known as Armistice Day and Poppy Day; and

WHEREAS, wearing a poppy will unite citizens from across the country who decide to show their patriotism; and

WHEREAS, May 27, 2022, would be an appropriate date to designate as “National Poppy Day”: now, therefore, be it

PROCLAIMED, that the City of Norwich supports the designation of May 27, 2022 as “National Poppy Day;” and encourages all citizens, residents, and visitors in the City to join in observing this day to honor every servicemember who has died in the name of liberty, freedom and democracy while also showing their support for living veterans, servicemembers and their families.

Department, Board and Commission Reports

- ◆ Finance Report – December, January, February and March
- ◆ Human Resource Report – April
- ◆ Fire Department Report - April
- ◆ Parks Commission Minutes – March
- ◆ Youth Bureau Minutes – May
- ◆ Planning Commission Minutes – April
- ◆ Traffic Commission Minutes - May

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

Mayoral Appointments – Mayor Doliver announced the following Mayoral appointments:

Civil Service Commission

- ◆ *Sue Mirabito, reappointed to a six-year term expiring May 31, 2028.*

Youth Board

- ◆ *Jessica Hagenbuch, 8 Pleasant Street, appointed to a three-year term expiring December 31, 2024.*
- ◆ *Marie Loughren, 30 Berry Street, appointed to a three-year term expiring December 31, 2024.*

Ward Reports

Ward 1

Ald. Caldwell reported many communications which have been forwarded to the proper department for resolution.

Ward 2

Ald. Gee reported many communications which have been forwarded to the proper department for resolution. The most concerning was regarding the encampment under the West Main St. bridge and thanked the Police Department for responding quickly.

Ward 3

Ald. Allaire reported a communication regarding a code issue which has been resolved and an inquiry about the sidewalk replacement program.

Ward 4

Ald. Loomis reported communications about a fencing issue which Golden Age will take care of, mowing issues, and one regarding the area behind China Buffet.

Ward 5

Ald. Zieno reported communications about codes issues which have been referred to Code Enforcement and others about potholes.

Ward 6

Ald. Jeffrey reported communications regarding high grass and trash, several questions regarding Spring cleanup, and a street tree removal request. He asked about the bumpy patch where NYSEG was working at Silver and Mitchell intersection. E. Pepe said NYSEG is not finished there but would follow up on it.

Mayor Doliver announced the first “Coffee with the Chiefs” on June 4th at Deja Brew from 9 a.m. to 11 p.m. where the public can come and ask questions from the Police and Fire Department Chiefs.

Scheduling an Open House for the Filter Plant was also discussed.

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

Motions

Traffic Commission Referral - Golden Age signage and crosswalk – Ald. Loomis **moved** to approve installation of a crosswalk and signage as recommended at the Golden Age Apartments. Seconded by Ald. Jeffrey, approved ayes all.

Museum District Curb Installation – Ald. Loomis **moved** to permit cutting into Rexford St. ahead of the 3-year moratorium on cutting into a freshly paved street and to approve installation of new curbing by the Friends of the Museum District on Rexford St. from North Broad St. to the railroad tracks. The City will incur no expense for the work or materials. Seconded by Ald. Jeffrey, approved ayes all.

RESOLUTION #33 - 2022

CONDUCT A CLEAN HEATING & COOLING CAMPAIGN

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

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) allows communities to earn credit for the Community Campaigns High-Impact Action under NYSERDA’s Clean Energy Communities Program; and

WHEREAS, the City of Norwich wants to support clean energy initiatives that help reduce greenhouse gas emissions, while simultaneously reducing expenses for the City and its residents; and

WHEREAS, a Clean Heating & Cooling campaign is an effective way to educate the public about the benefits of air and ground-source heat pumps; now, therefore be it

RESOLVED that the City of Norwich will undertake a Clean Heating & Cooling Campaign in accordance with NYSERDA guidelines.

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

RESOLUTION #34 - 2022

AUTHORIZING LEASE RENEWAL FOR PORTION OF CITY PARKING LOT TO NORWICH BUFFET

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

WHEREAS, in on August 19, 2014 a lease for two parking spots for the placement of dumpsters was granted to Ruohua Chen, owner of the Norwich Buffet; and

WHEREAS, the lease will expire on May 31, 2022 and needs to be renewed; and

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

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and execute a lease agreement with Ruohua Chen, owner of the Norwich Buffet, for the purpose of locating two dumpsters in the two parking spaces in the southwest corner of the City parking lot bordered by Fair and Court Streets, to include appropriate screening and other specifications as required by the City Codes Officer.

Seconded by Ald. Allaire, and duly adopted, 5 - 1, with Ald. Jeffrey voting nay on a roll call vote.

RESOLUTION #35 - 2022

ADOPTING PROPOSED LOCAL LAW NO. (B) OF 2022 – CHAPTER C TITLE XI. FIRE DEPARTMENT

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

WHEREAS, the Common Council received proposed Local Law No. (B) of 2022 on May 3, 2022, to amend Chapter C TITLE XI. Fire Department; and

WHEREAS, a public hearing was held on May 17, 2022, in connection with said proposed Local Law; now, therefore be it

RESOLVED, that Local Law No. (B) of 2022 to amend Chapter C TITLE XI. Fire Department, as received by the Common Council on May 5, 2022, be and hereby is adopted, and is hereby designated as Local Law No. 2 of 2022.

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

**LOCAL LAW NO. 2
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 TITLE XI. Fire Department in the City of Norwich.

Chapter C. Charter

TITLE XI. Fire Department

Section 190. How constituted.

[Amended 12-3-1996 by L.L. No. 3-1996]

The Fire Department shall be composed of the Fire Chief and as many paid fire personnel and volunteer members as the Common Council shall approve. There shall be three (3) Volunteer Assistant Fire Chiefs who shall serve at the discretion of the Fire Chief.

Section 191. Volunteer Assistant Chiefs, how elected.

[Amended 12-3-1996 by L.L. No. 3-1996]

The three (3) Volunteer Fire Chiefs shall be elected in accordance with the constitution and by-laws of the Norwich Fire Department.

Section 192. Deleted. [12-3-1996 by L.L. No. 3-1996]

Section 193. Volunteer Members to continue.

[Amended 12-3-1996 by L.L. No. 3-1996]

~~The present volunteer members of the City of Norwich shall continue as volunteer members of said city, subject to removal by the Fire Chief and the Common Council; other volunteer members shall be appointed and vacancies filled in the different companies of the Fire Department, by the Common Council and Chief, upon the nomination of the members of the company in which such appointment is to be made or vacancy filled; the Common Council and Chief may refuse to appoint such nominee if in their judgment said candidate ought not be appointed.~~

Section 194. New Companies.

The Common Council shall have the power in their discretion to disband any fire, hook and ladder, or hose companies in case they deem it necessary or in case any said company may prove refractory, and, as often as they may judge the interests of the city may require, organize new volunteer fire companies.

Changes are crossed out to Delete Section 193.

RESOLUTION #36 - 2022

**DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED
PROPERTY AT 10 PROSPECT STREET**

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

WHEREAS, the City of Norwich acquired the real property at 10 Prospect 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 Ethan Swarts 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; now therefore be it

RESOLVED, that the Common Council hereby designates Ethan Swarts of Norwich, NY as the "preferred purchaser" of the City-owned property at 10 Prospect 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 10 Prospect Street to Ethan Swarts.

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

RESOLUTION #37 - 2022 AWARDING BID - 2022 GRINDING & PAVING PROGRAM

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

WHEREAS, bids for the 2022 Street Rehabilitation Program were opened on May 16, 2022; and

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

WHEREAS, due to the lack of funds for all streets included in the bid, the following will be removed: Coomes, Francis (dead end), Northrup, Morse, Terrace, and Tillman; now, therefore be it

RESOLVED, that the bid for the 2022 Grinding & Paving Program be awarded to the lowest qualified bidder meeting specifications, Broome Bituminous Products, of Vestal, NY, in the grand total amount of \$847,018.38.

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

Discussion: Ald. Zieno wondered if the manholes could be more on grade with the asphalt, stating that some are so low they are equivalent to a pothole. E. Pepe stated he will keep watch during this year's paving. Ald. Loomis concurred with Ald. Zieno and also mentioned that there is a chunk of asphalt near the railroad tracks on Rexford St. The budgeted amount for paving was \$950,000, however D. DuFour reminded the Council that rising oil prices, possible fuel surcharges, and change orders are always possible and this provides a cushion for those expenses. Ald. Jeffrey asked to address the drainage issue on Brown Ave. before paving the street.

Payment of Bills

Ald. Caldwell **moved** to pay the May 2022 bills after proper audit and certification.

	<u>Prepaid</u>	<u>5/17/2022</u>	<u>Grand Total</u>
General Fund	\$373,400.26	\$628,018.98	\$1,001,419.24
Sewer Fund	42,169.58	11,901.09	54,070.67
Water Fund	42,193.68	4,526.27	46,719.95
Trust	29,334.11	-	29,334.11
Debt Service		-	
Comm. Dev. - Special Grants	60.00	-	60.00
Capital Projects	16,960.00	-	16,960.00
TOTALS	\$504,117.63	\$644,446.34	\$1,148,563.97

Seconded by Ald. Gee 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 7:02 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Ald. Caldwell **moved** to exit executive session at 7:27 p.m. Seconded by Ald. Gee, approved ayes all.

Adjournment

Ald. Jeffrey **moved** to adjourn at 7:28 p.m. Seconded by Ald. Loomis, approved ayes all.