

COMMON COUNCIL

September 21, 2021

Mayor Shawn Sastri presided at a meeting of the Common Council held at 6:30 PM on September 21, 2021, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Shawn Sastri
Ald. Matthew Caldwell
Ald. Brian Doliver
Ald. Nancy Allaire
Ald. Linda Kays-Biviano
Ald. David Zieno
Ald. Robert D. Jeffrey

Also:

DPW Superintendent Edward Pepe
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 Sastri at 6:36 p.m.

Approval of Minutes

Ald. Zieno **moved** to approve the minutes of the regular meeting of August 17, 2021. Seconded by Ald. Kays-Biviano and duly approved ayes all.

Open Forum

No one spoke

Proclamation – Mayor Sastri presented the following Proclamation to Susan Morehead in honor of her retirement after 48 years of service to the Guernsey Memorial Library:

WHEREAS, Susan Morehead was born and raised in Chenango County and has been committed to the Community in many ways through her personal and professional life; and

WHEREAS, Susan Morehead has been a community fixture at Guernsey Memorial Library, now retiring after 48 years of service to our community; and

WHEREAS, Susan Morehead further served the City by acting as Interim Director of Guernsey Memorial Library on two occasions. Participating in every library-based campaign for other community non-profit organizations, she enjoyed supporting the Chenango County United Way.

WHEREAS, in 2010 Susan was honored by the New York State Library Assistant's Association with the Craig Koste Award for Outstanding Service, given in recognition of her distinguished service to her community and New York State.; now, therefore be it

RESOLVED, that I, Shawn Sastri, Mayor of the City of Norwich, on behalf of the citizens of the City of Norwich, do hereby proclaim September 21, 2021 as "Susan Morehead Day" in the City of Norwich to recognize her years of hard work and dedication to the Community and the City of Norwich.

In Recognition – Mayor Sastri announced that he presented the Norwich Girls Swimming and Diving team with a Certificate of Recognition at today's swim meet for their assistance with building the new playground at Greenway Park.

Correspondence

Curb Cut on Diamond St. –Ald. Zieno **moved** to approve the curb cut for the property at the corner of Diamond and East Main St.. Seconded by Ald. Kays-Biviano, approved ayes all.

Curb Cut on 14 Beebe Ave. –Ald. Kays-Biviano **moved** to approve the curb cut at 14 Beebe Ave. Seconded by Ald. Caldwell, approved ayes all.

Christmas Light Parade – Ald. Caldwell **moved** to approve a request from the Norwich Business Improvement District for a Christmas Light Parade on November 27, 2021 at 6:15 p.m. The B.I.D. will keep the City apprised of its progress as they may need assistance from the Police for the event. Seconded by Ald. Allaire, approved ayes all.

Pumpkin Festival – Ald. Caldwell **moved** to approve a request from the B.I.D. for closure of East Park Place on October 30, 2021 beginning at 8 a.m. until cleanup later the same day for a smaller version of the Pumpkin Festival. This will be held in conjunction with the Trunk-or-Treat and YMCA parade all happening on the same day. Seconded by Ald. Kays-Biviano, approved ayes all.

Ray's Kitchen New Liquor License Application – Ald. Doliver **moved** to receive, file and approve the new liquor license application from Ray's Kitchen located at 28-30 Griffin St. Seconded by Ald. Jeffrey, approved ayes all.

YMCA Halloween Parade – Ald. Kays-Biviano **moved** to approve the request from the YMCA street closures and Police Assistance for the Annual YMCA Halloween Parade on October 30, 2021 beginning at 11 a.m. The parade route will proceed on South Broad St. starting at Beebe Ave. and ending behind the Red Roof Inn and Fair St. Seconded by Ald. Allaire, approved ayes all.

Department, Board and Commission Reports

- ◆ Traffic Commission Minutes– June
- ◆ Youth Board Minutes – September
- ◆ Police Department Report – August
- ◆ Finance Report - August
- ◆ Fire Department Report - August

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

Ward Reports

Ward 1

Ald. Caldwell reported communications regarding routine scheduling, a Codes issue, and received compliments for both the Police and Fire Departments. He announced there will be a recognition for McLaughlin's October 1st.

Ward 2

Ald. Doliver reported the neighborhood watch is appreciative of all the efforts taken by the City Police, Fire and Code Enforcement Departments.

Ward 3

Ald. Allaire reported communications which have been forwarded to the proper party for resolution.

Ward 4

Ald. Kays-Biviano reported communications regarding a possible drug house on Mitchell St. which has been forwarded to the proper departments.

Ward 5

Ald. Zieno reported a curb cut request and a complaint regarding hedges, both which have been resolved. He thanked all the volunteers that worked on the new playground installation at Greenway Park, including NBT, the Greenway Conservancy, the Norwich Girls Swimming and Diving Team, Chris Sprague, Ed Pepe and the DPW crew.

Ward 6

Ald. Jeffrey reported communications thanking Codes for the cleanup of the property on Birdsell St. He also spoke with Codes regarding an unregistered vehicle and thanked DPW for their wind storm response with the downed light pole and getting the street sweeper out more frequently. He also had a communication regarding ongoing Code and Police issues at 134 S Broad St.

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

- ◆ **Amending the draft of the minutes from the 8/10/21 special emergency Common Council meeting** - Ald. Caldwell **moved** to Amend the draft minutes of the 8/10/21 special emergency Common Council meeting to reflect the following changes to the wording of Resolutions #52-2021, #53-2021 and #54-2021. Seconded by Ald. Doliver, approved ayes all.

RESOLUTION #52 - 2021 **CREATION OF FIREFIGHTER ~~IN-TRAINING~~ POSITIONS**

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

WHEREAS, the City Council has reviewed the proposed job duties, requirements and qualifications; and

WHEREAS, the City Council desires to create two (2) new positions to ~~provide training to new employees filling the position of Firefighter~~ *to be filled only when the City has received written resignations or written letters of retirement from currently employed firefighters and a fire academy is scheduled to begin prior to the effective date of resignation or retirement*; and

WHEREAS, the City of Norwich Civil Service Commission has classified the position as full-time and competitive; now, therefore be it

RESOLVED, that the job duties, job description, requirements and qualifications are hereby approved; and further be it

RESOLVED, that the two (2) positions of Firefighter ~~In-Training~~ be and hereby are authorized to be created; and further be it

RESOLVED, that the *two* (2) Firefighter ~~In-Training~~ positions will be paid at the entry rate.

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

Discussion before the vote: Ald. Caldwell clarified that these are Firefighter positions used only for training purposes and would not be a Firefighter Trainee, but a Firefighter ~~in-training~~. ~~The job title of Firefighter Trainee was changed to reflect~~
~~that they are a Firefighter In-Training since a job description and qualifications might be different.~~

RESOLUTION #53 - 2021 **APPOINTMENT OF FIREFIGHTER IN THE NORWICH FIRE DEPARTMENT**

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

WHEREAS, a position of Firefighter ~~In-Training~~ has been created in the Norwich Fire Department; and

WHEREAS, the Fire Chief has recommended the appointment of Jason Pierce of Sherburne, NY, to such position; now, therefore be it

RESOLVED, that Jason Pierce of Sherburne, NY, be and hereby is granted an appointment as Firefighter ~~In-Training~~ in the Norwich Fire Department, effective August 13, 2021; and further be it

RESOLVED, the Jason Pierce will be paid at the entry rate of \$43,640.30.

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

Discussion before the vote: Ald. Jeffrey asked what the process is to determine positions. L. Murray stated from the Civil Service eligible list it is the top three scores. Canvassing for positions begins with candidates having the top 3 scores first. Candidates will be restricted if not having their EMT or Paramedic continuing down the list. She stated that from the current eligible list there ended up being only 3 candidates to choose from after another 3 had failed the CPAP test.

RESOLUTION #54 - 2021

APPOINTMENT OF FIREFIGHTER IN THE NORWICH FIRE DEPARTMENT

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

WHEREAS, a position of Firefighter ~~In Training~~ has been created in the Norwich Fire Department; and

WHEREAS, the Fire Chief has recommended the appointment of Jon Manwarren of South Plymouth, NY, to such position; now, therefore be it

RESOLVED, that Jon Manwarren of South Plymouth, NY, be and hereby is granted an appointment as Firefighter ~~In Training~~ in the Norwich Fire Department, effective August 14, 2021; and further be it

RESOLVED, the Jon Manwarren will be paid at the entry rate of \$43,640.30.

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

Discussion before the vote: L Murray stated the hire dates between the new hires is different to establish seniority. Ald. Caldwell stated that seniority will be determined by the Eligible List.

- ◆ **Set Public Hearing for Proposed Local Law No. (A) of 2021 – Cannabis Law §131 Opting out of licensing and establishing retail cannabis dispensaries and on-site consumption establishments** – Ald. Caldwell **moved** to set a Public Hearing for October 19, 2021 at 6:30 p.m. to hear comment on proposed Local Law No. (A) of 2021. Seconded by Ald. Doliver and duly adopted, 6 – 0, approved ayes all.

Local Law No. (A) 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.

Resolutions

RESOLUTION #63 - 2021 DECLARING LADDER TRUCK 237 AS SURPLUS AND AUTHORIZING DISPOSAL

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

WHEREAS, certain Ladder Truck 237 is deemed to be surplus by the Fire Department; and

WHEREAS, the Finance/Personnel Committee has made certain recommendations; now, therefore be it

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

1994 E1 Cyclone Ladder Truck VIN 4ENDABA8XR1003252

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

RESOLUTION #64 - 2021 AUTHORIZING APPOINTMENT TO POOL & GROUNDS TECHNICIAN

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

WHEREAS, a vacancy exists for a Pool & Grounds Technician; and

WHEREAS, the DPW Superintendent has recommended Philip Francisco of Bainbridge, NY, for the position of Pool & Grounds Technician; and

WHEREAS, the Joint Committee has reviewed and concurred with said recommendations; now, therefore be it

RESOLVED, that Philip Francisco of Bainbridge, New York, be and hereby is provisionally appointed to the position of Pool & Grounds Technician at \$17.66, effective September 22, 2021 and subject to such 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.

RESOLUTION #65 - 2021 **APPOINTMENT OF SECRETARY II IN THE POLICE DEPARTMENT**

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

WHEREAS, a Secretary II position has been created in the Police Department; and

WHEREAS, the Police Chief has made certain recommendations; and

WHEREAS, the Joint Committee concurred with said recommendations; now, therefore be it

RESOLVED, that Zachary Meseck of Oxford, New York, be and hereby is provisionally appointed to the position of Secretary II at \$15.88, effective September 22, 2021 and subject to such 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.

RESOLUTION #66 - 2021 **APPOINTMENT OF POLICE OFFICER**

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

WHEREAS, vacancies exist in the Norwich Police Department, and;

WHEREAS, the Police Chief has made a recommendation to appoint Samuel Stratton of Norwich, New York and;

WHEREAS, the City Council has concurred with the recommendation, now, therefore be it

RESOLVED, that Samuel Stratton of South New Berlin, NY, be and hereby is granted a permanent appointment as a lateral transfer Police Officer in the City of Norwich Police Department effective September 25, 2021 at the rate of \$29.56; and further be it

RESOLVED, that the appointment is contingent upon successfully passing the required medical and psychological examinations, background check and any action necessary from the Norwich Civil Service Commission.

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

RESOLUTION #67 - 2021 **AUTHORIZE TRANSFER OF FUNDS FROM SEWER MAIN RESERVES**

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

WHEREAS, the repair of sewer lines in the Hillview Drive area of the City has been realized; and

WHEREAS, the DPW Superintendent has made certain recommendations; and

WHEREAS, the repair cost is \$26,500 and would need to come from Sewer Main Reserves; now therefore be it

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

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR34	Capital Reserves – Sewer Mains	\$26,500

<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
G8120.4040	Sanitary Sewers – Repairs and Maintenance	\$26,500

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

Payment of September 2021 Bills

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

	<u>Prepaid</u>	<u>9/21/2021</u>	<u>Grand Total</u>
General Fund	\$701,840.38	\$123,165.44	\$825,005.82
Sewer Fund	23,014.70	43,053.78	66,068.48
Water Fund	19,079.29	43,995.32	63,074.61
Trust	45,442.55	-	45,442.55
Debt Service		-	
Comm. Dev. - Special Grants	4,100.00	-	4,100.00
Capital Projects	1,162.50	-	1,162.50
TOTALS	\$794,639.42	\$210,214.54	\$1,004,853.96

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

It was clarified that the Community Development Director position was already approved to refill. The next time it came before the Council would be when a person was hired for the position except if the job description is being changed. In that case the new job description should be approved by Council.

Adjournment

Ald. Caldwell **moved** to adjourn at 7:01 p.m. Seconded by Ald. Jeffrey, approved ayes all.