

COMMON COUNCIL

October 19, 2021

Mayor Shawn Sastri presided at a meeting of the Common Council held at 6:30 PM on October 19, 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:

Director of Finance/City Clerk Dee DuFour
Fire Chief Jan Papelino
Police Chief Rodney Marsh
City Attorney Steve Natoli
Deputy City Clerk Agnes Eaton

Media Representative: Sarah Genter, The Evening Sun
Fox 40 News

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 6:31 p.m.

Approval of Minutes

Ald. Kays-Biviano **moved** to approve the minutes of the special meeting of August 10, 2021 and the regular meeting of September 21, 2021. Seconded by Ald. Caldwell and duly approved ayes all.

Executive Session

Ald. Caldwell **moved** to enter executive session to discuss potential litigation at 6:32 p.m. Seconded by Ald. Kays-Biviano, approved ayes all.

Ald. Jeffrey **moved** to exit executive session at 6:38 p.m. Seconded by Ald. Caldwell, approved ayes all.

Public Hearing – Adoption of Proposed Local Law No. A 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.

Mayor Sastri opened the Public Hearing at 6:40 p.m.

Dr. Yusef Harper, 13 Morse Ave., said he supports decriminalization and the use of marijuana in private spaces. He strongly disagrees the socialization and commercialization of marijuana, saying the “cost” would be much higher than any tax revenues. Dispensaries and on-site consumption establishments both bring problematic issues which may occur on the street, in parking areas and on the road from using marijuana which is an intoxicant. Those who will sell illegally and unregulated will now have an identified market. He suggested the Sheriff’s office be designated to handle enforcement rather than the City. He urges the opt-out of both dispensaries and on-site consumption.

Monty Holt, Holts Hemp Emporium, 29 South Broad St., stated he is in favor of dispensaries which will take away the criminal element away. Benefits would be jobs and tax collection. He has been speaking with a representative in Albany and stated there may be only a certain number of licenses [issued by the State]. Other towns and villages he spoke with have opted out, so having a dispensary in Norwich will bring people here. He is not in favor of on-site consumption spots, saying that people are already consuming in bars and any other place where smoking is allowed. The concern is

driving while under the influence of marijuana. He said the west coast has been doing this for 20 years and the tax revenue is in the billion dollar range. Ald. Zieno asked about what age is allowed into his business and whether he has had any disturbances at his business. He said no one under the age of 21 is allowed and he has had no disturbances in his year and a half of business. Mr. Holt stated that medical marijuana is controlled by the State at \$520 per ounce. He has not been able to ascertain if the State will be controlling the price or if the dispensaries will be able to set their price. He views marijuana not as a drug, but more like alcohol and safer than alcohol and further stated it cures cancer. Ald. Caldwell asked him, as a business owner, if he was concerned about the State not having regulations in place yet and Mr. Holt said he was not.

Andrea MacIntosh, Preston, in reference to marijuana being called an intoxicant pointed out that alcohol is an intoxicant, yet it is sold in restaurants, bars and liquor stores. She said Preston has decided to opt-in [no legislation to opt-out] to allow dispensaries and on-site consumption. A dispensary would provide sales tax, revenue and jobs. Marijuana use is already here so there should be a legitimate and safe way to obtain it while also receiving the benefits from sales. In addition, there is the medicinal value, improving quality of life of those suffering and in pain.

Dr. James Lentini, 82 Pleasant St., pointed out that the State regulates opiates and there is still an opiate problem. How effective will the State be at regulating marijuana? He refuted the claim that marijuana cures cancer. However it can increase the quality of life, but so can opiates and he would not recommend those either. Further, smoking of any kind damages the lungs. Socialization of marijuana is not in everyone's interest. The taxes received will be diluted by the cost of the collection of those taxes. If you speak with any physician, police officer or mental health professional, 99% of them would say that those with addiction problems started with marijuana. The more it is available, the more people will use it.

A gentleman asked some questions which have been answered previously.

Prior to tonight's public hearing there were 19 letters received regarding the proposed cannabis law. 18 - Support allowing cannabis dispensaries; 1 - Against cannabis dispensaries; 1 - Against on-site consumption. Only 1 out the 19 letters specifically mentioned on-site consumption.

Hearing no further comments, Mayor Sastri closed the public hearing at 7:09 p.m.

Open Forum

Karol Kucinski addressed the Council and felt that the general reason of "potential litigation" was not a legal reason for entering executive session. He said there should be further explanation. The City Attorney addressed Mr. Kucinski, telling him that potential litigation is a valid reason for entering executive session.

Correspondence

Chenango Blues Fest 2022 Summer Concert Series – Ald. Kays-Biviano **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. Zieno, approved ayes all.

Rexford Street Decorative Lights – Ald. Jeffrey **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 Caldwell, approved ayes all.

YMCA Turkey Trot – Ald. Zieno **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. Kays-Biviano, approved ayes all.

Mayoral Appointments – Mayor Sastri announce the following 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 term expiring September 30, 2026.*

Ald. Zieno **moved** to approve the Council re-appointment of Jack Roque. Seconded by Ald. Kays-Biviano, approved ayes all.

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
- ◆ Park Commission Minutes – May
- ◆ Police Department Report – September

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

Ward Reports

Ward 1

Ald. Caldwell reported communications regarding the Cannabis legislation with constituents who shared their opinions with him. He thanked Karol Kucinski for his help in organizing the candidate forum that was held on Sunday.

Ward 2

Ald. Doliver reported communications regarding the Cannabis legislation and also couple Code issues.

Ward 3

Ald. Allaire reported five communications regarding the Cannabis legislation. She said getting people's input helps her to form a decision.

Ward 4

Ald. Kays-Biviano reported communications regarding the Cannabis legislation – some had concerns while other were in support. She also said that having discussions help her to make an informed decision as to what people want.

Ward 5

Ald. Zieno reported communications regarding the Cannabis legislation – one being opposed with the rest being in favor of dispensaries while not in favor of on-site consumption.

Ward 6

Ald. Jeffrey reported communications regarding the Cannabis legislation. He said it is a community decision and it is important to get their feedback. He also had communication regarding a Code issue, a Police concern and potholes, all of which are in the process of being addressed.

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

Motions

- ◆ **Designating Day and Hours of Trick or Treating** – Ald. Jeffrey **moved** to set Trick-or-Treat as Sunday, October 31, 2021 from 5:30 p.m. to 8:00 p.m. Seconded by Ald. Allaire, approved ayes all.
- ◆ **Approve Changes to Employee Handbook** – Ald. Kays-Biviano **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. Jeffrey, approved ayes all.

- ◆ **Approve Revised Community Development Director Job Description** – Ald. Zieno **moved** to approve the revised Community Development Director job description. Seconded by Ald. Jeffrey, approved ayes all.

Resolutions

RESOLUTION #68 - 2021

ADOPTING PROPOSED LOCAL LAW NO. (A) 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

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.

Ald. Caldwell **moved** to amend the Resolution by opting out of on-site consumption establishments only. Seconded by Ald. Zieno, and duly adopted the amendment, 6 - 0, on a roll call vote. The amended Resolution for Local Law No (A) of 2021 will be put on the Special Common Council agenda for November 1, 2021.

RESOLUTION #69 - 2021

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

Ald. Jeffrey 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. Caldwell and duly adopted, 5 - 1, on a roll call vote with Ald. Kays-Biviano voting nay.

RESOLUTION #70 - 2021

AUTHORIZING ADDITIONAL ADP SERVICES FOR HUMAN RESOURCES

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

RESOLUTION #71 - 2021

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

Ald. Caldwell 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 Muncity software for \$34,434.18; now, therefore be it

RESOLVED, that the purchase of the upgraded Muncity 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. Jeffrey, and duly adopted, 6 - 0, on a roll call vote.

RESOLUTION #72 - 2021 AUTHORIZING PURCHASE OF LOADER AND TRANSFER OF FUNDS

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

RESOLUTION #73 - 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, 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. Zieno, and duly adopted, 6 - 0, on a roll call vote.

Ald. Jeffrey expressed disappointment that the extra funds were not brought to the Common Council prior to the work being done and hoped in the future change orders would be addressed before the work was completed.

RESOLUTION #74 - 2021**UPDATING MUNICIPAL FEES AND FINES SCHEDULE**

Ald. Jeffrey 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 <i>.11 a gallon</i>
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. Caldwell, and duly adopted, 6 - 0, on a roll call vote

RESOLUTION #75 - 2021 DECLARING VEHICLE SURPLUS AND AUTHORIZING DISPOSAL

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

RESOLUTION #76 -- 2021

**AUTHORIZING PURCHASE OF COMPUTERS AND OUTFITTING OF
POLICE CAR AND TRANSFER OF FUNDS**

Ald. Caldwell 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	\$17,092.19
A889PD	Reserves	\$ 740.93

To:

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

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

RESOLUTION #77 - 2021

AUTHORIZING NON-UNIT COMPENSATION SCHEDULE

Ald. Caldwell 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>ASSESSMENT</u>	<u>2022 Base Annual Salary</u>	<u>2022 Salary Range</u>
Assessor (8 hours/week)	\$21,347	\$17,641 - \$23,291

CITY ATTORNEY

City Attorney **	\$37,362	
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DEPARTMENT OF FINANCE / CLERK

Director of Finance/City Clerk	\$92,363	\$69,756 - \$92,363
Deputy City Clerk	\$49,866	\$37,661 - \$49,866

**DEPARTMENT OF PUBLIC
WORKS/WATER/SEWER**

Superintendent of Public Works	\$94,014	\$77,462 - \$102,561
Asst. Supt. of Pub Works (Vacant)	TBD	\$60,836 - \$80,548

EMERGENCY PREPAREDNESS

City EMO Director *	\$9,183	
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FIRE DEPARTMENT / EMS / CODES

Fire Chief	\$92,363	\$69,756 - \$92,363
Ordinance Inspector - 30 hrs.	\$34,900	\$34,900

HUMAN RESOURCES

Human Resources Director	\$67,320	\$63,985 - \$87,260
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POLICE DEPARTMENT

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

RESOLUTION #78 - 2021

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

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

RESOLUTION #79 - 2021

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

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

RESOLUTION #80 - 2021

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

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

RESOLUTION #81 – 2021 **PROMOTING POLICE OFFICER TO POLICE SERGEANT**

Ald. Kays-Biviano 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. Jeffrey and duly adopted, 5 - 1, on a roll call vote with Ald. Caldwell voting nay.

Discussion before the vote: Ald. Caldwell stated he would be voting no on both Police Sergeant Resolution. Although he feels that both Officers are qualified and deserving of the positions, he does not believe that having different appointment dates when both are from the same eligible list is appropriate. It is a way of manipulating the list for the sake of any potential layoffs in the future.

RESOLUTION #82 – 2021 **PROMOTING POLICE OFFICER TO POLICE SERGEANT**

Ald. Jeffrey 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. Kays-Biviano and duly adopted, 5 - 1, on a roll call vote with Ald. Caldwell voting nay.

Discussion before the vote: Ald. Jeffrey, referencing Ald. Caldwell's concern about appointment dates, asked if they could modify the Resolution to the same appointment dates. A. Eaton suggested waiting for L. Murray before changing it. Ald. Caldwell stated it is a technical decision on his part and would not dispute these officers are deserving on the promotion. His decision is based on his knowledge of how the appointment process works. The City Attorney confirmed the process to change the Resolution if warranted, but his recommendation is to not change anything at this time as he is unfamiliar with any rules or regulations in place by Civil Service. R. Marsh stated that the positions need to be sorted by seniority, therefore you cannot have the same appointment date. The appointment dates for each were based on test scores.

Payment of October 2021 Bills

Ald. Kays-Biviano **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. Caldwell and duly adopted 6 - 0.

2022 Budget Revenues and Miscellaneous Budgets – D. DuFour distributed the Revenues and Expenses for the 2022 Budget. Revenue highlights include an increase in Sales Tax and Fire Protection, Ambulance Recovery stayed the same, and a decrease in State Aid. Miscellaneous Budgets included Records Management, Management Info Systems and Employee Benefits. The total of these budgets results in a decrease over 2021.

Regarding the positions of Assistant DPW Superintendent, Animal Control Officer and Ordinance Inspector that have been previously discussed, D. DuFour asked whether she should include them in the 2022 Budget with the Ordinance Inspector at 29 hours. Discussion ensued and it was decided to add all positions into the budget to see if it remains under the 2% tax cap. They can be removed from the budget if necessary.

Ald. Caldwell revisited the Sergeant promotions saying that the officer with the appointment date of today ranked higher on the eligible list than the one with the appointment date of tomorrow, so the impact is ultimately the same whether they have the same date or not. R. Marsh stated the different dates [which are based on the score and rank on the eligible list] are used to establish seniority in the case of layoffs. Further discussion ensued. Ald. Caldwell asked if he could change his vote to “aye” on the two promotions to which the City Attorney said it was too late.

Adjournment

Ald. Caldwell **moved** to adjourn at 8:23 p.m. Seconded by Ald. Kays-Biviano, approved ayes all.