

COMMON COUNCIL

August 16, 2022

Acting-Mayor Ald. Nancy Allaire presided at a meeting of the Common Council held at 6:30 PM on August 16, 2022, in the Common Council Chambers at One Court Plaza.

Present:

Ald. Eric Warren
Ald. Fred Gee
Ald. Nancy Allaire
Ald. William Loomis
Ald. David Zieno

Supervisor Robert M. Jeffrey

Absent

Mayor Brian Doliver
Ald. Robert D. Jeffrey
Supervisor James McNeil

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
EMO Stephen Cady
Community Development Director Erik Scrivener
City Attorney Stephanie Hanrahan
Deputy City Clerk Agnes Eaton

Media Representative: Sarah Genter, The Evening Sun

Call to Order

The meeting of the Common Council was called to order by Acting-Mayor Ald. Allaire at 6:30 p.m.

Nominations for Alderman Ward 1

The Ald. Allaire opened the nominations for Alderman of Ward 1 following the resignation of Ald. Caldwell. Ald. Gee **moved** to nominate Eric Warren of 28 Locust St. to Alderman of Ward 1. Seconded by Ald. Loomis. There being no other nominations, Acting Mayor Allaire declared the nominations closed and the following resolution was considered.

RESOLUTION #57 - 2022

APPOINTING ALDERMAN OF WARD ONE

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

WHEREAS, Alderman Matthew Caldwell has resigned from the office of Alderman for Ward One of the City of Norwich; and

WHEREAS, the Common Council wishes to fill the vacancy pursuant to section 23 of Title II of the City Charter; and

WHEREAS, Eric Warren, residing at 28 Locust Street, has been nominated to fill the vacancy, and to hold office until the first day of January succeeding the next general election held in the City; now, therefore be it

RESOLVED, that effective on August 16, 2022, Eric Warren, residing at 28 Locust Street, is hereby appointed to fill the vacancy in the office of Ward 1 Alderman until the first day of January succeeding the next general election held in the City.

Seconded by Ald. Loomis, and duly adopted, 4 - 0, on a roll call vote.

Swearing-In of Alderman Ward 1 – Eric Warren was sworn into the office of Ward 1 Alderperson by City Clerk Dee DuFour.

Approval of Minutes

Ald. Loomis **moved** to approve the minutes of the special meeting of July 5 and the regular meeting of July 19, 2022. Seconded by Ald. Zieno and duly approved ayes all.

Public Hearing – Ald. Allaire opened the public hearing at 6:35 p.m. to hear comment regarding the use of HUD funds. Hearing no comments the public hearing was closed at 6:36 p.m.

Open Forum – No one spoke

Correspondence

Race to the Face – Ald. Loomis **moved** to approve a request from the Chenango Greenway Conservancy for EMS services, Police assistance and West Main St. road closure for their Race to the Face 5K to the Stone Quarry held on September 25, 2022. Seconded by Ald. Gee, approved ayes all.

Department, Board and Commission Reports

Finance Report – July
Fire Department Report – July
Human Resources Report - July

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

Mayoral Appointments – Ald. Allaire announced the following appointments by Mayor Doliver:

Zoning Board of Appeals

- ◆ *Danielle DuFour, 78 Plymouth St., appointed to the remainder of a three-year term expiring December 31, 2024.*

Youth Board

- ◆ *Stephanie Stewart, 83 Mitchell St., appointed to a three-year term expiring December 31, 2024.*

Ward Reports

Ward 1

Ald. Warren reported no communications.

Ward 2

Ald. Gee reported comments from some constituents who did not know about the public hearing regarding the proposed No Parking on Pleasant St. He also reported that with the narrowness of Sharon Drive it is difficult for the street sweeper to do a complete job with vehicles on the street. The residents have asked for advance notice so they can ensure all vehicles can be removed from the street so that a complete job can be done.

Ward 3

Ald. Allaire reported a few code issues which were forwarded and have been resolved. She also received questions regarding the street paving schedule which were forwarded to DPW.

Ward 4

Ald. Loomis reported several codes issues which have been forwarded to the proper department.

Ward 5

Ald. Zieno reported a couple of code issues which have been forwarded for resolution.

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

- ◆ **Revised Sexual Harassment Policy and Employee Handbook** - Ald. Loomis **moved** to approve the revised Sexual Harassment Policy and Employee Handbook to add a Sexual Harassment Reporting Hotline. Seconded by Ald. Gee, approved ayes all.

- ◆ **Authorization for Mayor to sign a consent order and agreement with the Susquehanna River Basin Commission** – Ald. Zieno **moved** to authorize the Mayor, under direction of the City Attorney, to sign a consent order and agreement with the Susquehanna River Basin Commission regarding groundwater withdrawals from Well 4. Seconded by Ald. Gee, approved ayes all.
- ◆ **Patsy Smith Overlook Sign** – Ald. Gee **moved** to approve a request from the Chenango Greenway Conservancy for a sign to be placed at the east end of Sheldon St. directing people to the Patsy Smith overlook area on the Chenango River. The sign would be paid for by the Conservancy and placed by the City DPW. Seconded by Ald. Zieno, approved ayes all.
- ◆ **Authorization for DPW Superintendent to sign a Statement of Non-Procurement for NYS Homeland Security and Emergency Services** – Ald. Loomis **moved** to authorize the DPW Superintendent to sign a Statement of Non-Procurement for NYS Homeland Security and Emergency Services. Seconded by Ald. Zieno, approved ayes all.
- ◆ **Set Public Hearing – Chapter 109 Salaries and Compensation** – Ald. Loomis **moved** to set a Public Hearing on September 20, 2022 at 6:30 p.m. to hear public comment regarding proposed Local Law No. (C) of 2022 Chapter 109 Salaries and Compensation. Seconded by Ald. Zieno, approved ayes all.

LOCAL LAW NO. (C)
OF 2022

A LOCAL LAW TO AMEND CHAPTER 109
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 Chapter 109 in the City of Norwich.

Article I

Mayor and Aldermen

[Adopted 1-7-1985 by L.L. No. 1-1985]

§ 109-1 **Annual salaries.**

The annual salaries of the following City officers are hereby established as follows:

- A. Mayor: ~~\$10,200~~ *\$16,210*
- B. Members of the Common Council (Aldermen): \$4,000. **[Amended 12-2-1987 by L.L. No. 3-1987; 12-26-1989 by L.L. No. 1-1990]**

§ 109-2 **Effective date; permissive referendum.**

This article shall take effect ~~January 1, 1985~~ *November 10, 2022*, or upon after final adoption, whichever shall occur later, and shall be subject to a permissive referendum.

Old material is crossed out; New material is *italic*

Resolutions

RESOLUTION #58 - 2022 AUTHORIZING PURCHASE OF PRESSURE REDUCING VALVE

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

WHEREAS, there is a severe water leak near Gibson school; and

WHEREAS, replacing the pressure reducing valve is required; and

WHEREAS, the pressure reducing valve will cost \$19,350; and

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

RESOLVED, that the purchase and replacement of the pressure reducing valve is authorized at a cost of \$19,350.

Seconded by Ald. Loomis, and duly adopted, 5 - 0, on a roll call vote.

RESOLUTION #59 - 2022 **DESIGNATING PURCHASER OF CITY-OWNED PROPERTY NEAR BEECH STREET**

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

WHEREAS, the City of Norwich acquired the landlocked vacant real property parcel at 136.31-1-21 near Beech 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 property is adjacent to Cameron Crugnale of 7 Beech St. who has been maintaining the property for a number of years; now therefore be it

RESOLVED, that the Common Council hereby designates Cameron Crugnale of Norwich, NY as the purchaser of the City-owned property known as 136.31-1-21; 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 known as 136.31-1-21 to Cameron Crugnale who agrees to merge the parcel with his property at 7 Beech St.

Seconded by Ald. Loomis and duly adopted, 5 - 0, on a roll call vote.

RESOLUTION #60 - 2022 **AUTHORIZING AGREEMENTS WITH TOWNS FOR YOUTH RECREATION SERVICES**

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

WHEREAS, the City has reached agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to the residents of such towns for a lump sum per town, without individual charges being made to such participants; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign agreements with the Towns of North Norwich, Norwich, Plymouth, Preston and Pharsalia to provide youth recreation services to residents of such towns during the 2023 fiscal year.

Seconded by Ald. Gee and duly adopted, 5 - 0, on a roll call vote.

RESOLUTION #61 - 2022 **AUTHORIZING AGREEMENT WITH DELAWARE ENGINEERING FOR PROFESSIONAL SERVICES WATER MAIN REPLACEMENT PROJECT**

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

WHEREAS, the City of Norwich requires professional engineering services for the Water Main Replacement project which would include replacing existing water mains on Broad Street from Prentice to Pleasant and East Main St. from Broad to the railroad tracks, preparing contract documents for bidding and construction; and

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

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to execute an agreement with Delaware Engineering for professional services related to the Water Main Replacement project at a cost not to exceed \$377,500.

Seconded by Ald. Zieno and duly adopted, 5 – 0, on a roll call vote.

RESOLUTION #62 - 2022 **AUTHORIZING RETAINER AGREEMENT FOR BOND COUNSEL**

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

WHEREAS, the Common Council on the 18th day of January, 2022, authorized the application to the USDA-RD for the replacement of the water main on a portion of South & North Broad Street and a portion of East Main Street; and

WHEREAS, the Mayor, the Superintendent of Public Works, and the Director of Finance have been pursuing funding sources for the project, including the related professional bonding services of a Financial Advisor and Bond Counsel; now, therefore be it

RESOLVED, that the retention of Orrick, Herrington & Sutcliffe, LLP (“Orrick”) as Bond Counsel for the City of Norwich Water Main Project, under the terms as outlined in the letter from Orrick of August 11th, 2022, be and hereby is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to acknowledge acceptance on behalf of the City of said retention according to said terms.

Seconded by Ald. Gee, and duly adopted, 5 - 0, on a roll call vote:

RESOLUTION #63 - 2022 **AUTHORIZING AGREEMENT WITH FISCAL ADVISORS & MARKETING, INC. FOR FINANCIAL ADVISORY SERVICES FOR THE WATER MAIN REPLACEMENT PROJECT**

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

WHEREAS, the City of Norwich requires financial advisory services regarding bonding and short-term borrowing for the USDA Water Main Replacement Project; and

WHEREAS, the City has an existing contract for financial advisory services with Fiscal Advisors & Marketing, Inc. of Syracuse, NY; and

WHEREAS, the budget for the Water Main Replacement project for fiscal advisory services is not to exceed \$10,000; and

WHEREAS, the Common Council of the City of Norwich hereby finds the agreement to be reasonable and in the best interest of the City; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney and the Director of Finance, to enter into an agreement with Fiscal Advisors & Marketing, Inc. of Syracuse, NY, for financial advisory services for the USDA Water Main Replacement project in an amount not to exceed \$10,000.

Seconded by Ald. Gee, and duly adopted, 5 - 0, on a roll call vote.

RESOLUTION #64 - 2022 **AUTHORIZING PURCHASE OF POLICE VEHICLE**

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

WHEREAS, the purchase of a Police Department patrol car for \$35,112.96 had been approved in Resolution #39-2021 on June 18, 2021; and

WHEREAS, supply chain issues have created problems in fulfilling the order and the order for the patrol car has been cancelled by the supplier and the purchase order liquidated; and

WHEREAS, a new purchase order for the patrol car must be placed; and

WHEREAS, the Public Safety/Public Works and Finance/Personnel Committees have made certain recommendations; now, therefore be it

RESOLVED, that the purchase of a patrol car is hereby approved.

Seconded by Loomis, and duly adopted, 5 - 0, on a roll call vote.

The Director of Human Resources, Lynn Murray, said that two of the three following new hires for Firefighter are for current openings and one is a training position for a Firefighter retirement in December. Two out of the three will be going to the Fire Academy in September. A Civil Service preferred list was created based on the preference for ALS providers per the job description. J. Papelino said that one is Critical Care and two are Paramedics

RESOLUTION #65 - 2022 **APPOINTMENT OF FIREFIGHTER IN THE NORWICH FIRE DEPARTMENT**

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

WHEREAS, a vacancy exists in the position of firefighter in the Norwich Fire Department; and

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

RESOLVED, that Daniel Mooney of Sherburne, NY, be and hereby is granted a permanent appointment as firefighter in the Norwich Fire Department at the rate of \$44,107.90, effective September 10, 2022, contingent upon successfully passing the required medical and psychological examinations and any action necessary from the Norwich Civil Service Commission.

Seconded by Loomis, and duly adopted, 5 - 0, on a roll call vote

RESOLUTION #66 - 2022 **APPOINTMENT OF FIREFIGHTER IN THE NORWICH FIRE DEPARTMENT**

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

WHEREAS, a vacancy exists in the position of firefighter in the Norwich Fire Department; and

WHEREAS, the Fire Chief has recommended the appointment of Aaron Winsor of Port Crane, NY, to such position; now, therefore be it

RESOLVED, that Aaron Winsor of Port Crane, NY, be and hereby is granted a permanent appointment as Firefighter in the Norwich Fire Department at the rate of \$44,107.90, effective August 22, 2022, contingent upon successfully passing the required medical and psychological examinations and any action necessary from the Norwich Civil Service Commission.

Seconded by Loomis, and duly adopted, 5 - 0, on a roll call vote

RESOLUTION #67 - 2022

APPOINTMENT OF FIREFIGHTER IN THE NORWICH FIRE DEPARTMENT

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

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

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

RESOLVED, that Kenneth Ulrich of Sherburne, NY, be and hereby is granted an appointment as Firefighter in the Norwich Fire Department at the rate of \$44,107.90, effective September 11, 2022, contingent upon successfully passing the required medical and psychological examinations and any action necessary from the Norwich Civil Service Commission.

Seconded by Loomis, and duly adopted, 5 - 0, on a roll call vote.

Payment of Bills

Ald. Loomis **moved** to pay the August 2022 bills after proper audit and certification.

	<u>Prepaid</u>	<u>8/16/2022</u>	<u>Grand Total</u>
General Fund	\$143,972.40	\$32,293.78	\$176,266.18
Sewer Fund	40,888.92	53,331.72	94,220.64
Water Fund	7,931.60	6,865.35	14,796.95
Trust	31,568.74	-	31,568.74
Debt Service	18,172.45	-	18,172.45
Comm. Dev. - Special Grants	-	221.98	221.98
Capital Projects	-	-	-
TOTALS	\$242,534.11	\$92,712.83	\$335,246.94

Seconded by Ald. Gee and duly adopted 5 - 0.

Adjournment

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