

COMMON COUNCIL
AGENDA

Held at
One Court Plaza
October 18, 2022
6:30 PM

You are encouraged to view the meeting via the City's Facebook page at
<https://www.facebook.com/NorwichNewYork/>

Call To Order

Pledge of Allegiance

Invocation

Approval of minutes of the regular meeting of September 20, 2022.

Homelessness – Various Officials to Address the Council

Open Forum

Public Hearing – Local Law (C) regarding Chapter 109 salaries for Mayor and Aldermen

Public Hearing - Local Law (D) regarding Overriding the Tax Levy

Public Hearing – regarding Options for Establishing Ward Boundaries (see attached maps)

Correspondence

- ◆ Norwich Field Band
- ◆ Holiday of Lights
- ◆ Curb Cut at 23 Cortland St.

Department, Board and Commission Reports

- ◆ Traffic Commission Minutes – September
- ◆ Flood Mitigation Commission Minutes – June
- ◆ Water Commission Minutes - June
- ◆ Youth Board Minutes – September, October
- ◆ Youth Board Report – 3rd Quarter
- ◆ Police Department Reports – November, December 2021, and January through September 2022
- ◆ Human Resources Report – August
- ◆ Fire Department Report - September

Mayoral Appointment

Civil Service Commission

- ◆ *Ryan Zieno, 20 Adelaide St., to fill the remainder of a six-year term expiring May 31, 2028.*

Youth Board

- ◆ *Joey Parker, 232 White Store Rd., appointed as a youth representative to a 3-year term expiring December 31, 2024.*

Ward Reports

Resolutions

- ◆ Establishing Ward Boundaries
- ◆ Adopting Local Law No. (C) Of 2022 To Establish Compensation For Aldermen And Mayor
- ◆ Adopting Proposed Local Law No. (D) Of 2022 - Overriding The Tax Levy Limit Established In General Municipal Law §3-C
- ◆ Authorizing Transfer Of Funds
- ◆ Authorizing Transfer Of Funds
- ◆ Authorizing Transfer Of Funds
- ◆ Authorizing Transfer Of Funds

Motions

- ◆ Establishing Trick-or-Treat as October 31, 2022
- ◆ Set Public Hearing – Restore NY Grant for November 15, 2022
- ◆ Set Public Hearing – Local Law No. (E) Amending the Ward Boundaries for November 15, 2022

Payment of Bills

Executive Session – Employment history of a particular individual and the sale of property where price may be affected

Adjournment

Correspondence

- ◆ **Norwich Field Band** - Ald. _____ **moved** to approve a request from the Norwich Field Band for road closures of Midland Drive and Marconi Avenue for the Fall Festival of Bands on October 29, 2022 from 1:00 p.m. to 6:00 p.m. Seconded by Ald. Gee, approved ayes all.
- ◆ **Holiday of Lights** - Ald. _____ **moved** to approve a request from the B.I.D. for road closures and Police and Fire Police assistance for the Annual Holiday of Lights parade held on Saturday, November 26, 2022. The parade route remains the same, beginning at Hale/Northrup, proceeding North on Broad St. and ending at Mitchell/Cortland. Street closures will be from 5:30 p.m. to the conclusion of the parade. Seconded by Ald. Allaire, approved ayes all.
- ◆ **Curb Cut at 23 Cortland St.** - Ald. _____ **moved** to approve a curb cut at 23 Cortland St. Seconded by Ald. _____, approved ayes all.

Resolutions

RESOLUTION # - 2022 ESTABLISHING WARD BOUNDARIES

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

WHEREAS, the Supreme Court of the United States has determined that the equal protection clause of the XIV Amendment of the United States Constitution requires that the apportionment of legislative bodies be based on the principle of equality of representation; and

WHEREAS, the Courts of the State of New York have determined that this mandate of the Supreme Court of the United States applies with full force and effect to apportionment of municipal legislative bodies; and

WHEREAS, after due deliberation, the Common Council of the City of Norwich has determined that said Council shall be apportioned in accordance with accepted judicial and statutory standards relating to the "One Man – One Vote" principal; now, therefore be it

RESOLVED, that the Charter for the City of Norwich shall be amended to provide that the boundaries for the several wards shall be as follows:

(see map attached)

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2022 ADOPTING LOCAL LAW NO. (C) OF 2022 TO ESTABLISH COMPENSATION FOR ALDERMEN AND MAYOR

Ald. _____ introduced the following and moved its adoption:

WHEREAS, Local Law No. (C) of 2022, which provides for establishing compensation for Aldermen and Mayor was introduced on August 16, 2022 before the Common Council; and

WHEREAS, a public hearing was held on such local law on October 18, 2022; now, therefore be it

RESOLVED, that Local Law No. (3) of 2022 which provides for establishing compensation for aldermen be and hereby is adopted.

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

LOCAL LAW NO. (3)
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*

RESOLUTION # - 2022

**ADOPTING PROPOSED LOCAL LAW NO. (D) OF 2022 - OVERRIDING THE
TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

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

WHEREAS, the Common Council received proposed Local Law No. (D) of 2022 on September 20, 2022, overriding the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, the tax cap for the City of Norwich for 2023 is calculated by the New York State Comptroller; and

WHEREAS, a public hearing was held on October 18, 2022, in connection with said proposed local law; now, therefore be it

RESOLVED, that Proposed Local Law No. (D) of 2022, overriding the tax levy limit established in General Municipal Law §3-c, as presented to the Common Council on September 20, 2022, be and hereby is adopted, and is hereby designated as Local Law No. 4 of 2022.

Seconded by Ald. _____ and duly (adopted/defeated), _____ on a roll call vote

PROPOSED LOCAL LAW NO. (4) OF 2022
OVERRIDING THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

BE IT ENACTED by the Common Council of the City of Norwich as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Norwich to adopt a budget for the fiscal year commencing January 1, 2023, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Norwich, County of Chenango, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2023, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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.

RESOLUTION # - 2022

AUTHORIZING TRANSFER OF FUNDS

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

WHEREAS, inflation and rising fuel costs have increased dramatically; and

WHEREAS, the Superintendent of Public Works has stated that certain budget lines will exceed the budgeted amount for 2022; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2022 General Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5110.1010	Street Maintenance – Personal Services	\$ 30,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5110.4060	Street Maintenance – Materials & Supplies	\$ 30,000

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2022**AUTHORIZING TRANSFER OF FUNDS**

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

WHEREAS, inflation and rising fuel costs have increased dramatically; and

WHEREAS, the Superintendent of Public Works has stated that certain budget lines will exceed the budgeted amount for 2022; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2022 General Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5142.1010	Snow & Ice Removal– Personal Services	\$ 7,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A1620.4040	Municipal Buildings – Repairs & Maintenance	\$ 7,000

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2022**AUTHORIZING TRANSFER OF FUNDS**

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

WHEREAS, inflation and rising fuel costs have increased dramatically; and

WHEREAS, the Superintendent of Public Works has stated that certain budget lines will exceed the budgeted amount for 2022; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2022 Water Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
F8330.1010	Source of Supply – Personal Services	\$ 10,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
F8340.4060	Distribution – Materials & Supplies	\$ 10,000

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

RESOLUTION # - 2022**AUTHORIZING TRANSFER OF FUNDS**

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

WHEREAS, inflation and rising fuel costs have increased dramatically; and

WHEREAS, the Superintendent of Public Works has stated that certain budget lines will exceed the budgeted amount for 2022; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2022 Wastewater Budget:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
G8130.1010	Treatment & Disposal – Personal Services	\$ 27,000
G1990.4	Contingency	3,000

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
G8130.4060	Treatment & Disposal – Materials & Supplies	\$ 30,000

Seconded by Ald. _____, and duly adopted, _____, on a roll call vote.

Motions

- ◆ **Establishing Trick-or-Treat** - Ald. _____ **moved** to designate Trick-or-Treat night as Monday, October 31, 2022 from 5:30 p.m. to 8:00 p.m. Seconded by Ald. _____, approved ayes all.
- ◆ **Set Public Hearing – Restore NY Grant** - Ald. _____ **moved** to set a public hearing to hear comment regarding the Restore NY Grant for November 15, 2022 at 6:30 p.m. Seconded by Ald. _____, approved ayes all.
- ◆ **Receive and Set Public Hearing – Local Law (E) Amending the Ward Boundaries** - Ald. _____ **moved** to set a public hearing to hear comment to Amend the Ward Boundaries for the City of Norwich for November 15, 2022 at 6:30 p.m. Seconded by Ald. _____, approved ayes all.

LOCAL LAW NO. (E)
OF 2022

A LOCAL LAW TO AMEND THE WARD BOUNDARIES
OF THE CITY OF NORWICH

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

Section 1. Title 1, Section 6, of the City of Norwich City Charter, as amended, is hereby further amended as it relates to the boundaries of the six wards of the City of Norwich to those outline by resolution adopted by the Common Council by a majority vote on October 18, 2022.

Section 2. This Local Law shall take effect on January 1, 2023.

Payment of Bills

Ald. _____ **moved** to pay the October 2022 bills after proper audit and certification.

	<u>Prepaid</u>	<u>10/18/2022</u>	<u>Grand Total</u>
General Fund	\$339,009.03	\$43,098.14	\$382,107.17
Sewer Fund	15,638.75	3,992.27	19,631.02
Water Fund	36,168.60	4,019.25	40,187.85
Trust	35,958.76	-	35,958.76
Debt Service		-	
Comm. Dev. - Special Grants	1,989.98	-	1,989.98
Econ. Dev.	1,177.55	-	1,177.55
Capital Projects	841,917.49	-	841,917.49
TOTALS	\$1,271,860.16	\$51,109.66	\$1,322,968.82

Seconded by Ald. _____ and duly adopted _____.







