

COMMON COUNCIL

February 15, 2011

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 PM on February 15, 2011, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Robert Carey
Ald. Terry Bresina
Ald. John Deierlein
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Robert Jeffrey

Also:

Clerk/Director of Finance William Roberts
Human Resources Director Deborah DeForest
DPW Superintendent Carl Ivarson
Deputy City Clerk Brian Drake
Code Enforcement Officer/Fire Marshall Jason Lawrence
Police Chief Joseph Angelino
Youth Bureau Director Robert Mason
Community Development Specialist Todd Dreyer
City Attorney Patrick Flanagan
Media Representative Brian Golden

Absent

Supervisor James McNeil
Supervisor Linda Natoli

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:02 p.m.

Resolution

RESOLUTION #05-2011

APPOINTMENT OF POLICE OFFICER IN THE NORWICH POLICE DEPARTMENT

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

WHEREAS, a vacancy will exist in the position of police officer in the Norwich Police Department, and;

WHEREAS, the Police Chief has recommended the appointment of George Carnrike III of Norwich, NY to such position; now, therefore be it

RESOLVED, that George Carnrike III, Norwich, NY, be and hereby is granted a permanent appointment as police officer in the Norwich Police Department, effective March 1, 2011, contingent upon successfully passing the required medical and psychological examinations.

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

Swearing-In

Chief of Police Joseph Angelino swore in George Carnrike III as a police officer. Former chief of police Robert Mason presented Mr. Carnrike with a baton he had used as a police officer. Mayor Maiurano noted that Mr. Carnrike's grandfather, former Mayor George Carnrike, and father, former alderman George Carnrike II, were present.

Approval of minutes

Ald. Schermerhorn **moved** to approve the minutes of the regular meeting of January 18, 2011. Seconded by Ald. Laughlin, duly approved ayes all.

Public Hearings

Mayor Maiurano at 7:04 p.m. opened a public hearing to hear comments relative to Proposed Ordinance No. (A) of 2011 regarding abandoned vehicles. There were no comments.

Open Forum

Mayor Maiurano at 7:05 p.m. opened the open forum. There were no comments.

Department, Board and Commission Reports

- ◆ Parks Commission minutes of January 10, 2011
- ◆ Police Department Report of January 2011
- ◆ Police Department Annual Report for 2010
- ◆ Traffic Commission minutes of February 9, 2011
- ◆ Water Commission Minutes of January 19, 2011
- ◆ Water System Report for January 2011
- ◆ Youth Bureau Monthly Report of January 2011

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

Ward and Committee Reports

Joint Committee Meeting of February 1, 2013

Community Development Specialist Todd Dreyer informed the Committees that a request for a zoning change was made by George Blood, owner of Tansey Auto, 13 Birdsall Street, to rezone that and several other properties from R3 to B1 to accommodate an auto-repair business there. This was reviewed by the Planning Commission and would have been moved to recommend the change to the Common Council, but a majority of the full Commission was not available. Ken Hines, 15 Birdsall, said that his property directly sides on 13 Birdsall, where the auto-repair business would be placed. The other properties have various buffers between them and 13 Birdsall. He noted that no man has the right to change another's zoning merely to put in a business for his own benefit. He reviewed several objections to the proposed rezoning. George Blood noted that many years ago the properties were zoned commercial.

Fire Chief Tracy Chawgo informed the Committees that Engine 233 was damaged at a fire call by another municipality's fire truck. The damage was to the bumper and is minor, and the truck is fully operational. The repairs will most likely be covered by the insurance of the other municipality. The Committees congratulated the Fire Department on its efforts at Gilmore Health Center when residents had to be evacuated due to a sprinkler malfunction.

Chief Angelino reported that he has received letters of intent to retire from Deputy Chief Dale Smith and Sergeant Craig Berry, who both have twenty years of service. He noted that Sgt. Mead is still on military leave and another officer is absent on medical leave, and the dog warden/parking officer position will not be refilled in 2011.

Director of Finance William Roberts reported that a clerk in the Finance Office has resigned. He reviewed the history of Finance Department staffing and noted that the number of clerks has decreased while functions and duties have increased dramatically, taking over the duties of many other offices when those posts were reduced or eliminated. The last time such a vacancy occurred, in 2001, the office was understaffed for nine months and took more than a year to recover on its backlogs. Just in the past week, the Finance Office had approximately 500 customers at the counter and hundreds of telephone calls. DPW Superintendent Carl Ivarson stated that in the past the Water System funded two clerks positions in the Finance Office, because those positions brought in significant revenues for the System. He proposed the Water System fund or partially fund the vacant position, which needs to be refilled so that those revenues do not lag due to lack of manpower.

W. Roberts explained that a PILOT agreement with Marlene Meadows will expire at the end of this year. He and the City Attorney will be investigating renewal of the PILOT agreement for another 10- to 15-year period, commencing January 2012. He will keep the Committees informed.

C. Ivarson stated that he has received one proposal for the tennis court renovation of \$34,000. He is awaiting a second proposal.

C. Ivarson reminded the Committees that the pool attendant position has been vacant for two years. In the meantime, DPW workers have been performing those duties, but he is working with a skeleton crew due to staff reductions over the years and needs those workers. Furthermore, the current repairs will cost approximately \$150,000, and five years ago repairs cost \$278,000. He asked the Committees to consider whether having a pool that is only open nine weeks out of the year is worth such costs. Ald. Schermerhorn stated that there are no sacred cows and all possibilities must be considered.

Ward Reports

Ward 1

Ald. Carey reported that all inquiries were referred to the appropriate department heads for resolution.

Ward 2

Ald. Bresina reported that the only comments he received were regarding the weather.

Ward 3

Ald. Deierlein reported that all inquiries were referred to the appropriate department heads for resolution.

Ward 4

Ald. Schermerhorn reported that all inquiries were referred to the appropriate department heads for resolution.

Ward 5

Ald. Laughlin reported that all inquiries were referred to the appropriate department heads for resolution.

Ward 6

Ald. Jeffrey reported that all inquiries were referred to the appropriate department heads for resolution..

Ald. Deierlein **moved** to receive and file the Committee and Ward reports. Seconded by Ald. Laughlin, duly approved ayes all.

Motion

Set Public Hearing - Zoning Change Ald. Jeffrey **moved** to set a public hearing for 7:00 p.m. on March 15, 2011, to discuss a proposed zoning change on Birdsall Street. Seconded by Ald. Bresina and duly approved ayes all.

Resolutions

RESOLUTION #06-2011

ADOPTING PROPOSED ORDINANCE NO. (A) OF 2011 REGARDING ABANDONED VEHICLES

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

WHEREAS, the Common Council received proposed Ordinance No. (A) of 2011 on January 18, 2011, regarding abandoned vehicles; and

WHEREAS, a public hearing was held on February 15, 2011, in connection with said proposed ordinance; now, therefore be it

RESOLVED, that Ordinance No. (A) of 2011, regarding abandoned vehicles, as presented to the Common Council on January 18, 2011, be and hereby is adopted, and is hereby designated as Ordinance No. 1 of 2011.

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

ORDINANCE NO. 1 OF 2011

BE IT ORDAINED by the Common Council of the City of Norwich, New York, that Section 519-1 of Chapter 519, Vehicles, Abandoned, be amended as follows:

JUNKED VEHICLE

Any motor vehicle which is without a valid registration, inspection, or license plates or is in either a rusted, wrecked, discarded, dismantled, partly dismantled, inoperative or abandoned condition.

New Material is Underlined. Deleted Material is ~~struck through~~.

RESOLUTION #07-2011**ESTABLISHING TIME AND PROCEDURES FOR DISPOSITION OF
UNREDEEMED TAX PROPERTIES FROM 2009 TAX SALE**

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

WHEREAS, the City of Norwich (the "City") bid in on certain parcels of real estate sold for unpaid taxes on October 27, 2009; and

WHEREAS, said delinquent parcels were not redeemed within the fifteen month period as provided under Section 218 of the Charter of the City of Norwich (the "Charter"); and

WHEREAS, Sections 216 and 220 of the Charter provide that the City may acquire such unredeemed parcels; and

WHEREAS, Section 74 of the Charter provides that real estate owned by the City and designated by the Common Council as not required for use by the City may be sold by the City in such manner as described therein; and

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

RESOLVED, that

1. the following properties be and hereby are subject to acquisition by the City from the Director of Finance in accordance with the above cited provisions of the Charter:

<u>Property Address</u>	<u>Tax Map Id #</u>	<u>Owner's Name of Record at 2009 Tax Sale</u>
169 E. Main St. (Olendorf Pl.)	136.51-1-16	Karen Kinney & Kathleen Heath
4 Eric St.	123.79-2-16	John T. Karitevlis
46 Grove Ave. & Marconi Ln.	136.58-3-43	Frank Caputo & Giosue Caputo
6 Lee Ave.	136.33-1-17.3	Laszio Hamar
12 Lee Ave.	136.33-1-19	James Jablonski & Lorraine Jablonski
7 Merrill St.	136.49-1-6	Patricia M. Rutan
9 Merrill St.	136.49-1-5	David L. Jennings & Georgeanna F. Jennings
42 N. Broad St.	136.48-5-18	Lisa M. Merrill-Black (Shenango Properties, LLC)
44-46 N. Broad St.	136.48-5-19	Lisa M. Merrill-Black (David Thomas)
81 N. Broad St.	136.48-3-4	Gary John Bilow
18 Sheldon St.	136.49-2-20	Patricia M. Rutan
94 Silver St.	136.33-1-46	Wilbur W. French (Deceased)
5 State St.	136.41-1-12	Krisztina Robles & Andrew A. Gilsey
5A State St.	136.41-1-11	Krisztina Robles & Andrew A. Gilsey
7 State St.	136.41-1-10	Trustee Debra Jean Relyea & Trustee Jay William Relyea
32 W. Midland Dr.	136.57-4-13	Mildred Mercurio

2. affected property owners shall have until five o'clock PM, prevailing time, on April 1, 2011 as a final deadline to redeem their property from said acquisition by the City by paying their taxes and all associated fees; and
3. the Director of Finance shall send courtesy notices through the United States Postal Service to all affected property owners of this resolution stating the amount due, date and time of the final deadline and the urgency of the notice; and
4. any of the above properties remaining unredeemed after the date and time set forth above shall be disposed of by the City in accordance with the cited provisions of the Charter; and
5. the City Attorney and the Director of Finance be and hereby are directed to take all other necessary and legal steps to prepare for and conduct such disposition.

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

Discussion: Ald. Jeffrey urged that all costs incurred by the City should be recovered, including postage for courtesy notices. W. Roberts explained that fines and penalties covered all costs, but that the Council could review the schedule of penalties to determine if it should be changed. Ald. Carey asked that this be presented to the Finance Committee at its next meeting.

RESOLUTION #08-2011

**ESTABLISHING HEALTH INSURANCE CONTRIBUTIONS FOR NEW-HIRE
NON-UNIT EMPLOYEES**

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

WHEREAS, the Common Council has reviewed the ongoing financial effects of the rates of employee contributions toward health insurance premium costs; and

WHEREAS, it is desired that the rate of Non-Unit employee contributions toward such costs be updated; now, therefore be it

RESOLVED, that the rates for newly hired Non-Unit employee contributions toward health insurance premium costs be and hereby are established at twenty-five percent (25%), effective March 1, 2011; and further be it

RESOLVED, that prescription drug benefit copayments for newly hired Non-Unit employees be established at \$10, \$25, and \$40, effective March 1, 2011.

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

RESOLUTION #09-2011

**AWARDING BIDS FOR CHLORINE SUPPLIES FOR WASTEWATER
TREATMENT PLANT**

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

WHEREAS, bids have been received for Liquid Chlorine and Sodium Hypochlorite; and

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

RESOLVED, that the bid for the Liquid Chlorine & Sodium Hypochlorite be awarded to the lowest qualified bidders meeting specifications who are as follows:

Item	Bidder	Bid Amount
Liquid Chlorine 150# cylinders	Jones Chemicals Inc. Warwick, NY	\$65/cylinder
Sodium Hypochlorite, 55 gal. drums	Amrex Chemical Co., Inc. Binghamton, NY	\$0.95/gallon
Sodium Hypochlorite, bulk	Slack Chemical Co. Inc. Carthage, NY	\$0.941/gallon

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

RESOLUTION #10-2011

AWARDING BID FOR POLYMER & COAGULANT BLEND

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

WHEREAS, bids have been received for polymer and coagulant blend; and

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

RESOLVED, that the bid for polymer and coagulant blend be awarded to the lowest qualified bidder meeting specifications, Clean Waters, Inc. of Plessis, NY, in the following amounts:

2,200 gallons	\$4.49/gallon
3,300 gallons	\$3.79/gallon

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

RESOLUTION #11-2011 **AUTHORIZING APPLICATION FOR NYS DEC COMMUNITY TREE GRANT FOR STREET TREE INVENTORY**

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

WHEREAS, the City of Norwich recognizes the beauty and value of its many street trees; and

WHEREAS, an inventory of the city's street trees would be beneficial in monitoring and maintaining the health and viability of the city's street tree stock; and

WHEREAS, an opportunity exists for the City of Norwich to receive funding support to conduct an inventory of street trees through the NYS DEC's Urban and Community Forestry Grant program; and

WHEREAS, a condition of the grant is that the City of Norwich must provide matching funds and/or in-kind contributions valuing at least 50% of the total project cost; and

WHEREAS, the grant application and the street tree inventory activities proposed in the application may be appropriately classified as a Type 2 action under the requirements of the State Environmental Quality Review Act (SEQRA), thereby requiring no determination of significance; now, therefore, be it

RESOLVED, that the City of Norwich Common Council hereby authorizes the Mayor, acting under the direction of the City Attorney, to apply for a 2011 Urban and Community Forestry Grant through the New York State Department of Environmental Conservation in the amount of \$4,236.00 for the purpose of conducting a street tree inventory during 2011 and 2012; and, further be it

RESOLVED, that the Common Council hereby authorizes a cash match of \$2,000.00 from community development funds and a match of in-kind services valued at no less than \$2,236.00 to be devoted to the completion of the street tree inventory project and satisfaction of the matching requirement of the grant program.

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

Discussion: Ald. Carey asked what a tree inventory is and what it would accomplish. T. Dreyer explained that a tree inventory would determine the number and species of trees on the streets of the City and would make the City eligible for a grant for tree removal of certain species, such as ash trees, if there were an infestation of the emerald ash borer, which is expected to cause billions of dollars' worth of damage in the Northeast.

Payment of January 2011 Bills Ald. Schermerhorn **moved** that, based on the fact that the detailed January 2011 bill list has been completed and made available subsequent to last month's regular Council meeting, its prior payment approval be hereby ratified, subject to final audit and verification. Seconded by Ald. Laughlin and duly adopted, ayes all.

January Bills

	<u>Prepaid</u>	<u>1/18/2011</u>	<u>Grand Total</u>
General Fund 2010	52,339.41	\$ -	\$ 52,339.41
General Fund 10 with 11 CHKS	11,431.62	72,953.28	84,384.90
General Fund 2011	225,967.92	35,678.75	261,831.70
Sewer Fund 2010	-	-	-
Sewer Fund 10 with 11 CHKS	10,033.35	7,901.22	17,934.57
Sewer Fund 2011	10,636.05	8,471.31	19,107.36
Water Fund 2010	2,559.53	-	2,559.53
Water Fund 10 with 11 CHKS	4,639.02	18,286.65	22,925.67
Water Fund 2011	22,117.45	210.68	22,328.13

Trust 2010	5,201.07	-	5,201.07
Trust 10 with 11 CHKS	807.56	-	807.56
Trust 2011	37,573.33	-	37,573.33
BID	53,214.49	-	53,214.49
Debt Service 10 with 11 CHKS	-	-	-
Debt Service 2011	-	-	-
Reserves	-	-	-
Unemployment	-	-	-
Community Dev. Sm Cities 2010	37,193.83	-	37,193.83
Community Dev. 10 with 11 CHKS	7,183.62	-	7,183.62
Community Dev. Spec. GRT 2011	2,960.00	-	2,960.00
Capital Projects 2010	-	-	-
Capital Projects 10 with 11 CHKS	-	-	-
Capital Projects 2011	-	13,118.85	13,118.85
TOTALS	\$483,858.25	\$156,620.74	\$640,478.99

Payment of February 2011 Bills Ald. Schermerhorn **moved** to pay the February 2011 bills after proper audit and certification. Seconded by Ald. Carey and duly adopted ayes all.

February Bills

	<u>Prepaid</u>	<u>2/15/09</u>	<u>Grand Total</u>
General Fund	\$ 31,317.24	\$ 538,099.09	\$569,416.33
Sewer Fund	8,403.73	14,652.18	23,055.91
Water Fund	4,553.77	19,740.13	24,293.90
Trust	5,119.45	14,555.47	19,674.92
B.I.D.	-	-	-
Debt Service	26,391.40	-	26,391.40
Reserves	-	-	-
Unemployment	-	-	-
Community Development	182.38	6,663.69	6,846.07
Economic Development	-	-	-
Capital Projects	-	-	-
TOTALS	\$ 75,967.97	\$593,710.56	\$669,678.53

Executive Session

Ald. Jeffrey **moved** to enter executive session at 7:36 p.m. to discuss pending litigation. Seconded by Ald. Carey, approved ayes all.

Ald. Carey **moved** to exit executive session at 7:57 p.m. Seconded by Ald. Deierlein, approved ayes all.

Adjournment

Ald. Carey **moved** to adjourn at 7:57 p.m. Seconded by Ald. Deierlein, accepted ayes all.