

COMMON COUNCIL
AGENDA

Held at
One Court Plaza
January 17, 2023
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 special meeting of December 6 and the regular meeting of December 12, 2022.

Public Hearing – Chapter 465 Signs

Public Hearing – Declaring Zoning Immunity for Bike Park Creation on Borden Ave.

Open Forum

Department, Board and Commission Reports

- ◆ George Rider Co. Minutes – December
- ◆ Maydole Hose Co. Minutes – December
- ◆ Ontario Hose Co. Minutes – December, January
- ◆ Youth Board Report – 4th Quarter
- ◆ Youth Board Minutes (no quorum) – January
- ◆ Traffic Commission Minutes – December, January
- ◆ Human Resource Report – September, October, November, December
- ◆ Finance Report – November
- ◆ Fire Department Report – Year End 2022

Council Appointment

Traffic Commission

- ◆ *Vivian James, 57 Fair Street, appointed to fill the remainder of a three-year term expiring December 31, 2023.*

Ward Reports

Resolutions

- ◆ Authorizing Extension Of The 2016 Restore Ny Grant Reimbursement For 45 Silver Street
- ◆ Authorizing Transfer For Fire Department Emergency Generator Repair
- ◆ Adopting Proposed Ordinance No. (A) Of 2023 Regarding Signs
- ◆ Authorizing End Of Year 2022 Budget Transfer For Payroll Accrual
- ◆ Authorizing Transfer For Human Resources Personal Services
- ◆ Amending Vehicle And Traffic Ordinance Relative To Stop Streets At Intersections Of Henry And Guernsey Streets
- ◆ Declaring The City Of Norwich Immune To Zoning For The Development Of A Bike Park On Borden Avenue
- ◆ Declaring the City-Owned Property as Open Space/Park Land
- ◆ Appointment Of MEO II In The DPW
- ◆ Appointment Of MEO I In The DPW
- ◆ Designating “Preferred Purchaser” Of City-Owned Property At 25 Hickok Avenue

Payment of Bills

Adjournment

Council Appointment

Ald. _____ **moved** to approve the appointment of Vivian James to the Traffic Commission. Seconded by Ald. _____ , approved ayes all.

Resolutions

RESOLUTION # -2023 AUTHORIZING EXTENSION OF THE 2016 RESTORE NY GRANT REIMBURSEMENT FOR 45 SILVER STREET

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

WHEREAS, the City of Norwich was awarded \$120,000 in the Restore NY Grant Round 4 for the redevelopment of 45 Silver Street; and

WHEREAS, 45 Silver Street has been redeveloped and sold; and

WHEREAS, the deadline to close out the project will be expiring; and

WHEREAS, an extension is necessary in order to apply for distribution of the \$120,000 reimbursement; now, therefore be it

RESOLVED, that an extension of the Restore NY Round 4 deadline for the 45 Silver Street project is hereby approved in order to apply for reimbursement of the \$120,000.

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

RESOLUTION # -2023 AUTHORIZING TRANSFER FOR FIRE DEPARTMENT EMERGENCY GENERATOR REPAIR

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

WHEREAS, the emergency generator at the Fire Department is need of repairs; and

WHEREAS, a quoted for the recommended repairs will be \$13,705 requiring a transfer of funds; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2023 Budget:

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR33	Municipal Buildings and Facilities	\$13,075
<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.4040	Municipal Buildings – Repairs/Maintenance	\$13,705

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

RESOLUTION # - 2023 ADOPTING PROPOSED ORDINANCE NO. (A) OF 2023 REGARDING SIGNS

ORDINANCE NO. (1)
OF 2023

AN ORDINANCE AMENDING CHAPTER 465
OF THE CODE OF THE CITY OF NORWICH

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

SEE 14 PAGE ATTACHMENT

Section 2. This ordinance shall take effect immediately upon adoption.

**RESOLUTION # - 2023 AUTHORIZING END OF YEAR 2022 BUDGET TRANSFER FOR PAYROLL
ACCRUAL**

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

WHEREAS, funds need to be reallocated among line items to cover the cost of expenses through December 31, 2022;
now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2022
Budgets:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3410.1010	Fire Department – Personal Services	\$ 7,577.63
A3620.1010	Code Enforcement - Personal Services	<u>\$ 7,284.72</u>
		\$14,862.35

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3410.1020	Fire Department - Overtime	\$14,862.35

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5110.1010	Street Maintenance – Personal Services	\$16,250.97

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3120.1010	Police Department – Personal Services	\$16,250.97

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A5110.1010	Street Maintenance – Personal Services	\$ 5,333.46
A5142.1010	Snow & Ice Removal – Personal Services	<u>\$10,489.87</u>
		\$15,823.33

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3120.1010	Police Department – Overtime	\$15,823.33

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

RESOLUTION # - 2023**AUTHORIZING TRANSFER FOR HUMAN RESOURCES PERSONAL SERVICES**

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

WHEREAS, the 2022 Personal Services line for Human Resources is over- budget by \$10,900; now therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2022 Budgets:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A1990.4	Contingency	\$10,900

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A1430.1010	Human Resource – Personal Services	\$10,900

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

RESOLUTION # - 2023.**AMENDING VEHICLE AND TRAFFIC ORDINANCE RELATIVE TO STOP STREETS AT INTERSECTION OF HENRY AND GUERNSEY STREETS**

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

WHEREAS, pursuant to Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Traffic Commission has made certain recommendations concerning designating STOP signs at the intersection of Henry and Guernsey Streets in the City of Norwich; now therefore be it

RESOLVED, that Section 90-50, Streets Designated, of the Vehicle and Traffic Ordinance of the City of Norwich, be and hereby is amended as follows:

Guernsey Street is hereby designated a STOP STREET at the intersection of Henry Street

Underlined material is new.

This shall take effect immediately.

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

RESOLUTION # - 2023.**DECLARING THE CITY OF NORWICH IMMUNE TO ZONING FOR THE DEVELOPMENT OF A BIKE PARK ON BORDEN AVENUE**

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

WHEREAS, the creation of a Bike Park on City-owned property located at Borden Avenue is desired; and

WHEREAS, certain acts of government may be immune to zoning when undertaking development activities and several factors are used to determine whether it is in the public interest to declare themselves immune from their zoning. Parks/open space are not allowed in the Industrial Zone and the nine factors supporting the immunity follow:

- 1. The nature and scope of the instrumentality seeking immunity:** The city is proposing park/open space for the development of the Norwich Bike Park on a 3.10-acre, city-owned parcel on Borden Avenue. The parcel is within the 100-year flood plain and will likely not be developed for any other use.
- 2. The encroaching government's legislative grant of authority:**
The grant of authority will be determined by the City of Norwich Common Council.
- 3. The kind of function or land use involved:**
The conversion of vacant land in the Industrial Zone to park/open space that is not permitted in the zone. The parcel is unlikely to be an industrial use as it is in the flood plain and is near the floodway.
- 4. The effect local land use regulation would have upon the enterprise concerned:**
Not permitting the use will delay site planning and grant funding requests.
- 5. Alternative locations for the facility in less restrictive zoning areas:**
Existing parks and city-owned parcels have been considered in less restrictive zoning areas. There were concerns such as loss of open space in existing parks and lack of area for future development. The proposed location is ideal with the proximity to the Greenway.
- 6. The impact upon legitimate local interests:**
The proposed project has received positive interest from the City of Norwich Parks Commission, Youth Board, and the Planning Commission. The city released a community survey, and the project was overwhelmingly supported by the respondents. The Comprehensive Plan supports opportunities for youth in the city.
- 7. Alternative methods of providing the proposed improvement:**
The alternative methods include creating a new zoning classification and amending the zoning ordinance. This is a city-owned parcel and creating open space by resolution instead of seeking a zoning amendment is much more efficient and will move the project forward.
- 8. The extent of the public interest to be served by the improvements:**
Positive improvements. New recreational opportunities to support a growing sport and a controlled training environment before a rider moves on to intermediate and advanced trails.
- 9. Intergovernmental participation in the project development process and an opportunity to be heard:**
The project has been presented to the Joint Committee, Parks Commission, Youth Board, and the Planning Commission. A public survey has been released for input and the results support this project; now therefore be it

RESOLVED, that the Common Council declares the City of Norwich immune from its zoning laws as it pertains to the creation of a Bike Park on City-owned parcel #136.25-1-1.21 located at Borden Avenue.

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

RESOLUTION # - 2023. DECLARING THE CITY-OWNED PROPERTY AS OPEN SPACE/PARK LAND

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

WHEREAS, the creation of a Bike Park on City-owned parcel No. 136.25-1-1.21 located at Borden Avenue is desired;
and

WHEREAS, in order to facilitate creation of the Bike Park the City declares parcel No. 136.25-1-1.21 located at Borden Avenue as Open Space/Park Space; now therefore be it

RESOLVED, that parcel No. 136.25-1-1.21 located at Borden Avenue is hereby declared Open Space/Park Space in the City of Norwich.

RESOLUTION # - 2023

APPOINTMENT OF MEO II IN THE DPW

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

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

WHEREAS, the Superintendent of DPW has recommended certain appointments to fill such vacancies; now, therefore be it

RESOLVED, that Jason Burress of Bainbridge, NY, be and hereby is granted a permanent appointment as a full time MEO II to the Norwich DPW Department with a starting salary of \$15.05 per hour January 18, 2023; and further be it

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

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

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

RESOLUTION # - 2023

APPOINTMENT OF MEO I IN THE DPW

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

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

WHEREAS, the Superintendent of DPW has recommended certain appointments to fill such vacancies; now, therefore be it

RESOLVED, that Lucas Beebe of Bainbridge, NY, be and hereby is granted a permanent appointment as a full time MEO I to the Norwich DPW Department with a starting salary of \$16.58 per hour effective January 23, 2023; and further be it

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

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

RESOLUTION # - 2023

**DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY
AT 25 HICKOK AVENUE**

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

WHEREAS, the City of Norwich acquired the real property at 25 Hickok Avenue 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 Elmer Ryan of Baldwinsville, 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; now therefore be it

RESOLVED, that the Common Council hereby designates Elmer Ryan of Baldwinsville, NY as the “preferred purchaser” of the City-owned property at 25 Hickok Avenue; 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 25 Hickok Avenue to Elmer Ryan.

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

Payment of Bills

Ald. _____ moved to pay the January 2023 bills after proper audit and certification.

	<u>Prepaid</u>	<u>1//2022</u>	<u>Grand Total</u>
General Fund	\$841,862.11	\$77,975.68	\$919,837.79
Sewer Fund	28,640.75	2,797.49	31,438.24
Water Fund	22,890.77	11,729.90	34,620.67
Trust	36,470.91	-	36,470.91
Comm. Dev. - Special Grants	-	-	-
Capital Projects	3,062.50	-	3,062.50
TOTALS	\$932,927.04	\$92,503.07	\$1,025,430.11

Seconded by Ald. _____ and duly adopted _____.