

COMMON COUNCIL

September 16, 2008

Mayor Joseph Maiurano presided at a meeting of the Common Council held at 7:00 p.m. on September 16, 2008, 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
Supervisor James McNeil
Supervisor Linda Natoli

Also:

Clerk/Director of Finance William Roberts
DPW Superintendent Carl Ivarson
HR Director Deborah DeForest
Police Chief Joseph Angelino
Assistant Police Chief Dale Smith
Code Enforcement Officer/Fire Marshall Jason Lawrence
Youth Bureau Director Robert Mason
City Attorney Pat Flanagan
Deputy City Clerk Brian Drake
Jessica Lewis, Press Representative

Absent

None

Call to Order

The meeting of the Common Council was called to order by Mayor Maiurano at 7:04 p.m.

Approval of minutes

Ald. Carey **moved** to approve the minutes of the regular meeting of August 19, 2008. Seconded by Ald. Schermerhorn, duly approved ayes all.

Mayoral Appointments

Mayor Maiurano made the following appointments to the Youth Board:

Kati Williams, 30 Sheldon Street, Student	Indeterminate Term
Tricia Della Porta, 54 Borden Avenue	3-year term expiring 12/31/2011
Mary Daigler, 54 Fair Street	3-year term expiring 12/31/2011
Maureen Francis, 7 Griffin Street	3-year term expiring 12/31/2011

Council Appointment

Ald. Bresina moved to re-appoint Brian Doliver to the Assessment Board of Review for a five-year term expiring on September 30, 2013. Seconded by Ald. Carey, duly approved ayes all.

Open Forum

Mary Coe, 5 Waite Street, thanked the City for efforts to remove a vacant trailer from 7 Waite Street. She asked that a tree on the property be trimmed so that its branches do not touch her garage roof.

Serenity Kingsley, 47 Brown Avenue, raised the issue of a neighbor who leaves out open containers of food for stray cats. This food is attracting skunks; she and her family have had several encounters with skunks on their property recently. She asked that this issue be addressed. Code Enforcement Officer Jason Lawrence asked for the name of the neighbor so that he could address the issue.

Correspondence

Renewal of Liquor License Ald. Laughlin **moved** to receive and file correspondence from Glen F. Kubista of Studebaker's of Norwich, Inc. with notification of intent to renew the liquor license at 75 North Broad Street. Seconded by Ald. Schermerhorn and duly approved ayes all.

Renewal of Liquor License Ald. Schermerhorn **moved** to receive and file correspondence from Gary Beadle of Beadle's Restaurant & Lounge with notification of intent to renew the liquor license at 15-15½ Lackawanna Avenue. Seconded by Ald. Laughlin and duly approved ayes all.

Renewal of Liquor License Ald. Laughlin **moved** to receive and file correspondence from Andrew Nicastrì of Nina's Pizzeria and Restaurant with notification of intent to renew the liquor license at 32 South Broad Street. Seconded by Ald. Deierlein and duly approved ayes all.

Renewal of Liquor License Ald. Schermerhorn **moved** to receive and file correspondence from Brenda Gibbon of The Bohemian Moon with notification of intent to renew the liquor license at 103 East Main Street. Seconded by Ald. Bresina and duly approved ayes all.

Norwich YMCA Halloween Parade Ald. Deierlein **moved** to approve a request from Thad Loomis of the Norwich YMCA to close South Broad and North Broad Streets from Beebe Avenue to Howard Johnson's from 2 p.m. until the end of the parade on Saturday, October 25, 2008 for the annual Halloween Parade, with police escort. Seconded by Ald. Bresina and duly approved ayes all.

Hayes Street Block Party Ald. Carey moved to approve a request from Joe Phelps to close Hayes Street between Locust and Elm Streets from 12 p.m. until 7:00 p.m. on Saturday, September 20, 2008 for a block party. Seconded by Ald. Schermerhorn and duly approved ayes all.

Department, Board and Commission Reports

- ◆ Information Technology Committee Minutes of August 7, 2008
- ◆ Parks Commission Minutes of August 11, 2008
- ◆ Police Department Report of August 2008
- ◆ Traffic Commission Minutes of September 10, 2008
- ◆ Wastewater Department Report of July 2008
- ◆ Water Department Report of August 2008

Ald. Laughlin **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Schermerhorn and duly approved ayes all.

Ward and Committee Reports

Public Safety/Public Works meeting of August 28, 2008

Fire Chief Chawgo announced that the Department of Health inspected the City's ambulance services and the Department passed with high marks. Police Chief Angelino announced that he had received verbal confirmation of approval of a Governor's Traffic Safety Commission grant to purchase new rugged laptop computers for police vehicles. Mayor Maiurano announced that a proposed ordinance on the keeping of animals has been drafted. The property that prompted this proposed ordinance has removed the animal, and the City is trying to get a commitment from the owners that they won't bring in other farm animals.

A. Jones reported that the stream gauges have been installed, and noted that they're resistant to vandalism. Proposed U.S. Geological Survey funding cuts may turn off all the current gauges, including the gauges at Sherburne and Greene. This would make the new gauges even more important for the City and surrounding area in the case of flooding.

Carl Ivarson announced that the Water System Open House was a success, with approximately 75 guests. He reported that the storm and sewer system has been mapped. This project took three years using interns. Some manhole covers were discovered to have extra holes, which allow too much inflow to the sewer system during rains. The Clean Water Act restricts inflow and these manhole covers need to be replaced. The mapping process also revealed a problem where groundwater mains are located under and connected to sewer mains with pipes. While this was an inventive solution when the mains were installed many years ago, it may cause problems with inflow. Completion of mapping is extremely important for continuity in the event of change of personnel.

C. Ivarson said he received three responses to his letter regarding construction of curbs and sidewalks on Willard Court. Two were negative, all three were in favor of using delineators instead of installing curbs.

Vandalism was found at the Wheeler Avenue water tank. Someone attempted to enter the building through a steel, wire-cage door. If vandals enter the facility, the consequences can be serious: electric equipment could be

tampered with, the tank could be drained, or the water supply could be contaminated. C. Ivarson suggested that City properties located outside the City need to be annexed to allow for Norwich Police Department response. The Committee discussed ways to prevent further vandalism to the area.

C. Ivarson reported that he spoke with the DEC regarding construction permit limits. He asked for no limits in order to shut down the RBCs all at once rather than in stages, and effluent would be less by doing this, but he was turned down. He agreed to a 50% limit on effluent and also suggested the City should go ahead with engineering preparation for the repairs to be made to City Hall and the Firehouse. That would cost approximately \$45,000, which may be reimbursable by the grant. Ald. Carey recommended waiting on engineering until the status of the grant is learned.

The Committee discussed repaving and other infrastructure work that will have to be done. C. Ivarson and William Roberts recommend establishing a new capital reserves fund for Infrastructure, and to begin its funding with \$20,000. CHIPS funding is vulnerable to State financial problems and funds may not be available in future. Ald. Deierlein suggested that \$20,000/year is not sufficient to cover projected costs.

The Committee discussed the American Legion's request to lease or purchase a portion of a City-owned property adjacent to their property. Not only is City access to the parcel required, but it also contains major lines for NYSEG. Ald. Carey moved that the Mayor communicate to the American Legion the City's decision to decline selling or leasing the parcel, due to concerns with utility access, and the City's determination not to sell only a portion of the parcel.

Mayor Maiurano reported that he spoke with NYSEG regarding their use of a portion of 49 Front Street, where a structure was recently demolished, and they have agreed to put in a clause required by the City for their ownership of the property, involving a 50-foot section at the rear of the lot and a 10-foot right of way for access. The rest of the property can be available for sale. The property would be transferred to the Local Development Corporation, and proceeds from the sale designated for improvement of downtown parking.

Finance/Personnel Committee meeting of September 9, 2008

To keep budgets lean, the Police Department has put off necessary upgrade of vital equipment, such as the downtown camera, and has not purchased necessary equipment, such as bags and lights for the two new patrol bicycles and a camera. In fact, when accidents have occurred patrolmen have used their personal cameras for photographic documentation. A grant was received for new laptops for patrol cars, but covers only five laptops, but two more matching laptops have to be purchased by the Department. The Committee recommended Council approval of a transfer to cover equipment upgrade and purchases.

Fire Chief Chawgo announced that the new ambulance was delivered. It is currently being outfitted and it will be registered this week. The Committee discussed procedures for ambulance calls and repairs in equipment that have been made. Chief Chawgo announced that the Red Cross is holding CPR classes at the Firehouse.

Todd Dreyer presented a comparison of costs for moving a house to 52 Fair Street versus building a new house. One bid for the move was significantly higher than expected. Todd wants to rebid the project in tandem with bids for new house construction at the site. Ald. Jeffrey noted the difference between the costs projected and the proposed selling price of the property after either construction or relocation of the house and thinks the asking price of \$85,000 is too low. Todd will check if the grant funds will be compromised if the house were to be sold for more. Todd said any purchase would first be approved by a range of organizations, including the Norwich Housing Authority and of course the Council. Mayor Maiurano noted there might be significant cost savings if all properties in the Restore New York project are bid as a group. The Committee moved to reject all bids and rebid the project.

The Committee discussed the success of the 2008 sidewalk program and, while the City did not get a Safe Routes to School grant as hoped, the sidewalk program will continue. C. Ivarson made suggestions on how to make it more cost-effective. Ald. Jeffrey asked about the status of the former Rite-Aid building. The realtor has said no decision has been made on disposition of the property, but the holding company might divest many of its vacant properties in a single transaction. Some deterioration in the building is already occurring. Ald. Jeffrey commented on garbage and litter in the City and urged that signs be posted to demonstrate that the City is serious about fining offenders. Ald. Jeffrey next commented on a yard sale that has been going on for many months. Jason Lawrence reported that he is following all legal procedures to deal with the problem.

C. Ivarson reported that anyone wishing to use the City's chlorinated raw water for large projects must have a permit from the Susquehanna River Basin Commission. The Committee recommended Council approval of a proposed rate as \$5.00 per 100 cubic feet, which is equivalent to \$0.0067 per gallon. While other communities offer lower rates, transportation costs from those communities to the Norwich area offset any savings.

The Council has on several occasions considered revising the City Charter to allow for negotiated sale of City-owned property that has been declared surplus. The Deputy City Clerk investigated how other communities handle such sales and drafted a law to revise the Charter.

W. Roberts will disseminate the tentative 2009 budget soon.

Past Councils have discussed various changes to the Charter regarding the number of Council members and Supervisors. After some discussion, Ald. Laughlin and Ald. Jeffrey suggested eliminating the two county supervisors and designating the Mayor, as City Executive, a supervisor, as is done in other communities. Ald. Jeffrey urged that any supervisor be elected by the entire community. This would create a more integrated model for City/County interaction. The City will do legal research to learn what steps are required to make such a change. This would most likely go to public referendum, and thus would not be accomplished before next year's general election.

The Council has approved filling certain vacancies in the Police and Fire Departments, and interviews have been conducted.

Ward Reports

Ward 1

Ald. Carey reported that all matters had been referred to the appropriate department heads for resolution.

Ward 2

Ald. Bresina reported that while he was absent for much of the month, all matters had been referred to the appropriate department heads and resolved satisfactorily. He further commented on the importance of restoring the City's sidewalks, remarking that he had seen a blind person walking in the street because the sidewalk was in such bad repair. Mayor Maiurano commented that this sidewalk program is important to the City, is included in 2009 budget, and urged the Council members to speak to residents in their wards to inform them about the program.

Ward 4

Ald. Schermerhorn reported that all matters had been referred to the appropriate department heads for resolution.

Ward 5

Ald. Laughlin reported that the sidewalk at 23 Grove Avenue is damaged. Barricades are up, but were evidently not erected by the Police Department. The sidewalk is dangerous and needs to be repaired. Ald. Laughlin further reported that a resident had requested Walnut Street be made one-way. He asked for a report on the progress made on the revised animal ordinance.

Ward 6

Ald. Jeffrey reported that all matters had been referred to the appropriate department heads for resolution. He further clarified remarks made during the Finance/Personnel Committee meeting regarding contemplated changes in how the post of City supervisor is handled.

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

Motion

Receive Proposed Local Law to Amend the Charter as it Relates to the Sale or Lease of City-Owned Property & Set Date for Public Hearing

Ald. Carey **moved** to receive the following proposed Local Law to Amend the Charter as it Relates to the Sale or Lease of City-Owned Property and to set a public hearing for the Common Council meeting on October 21, 2008 at 7:00 p.m. Seconded by Ald. Bresina and duly adopted, 6-0, on a roll call vote.

LOCAL LAW NO. (A)
OF 2008

**A LOCAL LAW TO AMEND THE CHARTER OF THE CITY OF NORWICH AS IT RELATES TO THE SALE
OR LEASE OF CITY-OWNED PROPERTY**

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

Section 1. Section 74 of Title IV of the Charter of the City of Norwich be and hereby is amended as follows:

Section 74. Franchises; sale of real estate.

1. Franchises.

The Common Council shall have power to grant all franchises or permits granted on behalf of the city, and no person, persons, association, or corporation shall erect any wires, poles, tracks or any obstruction in, over, under or upon any street, bridge, sidewalk or public place in said city, or in, over, under or upon any land owned by said city, unless a franchise or permit therefor shall be granted by the Common Council of said city. No franchise shall be granted hereafter for a period exceeding fifty (50) years and in such franchise it shall specifically prohibit any sublease, assignment or other transfer of all or part of the rights obtained under such franchise without consent of the Common Council, signified by resolution thereof adopted by at least a majority of the members elected voting therefor. The grant of any franchise by said Common Council shall not become valid and take effect unless made as aforesaid, and no grant of a new franchise or for an extension of a franchise now existing shall become valid without a resolution by said Common Council, adopted by at least a majority of members elected voting therefore.

[The Common Council may sell or lease city owned buildings or property in accordance with Section 23, Article 2A of the General City Law of the Laws of New York State.]

2. Sale of real estate.

a. Real estate owned by the City of Norwich and designated by the Common Council as not required for use by the City may be sold or leased at a negotiated price without advertisement, or as provided by Title XII, §§214-220 of the City Charter. The Director of Finance is hereby designated as the official of the City to accept offers for the purchase of such real estate from prospective purchasers thereof. Each offer shall be in writing subscribed by the person making such offer, which shall be accompanied by a deposit in the form of cash, a certified check or money order made payable to the City of Norwich in a sum equal to ten per cent (10%) of the offer or ten dollars (\$10), whichever is the greater sum; if the offer is accepted by the Council, it shall apply on the purchase price, and if rejected, such offer shall be returned within ten (10) days of final action of said Council to the person submitting the offer. The deposit shall be kept in the custody of the Director of Finance pending action by the Council.

b. The price of such real estate shall be fixed by the Director of Finance, subject to the approval of the Council.

c. The offer shall be submitted by the Director of Finance to the Council for approval, together with his recommendation, which may be oral or in writing.

d. No real estate which has been assigned by the Council to a public use shall be sold at private sale, in accordance with Article 2-A, Section 20(2) of the General City Law of the State of New York.

e. The Council shall, by resolution passed by a majority of all members of the Council, either accept or reject the offer as it deems the best interest of the city requires; if such offer is accepted, the resolution of acceptance shall authorize, empower and direct the Mayor to execute a deed of conveyance or lease, whichever is appropriate.

f. A list may be prepared by the office of the Director of Finance of all City-owned property available for purchase. This listing may be publicized in any way deemed appropriate, including but not limited to: direct circulation to banks, realtors, neighboring property owners and any others with potential interest in the city property; display in City Hall; display on the website of the City of Norwich.

g. The sale price negotiated for any parcel will reflect consideration of such things as assessed value, costs of administration, outstanding bills for taxes, utilities and assessments and any other outstanding claims.

h. The Common Council will have final approving authority for any sales agreements, upon clearance by the City Attorney and recommendation of the Director of Finance.

Underlined material is new; [bracketed] material is deleted.

Resolutions

RESOLUTION #75-2008

AUTHORIZING MAYOR TO SIGN MEMORANDUM OF AGREEMENT - NYSDEC

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

WHEREAS, the New York State Department of Environmental Conservation has established certain guidelines in order to protect all fish and aquatic life in the waters of New York State and to minimize the paperwork required for each municipality to complete necessary public works projects; and

WHEREAS, certain public works projects are necessary in the streams and waters under the jurisdiction of the City of Norwich; now, therefore, be it

RESOLVED, that the Mayor of the City of Norwich is authorized to sign a Memorandum of Understanding between the Department of Environmental Conservation of the State of New York and the City of Norwich for the period January 1, 2009 to December 31, 2009.

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

RESOLUTION #76-2008

ESTABLISHING WATER RATE FOR CHLORINATED RAW WATER SUPPLY TO LARGE-VOLUME USERS REQUIRING APPROVAL FROM SUSQUEHANNA RIVER BASIN COMMISSION

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

WHEREAS, the supply of chlorinated raw water is being sought by potentially large-volume users who are required to obtain prior approval from the Susquehanna River Basin Commission; and

WHEREAS, the City's water supply capacity is adequate and appropriately qualified for availability to such users; and

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

RESOLVED, that the following rate be and hereby is established for the sale of chlorinated raw water to such large-volume users who are required to obtain prior approval from the Susquehanna River Basin Commission: \$5.00 per 100 cubic feet, which is equivalent to \$0.0067 per gallon; and, further be it

RESOLVED, that the Superintendent of Public Works be and hereby is authorized to enter into agreements with such large-volume users for the sale of chlorinated raw water at the aforesaid rate.

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

RESOLUTION #77-2008.**AUTHORIZING TRANSFER OF FUNDS – POLICE EQUIPMENT – CAPITAL RESERVES**

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

WHEREAS, funds are required for necessary equipment upgrades and purchases; and

WHEREAS, the Finance/Personnel 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 from Capital Reserves to the 2008 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR21-878	Capital Reserves – Police Equipment	\$7,300.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.2100	Police Department – Equipment	\$7,300.00

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

RESOLUTION #78-2008**AUTHORIZING AWARD OF BID – 2008 TREE REMOVAL**

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

WHEREAS, bids have been received for the 2008 Tree Removal project; and

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

RESOLVED, that the bid for the 2008 Tree Removal program be and hereby is awarded to the lowest qualified bidder meeting specifications, Cook's Tree Service of Vestal, NY, in the amount of \$16,030.

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

RESOLUTION #79-2008**ESTABLISHING GENERAL FUND INFRASTRUCTURE CAPITAL RESERVE FUND**

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

WHEREAS, certain components of the infrastructure of the City of Norwich which are funded through the General Fund, including but not limited to sidewalks, curbing, and public parking lots, are in need of significant construction or reconstruction from time to time; and

WHEREAS, such components can require substantial funds not available from sources other than the General Fund, requiring the accumulation of funds for meeting future needs for this type of purpose; and

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

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, the Common Council of the City of Norwich does hereby establish a Capital Reserve Fund to finance the cost of construction, reconstruction, or acquisition of infrastructure funded through the General Fund, including but not limited to sidewalks, curbing, and public parking lots; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized and directed to deposit monies appropriately designated for this type of purpose into said fund, to be known as the "General Fund Infrastructure Capital Reserve Fund", and invest same from time to time pursuant to Section 11 of the General Municipal Law; and, further be it

RESOLVED, that no expenditure shall be made from this fund, except upon authorization of the Common Council pursuant to Section 6-c of the General Municipal Law.

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

RESOLUTION #80-2008 **AUTHORIZING APPOINTMENT OF WATER SYSTEM OPERATOR
TRAINEE**

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

WHEREAS, a vacancy exists in the operator trainee position of the City of Norwich Wastewater Treatment Plant, and;

WHEREAS, the interview process has been conducted according to established procedure and Brian Maricle of South Plymouth, NY has been recommended to such position; now, therefore be it

RESOLVED, that Brian Maricle, South Plymouth, NY, be and hereby is granted a provisional appointment to the position of Water System Operator Trainee, contingent upon meeting all civil service and State requirements, effective September 17, 2008.

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

RESOLUTION #81-2008 **APPOINTMENT OF FIRE ASSISTANTS IN THE NORWICH FIRE
DEPARTMENT**

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

WHEREAS, vacancies exist in the position of fire assistant in the Norwich Fire Department, and;

WHEREAS, the interview process has been conducted according to established procedure and the interview process has been conducted according to established procedure and Justin Anderson, James Brady, and Trevor Natoli of Norwich, NY has been recommended to such position; now, therefore be it

RESOLVED, that Justin Anderson, Norwich, NY, be and hereby is granted a permanent appointment as fire assistant in the Norwich Fire Department, contingent upon successful medical exams, background check, and civil service requirements, effective September 17, 2008; and, further be it

RESOLVED, that James Brady, Norwich, NY, be and hereby is granted a permanent appointment as fire assistant in the Norwich Fire Department, contingent upon successful medical exams, background check, and civil service requirements, effective September 18, 2008; and, further be it

RESOLVED, that Trevor Natoli, Norwich, NY, be and hereby is granted a permanent appointment as fire assistant in the Norwich Fire Department, contingent upon successful medical exams, background check, and civil service requirements, effective September 19, 2008.

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

Payment of Bills

Ald. Schermerhorn **moved** that the September 2008 bills be paid after proper audit and certification as follows:

	<u>Prepaid</u>	<u>04/15/08</u>	<u>Grand Total</u>
General Fund	\$ 237,246.61	\$ 84,116.76	\$321,363.37
Sewer Fund	6,164.25	15,559.84	21,724.09
Water Fund	57,904.77	7,364.87	65,269.64
Trust	19,050.95	-	19,050.95
B.I.D.	-	-	-
Debt Service	7,478.64	-	7,478.64
Reserves	-	-	-
Unemployment	-	-	-
Community Development	33,694.00	-	33,694.00
Economic Development	-	-	-
Capital Projects	18,764.70	-	18,764.70
TOTALS	\$380,303.92	\$107,041.47	\$487,345.39

Seconded by Ald. Laughlin and duly adopted ayes all.

Executive Session

Ald. Jeffrey **moved** to enter executive session at 7:42 p.m. to discuss proposed litigation; to discuss the sale of real property where price may be affected, and to discuss labor contract negotiations. Seconded by Ald. Carey, duly approved ayes all.

Ald. Jeffrey **moved** to exit executive session at 8:40 p.m. Seconded by Ald. Laughlin, duly approved ayes all.

Motion

Authorize Mayor to Sign CSEA Labor Contract Ald. Carey **moved** to authorize the Mayor to sign a labor contract with CSEA Administrative Support Staff for a five-year period retroactive to January 1, 2008. Seconded by Ald. Schermerhorn, duly approved, 6-0, on a roll call vote.

Adjournment

Ald. Jeffrey **moved** to adjourn at 8:42 p.m. Seconded by Ald. Laughlin, accepted ayes all.