

COMMON COUNCIL

Work Session

May 8, 2007

Mayor Joseph Maiurano presided at the work session of the Common Council held at 7:00 PM on May 8, 2007, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Joseph Maiurano
Ald. Terry Bresina
Ald. Suzanne Williams
Ald. Walter Schermerhorn
Ald. Paul Laughlin
Ald. Robert Jeffery

Also:

Clerk/Director of Finance William Roberts
Asst. Police Chief Dale Smith
Codes Enforcement Officer Jason Lawrence
DPW Superintendent Carl Ivarson
Planning & Community Dev. Specialist Todd Dreyer
Asst. Fire Chief Jan Papelino
Media Representative Jessica Lewis

Absent:

Ald. A. Anthony Abraham

Call to Order

The work session of the Common Council was called to order by Mayor Maiurano at 7:03 p.m. He noted that next week's meeting on May 15th will start at 6:00 p.m., but will go directly into executive session to discuss current litigation. The regular part of the meeting is planned to begin at or soon after 7:00 p.m. He also said that should the executive session end sooner than 7 p.m., the regular open session of the meeting will not resume sooner than 7 p.m., in consideration of those among the public who might arrive at the usual time.

Open Forum

No one spoke.

Committee Chair Reports

Finance/Personnel Committee of May 1, 2007

Ald. Schermerhorn reported that the committee discussed the bid opening on the new custom pumper fire truck, which was detailed by Chief Angelino and Assistant Chief Jan Papelino. A recommendation was made for the Council to award the bid to Absolute Emergency Vehicles & Equipment of Endicott. Also discussed was surplus property from the EMO office, the outdoor burning furnaces subject presented by Codes Officer Lawrence, and the promotion of the upcoming Building Safety Week program. T. Dreyer presented a Community Development proposal for the disposition of City-owned property at 96 Silver St. Public Works / Engineering items included a recommendation to award the cold-water meters bid to E. J. Prescott, approving the letting of a bid for a one-ton dump truck, and recommending approval of the qualifications selection of Delaware Engineering for the RBC's project at the wastewater treatment plant. Under old business, the committee received an update from T. Dreyer on the 2007 sidewalk program, and based on the limitations of the number of sidewalks that can be done this year, decided to address the possibility of planning for a follow-on program in the 2008 budget at the June 5th meeting, for a recommendation to the full Council next month. Schermerhorn added that an update on filling the Deputy Clerk vacancy, a meeting with the city's attorney's on the Chenango Lake lawsuit status, and the parking lot behind McLaughlin's department store were reviewed. Regarding the sidewalk program, Mayor Maiurano interjected that the City was very appreciative of Senator Libous' help through the \$50,000 grant he provided.

Public Works/Safety Committee of April 10 and April 26, 2007

Ald. Bresina said that given the lack of a quorum, reports were given and committed to minutes and passed on to other members. He reported that Chief Angelino performed the swearing in of three new firefighters, and Lisa Ianello reviewed plans for the 13th annual Colorscape Chenango festival scheduled for September 8th and 9th. Several other topics were covered, including refilling the assistant fire chief position after the appointment of Daryl Prindle to a paid Relief Firefighter, the upcoming bid opening on the new pumper truck, and many of the items already covered in the other committee report above.

Discussion - Outdoor Burning Furnaces

Mayor Maiurano noted that at both the Public Safety/Public Works and the Finance/Personnel committee meetings, the subject of outdoor solid-fuel-burning furnaces was discussed, and it was detailed in the minutes that the Council had received. He said that he believed all of those Council members present at tonight's meeting were at one or both of those meetings. At the May 1st Finance/Personnel meeting last week, the desire was expressed to schedule a public hearing in June for amending the ordinance and enacting a local law to ban the use of such devices in the City. The consensus of the Council was to schedule the receipt of a proposed local law and the May 15th meeting at which time a public hearing will be set for June.

Correspondence / (Motion)

Curb Cut Request for 1-11 Lee Avenue

Ald. Williams moved to approve a curb cut at 1-11 Lee Avenue, under the direction of the Public Works Superintendent. Seconded by Ald. Laughlin and duly adopted, ayes all.

Resolutions

RESOLUTION #39-2007 **AWARDING BID AND AUTHORIZING BUDGET TRANSFERS FOR NEW PUMPER FIRE APPARATUS**

Ald. Williams introduced the following and moved its adoption:

WHEREAS, bids have been received and were opened on May 1, 2007 for a new Pumper Fire Apparatus; and

WHEREAS, funds are required to cover the cost of said equipment; 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 new Pumper Fire Apparatus be awarded to the lowest qualified bidder meeting specifications, Absolute Emergency Vehicles & Equipment, of Vestal, NY, in the amount of \$235,847; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2007 General Fund budgets:

From:

Account Number Name

HR32-878

Capital Reserves – Fire Equipment

Amount

\$ 235,847.00

To:

Account Number Name

A3410.2100

Fire Department – Equipment

Amount

\$ 235,847.00

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

Prior to the vote, Ald. Williams asked how much would be remaining in the capital reserves after this transfer. W. Roberts stated that from his recollection, after including the budgeted 2007 General Fund year-end transfer into the reserves account, there should be somewhere around \$180,000 to \$185,000 remaining. Ald. Jeffrey asked if this reserve also covered ambulances. Roberts replied that no, it didn't, that there is a separate reserve for ambulance equipment, which should have around \$120,000 by the end of this year prior to any withdrawals being made. He recalled that the newest ambulance, acquired at the end of 2006, was financed through a lease agreement.

RESOLUTION #40-2007.

APPOINTING DEPUTY CITY CLERK

Ald. Williams introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Deputy City Clerk; and

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

RESOLVED, that

1. Brian E. Drake of Oxford, NY, be and hereby is permanently appointed to the full-time position of Deputy City Clerk for the City of Norwich at the Entry Level of Grade 20 of the Non-Unit Compensation Schedule, effective June 11, 2007, and
2. such appointment is contingent upon a successful background check, and
3. this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

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

Development of Agenda for Regular Common Council Meeting of May 15, 2007

- 1) *Call To Order (at 6:00 p.m.)*
- 2) *Pledge of Allegiance*
- 3) *Invocation*
- 4) *Executive Session: To Discuss Current Litigation*
- 5) *Approval of minutes of the work session of April 10, 2007, and the regular meeting of April 17, 2007.*
- 6) *Open Forum*
- 7) *Bids*
- 8) *Correspondence*
 - ◆ *Classic Car Cruise-In, May 25, 2007*
 - ◆ *Dairy Day Parade, June 16, 2007*
 - ◆ *Curb Cut Request – Ross Ave. – Tony Raffaele*
- 9) *Department, Board and Commission Reports *report not yet received*
 - ◆ *Civil Service Commission minutes of **
 - ◆ *Emergency Management Office monthly report for**
 - ◆ *Fire Department/Codes monthly report for**
 - ◆ *Police Department Report for**
 - ◆ *Public Works/Water System monthly report for March, 2007*
 - ◆ *Parks Commission minutes of April 9, 2007*
 - ◆ *Planning Commission of**
 - ◆ *Traffic Commission minutes of April 11, 2007*
 - ◆ *Water Commission minutes of April 18, 2007*
 - ◆ *Youth Board minutes (none for May meeting - only one member present)*
 - ◆ *Youth Bureau monthly report for April, 2007*
 - ◆ *Zoning Board of Appeals (no April meeting)*

10) *Ward and Committee Reports*

- ◆ *Finance / Personnel Committee meeting of May 1, 2007*
- ◆ *Public Safety / Public Works Committee Special meeting of April 10, 2007 and regular meeting of April 26, 2007*

11) *Old Business*

12) *New Business*

Mayor's Proclamations

Motions

- ◆ *Motion - Approve Qualifications Submittal of Delaware Engineering for RBC's Project*

Resolutions

- ◆ *Res - Awarding Bid for Cold Water Meters and Authorizing Transfer of Funds*
- ◆ *Res - Correcting Resolution Amending Municipal Cooperation Agreement & CCAC/GNLDC Merger*

13) *Payment of Bills*

14) *Executive Session: As Needed*

15) *Adjournment*

Proposed May 15, 2007 Agenda Additions or Deletions

Based on the discussion item this evening, it was concurred that a motion will be added to receive a proposed local law to prohibit outdoor burning furnaces and set a public hearing for June 19, 2007. Ald. Jeffrey asked about adding a curb cut request for 25 Adelaide Street. C. Ivarson said he had the letter. Ald. Jeffrey then requested that a discussion item also be added for an update on Ambulance Service billings for calls outside the service area and associated Fire Department overtime costs. He said he would like to see the number of calls outside the district and how much is billed and collected on such calls, and how they relate to the overtime and any other affected costs. Ald. Schermerhorn added that a scheduled monitoring report to track revenues and costs should be established. Ald. Williams asked T. Dreyer about the 2007 sidewalk program status, and it was decided that a motion be added to the agenda for approving site selections under this year's grant program. With regard to those applications not selected for this year, the desire was expressed to pursue scheduling a follow-on program for the 2008 budget. It was decided that the Finance/Personnel Committee would discuss this and refer a recommendation to the full Council to decide on at the regular June 19th meeting.

Additional Discussion Item - Deteriorated Buildings

Following the development of next week's agenda, Ald. Williams brought up the subject of deteriorated problem buildings in the city, and how a condemnation might be pursued to remedy a given situation. Codes Enforcement Officer J. Lawrence noted that there are complex legal ramifications involved, and the time it would take could be very extensive and expensive. T. Dreyer noted that an engineering study will be performed on several sites as part of a preparation to file another Restore New York grant application under the upcoming second round. Ald. Jeffrey asked that if the City does condemn a property, do they then need to come up to zoning requirements and would previous uses have to re-applied for? The answer was that this issue is not necessarily a zoning issue. Also, regardless of the condition of a particular property, the zoning is unaffected, and it is the compliance with codes ordinances that applies. Zoning cannot be altered on a property-by-property basis, since that would be spot-zoning. Ald. Bresina said he would like to see research into attaching a fee to vacant and/or condemned properties on top of the tax assessment.

Adjournment

Ald. Schermerhorn moved to adjourn at 7:53 p.m. Seconded by Ald. Laughlin and duly adopted ayes all.