

COMMON COUNCIL

Work Session
February 8, 2005

Mayor Robert presided at a work session of the Common Council held at 7 PM on February 8, 2005, at One Court Plaza.

Present:

Mayor Robert Raphael
Ald. A. Anthony Abraham
Ald. James Cushman
Ald. Suzanne Williams
Ald. Jeffrey Thornton
Ald. Joseph Maiurano
Ald. Joseph Biviano

Also:

Clerk / Director of Finance William Roberts
Human Resources Director Deborah DeForest
Fire Chief John Tighe
Police Chief Joseph Angelino
DPW Supt. Carl Ivarson
Deputy Clerk Donna Philippone

DEC Update – Tom Suozzo of the NYS Department of Conservation updated the Council on the Lee Avenue Soil Vapor Investigation. He said that residents are being contacted by the DEC for permission to sample residential indoor air quality. Mr. Suozzo said the sampling is necessary to determine whether an unacceptable impact to air quality exists. The testing consists of collecting air samples from beneath the basement floor, inside the basement, on the first floor and from outside the home. He said that a household product survey would also be conducted. Test results will be evaluated by the DOH and each homeowner will receive a copy of their results with an explanation. There will be no cost to the homeowner. Mr. Suozzo said that public understanding and involvement are important to the success of the project and as it progresses, the DEC will continue to distribute fact sheets to keep residents informed. Information was also distributed relative to radon and test kit information is available through the DOH.

Community Development Update – William Tomkins of Shelter Planning reviewed the options available to the Council with regard to submitting a housing rehabilitation application through the HOME Program. He recommended a city-wide rental assistance program with a 75/25 match to obtain greater participation. Mr. Tomkins said the program would help landlords improve rental properties and noted rent increases would be restricted for a certain amount of time. Ald. Biviano stated that inspections would be made on the properties and the landlords would be required to keep the property up to code. Ald. Thornton asked if the whole program could be contracted out. Mr. Tomkins said many of the components could be subcontracted, however, the City would ultimately be responsible for the program.

Sheldon Street Fire Station – Discussion ensued relative to options for the Sheldon Street Fire Station once the Ontario Hose Company relocates to its new quarters in the renovated Fire Station. Ald. Biviano said it was his understanding that the property would go back to the Ontario Hose Company and the only question remaining was how the transfer would be made. Ald. Abraham noted the Public Works Committee discussed the matter and forwarded it to the Finance/Personnel Committee to determine the means for disposal. Ald. Maiurano said when the matter came before the Finance/Personnel Committee, there was further investigation needed because of the cost consideration as well as zoning issues. Director of Finance Roberts said the City Attorney is looking into the options. Ald. Maiurano indicated that the residents of the neighborhood are against the proposed plans of the Ontario Hose Company to use the facility as a clubhouse. He added that the City just built a \$3.2 Million Fire Station with ample room for the volunteers. Ald. Cushman suggested that as the Finance/Personnel Committee is still reviewing the matter, it should stay there until the review is completed.

Department Workload Restructuring – The Council was presented with a department workload-restructuring proposal. Ald. Cushman explained that it was presented at the Finance/Personnel Committee meeting and forwarded on to the full Council without discussion. Ald. Abraham presented to the Council for consideration an alternate proposal that he feels is not political, but yet practical and professional as follows: reduce the hours of the HR Director to 20 hours per week and move her to the location occupied by Donna Philippone; move the Mayor into Deb DeForest's office; move Bill Roberts into the Mayor's office; move Donna Philippone into Bill Roberts office and assign her additional duties of 10% of Bill Roberts Clerk workload; Amy Donnison stays at her current location, relinquishes her duties with the Fire Department and assists the Finance Director; Chris Gray will have no change in her position. Discussion ensued and it was agreed that the matter should be addressed by the Finance/Personnel Committee. Mayor Raphael suggested that Council members not on the Committee are welcome to attend the meeting and may provide input at the meeting or submit suggestions in writing. Ald. Thornton asked how the job functions were determined in the Mayor's proposal. Ald. Maiurano said talking to the employees involved and discussions between the Mayor, the HR Director and himself determined them.

Open Forum

John Tighe, Fire Chief, presented a statement to the Common Council relative to the recent published reports of a cover-up and the misuse of a city cellular phone. He said the reports were fed by just a couple of the City Council members. He stated that there was no cover-up, nor was there any misuse.

Chief Tighe said there was, however, a clear attempt to provide the best service possible to the community and to protect the people, the citizens and especially his family from the wrongful actions of some. The Chief stated the following: “the events of November 19 began with Alderman Abraham entering City Hall and inquiring as to (the Chief’s) whereabouts the night before. Mr. Abraham had apparently received information that his city car was seen on Upper Front Street at approximately 7:30 AM. Mr. Abraham asked for the telephone number of (the Chief’s) family residence in Horseheads, which was not readily available; he then ordered Finance Department staff to pull city records of cell phone bills and from the bills, he located the phone number; he went to a city phone and called the number; when Mrs. Tighe answered the phone, a man asked if John was there and what time he left; the man identified himself as one of his customers and said he was with the J.P. Smith Company; Mrs. Tighe asked for his phone number and said she would have John call him and he said no, he’ll find out for himself; the number on the caller ID was the Finance Director’s office telephone number, a number not familiar to Mrs. Tighe; alarmed by the phone call, she called her husband and told him of the incident”. Chief Tighe said that later that day he filed a harassment complaint against Mr. Abraham with the Mayor and the Human Resources Director. He stated that his wife filed a complaint with the State Police at the Horseheads barracks to protect herself in case of further incidents. The Chief indicated that the City conducted its own investigation and found that the case did not constitute harassment under city policies and he has accepted that decision. Chief Tighe stated that Mr. Abraham has crossed the line of ethics and proper behavior by including his family in the unprofessional attacks upon him. Chief Tighe said he openly admits to withholding the cell phone information based on the actions of the first ward alderman and as for the personal use of the phone, he has not violated any current city policy. He asked that the Council stop the ridiculous attacks and get back to the business at hand.

Proposed Ordinances – Ald. Biviano expressed some concerns about the proposed ordinances and suggested that although the public hearings have been scheduled for next week, he would like to table any action pending further review by the City Attorney.

Development of Agenda for February 15, 2005

- 1) Call To Order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approval of minutes -- the regular meeting of January 25, 2005, the work session of January 18, 2005 and the special meeting of January 28, 2005.
- 5) Public Hearings
 - ◆ An ordinance to amend the Zoning Ordinance map of the City of Norwich relative to the northwest section PUD.
 - ◆ An ordinance to amend the Zoning Ordinance map of the City of Norwich relative to extending R-2 zone from Silver Street.
 - ◆ A certain parcel of real property located at 125 – 127 East Main Street, tax map number 136.5-2-14.1; which property may be required for use by the City.
- 6) Open Forum
- 7) Bids – One Ton Pickup Truck Four Wheel Drive
- 8) Correspondence
- 9) Department, Board and Commission Reports
 - ◆ Historian monthly report for January 2005
 - ◆ Police Department monthly report for January 2005
 - ◆ Public Works/Water System monthly report for January 2005
 - ◆ Records Management monthly report for January 2005
 - ◆ Youth Bureau monthly report for January 2005
 - ◆ Civil Service Commission minutes of January 13, 2005
 - ◆ Planning Commission minutes of January 17, 2005
 - ◆ Traffic Commission minutes of January 12, 2005
 - ◆ Water Commission minutes of January 19, 2005
- 10) Ward and Committee Reports
 - ◆ Finance / Personnel Committee meeting of February 2, 2005
 - ◆ Public Safety Committee meeting of January 20, 2005
 - ◆ Public Works Committee meeting of January 27, 2005
- 11) Old Business
- 12) New Business
 - Appointments
 - ◆ Correction: Appointment to Assessment Board of Review
 - Award of Bids
 - ◆ Liquid Chlorine/Sodium Hypochlorite
 - ◆ One Ton Pickup Truck Four Wheel Drive
 - Motions
 - ◆ Authorize Police Chief to seek local bids for Police Vehicles
 - ◆ Authorize a Sidewalk Program Policy be Drafted
 - ◆ Authorize Mayor to Decline Transfer of Property By Norwich Schools
 - ◆ Acceptance of Payments for 2003 Delinquent Taxes Paid After Redemption Date

- ◆ Accept Engineering Proposal for Brown Avenue Housing Project
Resolutions
 - ◆ Res – Approve Ordinance No. 1 of 2005
 - ◆ Res – Approve Ordinance No. 2 of 2005
 - ◆ Res – Determine City-Owned Property is Not Required for Use
 - ◆ Res – Authorize Agreement with Electronic Maintenance Associates / Transfer of Funds
 - ◆ Res – Auth Return Funds for Tanker Truck Repairs Not Made and Transfer for Fire Department Maintenance and Repairs
 - ◆ Res – Auth Correction of November 2003 Transfer State Retirement
 - ◆ Res – Auth Year End 2004 Transfers General Fund Budget
 - ◆ Res – Auth Year End 2004 Transfers Water Fund Budget
 - ◆ Res – Auth Year End 2004 Transfers Wastewater Fund Budget
 - ◆ Res – Authorizing Agreement for Assistant Police Chief
 - ◆ Res – Auth State Retirement Reserve Funding – Pending
- 13) Payment of Bills
- 14) Executive Session – Union Contract Negotiations
- 15) Adjournment

-- Ald. Thornton questioned the proposed motion to decline the transfer of property from the School. Ald. Biviano stated that the Public Works Committee discussed the matter and based on the insurance issues and maintenance concerns, it is not in the City's best interest to take possession of the property at this time.

Committee Reports

- Finance/Personnel Committee – Ald. Maiurano reported that the Finance/Personnel Committee discussed the Byrne Program grant award for police vehicles, the donation from the Masons group of a new patrol bike for the Police Department, an engineering proposal relative to the Brown Avenue Housing Project, the proposed transfer of the Sheldon Street Fire House to the Ontario Hose Company, the proposed Route 23 truck by-pass, bids received, a proposal to replace the drive system at Well #4, the 2005 CHIPS program, the proposed sidewalk program, the possible consolidation and extension of water districts, correspondence from the School relative to Flanagan Field, survey of Borden Avenue Transportation Building, review of the workload restructuring of City Hall departments, policy regarding use of telephones and cell phones, year end budget transfers.

-- Ald. Thornton questioned the discussion relative to the Route 23 truck bypass. Ald. Maiurano indicated that it was forwarded to the Finance/Personnel Committee from Public Works. Ald. Biviano said the proposal would keep truck traffic off Rexford Street and prevent the difficult turns at those intersections.

-- Ald. Thornton questioned the proposed sidewalk program and the cost to the City. Director of Finance Roberts stated that the intent is that it won't cost the city anything and that the residents would bear the cost. DPW Supt. Ivarson stated that it would be revenue for the City and clarified that it is a sidewalk repair program.

-- Ald. Thornton questioned the Greater Norwich Water System discussion. Director of Finance Roberts stated that he and Supt. Ivarson met with Town officials and representatives of the State Comptroller's office to explore the possibilities of consolidating and extending Town districts. He said further discussion is anticipated.

- Public Safety Committee – Ald. Cushman reported the Committee reviewed outdated ordinances. He asked for input from Council members regarding multiple dwellings and noted he would like to move forward at the next meeting.
- Public Works Committee – Ald. Abraham reported the Public Works Committee discussed storm drainage proposals, fire department renovation, bids and the Sheldon Street station.

Executive Session – Ald. Thornton moved to go into executive session at 9:35 PM to discuss sale of property where the price may be affected and the employment history of a particular individual. Seconded by Ald. Williams and duly adopted, ayes all.

Ald. Thornton moved to go out of executive session at 9:46 PM. Seconded by Ald. Cushman and duly adopted, ayes all.

Adjournment – Ald. Biviano moved to adjourn at 9:46 PM. Seconded by Ald. Thornton and duly adopted, ayes all.