

COMMON COUNCIL

February 17, 2004

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on February 17, 2004, 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:

Attorney Patrick Flanagan
Clerk / Director of Finance Brian Molinaro
Fire Chief John Tighe
Human Resources Director Deborah DeForest
Police Chief Joseph Angelino
Public Works Supt. Carl Ivarson
Historian Patricia Scott
Supervisor James McNeil
Supervisor Linda Natoli
Deputy Clerk Donna Philippone

-- Ald. Biviano moved to dispense with the reading and approve the minutes of the special meeting of December 30, 2003, the organizational meeting of January 5, 2004 and the work session of January 13, 2004. Seconded by Ald. Thornton and duly adopted, ayes all.

OPEN FORUM:

-- **Edward Morano**, 21 Miller Street, referring to a recent editorial in the newspaper, stated that the City must add to its tax base and noted that the Town is benefiting more from the City's services. Mr. Morano indicated the City needs to get away from expenses and look at revenues. He also noted that last year he presented a memo to the City regarding concerns about residential neighborhoods.

-- **Mary Coe**, 5A Waite Street, asked about insurance for part time employees and the status of not-for-profit properties. HR Director DeForest noted that there is insurance coverage for part time elected officials. Mayor Raphael stated that the Director of Finance and Assessor are looking into the not-for-profit matter.

-- **Dave DeBrie**, Silver Street, said he has not heard much about the Silver Street and Borden Avenue properties for sale.

BIDS:

Community Development Services -- Two proposals were received for Community Development Services. The Mayor said the Council would interview the firms at a special meeting on Wednesday with possible action following the interviews.

CORRESPONDENCE:

Allegro Run for the Arts -- Ald. Cushman moved to approve a request to hold the annual Allegro Run for the Arts on May 2, 2004, under the Direction of the Police Chief as recommended by the Public Safety Committee. Seconded by Ald. Maiurano and duly adopted, ayes all.

College Day -- Ald. Maiurano moved to approve barricading the parking spaces in the Court Street Parking Lot for the annual College Day Event on April 6, 2004, under the Direction of the Police Chief as recommended by the Public Safety Committee. Seconded by Ald. Maiurano and duly adopted, ayes all.

DEPARTMENT, BOARD AND COMMISSION REPORTS:

- ◆ Historian monthly report for January, 2004 and 2003 Annual Report
- ◆ Police Department monthly report for January, 2004 and 2003 Annual Report
- ◆ Public Works/Water System monthly report for January, 2004
- ◆ Records Management monthly report for January, 2004 and 2003 Annual Report
- ◆ Youth Bureau monthly report for January, 2004
- ◆ Civil Service Commission minutes of January 8, 2004
- ◆ Parks Commission minutes of January 12, 2004
- ◆ Planning Commission minutes of January 26, 2004
- ◆ Traffic Commission minutes of January 14, 2004
- ◆ Youth Board minutes of February 10, 2004

-- Ald. Biviano moved to receive and file the department, board and commission reports. Seconded by Ald. Maiurano and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS:

Ward Four -- Ald. Thornton thanked the Public Works Supt. and his staff on the work they've done on the streets.

Ward Five -- Ald. Maiurano reiterated the comments of Ald. Thornton and commended the Public Works Department.

Ward Six -- Ald. Biviano commended the City Attorney on his presentation during the recent trial.

- ◆ Finance Committee meeting of January 19, 2004
- ◆ Public Safety Committee meeting of January 22, 2004
- ◆ Public Works Committee meeting of January 29, 2004

-- Ald. Biviano moved to receive and file the reports. Seconded by Ald. Maiurano and duly adopted, ayes all.

NEW BUSINESS:

Appointment to B.I.D.M.A. -- Ald. Williams moved to approve the appointment of Brian J. Molinaro as Common Council representative to the Board of Directors of the Norwich Business Improvement District Management Association, Inc. Seconded by Ald. Thornton and duly adopted, ayes all.

2002 Property Tax Payments -- Ald. Biviano moved to authorize the Director of Finance to accept 2002 property tax payments after January 22, 2004 and prior to the date of the Property Tax Auction, as recommended by the Finance Committee. Seconded by Ald. Williams and duly adopted, ayes all.

Demolition of 96 Silver Street -- Ald. Thornton moved to accept the low proposal from Burrell's Excavating of Norwich, NY in the amount of \$18,500 for the demolition of 96 Silver Street, as recommended by the Public Works and Finance Committees. Seconded by Cushman and duly adopted, ayes all on a roll call vote, 6-0.

-- Prior to the vote, Ald. Biviano noted that Community Development funds were available to cover the cost of the demolition.

Modified Water Shutoff Policy -- Ald. Cushman moved to approve the Modified Water Shutoff Policy (January 2004), as presented by the Water Commission and recommended by the Finance Committee. Seconded by Ald. Biviano and duly adopted, ayes all.

CITY OF NORWICH, WATER SYSTEM Shut Off Policy January 2004

- 1) *The billing date will be the 1st. day of the month following the quarterly / monthly meter reading.*
- 2) *Bills are due and payable upon presentation.*
- 3) *Bills will be mailed before the 10th working day each month.*
- 4) *The **PAST DUE** date will be the 16th day of the succeeding month from the billing date.*
- 5) *Quarterly bills not paid by the 15th day of the succeeding month will be assessed a percentage late charge (set by Common Council at 5 % 1996)*
- 6) *Monthly bills not paid by the 1st. day of the succeeding month will be assessed a percentage late charge (set by Common Council at 3.25 % - 1996)*
- 7) *The shut off notices date will be the last week of the current billing month.*
- 8) *A listing will be made of all accounts not paid by the scheduled shut off date.*
- 9) *Shut off notices will be mailed during the 2nd week of the current billing months scheduled shut off date.*
- 10) *On the scheduled shut off date the service will be physically disconnected and not restored until arrears are paid along with an administrative fee (set by Common Council at \$ 30.00 1999)*
- 11) *Monthly shut off notice will be mailed the succeeding month of the due date. Physically disconnect will be on the 90th day of the due date.*

Exemption to the physically disconnect on accounts shall apply only to Hospitals, Nursing Homes and other facilities that the health of the residents would be affected. This does

not mean that they will not be shut off but allows the Water System time to contact local and state health officials before shutting the service off.

12) Payment arrangements may be authorized by the Director of Finance and / or Superintendent of Public Works. Although the length of time for the payment arrangement may vary it should be kept to the end of the subsequent month and shall be paid in the year the bill was due. In the event the customer fails to meet the agreed upon payment dates service will automatically be shut off.

Municipal Electric and Gas Alliance -- Ald. Biviano moved to authorize the City of Norwich to join the Municipal Electric and Gas Alliance, a non-profit Local Development Corporation with six counties as principal members with Broome County Government being a sponsoring member providing for lower electricity costs at no cost to the City to join. Seconded by Ald. Williams and duly adopted, ayes all.

-- Prior to the vote, Supt. Iverson explained the program includes only the City's public buildings.

Fingerprinting Fees -- Ald. Maiurano moved to authorize the Police Department to charge a fee for Fingerprinting Service for individuals for non-criminal matters in the amount of \$12. Seconded by Biviano and duly adopted, ayes all.

Impoundment Fees -- Ald. Biviano moved to authorize the Police Department to charge the following Impoundment Fees: Initial impound fee for any vehicle taken to Storage Yard - \$50; every calendar day after the first day of impoundment - \$15 per day; details are covered in a Department SOP and NYS Vehicle and Traffic Law. Seconded by Ald. Maiurano and duly adopted, ayes all.

RESOLUTION # 04 - 2004. AUTHORIZING SALARY INCREASE FOR RECORDS
MANAGEMENT CLERK

Ald. Williams introduced the following and moved its adoption:

WHEREAS, the Personnel and Finance Committees have made certain recommendations relative to increasing the rate of pay for the Records Management Clerk; now, therefore be it

RESOLVED, that the hourly rate of pay for the Records Management Clerk be increased from \$9.58 to \$10.78.

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

RESOLUTION # 05 - 2004. ESTABLISHING 2004 NON-UNIT COMPENSATION SCHEDULE

Ald. Williams introduced the following and moved its adoption:

WHEREAS, the Personnel and Finance Committees have made certain recommendations relative to 2004 compensation schedule for non-unit employees including department heads; now, therefore be it

RESOLVED, that the 2004 compensation schedule for non-unit employees and department heads be amended by increasing the 2003 compensation schedule by three percent (3 %) across the board.

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

RESOLUTION # 06 - 2004. AUTHORIZING TRANSFER FOR POLICE DEPARTMENT
PERSONAL SERVICES

Ald. Maiurano introduced the following and moved its adoption:

WHEREAS, with the pending retirement of the Assistant Chief of Police, the Personnel Committee has recommended that training of his replacement begin immediately; and

WHEREAS, funds are required to cover the cost of such staff replacement; and

WHEREAS, the Finance 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 in the 2004 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
AHR21.9950	Police Equipment - Capital Reserve Fund	\$ 5,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.1010	Police Department - Personal Services	\$ 5,000.00

Seconded by Ald. Biviano and duly adopted, 5-1 (Ald. Thornton) on a roll call vote.

-- Prior to the vote, Ald. Thornton expressed concern about hiring an individual at this time. Ald. Biviano explained that the training should begin as soon as possible and it's more cost effective to hire someone during this period. Discussion ensued. Ald. Thornton stated that the funds shouldn't be spent until it's clear where it's being spent.

RESOLUTION # 07 - 2004. AUTHORIZING TRANSFER FOR POLICE EQUIPMENT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, funds are required to replace the computer network server in the Police Department; and

WHEREAS, the Finance 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 in the 2004 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
AHR21.9950	Police Equipment - Capital Reserve Fund	\$ 3,600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.2100	Police Department - Equipment	\$ 3,600.00

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

RESOLUTION # 08 - 2004. AUTHORIZING TRANSFER FOR STORM DRAINAGE REPAIR

Ald. Williams introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of correcting a storm drainage problem at 51 Hillview Drive; and

WHEREAS, the Water Commission, Public Works and Finance Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2004 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H94	Storm Sewers Capital Project	\$ 5,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8140.4060	Storm Sewer - Materials & Supplies	\$ 5,000.00

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

RESOLUTION # 09 - 2004. AUTHORIZING AGREEMENT FOR AUDIT SERVICES

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, for City of Norwich desires to retain the professional services of a local audit firm to perform a single audit for fiscal year ending 2003; and

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

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign an agreement with Cwynar & Company of Norwich, NY, for performing single audit services for the fiscal year ending 2003 at a cost not to exceed \$ 11,600.00.

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

-- Prior to the vote, Director of Finance Molinaro noted that the engagement letter from Cwynar & Company has been modified to a start date of May 15, 2004 with an anticipated end date of June 15, 2004.

Presentation to Robert Rabinowitz -- Mayor Raphael presented a Plaque with a Key to the City to Robert Rabinowitz in appreciation for his many years of service to the City of Norwich.

Payment of Bills -- Ald. Biviano moved to pay the bills after proper audit and certification as follows:

	<u>Prepaid</u>	<u>2/17/04</u>	<u>Grand Total</u>
General Fund	138,194.76	46,348.89	184,543.65
Sewer Fund	16,761.56	6,401.02	23,162.58
Water Fund	16,908.00	8,159.40	25,067.40
Trust	85,522.92	125.00	85,647.92
B.I.D.	0.00	0.00	0.00
Debt Service	28,751.36	0.00	28,751.36
Reserves	0.00	0.00	0.00
C.D.	16,062.43	0.00	16,062.43
EDZ/LDC	0.00	0.00	0.00
Capital Projects	50,967.08	0.00	50,967.08

TOTALS

Seconded by Ald. Williams and duly adopted, ayes all.

Executive Session – Ald. Abraham moved to go into executive session at 8:00 PM to discuss pending litigation. Seconded by Ald. Williams and duly adopted, ayes all.

Ald. Williams moved to go out of executive session at 8:07 PM. Seconded by Ald. Ald. Cushman and duly adopted, ayes all.

-- Ald. Biviano moved to authorize the City Attorney to hire an appraiser at a cost not to exceed \$500. Seconded by Ald. Abraham and duly adopted, ayes all on a roll call vote, 6-0.

Adjournment –Ald. Maiurano moved to adjourn at 8:09 PM. Seconded by Ald. Biviano and duly adopted, ayes all.