

COMMON COUNCIL

December 21, 2004

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on December 21, 2004, at One Court Plaza.

Present:

Mayor Robert Raphael
Ald. A. Anthony Abraham
Ald. James Cushman
Ald. Suzanne Williams
Ald. Jeffrey Thornton (7:05)
Ald. Joseph Biviano

Also:

Attorney Patrick Flanagan
Clerk / Director of Finance William Roberts
Fire Chief John Tighe
Human Resources Director Deborah DeForest
Police Chief Joseph Angelino
Public Works Supt. Carl Ivarson
Deputy Clerk Donna Philippone
Supervisor Law, Town of Norwich
Supervisor Decker, Town of North Norwich
Tammy Carnrike, Chenango County Chamber

Absent:

Ald. Joseph Maiurano
Supervisor James McNeil
Supervisor Linda Natoli

-- Ald. Cushman moved to dispense with the reading and approve the minutes of the regular meeting of November 23, 2004, the special meeting of December 7, 2004 and the work session of December 14, 2004. Seconded by Ald. Williams and duly adopted, ayes all.

PUBLIC HEARING:

-- Mayor Raphael opened the public hearing at 7:02 PM relative to a proposed ordinance to amend the zoning ordinance map of the City of Norwich to extend the B-1 Zone on the north side of East Main Street to the intersection of Park Street.

John Caporal, 117 East Main Street, expressed concern that the change to a B-1 Zone would be detrimental to the neighborhood due to the number of non-residential uses allowed in the zone. He noted that there would most likely be increased traffic and noise. Mr. Caporal proposed that an R-2 or R-3 Residential zone would be more appropriate for the neighborhood.

There being no further comments, the Mayor closed the hearing at 7:05 PM.

OPEN FORUM:

Bob Arnell, 24 South Broad Street, stated that his concerns from last month have been addressed and he would like to see the parking issues in the Hayes Street Parking Lot resolved in 2005.

BIDS: No bids to receive.

CORRESPONDENCE: No correspondence to receive.

DEPARTMENT, BOARD AND COMMISSION REPORTS:

- ◆ Historian monthly report for November 2004
- ◆ Police Department monthly report for November 2004
- ◆ Public Works/Water System monthly report for November 2004
- ◆ Records Management monthly report for November 2004
- ◆ Youth Bureau monthly report for November 2004
- ◆ Parks Commission minutes of November 8, 2004
- ◆ Planning Commission minutes of November 15, 2004
- ◆ Traffic Commission minutes of December 8, 2004
- ◆ Youth Board minutes of December 14, 2004
- ◆ Zoning Board of Appeals minutes of November 22, 2004

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

WARD AND COMMITTEE REPORTS:

- ◆ Finance Committee meetings of December 8 and 15, 2004
- ◆ Personnel Committee meeting of November 9, 2004
- ◆ Public Safety Committee meeting of November 18, 2004

Ward One – Ald. Abraham had nothing to report.

Ward Two – Ald. Cushman reported that a concern raised about lighting at the Kurt Beyer Pool is being addressed by the Public Works Department.

Ward Three – Ald. Williams reported that complaints about brown water have been referred to the Director of Public Works.

Ward Four – Ald. Thornton reported that Ward Four concerns have been addressed.

Ward Six – Ald. Biviano reported several properties in Ward Six are in violation and he requested an update on matter of bringing the Delaware Square property into compliance. Chief Tighe stated that the department is preparing a posting of the violations on Delaware Square and that the West Midland Drive property has been taken care of.

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

OLD BUSINESS:

Municipal Cooperation Agreement – Mayor Raphael stated that Council members have received copies of the current and proposed municipal cooperation agreement with the towns of Norwich and North Norwich and requested they move forward. Ald. Biviano stated that he had made comments about the proposal earlier in the year and didn't see any changes. He said the agreement should be mutually beneficial to the City. Mayor Raphael noted that it was a basic document for the three municipalities to agree to cooperate and any other items could be added as an addendum. Ald. Biviano said he would like the Town of Norwich and the City develop a mutual sharing plan. Ald. Cushman said that this agreement is to keep the three municipalities engaged in conversation and noted that there has been a lapse of honoring agreements in the past. Ald. Biviano stated that it is fine to agree to agree, but the initial steps should be taken to develop a plan for consolidation. Tammy Carnrike indicated that there is a Community Consolidation Committee working on that issue. Ald. Williams said she feels that the groups should start with an agreement to agree and let the Committee continue working on consolidation. Mayor Raphael indicated the City had representation on the Committee through Aldermen Cushman and Biviano and also noted that the Council has had the information to look over for several months. Ald. Thornton suggested the matter be tabled until the next work session when any issues that are not resolved could be discussed. He asked if there were minutes taken of the meetings. Ms. Carnrike said that the Council representatives on the Committee received minutes. Supervisor Decker stated that the proposed agreement has been talked about extensively and the representatives of the three municipalities agreed upon the changes. He added that the items taken out of the document were the things that weren't being used.

-- Ald. Thornton moved to table the matter until the next work session. Seconded by Ald. Abraham and duly adopted, 3 – 2 (Ald. Cushman and Williams).

NEW BUSINESS:

Dasher Board Revenue -- Ald. Biviano moved to amend the policy relative to revenue from dasher board rentals at the Skating Rink as follows: all revenue from the dasher board rental shall go directly to youth programs, as recommended by the Finance Committee. Seconded by Ald. Williams and duly adopted, 5-0, on a roll call vote.

-- Prior to the vote, it was explained that the cost of renting a dasher board is \$125 and previously the revenue was split between Youth Bureau and Parks.

Authorize Contact Person -- Ald. Williams moved that communication with the Labor Attorney be restricted to the Human Resources Director. Seconded by Ald. Cushman. Concern was raised that allowing only one contact person might be too restrictive. Discussion ensued. Ald. Thornton moved to amend the motion to include the City Attorney, Mayor, and Common Council President. Seconded by Ald. Cushman and duly adopted, ayes all.

-- Ald. Williams moved to approve the motion as amended. Seconded by Ald. Cushman and duly adopted, 4-0, with Ald. Biviano abstaining.

RESOLUTION # 79 - 2004.

APPROVING ORDINANCE TO AMEND THE ZONING
ORDINANCE MAP OF THE CITY OF NORWICH

Ald. Cushman introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 4 of 2004 on November 23, 2004, such ordinance amending the Zoning Ordinance Map of the City of Norwich to extend the portion of the eastern boundary of Zoning District B-1 that is located on the north side of East Main Street to Park Street; and

WHEREAS, a public hearing has been held on December 21, 2004, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 4 of 2004, relative to amending the Zoning Ordinance Map of the City of Norwich, as presented to the Common Council on November 23, 2004, be and hereby is approved.

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

RESOLUTION # 80 - 2004. AUTHORIZING TRANSFER FOR MODIFICATIONS TO CITY COURT BUILDING

Ald. Thornton introduced the following and moved its adoption:

WHEREAS, for safety reasons, modifications are needed for the City Court Building due to problems with rain, snow and ice dripping on the entrance ramp; and

WHEREAS, the Finance Committee has recommended that the modifications be made at a cost not to exceed \$5,000; 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 up to the following amount:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR33	Capital Reserve - Municipal Buildings	\$5,000

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.4040	Municipal Buildings – Repairs & Maintenance	\$5,000

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

RESOLUTION # 81 - 2004. AUTHORIZING TRANSFER FOR LAND ACQUISITION

Ald. Thornton introduced the following and moved its adoption:

WHEREAS, the Common Council, on December 7, 2004, authorized the City Attorney to negotiate and expedite closure on the acquisition of real property adjacent to the Reservoir property located off Route 23 known as 8.66 acres off NYS Route 23 adjoining Reservoir, tax map no. 124.-1-61.1 and 2.42 acres vacant land, tax map no. 124.-1-2 from the Evans', Tanner Hill, Norwich, NY at the consideration of \$37,500; 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 Water Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F9901.9DSP	Interfund Transfer to Debt Service	\$37,500

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F8330.2200	Treatment – Land Acquisition	\$37,500

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

RESOLUTION # 82 - 2004. ESTABLISHING 2005 NON-UNIT COMPENSATION SCHEDULE

Ald. Cushman introduced the following and moved its adoption:

WHEREAS, the Personnel and Finance Committees have made certain recommendations relative to 2005 compensation schedule for non-unit employees including department heads; now, therefore be it

RESOLVED, that the 2005 compensation schedule for non-unit employees and department heads be established as follows:

CITY OF NORWICH
Proposed Non-Unit Employee Compensation Schedule
For Fiscal Year 2005

<u>Compensation Levels Based on 2,080-Hour Work Year:</u>						
REGULAR EMPLOYEES : (Increase of 3% over prior year, across the board)						
	<u>Entry Level</u>		<u>After 2 Years</u>		<u>After 5 Years</u>	
<u>Grade</u>	<u>Yearly</u>	<u>Hourly</u>	<u>Yearly</u>	<u>Hourly</u>	<u>Yearly</u>	<u>Hourly</u>
35	64,880	31.1923	78,745	37.8582	85,902	41.2990
34	62,073	29.8428	75,335	36.2188	82,185	39.5120
33	59,266	28.4933	71,930	34.5817	78,470	37.7260
32	56,458	27.1433	68,524	32.9442	74,753	35.9389
31	53,650	25.7933	65,116	31.3058	71,037	34.1524
30	50,843	24.4438	61,710	29.6683	67,319	32.3649
29	48,036	23.0942	58,301	28.0293	63,601	30.5774
28	45,229	21.7447	54,894	26.3913	59,883	28.7899
27	42,424	20.3962	51,488	24.7538	56,169	27.0043
26	39,615	19.0457	48,080	23.1154	52,452	25.2173
25	36,808	17.6962	44,672	21.4769	48,733	23.4293
24	34,936	16.7962	42,401	20.3851	46,256	22.2385
23	33,066	15.8971	40,131	19.2938	43,778	21.0471
22	31,193	14.9966	37,861	18.2024	41,301	19.8563
21	29,322	14.0971	35,590	17.1106	38,822	18.6644
20	27,450	13.1971	33,315	16.0168	36,346	17.4740
19	26,514	12.7471	32,181	15.4716	35,108	16.8788
18	25,579	12.2976	31,045	14.9255	33,868	16.2827
17	24,644	11.8481	29,911	14.3803	32,628	15.6865
16	23,706	11.3971	28,775	13.8341	31,391	15.0918
15	22,772	10.9481	27,637	13.2870	30,150	14.4952
14	21,836	10.4981	26,503	12.7418	28,913	13.9005
13	20,901	10.0486	25,367	12.1957	27,673	13.3043
12	19,966	9.5990	24,231	11.6495	26,435	12.7091

TEMPORARY EMPLOYEES : (No change in rates from prior year for Grade 10 & 11; Grades 4 thru 9 realigned proportionately for new Minimum Wage of \$6.00)			
	<u>Entry Level</u>	<u>After 2 Years</u>	<u>After 5 Years</u>
<u>Grade</u>	<u>Hourly</u>	<u>Hourly</u>	<u>Hourly</u>
11	8.6232	10.4663	11.4173
10	8.1988	9.9510	10.8558
9	6.7937	8.1811	8.9350
8	6.6198	7.9621	8.6880
7	6.4460	7.7565	8.4690
6	6.2597	7.5235	8.2086
5	6.0937	6.9376	7.5684
4	6.0000	6.6000	7.1999

OTHER EMPLOYEES : (No change in rates from prior year)	
	<u>Hourly</u>
Summer Laborers:	6.3796
Court Security Officers:	9.0000

Seconded by Ald. Williams.

-- Ald. Cushman moved to table the resolution. Seconded by Ald. Williams and duly adopted, ayes all.

-- Ald. Biviano moved to approve the 2005 compensation schedule for Temporary Employees. Seconded by Ald. Thornton and duly adopted, 5-0, on a roll call vote.

RESOLUTION # 83 - 2004. CITY/COUNTY TAX LEVY FOR 2005

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the taxes to be levied by Chenango County for collection by the City of Norwich during 2005 total \$ 2,491,481.24, and

WHEREAS, the budget of the City of Norwich for the year 2005 has been duly adopted and the amount to be raised by taxes is \$ 1,936,213.00 and the amount of special assessments and other items total \$ 57,622.49, for a total City levy of \$ 4,485,316.73; now, therefore be it

RESOLVED, that said taxes totaling \$ 4,485,316.73 are hereby levied against the real property of the City of Norwich. The Director of Finance is hereby directed to extend said tax against the property listed in the assessment roll of the City of Norwich. The Mayor is hereby authorized to execute and issue to the Director of Finance the tax warrant for the collection of the above-mentioned taxes.

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

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

	<u>Prepaid</u>	<u>12/21/04</u>	<u>Grand Total</u>
General Fund	449,463.69	39,821.88	489,285.57
Sewer Fund	29,763.62	4,986.25	34,749.87
Water Fund	33,225.05	7,882.21	41,107.26
Trust	53,805.50	0.00	53,805.50
B.I.D.	0.00	0.00	0.00
Debt Service	17,527.46	0.00	17,527.46
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	11,629.00	0.00	11,629.00
EDZ/LDC	0.00	0.00	0.00
Capital Projects	143,400.10	529.53	143,929.63

TOTALS

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

Executive Session – Ald. Biviano moved to go into executive session at 8:34 PM to discuss the personnel history of a particular individual or corporation. Seconded by Ald. Thornton. Discussion ensued. HR Director reiterated that if the purpose of the executive session was to discuss the memo that went out earlier, the labor attorney recommended that discussion be deferred until he could be present. Ald. Biviano said that was not the subject and that another matter has come up.

-- Ald. Biviano moved to go into executive session at 8:45 PM to discuss the employment history of particular individuals. Seconded by Ald. Thornton and duly adopted, ayes all.

Ald. Abraham moved to go out of executive session at 9:01 PM. Seconded by Ald. Cushman and duly adopted, ayes all.

Adjournment –Ald. Thornton moved to adjourn at 9:02 PM. Seconded by Ald. Abraham and duly adopted, ayes all.