

COMMON COUNCIL

January 6, 2003

Mayor Marylou Stewart presided at an organizational meeting of the Common Council held at 7 PM on January 6, 2003, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Marylou Stewart
Ald. Gary Clark
Ald. James Cushman
Ald. Robert Rabinowitz
Ald. Sharon Jeffer
Ald. Joseph Biviano

Absent:

Ald. Jeffrey Thornton

Also:

Attorney Patrick Flanagan
Clerk/Director of Finance William Roberts
H.R. Director Deborah DeForest
Police Chief Joseph Angelino
DPW Supt. Carl Ivarson
EMO A. Jones
Youth Bureau Director Robert Mason
Deputy Clerk Donna Russell

Rules of Procedure – Mayor Stewart presented for consideration by the Council, proposed Rules of Procedure for 2003. The Mayor noted that the Rules are more detailed than in the past as Roberts Rules of Order is no longer referenced.

CITY OF NORWICH COMMON COUNCIL 2003 RULES OF PROCEDURE

In accordance with the City Charter and per Section 61 (Rules of procedure), the following Rules of Procedure for 2003 are established.

Section 1. Regular Meetings and Work Sessions.

The Common Council shall hold regular meetings on the 3rd Tuesday of each month and work sessions on the 2nd Tuesday of each month. Such meetings shall commence at 7 PM and be conducted in the Common Council Chambers at One Court Plaza. Any deviation of the foregoing shall be determined by the Common Council. A work session meeting shall be held for the purpose of reviewing the preliminary agenda and may be dispensed with periodically at the discretion of the Common Council. Work Session meetings shall also include an open forum for public comment.

While business is being conducted, only Council members will be principally recognized for the purpose of debate and discussion and upon request by any Alderman or the presiding Chairperson, City Officials, Department Heads, Chairpersons of City Boards and Commissions or their designee for that meeting, will be recognized by the Chairperson for the purpose of providing meaningful information on the subject under debate and discussion.

Section 2. Special Meetings.

Special meetings of the Common Council are all those Council meetings other than regular meetings and work sessions. A special meeting may be called in accordance with Section 60 of the City Charter.

Section 3. Quorum.

A quorum shall be required to conduct business. A majority of all its members shall constitute a quorum to do business, or a smaller number may effect a legal adjournment in accordance with Section 61 of the City Charter.

Section 4. Executive Sessions.

Executive sessions shall be held in accordance with the NYS Public Officers Law, Section 105. All executive sessions shall be commenced in a public meeting.

Section 5. Agendas.

The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Alderman may have an item placed on the agenda. Items for the agenda shall be given to the Clerk at least 24 hours before the work session, however, items may be placed on the agenda at anytime, including during the meeting.

The preliminary agenda shall be prepared by noon on the day of the work session. The regular agenda and pertinent materials shall be distributed by noon on the Friday prior to the meeting. If necessary a supplemental agenda shall be distributed at the beginning of the meeting.

Section 6. Voting.

Each member of the Common Council shall have one vote. The Mayor shall vote only in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

A vote upon any question shall be taken by ayes and noes, and the names of the aldermen present and their votes shall be entered in the minutes.

Section 7. Minutes.

Minutes shall be taken by the Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote, thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board (Common Council);
- Date, place and time of the meeting;
- Notation of presence or absence of Council members and time of arrival or departure if different from time of call to order and adjournment;
- Name and title of other city officials and employees present and well approximate number of attendees;
- Record of communications presented to the Board;
- Record of reports made by the Council or other City personnel;
- Time of Adjournment;
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Council shall resolve to have the Clerk do so.

Minutes shall be approved at the next Council meeting. Amendments to the minutes shall require Council approval.

Section 8. Order of Business.

The order of business shall be:

1. Call to order
2. Pledge of Allegiance
3. Invocation
4. Approval of Minutes of previous meeting
5. Public Hearing
6. Open Forum
7. Bids
8. Correspondence
9. Department, Board and Commission Reports
10. Ward and Committee Reports
11. Old Business
12. New Business
13. Payment of Bills
14. Adjournment

The order of business need not be followed if the Mayor determines that it is necessary to deviate.

Section 9. General Rules of Procedure.

The Mayor shall preside at meetings. In the Mayor's absence the Council President shall preside. The City Attorney shall act as the official parliamentarian to the Common Council.

Council members are not required to rise but must be recognized by the presiding officer before making motions and speaking. An alderman, once recognized shall not be interrupted when speaking unless it be to call the alderman to order. If an alderman, while speaking, be called to order, they shall cease speaking until the question of order be determined, and, if in order, they shall be permitted to proceed.

There is no limit to the number of times an alderman may speak on a question.

Motions to close or limit debate may be entertained but shall require a two-thirds vote.

Section 10. Guidelines for Public Comment.

- The public shall be allowed to speak only during the Open Forum period of the meeting or at such other time as a majority of the Council shall allow.
- Speakers must step to the front of the room.
- Speakers must give their name, address and organization, if any.
- Speakers must be recognized by the presiding officer.
- Speakers must limit their remarks to five minutes on a given topic.
- Speakers may not yield any remaining time they may have to another speaker and each speaker has only one opportunity per meeting to speak.
- Council members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the Council as a body and not to any Council member thereof.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- Interested parties or their representatives may address the Council by written communications. Written communications shall be delivered to the Clerk or their designee. Speakers may not read written communications verbatim but should summarize their contents.

Section 11. Use of Recording Equipment.

All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner which does not interfere with the meeting. The Mayor may make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Common Council, size of the equipment, and the ability of the public to still participate in the meeting. If the Mayor makes the determination that the recording is intrusive and has the effect of interfering with meeting, the Mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

Section 12. Adjournment.

Meetings shall be adjourned by motion.

Section 13. Amendments to the Rules of Procedure.

The foregoing procedures may be amended from time to time by resolution of the Common Council.

-- Ald. Biviano asked for clarification relative to voting. Attorney Flanagan summarized the voting procedure as follows:

- four aldermen constitute a quorum
- each member that is present has one vote
- an absent member has no vote; an abstention has no vote
- the Mayor votes only in the case of a tie
- unless otherwise specified by State Law, general motions and resolutions shall require a majority of the voting members present.

-- Ald. Jeffer moved to adopt the Rules of Procedure for 2003 as presented. Seconded by Ald. Clark and duly adopted, ayes all.

Common Council Committees – Mayor Stewart made the Common Council Committee appointments as follows:

Finance - Aldermen Clark, Thornton and Rabinowitz
Personnel - Aldermen Thornton, Jeffer and Cushman
Public Safety - Aldermen Jeffer, Clark and Biviano
Public Works - Aldermen Biviano, Rabinowitz and Cushman

The Mayor shall be an ex-officio member of all committees. The Mayor and all Advisory members shall be notified of all committee sessions.

Meetings of the committees may be called by the chairman, the Mayor or any two members of the committee. Chairmanships of each committee shall flow from the order of appointment.

The Committee meetings schedule shall be as follows: Personnel - first Monday (6:30 PM); Finance - Wednesday after the first Monday (6 PM); Public Safety - fourth Tuesday (7 PM); Public Works - fourth Thursday (7 PM).

Nominations for Council President – Ald. Jeffer nominated Robert Rabinowitz as President of the Common Council for 2003. Seconded by Ald. Clark and duly adopted, ayes all.

Nominations for Acting Mayor – Ald. Clark nominated Sharon Jeffer as Acting Mayor for 2003. Seconded by Ald. Cushman and duly adopted, ayes all.

City Official Appointments

City Attorney – Ald. Biviano moved the re-appointment of Patrick Flanagan, 43 South Broad Street, to a two-year term expiring December 31, 2004. Seconded by Ald. Clark and duly adopted, ayes all.

City Clerk and Director of Finance – Ald. Jeffer moved the re-appointment of William J. Roberts of 112 Hillview Court, to a two-year term expiring December 31, 2004. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Youth Bureau Director – Ald. Jeffer moved the re-appointment of Robert Mason, Norwich, NY, to a two-year term expiring December 31, 2004. Seconded by Ald. Clark and duly adopted, ayes all.

Appointments by the Mayor

Electrical Board

- ◆ Thomas Jensen, RR 2, Norwich, re-appointment to a three-year term expiring December 31, 2005.

Planning Commission

- ◆ Kay Zaia, 43 Rexford Street, re-appointment to a three-year term expiring December 31, 2005.
- ◆ John Hawkins, 45 Hayes Street, appointment to a three-year term expiring December 31, 2005.
- ◆ Christopher Olds, 96 Mitchell St, appointment as Alternate for three-year term expiring December 31, 2005.

Plumbing Board

- ◆ Gary Brightman, 101 Canasawacta St, re-appointment to three-year term expiring December 31, 2005.

Youth Board

- ◆ Megan Edy, 45 West Main Street, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Julian Drelich, Jr., 17 Beebe Ave, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Ruth Mason, 44 Waite Street, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Harry Graves, 54 Mitchell St, appointment to the remainder of three-year term expiring December 31, 2004.
- ◆ Brian Towndrow, 63 Pleasant St, appointment as a student representative for an indeterminate term.

Zoning Board

- ◆ Edward Morano, 21 Miller Street, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Leslie Dopkeen, 113 Hillview Ct, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Joseph Esposito, 20 Adelaide St, appointment as Alternate for a three-year term expiring December 31, 2005.

Appointments by the Mayor with the Approval of the Council

Board of Ethics -- Ald. Rabinowitz moved to approve the following mayoral Appointments to the Board of Ethics. Seconded by Ald. Jeffer and duly adopted, ayes all.

- ◆ Mary Davis, Park Street, appointment to a three-year term expiring December 31, 2005.
- ◆ Maureen Byrne, Acting City Judge, (City Official Slot), Indeterminate Term.

Parks Commission -- Ald. Jeffer moved to approve the following mayoral appointments to the Parks Commission. Seconded by Ald. Clark and duly adopted, ayes all.

- ◆ James Cushman, 16 Cortland St, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Gilbert Harrington, 45 Cortland St, re-appointment to a three-year term expiring December 31, 2005.
- ◆ William Loomis, Gold Street, appointment to the remainder of a three-year term expiring December 31, 2003.
- ◆ Sean Sastri, 7 Francis Ave, appointment to the remainder of a three-year term expiring December 31, 2004.

Street Tree Committee -- Ald. Clark moved to approve the following mayoral appointment to the Street Tree Committee. Seconded by Ald. Jeffer and duly adopted, ayes all.

- ◆ Daniel Wagner, 15 Canasawacta St, re-appointment to three-year term expiring December 31, 2005.

Water Commission -- Ald. Jeffer moved to approve the following mayoral appointments to the Water Commission. Seconded by Ald. Cushman and duly adopted, ayes all.

- ◆ Roland Guinn, 135 East Main St, re-appointment to a three-year term expiring December 31, 2005.
- ◆ Robert Rabinowitz, 22 Hillview Dr, re-appointment to three-year term expiring December 31, 2005.

Common Council Appointments to Traffic Commission

- ◆ Robert Burdick, 29 Beebe Avenue -- Ald. Biviano moved the re-appointment to a three-year term expiring December 31, 2005. Seconded by Ald. Clark and duly adopted, ayes all.
- ◆ George Cleveland, 17 Columbia Street -- Ald. Clark moved the re-appointment to a three-year term expiring December 31, 2005. Seconded by Ald. Jeffer and duly adopted, ayes all.
- ◆ Gary Brookins, Eric Street -- Ald. Biviano moved the appointment to the remainder of three-year term expiring December 31, 2004. Seconded by Ald. Clark and duly adopted, ayes all.

Official Newspaper – Ald. Jeffer moved to designate The Evening Sun as the official newspaper of the City of Norwich. Seconded by Ald. Clark and duly adopted, ayes all.

Official Depository – Ald. Jeffer moved to designate NBT Bank, Binghamton Savings Bank, Central National Bank and Wilbur National bank as the official depositories of City general, water and sewer funds. Seconded by Ald. Clark and duly adopted, ayes all.

Executive Session – Ald. Cushman moved to go into executive session at 7:20 PM to discuss contract negotiations and pending litigation. Seconded by Ald. Clark and duly adopted, ayes all.

-- Ald. Cushman moved to go out of executive session at 8:35 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.

Adjournment – Ald. Jeffer moved to adjourn at 8:35 PM. Seconded by Ald. Clark and duly adopted, ayes all.