

COMMON COUNCIL

November 21, 2023

Mayor Brian Doliver presided at a meeting of the Common Council held at 6:30 PM on November 21, 2023, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Brian Doliver
Ald. Eric Warren
Ald. Fred Gee
Ald. Nancy Allaire
Ald. William Loomis
Ald. David Zieno
Ald. Robert D. Jeffrey

Also:

Director of Finance/City Clerk Dee DuFour
Director of Human Resources Lynn Murray
DPW Superintendent Edward Pepe
Youth Bureau Director Anthony Testani
Fire Chief Jan Papelino
Police Chief Reuben Roach
Community Development Director Erik Scrivener
City Attorney Stephanie Hanrahan
Deputy City Clerk Agnes Eaton

Supervisor Robert M. Jeffrey

Media Representative: none

Absent

Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Mayor Doliver at 6:30 p.m.

Approval of Minutes

Ald. Jeffrey **moved** to approve the minutes of the regular meeting of October 17, 2023. Seconded by Ald. Warren and duly approved ayes all.

Open Forum

Savannah Collins, owner of Kozmo's Restaurant on North Broad St., spoke about the issues on the North Broad St. business district. She understands the plight of the homeless, however she spends 15% of her working day dealing with loitering, people sleeping in her doorway, yelling at her customers, and cleaning up after them. She thanked the City for assisting businesses during the construction project saying it saved her business, but also said that North Broad St. businesses are in danger of closing due to these issues which are causing owners, staff and customers to feel unsafe. She presented the Council with a petition signed by 35 businesses asking for the creation of a loitering ordinance. She said the temporary fix of each business having a No Loitering sign in each of their windows does not create a welcoming feeling to customers.

Patrick McNeil, business owner on South Broad St., agreed with Ms. Collins. The City must do whatever it needs to do providing it "has teeth" so police can enforce it. He also mentioned the garbage pouring out of American Ave. the doesn't get taken care of.

Mikael O'Reilly, Principle Design, he hopes the City does something to make people accountable. He said he and his brother have risked everything in the City and the City needs to do something in return. He cannot believe the state of North Broad St. He hopes the Nuisance Ordinance can do something and that Code Enforcement should be held accountable for codes not being enforced. There is growing frustration and nothing is being done.

Tyler Oliver, owner of Season's General Store, Oliver's Campers and President of the Norwich B.I.D. He also participates on the grass roots movement to see what can be done downtown. He and his wife chose to move back to Norwich to raise a family and open a business and that a choice needs to be made tonight to improve downtown Norwich.

Bernadette Giglio, A Cut Above, said she has been in business for 40 years but feels like a misfit and that she has been negated. The police have done a great job watching the public near her shop, but the issues persist with the Bluebird building not being taken care of. She does not want to be pushed away [from her business] because of the homeless issue.

We also must remember the elderly and Vets as well, saying there are empty spaces they could be given a sense of purpose. She feels she is being pushed out the door because the homeless are consuming her. She is frustrated and tired as a business owner.

Robert M. Jeffrey, 17 York St., said that people are scared to go downtown. Safety and security are what we are all looking for. North Broad St. has been degenerated. In order to be a healthy City we have to attract investment and tourism, so he's glad to see the Nuisance Ordinance.

Sal Testani, Director of Commerce Chenango, remarked that with NBT headquartered in the City, all but one board member are from outside of Norwich. We want to make sure when they come that their impression is a place where their executives and their shareholders money is secured. It's more than keeping the downtown safe. It is the economic vibrance of our entire area, impacting more than just the downtown area.

Missy Hayes, owner of several businesses, agree that North Broad is the worst, but not the only area affected. Her properties on East Main have experienced persons going through the garbage and defecating which they then need to clean up. She also expressed that any ordinance need to "have teeth".

John Antonowicz, City of Norwich Planning Commission member, said that from his residence he can view the back of Red Roof Inn, the County Office building and the library. The Planning Commission recommended the Nuisance Ordinance to the Council to hopefully help make Norwich a better place.

Richard Jaycox, resident on Grove Ave., said there should be a burn ban in the City – he has been told there isn't one. His neighbor continues to burn garbage.

Correspondence

Chenango Blues Association 2024 Thursday Concert Series – Ald. Warren **moved** to approve a request for special event status from the Chenango Blues Association for their free 2024 Concert in the Park series of concerts held in East Park every Thursday in July and August as well as the closing of East Park Place from 3 p.m. to 10 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Street Tree Removal – Ald. Zieno **moved** to approve a request from Terry Swartz of 18 Maydole for a Street Tree removal. If the tree is determined not to be rotted by the DPW, the owner will be allowed to remove the tree at his own expense. Seconded by Ald. Jeffrey, approved ayes all.

Department, Board and Commission Reports

- ◆ Civil Service Minutes – October
- ◆ Maydole Hose Minutes – October
- ◆ Ontario Hose Minutes – September, November
- ◆ Finance Report – September, October
- ◆ Human Resources Report – October
- ◆ Fire Department Report - October

Ald. Jeffrey **moved** to receive and file the department, board, and commission reports. Seconded by Ald. Loomis, approved ayes all.

Ward Reports

Ward 1

Ald. Warren reported working with DPW regarding a curb cut request on Chenango Ave. and a tree request. He received lots of communications about the North Broad St. downtown area and an ongoing homicide investigation.

Ward 2

Ald. Gee reported several communications regarding code issues and all but one have been resolved. He stated there is an endless list of issues and slow remediation. Further communications received were concern about the drug problem; a manhole on Cortland that has been taken care of; a requested Ordinance change concerning the keeping of chickens; dissatisfaction of things not getting done.

Ward 3

Ald. Allaire reported communications concerning speeding and failure to comply with STOP signs; piles of leaves in the road; furniture left curbside and in the road.

Ward 4

Ald. Loomis reported communications regarding the lack of downtown lighting; loitering on North Broad St.; loitering signs as a temporary fix; visibility issues with a car parked on Gold St. at the end of Silver; North Broad St. continues to have issues and hopes the Council can come to the conclusion the City must do something. Using eminent domain has been suggested – he is in favor of doing something, as the buildings would be better vacant and owned by the City than their current state.

Ward 5

Ald. Zieno reported several contacts with the DPW regarding trees on Maydole St. and Grove Ave. and a missing water drain; communications regarding downtown loitering. He attended a meeting with Police, Codes and members of the neighbors where properties are constantly violating City codes. He thanked the subcommittee working on the nuisance ordinance.

Ward 6

Ald. Jeffrey reported communications regarding curbing at 13 Brown Ave.; additional lighting downtown; he reported a light out around the corner of North Broad and said now the property is being vandalized; loitering on North Broad St. He thanked Commerce Chenango with assistance from E. Scrivener in bringing a business into the City. He felt the City should be prepared to use Eminent Domain to address problem properties, saying the property [on North Broad] would be better left vacant than its current state.

Mayor Doliver thanked all who came. Prior to becoming Mayor, he was an Alderperson for 8 years and for the last 2 years of his term these issues [nuisance properties] began to increase dramatically. He is excited about the current idea and hoped the Council would support it.

Ald. Jeffrey **moved** to receive and file the ward reports. Seconded by Ald. Gee, approved ayes all.

Motions

Receive & Set Public Hearing for Proposed Nuisance Ordinance – Ald. Gee **moved** to receive the proposed Nuisance Ordinance and set a Public Hearing for December 19, 2023 at 6:30 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Resolutions

RESOLUTION #96 - 2023 DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 6-8 NATOLI AVENUE

Ald. Jeffrey introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich acquired the real property at 6-8 Natoli Avenue through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the Common Council has reviewed proposals for the purchase of the property, and considers the proposal from Frank Maiurano of Guilford, NY to be an acceptable offer based on the purchase amount offered, the significant investments to be made in the property’s rehabilitation, and the proposed use; now therefore be it

RESOLVED, that the Common Council hereby designates Frank Maiurano of Guilford, NY as the “preferred purchaser” of the City-owned property at 6-8 Natoli Avenue; and, be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 6-8 Natoli Avenue to Frank Maiurano.

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

RESOLUTION #97 - 2023 **DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT 1 STATE STREET**

Ald. Loomis introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich acquired the real property at 1 State Street through property tax foreclosure; and

WHEREAS, the subject property is considered by the Common Council to be surplus and its continued ownership by the City unnecessary to a useful public purpose; and

WHEREAS, the Common Council considers the proposal from NYSEG to be an acceptable offer based on the purchase amount offered and the proposed use for a gas regulator station; now therefore be it

RESOLVED, that the Common Council hereby designates New York State Electric and Gas (NYSEG) as the “preferred purchaser” of the City-owned property at 1 State Street; and, be it further

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to negotiate and enter into a contract for the sale of the City-owned property at 1 State Street to NYSEG.

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

RESOLUTION #98 - 2023 **AUTHORIZING TRANSFER FOR WELL 4 PUMP AND MOTOR INSPECTION**

Ald. Gee introduced the following and **moved** its adoption:

WHEREAS, the DPW Superintendent is recommending the inspection of the Well 4 pump and motor; and

WHEREAS, an inspection of the removal and inspection of the motor will be \$28,000; and

WHEREAS, if the motor cannot be fixed the cost of new motor is \$47,000; and

WHEREAS, the Joint Committee has made recommendations; now, therefore be it

RESOLVED, that a transfer of up to \$75,400 for the inspection of Well 4 pump and motor and possible replacement of the motor; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers up to the following amount in the 2023 Budget:

From:

<u>Account No.</u>	<u>Name</u>	<u>Account</u>
HR28	Reserves – Water Equipment	\$75,400

To:

<u>Account No.</u>	<u>Name</u>	<u>Account</u>
F8320.2100	Water Source of Supply - Equipment	\$75,400

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

RESOLUTION #99 - 2023 **AUTHORIZING CREATION OF A MUNICIPAL TRAINING OFFICER (MTO) CAPTAIN POSITION IN THE FIRE DEPARTMENT**

Ald. Warren introduced the following and **moved** its adoption:

WHEREAS, the contract with the Local #1404 City of Norwich Firefighters Association was approved on October 4, 2023; and

WHEREAS, the contract includes the creation of a Municipal Training Officer (MTO) Captain in the Fire Department; and

WHEREAS, the Joint Committees agreed with said recommendations; now, therefore be it

RESOLVED, that due to contract negotiations with Local #1404 City of Norwich Firefighters Association that a Municipal Training Officer (MTO) Captain position be and hereby is authorized to be created in the City of Norwich Fire Department subject to any action necessary from the Norwich Civil Service Commission.

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

RESOLUTION #100 - 2023 **AUTHORIZING ADDITIONAL CAPTAIN AND FIREFIGHTER POSITIONS IN THE FIRE DEPARTMENT**

Ald. Jeffrey introduced the following and **moved** its adoption:

WHEREAS, the contract with the Local #1404 City of Norwich Firefighters Association was approved on October 4, 2023; and

WHEREAS, the contract includes the addition of a fourth shift at the Fire Department; and

WHEREAS, the addition of a fourth shift requires one additional shift Captain position and one additional Firefighter position; and

WHEREAS, the Joint Committees agreed with said recommendations; now, therefore be it

RESOLVED, that due to contract negotiations with Local #1404 City of Norwich Firefighters Association that one (1) additional Captain position and one additional Firefighter position be and hereby is authorized in the City of Norwich Fire Department subject to any action necessary from the Norwich Civil Service Commission.

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

RESOLUTION #101 - 2023 **AUTHORIZING AGREEMENT WITH GARAM GROUP – HIGHBRIDGE COMMUNICATIONS FOR TELEPHONE SERVICES AND TRANSFER OF FUNDS**

Ald. Jeffrey introduced the following and **moved** its adoption:

WHEREAS, the current phone system through Frontier will no longer be supported as of December 31, 2023; and

WHEREAS, three (3) proposals from were received from vendors other than Frontier; and

WHEREAS, the proposal from The Garam Group-Highbridge Communications of East Syracuse, New York (“Garam”) for professional telephone services has been recommended; and

WHEREAS, new phone equipment will need to be purchased in the amount of \$7,600 which will require a transfer; now therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to enter into a professional services agreement for telephone services with The Garam Group-Highbridge Communications; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer of funds in the 2023 Budget for the purchase of new telephone equipment:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5142.1010	Snow & Ice – Personal Services	\$ 7,600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1680.2100	Management Information Syst.- Equipment	\$ 7,600.00

Seconded by Ald. Warren, and duly adopted, 5 - 1, on a roll call vote with Ald. Zieno voting nay.

Discussion prior to the vote: Ald. Zieno felt that a qualified independent IT group should have been consulted, especially when the City’s current IT provider is one of the bidders. D. DuFour said that she is the one who reviewed and compared all three bids - our IT provider had no knowledge of the contents of the other bids.

RESOLUTION #102 - 2023 **AUTHORIZING BUDGET TRANSFER TO COVER OVERTIME COSTS IN WASTEWATER**

Ald. Jeffrey introduced the following and **moved** its adoption:

WHEREAS, the overtime costs in the Wastewater fund have exceeded the budgeted amount; and

WHEREAS, a transfer of \$10,000 is needed to cover those overtime costs to the end of the year; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2023 Wastewater Budget to cover overtime costs:

From:

<u>Account No.</u>	<u>Name</u>	<u>Account</u>
G8130.1010	Treatment & Disposal - Personal Services	\$10,000

To:

<u>Account No.</u>	<u>Name</u>	<u>Account</u>
G8130.1020	Treatment & Disposal - Overtime	\$10,000

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

RESOLUTION #103 - 2023**AUTHORIZING MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF NORWICH AND THE CITY OF NORWICH ADMINISTRATIVE SUPPORT UNIT #6404-01**

Ald. Loomis introduced the following and **moved** its adoption:

WHEREAS, the City of Norwich and the City of Norwich Administrative Support Unit #6404-01 are parties to a collective bargaining agreement that by its terms ending December 31, 2023; and

WHEREAS, the parties have engaged in collective negotiations pursuant to the Taylor Law for a successor collective bargaining agreement and reached a tentative agreement on terms and conditions for a successor collective bargaining agreement; now therefore be it

RESOLVED, that the Mayor be and hereby is authorized to execute a Memorandum of Agreement between the City of Norwich and the City of Norwich Administrative Support Unit #6404-01 relative to a four-year contract for the period of January 1, 2024 to December 31, 2027.

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

Payment of Bills

Ald. Zieno **moved** to pay the November bills after proper audit and certification.

	Prepaid	11/21/2023	Grand Total
General Fund	\$549,435.67	\$60,657.85	\$610,093.52
Sewer Fund	28,308.16	4,251.13	32,559.29
Water Fund	21,264.82	6,806.90	28,071.72
Trust	31,860.85	-	31,860.85
Debt Service	53,800.00		53,800.00
Comm. Dev. - Special Grants	11,3020.00	-	11,320.00
Capital Projects	1,948,030.80	-	1,948,030.80
TOTALS	\$2,644,020.30	\$71,715.88	\$2,715,736.18

Seconded by Ald. Gee and duly adopted 6 - 0.

Executive Session

Ald. Jeffrey **moved** to enter executive session to discuss the employment history of a particular individual and contract negotiations at 7:25 p.m. Seconded by Ald. Loomis, approved ayes all.

Ald. Loomis **moved** to exit executive session at 8:20 p.m. Seconded by Ald. Warren approved ayes all.

RESOLUTION #104 - 2023**RESIGNATION OF EMPLOYEE WITH AGREEMENT**

Ald. Gee introduced the following and moved its adoption:

WHEREAS, the Joint Committee has made certain recommendations and,

WHEREAS, the Common Council has reviewed a Settlement and Release of Claims agreement for Employee #900462; now, therefore be it

RESOLVED, that the Mayor may sign the Settlement and Release of Claims agreement under the direction of the City Attorney and the resignation of Employee #900462 will be effective immediately.

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

Adjournment

Ald. Jeffrey **moved** to adjourn at 8:25 p.m. Seconded by Ald. Warren, approved ayes all.