

COMMON COUNCIL

January 16, 2024

Mayor Brian Doliver presided at a meeting of the Common Council held at 6:30 PM on January 16, 2024, in the Common Council Chambers at One Court Plaza.

Present:

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

Supervisor Robert M. 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
EMO Stephen Cady
Community Development Director Erik Scrivener
City Attorney Stephanie Hanrahan
Deputy City Clerk Agnes Eaton

Absent

Ald. Nancy Allaire
Supervisor James McNeil

Media Representative: None

Call to Order

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

Proclamation – Mayor Doliver read the proclamation for Catholic Schools Week

PROCLAMATION

Holy Family School

WHEREAS, Catholic Schools have a commitment to provide all students with an education that emphasizes academic excellence, the formation of moral values, and a strong commitment to community service; and

WHEREAS, since 1922, with the support of surrounding parishes and the guidance of the Diocese of Syracuse, Holy Family School, previously St. Paul's School following their mission of providing a safe, secure and caring school which fosters responsibility, self-discipline and strives for spiritual and academic excellence. Holy Family's Catholic education is intended to make one's faith living, conscious and active through the light of instruction; and

WHEREAS, each year Catholics nationwide celebrate *Catholic Schools Week* to recognize the accomplishments of Catholic students across the country. This year the theme, "United in Faith and Community" will be continually shared throughout the year.

NOW, THEREFORE, I, Brain Doliver, Mayor of the City of Norwich, do hereby proclaim the week of January 28th to February 3rd, 2024, as:

Catholic Schools Week

in the City of Norwich, and encourage all citizens to recognize the dedicated efforts of the faculty, staff, students and families of Holy Family School, as they continue to exemplify the best of Catholic education in our community.

Open Forum

Christine Carnrike, 29 Jones Ave., expressed concerns about the Code Enforcement office. She appreciated that the City Attorney and Ald. Jeffrey responded to her letter she sent to all Council member, the Mayor and Fire Chief. She related her experience when she interviewed for the Code Enforcement Officer position in 2005. The City is in dire need of development opportunities. The impact of the DRI projects are a much needed boost. The Route 12 corridor is our “ace in the hole” between Binghamton and Utica and when the City doesn’t step up to resolve problems, who is going to give Norwich a second look as an opportunity to build and invest here. It is important for everyone to work together and any real or perceived roadblocks by the City are out of line.

Savannah Collins, resident on South Broad St. and owner of Kozmo’s restaurant, thanked everyone who speaks with her about the problems on the North Broad St. block. Her understanding is there has been some action on the problem buildings and the living conditions. She had the opportunity to enter the building and doesn’t understand how the building isn’t shut down due to the conditions and violations in the building. She has exhausted all other resources including County Codes, Catholic Charities, etc. On the NYS website there is a place to make complaints and they will look into “issues” for free and suggested the City utilize this. She spoke about some dangerous situations, some of which are in the common areas and are easily seen and felt Codes is not doing their job and needs to have some accountability.

Department, Board and Commission Reports

- ◆ Ontario Hose Minutes - December
- ◆ Youth Board Minutes – January
- ◆ Youth Board Report – 2023 Annual Report
- ◆ Police Department Report – December

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

Ward Reports

Ward 1

Ald. Warren reported lots of concerns regarding downtown and North Broad St. He received positive comments about the ice rink in East Park.

Ward 2

Ald. Gee reported a complaint of a snowplow going to fast on Pleasant St.; a Cortland St. resident reported persons pulling clothes from the collection box on the corner of Cortland/N. Broad St. then sleeping under the clothes; a complaint of dog waste around the Red Roof Inn; a few Code issues.

Ward 4

Ald. Loomis reported many communications regarding the Nuisance Ordinance and the North Broad St. properties. He contacted the Fire Chief to check the stability of the North Broad St. building’s second floor. He wanted it to be known that the City is working on solutions and making sure whatever is done is done properly. The situation is at the forefront of everyone’s mind and there is much “behind the scenes” work. There is a process that must be followed. He understood it is not happening as fast as everyone would like, but urged patience to make sure it is done correctly. He also addressed questions about signage on Gold St..

Ward 5

Ald. Zieno reported communications regarding a code violation which has been referred to the proper department; a complaint regarding visibility due to bushes on the corner of Park and Mitchell St. which was referred to the Traffic Commission; he has attended some working group meetings regarding the Nuisance Ordinance.

Ward 6

Ald. Jeffrey reported communications regarding a change of address for Achieve; an inquiry about an RFP for 18 Griffin St.; he observed garbage cans remaining at the curb at a property on Birdsall St. and will forward to Codes; he thanked Codes for dealing with a property on Division St. that had many unlicensed vehicles; he observed some decorative lights out on North Broad St. in front of the old Bluebird building which he felt is due to vandalism; calls verifying the water meter replacement letter as some thought it might be fraud; questions on the Nuisance Ordinance; spoke with Savannah Collins and Christine Carnrike; questions on what can be taken to shut down [the North Broad St. buildings].

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

Motions

Reschedule Proposed Local Law (A) of 2024 to Amend Chapter 494 Taxation and set Public Hearing to February – Ald. Warren **moved** to set a Public Hearing to hear comment relative to the Volunteer Firefighters and Ambulance Workers Property Tax Exemption for February 20, 2024 at 6:30 p.m. Seconded by Ald. Zieno, approved ayes all.

Receive proposed Ordinance No. (A) of 2024 amending Chapter 421 Public Property regarding Loitering and Set Public Hearing - Ald. Warren **moved** to receive proposed Ordinance No. (A) of 2024 amending Chapter 421 Public Property regarding Loitering and set a Public Hearing to hear comment for February 20, 2024 at 6:30 p.m. Seconded by Ald. Gee, approved ayes all.

Proposed Ordinance No. (A) of 2024 Chapter 421 Public Property

Article I

Tampering

§ 421-1 Interfering with seats and benches.

All persons are hereby forbidden from moving or in any way changing the positions of the seats or benches placed upon the public parks in the City of Norwich, New York, and all persons are hereby forbidden from defacing, injuring or destroying any of said seats or benches upon the public parks in the City of Norwich, New York.

§ 421-2 Penalties for offenses.

Every violation of this article shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both, for each violation thereof.

Article II

Camping

§ 421-3 Camping on City-owned property.

All persons are hereby forbidden from camping on public property. Public property shall include all property owned by the City of Norwich, within or without the City Limits.

§ 421-4 Penalties for offenses.

A. Every violation of this article shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both, for each violation thereof.

B. Exemptions may be granted by the Common Council.

Article III Loitering

§421-5 Loitering

A. *No person shall obstruct corridors, stairways, or doorways in or around public buildings so as to prevent free access by members of the public, officers, or employees. No person shall by his/her presence or by means either alone or in consort with others interfere with or interrupt the conduct of any business located in any such buildings.*

B. *No person shall, by his/her presence or by any means, either alone or in consort with others obstruct the free movement and reasonable access by other members of the public along public streets and sidewalks or unnecessarily interfere with public officials or employees in the exercise of their duties.*

New Material is in Italic

Resolutions

RESOLUTION #2 - 2024 ACCEPTING DEC URBAN AND COMMUNITY FORESTRY PROGRAM GRANT AWARD

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

WHEREAS, the City of Norwich would like to plan for the health of City trees; and

WHEREAS, the City of Norwich applied for funding through the Department of Environmental Conservation Urban and Community Forestry grant program to conduct a tree inventory and create a forestry management plan; and

WHEREAS, the City was awarded \$29,831 in grant funds through the program; now therefore be it

RESOLVED that the Common Council accepts the award of \$29,831 through the Department of Environmental Conservation Urban and Community Forestry Program grant.

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

RESOLUTION #3 - 2024 TRANSFERS FOR 2023 RETROACTIVE PAY FOR CITY OF NORWICH POLICE BENEVOLENT ASSOCIATION CONTRACT

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

WHEREAS, the Common Council approved a contract with the City of Norwich Police Benevolent Association on December 19, 2023; and

WHEREAS, transfers are needed to cover \$72,245.59 in retroactive pay covered under the contract; now therefore be it

RESOLVED, that the transfer of \$72,245.59 in retroactive pay for the City of Norwich Police Benevolent Association is hereby authorized; and further be it

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

<u>From:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$72,245.59
<u>To:</u>		
<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.1010	Police – Personal Services	\$ 63,125.04
A31200.1020	Police – Overtime	<u>9,120.55</u>
	Total	\$72,245.59

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

RESOLUTION #4 - 2024**TRANSFERS FOR 2024 WAGE SCHEDULE INCREASE FOR CITY OF NORWICH POLICE BENEVOLENT ASSOCIATION CONTRACT**

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

WHEREAS, the Common Council approved a contract with the City of Norwich Police Benevolent Association on December 19, 2023; and

WHEREAS, certain wage increases were agreed upon in the contract; and

WHEREAS, transfers are needed to cover \$132,998.98 for wage increases under the contract; now therefore be it

RESOLVED, that the transfer of \$132,998.98 for wage increases for the City of Norwich Police Benevolent Association is hereby authorized; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2024 budget:

From:

Account Number
A1990.4

Name
Contingency

Amount
\$132,998.98

To:

Account Number
A3120.1010
A9030.8

Name
Police – Personal Services
Social Security

Amount
\$123,547.59
9,451.39

Total \$132,998.98

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

Payment of Bills

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

	<u>Prepaid</u> 12/31/23	<u>Prepaid</u> 01/2024	<u>Bill List</u> 12/31/23	<u>Bill List</u> 1/16/24	<u>Grand Total</u>
General Fund	\$73,327.16	110,891.25	\$18,256.38	13,791.90	\$216,266.69
Sewer Fund	16,710.27	4,991.54	8,237.96	-	29,939.77
Water Fund	15,801.55	11,839.62	8,604.16	-	36,245.33
Trust	33,404.59	-	-	-	33,404.59
Comm. Dev- Special Grants	3,046.70	-	-	-	3,046.70
Capital Projects	993,712.74	-	-	-	993,712.74
TOTALS	\$1,136,003.01	\$127,722.41	\$35,098.50	\$13,791.90	\$1,312,615.82

Seconded by Ald. Warren and duly adopted 5 - 0.

Ald. Jeffrey asked to have a discussion about how to go about shutting down a [nuisance] building. No one was opposed to the discussion. J. Papelino said in regards to Broad St., the owner has been given multiple certified letters. The first letter the owner refused to do any work, the second letter was refused at the post office. When letters are refused they are then delivered by personal service. He has had multiple in-person conversations of what needs to be done and she refused to do any remediation stating she was not going to pay for anything. That led to the Chinese restaurant being shut down. He

reported the owner has been shuffling tenants between apartments and buildings and fill vacant apartments which she has been told not to do. A. Donnison said a tenant recently showed her a text from the building owner telling the tenant to lie to Code Enforcement on when the tenant occupied the apartment. When asked if a rental inspection would be done, Donnison said yes. Normally when a tenant is moved in prior to an inspection the inspection is done and if it passes, no problem. If it does not pass then corrections need to be made within a certain number of days depending on the severity and a penalty is also assessed. When the letters are ignored, the City spends taxpayer dollars to correct issue that need to be addressed immediately. Ald. Jeffery questioned when Public Health would get involved. Donnison did speak with Public Health today. The Department of Health gets involved when there is an abundance of cockroaches. She needs to meet with the City Attorney to see what can be done. This is new territory because they have never had anyone refuse to address the issues.

Mayor Doliver said there a number of departments working on this, making it a priority. A way forward and a number of different options are being explored. Different organizations have been contacted to help transition some of the residents to other housing options. Although the City is not responsible for moving the individuals, we also don't want to see them out on the street which would create another issue. R. Roach said that after listening that Obstruction of Governmental Administration (in conducting rental inspections) and Coercion (telling someone to lie) are Class A misdemeanors that could apply as well as possible criminal actions. Mayor Doliver said that when the Nuisance Ordinance was first proposed it met with public resistance, so we are working on other ideas and options. We will be updating the fee schedule to increase fines.

Executive Session

Ald. Loomis **moved** to enter executive session to discuss the employment history of a particular individual at 7:19 p.m. Seconded by Ald. Warren approved ayes all.

Ald. Zieno **moved** to exit executive session at 9:00 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Adjournment

Ald. Warren **moved** to adjourn at 9:00 p.m. Seconded by Ald. Jeffrey, approved ayes all.