

## COMMON COUNCIL

October 15, 2024

Alderman Jeffrey presided at a meeting of the Common Council held at 6:30 PM on October 15, 2024, in the Common Council Chambers at One Court Plaza.

### Present:

Ald. Nancy Allaire  
Ald. William Loomis  
Ald. David Zieno  
Ald. Robert D. Jeffrey

Supervisor Robert M. Jeffrey

### Also:

Director of Finance/City Clerk Dee DuFour  
DPW Superintendent Edward Pepe  
Fire Chief Jan Papelino  
Police Chief Reuben Roach  
EMO William Edwards  
Community Development Director Erik Scrivener  
City Attorney Stephanie Hanrahan  
Deputy City Clerk Agnes Eaton

### Absent

Mayor Brian Doliver  
Ald. Eric Warren  
Ald. Fred Gee  
Supervisor James McNeil

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### Call to Order

The meeting of the Common Council was called to order by Ald. Jeffrey at 6:13 p.m.

**Swearing-In of Police Officer** – Police Chief Roach performed the swearing-in ceremony of Police Officer Grant Wessels.

**Letters of Commendation** – Police Chief Roach presented Deputy Chief Scott Burlison, Detective Sergeant Matt Roberts, Detectives Corey Wengert and Corey Burnett, Sergeants Steve Rounds and Tristan Rifanburg, and Police Officers Nicholas Mooney, Samuel Stratton and Ty Rifanburg with Letters of Commendation in regards to their efforts in the investigation that began on July 8, 2023 and resulting a subsequent arrest and prosecution of the individual responsible for the murder of Alisa Martin.

### Approval of Minutes

Ald. Loomis **moved** to approve the minutes of the regular meeting of August 20 and the special meeting of August 27, 2024. Seconded by Ald. Zieno and duly approved ayes all.

**Open Forum** – No one spoke

### Correspondence

**Use of Firehouse 2<sup>nd</sup> Floor Conference Room** – Ald. Zieno **moved** to approve the use of the 2nd Floor Conference Room of the Firehouse on Saturday, December 7, 2024 by the Chenango County Greenway Conservancy for a meeting concerning the future development of a Chenango Heritage Rail-Rail. Seconded by Ald. Allaire, approved ayes all.

**Nor-Witch Festival** – Ald. Loomis **moved** to approve a request from Mindy Chawgo, coordinator of the Nor-Witch Fest, for special event designation for the Festival Saturday, October 26, 2024 which runs from 9 a.m. to 2 p.m. and the Trunk-or-Treat in the Frontier parking lot from 2 p.m. to 5 p.m. Road closure of East Park Place is requested from 6 a.m. to 6 p.m. Seconded by Ald. Zieno approved ayes all.

**NYSEG Request for Street Cut in front of 9 Davis St.** – Ald. Loomis **moved** to approve a request from NYSEG for a street cut on newly paved Davis St. in front of 9 Davis St. for the installation of a gas line. Seconded by Ald. Allaire, approved ayes all.

**Use of Firehouse Grounds** – Ald. Allaire **moved** to approve a request from the NHS Varsity Girls Swim Team Boosters for the use of space in front of the Firehouse to park a bus to be used for a bottle drive on Saturday, October 26, 2024 from 10:30 a.m. to 2:00 p.m. Seconded by Ald. Zieno, approved ayes all.

### **Department, Board and Commission Reports**

- ◆ Water Commission Minutes – June, September
- ◆ Park Commission Minutes – September
- ◆ Civil Service Commission Minutes – September
- ◆ Ontario Hose Minutes – August, September
- ◆ Youth Board Minutes – October
- ◆ Police Report – September
- ◆ Fire Report – September

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

### **Council Appointment**

Ald. Zieno **moved** to approve the following Council appointment:

#### *Traffic Commission*

- ◆ *Jacob Perrone, 28 Silver Street, appointed to fill the remainder of a three-year term expiring December 31, 2027.*

Seconded by Ald. Loomis approved ayes all.

### **Ward Reports**

#### **Ward 3**

Ald. Allaire reported some Code concerns.

#### **Ward 4**

Ald. Loomis reported communications from a business regarding a sidewalk in front of her building and was referred to B.I.D. as well as bricks falling off a building since NYSEG's work on the gas line replacement and was referred to NYSEG; a communication regarding NYSEG's project on S. Mitchell St. changing gas lines and meters.

#### **Ward 5**

Ald. Zieno reported a notice of Code violation. He is investigating a couple of items such as sidewalks, saying that Binghamton was awarded CHIPS money for them. He asked the City Attorney to see about ownership of sidewalks to see if they would be eligible.

#### **Ward 6**

Ald. Jeffrey reported a street cut for a gas line at 9 Davis St.; a call regarding no heat at 11 Birdsall St.; requests for the Street Sweeper.

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

### **Motions**

**Authorize Mayor to sign MOA with the CSEA Administrative Unit** – Ald. Allaire **moved** to authorize the Mayor to sign the MOA with the CSEA Administrative Unit effective August 1, 2024. Seconded by Ald. Loomis, approved ayes all.

**Trick-or-Treat** – Ald. Allaire **moved** to set Trick-or-Treat as Thursday, October 31, 2024 from 5:30 p.m. to 8:00 p.m. As always, those who do not wish to participate can leave their porch lights off. Seconded by Ald. Zieno, approved ayes all.

**Crosswalk on West Midland Dr.** – Ald. Zieno **moved** to approve the request from Achieve for the installation of a crosswalk on West Midland Dr., including the corresponding signage and ADA compliant curb cut which will be paid for by Achieve. Seconded by Ald. Loomis, approved ayes all.

**Henry St. Parking Lot Space Designation for County EV's** - Ald. Loomis **moved** to approve the designation of 2 parking spaces in the northwest corner of the Henry Street Parking lot to Chenango County for the purpose of the installation of EV charging stations to keep the vehicles purchased by the Office of Aging charged in order to facilitate meal deliveries. Seconded by Ald. Allaire, approved ayes all.

**Restore NY Round 9 Letter of Intent** – Ald. Zieno **moved** to approve and support a letter of intent for the application to the Restore NY Round 9 grant program for the development of a daycare center. Seconded by Ald. Allaire, approved ayes all.

**MEO I Vacancy** – Ald. Loomis **moved** to approve the refill of the MEO II with the intention that as soon as the candidate has obtained their CDL they will become an MEO I. (The MEO I position has already been approved for refill.) Seconded by Ald. Allaire, approved ayes all.

**Traffic Commission Recommendation– Add parking space and handicap space to West Main Street clarification** – After confusion around the motion at the Joint Committee meeting, to clarify the approval of adding a parking space and a handicap space to the northwest side of West Main St. between Court and Broad Sts., Ald. Zieno **moved** to approve the action. Seconded by Ald. Loomis and approved by all. It was recommended that the Traffic Commission look at eliminating 1 or 2 spaces on the northeast side of West Main St. closest to the intersection.

## **Resolutions**

### **RESOLUTION #70 - 2024**

### **DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED PROPERTY AT THE CORNER OF EAST MAIN AND PARK STREETS**

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

WHEREAS, the City of Norwich acquired real property at the corner of East Main and Park Streets 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 Daniel O'Reilly of Norwich Studios, LLC of Norwich, NY to be an acceptable offer; now, therefore be it

RESOLVED, that the Common Council hereby designates Daniel O'Reilly of Norwich Studios, LLC of Norwich, NY as the “preferred purchaser” of the City-owned property at the corner of East Main and Park Streets; 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 the corner of East Main and Park Streets to Daniel O'Reilly of Norwich Studios, LLC.

Seconded by Ald. Loomis and duly adopted, 4 - 0, on a roll call vote.

### **RESOLUTION #71 - 2024**

### **AUTHORIZING BUDGET TRANSFER TO COVER OVERTIME COSTS IN THE FIRE DEPARTMENT**

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

WHEREAS, the overtime costs in the Fire Department have exceeded the budgeted amount; and

WHEREAS, a transfer of \$55,000 is needed to cover those overtime costs; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2024 Budget to cover Fire overtime:

|                    |                   |                |
|--------------------|-------------------|----------------|
| <u>From:</u>       |                   |                |
| <u>Account No.</u> | <u>Name</u>       | <u>Account</u> |
| A1990.4            | Contingency       | \$20,000       |
| A9050.8            | Unemployment      | 4,000          |
| A9950.1 H93        | Permanent Streets | <u>31,000</u>  |
| Total              |                   | \$55,000       |

|                    |                             |                |
|--------------------|-----------------------------|----------------|
| <u>To:</u>         |                             |                |
| <u>Account No.</u> | <u>Name</u>                 | <u>Account</u> |
| A3410.1020         | Personal Service - Overtime | \$55,000       |

Seconded by Ald. Loomis, and duly adopted, 4 - 0, on a roll call vote.

**RESOLUTION #72 - 2024**      **AUTHORIZING BUDGET TRANSFER TO COVER OVERTIME COSTS IN THE POLICE DEPARTMENT**

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

WHEREAS, the overtime costs in the Police Department have exceeded the budgeted amount; and

WHEREAS, a transfer of \$60,000 is needed to cover those overtime costs; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2024 Budget to cover Police overtime:

|                    |                   |                |
|--------------------|-------------------|----------------|
| <u>From:</u>       |                   |                |
| <u>Account No.</u> | <u>Name</u>       | <u>Account</u> |
| A9950.1 H93        | Permanent Streets | \$60,000       |

|                    |                             |                |
|--------------------|-----------------------------|----------------|
| <u>To:</u>         |                             |                |
| <u>Account No.</u> | <u>Name</u>                 | <u>Account</u> |
| A3120.1020         | Personal Service - Overtime | \$60,000       |

Seconded by Ald. Loomis, and duly adopted, 4 - 0, on a roll call vote.

**RESOLUTION #73 - 2024**      **DECLARING STREET MILLINGS SURPLUS AND AUTHORIZING DISPOSAL**

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

WHEREAS, millings from paving projects have been deemed to be surplus by the DPW; and

WHEREAS, the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, millings from paving projects be declared as surplus; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to dispose of such millings as is provided for by law.

Seconded by Ald. Zieno, and duly adopted, 4 – 0, on a roll call vote.

**RESOLUTION #74 - 2024****AUTHORIZING AGREEMENT FOR DEVELOPMENT OF A PARKS AND RECREATION MASTERPLAN**

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

WHEREAS, the creation of a Parks and Recreation Masterplan has been deemed necessary in order to apply for certain grant funding; and

WHEREAS, the Request for Proposals were received and LaBella of Latham, New York has been recommended with a quote of \$54,000; and

WHEREAS, the City acknowledges it's commitment of approximately \$20,000, with the balance of the \$54,000 being provided by Friends of the Park; and

WHEREAS, the Joint Committees have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor is hereby authorized to sign an agreement, under the direction of the City Attorney, with LaBella, of Latham, NY for the development of a Parks and Recreation Masterplan; and further be it

RESOLVED, that cost for the development of the Parks and Recreation Masterplan will be \$54,000 with the City's commitment to the plan of approximately \$20,000 with the balance being provided by Friends of the Park.

Seconded by Ald. Loomis, and duly adopted, 4 - 0, on a roll call vote.

**RESOLUTION #75 - 2024****AUTHORIZING BUDGET TRANSFER TO COVER STREET LIGHTING OVERAGES**

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

WHEREAS, the costs Streetlighting has exceeded the budgeted amount due to the increase in electric distribution delivery; and

WHEREAS, a transfer of \$40,000 is needed to cover those costs to the end of 2024; now, therefore be it

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

From:

| <u>Account No.</u> | <u>Name</u>                    | <u>Account</u> |
|--------------------|--------------------------------|----------------|
| A9950.1 H93        | Permanent Streets              | 9,000          |
| A5142.1010         | Snow & Ice – Personal Services | <u>31,000</u>  |
|                    | Total                          | \$40,000       |

To:

| <u>Account No.</u> | <u>Name</u>                           | <u>Account</u> |
|--------------------|---------------------------------------|----------------|
| A5182.4020         | Street Lighting - Contracted Services | \$40,000       |

Seconded by Ald. Jeffrey, and duly adopted, 4 - 0, on a roll call vote.

It was noted that the overage was due to a rate increase in the Delivery charges from NYSEG. The 2025 Budget has been adjusted to reflect the increase.

### **Payment of Bills**

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

|                             | <u>Prepaid</u>        | <u>10/15/2024</u>  | <u>Grand Total</u>    |
|-----------------------------|-----------------------|--------------------|-----------------------|
| General Fund                | \$169,698.49          | \$60,278.42        | \$229,976.91          |
| Water Fund                  | 42,487.33             | 11,923.34          | 54,410.67             |
| Sewer Fund                  | 11,742.66             | 7,360.93           | 19,103.59             |
| Trust                       | 42,776.65             | -                  | 42,776.65             |
| Comm. Dev. - Special Grants | 900.00                | -                  | 900.00                |
| Capital Projects            | 1,202,567.81          | -                  | 1,202,567.81          |
| <b>TOTALS</b>               | <b>\$1,470,172.94</b> | <b>\$79,562.69</b> | <b>\$1,549,735.63</b> |

Seconded by Ald. Loomis and duly adopted 4 - 0.

### **Executive Session**

Ald. Loomis **moved** to enter executive session to discuss the employment history of a particular individual at 7:05 p.m.

Seconded by Ald. Allaire, approved ayes all.

Ald. Zieno **moved** to exit executive session at 8:04 p.m. Seconded by Ald. Loomis, approved ayes all.

### **Adjournment**

Ald. Loomis **moved** to adjourn at 8:05 p.m. Seconded by Ald. Allaire, approved ayes all.