

COMMON COUNCIL

March 15, 2022

Mayor Brian Doliver presided at a meeting of the Common Council held at 6:30 PM on March 15, 2022, in the Common Council Chambers at One Court Plaza.

Present:

Mayor Brian Doliver
Ald. Matthew Caldwell
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
Youth Bureau Director Anthony Testani
Fire Chief Jan Papelino
Police Chief Rodney Marsh
EMO Stephen Cady
Joan Smith taking minutes

Media Representative: Sarah Genter, The Evening Sun

Supervisor Robert M. Jeffrey

Absent

Supervisor James McNeil

Call to Order

The meeting of the Common Council was called to order by Mayor Doliver at 6:32 p.m.

Approval of Minutes

Ald. Caldwell **moved** to approve the special meeting of February 1 and the regular meeting of February 15, 2022.
Seconded by Ald. Allaire and duly approved ayes all.

Public Hearing – Mayor Doliver opened the Public Hearing at 6:35 p.m. to hear comment on the Ordinance No. (A) of 2021 amending Chapter 174 Solid Waste and Recycling. Hearing no comment the Public Hearing was closed at 6:38 p.m.

Open Forum

No one spoke.

Proclamation – Mayor Doliver read the following Proclamation for April Child Abuse Prevention Month:

APRIL 2022 CHILD ABUSE PREVENTION MONTH IN THE CITY OF NORWICH

WHEREAS, April is National Child Abuse Prevention Month has been a time of national remembrance since 1981. It's an opportunity for communities, victims and their loved ones to join together and reflect on the progress achieved in the prevention of child abuse within their communities.

WHEREAS, Child abuse prevention must be a priority to confront the reality that an estimated 656,505 children nationwide are victims of abuse and neglect each year; and

WHEREAS, in 2021, the Chenango Child Advocacy Center interviewed 149 children impacted by a crime in the Chenango County region. In addition, the CAC provided 278 counseling sessions, provided emotional support and resources to 124 secondary victims and provided case management services 109 adolescents with high-risk behaviors.

WHEREAS, Child abuse prevention is a community responsibility and finding solutions depends on involvement among all people and communities must make every effort to promote programing that benefit children and their families:

WHEREAS, everyone in the community should become more aware of child abuse prevention and begin having conversations, take appropriate action, and support one another to create a safer environment for all;

NOW, THEREFORE, I, Mayor Brian Doliver do hereby proclaim the month of April, 2022 to be Child Abuse Prevention Month and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come and reaffirm our commitment to respect and honor children victims throughout the year to build a more just community.

Proclamation – Mayor Doliver read the following Proclamation on the occasion of Sydney Aronson’s 101st Birthday:

**RECOGNIZING THE 101ST BIRTHDAY OF
SYDNEY ARONSON**

WHEREAS, longevity of life is a blessing for an individual and for a society which benefits from the knowledge, creativity, and experiences this individual brings to all; and

WHEREAS, the City of Norwich recognizes with respect and admiration the contribution of senior citizens to our society; and

WHEREAS, Mr. Sydney (Syd) Aronson was born in Norwich on March 25, 1921 and is celebrating his 101st birthday; and

WHEREAS, Mr. Aronson served his country as a member of the Air Force during World War II becoming a decorated B24 pilot flying nearly 40 missions and surviving five crash landings; and

WHEREAS, after the war Mr. Aronson became a pioneer in the health care field, founding the first company to provide comprehensive drug coverage for thousands of employees, and became the first American at the senior level to collaborate with Lloyd’s of London to pioneer urgently needed insurance coverage.

NOW, THEREFORE BE IT PROCLAIMED that I, Brian Doliver, Mayor of the City of Norwich and on behalf of the citizens of the City, honor Mr. Sydney Aronson for his long life, prosperity and wisdom.

Proclamation – Mayor Doliver read the following Proclamation for the Week of the Young Child:

**WEEK OF THE YOUNG CHILD
IN THE CITY OF NORWICH**

WHEREAS, The Place, Family Enrichment Network, Guernsey Memorial Library, Catskill Regional Teacher Center, NYAEYC, Oneonta World of Learning, SUNY Oneonta, SUNY Cobleskill, I. N. N. and local early childhood educators in our schools, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child April 2-8, 2022, and

WHEREAS, these community organizations are working to improve early learning opportunities, which are crucial to the growth and development of young children, and to building better futures for children in Norwich and in all our surrounding communities; and

WHEREAS, programs of all areas and public policies that support early learning for all young children are crucial to young children’s futures; and

WHEREAS, all young children and their families across the country and in our community deserve access to high-quality early education, care and resources; and

WHEREAS, teachers, coaches, instructors, caregivers and all others who make a difference in the lives of young children in our community deserve thanks and recognition.

WHEREAS, starting on the 2nd of April 2022 through the 8th of April 2022, all citizens are encouraged to celebrate the *Week of the Young Child* with Music Monday, Tasty Tuesday, Work Together Wednesday, Artsy Thursday and Family Friday. Resources will be available virtually to children and families in our community on the Facebook platform at the *Chenango County Young Children & Families* page and at in-person community events.

NOW, THEREFORE, I, Brian Doliver, Mayor of the City of Norwich, do hereby proclaim the week of April 2nd - 8th, 2022, as the:

WEEK OF THE YOUNG CHILD

in the City of Norwich and encourage all citizens to work to make an investment in early childhood development, learning and education in our community to help every one of our children be able to grow, learn and thrive, to the best of their ability.

Correspondence

Hope for Healing 5K – Ald. Zieno **moved** to approve a request from Chenango Child Advocacy Center for Police assistance during their 5K race held on April 30, 2022 from 8:30 a.m. to 3 p.m. The race route will be the same as last year and special event designation is also requested. The event is to raise awareness on issues relating to Child Abuse. Seconded by Ald. Allaire, approved ayes all.

Mayoral Appointment with Council Approval

Street Tree Committee

- ◆ *Jennifer Kelly, 14 Beebe Avenue, appointed to a term expiring December 31, 2025.*

Ald. Caldwell **moved** to approve the Street Tree appointment. Seconded by Ald. Zieno, approved ayes all.

Planning Commission

- ◆ *Adrienne Zornow, 25 Grove Avenue, appointed to fill the remainder of a three-year term expiring December 31, 2024.*

Ald. Jeffrey **moved** to approve the Planning appointment. Seconded by Ald. Allaire, approved ayes all.

Department, Board and Commission Reports

- ◆ Civil Service Minutes – March
- ◆ Human Resource Report – February
- ◆ Water Commission Minutes – January
- ◆ Fire Department Report - February

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

Ward Reports

Ward 1

Ald. Caldwell reported a communications that the Mayor was doing a great job, a tree stump removal, and patching before a storm. He thanked DPW for the plowing done on Saturday and recognized the City's Irish-Americans and ancestors for St. Patrick's Day. He also thanked the Police Department for their work regarding recent drug related

home invasions and the other 2 unrelated drug arrests. He is concerned about the drug related activity in the City. He expressed “sadness and remorse” over the situation in Ukraine. A constituent felt the City should consider inviting refugees here.

Ward 2

Ald. Gee reported 16 different contacts. One was about a nuisance skunk which was referred to the DEC. There were several regarding the Route 12 paving not being done this year, sidewalk issues, and the storm this past weekend. Another regarding the railroad with a suggestion that the rails be paved over making for egress to the Museum District. There were questions about the DRI and what to do about run-down properties in the City.

Ward 3

Ald. Allaire reported two communications regarding the previous ice storm and one regarding additional lighting on Calvary Drive. After speaking with E. Pepe, lighting can only be added to residential areas and lighting is already extended as far as it can go.

Ward 4

Ald. Loomis reported one communication about an unregistered vehicle which has been resolved.

Ward 5

Ald. Zieno reported complaints about sidewalks not being shoveled during the previous storm, particularly the aprons to the street on Westcott and Birdsall streets areas. He received numerous complaints about potholes and a complaint about plowing in relation to sidewalks during the previous storm. He felt that during this storm the plowing had improved. He congratulated the Police Department for the drug related arrests.

Ward 6

Ald. Jeffrey reported a communication regarding Electrical and Plumbing licenses in the City whose project has been delayed due to the difficulty of hiring a licensed professional. He thanked the DPW for their plowing efforts during the storm and for patching South Broad St. He received several questions about the DRI application process and received ideas for possible projects. He forwarded the Mayor information on an ARC grant opportunity. He congratulated the girl’s basketball team on a great season, winning their fifth sectional title. He also congratulated Shakir Alexander on her standings in the NYS Indoor Track and Field Championships.

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

Motions

Authorize Agreement with Onondaga County Soil and Water – Ald. Gee **moved** to authorize the Mayor to sign an agreement, under the direction of the City Attorney, with Onondaga County Soil and Water Conservation for the pesticide treatment of City owned Ash trees in danger due to the invasive Emerald Ash Borer insect. Seconded by Ald. Allaire, approved ayes all.

Authorize Youth Bureau Director to Change the Calculation Method of Billing Towns for Youth Services – Ald. Caldwell **moved** to authorize the Youth Bureau Director to change the calculation method of billing the Towns for youth services and programs based on participation levels of each respective Town. Seconded by Ald. Jeffrey, approved ayes all.

Resolutions

RESOLUTION #15 - 2022 APPOINTMENT OF CITY HISTORIAN

Ald. Caldwell introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of City Historian; and

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

RESOLVED, that Agnes Eaton of Norwich, NY, be and hereby is appointed to the part-time position of Historian for the City of Norwich effective April 1, 2022; and further be it

RESOLVED, that a stipend of \$1,000 per year shall be paid with 2022 being prorated at \$750 per year.

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

RESOLUTION #16 - 2022

**AUTHORIZING IN-KIND CONTRIBUTION AND SUPPORT RELATIVE TO
THE MUSEUM DISTRICT PHASE 1B SIDEWALK INSTALLATION AND
LIGHTING**

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

WHEREAS, the Friends of the Museum District are moving forward with Phase 1B of the revitalization of the Museum District in the City of Norwich; and

WHEREAS, Phase 1B of the project includes the installation of sidewalks and decorative lighting from Broad Street to the railroad tracks on Rexford Street; and

WHEREAS, the Friends of the Museum District are asking the City of Norwich to install the sidewalks utilizing an in-kind contribution of labor; and

WHEREAS, the City would be supplied the materials for the installation of the sidewalks; and

WHEREAS, after the decorative lighting is installed, the City will then take ownership of the lights and the corresponding electric bill for the decorative lighting; now, therefore be it

RESOLVED, that the Common Council authorizes the installation of sidewalks in the Museum District from Broad Street to the railroad tracks on Rexford Street in Phase 1B using an in-kind contribution of labor; and further be it

RESOLVED, that the materials for the sidewalk installation shall be provided by the Friends of the Museum District; and further be it

RESOLVED, that City shall take ownership of the decorative lighting installed in Phase 1B from Broad Street to the railroad tracks on Rexford Street as well as the corresponding electric charges.

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

Discussion prior to the vote: Ald. Caldwell asked that the costs associated with this installation be tracked.

RESOLUTION #17 -2022

**AUTHORIZING RENEWAL / EXTENSION OF PILOT AGREEMENT FOR
MARLENE MEADOWS HOUSING PROJECT**

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

WHEREAS, the City of Norwich and Chenango Limited Partnership ("CLP"), a redevelopment company formed under Article V of the Private Housing Finance Law and under the aegis of Chenango Housing Improvement Program, Inc. ("CHIP") entered into a Payment In Lieu of Taxes agreement on October 22, 1996 (the "PILOT Agreement") for a multi-family housing project for the elderly, known as Marlene Meadows Senior Citizen Apartments ("Marlene Meadows"); and

WHEREAS, the subsequent ownership of Marlene Meadows was established under the formation of the Chenango Housing Development Fund Corporation ("CHDFC"), a not-for-profit-corporation pursuant to Article XI of the Private Housing Finance Law, also under the aegis of CHIP; and

WHEREAS, on April 15, 1997, by Resolution Number 39 of 1997, the City authorized consent to the formation of CHDFC and also consented to the assignment of the PILOT Agreement to CHDFC; and

WHEREAS, the original term of the PILOT Agreement expired December 31, 2011, Resolution #98-2011 was adopted on December 20, 2011 to extend the Agreement through December 31, 2016, with all other terms and conditions remaining unchanged; and

WHEREAS, the term of the PILOT Agreement expired after December 31, 2016, and both the City and CHIPs desire that it be renewed by extension of the term to December 31, 2021, with all other terms and conditions remaining unchanged; and

WHEREAS, the term of the PILOT Agreement expired after December 31, 2021, and both the City and CHIP's desire that it be renewed by extension of the term to December 31, 2026, with all other terms and conditions remaining unchanged; and

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

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to execute an addendum to the Marlene Meadows PILOT Agreement between the City and the Chenango Housing Development Fund Corporation to extend the term of said agreement to December 31, 2026.

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

RESOLUTION #18 - 2022 AUTHORIZING PURCHASE OF STREAM GAUGES AND TRANSFER OF FUNDS

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

WHEREAS, the three stream gauges have not functioned in two years; and

WHEREAS, the replacement of the three stream gauges is \$21,250; and

WHEREAS, flooding is a concern for the City of Norwich; and

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

RESOLVED, that three stream gauges are purchased from High Sierra Electronics of California for \$21,250; and further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfers in the 2022 Budgets:

From:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A8020.1010	Planning – Personal Services	\$13,000
A3620.1010	Code Enforcement – Personal Services	\$ 6,250

To:

<u>Account Number:</u>	<u>Name:</u>	<u>Amount:</u>
A3640.2100	Emergency Preparedness - Equipment	\$19,250

Seconded by Ald. Caldwell and duly adopted, 6 – 0, on a roll call vote.

Discussion before the vote: Ald. Loomis asked if a maintenance package is included. Chief Papelino replied that there will be the original warranty, but should budget for maintenance next year. The Mayor asked him to contact the company and keep the Council informed.

RESOLUTION #19 - 2022

**DESIGNATING “PREFERRED PURCHASER” OF CITY-OWNED
PROPERTY AT 46 CORTLAND STREET**

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

WHEREAS, the City of Norwich acquired the real property at 46 Cortland 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 has reviewed proposals for the purchase of the property, and considers the proposal from Gideon Schena of Norwich, 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 as a single family home; now therefore be it

RESOLVED, that the Common Council hereby designates Gideon Schena of Norwich, NY as the “preferred purchaser” of the City-owned property at 46 Cortland 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 46 Cortland Street to Gideon Schena for use as a single family home.

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

Discussion before the vote: Ald. Loomis was concerned that the house is currently a two family. D. DuFour stated it will be designated as single family use in the purchase agreement.

RESOLUTION #20 -2022

AWARDING BID – JAMBA FARM LEASE

Ald. Caldwell introduced the following and moved its adoption:

WHEREAS, a bid for the lease of Jamba Farm has been received and was opened on March 1, 2022; and

WHEREAS, the current bid for the lease of Jamba Farm is for \$4,955 per year, an increase of \$150 per year over the current lease amount; now, therefore be it

RESOLVED, that the bid for the lease of Jamba Farm for the twelve months from April 1, 2022 through March 31, 2023, with a renewal provision for two succeeding twelve-month periods, be awarded to the highest qualified bidder meeting specifications, Michael Place, of Oxford, NY, in the amount of \$4,955 per year.

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

RESOLUTION #21 - 2022

**ADOPTING PROPOSED ORDINANCE NO. (A) OF 2022 - AMENDING
CHAPTER 474 SOLID WASTE AND RECYCLING**

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

WHEREAS, the Common Council received proposed Ordinance No. (A) of 2021 on February 15, 2022 amending Chapter 474 Solid Waste and Recycling; and

WHEREAS, a public hearing was held on March 15, 2022, in connection with said proposed ordinance now, therefore be it

RESOLVED, that Ordinance No. (A) of 2022 to amend Chapter 474 Solid Waste and Recycling, as presented to the Common Council on February 15, 2022, be and hereby is adopted, and is hereby designated as Ordinance No. 1 of 2022.

Ordinance No. (1) of 2022
CHAPTER 474
SOLID WASTE AND RECYCLING
ARTICLE I

Handling and Removal

[Adopted 4-27-1948 (Ch. 43, Art. I, of the 1967 Code)]

§ 474-1. Rules and regulations.

Every person, firm or corporation handling, moving or hauling garbage, ashes, trash or any form of refuse or waste material on, through or over streets of the City of Norwich shall observe the following rules and regulations:

- A. Trucks, wagons or any other vehicles used shall be equipped with leakproof dump- type body or other type of leakproof body with solid side paneling.
- B. No such vehicle shall be loaded to a point higher than the top edges of the body paneling, and the tail gate shall be kept raised and closed when the vehicle is in motion.
- C. A tarpaulin, canvas or other suitable cover must be placed on top of the load when the vehicle is in motion to prevent any waste material from being blown or scattered from the vehicle onto the streets.
- D. Operators of such vehicles shall take due care and caution in the operation of such vehicles and in the handling and hauling of such waste material to prevent the dropping or spilling of such material in the City streets.

§ 474-2. Penalties for offenses.

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

SOLID WASTE AND RECYCLING
ARTICLE II

Garbage

§ 474-3. Storage requirements.

- A. All garbage and refuse shall be kept in a metal or durable plastic, nonleakable, tightly covered container designed to prevent the attraction of animals.
- B. Every landlord must provide a suitable trash container for each occupied rental unit. The trash container shall be of suitable size to meet the needs of the occupants (i.e., a one-bedroom unit may have a container large enough to hold two bags of garbage per week; a two-bedroom, four bags per week, etc.). For larger occupancies, such as multifamily dwellings or commercial buildings, a dumpster may be provided as long as it is readily available to all occupants. Failure to provide such receptacles shall result in a minimum fine of \$50 per unit, per offense.

- C. Garbage and refuse must be stored in areas screened from view of the street.

§ 474-4. General garbage and refuse maintenance.

- A. Garbage and refuse containers are to be placed out for collection no earlier than 12 hours before scheduled pickup and cannot remain there for more than 12 hours after pickup.
- B. Garbage and refuse cannot be placed on the street or sidewalk where it can interfere with bicyclists, pedestrians and vehicles.
- C. Accumulations of rubbish, including, but not limited to, vehicle parts, tires, scrap lumber, construction materials, old appliances, and leaves and branches in property yard are considered garbage. Leaves and branches may be piled temporarily, provided they are being gathered for disposal, but cannot remain in sight for an indefinite period of time.
- D. Furniture designed for indoor use placed in a yard or on an unenclosed porch will be considered rubbish.
- E. No person in charge or control of any property within the City, whether as owner, occupant, tenant or otherwise, shall allow any rubbish to remain on such property longer than 24 hours after notice given to such person to remove and dispose of such rubbish.
- F. *Upon notification to remove rubbish, including, but not limited to, vehicle parts, tires, scrap lumber, construction materials, old appliances, and leaves and branches in property yard that are considered garbage 3 times for any given parcel within one calendar year, the City will not give 24 hours notice to owner for the remainder of that year and will contract to have the rubbish removed and the owner charged per section 474-5.*

§ 474-5. Costs of clearing and cleaning.

- A. The following costs are hereby established to be imposed when the City or its independent contractor clears and cleans a noncomplying premises in accordance with § 474-3 herein:
- (1) First occurrence within a three-year period: \$100, plus the actual cost of the work.
 - (2) Second occurrence within a three-year period: \$200, plus the actual cost of the work.
 - (3) Third or more occurrence within a three-year period: \$300, plus the actual cost of the work.
- B. For the purposes of this article, the "actual cost of the work" is defined as follows:
- (1) In the case of an independent contractor, the total agreed-upon contract consideration
 - (2) In the case of the City performing the work, the sum total of man hours expended multiplied by the hourly wage, plus fringe benefits paid each City employee utilized, plus the sum total of equipment hours utilized multiplied by an hourly rental charge therefor.

§ 474-6. Statement of costs; collection

- A. A statement of costs incurred for clearing and cleaning, in accordance with §§ 474-3 and 474-5 herein, and a demand for payment of same upon completion of work shall be mailed to the addressee, person, partnership, corporation or other entity being the owner or in control of or charged with the control or management of the premises by United States Postal return-receipt-requested mail. Such statement of costs shall require payment to the Director of Finance not later than 30 days from receipt. Such statement shall say that in the event the costs are not timely paid, the costs will be forwarded without further notice to the addressee, added to the City real property taxes to be levied and collected against the premises and subject to the same penalty and interest charges and enforcement proceedings as applied to unpaid taxes.

- B. In the event the said costs are not timely paid, the Director of Finance shall cause same to be added to the City real property taxes to be levied and collected against the premises, and same shall be subject to the same penalty and interest charges and enforcement proceedings, including tax sale, as applied to unpaid City real property taxes.
- C. If the addressee from whom payment is demanded and not paid is exempt from the payment of real property taxes, the Common Council of the City of Norwich may direct the City Attorney to bring a proceeding in a court of competent jurisdiction for its collection and thereafter to proceed to enforce such judgment by lawful process.

§ 474-7. Penalties for offenses.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to a penalty of not more than \$250 or imprisonment for not more than 15 days, or both, for each offense.

Amendments are in italics

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

Payment of March 2022 Bills

Ald. Zieno **moved** to pay the March 2022 bills after proper audit and certification.

	<u>Prepaid</u>	<u>3/15/2022</u>	<u>Grand Total</u>
General Fund	\$148,296.70	\$749,231.96	\$897,528.66
Sewer Fund	\$13,009.94	\$7,410.93	\$20,420.87
Water Fund	\$23,575.17	\$6,859.08	\$30,434.25
Trust	\$28,101.68	-	\$28,101.68
Debt Service		-	
Comm. Dev. - Special Grants		-	
Capital Projects		-	
TOTALS	\$212,983.49	\$763,501.97	\$976,485.46

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

Executive Session

Ald. Loomis **moved** to enter executive session to discuss the sale of property where price may be affected, contract negotiations and the history of a particular individual at 7:13 p.m. Seconded by Ald. Jeffrey, approved ayes all.

Ald. Jeffrey **moved** to exit executive session at 8:25 p.m. Seconded by Ald. Allaire, approved ayes all.

Adjournment

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