

CITY OF NORWICH
JOINT MEETING of the
PUBLIC SAFETY / PUBLIC WORKS and
FINANCE/PERSONNEL COMMITTEES
February 6, 2024

Present:

Mayor Brian Doliver
Ald. Eric Warren
Ald. Fred Gee
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
Youth Bureau Director Anthony Testani
Fire Chief Jan Papelino
EMO Stephen Cady
Community Development Director Erik Scrivener
City Attorney Stephanie Hanrahan
Deputy City Clerk Agnes Eaton

Media Representative: Sarah Genter, The Evening Sun

Absent

Supervisor James McNeil

Ald. Zieno called the joint meeting of the Public Works/Public Safety and Finance/Personnel Committees to order at 6:30 p.m. at the Council Chambers.

Approval of Minutes – Ald. Jeffrey **moved** to approve the minutes of the December 5, 2023 and January 1, 2024 meetings. Seconded by Ald. Warren, approved ayes all.

Correspondence

Moi's Center City Bistro New Liquor License Application – Ald. Jeffrey **moved** to recommend the Common Council receive, file and approve the new liquor license application from Moi's Center City Bistro located at 28 South Broad St. Seconded by Ald. Loomis, approved ayes all.

2024 YMCA Events – Ald. Jeffrey **moved** to recommend the Common Council approve the following 2024 YMCA events: Gus Macker July 12-14, noting that Gus Macker will be moved back to East Main St. this year; Annual YMCA Halloween Parade October 26, 2024; Annual YMCA Turkey Trot 5K November 24, 2024. Seconded by Ald. Loomis, approved ayes all.

Department Head Reports

Youth Bureau

Charges for Residents of Non-contract Towns – A. Testani reported that the Town of Plymouth has chosen not to enter into a contract this year regarding Youth Programs. He reported that there were 57 children from Plymouth that participated in the programs. As is the case for all children of towns that the City has no agreement with, there will be a charge for those children. He recommends the fees of \$50 for the first child, \$75 for 2 children and a cap of \$100 for 3 or more children. This is for the year and can sign up for as many programs as they wish. Ald. Jeffrey **moved** to recommend the Common Council approve the recommended fees. Seconded by Ald. Warren, approved ayes all.

DPW

Funding for Meter Project – E. Pepe reported that from the \$1,421,368.38 project cost, \$1 million is grant funds and transfers from Water Equipment Reserves and Sewer Equipment reserves in the amount of \$210,584.19 from each is necessary for the balance of the project. Ald. Jeffrey **moved** to approve the transfer. Seconded by Ald. Loomis, approved ayes all.

Pickleball Striping Bid

New Filter Plant update

Meter reader/water maintainer position

Transfer for compaction testing done for Water Main Replacement Project – E. Pepe reported that during the Water Main Replacement project the City hired Keystone to do compaction testing to ensure compaction after the backfilling meet specifications. The amount of \$16,719.75 will need to be transferred from

Howard St.

EMO

Stream Gauges/Budget

Community Development

Approval for American Ave. Contract – E. Scrivener reported the DRI American Ave. Streetscape project grant amount awarded is \$470,000 needs to formally be accepted and authorize the Mayor to sign a contract with NYS. This is the first step and final plans would still need to be sent to the State for approval.

Placemaking Contractor selection – E. Scrivener reported that a five-member committee have reviewed the 4 RFPs received for the Placemaking action plan. Interviews were conducted and the firm EDR is being recommended. Ald. Jeffrey **moved** to authorized an agreement with EDR for the Placemaking action plan. Seconded by Ald. Allaire, approved ayes all.

DRI Proposal for East and West Parks – E. Scrivener presented the plans for the DRI project for East and West Parks and East and West Park Place. Plans included more electrical connections, lighting, and expanded green space on East Park Place which would remove the parking on the north side of East Park Place. Ald. Loomis **made** a motion to recommend the Common Council support the plan. Seconded by Ald. Gee, approved ayes all. Scrivener expects work to proceed in the Spring of 2025. E. Pepe said that the paving of East and West Park Places will not occur this year due to these plans.

WWTP Project – E. Scrivener reported that the Congressional Appropriations have opened for 2025. As part of an application request for funds for the WWTP project, he is requesting a letter of support. Ald. Loomis **moved** to approve a letter of support. Seconded by Ald. Jeffrey, approved ayes all.

Nuisance Ordinance – E. Scrivener asked for direction regarding the Nuisance Ordinance since it has been discussed and brought forward a few times. Ald. Jeffrey remarked this has gone round and round and felt this was a major overhaul on how we conduct business and a different direction in an administrative and judiciary sense on whether things go to court or not. He said that the email from the City Attorney making changes to several existing codes saying he will make a motion for a Public Hearing for those items. We can keep moving forward but is not advocating to pass it tonight, saying we need to take a look at the process. With the proposed changes by the City Attorney will allow more “teeth” for enforcement. Ald. Gee said the nuisance ordinance should be passed – that doesn’t mean we have to use it. The Nuisance Officer will probably reside in the Codes office. Ald. Zieno said this ordinance is not for your every day code violation, but for repeat offenders who don’t care. In response to the question if minutes were taken during the working group meetings, S. Scrivener said there were not as the group is not an official City board or commission. Mayor Doliver said there is a need to fine-tune some things, but felt we are very close. The City Attorney said that Judge Genute has not looked at this because he must remain impartial and is unsure if Judge Flanagan has viewed it. Other communities have similar codes, saying Dryden’s has gone to court and is very similar to Binghamton’s model that also has gone to court. S. Hanrahan said the issues with the ordinance in court are due to Notice to people and taking property away from people who are not the ones actually causing the problem. Ms. Hanrahan’s recommendation is to “tweak” the document before moving it forward to Council. Ald. Jeffrey reminded the Committee that a person/department needs to be identified as a Nuisance Officer. S. Hanrahan said the person should probably be located in the Code Department, as they will need to have appropriate qualifications. Ald. Warren has requested information on certain topics and can’t make a determination until he has received those answers. Discussion of making Civil Service job description changes to accommodate a position of Nuisance Officer and why that would even be necessary as Code Enforcement already performs those duties. Ald. Jeffrey felt another position does not need to be added. Mayor Doliver felt that compromise may need to be made – do we do just the judicial part of the ordinance and wait on the administrative? S. Hanrahan stated that an administrative body can issue fines, but that’s all. With the proposed Ordinance as is, violations would be sent to Supreme Court, not City Court, which will make the process longer, not shorter. There was discussion of just changing the current ordinance for repeat offenders to go to Supreme Court. Any criminal charges would be handled by the District Attorney’s Office. Ald. Jeffrey proposed adopting the changes to

various ordinances the City Attorney proposed versus waiting a couple months for a hearing on those issues in the [Nuisance] Ordinance.

Ald. Jeffrey **moved** to recommend the Common Council set a Public Hearing for February 20, 2024 regarding Animals § 153-12 Penalties for offenses; Brush, Grass, Weeds § 172-8 Criminal proceedings; penalties for offenses; Buildings, Unsafe § 178-3 Procedures to compel repair or removal; Housing Standard § 310-17 Penalties for offenses; Property Maintenance § 409-12 Penalties for offenses; Camping § 421-4 Penalties for offenses that the City Attorney emailed to them. Seconded by Ald. Loomis, approved ayes all. Further heated discussion ensued prior to the vote. Discussion included the shorter timeline to get to City Court with these Ordinance changes versus several months to get to Supreme Court as is written in the Nuisance Ordinance. Ald. Allaire suggested we see how these changes take effect. Ald. Loomis concurred, saying we are not throwing out the Nuisance Ordinance. Mayor Doliver suggested doing what we can tonight and continue to work on the Nuisance Ordinance. Ald. Loomis called the question on the changes to the various ordinances (not including the Nuisance Ordinance).

Ald. Zieno **moved** to vote on sending the Nuisance Ordinance to Common Council. Seconded by Ald. Gee. Ald. Jeffrey would like to see the Administrative section of the Nuisance Ordinance removed. Ald. Loomis agreed with Ald. Jeffrey. Ald. Warren would like to see a further definition of Nuisance Officer and the impact this would have on the Code Enforcement Office. The Nuisance Ordinance vote was 5 – 1 with Ald. Jeffrey voting nay because he would like to see the revision with the Administrative part removed first.

Fire Department

EMS mutual aid – J. Papelino reported 5 calls with 4 of them billable.

Assist NYSDOT – J. Papelino reported assisting the NYS DOT during the power outage. A permit was obtained which allows assistance with a generator on the operation of signal lights at intersection. In this outage, generators were located at the Price Chopper intersection and on East Main St.

Status of ambulances – J. Papelino reported the reason for only 5 Mutual Aid calls was due to 2 ambulances being out of service. Ambulance 2393 was hit by a car and another hit a deer. He is looking to purchase a new ambulance that will replace the 2003 Ford with 112,000 miles. Cost estimates are between \$300,000 - \$350,000. The use of State funds will be explored.

FD Training – J. Papelino reported the MTO will begin doing a monthly report listing some of the trainings offered. Staff has been trained on the luminaires that were purchased. Career staff is being trained on the NYS Codes so that each shift will have several people to do building safety inspections. Building inspections will resume during the summer. Volunteer EMS trainings are also being done. Trainings will also be conducted at area nursing homes.

J. Papelino reported that the ladder truck is having some work done due to heat damage by the Miller St. fire. Lengths of hose were also burned and taken out of service.

Pagers – J. Papelino reported that during the Miller St. fire, some staff missed the call due to pagers not working. He requested permission to purchase 25 Motorola 6 pagers at a cost of \$10,025. Ald. Jeffrey **moved** to recommend the Common Council approve the purchase. Seconded by Ald. Loomis, approved ayes all.

Code Enforcement

Inspections, red tags & calls answered – J. Papelino reported 113 calls to Codes in 2 weeks. There were 26 red tags issued, 4 violation letters sent, 7 dog license calls, 13 rental inspections, 7 construction inspections, and 5 building inspections.

33 and 37-39 North Broad St. – J. Papelino reported that an engineer has looked at the North Broad St. properties and they need maintenance but have been deemed structurally sound. There are at least 7 apartments that are still occupied. Tenants have been told to leave as there is no water or sewer. Tenants reported other agencies were there one time to try to help relocate them, but haven't been seen since. S. Hanrahan has been having conversations with the County Health Department.

J. Papelino also reported that the situation on Mitchell St. was the worst he has ever been in, which is unfortunate because it was a nice house previously. This is not the first time these [tenants] have done this. They were previously told they were not to own any animals and should be monitored wherever they end up to ensure they do not have animals.

Tax properties – J. Papelino reported that only 2 properties were taken for taxes this year – 30 Henry St. and the vacant lot on the corner of East Main and Park St. Discussion ensued about contacting State Legislators to change the eviction process.

Finance

2024 Chenango Housing Improvement Program Payment Plan Request – D. DuFour received a request from Chenango Housing Improvement Program to make 10 monthly payments for their PILOT for 27 West Main St. as they have done in the past. Ald. Jeffrey **moved** to approve the payment plan. Seconded by Ald. Warren, approved ayes all.

Transfer in 2023 Budget for 2024 Police and Fire Retirement System – D. DuFour reported that a transfer in the 2023 budget will be needed for the 2024 Police and Fire Retirement System. Ald. Jeffrey **moved** to recommend the Common Council approve the transfer. Seconded by Ald. Loomis, approved ayes all.

Adjournment

Ald. Warren **moved** to adjourn the Joint Committee Meeting at 8:55 p.m. Seconded by Ald. Gee, approved ayes all