

COMMON COUNCIL

February 27, 1990

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 p.m. on February 27, 1990, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. Hartley Ackley
Ald. Patrick McNeil
Ald. Herbert Horovitz
Ald. Kenneth Titus
Ald. Roland Guinn
Ald. Charles Angelino

Also:

Clerk/CD Director Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
DPW Director Neil Beebe
Police Chief Gary Follett
Fire Chief Mark Rice
Highway Supt. Joseph Loscavio

Ald. McNeil moved to dispense with the reading and approve the minutes of February 13, 1990 with the following correction to Resolution #11-1990: the bid award to Smith Ford for Two-Wheel Drive Pickup Truck was in the amount of \$11,788.

Seconded by Ald. Guinn and duly adopted, ayes all.

PUBLIC HEARINGS:

-- Mayor Chomyszak opened the first public hearing for Ordinance No. 2 of 1990, an ordinance to amend an ordinance authorizing partial exemption of certain real property owned by persons sixty-five years of age and over in the City of Norwich.

George Carnrike, 29 Jones Avenue, said that the ordinance would add a few dollars to senior citizens income and he urged the Council to approve the ordinance.

-- Stan Prusik, 30 Eric Street, also urged the City to approve Ordinance No. 2 and also asked if the City has filed for its Waste Water Treatment Facility exemption promptly.

Thomas Knapp, Locust Street, responding to Mr. Prusik's comment, said the City must apply by March 1, which it has, and noted the school board does not have to respond by March 1.

-- Mayor Chomyszak closed the hearing and opened the public hearing for Ordinance No. 3 of 1990, an ordinance to amend the Zoning Map of the City of Norwich.

Clerk Zakrevsky explained the ordinance would change 44-48 West Main Street from an R-2 residential zone to a planned use development.

Executive Director of Opportunities for Chenango, John Salo, gave a brief history of the process which brought OFC to the proposed request.

Mr. Salo explained the Planned Use Development, and its three year reconstruction plan. In the first year, OFC proposes to repair and replace the roof, renovate the parking lot, install handicapped accessible bathrooms, repair the windows, install signs, and make sidewalk repairs. In the second year, OFC proposes to secure the back parking lot with 8 ft. security fence and a sliding gate, install parking islands and landscaping. In the third year, OFC proposes to renovate 2,000 sq. ft. of warehouse into office space, move the primary entrance to the west side of the building, secure windows, and possibly, with Planning Commission approval, install a bus stop shelter.

Mr. Salo said OFC employs approximately 60 people, of which 25 are drivers working staggered hours.

Mr. Salo explained OFC proposes to take down the "Anderson Motors" sign and install a smaller sign for "Opportunities For Chenango" which would be in brown and black letters approximately 16" high. Also proposed is a Directory Sign near the entrance and a Ground Sign near the street.

OPEN FORUM:

-- Robert Rabinowitz, 22 Hillview Drive, said, regarding the sales tax on home heating oil, that home heating oil is an essential in our area and it, along with gas and electric heat, should be exempt. He said a partial exemption could be calculated for electrical heated homes.

-- Bonnie Brush, Gold Street, said the City of Norwich has a Dog Ordinance which the Police Department does enforce. However, when a case comes before the court, it isn't enforced. She said the judges need to enforce the ordinance.

Police Chief Follett said the general procedure for offenders is to issue a warning the first time the dog is picked up, followed by a summons and a redemption fee for second-time offenders.

Floretta Kreppel, Gold Street, said the Police Department, particularly Mr. Stopford, are doing an excellent job, but the judges are not enforcing the ordinance. She suggested that the Council present the judges with a copy of the Dog Ordinance. She also suggested a reminder of the leash law be printed in the newspaper and Pennysaver and that the Council raise the fines. She said without the cooperation of the dog owners and the judges, there is no purpose in having the ordinance.

Police Chief Follett said there are three ordinances pertaining to dogs: Habitual Barking, Running At Large, and Vicious Dog. He said fines have been adopted and stronger fine would require an ordinance change.

-- Mrs. Kreppel said she has noticed many property owners are not adhering to the City Sidewalk Ordinance which requires sidewalks be cleaned off within 24 hours of a snowfall. The Mayor said violators of this ordinance may be reported to the City Codes Enforcement Officer.

CORRESPONDENCE:

-- Ald. Guinn moved to approve the request to hold the 5th Annual St. Patrick's Day parade at 1 p.m. on Saturday, March 17, 1990, under the direction of the Chief of Police. Seconded by Ald. Ackley and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Ald. Guinn moved to receive and file the following reports:

- Electrical Board minutes of January 18, 1990
- Plumbing Board minutes of January 24, 1990
- Public Works Committee meeting of February 8, 1990
- Traffic Commission minutes of February 14, 1990
- Police Department annual report for 1989
- Finance Committee meeting of February 21, 1990

Seconded by Ald. Titus and duly adopted, ayes all.

-- The Council requested to receive copies of all minutes of meetings, including the Electrical and Plumbing Boards.

-- Mayor Chomyszak introduced Thomas Knapp to make a presentation from the Traffic Commission regarding signing City crosswalks.

Mr. Knapp reported the Traffic Commission has looked at North and South Broad Streets with concern to pedestrians crossing Broad Street more safely. He said that painted crosswalks are not always visible, and the Traffic Commission is requesting pedestrian crossing signs on North and South Broad Streets. He said the signs would be yellow in color and approximately 12

signs would be needed. Mr. Knapp said the Traffic Commission has approached the Business Improvement District for funding and they have expressed an interest in the project.

Highway Supt. Loscavio said NYS Department of Transportation will not allow signs to be installed on North and South Broad Streets without their permission.

Ald. Guinn suggested painting the crosswalks two or three times a year.

Ald. McNeil said he would like to see Pedestrian Right-Of-Way signs at each entrance to the City.

Mr. Knapp said permission to install both types of signs would be requested.

The Council concurred that if the Traffic Commission gets State approval to install the signs and funding could be identified, Council would give its approval.

OLD BUSINESS:

-- Ald. McNeil moved to award the bid for MSA Breathing Apparatus Kits to Jerome Fire Equipment of Clay, NY, the low bidder meeting specifications. Seconded by Ald. Horovitz and duly adopted, ayes all.

-- Mayor Chomyszak reported a proposal for the pool renovations has not yet been received from Mr. Suozzo, and, therefore, the resolution would have to remain tabled until the next meeting.

NEW BUSINESS:

RESOLUTION #12 - 1990. APPROVING ORDINANCE AMENDING ORDINANCE AUTHORIZING
PARTIAL SENIOR CITIZEN EXEMPTION OF CERTAIN REAL
PROPERTY IN THE CITY OF NORWICH

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, The Common Council received proposed Ordinance No. 2 of 1990 on February 13, 1990, such ordinance amending an ordinance authorizing partial exemption of certain real property owned by persons sixty-five years of age and over in the City of Norwich, and

WHEREAS, a public hearing has been held on February 27, 1990, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 2 of 1990 relative to amending an Ordinance Authorizing Partial Exemption from Taxation of Certain Real Property Owned by Persons in the City of Norwich, as presented to the Common Council on February 13, 1990, be and hereby is approved.

Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote.

RESOLUTION #13 - 1990. APPROVING ORDINANCE AMENDING THE ZONING ORDINANCE
MAP

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, The Common Council received proposed Ordinance No. 3 of 1990 on February 13, 1990, such ordinance amending the City of Norwich Zoning Ordinance Map to reclassify the property located at 44-48 West Main Street (C.T.M. 136.55-1-14), formerly known as Anderson Motors, from R-2 (Single Family to Multiple Family Residential District) to a Planned Use Development zone, and

WHEREAS, a public hearing has been held on February 27, 1990, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 3 of 1990 relative to amending the Zoning Ordinance Map of the City of Norwich, as presented to the Common Council on February 13, 1990, be and hereby is approved.

Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote.

RESOLUTION #14 - 1990. REALLOCATING GRADE OF CITY ASSESSOR

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Assessor in the City of Norwich, and

WHEREAS, a subsequent review has been made of the grade allocation for City Assessor, and

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

RESOLVED, that the position of Assessor be and hereby is reallocated to Grade 24 of the city non-unit compensation schedule.

Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote.

RESOLUTION #15 - 1990. DESIGNATING CITY AUDIT FIRM FOR 1989 FISCAL YEAR

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the City of Norwich has solicited proposals for single audit services in accordance with federal regulations for the 1989 fiscal year; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to sign an agreement with Ernst & Young of Albany, under the direction of the City Attorney, for single audit services for the 1989 fiscal year at a cost of \$13,500 for 300 hours and \$2,775 for out-of-pocket expenses, for a total of \$16,275, in accordance with the City's request for proposal for such services.

Seconded by Ald. Titus and duly adopted, ayes all on roll call vote.

-- Prior to the vote, Ald. Horovitz said he did not like paying \$6,000 more for the audit, but he has confidence in the Chamberlain and, therefore, will go along with his recommendation. Ald. Horovitz said Council should be notified when the auditor comes close to the maximum hours.

Ald. Guinn asked that the Council receive progress reports regularly.

Ald. Horovitz noted that next year the City would be requesting three-year audit proposals.

RESOLUTION #16 - 1990. AUTHORIZING TRANSFER FOR CARPETING AND REPAIRS

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the Director of Public Works has made certain recommendations relative to the repair of the firemen's bathroom and the carpeting of public hallways in City Hall for safety reasons; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1990 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 4,825.40

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.4041	Municipal Buildings	\$ 4,825.40

Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote.

RESOLUTION #17 - 1990. AUTHORIZING CONTRACT WITH REFUSE DISTRICT No. 3

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the Board of Water Commissioners of the City of Norwich have agreed to accept treated leachate from Refuse District No. 3, North Norwich, and

WHEREAS, Refuse District No. 3 will provide the Norwich Water System with an analysis of leachate tested for organics and metals on a monthly basis, and

WHEREAS, all deliveries to the Waste Water Treatment Facility will be under Waste Water Treatment Facility staff supervision; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to sign an agreement, under the direction of the City Attorney, with Refuse District No. 3 for the processing of leachate from Refuse District No. 3, North Norwich.

Seconded by Ald. Horovitz and duly adopted, ayes all on a roll call vote.

RESOLUTION #18 - 1990. APPOINTING TERRY KUHN AS FIRE FIGHTER

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the rank of full-time fire fighter in the Norwich Fire Department, and

WHEREAS, the fire chiefs have made certain recommendations; now, therefore be it

RESOLVED, 1. that Terry Kuhn, 10 Gold Street, be and is hereby appointed as a full-time fire fighter in the Norwich Fire Department.

2. that this resolution shall take effect March 5, 1990.

Seconded by Ald. Titus and duly adopted, ayes all on a roll call vote.

-- Prior to the vote, Fire Chief Rice introduced Terry Kuhn, the new appointee to the Fire Department. Chief Rice said Mr. Kuhn has been an active volunteer fire fighter and a member of the Emergency Squad for two years.

-- Ald. Ackley said he wished to commend the Fire and Police Departments on the job they did with the fire that destroyed the Carol Ann building located at 14-16 South Broad Street.

Mayor Chomyszak noted the Department of Public Works should also be commended for the assistance they provided.

The Council concurred and requested the Mayor to send a letter of commendation to each department, as well as the area fire departments that provided assistance to the City.

Fire Chief Rice reported the overall operation was tremendous. Chief Rice said the following area fire departments provided mutual aid: Oxford - two engines, one ladder truck, and one ambulance; Sherburne - one engine and one ambulance; Hamilton - one engine and one ladder truck; North Norwich - one engine; Plymouth - one engine; Chenango County - the Air Cascade Truck and the Arson Task Force. He said approximately 100 area fire fighters provided mutual aid.

Chief Rice said the Police Department, Department of Public Works, and the Water System also provided assistance to the department.

Chief Rice noted the renovations made to the City's Aerial Truck last year probably saved the downtown.

Chief Rice stated that at one point the department was throwing approximately 7,000 gallons of water per minute on the fire. He said an estimated 750,000 gallons of water was used to bring the fire under control.

Chief Rice noted the Oxford department protected the rear of the building with their aerial truck and with fire fighters on the roof of the Astoria Federal building.

Chief Rice said he wished to thank the City residents who brought coffee and baked goods, and the area restaurants who donated coffee, muffins, and donuts to the fire fighters.

DPW Director Beebe also noted that there was tremendous cooperation from the owner of the Carol Ann building, as well as from the insurance people and the contractors.

RESOLUTION #19 - 1990. ESTABLISHING POSITION OF BUILDING INSPECTOR AND
SETTING GRADE

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, a vacancy in the Public Works Department exists, and

WHEREAS, the Director of Public Works has reviewed the position and has made certain recommendations, and

WHEREAS, the Personnel Committee has received recommendations and concur with various findings; now, therefore be it

RESOLVED, 1. that the position of Building Inspector be and hereby is established at Grade 20 of the compensation schedule; and

2. that this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

Seconded by Ald. Titus and duly adopted, 5-1 (Ald. Titus) on a roll call vote.

-- Prior to the vote, DPW Director noted the title of Building Inspector better defines the position. He said the person will be working primarily for Gary Lackos, but may occasionally help out the Engineering Department. Mr. Beebe said the pay rate has not changed.

✓ Ald. Horovitz moved to pay the following bills after proper audit and certification:

	<u>Feb-Prepaid</u>	<u>2/13/90</u>	<u>Grand Total</u>
General Fund	207,904.53	44,025.80	251,930.33
Trust Fund	81,502.98	0.00	81,502.98
W.W.T.P.	59,337.00	60.14	59,397.14
Capital Projects	0.00	1,950.00	1,950.00
TOTALS	\$ 348,744.51	\$ 46,035.94	\$ 394,780.45

-- Ald. Guinn moved to adjourn at 9:16 p.m. Seconded by Ald. Titus and duly adopted, ayes all.