COMMON COUNCIL

August 28, 1990

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 p.m. on August 28, 1990, at the Higley Building.

Present:	Also:
Mayor Marjorie Chomyszak	CD Director/Clerk Jody Zakrevsky
Ald. Hartley Ackley	Chamberlain Harold Hutton
Ald. Patrick McNeil	Attorney James Cushman
Ald. Herbert Horovitz	DPW Director Neil Beebe
Ald. Kenneth Titus	Fire Chief Mark Rice
Ald. Roland Guinn	Codes Enforcement Officer Gary Lackos
	Supervisor Frank Portelli

Ald. Horovitz moved to dispense with the reading and approve the minutes of August 14, 1990 with the following correction: page 2, last paragraph under Ward and Committee Reports; the sign referenced by Ald. Guinn is located on East Main Street, and appears to be too close to the Park Street/East Main Street intersection. Seconded by Ald. Guinn and duly adopted, ayes all.

OPEN FORUM:

-- Mayor Chomyszak introduced William Camp, owner of the property at 14-16 South Broad Street, location of the former Carol Ann Shop Building.

Mr. Camp presented building layouts and explained his proposed plan to construct a three-story building at 14-16 South Broad Street which would include an arcade to the parking lot, a glass elevator, and a clock tower. Mr. Camp said the building will consist of retail space on the first floor, office space on the second floor, and office or possibly apartment space on the third floor.

DPW Director Beebe wished to express to Mr. Camp, again, appreciation for the professional and cooperative way he handled the Carol Ann Building fire.

-- Kent Buckingham, 21 Summit Street, wished to express his concern regarding the proposed expansion of Catholic Charities on Prospect Street. He felt that Catholic Charities, which started as a small service, has grown considerably, and has had a negative impact on the neighborhood. He said further expansion of Catholic Charities can only increase the problems in the neighborhood. Mr. Buckingham noted the neighborhood is zoned R-1 Residential and Catholic Charities should not be allowed to expand there.

-- Paul Sternberg, 103 North Broad Street, said Catholic Charities currently employs approximately 24 full time and 7 part time people, as well as approximately 92 volunteers. He said if Catholic Charities expands, there will not only be more employees, there will be more clients. He also noted that traffic will be increased as most clients arrive by automobile. Mr. Sternberg said both legal and land use issues should be examined.

-- William Scranton, 22 Prospect Street, being directly involved with St. Paul's Church, said he has been the mediator between Catholic Charities and the neighborhood when problems have arisen before. Mr. Scranton, a member of St. Paul's, supports the church and the school but he cannot support the expansion of Catholic Charities in this neighborhood. He noted existing problems relative to Catholic Charities operating in an R-1 neighborhood include garbage on lawns, increased traffic and safety for children walking to school. Mr. Scranton said he feels Catholic Charities could find suitable housing for their offices at a more reasonable cost.

-- Stan Prusik, 30 Eric Street, said he is amazed that Catholic Charities would want to build in a residential neighborhood and suggested they look for another site.

-- Mayor Chomyszak said the City's Codes and Planning Departments will investigate the matter.

-- Planning Commission Chairman Intres said the Zoning Board of Appeals had been asked to make an interpretation last year, which was subsequently referred to the Codes Department and the City Attorney. He noted the request was to interpret whether Catholic Charities could be classified as a religious organization and the other issues had not been brought up.

-- Codes Enforcement Officer Lackos said a year ago he had preliminary discussions with Catholic Charities regarding a possible expansion but has not had any discussion recently.

-- Gail Huhtala stated 90% of Catholic Charities clients are not Catholics and, therefore, it should not qualify as a Catholic organization.

-- Mr. Scranton noted there is currently a water run-off problem in the area and the proposed addition will cause a major water problem. He noted again the impact on children and land use in the area.

-- Lawrence Kreitner, 29 Prospect Street, asked if neighbors are notified when someone is applying for a permit. Codes Enforcement Officer Lackos said they are notified only in the case of a variance or special permit, which occurs when a building permit application is denied.

-- City Attorney Cushman said there are many ways to define a church use and each issue should stand on its own merit. He suggested that a representative from Catholic Charities be asked to attend the next Council meeting to explain their intentions.

The Council requested the Clerk issue an invitation to Catholic Charities to make a presentation at the September 11 Council meeting.

BIDS:

-- Clerk Zakrevsky reported bids were received for Northern Telecom Telephone Units, Hayes Street Parking Lot, and Street Recycling.

CORRESPONDENCE:

-- Clerk Zakrevsky reported 18 letters were received from residents of the Prospect Street area in opposition to the proposed expansion of Catholic Charities.

Ald. Horovitz noted he has received approximately 25 telephone calls from residents regarding the expansion.

Ald. McNeil moved to receive and file the correspondence. Seconded by Ald. Horovitz and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Clerk Zakrevsky reported the following reports were received:

- -- Parks Commission minutes of August 13, 1990
- -- Civil Service Commission minutes of August 9, 1990
- -- Electrical Board minutes of August 16, 1990
- -- Plumbing Board minutes of August 15, 1990

WARD AND COMMITTEE REPORTS:

- -- Finance Committee meeting of August 14, 1990
- -- Public Safety Committee meeting of August 21, 1990

Ald. Horovitz moved to receive and file the reports. Seconded by Ald. Titus and duly adopted, ayes all.

OLD BUSINESS:

-- Fire Chief Rice asked if the method for trash pick-up has been re-evaluated. He said people are not putting their trash in containers and he feels the situation is becoming a health hazard.

Ald. Ackley suggested the haulers ask residents to put their trash out in the morning on pick-up day and to put their trash in containers.

Ald. Guinn suggested all haulers could schedule their trash pick-up for the same days according to streets.

Ald. McNeil moved to refer the matter to the Public Safety Committee. Seconded by Ald. Titus and duly adopted, ayes all.

NEW BUSINESS:

-- Ald. McNeil moved to award the following to the lowest qualified bidders meeting specifications:

Northern Telecom Telephone Unit bids to Contel of New York, Sherburne, NY for $3,967.

Street Recycling, Options 1 and 3 to Suite Kote Corp., Cortland, NY for $25,168 and $13,000.

Hayes Street Parking Lot, Alternate A to Ulster Building Materials Corp, Clockville, Ny for $82,450, pending completion of references.

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

RESOLUTION #68 - 1990. AUTHORIZING APPROPRIATION FROM CAPITAL RESERVE FUND FOR HAYES STREET RECONSTRUCTION

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, bids have been received for the reconstruction of Hayes Street from South Broad Street west to Maple Street; and

WHEREAS, the Public Works and Finance Committees and the Common Council have awarded the bid to Suit-Kote Corp. of Cortland, New York; and

WHEREAS, funds for the reconstruction of Hayes Street are required from the Permanent Street Capital Project Fund; now, therefore be it

RESOLVED, that the following capital projects budget for the reconstruction of Hayes Street be and hereby is established:

Account Number and Name	Item	Amount
H93-5118.4020	Construction	$ 87,800
H93-5118.1010	Personal Services	1,560
H93-5118.4060	Materials & Supplies	3,590
H93-5118.4061	Use of City Equipment	700
	Total	$ 93,650

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

RESOLUTION #69 - 1990. AUTHORIZING CDBG ECONOMIC INVESTMENT PROGRAM LOAN FOR NORWICH MANUFACTURING CORPORATION

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, funds are available from repayment proceeds of Urban Development Action Grants and Small Cities CDBG grants, and

WHEREAS, a CDBG national objective is to create employment opportunities for persons of low and moderate incomes, and

WHEREAS, the Economic Investment Program Loan Committee has recommended approval of a loan application in the amount of $120,000 submitted by Norwich Manufacturing Corporation for the purchase of machinery and equipment for it's plant located at 96-100 East Main Street in the City of Norwich; now, therefore be it

RESOLVED, that an economic investment program loan to Norwich Manufacturing Corporation in the amount of $120,000 be and hereby is authorized, to be repaid over five years at the rate of seven percent interest; and further be it

RESOLVED, that the Mayor be and hereby is authorized to act on behalf of the City under advice of the City Attorney in all matters related to the loan and such other terms and conditions as may be deemed appropriate relative to implementation of this resolution.

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

RESOLUTION #70 - 1990. ESTABLISHING CAPITAL ACCOUNTS FOR HAYES STREET WATER MAIN REPLACEMENT

Ald. Ackley introduced the following and moved its adoption:

WHEREAS, Hayes Street, from South Broad to Elm Streets, has been designated for reconstruction in 1990; and

WHEREAS, the Water System will be replacing a water main in the street; and

WHEREAS, the Common Council and the Board of Water Commissioners have approved bids for the Hayes Street Main Replacement; now, therefore be it

RESOLVED, that the following capital projects budget for the replacement of mains on Hayes Street be and hereby is established:

BUDGET

H37-8341.2	Water Line Installation (Callice)	$ 41,800
H37-8341.4	Water Line - Materials & Supplies (Vellano)	13,200

REVENUE

H37-5031	Transfers from Other Funds (HR31)	$ 55,000

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

RESOLUTION #71 - 1990. ESTABLISHING CAPITAL PROJECTS BUDGETS FOR 1990 STREET OVERLAYS

Ald. Horovitz introduced the following and moved its adoption:

WHEREAS, the Public Works Committee has recommended a single surface overlay project for Willard Court/Plymouth Street, Auburn Street, and Merrill Street; now, therefore be it

RESOLVED, that the following capital projects budgets are established for a single surface overlay of Willard Court/Plymouth Street, Auburn Street, and Merrill Street:

Willard Court/Plymouth Street

H93-5115.1010	Streets, Willard - Personal Services	$2,000
H93-5115.4060	Streets, Willard - Materials & Supplies	5,000
H93-5115.4061	Streets, Willard - Equipment Rental	650
	Project Total	$7,650

Auburn Street

H93-5116.1010	Streets, Auburn - Personal Services	$1,200
H93-5116.4060	Streets, Auburn - Materials & Supplies	4,000
H93-5116.4061	Streets, Auburn - Equipment Rental	650
	Project Total	$5,850

Merrill Street

H93-5117.1010	Streets, Merrill - Personal Services	$1,200
H93-5117.4060	Streets, Merrill - Materials & Supplies	4,000
H93-5117.4061	Streets, Merrill - Equipment Rental	650
	Project Total	$5,850

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

RESOLUTION #72 - 1990. AUTHORIZING TRANSFER FOR MEDICAL INSURANCE FOR SEWER FUND

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, additional funds are needed to meet the Sewer Fund medical insurance costs for the balance of 1990; now, therefore be it

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

From:

Account Number	Name	Amount
G8130.4140	Sewer Treatment & Disposal-Other	$ 7,000

To:

Account Number	Name	Amount
G1960.8	Employee Benefits-Medical Expense	$ 7,000

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

-- Prior to the vote, Ald. Titus asked how many employees does the W.W.T.P. have. Chamberlain Hutton said there are five or six employees. He noted that prior the plant becoming operational, it was not known how many employees would be needed.

Ald. Horovitz noted the City has just changed insurance companies and will be saving approximately $140,000 per year for insurance coverage.

RESOLUTION #73 - 1990. AUTHORIZING TRANSFER FOR POOL RESERVE

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, funds are needed to pay for design work associated with the reconstruction of Beyer Pool; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1990 Capital Reserve Fund Budget:

From:

Account Number	Name	Amount
HR27-9950.1	Beyer Park and Pool	$ 25,000

To:

Account Number	Name	Amount
H39-5031	Transfer from Other Funds to Pool/Park	$ 25,000

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

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

	Prepaid	8/28/90	Grand Total
General Fund	107,549.84	34,182.13	141,731.97
Trust Fund	97,291.48	75.00	97,366.48
W.W.T.P.	126.22	8.75	134.97
Capital Project Reserve	25,000.00	0.00	25,000.00
Unemployment Insurance	54,500.00	0.00	54,500.00
Capital Projects	65,112.19	8,900.00	74,012.19
Special Grants	41,857.44	370.01	42,227.45
TOTALS	**$391,437.17**	**$43,535.89**	**$434,973.06**

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

-- Ald. Guinn asked for an update on the new DPW garage project. DPW Director Beebe said the last punch list should be completed next Tuesday with the move expected in mid-September. He noted after the location of the fuel tanks is determined, bids will go out. The tanks should be in place by mid-October. Mr. Beebe noted there will be a couple of walk-through tours scheduled, as well as a formal dedication after the move is complete.

-- Ald. Horovitz moved to go into executive session at 8:50 p.m. to discuss the proposed acquisition or lease of property where the price may be affected. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Guinn moved to go out of executive session. Seconded by Ald. Titus and duly adopted, ayes all.

-- Attorney Cushman reported the Day Care Center is preparing to break ground and a lease hasn't been signed. Mr. Cushman said he has reviewed the agreement and recommends the Mayor sign it.

Ald. Titus moved to authorize the Mayor to sign a lease agreement with the Chamber of Commerce for the Day Care Center property. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Horovitz moved to adjourn at 10:15 p.m. Seconded by Ald. McNeil and duly adopted, ayes all.