

COMMON COUNCIL

September 11, 1990

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 p.m. on September 11, 1990, at the Higley Building.

Present:

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

Also:

CD Director/Clerk Jody Zakrevsky  
Chamberlain Harold Hutton  
Attorney James Cushman  
DPW Director Neil Beebe  
Fire Chief Mark Rice  
Police Chief Gary Follett  
Asst. Police Chief Richard Whiting  
Codes Enforcement Officer Gary Lackos  
Supervisor John Dolan

Ald. Horovitz moved to dispense with the reading and approve the minutes of August 28, 1990. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- Mayor Chomyszak introduced Adolph Colletti of Colletti Associates to update Council on the Rear Facade Program.

Mr. Colletti reported on the schematic program being developed for the rear of the buildings on the west side of South Broad Street facing the Hayes Street parking lot. Mr. Colletti explained that certain businesses are adaptable to rear entrances and some are not. He noted the parking lot has been designed to incorporate the possibility of acquiring more property adjacent to the lot.

-- Mayor Chomyszak introduced Marilyn Kochersberger, President, Advisory Board of Catholic Charities, who explained proposed plans for an addition to their building on Prospect Street.

Mrs. Kochersberger said Catholic Charities moved into the building on Prospect Street in April of 1984. After searching for a larger location in 1988, the decision was made to enlarge the present location. Mrs. Kochersberger was unable to determine the square footage of the proposed addition.

Joseph Serafini, 26 Prospect Street, asked why residents were not notified by the City of the application for a building permit. Codes Enforcement Officer Lackos said that residents of the neighborhood are notified only when an application for a special permit or variance is made to the Zoning Board of Appeals. He explained that when applying for a building permit certain zoning criteria must be met, and if it is not met the permit is denied. The applicant may, at that time, seek a variance or special permit from the Zoning Board of Appeals. Mr. Lackos stated his office has not received a request for a building permit from Catholic Charities.

Bill Samuels, 16 Summit Street, suggested that before any expansion is started, the entire west side of Prospect Street be designated "No Parking".

Mrs. Kochersberger noted there is ample parking available in the church parking lot.

Bill Scranton, 22 Prospect Street, said traffic problems still exist, particularly when staff and clients of Catholic Charities park on Prospect street. He said approximately 60-80 vehicles park at Catholic Charities between 9 a.m. and 9 p.m. He questioned what will happen if Catholic Charities outgrows their building again in five years. Mr. Scranton said he

believes the impact Catholic Charities will have on the Church school may force it to close.

Several residents also expressed concern that expansion of Catholic Charities will continue in order to meet the needs of the community and, with that, the problems will grow.

There was also discussion regarding the religious status of the organization as well as the tax exempt status of Catholic Charities.

Nancy Roberts, Catholic Charities, said the reaction of the neighborhood has caused Catholic Charities to alter their time line to allow them to consider their options.

-- Thomas Knapp, 14 Locust Street, regarding the census, asked if the City is checking the figures by going block to block. Clerk Zakrevsky said the City has a breakdown of housing units which indicates that the number of housing units has increased.

Mr. Knapp said the Hayes Street Parking Lot will relieve the present parking problems in the City, but he feels the proposed Camp building (14-16 South Broad Street) will aggravate the parking situation once again.

#### CORRESPONDENCE:

-- Clerk Zakrevsky reported the following correspondence was received:

Request from Astoria Federal to place barricades on the sidewalk while repairs are made to the north wall of its office building.

Request from Norwich Football Boosters for permission to hold the Purple Pride Parade on September 19 at 6:30 p.m.

Correspondence from Kent Buckingham regarding the proposed expansion Catholic Charities on Prospect Street.

-- Ald. Titus moved to approve the request for sidewalk barricades under the direction of the Director of Public Works, to approve the request to hold the Purple Pride Parade under the direction of the Police Chief, and to receive and file the correspondence. Seconded by Ald. McNeil and duly adopted, ayes all.

#### DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Clerk Zakrevsky reported the Police Department monthly report for August 1990 was received.

#### WARD AND COMMITTEE REPORTS:

-- Ald. Angelino reported a curb cut request from Steve Whitney, 14 Rowley Avenue. Ald. Angelino moved to approve the curb cut request under the direction of the City Engineer. Seconded by Ald. Titus and duly adopted, ayes all.

-- Chamberlain Hutton reported the Evening Sun printed an incorrect list of delinquent taxpayers in the newspaper and will be printing a corrected version in a further edition. He noted the incorrect list was printed through error by the Evening Sun and affected approximately 38 taxpayers.

-- Highway Supt. Joseph Loscavio reported street recycling will begin next week. He said residents of the affected Streets will be notified and noted the project should take an entire week.

-- DPW Director Beebe reported the flood plan is progressing positively.

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

OLD BUSINESS:

-- Ald. Angelino, referring to the curb cut request of July 24, 1990, stated that he measured the distance from the curb to the pump house on Midland Drive and determined it to be 8 feet rather than 20 feet. He also noted that according to the Assessor's records, there is no property listed for 11-17 Davis Street. He requested the matter be researched further before permits are issued.

NEW BUSINESS:

-- Ald. McNeil moved to approve the following appointments to the Emergency Squad of the Fire Department:

Bruce E. Rifanburg, RD #4, Box 273, Lawton Sheer Road, Norwich, NY  
George Finch, Jr., Apt. 10, Bordentown Circle, Norwich, NY  
Michael L. Parker, 31 Maydole Street, Norwich, NY  
Jeffrey Baum, 40 Randall Avenue, Norwich, NY  
Deborah K. Strauss, 27 Rexford Street, Norwich, NY  
Mary E. Rostiser, Apt. M-13 Midland Park Apts., Norwich, NY

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

RESOLUTION #74 - 1990. AUTHORIZING MAYOR TO APPROVE EXPENSES OF CERTAIN  
PUBLIC OFFICERS AND EMPLOYEES ATTENDING  
CONVENTIONS, CONFERENCES AND SCHOOLS

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, in accordance with Article 5, Section 77-b of the General Municipal Law of New York State the Common Council may authorize any of its members or any officer or employee or the chief or assistant of its fire department or other person who has been elected pursuant to law to a public office to attend a conference by resolution adopted prior to such attendance; and

WHEREAS, the Common Council may delegate the power to authorize attendance at such conference to any executive officer or any administrative board; and

WHEREAS, certain conferences are announced in between Council meetings which are pertinent to specific duties or functions of certain employees; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorize to approve any request for travel to attend conventions, conferences, schools and meetings for any city officer or employee within the confines of budgetary constraints.

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

-- Prior to the vote, Chamberlain Hutton explained the auditor suggested a resolution such as this be prepared to alleviate the need to have every travel request approved by the Council prior to the time of travel.

RESOLUTION #75 - 1990. AUTHORIZING MAYOR TO SIGN AGREEMENT WITH HIGLEY  
REALTY COMPANY FOR LEASE OF CITY COURT FACILITIES

Ald. Titus introduced the following and moved its adoption:

WHEREAS, a proposed lease agreement has been negotiated between the City of Norwich and the Higley Realty Company for renewal of approximately 1900 square feet of space on the ground floor of 43 South Broad Street; and

WHEREAS, the proposed monthly rent would be \$1,050.00 with possible escalation for years 1991 and 1992; and

WHEREAS, the proposed agreement provides the City with an option to continue to lease such premises for 1993 at a rent of \$1,100.00; and

WHEREAS, such facilities are needed for City Court and Council Chambers; and

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

RESOLVED, that the Mayor be and hereby is authorized to execute said agreement with the Higley Realty Company for years 1991 and 1992, with an option to renew such lease for 1993, under the direction of the City Attorney.

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

RESOLUTION #76 - 1990.      AUTHORIZING MAYOR TO SIGN AGREEMENT WITH ROMER AND FEATHERSTONHAUGH, P.C. TO PROVIDE PROFESSIONAL SERVICES RELATING TO LABOR RELATIONS AND COLLECTIVE BARGAINING SERVICES

Ald. Titus introduced the following and moved its adoption:

WHEREAS, a proposal has been received by Romer and Featherstonhaugh, P.C., Counsellors of Law, Albany, New York to provide comprehensive negotiating services for all city collective bargaining units including police, fire and CSEA, for \$1,083.00 per month through December 31, 1991; \$1,167.00 per month through December 31, 1992 and \$1,250 per month through December 31, 1993; and

WHEREAS, such services shall also include consultation and advice regarding labor relations and City rights and liabilities; and

WHEREAS, such services shall also include advice and representation in connection with contract grievance procedures and public employment relations; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to enter into an agreement with Romer and Featherstonhaugh, P.C., Albany, New York to provide comprehensive negotiation services, consultation and advice regarding the City rights and liabilities regarding labor relations at a cost of \$1,083.00 per month through December 31, 1991; \$1,167.00 per month through December 31, 1992; and \$1,250.00 per month through December 31, 1993.

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

-- Prior to the vote, after discovering the words "per month" were left out of the last paragraph of the resolution, Ald. McNeil moved to correct the resolution to read "per month" after each amount. Seconded by Ald. Titus and duly adopted, ayes all.

RESOLUTION #77 - 1990.      AUTHORIZING LIGHTS FOR HAYES STREET PARKING LOT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City has approved bids for the construction of a new municipal parking lot at Hayes Street; and

WHEREAS, the Public Works Committee and the Planning Commission have recommended installation of lighting at the new parking facility which shall be installed and operated by New York State Electric and Gas Corporation; and

WHEREAS, the New York State Electric and Gas Corporation has recommended the installation of eight (8) floodlights and four (4) post top lights in accordance with the existing lighting rates; now, therefore be it

RESOLVED, that the Director of Public Works be and hereby is authorized and directed to have eight floodlights and four post top lights installed at the new Hayes Street parking lot by the New York State Electric and Gas Corporation in accordance with existing NYSEG rates.

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

RESOLUTION #78 - 1990.      ESTABLISHING GUIDELINES FOR SOUTHWEST QUADRANT  
FACADE PROGRAM

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Common Council adopted by Resolution #40 of 1989 an Economic Expenditures Plan which includes a facade improvement program for the southwest quadrant; and

WHEREAS, the Common Council by Resolution #32 of 1990 retained the design services of Colletti Associates to produce schematic designs for such facade improvements; and

WHEREAS, the Planning Commission has reviewed such schematic drawings and made certain recommendations; and

WHEREAS, the Loan Committee has met and reviewed draft guidelines for the proposed facade improvement loan program; now, therefore be it

RESOLVED, that the Community Development Department be and hereby is authorized to receive applications under the guidelines attached hereto.

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

-- Prior to the vote, Ald. Horovitz asked what the interest rate is and how it is broken down. CD Director Zakrevsky said the interest rate is 3% for three years or 6% for seven years.

RESOLUTION #79 - 1990.      AUTHORIZING MAYOR TO SIGN FIRE CONTRACT AGREEMENT  
WITH TOWNS OF NORWICH, NORTH NORWICH AND GUILFORD

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Fire Study Committee made certain recommendations regarding a new fire contract with the towns of Norwich, North Norwich and Guilford; and

WHEREAS, the City Attorney has recommended approval of the proposed fire contract for 1990, 1991 and 1992, expiring December 31, 1992; and

WHEREAS, the various fire companies have reviewed and approved such contract; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign the proposed fire contract for years 1990, 1991 and 1992 with the Towns of Norwich, North Norwich and Guilford.

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

-- Mayor Chomyszak requested Council President Angelino to represent the City on her behalf at the Army Reserve Dedication Ceremony to be held on September 16, 1990 on the steps of the County Court House. Council President Angelino accepted. \* amended 9/25/90

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

|                       | <u>Prepaid</u>      | <u>9/11/90</u>     | <u>Grand Total</u>  |
|-----------------------|---------------------|--------------------|---------------------|
| General Fund          | 251,027.37          | 32,474.69          | 283,502.06          |
| Trust Fund            | 92,589.95           | 125.00             | 92,714.95           |
| W.W.T.P.              | 96.22               | 360.00             | 456.22              |
| Small Cities          | 7,306.64            | 0.00               | 7,306.64            |
| Capital Projects      | 14,173.73           | 19,468.02          | 33,641.75           |
| Community Development | 11,500.00           | 0.00               | 11,500.00           |
| Special Grants        | 20,388.68           | 52.37              | 20,441.05           |
| <b>TOTALS</b>         | <b>\$397,082.59</b> | <b>\$52,480.08</b> | <b>\$449,562.67</b> |

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

-- Ald. Titus moved to go into executive session at 9:55 p.m. to discuss pending litigation. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Titus moved to authorized the Mayor to approve a change order for the removal of the contaminated soil at the Hayes Street parking lot as well as for additional supervision services at costs not to exceed \$24,000 and \$2,500. respectively, to be paid from the Appalachian Regional Commission grant and CDBG program income. Seconded by Ald. McNeil and duly adopted, ayes all.

Ald. Horovitz moved to go out of executive session. Seconded by Ald. Angelino and duly adopted, ayes all.

-- Ald. Ackley moved to adjourn. Seconded by Ald. McNeil and duly adopted, ayes all.