

COMMON COUNCIL

December 11, 1990

Council President Charles Angelino presided at a regular meeting of the Common Council held at 7 p.m. on December 11, 1990, at the Higley Building.

Present:

Ald. Hartley Ackley
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
Asst. Police Chief Richard Whiting
Codes Enforcement Officer Gary Lackos
Assessor Ann Makarewicz
Highway Supt. Joseph Loscavio

Ald. Horovitz moved to dispense with the reading and approve the minutes of November 27, 1990 with the following corrections: Paragraph three on page 2 should be located on page 1 as the third paragraph under Public Hearing, and in the same paragraph, where should be spelled were. Seconded by Ald. Titus and duly adopted, ayes all.

OPEN FORUM:

-- No one wished to be heard.

BIDS:

-- Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

-- Clerk Zakrevsky reported no correspondence was received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

Clerk Zakrevsky reported the following reports were received:

- Codes Enforcement monthly reports for September and October 1990
- Youth Board meeting of November 20, 1990
- Planning Commission minutes of November 5, 1990
- Zoning Board of Appeals minutes of November 28, 1990
- Plumbing Board meeting of November 14, 1990
- Electrical Board meeting of November 15, 1990
- Board of Water Commissioners minutes of October 22, 1990

WARD AND COMMITTEE REPORTS:

- Finance Committee meeting of December 10, 1990

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

OLD BUSINESS:

-- Ald. Angelino questioned the address listed on a building permit issued to Mark Vogel, stating that to his knowledge there is no 11-17 Davis Street. Codes Enforcement Officer Lackos said the property is listed as 11-17 Davis Street on the City tax map, and noted the property fronts both Davis Street and Midland Drive. Attorney Cushman said the correct address

should be listed on the building permit, and if the address is listed incorrectly it should be changed.

The Council concurred a determination should be made as to the correct address of the property and any necessary changes be made.

Ald. Angelino moved to suspend construction at the site until a determination can be made as to the correct address of the property. Seconded by Ald. Ackley, and defeated, 2-3 (ayes - Ald. Angelino and Ackley, nays - Ald. Horovitz, Titus, and Guinn).

NEW BUSINESS:

-- Ald. Angelino reported the mayoral appointment of Ronald Ruhl of 10 Brown Avenue to the Youth Board.

RESOLUTION #107 - 1990. AUTHORIZING TRANSFER FOR INSURANCE COVERAGE OF HALE STREET

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, additional insurance coverage is needed for the Hale Street DPW Garage; now, therefore be it

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 841.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1910.4	Insurance	\$ 841.00

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

RESOLUTION #108 - 1990. AUTHORIZING TRANSFER FOR AMERICAN APPRAISAL

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, additional funds are needed to cover the cost of continuous service from American Appraisal, Inc. through December 31, 1990; now, therefore be it

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 1,200.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 1,200.00

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

-- Prior to the vote, Ald. Horovitz asked if the fee was for city-wide inventory, and if so shouldn't it be a budgeted item. Chamberlain Hutton explained it is an annual fee to keep City assets current and that it is usually budgeted but but the contingency account was short due to the higher than anticipated cost of the audit.

RESOLUTION #109 - 1990. AUTHORIZING TRANSFER FOR POOL RESERVE

Ald. Angelino 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 Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR27-9950.1	Beyer Park and Pool	\$ 20,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H39-5031	Transfer from Other Funds to Pool/Park	\$ 20,000.00

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

-- Prior to the vote, Clerk Zakrevsky noted the charges were for design services which are budgeted in the Pool Reserve Account.

RESOLUTION #110 - 1990. APPROVING LABOR AGREEMENT WITH CSEA

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the Mayor and the Civil Service Employees Association have reached a tentative agreement on a new three-year labor agreement for 1990-92; and

WHEREAS, the Norwich Unit of such Association has ratified such Agreement; now, therefore be it

RESOLVED, that the Common Council does hereby approve an agreement with the Norwich Unit of the Civil Service Employees Association for the period of January 1, 1990, through December 31, 1992, as it relates to those matters requiring legislative approval; and, further be it

RESOLVED, that the Common Council does hereby rescind all previous provisions relating to terms and conditions of employment and the administration of grievances arising thereunder which it may have adopted, as they relate to members of such bargaining unit.

Seconded by Ald. Horovitz.

-- Ald. Horovitz moved to table the resolution until after executive session. Seconded by Ald. Guinn and duly adopted, ayes all.

RESOLUTION #111 - 1990. AUTHORIZING INCREASE IN FEES FOR TAX SEARCHES

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the City Chamberlain is recommending the fees for performing tax searches be increased from \$5 to \$10; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to charge a fee of \$10 to a person for each tax search performed by the City.

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

-- Prior to the vote, Chamberlain Hutton noted the \$10 fee was for a 10-year tax search.

RESOLUTION #112 - 1990. CONFIRMING THAT THE CITY OF NORWICH DOES NOT INTEND TO FILE STATEMENT REGARDING FINANCIAL DISCLOSURE LAW

Ald. Titus introduced the following and moved its adoption:

WHEREAS, pursuant to sections 806(3)(c) and 812 of the New York State General Municipal Law, the City Clerk is responsible for filing a statement with the Office of the State Comptroller regarding the filing of financial disclosures for local governmental officials; and

WHEREAS, pursuant to such law a municipality with a population of under 10,000 may adopt or use a financial disclosure form for elected or appointed officials; and

WHEREAS, the City of Norwich according to the 1990 preliminary U.S. Census has a population of 7,568 and therefore such filing is discretionary; and

WHEREAS, the City Clerk has, pursuant to the law, indicated to the Office of State Comptroller that the City of Norwich does not, at this time, intend to adopt or use a financial disclosure form for elected or appointed officials; and

WHEREAS, the Office of State Comptroller has acknowledged receipt of the City Clerk's filing; now, therefore be it

RESOLVED, that the City of Norwich does not, at this time, intend to adopt or use a financial disclosure form for elected or appointed officials pursuant to sections 806(3)(c) and 812 of the General Municipal Law and as stated by the City Clerk's filing with the Office of the State Comptroller.

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

-- Prior to the vote, Clerk Zakrevsky explained that for municipalities under 50,000 it is discretionary for the municipality to file.

RESOLUTION #113 - 1990. CLOSING CITY OFFICES FOR DECEMBER 24, 1990

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the Employee Policy Manual adopted by the Common Council on May 14, 1985 states that municipal offices shall be open Monday through Friday, exclusive of designated holidays; and

WHEREAS, the Employee Benefits Manual adopted by the Common Council on December 2, 1987 states that all full-time employees shall be entitled to a partial day's holiday on the day before Christmas, starting at 1 p.m.; and

WHEREAS, the day before Christmas for 1990 falls on a Monday; and

WHEREAS, municipal offices would normally be closed on Saturday, Sunday, Monday afternoon and Tuesday; and

WHEREAS, opening municipal offices for one half day will result in additional heating costs for such time; and

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

RESOLVED, that all municipal offices will be closed December 24, 1990; and further be it

RESOLVED, that all City full-time employees shall charge the remaining partial day off as a half-day vacation day, time-off without pay, or work compensatory time during the same pay period.

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:

	<u>Prepaid</u>	<u>12/11/90</u>	<u>Grand Total</u>
General Fund	418,750.31	38,031.90	456,782.21
Trust Fund	39,750.88	75.00	39,825.88
B.I.D.	140,117.44	0.00	140,117.44
W.W.T.P.	16,746.41	0.00	16,746.41
Special Grants	10,500.00	0.00	10,500.00
Community Development	0.00	1,024.00	1,024.00
Small Cities	201,500.00	0.00	201,500.00
Capital Projects	10,310.25	72,818.11	83,128.36
Reserves	718,500.00	0.00	718,500.00
TOTAL	\$1,556,175.29	\$111,949.01	\$1,668,124.30

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

-- Ald. Horovitz moved to go into executive session at 7:46 pm to discuss negotiations. Seconded by Ald. Guinn and duly adopted, ayes all.

Ald. Titus moved to go out of executive session at 8:02 pm. Seconded by Ald. Guinn and duly adopted, ayes all.

-- Ald. Guinn moved to remove Resolution #110-90 from the table. Seconded by Ald. Titus and duly adopted, ayes all.

Ald. Guinn moved for a vote, and Resolution #110-90 was duly adopted, ayes all on a roll call vote.

RESOLUTION #114 - 1990. AUTHORIZING TRANSFER FOR SETTLEMENT OF UNION CONTRACT

Ald. Titus introduced the following and moved its adoption:

WHEREAS, additional funds are needed as a result of the settlement of the Civil Service Employees Association (CSEA) contract; 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>
A5142.1010	Snow & Ice - Personal Services	\$ 10,000.00
A8140.1010	Storm Sewer - Personal Services	1,500.00
A8560.1010	Tree Removal - Personal Services	112.00
A8745.1010	Flood Control - Personal Services	1,100.00
A8160.1010	Refuse - Personal Services	<u>5,638.00</u>
		\$ 18,350.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5110.1010	Street Maintenance - Personal Services	\$ 10,000.00
A5410.1010	Sidewalks - Personal Services	550.00
A7110.1010	Parks - Personal Services	6,800.00
A8170.1010	Street Cleaning - Personal Services	<u>1,000.00</u>
		\$ 18,350.00

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

-- Ald. Horovitz moved to go into executive session at 8:05 pm to discuss pending litigation and the proposed acquisition of property where the price may be affected. Seconded by Ald. Titus and duly adopted, ayes all.

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

-- Ald. Titus moved to adjourn at 9:30 pm. Seconded by Ald. Guinn and duly adopted, ayes all.