

COMMON COUNCIL

March 12, 1991

Council President Roland Guinn presided at a regular meeting of the Common Council held at 7 p.m. on March 12, 1991, at the Higley Building.

Present:

Ald. Hartley Ackley
Ald. Patrick McNeil
Ald. Kenneth Titus
Ald. Roland Guinn
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Fire Chief Mark Rice
Police Chief Richard Whiting
Asst. Police Chief Robert Mason
Assessor Ann Makarewicz
Highway Supt. Joseph Loscavio
Codes Enf. Officer Gary Lackos

Ald. Ackley moved to dispense with the reading and approve the minutes of February 26, 1991. Seconded by Ald. Titus and duly adopted, ayes all.

OPEN FORUM:

-- Stan Prusik, 30 Eric Street, said property taxes are going to be 50% higher unless some action is taken soon to start cutting back. Mr. Prusik pledged that if the City keeps taxes below twice the inflation rate he will not come before the Council again.

Ald. Guinn said the Council understands his concern and noted the City is trying to cut back as much as possible without cutting services.

BIDS:

-- Clerk Zakrevsky reported bids were received for Cleaning Supplies and Paper Products and the bids have been referred to the Public Works Committee for review.

CORRESPONDENCE:

-- Clerk Zakrevsky reported the following correspondence was received:

A letter from James McNeil, president of the Norwich Merchants Association, requesting permission to hold the annual St. Patrick's Day parade on March 16, 1991 at 10 am.

New York State Comptroller's Audit Report for the fiscal year ended December 31, 1989.

-- Ald. Titus moved to approve the parade request under the direction of the Police Chief and to receive and file the audit report. Seconded by Ald. Ackley and duly adopted, 4-0 with Ald. McNeil abstaining due to a possible conflict of interest.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Parks Commission minutes of February 11, 1991
- Planning Commission minutes of February 4, 1991
- Police Department monthly report for February, 1991
- Water Board minutes of January 28 and February 6, 1991

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

WARD AND COMMITTEE REPORTS:

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

- Parking Committee meeting of February 6, 1991
- Public Works Committee meeting of January 10, 1991

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

OLD BUSINESS:

Ald. Angelino moved to award the bid for 1991 Jamba Farm Lease, pending the approval of the Water Board, to the highest bidder, Mike Place with a bid of \$1,503 per year for a two year lease. Seconded by Ald. Titus and duly adopted, ayes all.

NEW BUSINESS:

RESOLUTION #31 - 1991. AUTHORIZING TRANSFER FOR BEYER POOL CAPITAL PROJECT

Ald. Titus introduced the following and moved its adoption:

WHEREAS, additional funds are required to finance the City's portion of the Kurt Beyer Pool/Park project; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1991 Capital Reserve Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR27-9950.9	Pool Repair Reserve	\$ 55,000

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H37-5031	Beyer Pool/Rotary Park Capital Project	\$ 55,000

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

RESOLUTION #32 - 1991. AUTHORIZING TRANSFER FOR COMPUTER MAINTENANCE CONTRACT FOR CODES ENFORCEMENT DEPARTMENT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of a Unisys computer maintenance contract for the Codes Enforcement department; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1991 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 445.40

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 445.40

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

-- Prior to the vote, Chamberlain Hutton noted that this is the first year the Codes office has had a dedicated computer terminal and funds were not in the budget.

RESOLUTION #33 - 1991. AUTHORIZING TRANSFER FOR 1991 TREE AND STUMP REMOVAL

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Common Council on February 26, 1991, awarded the bid for 1991 Tree Removal to American Arborist of Oneida, NY with a bid of \$2,580.75; and

WHEREAS, funds are required to authorize a purchase order and make such payment; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1991 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 2,580.75

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8560.4020	Tree/Stump Removal Contracted Services	\$ 2,580.75

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

-- Prior to the vote, Ald. McNeil asked what happens when a bid comes in below the amount budgeted. Chamberlain Hutton said the money goes back into the General Fund Balance.

RESOLUTION #34 - 1991. AUTHORIZING TRANSFER FOR COMPUTER SYSTEM ANNUAL LICENSE FEE AND TELEPHONE SUPPORT

Ald. Titus introduced the following and moved its adoption:

WHEREAS, funds are required for 1991 annual license fee and 1991 telephone support for Gemini Software; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1991 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 1,950.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 1,625.00
A1440.4020	Engineer - Contracted Services	325.00
		\$ 1,950.00

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

-- Prior to the vote, Chamberlain Hutton explained the software program used in the computer system is owned by the company and we pay the company for use of the program.

RESOLUTION #35 - 1991. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH RE-ASSESSMENT CASES

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required for legal costs associated with re-assessment cases; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1991 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 2,249.77

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 2,249.77

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

-- Prior to the vote, Chamberlain Hutton noted the resolution was for services rendered.

RESOLUTION #36 - 1991. AUTHORIZING TRANSFER FOR SALARY ADJUSTMENTS

Ald. Titus introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover non-unit employee increases and settlement of the Civil Service Employee Association contract; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1991 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 63,803.00

To:

<u>Account Number</u>	<u>Name</u> - Personal Services	<u>Amount</u>
A1325.1010	Chamberlain	\$ 5,996.00
A1355.1010	Assessment	2,109.00
A1410.1010	Clerk	2,459.00
A1430.1010	Personnel & Civil Service	1,625.00
A1440.1010	Engineer	1,409.00
A1620.1010	Municipal Buildings	1,359.00
A3120.1010	Police Department	4,719.00
A3410.1010	Fire Department	775.00
A3620.1010	Codes Enforcement	2,700.00
A5110.1010	Street Maintenance	19,852.00
A5142.1010	Snow & Ice Removal	2,540.00
A5410.1010	Sidewalks	1,082.00
A7110.1010	Parks	7,011.00
A7140.1010	Playgrounds & Recreation	2,120.00
A7310.1010	Youth Bureau	1,172.00
A7510.1010	Historian	525.00
A8020.1010	Planning	2,852.00
A8140.1010	Storm Sewers	1,082.00
A8160.1010	Refuse Disposal	72.00
A8170.1010	Street Cleaning	1,159.00
A8560.1010	Tree & Stump Removal	721.00
A8745.1010	Flood Control	464.00
		\$63,803.00

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

-- Chamberlain Hutton reported on possible impacts to the City relating to the proposed state budget.

-- Chamberlain Hutton reported the state audit report was very favorable and outlined the four items that the State had commented on:

- 1) The City's lack of reviewing water bills.
- 2) Custody of pledged securities.
- 3) The City's failure to provide STEP & PLACE contracts.
- 4) Misinterpretation of reconciliation of water and sewer rents.

Chamberlain Hutton said he was very pleased with the minimal number of examination comments, noting three of comments deal with policy issues and only one is an operational comment. He noted his staff deserves a pat on the back for an excellent job.

-- Ald. McNeil reported a resident of Cole Drive would like to build an addition on one of the townhouses constructed in the area. He noted the proposed addition would be on the rear of the house and the neighbors have no objection, but the Codes Enforcement office had some zoning concerns. Clerk Zakrevsky said if the request needs to go to the Zoning Board, every resident within 500 ft. of the property must be notified and a public hearing held. Mr. Zakrevsky said he would research the Planning Commission minutes which reference the original subdivision request, noting it may not even be an issue for the Zoning Board.

-- Ald. McNeil moved the appointment of Gary E. Welch to the Alert Hose Company of the Norwich Fire Department. Seconded by Ald. Titus and duly adopted, ayes all.

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

	<u>Prepaid</u>	<u>3/12/91</u>	<u>Grand Total</u>
General Fund	186,822.78	199,448.07	386,270.85
Trust	81,710.36	0.00	81,710.36
W.W.T.P.	180.59	117.90	298.49
Community Development	0.00	8,833.23	8,833.23
TOTALS	\$268,713.73	\$208,399.20	\$477,112.93

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

-- Ald. McNeil moved to go into executive session at 7:45 pm to discuss current and pending litigation. Seconded by Ald. Titus and duly adopted, ayes all.

Ald. Angelino moved to go out of executive session at 9:10 pm. Seconded by Ald. Titus and duly adopted, ayes all.

RESOLUTION #37 - 199/. AUTHORIZING SETTLEMENT OF ARTICLE 7 ASSESSMENT CASE

Ald. Titus introduced the following and moved its adoption:

WHEREAS, a certain assessment review action has been filed against the City of Norwich pursuant to Article 7 of the State Real Property Tax Law; and

WHEREAS, the City Attorney has negotiated a tentative settlement of such case; now, therefore be it

RESOLVED, that the Common Council does hereby approve the recommendation of the City Attorney to settle the following case having been brought against the City of Norwich pursuant to Article 7 of the Real Property Tax Law, subject to final details of the tentative settlement being worked out by the City Attorney and the attorney for the petitioner:

-- Waterville Realty, 27 South Broad Street, Norwich, New York, Tax Map No. 136.56-3-21.

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

RESOLUTION #38 - 199/. AUTHORIZING SETTLEMENT OF ARTICLE 7 ASSESSMENT CASE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, a certain assessment review action has been filed against the City of Norwich pursuant to Article 7 of the State Real Property Tax Law; and

WHEREAS, the City Attorney has negotiated a tentative settlement of such case; now, therefore be it

RESOLVED, that the Common Council does hereby approve the recommendation of the City Attorney to settle the following case having been brought against the City of Norwich pursuant to Article 7 of the Real Property Tax Law, subject to final details of the tentative settlement being worked out by the City Attorney and the attorney for the petitioner:

-- Thomas J. Natoli and Robert J. Jackson, 101-121 Plymouth Street, Norwich, New York, Tax Map No. 136.22-1-10.

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

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