

COMMON COUNCIL

April 23, 1991

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 p.m. on April 23, 1991, 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 Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Fire Chief Mark Rice
Police Chief Richard Whiting
Asst. Police Chief Robert Mason
Assessor Ann Makarewicz
Codes Enforcement Officer Gary Lackos
Highway Supt. Joseph Loscavio
Deputy Clerk Harriett Leigh
Youth Bureau Director Leona Sherman

Ald. Titus moved to dispense with the reading and approve the minutes of April 9, 1991. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- Bill Mandeville, on behalf of the Home Energy Packaging Agency for the Aging, explained the program to the Council and requested Council support in Albany for the program.

He explained that the program provides persons over the age of 60 all the services they may be entitled to under one program. He noted the major concern is making the person comfortable in his home, as well as making the home energy efficient. He said the program is run in conjunction with Opportunities for Chenango and Chenango County Office for the Aging.

The Council concurred that letters would be sent to State Representatives, as well as NYSEG, stating there is a need for the program in Chenango County and stating its support for it.

-- Stan Prusik, 30 Eric Street, reported, regarding high frequency C.B. radio transmitters, that four have been isolated. He noted that Contel is also looking into the situation.

BIDS:

-- Clerk Zakrevsky reported that no bids were received.

CORRESPONDENCE:

-- Clerk Zakrevsky reported the following proclamations were received from the Mayor:

Garden Club Day - April 24, 1991
Arbor Day - April 26, 1991
Youth Week - May 1, 1991
Water Drinking Week - May 5-11, 1991

Highway Supt. Joseph Loscavio noted the tree planting on Arbor Day will take place in front of Howard Johnson's.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Codes Enforcement monthly reports - January & February, 1991
- Traffic Commission minutes of April 10, 1991

- Youth Board minutes of March 27, 1991
- Civil Service Commission minutes of April 11, 1991
- Parking Committee minutes of March 6, 1991
- Parks Commission minutes of April 8, 1991

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

WARD AND COMMITTEE REPORTS:

- Ald. McNeil moved to receive and file the following reports:
 - Public Safety Committee of February 19, 1991
 - Personnel Committee of April 2, 1991
 - Finance Committee of April 10 and 18, 1991
 - Public Works Committee of April 11, 1991

Ald. Horovitz asked if the City would be contracting out the street painting this year. Ald. Angelino said the recommendation of the Public Works Committee is that it is less expensive to contract the project out. Ald. Titus noted the cost is approximately 2/3 of what it would cost to do the work in-house.

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

OLD BUSINESS:

RESOLUTION #45 - 1991. AUTHORIZING AGREEMENT FOR YOUTH RECREATION SERVICES

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the City has reached an agreement with the Town of Norwich to provide youth recreation services to residents of such town for a lump sum, without individual charges being made to such participants; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, with approval of the City Attorney, to sign an agreement with the Town of Norwich to provide youth recreation services to residents of such town during the 1991 fiscal year.

Seconded by Ald. McNeil.

-- Prior to the vote, Ald. Titus moved to amend the resolution to include the amount of \$5,000, as the lump sum amount. Seconded by Ald. Horovitz and duly adopted, ayes all.

The resolution was duly adopted, as amended, ayes all on a roll call vote.

NEW BUSINESS:

RESOLUTION #46 - 1991. AMENDING VEHICLE & TRAFFIC ORDINANCE TO PROVIDE FOR THE ELIMINATION OF PARKING METERS ON THE EAST SIDE OF EAST PARK PLACE

Ald. Titus introduced the following and moved its adoption:

WHEREAS, pursuant to Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Parking Committee has made certain recommendations concerning the elimination of parking meters south of the northeast crosswalk on East Park Place and designating the area for all day parking; now, therefore be it

RESOLVED, that Section 90- 39, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

EAST PARK PLACE - beginning on the easterly side thereof at the northeast crosswalk thence southerly to the intersection of East Main Street.

Underlined material is new.

and, further be it

RESOLVED, that this ordinance shall take effect on May 1, 1991.

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

-- Prior to the vote, Ald. McNeil asked how many meters would be removed. Police Chief Whiting said 14 meters would be removed, resulting in a total loss of revenue of approximately \$10 per month. He noted there is a need for long term parking in that area.

RESOLUTION #47 - 1991. AMENDING VEHICLE & TRAFFIC ORDINANCE TO PROVIDE DESIGNATED TWO-HOUR PARKING ON THE EAST SIDE OF HAYES STREET PARKING LOT

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, pursuant to Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Parking Committee has made certain recommendations concerning designating the east side of the parking lot, including the east side of the east island as two-hour parking; now, therefore be it

RESOLVED, that Section 90- 58, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

HAYES STREET PARKING LOT, east side, including east side of east island.

Underlined material is new.

and, further be it

RESOLVED, that this ordinance shall take effect on May 1, 1991.

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

-- Prior to the vote, Ald. Ackley asked how many spaces this involves and would the lot be policed. Clerk Zakrevsky said approximately 35 spaces would be designated as two-hour parking. He noted the Parking Committee will continue to study the parking lot and may recommend that more spaces be designated for short term parking. Ald. McNeil said the Merchants Association has supported the recommendation.

Police Chief Whiting said parking regulations in the Hayes Street Lot would be enforced. He noted that, initially, courtesy tickets will be issued.

Mayor Chomyszak noted that if the Parking Committee recommends additional short term parking, another resolution will be brought to Council to amend the ordinance.

Ald. Horovitz asked when signs would be installed. Highway Supt. Loscavio said they have the signs and they will be installed on May 1. Mr. Loscavio reported arrow signs would also be used to define the parking spaces more clearly.

RESOLUTION #48 - 1991. AMENDING VEHICLE & TRAFFIC ORDINANCE TO PROVIDE NO
PARKING ON EITHER SIDE OF CANAL STREET

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, pursuant to Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; and

WHEREAS, the Traffic Commission has made certain recommendations concerning parking on Canal Street; now, therefore be it

RESOLVED, that Section 90- 63 D, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

CANAL STREET, {east side, between the northerly curb
line of East Main Street and points seventy-seven (77)
feet northerly therefrom} both sides.

Underlined material is new. {Bracketed} material is
deleted.

and, further be it

RESOLVED, that this ordinance shall take effect on May 1, 1991.

Seconded by Ald. Guinn.

Ald. Titus moved to table the resolution. Seconded by Ald. McNeil and duly adopted 5-0 with Ald. Guinn abstaining due to a possible conflict of interest.

-- Prior to the vote, Ald. Angelino asked how wide the street is and if the Traffic Commission had looked at making the street one-way. He recommended the Traffic Commission study the situation further.

RESOLUTION #49 - 1991. AUTHORIZING TRANSFER FOR MAINTENANCE CONTRACT ON
CALCULATOR

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of a maintenance contract for a calculator in the Chamberlain's office; 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	\$ 39.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 39.00

Seconded by Ald. Horovitz and duly defeated, 0-6 on a roll call vote.

-- Prior to the vote, Ald. Horovitz asked how much was paid for the calculator. Chamberlain Hutton said the calculators are Litton brand, a superior quality calculator, and cost approximately \$150 each. He said the calculator that the resolution is for is approximately two years old.

RESOLUTION #50 - 1991. AUTHORIZING MAYOR TO SIGN LEASE AGREEMENT WITH
CHENANGO COUNTY CHAMBER OF COMMERCE

Ald. Titus introduced the following and moved its adoption:

WHEREAS, on December 12, 1989, the Common Council of the City of Norwich authorized the Mayor to enter into a purchase agreement with the proposed developers for adjacent properties to the American Avenue Warehouse; and

WHEREAS, on January 18, 1990 the City of Norwich entered into an agreement with the developers for the American Avenue Warehouse whereby they agreed to donate to the City various properties adjacent to the warehouse and allowed for the construction and operation of a day care center; and

WHEREAS, on June 30, 1990, the developers did donate to the City of Norwich four parcels of property known by Tax Map Nos. 136.56-4-7, 136.56-4-8, 136.56-4-11 and 136.56-4-10; and

WHEREAS, pursuant to Section 77, paragraph 2 of the General Municipal Law of the State of New York, a municipal corporation may lease to a non-profit corporation organized under the laws of the state of New York which is authorized to care for children and which is subject to the visitation, inspection and supervision of the state board of social services an improved property and building without expense or at a nominal fee; and

WHEREAS, the Chenango County Chamber of Commerce Foundation will enter into an agreement with Opportunities for Chenango, Inc., to provide for child care services under the supervision of the New York State Department of Social Services, and

WHEREAS, the Finance Committee at its April 18, 1991 meeting recommended approval of a one year lease between the City of Norwich and the Chenango County Chamber of Commerce Foundation; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney to sign a one year lease with the Chenango County Chamber of Commerce Foundation for the use of various city properties adjacent to the American Avenue Warehouse including those properties known by Tax Map Nos. 136.56-4-7 and 136.56-4-8 for the yearly sum of one dollar; and further be it

RESOLVED, that the premises shall be solely used for child care purposes.

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

-- Prior to the vote, Clerk Zakrevsky explained one parcel is the property that the building is on and the other parcel, the former Pink Door property, is where the playground will be located. Ald. Horovitz asked who will be liable for the playground if it is left open to the public. Clerk Zakrevsky said the day care center would be liable. He noted that at this time the day care center has no plans to open the playground up to the public.

RESOLUTION #51 - 1991. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH
RE-ASSESSMENT CASES

Ald. Titus 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	\$ 451.91

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 451.91

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

RESOLUTION #52 - 1991. AUTHORIZING TRANSFERS IN WATER AND WASTE WATER FUND
BUDGETS FOR ENGINEERING SERVICES

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, prior to the postponement of the Front Street Reconstruction project, engineering drawings and specifications were prepared for Health Department approval of water mains and sewer infrastructure; and

WHEREAS, the Board of Water Commissioners recommends payment be made for such engineering services; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1991 Water and Waste Water Fund Budgets:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F1990.4	Water Administration - Contingency	\$ 1,750.00
G1990.	Waste Water Administration - Contingency	1,750.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F4020	Water Administration Contracted Services	\$ 1,750.00
G4020	Waste Water Administration Contracted Services	1,750.00

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

RESOLUTION #53 - 1991. APPROVING AN ADJUSTMENT IN THE WASTE WATER FUND
BUDGET FOR WORKER'S COMPENSATION

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the accounting for Worker's Compensation payment claims for 1990 were not budgeted in either 1990 or 1991; and

WHEREAS, payments covering one minor and two major injuries total \$31,761.00; and

WHEREAS, the Board of Water Commissioners recommend an amendment to the Waste Water Budget to include a supplemental increase of \$31, 761 in the expense provision of the Worker's Compensation account; and

WHEREAS, such account to be offset by \$31,761 as an income item from the Waste Water Unallocated Fund account; now, therefore be it

RESOLVED, that the 1991 Waste Water Fund Budget is amended to include the supplemental increase of \$31,761 in the expense provision of the Work-

er's Compensation account, to be offset by \$31,761 as an income item from the Waste Water Unallocated Fund account.

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

-- Mayor Chomyszak reported the re-appointment of Alex Neil, 17 Ridgeland Road, to the Housing Authority, a five year term expiring June 25, 1996.

-- Ald. Titus moved the mayoral appointment of Leland Swertfager, 7 Hickory Street, to the Street Tree Committee, a three-year term expiring December 31, 1993. Seconded by Ald. McNeil and duly adopted, ayes all.

Mr. Swertfager becomes the fourth member of the Street Tree Committee, currently a three member committee as stated in the City Charter. The Council requested the membership of the Committee be researched.

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

	<u>Prepaid</u>	<u>4/23/91</u>	<u>Grand Total</u>
General Fund	272,731.92	32,450.74	305,182.66
Trust Fund	83,848.14	0.00	83,848.14
W.W.T.P.	9,859.57	0.00	9,859.57
Special Grants	0.00	100.00	100.00
Capital Projects	0.00	31,784.00	31,784.00
TOTALS	\$366,439.63	\$64,334.74	\$430,774.37

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

-- Ald. Guinn moved to go into executive session at 8:21 pm to discuss pending litigation. Seconded by Ald. Angelino and duly adopted, ayes all.

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

-- Ald. McNeil moved to adjourn at 9:16 pm. Seconded by Ald. Guinn and duly adopted, ayes all.