

COMMON COUNCIL

October 8, 1991

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on October 8, 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 (7:55 pm)
Chamberlain Harold Hutton
Police Chief Richard Whiting
Engineer James Suozzo
Highway Supt. Joseph Loscavio

Ald. Horovitz moved to dispense with the reading and approve the minutes of September 24, 1991. Seconded by Ald. McNeil and duly adopted, ayes all.

PUBLIC HEARING:

Mayor Chomyszak opened the public hearing at 7:07 pm on proposed Ordinance No. 4 of 1991, an ordinance to amend the zoning ordinance and map of the City of Norwich relative to reclassifying the properties fronting on Birdsall Street on the east side from 120 feet south of East Main Street to Griffin Street and on the west side from 111 feet south of East Main Street to the first property on the south side of Front Street to R-3.

Chamberlain Hutton read the proposed ordinance.

-- Don Coleman, 53 Front Street, stated that he has no problem with the Windsors personally, that his concern was with changing the whole neighborhood to accommodate one request. He said he did not feel that a restaurant, which would be allowed in an R-3 zone, would not change the character of the neighborhood.

-- Planning Commission member Robert Rabinowitz explained the purpose and intent of the R-3 zone, as proposed. He also noted that any request would require a special permit approved by the Zoning Board of Appeals. This special permit would be granted only if the request keeps with the flavor of the neighborhood and does not effect traffic patterns. Mr. Rabinowitz said that restrictions can be put on the special permit which can be determined by the Zoning Board of Appeals. He also noted much of the proposed R-3 zone is already zoned B-1 and that residences in that area are currently non-conforming uses.

-- Robert Phelps, 42 Front Street, said there are apartment houses in his neighborhood with unkept lawns and cars parked all over which he feels is more of a concern than the Windsors' proposed formal wear shop. Mr. Rabinowitz said the zoning change would not effect that situation, that it appears to be a matter for the Codes Enforcement Office.

-- Ald. Guinn stated the intent of the proposed ordinance is not to change the neighborhood, but to protect it.

-- Joseph Mirabito, 21 Westcott Street, stated the system of notification used excludes rental people. He said renters must be taken into consideration. He also noted that traffic patterns have already been altered in the neighborhood by the dance studio. Mayor Chomyszak said notice of the hearing was published in the Evening Sun.

Mr. Mirabito presented a petition of 36 signatures requesting that the current zoning be maintained. He said the result of the proposed ordinance will cause in the short term to denigrate the neighborhood and in the long

term will damage the neighborhood. He said the residential quality of the neighborhood must be maintained.

-- Dale Crosby, 37 Front Street, asked where the R-3 zone extends. Mayor Chomyszak said the zone runs from south of the GHS Credit Union to Griffin Street and from south of the Arrow Laundromat to the end of Birdsall Street.

-- Mr. Coleman said that after Mr. Rabinowitz's explanation of the proposed ordinance and learning that much of the neighborhood is currently zoned B-1, he now feels that an R-3 zone would be much better for the neighborhood.

-- Clerk Zakrevsky explained that the R-3 zone is actually a transitional zone intended to bring the area back to a residential neighborhood.

-- John Windsor, 38-40 Birdsall Street, explained his intention has been to improve the neighborhood and his property and not to destroy the residential area.

There being no further discussion, Mayor Chomyszak closed the hearing at 8:05 pm.

OPEN FORUM:

No one wished to be heard.

BIDS:

Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

- Request from the Merchants Association to hold annual Pre-Christmas Parade on Friday, November 29, 1991 at 10 am.
- Request from the High School Pep Club Committee to hold the annual Homecoming Parade on October 15, 1991 at 5:30 pm.
- Request from First Baptist Church to hold the World Hunger Run on October 20, 1991 at 1:30 pm.
- Interest Disclosure Statement from Alderman Kenneth Titus.
- Petition from residents of Birdsall Street neighborhood opposing proposed Ordinance No. 4 of 1991.

-- Ald. Guinn moved to approve the Christmas and Homecoming parades and the Hunger Run under the direction of the Police Chief and to receive and file all other correspondence. Seconded by Ald. Titus and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

Clerk Zakrevsky reported the following reports were received:

- Codes Enforcement monthly report for August 1991
- Water Board minutes of August 26, 1991

WARD AND COMMITTEE REPORTS:

- Personnel Committee meeting of September 3, 1991
- Ald. Guinn reported, regarding the Mirabito Fuel Situation, the clean up is proceeding well. He noted that the air stripper is running and testing will begin.

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

OLD BUSINESS:

-- Ald. Guinn moved to award the Commercial Laundry Services bids, as recommended by the Public Works Committee, to the lowest qualified bidders meeting specifications as follows:

Coyne Textile Services, Syracuse, NY

\$ 3.15 - 6.1	\$.75 - 6.4
2.25 - 6.2	.00 - 6.5
.90 - 6.3	.00 - 6.6

American Linen Supply, Syracuse, NY

\$.50 - 7.1	\$.07 - 7.4
.18 - 7.2	2.50 - 7.5
.22 - 7.3	.70 - 7.6

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

NEW BUSINESS:

-- Mayor Chomyszak reported the appointment of Carol Skolfield, 73 South Broad Street, to the remainder of a one year term as Chairman of the Charter Review Commission, expiring December 31, 1991.

RESOLUTION #106 - 1991. APPROVING ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF THE CITY OF NORWICH

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 4 of 1991 on September 24, 1991, such ordinance amending the zoning ordinance and map of the City of Norwich relative to reclassifying the properties fronting on Birdsall Street on the east side from 120 feet south of East Main Street to Griffin Street and on the west side from 111 feet south of East main Street to the first property on the south side of Front Street to R-3; and

WHEREAS, a public hearing has been held on October 8, 1991, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 4 of 1991, relative to reclassifying the properties fronting on Birdsall Street on the east side from 120 feet south of East Main Street to Griffin Street and on the west side from 111 feet south of East main Street to the first property on the south side of Front Street to R-3, as presented to the Common Council on September 24, 1991, be and hereby is approved.

Seconded by Ald. Angelino and duly adopted, 5-0 on a roll call vote with Ald. McNeil abstaining due to a possible conflict of interest.

-- Prior to the vote, Ald. Guinn noted that the Planning Commission reviewed the request and recommended the ordinance as a way to allow business growth in the City as well as to protect the neighborhood.

RESOLUTION #107 - 1991. AUTHORIZING TRANSFERS FOR SIDEWALK AND STORM SEWER PERSONAL SERVICES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover the cost of personal services for Sidewalks and Storm Sewers; 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>
A5110.1010	Street Maintenance Personal Services	\$ 2,610.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5410.1010	Sidewalks - Personal Services	\$ 2,000.00
A8140.1010	Storm Sewers - Personal Services	610.00
		\$ 2,610.00

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

RESOLUTION #108 - 1991. ESTABLISHING ADDITIONAL 1991 CAPITAL PROJECTS
BUDGET FOR HOWARD STREET, YORK STREET AND CHENANGO
CENTER

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, the City Engineer has estimated budgets for recycling, repaving and shoulder repairs for Howard Street, York Street and the Chenango Center; and

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

RESOLVED, that the Chamberlain be and hereby is authorized to appropriate the Streets Capital Projects fund balance and establish the budget as follows:

H93-5115.4020	Howard Street - Contracted Services	\$ 9,500.00
H93-5116.4020	York Street - Contracted Services	4,500.00
H93-5114.4060	Chenango Center - Materials and Supplies	9,000.00
H93-5114.4020	Chenango Center - Contracted Services	2,000.00

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

-- Prior to the vote, Ald. Horovitz asked if the City is obligated to provide materials and supplies for the Chenango Center project. Engineer Suozzo explained the items were for the preparation of the street project and not part of the Chenango Center project. He noted the street project for next year includes Front and North Front Streets and Hubbard Avenue.

RESOLUTION #109 - 1991. AMENDING CHENANGO CENTER PROJECT BUDGET

Ald. Horovitz introduced the following and moved its adoption:

WHEREAS, revised contracts have been received from the New York State Department of Economic Development Grant and the New York State Department of State Grant for the Chenango Center Project; and

WHEREAS, final cost estimates have been prepared by the City Engineer for the paving of the parking lot at Chenango Center Plaza, therefore be it

RESOLVED, that budget for the Chenango Center Plaza be amended as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<u>Expense:</u>		
CD66-6989.1010	Personal Services	\$ 8,290.13
CD66-6989.4010	Materials & Supplies - General	4,253.93
CD66-6989.4011	Materials & Supplies - DPW	16,018.19
CD66-6989.4012	Materials & Supplies - Waterline	5,234.53
CD66-6989.4013	Materials & Supplies - Storm Sewer	2,621.22
CD66-6989.402A	Construction - General	21,200.00
CD66-6989.402B	Construction - Water Main	5,850.00
CD66-6989.402C	Demolition - Grain Mill	16,492.00
CD66-6989.402D	Demolition - Concrete Piers	\$ 1,040.00
		\$ 81,000.00

<u>Revenue:</u>		
CD66-3910	NYS Department of Economic Development Grant	\$ 47,500.00
CD66-3915	NYS Dept. of State Grant	\$ 33,500.00
		\$ 81,000.00

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

-- Prior to the vote, Clerk Zakrevsky noted the grants totalled \$100,000 prior to the New York State budget reductions.

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

	<u>Prepaid</u>	<u>10/08/91</u>	<u>Grand Total</u>
General Fund	142,707.62	107,970.33	250,677.95
Trust Fund	86,860.67	0.00	86,860.67
Capital Projects	1,658.57	250.00	1,908.57
Small Cities	17,000.00	0.00	17,000.00
TOTALS	248,226.86	108,220.33	256,447.19

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

-- Highway Supt. Loscavio reported fall leaf pickup will commence on Monday, October 14. He said crews will begin in Wards One and Six and move northward in the City throughout the month. He said there will be several sweeps through the City.

-- Ald. Horovitz moved to adjourn at 8:25 pm. Seconded by Ald. McNeil and duly adopted, ayes all.