

COMMON COUNCIL

November 26, 1991

Mayor Chomyszak presided at a regular meeting of the Common Council held at 6:30 pm on November 26, 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
George Carnrike, Ward 1
Robert Rabinowitz, Ward 3
David Symonds, Ward 5

Also Present at 7:10 pm

Police Chief Richard Whiting
Asst. Police Chief Robert Mason
Highway Supt. Joseph Loscavio
Supervisor John Dolan

Ald. McNeil moved to go into executive session immediately to discuss pending litigation. Seconded by Ald. Titus and duly adopted, ayes all.

Ald. Guinn moved to go out of executive session at 7:10 pm. Seconded by Ald. Angelino and duly adopted, ayes all.

Ald. Guinn moved to dispense with the reading and approve the minutes of November 12, 1991. Seconded by Ald. McNeil and duly adopted, ayes all.

PUBLIC HEARINGS:

-- Mayor Chomyszak opened the public hearing regarding the proposed 1992 General Fund Budget at 7:15 pm.

William Roberts, representing the Fire Oversight Committee, presented a letter requesting Council to re-evaluate the Fire Department budget to insure that the budget will not compromise the fire and ambulance service level of performance currently in place. He noted the Committee is concerned with two items left out of the proposed budget, equipment capital reserve and Emergency Medical Technician (EMT) training.

Mayor Chomyszak said the City has every intention of maintaining the quality of service. She noted refurbishing will come out of contingency rather than the general fund.

Stan Prusik, 30 Eric Street, stated this budget is easier to understand than those of past years. Mr. Prusik expressed concern that no money was added to the building capital reserve fund when it is inevitable that a new city hall will be needed. He said it should be the taxpayers choice to either pay for their current level of services or receive less services with a reduced budget.

Chamberlain Hutton noted that the 1991 budget was amended in May with a \$326,000 reduction due to a loss of State Aid. He further indicated that many people had expressed to him that they would rather see a reduction in taxes than a new City Hall built.

Mayor Chomyszak noted that the City has not only kept spending low, it has kept it below the inflation rate.

Casey Jones, 4 Maydole Street, noted that although cuts in State Aid were expected last year, no adjustment in the budget was made for it, and the Council had to make cuts in May. He said cuts are anticipated again

this year and government is irresponsible not to take this into consideration. Mr. Jones also suggested a closer look should be taken into the area of Public Works delivery of services. He asked how the City can justify cutting back the streets programs and still employ the same number of employees. He also noted it was discussed that it would cost the City an additional \$20,000 - \$30,000 if the clerical office moved out of City Hall to the DPW offices on Hale Street.

Mr. Jones said he feels there are too many city owned vehicles. He said it costs approximately \$1 - \$1.25 per mile to operate the vehicles and it would be more cost efficient to charge mileage. He stated he felt having four general city vehicles was extravagant and that only one was needed.

Mr. Jones stated that the City is spending \$165,000 on parks and youth recreation. He said the towns are contributing only \$6,000 to the programs which is not a fair percentage. He noted that the cost of operating Weiler Park is almost as much as running the pool, and the City useage of the ball fields at Weiler Park is only 40 percent. Mr. Jones said that \$6,000 paid by the towns is disproportioned based on the useage of City parks by the towns.

Mr. Jones questioned why revenues from the cable franchise have decreased in the past two years. He suggested the City contact the NYS Cable Commission and get a current reading. Chamberlain Hutton stated that he has been in contact with the Cable Commission regarding this matter.

Mr. Jones stated, regarding assessments, that if the City went to County-wide assessing, the City budget could be reduced by \$50,000.

Mr. Jones suggested the Council take a closer look into Public Safety. He said a peace officer could be used as a dispatcher rather than a police officer in the Police Department. Mr. Jones said, with the regard to the Fire Department, that a used ladder truck could be purchased for \$40,000 with another \$40,000 for refurbishing rather than purchasing a new truck for \$250,000. He noted studies show the Fire Department has an extra pumper and also questioned the need for three ambulances. He also suggested a full time paid administrator was needed for the Fire Department.

Mr. Jones said in conclusion, that due to the present economic climate, the Council should look at things objectively, realistically, and in a proaction state rather than in a reaction state.

Mayor Chomyszak stated that for the most part, everything Mr. Jones mentioned have been addressed or are being looked at presently. She noted most are not things that can be done overnight.

Neil Beebe, 59 West Main Street, said most people are concerned with efficiency in government and noted that it appears the Council has reduced the budget to bare bones.

Ald. Horovitz explained that if efficiency had not gone into the preparation of the budget, taxes would be a lot higher.

Mayor Chomyszak said that the City's portion of the property tax bill represents a small part of the bill and noted the major cost is the County rate per thousand.

Supervisor Dolan noted that the County's proposed tax increase is only three percent.

Connie Gaines, 147 South Broad Street, said although a 21 percent increase is only \$50 for her, it does make a difference. She noted her income is only increasing four or five percent. Ms. Gaines also said she is concerned with the possibility of a \$9,000,000 school project and the threat of major corporations moving out of the area. She asked the Council to have empathy for the residents.

Cliff Tamsett, 23 North Broad Street, said that in other municipalities residents are paying 15 percent of what City of Norwich residents are paying in taxes. He noted that all the different taxes paid in the New York State account for 50 percent of a person's income. Mr. Tamsett suggested the City look into receiving volunteer services. He also said a 50 percent reduction

in the budget is needed, which would require a total restructuring of City government. He suggested Code Enforcement could be consolidated with the County, certain payroll functions could be merged, and highway maintenance shared. He suggested we look at zero base budgeting in the future.

Mayor Chomyszak noted that the consolidation of services has been looked at by the 2020 group.

Phil Giltner, 43 South Broad Street, said with regard to youth park programs, the City is too generous with the pool and parks. He also noted nothing has been done to consolidate fire services. Mr. Giltner also stated he feels there are too many police officers.

Earle Helton, 18 Hayes Street, said the City needs to operate with more efficiency. He said taxes in New York State are too high.

George W. Carnrike, 29 Jones Avenue, said the City reduced the tax rate by 50 percent two years ago and have increased the rate yearly since that time.

There being no further discussion, Mayor Chomyszak closed the hearing and opened the public hearing regarding the proposed 1992 Water Fund Budget at 8:42 pm.

Stan Prusik, 30 Eric Street, noted that the Water Board is doing a wonderful job.

There being no further discussion, Mayor Chomyszak closed the hearing and opened the public hearing regarding the proposed 1992 Waste Water Fund Budget at 8:44 pm.

John Dolan asked why so much fund balance was used in preparing the budget.

Chamberlain Hutton explained that when the 1991 Waste Water Fund Budget was adopted there were many unknowns with regard to the Waste Water Treatment Plant, such as financing and operating costs. The appropriated fund balance left from last year was transferred from an unreserved to reserved account to cover debt service and kept rates at the same level.

There being no further discussion, Mayor Chomyszak closed the hearing and opened the public hearing regarding the proposed 1992 Unemployment Insurance Fund Budget at 8:48 pm.

As no one wished to be heard, Mayor Chomyszak closed the hearing and opened the public hearing regarding the proposed 1992 Special Grants Fund Budget at 8:49 pm.

As no one wished to be heard, Mayor Chomyszak closed the hearing and opened the public hearing regarding proposed Ordinance No. 5 of 1991, relative to water hydrant rental at 8:50 pm.

Thomas Knapp, Water Board member, noted that while the ordinance rescinds the hydrant rental charge, the Water System expects to be back next year with justification to reinstate a more realistic charge. He said he feels there is justification for the charge.

There being no further discussion, Mayor Chomyszak closed the hearing at 8:56 pm.

OPEN FORUM:

-- Casey Jones, 4 Maydole Street, said, regarding the resolution the Council passed recently to redistrict city wards, it cannot be done during an election when it would leave someone without representation as stated in a 1976 Attorney General Opinion. Mr. Jones stated that there is no legal reason for the reapportionment and the Council should review the action and rescind the resolution.

Clerk Zakrevsky said the Attorney General's Office opinion is not law, but an opinion, and noted the Attorney General, State Comptroller, the State

Board of Elections, as well as the New York State Conference of Mayors were consulted prior to making the change. Mr. Zakrevsky said the redistricting plan equalized the districts' populations and evened boundary lines. He noted the restructuring plan was based on a request from the County. The plan reconciles the city's voting districts with a county plan to give each City supervisor an equal number of votes on the County Board of Supervisors. Clerk Zakrevsky noted that when the decision was made to adopt the reapportionment plan, it affected none of the incumbent aldermen, supervisors, or announced candidates at that time.

Mayor Chomyszak noted the reapportionment plan goes into effect January 1, 1992.

-- Connie Gaines, 147 South Broad Street, asked how many people have to come to a meeting to impact a decision to change something.

Mayor Chomyszak said it only takes one person to make an impact, it depends on the nature of the question or problem.

Ald. Guinn explained that the Council has been working on the budget for months and began with a \$14 per \$1,000 rate.

Thomas Knapp explained that the public hearing is a legal requirement and that the Council has spent thousands of hours working on the budget. He said to make an impact on the budget, a person must attend regular Council meetings beginning no later than August. He noted that Council meetings are public meetings held twice a month and that questions and problems can be addressed during Open Forum.

-- George W. Carnrike, 29 Jones Avenue, said, regarding the redistricting of wards, he also questions the action.

BIDS:

Clerk Zakrevsky reported bids were received for a Mini-Van and an Underground Piercing Tool for the Water System.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

- Request from Chenango County AIDS Task Force to hold Candle Light Vigil and walk on December 1, 1991 at 7 pm.
- Request from Norwich Merchants Association for free parking in the downtown from November 29, 1991 to December 24, 1991.
- Interest Disclosure Statement from Bartolo J. Natoli.
- Recommendation of Traffic Commission regarding parking fines.
- Mayor Chomyszak read a mayoral proclamation for World AIDS Day on December 1, 1991.

-- Ald. Guinn moved to approve the AIDS Task Force vigil and walk under the direction of the Police Chief. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Guinn moved to approve the Merchants Association request for free parking in the downtown from November 29 to December 24, 1991. Seconded by Ald. Angelino and duly adopted, ayes all.

-- Ald. Guinn moved to receive and file the Interest Disclosure Statement from Bartolo Natoli and to receive the Traffic Commission recommendation regarding parking fines and requested the Clerk prepare a resolution for the next Council meeting. Seconded by Ald. Titus and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Police Department monthly report for October 1991
- Fire Department monthly reports for February through September, 1991
- Traffic Commission minutes of November 13, 1991
- Codes Enforcement monthly report for October 1991
 - Youth Board minutes of October 22, 1991
 - Civil Service Commission minutes of November 14, 1991

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

-- Ald. Guinn moved to cancel the December 24, 1991 Common Council meeting and hold a special meeting for any mandatory year end business. Seconded by Ald. Titus and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS:

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

- Finance Committee meeting of November 20, 1991
- Mayor Chomyszak reported she visited the City of Cortland recently and observed their government at work. The Mayor noted Cortland is experiencing many of the same concerns as Norwich.

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

OLD BUSINESS:RESOLUTION #120 - 1991. AUTHORIZING TRANSFER FOR REFUSE DISPOSAL

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of refuse disposal from April through December, 1991; 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	\$ 800.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.4020	Municipal Buildings Contracted Services	\$ 800.00

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

-- Ald. Angelino moved to award the bids for Mineral Crushed Rock Salt to Cargill Salt Company, Lansing, NY for \$38.05 per ton delivered to DPW, the lowest bidder meeting specifications as recommended by the Public Works Committee.

NEW BUSINESS:

-- Ald. Titus moved to award the following bids to the lowest bidders meeting specifications, as recommended by the Water Board:

1992 Mini Van (Cargo) to Smith Norwich of Norwich, NY for \$13,765

Underground Piercing Tool to Rupp Rental of Endicott, NY for \$2,700

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

-- Prior to the vote, Ald. Titus asked what an Underground Piercing Tool was used for. Water Board member Thomas Knapp explained the tool is used to pull pipe through the ground without digging a trench under the road. He said it can pull through approximately 30 feet.

RESOLUTION #121 - 1991. APPROVING ORDINANCE TO AMEND CERTAIN WATER USE RATES IN THE CITY OF NORWICH

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 5 of 1991 on November 12, 1991, such ordinance amending certain water use rates relative to repealing the water rate for hydrant charges within the City of Norwich; and

WHEREAS, a public hearing has been held on November 26, 1991, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 5 of 1991, relative to repealing the water rate for hydrant charges within the City of Norwich, as presented to the Common Council on November 12, 1991, be and hereby is approved.

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

RESOLUTION #122 - 1991. ADOPTING 1992 GENERAL FUND BUDGET

Ald. Titus introduced the following and moved its adoption:

WHEREAS, a proposed general fund budget in the amount of \$3,614,291 was presented to the Common Council on November 12, 1991; and

WHEREAS, a public hearing on such budget has been held on November 26, 1991; now, therefore be it

RESOLVED, that the 1992 General Fund Budget for the City of Norwich, as presented on November 12, 1991, be and hereby is adopted.

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

-- Prior to the vote, Ald. Guinn stated that he has been on the Council for eight years and the budget keeps getting better. He commended everyone.

RESOLUTION #123 - 1991. ADOPTING 1992 WATER, WASTE WATER, UNEMPLOYMENT INSURANCE AND SPECIAL GRANTS BUDGETS

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, proposed 1992 budgets for the Water Fund in the amount of \$1,005,300, the Waste Water Fund in the amount of \$944,500, the Unemployment Insurance Fund in the amount of \$3,000, and the Special Grants Fund in the amount of \$1,170,000 where presented to the Common Council on November 12, 1991; and

WHEREAS, public hearings on the Water Fund, Waste Water Fund, Unemployment Insurance Fund, and Special Grants Fund budgets have been held on November 26, 1991; now, therefore be it

RESOLVED, that the 1992 Water Fund budget in the amount of \$1,005,300, the 1992 Waste Water Fund budget in the amount of \$944,500, the 1992 Unemployment Insurance Fund budget in the amount of \$3,000, and the 1992 Special

Grants Fund budget in the amount of \$1,170,000, as presented to the Common Council on November 12, 1991, be and hereby are adopted.

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

RESOLUTION #124 - 1991. AUTHORIZING TRANSFER FOR LEGAL FEES

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, funds are required to cover certain legal fees; 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>
1989.402	Contracted Services	\$ 1,723.88

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1430.4020	Personnel	\$ 1,723.88
	Contracted Services	

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

RESOLUTION #125 - 1991. AUTHORIZING TRANSFER FOR CLOSE OUT OF COMPLETED COMMUNITY DEVELOPMENT PROJECTS

Ald. Guinn introduced the following and moved its adoption:

WHEREAS, all work has been completed and expenditures paid on the handicapped curb cut project and the 1990 railroad property acquisition project; and

WHEREAS, the source of funding for the remaining budgets of both projects was CD57 Urban Development Action Grant miscellaneous revenues; now, therefore be it

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CD62-9950.1	Curb Cuts	\$ 21,652.85
	Transfer To Other Funds	
CD64-9950.1	Property Acquisition	5,891.13
	Transfer To Other Funds	

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CD57-5031	UDAG	\$ 27,543.98
	Transfer From Other Funds	

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

-- Prior to the vote, Clerk Zakrevsky noted that due to more state aid coming through than anticipated, not all the funds were needed.

RESOLUTION #126 - 1991. AMENDING VEHICLE & TRAFFIC ORDINANCE TO PROVIDE FOR
A YIELD SIGN ON O'HARA DRIVE

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 Traffic Commission has made certain recommendations concerning a yield sign on O'Hara Drive at its intersection with Prentice Avenue; now, therefore be it

RESOLVED, that Section 90-64, Signs, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

YIELD - O'Hara Drive at the intersection of Prentice Avenue.

Underlined material is new.

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

RESOLUTION #127 - 1991. AMENDING VEHICLE & TRAFFIC ORDINANCE TO DESIGNATE
CHENANGO LANE A STOP STREET

Ald. Horovitz 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 Common Council on November 12, 1991 approved bids for the pavement of a new street connecting North Front Street to American Avenue; and

WHEREAS, such work has been completed; and

WHEREAS, the Chairman of the Traffic Commission has made certain recommendations concerning designating Chenango Lane as a Stop Street at its intersection with American Avenue; now, therefore be it

RESOLVED, that the new street connecting North Front Street to American Avenue be named Chenango Lane; and, further be it

RESOLVED, that Section 90-72, Streets Designated, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

CHENANGO LANE is hereby designated as a STOP STREET at the intersection of American Avenue.

Underlined material is new.

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

-- Prior to the vote, Ald. Angelino asked who named the street Chenango Lane. Clerk Zakrevsky explained the street had to be named in order to enforce the ordinance. He said the street can be renamed and suggested it be discussed at the next Public Works Committee meeting.

RESOLUTION #128 - 1991. APPOINTING MURRAY ROACH AS SERGEANT IN THE NORWICH
POLICE DEPARTMENT

Ald. Titus introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of sergeant in the Norwich Police Department; and

WHEREAS, a Civil Service list exists for said position; and

WHEREAS, the Police Chief and the Public Safety Committee have made certain recommendations; now, therefore be it

RESOLVED, that Police Officer Murray Roach of 27 Hale Street, Norwich, NY be and hereby is granted a permanent appointment as a sergeant in the Norwich Police Department; and, further be it

RESOLVED, that this resolution shall take effect December 1, 1991.

Seconded by Ald. Horovitz and duly adopted, 5-0 on a roll call vote with Ald. Angelino abstaining.

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

	<u>Prepaid</u>	<u>11/26/91</u>	<u>Grand Total</u>
General Fund	171,326.48	32,934.46	204,260.94
Trust Fund	193,338.04	0.00	193,338.04
W.W.T.P.	55.57	0.00	55.57
Special Grants - UDAG	3,500.00	0.00	3,500.00
Capital Projects	23,055.57	0.00	23,055.57
TOTALS	391,275.66	32,934.46	424,210.12

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

-- Ald. McNeil moved to adjourn at 9:52 pm. Seconded by Ald. Titus and duly adopted, ayes all.