

COMMON COUNCIL

March 24, 1992

Common Council President Charles Angelino presided at a regular meeting of the Common Council held at 7 pm on March 24, 1992, at the Higley Building.

Present:

Ald. George Carnrike
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Kenneth Titus
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Police Chief Richard Whiting
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Building Inspector Frank Aquilato
Assessor Ann Makarewicz

Ald. Rabinowitz moved to dispense with the reading and approve the minutes of March 10, 1992. Seconded by Ald. Titus and duly adopted, ayes all.

OPEN FORUM:

-- Ald. Angelino introduced Charles Gaynor of Gaynor Associates, who read a statement explaining the circumstances and chain of events which lead to the discharge of gasoline contaminated water into the groundwater recovery system at the Norwich Oil Company facility located on Mitchell Street on March 11, 1992.

Ald. McNeil asked if the 1,000 gallons of product went from a truck to equipment or to groundwater. Mr. Gaynor said the water was taken by tank truck to the Norwich site and treated by passing it through the groundwater recovery system. He noted that this was a small portion and would have been pumped through the system in approximately 29 minutes. Mr. Gaynor stated the discharge to the recovery system at Norwich Oil has not adversely impacted either the recovery system or the clean up efforts at that site. He noted the recovery system was designed to handle up to 160 gallons per minute of gasoline contaminated water and currently withdraws groundwater at a rate of between 30 to 35 gallons per minute.

Kenneth Daviau, 83 Mitchell Street, asked Mr. Gaynor when he notified the DEC of the spill. Mr. Gaynor said that there was no answer at the DEC when he tried to telephone and due to the possibility of the water containing hydrocarbons, it was his decision to transfer the product to the Norwich site without a permit. He said one load was dumped prior to contacting the DEC.

Mark Stiles, 59 Mitchell Street, asked why the product was not left in the transport tanks. Mr. Gaynor explained that because temperatures were below freezing on that day, the tanks would have cracked.

Mr. Stiles expressed that the residents of the neighborhood are very concerned. Mr. Gaynor said that something needed to be done directly and a decision was made. He stated that at no time was there an attempt to deceive or hide what had occurred from the DEC. Mr. Gaynor said the DEC was informed about what had happened at 8:30 am on March 12, 1992.

-- Stan Prusik, 30 Eric Street, reported he took a drive around the City and observed approximately 102 real estate for sale signs on properties. He noted there are five signs on his street. Mr. Prusik said the county has concerns and has made some changes to reduce spending. Ald. Angelino said the City has the same concerns and is attempting to keep the budget down. He noted that four positions have been eliminated and overtime has been reduced.

-- Kenneth Daviau, 83 Mitchell Street, asked why overtime parking tickets are not issued on North and South Broad Streets. Chief Whiting said the parking enforcement officer makes two or three rounds per day and does issue tickets.

-- Mark Stiles, 59 Mitchell Street, said that a meeting the previous evening regarding assessments in that neighborhood, it was reported that a 25% reduction is being given to those homes in the plume area. He said there was not enough information provided by the Assessor at the meeting to answer the residents questions. Assessor Makarewicz said anyone with questions or wishing further information can phone her office for an appointment and she would be happy to meet with them. Mr. Stiles asked that the Council become more involved with the situation and the process of evaluating assessments in the neighborhood. Ald. Angelino indicated that the Finance Committee would be looking into the matter. He noted that there are strict limitations regarding assessments.

BIDS:

-- Ald. McNeil moved the following bids be received and referred to the appropriate committees for recommendation:

- North Front Street Rehabilitation, eight bids.
- Materials for North Front and Front Street, four bids.
- Fuel Card System, two bids.
- Refurbishing 1978 Custom Mack Fire Engine, one bid.

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

CORRESPONDENCE:

- Clerk Zakrevsky reported no correspondence was received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Fire Department monthly reports for October and November 1991
- Plumbing Board minutes of February 19, 1992
- Electrical Board minutes of February 20, 1992
- Water Board minutes February 24, 1992
- Parks Commission minutes of February 10, 1992
- Traffic Commission minutes of March 11, 1992
- Police Department monthly report for February 1992

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

WARD AND COMMITTEE REPORTS:

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

- Finance Committee meeting of March 11, 1992
- Public Works Committee meeting of March 12, 1992
- Personnel Committee meeting of March 4, 1992

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

NEW BUSINESS:

- Ald. McNeil moved to receive proposed ordinance No. 1 of 1992 and set a public hearing for April 14, 1992. Seconded by Ald. Carnrike and duly adopted, ayes all.

ORDINANCE NO. 1

OF 1992

AN ORDINANCE TO AMEND THE VEHICLE
AND TRAFFIC ORDINANCE TO ALLOW THE ENFORCEMENT
OF HANDICAPPED AND FIRE LANE PARKING OF HOSPITALS,
SHOPPING CENTERS, FACILITIES OWNED OR LEASED BY NOT-FOR-PROFIT
CORPORATIONS, AND PRIVATE APARTMENT COMPLEXES

BE IT ORDAINED by the Common Council of the City of Norwich, New York,
as follows:

Section 1. The Vehicle and Traffic Ordinance of the City of Norwich is hereby amended by inserting a new Section 90-75 as follows:

90-75. Handicapped Spaces and Fire Lanes at Hosiptal.

Pursuant to Title VIII, Article 39, Section 1640-a of the New York State Vehicle and Traffic Law, after written request of the person in general charge of the operation and control of a hospital, shopping center, facilities owned or leased by a not-for-profit corporation, or a private apartment house, the police chief of the City of Norwich is hereby directed to prohibit, regulate, restrict or limit the stopping standing or parking of vehicles in specified areas as approved by the Common Council of the City of Norwich.

New material is underlined.

Section 2. Designated fire lanes and designated handicapped parking spaces or changes to may be done by resolution of the Common Council after written request by the owner or the person in general charge of the operation and control of such facility.

Section 3. This ordinance shall take effect April 15, 1992.

RESOLUTION #35 - 1992. AUTHORIZING TRANSFER FOR LEGAL SERVICES

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of attorney legal services; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1992 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 389.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 389.00

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

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

	<u>Prepaid</u>	<u>03/24/92</u>	<u>Grand Total</u>
General Fund	373,608.95	26,400.12	400,009.07
Trust Fund	85,612.57	50.00	85,662.57
Capital Reserves	640.46	0.00	640.46
W.W.T.P.	0.00	8,001.32	8,001.32
Community Development	0.00	2,023.33	2,023.33
Capital Projects	1,000.00	0.00	1,000.00
TOTALS	460,861.98	36,474.77	497,336.75

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

-- Ald. Angelino moved to go into executive session at 7:38 pm for the purpose of discussing pending litigation. Seconded by Ald. Titus and duly adopted, ayes all.

Ald. Carnrike moved to go out of executive session at 7:49 pm. Seconded by Ald. McNeil and duly adopted, ayes all.

Ald. Rabinowitz moved to adjourn at 7:50 pm. Seconded by Ald. McNeil and duly adopted, ayes all.