

COMMON COUNCIL

April 14, 1992

Mayor Chomyszak presided at a meeting of the Common Council held at 6 pm on April 14, 1992, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike
Ald. Patrick McNeil
Ald. Kenneth Titus
Ald. David Symonds
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Engineer James Suozzo
Assessor Ann Makarewicz
Asst. Fire Chief James Wallen (7pm)
Asst. Highway Supt. M. Williams (7pm)

-- Ald. Titus moved to go into executive session at 6:10 pm to discuss the personnel history of a particular individual. Seconded by Ald. Angelino and duly adopted, ayes all.

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

As approximately 200 residents were present to attend the Council meeting, the meeting was adjourned to the Council of the Arts Auditorium on West Main Street.

-- Ald. Angelino moved to dispense with the usual procedure of the meeting and go directly to the Open Forum portion of the meeting. Seconded by Ald. Carnrike and duly adopted, ayes all.

Assessor Ann Makarewicz stated to the audience that the 1992 Assessment Roll will stand.

Ald. Charles Angelino read a letter to Assessor Makarewicz from Aldermen Carnrike, McNeil, Titus, Symonds, and himself requesting that she rescind the 1992 revaluation. He noted that the Assessor has said she will stand by the revaluation. Ald. Angelino stated that when the 1992 Assessment Roll comes before the Common Council for approval, the Council will vote against it.

Mayor Chomyszak said she has mixed emotions regarding the revaluation. She noted the Assessor put a great deal of work into the revaluation. The Mayor stated she would support the decision of the Council.

-- Mr. Lee, 34 Henry Street, said he did not agree with the assessments. He stated that he did not feel property should be assessed by the square foot. He said people should grieve if they feel they are unfairly assessed. Mr. Lee also said he did not believe that the revaluation would bring the tax rate down. He noted that he is in agreement with the County's suggestion of having one county-wide assessor.

-- Carlton Atkinson, 9 Howard Street, asked Mayor Chomyszak how she will vote on the revaluation. The Mayor stated that she is not empowered to vote unless there is a tie.

-- Marty Conklin, on behalf of Harry Conklin, 8 Conkey Avenue, said that Mr. Conklin is an 82 year old gentleman on a fixed income and an increase of 20% in his assessment will be a severe problem for him, as well as for most senior citizens on fixed incomes.

-- Richard Palmer, 24 Francis Avenue, said he paid \$36,000 for his house, and since that time he has painted it and put a new roof on it, and it is now assessed for \$83,600.

-- Bill Crow said although he works in Sidney, he had made the decision to live in Norwich, and was about to sign a contract to purchase a house when he learned the assessment on the house went up 54 percent. He said that he will no longer be able to afford the house and must decide whether to keep looking for housing in Norwich. He questioned whether Norwich is the place for young entrepreneurs to settle.

-- Cliff Tamsett, 23 North Broad Street, stated that he does not believe that because the equalization rate will balance the equity, the tax rate will not go up. Mr. Tamsett said that he spoke to Steve Dorsey, Director of Chenango County Real Property Tax Services, who explained that the Common Council does not have the power to reject the assessment rolls.

Mayor Chomyszak said that according to information she just received regarding a similar situation in Cazenovia, the Council can pass a resolution cancelling the new assessment rolls.

-- Patty Roswick, 120 South Broad Street, said that she and her husband were looking into purchasing another house in the City for use as rental property and because of the revaluation cannot now afford to purchase it. She stated that young people are the future of Norwich, but they are being driven away by lack of opportunities.

-- Tom Steers, 23 Gold Street, stated the residents of his neighborhood have been attempting to have their assessments lowered because of the Mirabito Fuel site spill. He said instead of being lowered everyone received an increase of approximately 20 percent with the exception of the properties within the imaginary line of the plume.

-- John Worley, 19 Cortland Street, said it was his understanding that once the assessment roll is filed, it cannot be overturned. He asked if the City Attorney could give some guidance. He noted residents need to know if the revaluation will be stopped.

-- Ald. Carnrike stated, referring to the people responsible for initiating the petitions, he has taken them all to heart and that he is their representative and he will represent them. He stated that the Council is taking an action to pass a resolution brought by the Chenango County Board of Realtors that states the 1992 revaluation will not go into effect. Clerk Zakrevsky read the resolution.

-- Ald. Angelino moved the resolution as presented, seconded by Ald. Titus.

-- Ed Nelson, 75 South Broad Street, stated that the revaluation was rescinded in Cazenovia only with the concurrence of the Assessor. He said that if the Council passes such a resolution it must be with the Assessor's concurrence.

Attorney Cushman stated that the Assessor has said she is presenting the 1992 assessment roll, and he has not had an opportunity to look into the matter. He stated that the Council would like to pass a resolution supporting the opinions of the residents and it may be possible to gain the Assessor's support.

-- Richard Carpenter, 57 Henry Street, said the Council runs the City and therefore, should insure that the Assessor follows their direction.

-- Ald. Angelino moved to withdraw the motion on the floor and go into executive session at 8:10 pm to discuss possible pending litigation regarding any actions taken by the Council. Seconded by Ald. Symonds and duly adopted, ayes all.

Ald. Carnrike moved to go out of executive session at 9:00 pm. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Carnrike stated, due to the economic uncertainty of the area the City will not update the assessment rolls this year with the revaluation that was done. He said the City will look at the roll with the Assessor on an ongoing basis so that the rolls can be updated for implementation in 1993. Ald. Carnrike asked that residents support the Common Council, their neighbors and friends. He said the revaluation they received in the mail a

week ago will be received in 1993 with different figures. He stated that education will be implemented and residents will be informed on a monthly basis.

Assessor Makarewicz stated that the informal meetings are no longer needed and that residents will have the process available to them to grieve when the 1993 roll is implemented.

-- Ald. Symonds moved to dispense with the reading and approve the minutes of March 24, 1992 and the special meeting of March 31, 1992. Seconded by Ald. Titus and duly adopted, ayes all.

BIDS:

Clerk Zakrevsky reported no bids were received.

PUBLIC HEARING:

Mayor Chomyszak opened the public hearing at 9:15 pm regarding an ordinance to amend the Vehicle and Traffic Ordinance of the City of Norwich 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.

Marie Robertson, 41 Eaton Avenue asked if handicapped parking at the Plaza Shopping Centers would be included. Mayor Chomyszak said the Police Department cannot enforce parking lots located outside of the City.

Several residents agreed that handicapped parking should be enforced.

Mayor Chomyszak noted the hospital has made the request to have its parking lot police enforced.

There being no further discussion, Mayor Chomyszak closed the hearing at 9:20 pm.

CORRESPONDENCE:

-- Ald. Carnrike moved to approve a request from the Norwich Little League to hold a parade on Saturday, May 2 at 9 am, under the direction of the Police Chief. Seconded by Ald. McNeil and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Police Department monthly report for March 1992
- Plumbing Board minutes of March 18 and 20, 1992
- Electrical Board minutes of March 19, 1992
- Fire Department monthly report for December 1991
- Fire Department annual report for 1991
- Building Inspector monthly report for February 1992

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

WARD AND COMMITTEE REPORTS:

Ald. Titus moved to receive the following reports:

- Public Safety Committee meeting of March 24, 1992

-- Ald. Carnrike reported a petition with approximately 200 signatures requesting the City provide for Games of Chance. Ald. McNeil moved to receive and refer the petition to the Public Safety and Finance Committees for recommendation. Seconded by Ald. Titus and duly adopted, ayes all.

-- Ald. Carnrike reported a petition was received from residents requesting Jones Avenue be rezoned from R-1 to R-1 with a 45% lot coverage allowed. Ald. McNeil moved to receive and refer the petition to the Planning Commission. Seconded by Ald. Titus and duly adopted, ayes all.

-- Ald. McNeil reported that a bid submitted by the City for a used fire engine was accepted. The City will save between \$80,000 and \$100,000 by purchasing a used vehicle. The Council commended the Public Safety Committee and the Fire Department for their efforts. Asst. Fire Chief Wallen noted contracts should be arriving next week.

-- Ald. Angelino noted that spring clean up dates will be advertised on the radio and in the paper.

NEW BUSINESS:

-- Ald. Angelino moved to approve the appointment of Richard Whittaker of Mt. Upton to the Emergency Squad of the Fire Department. Seconded by Ald. Titus and duly adopted, ayes all.

-- Mayor Chomyszak reported the appointments of Harold Berman, 27 Sunset Drive, to the Civil Service Commission to the remainder of a six year term expiring May 31, 1996 and of Raymond Gregory, 67 South Broad Street, to the Planning Commission to the remainder of a three year term expiring December 31, 1993.

-- Ald. Angelino moved to approve the mayoral appointment of Ald. George Carnrike to the Water Board to the remainder of a five year term expiring December 31, 1994. Seconded by Ald. Titus and duly adopted, 4-0 with Ald. Carnrike abstaining.

-- Ald. Titus moved to award the following bids to the lowest qualified bidders meeting specifications as recommended by the Water Board and the Public Works Committee:

Front and North Front Street Rehabilitation to Burrell's Excavating of Norwich for \$87,307.20.

Materials for Front and North Front Street Rehabilitation to Vellano Brothers of Latham, NY for \$10,453.16 - Water Main and \$1,410.10 - Sanitary Main.

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

-- Ald. McNeil moved to award the bid for Fuel Card System to Mirabito Fuel Group of Sidney, NY the lowest qualified bidder meeting specifications, as recommended by the Public Works Committee as follows:

\$.6155/gallon	Current Diesel Fuel
.6181/gallon	NYS Contract Diesel Fuel
.6540/gallon	Current Midgrade Unleaded
.6105/gallon	NYS Contract Midgrade Unleaded
.6390/gallon	Current Unleaded
.5588/gallon	NYS Contract Unleaded
.7240/gallon	Current Premium Unleaded
.6938/gallon	NYS Contract Premium Unleaded

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

-- Ald. Titus moved to award the bid for Refurbishing a 1978 Fire Engine to Halpin Fire Equipment of Elmira, NY, the lowest qualified bidder meeting specifications as recommended by the Public Safety Committee, for \$22,905.00. Seconded by Ald. McNeil and duly adopted, ayes all.

RESOLUTION # 37- 1992. APPROVING 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.

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 1 of 1992 on March 24, 1992, such ordinance amending 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; and

WHEREAS, a public hearing has been held on April 14, 1992, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 1 of 1992 relating to the amendment of 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, as presented to the Common Council on March 24, 1992, be and hereby is approved.

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

RESOLUTION #38 - 1992. ESTABLISHING CAPITAL ACCOUNTS FOR FRONT AND NORTH FRONT STREETS WATER/SANITARY MAIN REPLACEMENT AND STREET RECONSTRUCTION AND AUTHORIZING TRANSFERS FOR WATER/SANITARY MAIN CAPITAL PROJECTS

Ald. Titus introduced the following and moved its adoption:

WHEREAS, Front Street from South Broad Street east to the railroad tracks and North Front Street north to the Child Care Center have been designated for reconstruction in 1992; and

WHEREAS, the Water System has recommended replacement of the water/sanitary mains in the streets and made other certain recommendations; and

WHEREAS, the Common Council has approved bids for the Front and North Front Street main replacement and street reconstruction; now, therefore be it

RESOLVED, that the following capital projects budgets for the replacement of mains on Front and North Front Streets be and hereby are established:

Water/Sanitary Main Replacement

BUDGET

H37-8342.2 Main Replacement (Burrell's)	\$ 39,627.00
H37-8342.4 Materials and Supplies (Vellano's)	11,863.26
	<u>\$ 51,490.26</u>

REVENUE

H37-5031 Transfers from Other Funds (HR31,G)	\$ 51,490.26
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Permanent Streets

BUDGET

H93-5117.4020 Front & North Front St (Burrell's)	\$ 50,000.00
Contracted Services	

REVENUE

H93-5031 Streets - Transfers from Other Accounts	\$ 30,000.00
H93-599 Streets - Appropriated Fund Balance	20,000.00
	<u>\$ 50,000.00</u>

and, further be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1992 Waste Water Fund budget and the Water Main Capital Reserve:

Waste Water Fund

FROM:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
G1990.4	Waste Water Fund Contingency	\$23,857.10

TO:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
G9950.1	Waste Water - Interfund Transfer	\$23,857.10

Capital Project/Reserve

FROM:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
HR31-9950.9	Water Main Reserve Transfer to Capital Project	\$27,633.16
G9950.1	Waste Water - Interfund Transfer	<u>23,857.10</u> \$51,490.26

TO:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
H370-5031	Main Replacement Capital Project Front and North Front Streets	\$51,490.26

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

RESOLUTION #39 - 1992. AUTHORIZING TRANSFER FOR 1992 TREE AND STUMP REMOVAL

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Common Council on February 25, 1992, awarded the bid for 1992 Tree Removal to Central New York Tree Experts of Brookfield, NY with a bid of \$4,500; 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 1992 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 4,500.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8560.4020	Tree & Stump - Contracted Services	\$ 4,500.00

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

RESOLUTION #40 - 1992. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH RE-ASSESSMENT CASES

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of legal fees associated with re-assessments cases; 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	\$ 715.12

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 715.12

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

RESOLUTION #41 - 1992. AUTHORIZING TRANSFER FOR 1991 AUDIT SERVICES

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover costs to Deloitte & Touche, Rochester, New York, for professional services rendered in connection with the audit of financial statements for the year ending December 31, 1991; 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	\$ 8,500.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 8,500.00

Seconded by Ald. Symonds 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>04/14/92</u>	<u>Grand Total</u>
General Fund	233,385.56	212,160.57	445,546.13
Trust Fund	174,432.84	350.00	174,782.84
Capital Reserve	0.00	24,948.00	24,948.00
Community Development	0.00	540.13	540.13
Capital Projects	0.00	140.50	140.50
TOTALS	407,818.40	238,139.20	645,957.60

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

-- Peggy Parker asked the status of the freight depot on Hubbard Avenue. Clerk Zakrevsky said the building is for sale and Requests for Proposals will be sent out in the near future.

-- Ald. Titus moved to adjourn at 9:40 pm. Seconded by Ald. McNeil and duly adopted, ayes all.