

COMMON COUNCIL

April 28, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on April 28, 1992, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Engineer James Suozzo
Police Chief Richard Whiting
Asst. Police Chief Robert Mason
Fire Chief Timothy Ashcraft
Assessor Ann Makarewicz
Building Inspector Frank Aquilato
Highway Supt. Joseph Loscavio
Asst. Highway Supt. Mark Williams

Ald. McNeil moved to dispense with the reading and approve the minutes of April 14, 1992. Seconded by Ald. Titus and duly adopted, ayes all.

OPEN FORUM:

Stan Prusik, 30 Eric Street, referring to the Common Council meeting of April 14, said he was ashamed of residents childlike behavior at the last Council meeting and apologized to the Assessor.

BIDS:

Clerk Zakrevsky reported no bids were received for a 1991 ambulance and two bids were received for a 1992 ambulance and have been referred to the Public Safety Committee for recommendation.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

-- Request from the American Legion to hold annual Memorial Day Parade on May 25, 1992 at 10:30 am.

-- Request from Mary Chiarino, 66 Birdsall Street, for a variance to allow parking in front of her residence.

-- Ald. Angelino moved to approve the parade request under the direction of the Police Chief and refer the parking request to the Traffic Commission for recommendation. Seconded by Ald. Titus and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Water Board minutes of March 23, 1992
- Traffic Commission minutes of April 8, 1992
- Civil Service Commission minutes of April 9, 1992

WARD AND COMMITTEE REPORTS:

- Finance Committee meeting of April 15, 1992
- Public Works Committee meeting of April 16, 1992

- Personnel Committee meeting of April 6, 1992
- Public Safety Committee meeting of April 14, 1992

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

OLD BUSINESS:

-- Clerk Zakrevsky reported the architectural drawings of the Chapman Turner Clock were received with a recommendation from the Planning Commission for approval.

Clerk Zakrevsky noted the plans have been signed by an architect. Engineer Suozzo said his department has looked at the plans and noted that the Building Inspector did have some comments that will need to be addressed.

-- Ald. Angelino moved to approve the project under the direction of the City Engineer. Seconded by Ald. Titus and duly adopted, 3-0 with Ald. McNeil abstaining due to a possible conflict of interest.

NEW BUSINESS:

-- Mayor Chomyszak reported the re-appointment of Harry Gibson, 39 Sunset Drive, to the Housing Authority, a five year term expiring June 20, 1997.

-- Ald. Angelino moved to receive proposed Local Law No. 1 of 1992 and set a public hearing for May 12, 1992 at 7 pm. Seconded by Ald. McNeil and duly adopted, ayes all.

LOCAL LAW NO. 1

OF 1992

A LOCAL LAW TO AMEND THE CHARTER OF THE CITY OF NORWICH TO INCREASE BID CONTRACT LIMITS TO COINCIDE WITH SECTION 103 OF ARTICLE 5-A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

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

Section 1. Section 33 of the Charter of the City of Norwich is hereby amended as follows:

33. When contract is to be let to lowest bidder.

Whenever any expenditure to be made or incurred by the Common Council or any city board or officer in behalf of the city for work to be done, or materials or supplies to be furnished, except ordinary repairing of paved, macadamized and dirt streets, shall exceed {two thousand five hundred dollars (\$2,500.)} twenty thousand dollars (\$20,000.) for all contracts for public works and ten thousand dollars (\$10,000.) for all purchase contracts, the City Clerk shall advertise for and receive proposals therefor, in such manner as the Common Council, or the Board or officer charged with making such contract, shall prescribe, and the contract therefor shall be let to the lowest bidder, who shall execute a bond to said city for the faithful performance of the contract. All such bonds shall be executed by the principal and by a solvent surety company authorized to do business in this state as surety and shall be approved by the Common Council.

When the lowest bid, in the opinion of the Common Council, board or officer charged with making the contract, is too high, it shall have the right to reject it, and may discontinue or abandon the work, or may direct the Clerk to advertise for new proposals. If, however, the estimated expenditure by any board or officer does not exceed {two thousand five hundred dollars (\$2,500.)} twenty thousand dollars (\$20,000.) for all contracts for public works and ten thousand dollars (\$10,000.) for all purchase contracts, the work may be done without a public letting, if the Common Council consent thereto. All contracts wherein or whereby a sum of five hundred (\$500.) or more is to be expended shall be in writing and executed in duplicate, one (1) of which shall be filed with the Chamberlain and one (1) with the City Clerk.

If the Common Council, after a public hearing upon any petition presented to them for any public works project, determine that it is to the best interest of the city not to contract for the performance of the work to be done, they may direct the City Engineer to proceed with the construction of said improvement with such city employees as may be available. The cost of said improvement which is to be assessed against adjacent property owners for cost shall be assessed in accordance with the provision of Title V of this Act.

Section 2. This local law shall take effect immediately upon adoption.

New material is underlined. Deleted material is {bracketed}.

RESOLUTION #42 - 1992. AUTHORIZING APPROPRIATION FOR 1992 INTEREST ON THE CAPITAL NOTE FOR THE BUSINESS IMPROVEMENT DISTRICT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, Resolution No. 104-1989 authorized the renewal of the capital note and the payment of interest for the Business Improvement District; and

WHEREAS, interest is now due for the period from May of 1991 to April of 1992; and

WHEREAS, a debt service reserve has been established for the purpose of remitting interest due for 1991 and 1992; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following appropriation in the 1992 Business Improvement District Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CB511	Reserve for Debt Service	\$ 4,334.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CB9740.7	Interest - Capital Note	\$ 4,334.00

Seconded by Ald. Titus and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #43 - 1992. AMENDING THE UNEMPLOYMENT INSURANCE FUND BUDGET

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich has received further detail from New York State regarding unemployment insurance which will require an increase in the 1992 Unemployment Insurance Fund Budget; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following increase to the 1992 Unemployment Fund Budget:

Budget:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CS9050.8	Unemployment Insurance	\$ 7,500.00

Revenue:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CS815	Appropriated Fund Balance	\$ 7,500.00

Seconded by Ald. Titus and duly adopted, 3-2, with Aldermen Carnrike and Titus voting nay and Mayor Chomyszak voting aye to break the tie vote.

-- Prior to the vote, Ald. Carnrike asked if this was mandatory. Chamberlain Hutton said it was. He noted that the unemployment insurance has been taken out of a reserve account and put into an account to be reimbursed.

RESOLUTION #44 - 1992. AUTHORIZING MAYOR TO SIGN PURCHASE AGREEMENT WITH THE DEER PARK FIRE DISTRICT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council on March 31, 1992 approved Resolution No. 36-1992 authorizing the Fire Department to submit a sealed bid for an American La France fire engine; and

WHEREAS, the Deer Park Fire District has accepted a bid from the City of Norwich in the amount of \$160,000 for purchase of a 1987 American La France Pumper Truck, Identification No. 1S9FT7N05HC185294; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney to sign a purchase agreement with the Deer Park Fire District for the purchase of a 1987 American La France Pumper Truck, Identification No. 1S9FT7N05HC185294, in the amount of \$160,000.

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

Fire Chief Ashcraft noted the fire truck will be ready for pick up on June 1 and a crew of volunteers will be taking a city car down to get the truck.

RESOLUTION #45 - 1992. ADOPTING DRUG-FREE WORKPLACE POLICY

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, Congress has adopted as part of omnibus drug legislation, the Drug-Free Workplace Act of 1988, requiring grantees of federal agencies to certify that they will provide drug-free workplaces; and

WHEREAS, such certification is a precondition for receiving a grant from a federal agency; and

WHEREAS, the City of Norwich is desirous of applying for various federal grants in the future; and

WHEREAS, the City of Norwich had adopted Resolution No. 26 of 1989 adopting drug-free workplace certification provisions; and

WHEREAS, the City of Norwich recognizes that the use of illegal drugs and abuse of alcohol and prescription drugs can cause problems which have far reaching negative effects on the health and productivity of its work force; and

WHEREAS, the Public Safety Committee has made certain recommendations regarding a city wide policy for a drug-free workplace; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich does hereby adopt the Drug And Alcohol-Free Workplace Policy as presented by the Public Safety Committee, and further be it

RESOLVED, that the Personnel Office distribute copies of the policy to all City employees.

Seconded by Ald. Carnrike.

Mayor Chomyszak said this was an item the auditors noted was missing last year.

Ald. Angelino asked that department heads and unions review the policy.

-- Ald. McNeil moved to table the resolution until department heads and the unions review the drug free workplace policy. Seconded by Ald. Titus and duly adopted, ayes all.

RESOLUTION #46 - 1992. ESTABLISHING ADDITIONAL 1992 CAPITAL PROJECTS
BUDGET FOR HUBBARD AVENUE AND CHENANGO CENTER

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City Engineer has estimated budgets for recycling, repaving and extending Hubbard Avenue and Chenango Center between Hubbard Avenue and Front Streets paralleling Virginia Lane; and

WHEREAS, the Public Works and Finance Committee have made certain recommendations; now, therefore be it

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

H93-5118.4060	Hubbard Avenue - Contracted Services	\$ 23,000
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and further be it

RESOLVED, that the Chamberlain be and hereby is authorized to establish a budget in account CD66-5031 in the amount of \$38,000 and amend the Chenango Center Plaza budget as follows:

CD66-6989.4010	Materials & Supplies - General	\$ 33,000
CD66-6989.402E	Contractual	5,000
		\$ 38,000

Seconded by Ald. Titus and duly adopted, ayes all on a roll call vote, 4-0.

-- Prior to the vote, Ald. McNeil asked if the project has gone through the Public Works Committee. Ald. Angelino said the Public Works Committee approved the project.

RESOLUTION #47 - 1992. AUTHORIZING TRANSFER FOR TREE & STUMP PERSONAL SERVICES

Ald. Titus introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover the cost of work performed by the Department of Public Works for tree and stump removal; 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>
A5110.1010	Street Maintenance Personal Services	\$ 1,268.41

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8560.1010	Tree & Stump - Personal Services	\$ 1,268.41

Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote, 4-0.

-- Prior to the vote, Highway Supt. Loscavio noted that the additional costs are due to two trees not included on the list that were in need of removal and payroll for DPW employees assisting in the project.

-- Ald. Angelino noted that the Rotary did an exceptional job planting trees and the City should acknowledge their efforts.

-- Mayor Chomyszak reported that the Charter Commission has requested a meeting with the Council. The Council concurred to attend the Charter Commission's next meeting on May 13, 1992.

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

	<u>Prepaid</u>	<u>4/28/92</u>	<u>Grand Total</u>
General Fund	655,507.22	187,753.22	843,260.44
Trust Fund	87,195.50	50.00	87,245.50
W.W.T.P.	43.76	0.00	43.76
Community Development	0.00	1,850.00	1,850.00
Capital Projects	14.59	0.00	14.59
TOTALS	742,761.07	189,653.22	983,414.29

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

-- Ald. McNeil moved to go into executive session at 7:40 pm to discuss a personnel matter. Seconded by Ald. Carnrike and duly adopted, ayes all.

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

-- Ald. McNeil moved to adjourn. Seconded by Ald. Titus and duly adopted, ayes all.