

COMMON COUNCIL

June 23, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on June 23, 1992, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike (7-7:30)
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Kenneth Titus
Ald. David Symonds
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Building Inspector Frank Aquilato
Historian Pat Scott
Water Board Chair Albert Sullivan
Police Chief Richard Whiting
Asst. Fire Chief T. Christophersen
Asst. Fire Chief James Wallen
City Supervisor Ron Annese

Ald. McNeil moved to dispense with the reading and approve the minutes of June 9, 1992. Seconded by Ald. Symonds and duly adopted, ayes all.

OPEN FORUM:

-- Carol Skolfield, Chairman of the Charter Commission, updated the Council on the progress being made on revising the City Charter. She said the Commission is reviewing the 1986 proposed revisions and making recommendations. She indicated that the Commission's goal is to have a proposal ready for the November ballot. Ms. Skolfield said that the Commission will have to obtain feedback from the public and have a final draft ready by September 1 in order to make the November ballot. Clerk Zakrevsky indicated that public hearings may also need to be held prior to September 1. Ms. Skolfield said that if the Commission is unable to have a complete revision ready by November, they will at least succeed in cleaning up much of the wording in the Charter.

-- Supervisor Ron Annese reported that the County Board of Supervisors approved Town & Country Transit as the County's coordinated transportation system. He reported that the Arson Task Force presented a plan to the County to review.

Ald. Angelino asked if there has been any communication with the County regarding the money owed to the City for the landfill. Mr. Annese said there has been no action taken as yet.

-- Marie Robertson, 41 Eaton Avenue said she has a problem with the City Plumbing Board. She read a letter to Council regarding her problem. Her letter stated that since the time she entered into a contract with a firm to install a heating system in her home, the qualifications for a permit have changed twice and at this time the firm no longer qualifies for a permit.

Mike Pfluke of Utica Energy Systems explained that Mrs. Robertson needs a heating system and he needs a license, and he is prepared to take the exam. He said he applied for a temporary license and would apply for a master's license.

Building Inspector Aquilato said that if he can show that his jobs have been checked by a Codes Enforcement Office and received a certificate of compliance he may take the exam.

Engineer Suozzo said he has prepared an exam for use by contractors and Mr. Pfluke is welcome to take it. He noted that anyone from anywhere may take the test. Mr. Suozzo noted that anyone qualified can obtain a tempo-

rary license, as long as we have reciprocity with the community where the applicant resides. Mr. Pfluke stated he would like to take the test and if he fails it he will refund Mrs. Robertson her money.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

- Resignation of Robert Peffley as Youth Bureau Director
- Request from Garf's Deli to place tables and chairs outside
- Request from Norwich Merchants to hold a hayride and permit free downtown parking July 9, 10 and 11.

Ald. Angelino moved to accept Mr. Peffley's resignation, to refer the request from Garf's Deli to the City Engineer, Public Works and Public Safety Committees for recommendation, and to approve the request from the Norwich Merchants under the direction of the Police Chief. Seconded by Ald. Titus and duly adopted, 3-0 with Ald. McNeil abstaining due to a possible conflict of interest.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Police Department monthly report for May 1992
- Fire Department monthly report for March 1992
- Zoning Board of Appeals minutes of May 20, 1992
- Water Board minutes of the special meeting of May 11 and the regular meeting of June 1, 1992
- Traffic Commission minutes of June 10, 1992
- Parks Commission minutes of June 8, 1992

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

WARD AND COMMITTEE REPORTS:

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

- Finance Committee meeting of June 10, 1992
- Personnel Committee meeting of June 2, 1992
- Public Works Committee meeting of June 11, 1992
- Clerk Zakrevsky read to the Council Ald. Carnrike's report for Ward One: Locust Street residents were pleased with the additional police patrols at the lower end of the neighborhood. There is concern in the Elm Street neighborhood regarding possible zoning law violations due to percentage of lot coverage proposed at 9 Elm Street.
- Ald. McNeil asked if everyone was receiving Charter Commission minutes. He noted the minutes have been very informative.
- Ald. Angelino reported that the Rotary has requested the City replace the flag at City Hall with a new one prior to the fourth of July.

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

OLD BUSINESS:

RESOLUTION #75 - 1992. AUTHORIZING WASTE WATER TREATMENT PLANT
MODIFICATION DESIGN AND ESTABLISHING CAPITAL
PROJECTS BUDGET

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Waste Water Treatment Plant was completed in 1990 per federal/state grant specifications; and

WHEREAS, after operating the facility for some time, it has been determined that certain safety features and processes for safe and efficient operation are needed; and

WHEREAS, the Board of Water Commissioners have developed certain recommendations for correction of such features which will require engineering and design; and

WHEREAS, funds are available in the Waste Water Treatment Capital Project for such purpose; and

WHEREAS, the City of Norwich Board of Water Commissioners have determined that the consulting firm of Blasland, Bouch & Lee of Syracuse, NY have the qualifications required to perform such project; now, therefore be it

RESOLVED, that a contract between the City of Norwich Board of Water Commissioners and the consulting firm of Blasland, Bouch & Lee of Syracuse, NY to perform a Waste Water Treatment Plant modification design at a cost not to exceed \$16,000, be and hereby is approved; and further be it

RESOLVED, that the following capital projects budget for Waste Water Treatment Plant Contractual for Modification Design be and hereby is established:

Budget:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H19-8134.402A	Waste Water Treatment Plant Contractual for Modification Design	\$ 16,000.00

Source:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H19-599	Waste Water Treatment Plant Appropriated Fund Balance	\$ 16,000.00

Seconded by Ald. Titus and duly adopted, ayes all on a roll call vote, 5-0.

NEW BUSINESS:

-- Mayor Chomyszak reported the appointment of Ralph St. Denny, 57 Mitchell Street, to the Charter Commission.

RESOLUTION #76 - 1992. APPOINTMENT OF NORWICH MERCHANTS ASSOCIATION
PRESIDENT AS COMMON COUNCIL REPRESENTATIVE TO THE
BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Business Improvement District Management Association has received notification that its incorporation has been approved by the New York State Department of State; and

WHEREAS, the Business Improvement District Management Association has held its organizational meeting and elected from its membership a board of directors; and

WHEREAS, the Common Council needs to appoint a new representative; and

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

RESOLVED, that the President of the Norwich Merchants Association or his or her designee be appointed as the Common Council's representative to the Norwich Business Improvement District Management Association in accordance with the Article 19-A, Section 980-m, of the General Municipal Laws of the State of New York.

Seconded by Ald. Rabinowitz and duly adopted, 4-0 with Ald. McNeil abstaining due to a possible conflict of interest.

RESOLUTION #77 - 1992. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH RE-ASSESSMENT CASES

Ald. Titus introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of legal fees associated with re-assessment 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	\$ 213.06

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 213.06

Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 5-0.

RESOLUTION #78 - 1992. APPROVING SALARY ADJUSTMENTS FOR CERTAIN UNSCHEDULED EMPLOYEES

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Personnel and Finance Committees have made certain recommendations regarding salary adjustments for certain seasonal employees; now, therefore be it

RESOLVED, that

1. the position of Pool Director is upgraded from Grade 10 with an entry level of \$6.87 per hour to a Grade 11 with an entry level of \$7.22 per hour.
2. the position of Head Lifeguard is upgraded from Grade 9 with an entry level of \$4.97 per hour to a Grade 10 with an entry level of \$6.87 per hour.
3. this resolution shall take effect June 15, 1992.

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

-- Prior to the vote, Ald. Titus questioned the effective date of the resolution. Clerk Zakrevsky explained that an orientation was held on June 15, 1992 for the employees and the upgrade would be retroactive to that date.

RESOLUTION #79 - 1992. APPROVING SMALL CITIES CDBG SOUTHWEST QUADRANT HOUSING GRANT

Ald. Titus introduced the following and moved its adoption:

WHEREAS, Rosita Perez of 14 Conkey Avenue has been found eligible for an owner occupied \$2,000 grant; now, therefore be it

RESOLVED, that Rosita Perez of 14 Conkey Avenue is hereby approved for an owner occupied \$2,000 grant through the 1986 Small Cities CDBG Southwest Quadrant Housing Program.

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

RESOLUTION #80 - 1992. AUTHORIZING TRANSFER FOR ATTORNEY FEES

Ald. Titus introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost for special council; 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	\$ 5,225.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1430.4020	Attorney - Contracted Services	\$ 5,225.00

Seconded by Ald. Symonds.

-- Ald. Angelino asked if the bill went through proper procedures for approval. Chamberlain Hutton said it had not gone through the Finance Committee for recommendation.

-- Ald. McNeil moved to table the resolution and refer it to the Finance Committee for clarification. Seconded by Ald. Angelino and duly defeated, 2-3 on a roll call vote. (Ayes - Aldermen McNeil and Angelino, Nays - Aldermen Rabinowitz, Titus and Symonds).

-- Ald. Rabinowitz called the question; Ayes - Aldermen Rabinowitz, Titus and Symonds, Nays - Alderman McNeil, with Ald. Angelino abstaining due to a possible conflict of interest.

Ald. Angelino stated that by not referring the bill back to the Finance Committee, a precedent would be set.

The question arose as to whether a majority of the Council vote was needed for a transfer of funds for a non-budgeted item. Attorney Cushman stated he would determine whether or not the vote carried the resolution or not by the next meeting.

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

	<u>Prepaid</u>	<u>6/23/92</u>	<u>Grand Total</u>
General Fund	74,466.93	20,870.34	95,346.27
Trust Fund	89,950.04	0.00	89,950.04
W.W.T.P.	4,392.34	0.00	4,302.34
Community Development	0.00	3,789.80	3,789.80
Capital Projects	0.00	1,730.00	1,730.00
TOTALS	168,809.31	26,399.14	195,208.45

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

-- Ald. Symonds moved to go into executive session at 8:10 pm to discuss pending litigation and a personnel matter. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

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

-- Ald. Titus moved to adjourn at 9:05 pm. Seconded by Ald. McNeil and duly adopted, ayes all.