COMMON COUNCIL

July 14, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on July 14, 1992, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike (7:12 pm)
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
Asst. Police Chief Robert Mason
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Historian Pat Scott
Asst. Fire Chief James Wallen
Emergency Squad Captain Nancy Aubrey

Ald. Symonds moved to dispense with the reading and approve the minutes of June 23, 1992. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

No one wished to be heard.

BIDS:

Clerk Zakrevsky reported three bids were received for 1992 Surplus Wood and there would be a recommendation from the Public Works Committee later under New Business.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

-- Request from the Chenango County Council of the Arts to hold a Street Painting Festival on Saturday, August 1, 1992 beginning at 8 am.

-- Request to hold annual Jones Avenue Street Party on July 25 from 11 am to 5 pm.

-- Resignation of Robert Patterson from the Youth Board.

-- Ald. McNeil moved to approve the Street Painting Festival and to accept Mr. Patterson's resignation. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Angelino moved to approve the Jones Avenue street party under the direction of the police chief. Seconded by Ald. McNeil and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

-- Building Inspector report for May 1992
-- Electrical Board minutes of June 18, 1992
-- Plumbing Board minutes of June 17, 1992
-- Parks Commission minutes of June 20, 1992

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

WARD AND COMMITTEE REPORTS:

-- Public Safety Committee meeting of June 22, 1992
-- Public Works Committee meeting of July 9, 1992

-- Ald. Carnrike reported Ward One still has a skunk problem, and residents appreciate the police patrols on Locust Street.

-- Ald. Rabinowitz reported sediments were found in the water system and that the Water System flushed hydrants and the water cleared up. He noted the water may have become turbulent due to vibrations caused by the demolition of the bridge.

-- Ald. Rabinowitz moved to receive and file the reports. Seconded by Ald. McNeil and duly adopted, ayes all.

OLD BUSINESS:

-- Ald. Angelino moved to approve the request from Garf's Deli to place tables and chairs outside their building on North Broad Street, as recommended by the Public Safety Committee, Public Works Committee and the City Engineer. Seconded by Ald. McNeil and duly adopted, ayes all (5-0) with Ald. Carnrike abstaining due to a possible conflict of interest.

Prior to the vote, Engineer Suozzo explained that originally the benches were to be two feet wide which would have left 4.5 feet for sidewalk space. He recommended that for safety reasons five feet of sidewalk space should be available and to allow for this, the benches be not more than 18 inches wide.

Resolution No. 80 of 1992- AUTHORIZING TRANSFER FOR ATTORNEY FEES

-- Attorney Cushman stated that after researching the matter of whether a majority of the Council vote was needed for a transfer of funds for a non-budgeted item, he has determined that a majority vote of the Common Council was needed (four ayes) to pass the resolution. Therefore, as the vote was for three ayes, one nay and one abstention, the resolution was defeated.

-- Ald. Angelino asked why a proposed change to the sign ordinance was not on the agenda. Clerk Zakrevsky said there was a question regarding how far back refunds should be granted. He said it would be on the next agenda.

NEW BUSINESS:

-- Ald. Titus moved to approve the following appointments to the Fire Department:

-- Joseph Diehl, 15 Locust Street, to the Emergency Squad
-- Kathy Dalton, 11 Borden Ave, to the Emergency Squad Auxiliary
-- Christopher Orcutt, Earlville, NY to the Emergency Squad as an Associate Attendant

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

-- Prior to the vote, Asst. Fire Chief Wallen noted that Mr. Orcutt, who is currently working toward EMT certification, will be a day shift volunteer as he works in the area during the day. He stated that Mr. Diehl has recently relocated to Norwich from Saratoga and is already a trained EMT. He explained that Mrs. Dalton, as an auxiliary member of the Emergency Squad, will assist the squad in a non-medical capacity.

-- Ald. Angelino moved to award the bid for 1992 Surplus Wood to Steven Barrows of Norwich for five piles at $200 per pile, the highest qualified bidder meeting specifications. Seconded by Ald. Titus and duly adopted, ayes all.

RESOLUTION #81 - 1992. AUTHORIZING TRANSFER FOR TREE REMOVAL

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of tree 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:

Account Number	Name	Amount
A1989.402	Contracted Services	$ 450.00

To:

Account Number	Name	Amount
A8560.4020	Tree & Stump Removal Contracted Services	$ 450.00

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

-- Prior to the vote, Ald. Titus said he understood that tree removal was already performed. Ald. McNeil said the tree was not part of the tree removal contract performed earlier this year. He explained that the tree was taken down when it was discovered that it was infested with carpenter ants.

RESOLUTION #82 - 1992. AUTHORIZING TRANSFER FOR OVERHEAD DOORS IN THE FIRE DEPARTMENT

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of replacement overhead doors and relocating certain electric lines in the Fire Department; 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:

Account Number	Name	Amount
A3410.4040	Fire - Equipment Maintenance	$ 2,000.00
A5110.4060	Street Maintenance	1,000.00
		$ 3,000.00

To:

Account Number	Name	Amount
A1620.4130	Municipal Buildings Capital Improvement	$ 3,000.00

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

-- Prior to the vote, Ald. Carnrike asked what doors are being replaced. Engineer Suozzo said the overhead doors in the front of the fire station will be replaced with insulated plastic coated doors. He noted that the doors do not need painting and can be moved should the fire department relocate.

RESOLUTION #83 - 1992. AMENDING RESOLUTION DESIGNATING ELECTION DISTRICTS IN THE CITY OF NORWICH

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council approved Resolution No. 23 of 1992 based on notification from the Chenango County Board of Elections that the New York State Board of Elections has recommended that election districts be designated for every 900 registered voters; and

WHEREAS, further clarification from the New York State Board of Elections has revealed that election districts be designated for every 900 registered voters in each ward; and

WHEREAS, none of the six wards in the City of Norwich contain more than 900 registered voters; now, therefore be it

RESOLVED, that Resolution No. 23 of 1992 be and hereby is amended and the following election districts be and hereby are designated for the Wards stated:

Ward One	-	Election District No. 1
Ward Two	-	Election District No. 1
Ward Three	-	Election District No. 1
Ward Four	-	Election District No. 1
Ward Five	-	Election District No. 1
Ward Six	-	Election District No. 1

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

RESOLUTION #84 - 1992. ESTABLISHING BUDGET FOR BUSINESS IMPROVEMENT DISTRICT

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Norwich Business Improvement District Management Association (BIDMA) incurred an obligation to the City of Norwich for capital improvements on the Hayes Street Parking Lot Project in the amount of $50,000; and

WHEREAS, the BIDMA also wishes to establish a preliminary budget for administrative costs and various beautification and maintenance projects in the amount of $3,000 for a total budget of $53,000; and

WHEREAS, the Finance Committee has recommended approval of this budget; now, therefore be it

RESOLVED, that the Treasurer of the Norwich BIDMA be and hereby is authorized to establish the following budget which encompasses preliminary project and administrative expenditures and to make payment to the City of Norwich Economic Investment Loan Program (CD63) in the amount of $50,000:

Budget:

Account Number	Name	Amount
CB1010.4	Administrative Expenses	$ 500.00
CB5650.4	Hayes Street Parking Lot	50,000.00
CB8510.4	Maintenance & Beautification	2,500.00
		$ 53,000.00

Source:

Account Number	Name	Amount
CB599	Appropriated Fund Balance	$ 53,000.00

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

-- Prior to the vote, Ald. Carnrike asked where the $3,000 is coming from. Clerk/Community Development Director Zakrevsky explained that the money is coming from the BIDMA and would be used for various projects.

RESOLUTION #85 - 1992. AUTHORIZING TRANSFER FOR SUMMER YOUTH PROGRAMS

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the estimated costs of buses for field trips and Friday Evening in the Park programs; 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:

Account Number	Name	Amount
A1989.402	Contracted Services	$ 800.00

To:

Account Number	Name	Amount
A7140.4020	Playground & Recreation Contracted Services	$ 800.00

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

-- Prior to the vote, Chamberlain Hutton noted that this was a budgeted expense.

RESOLUTION #86 - 1992. AUTHORIZING AGREEMENT WITH TOWN OF OTSELIC FOR USE OF KURT BEYER POOL

Ald. Titus introduced the following and moved its adoption:

WHEREAS, the Town of Otselic is in need of pool facilities to conduct its summer swim instruction program; and

WHEREAS, the City has facilities available to meet the town's needs; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to enter into an agreement with the Town of Otselic to rent facilities at the Kurt Beyer Pool for a swim instruction program for a six week period and the Town will provide its own personnel to conduct such program.

Seconded by Ald. Symonds.

Ald. Angelino asked how much Otselic would be paying to use the pool. Mayor Chomyszak said they will be paying $500. Ald. Angelino said the amount Otselic is paying should be in the resolution and, also stated in the resolution should be that the town is required to obtain insurance.

-- Ald. McNeil moved to amend the resolution to include the following:

and, further be it

RESOLVED, that the fee for use of the pool for the six week period is $500, insurance shall be provided naming the City as coinsured, and that the qualifications of the personnel should be equal to those of the City of Norwich.

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

-- Ald. Symonds moved the resolution as amended. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote.

-- Prior to the vote, Ald. Titus suggested that if there is a request next year, it should come to the Council earlier to allow time to review the matter.

RESOLUTION #87 - 1992. APPOINTING RICHARD WHITING AS DISASTER PREPAREDNESS OFFICER

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Disaster Preparedness Officer; and

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

RESOLVED, that Richard Whiting be and hereby is appointed the Disaster Preparedness Officer for the City of Norwich at a stipend salary of $1,000 per year; and, further be it

RESOLVED, that this resolution shall take effect on July 1, 1992.

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

-- Prior to the vote, Ald. Angelino said he understood that there were two positions, Disaster Preparedness Officer and an assistant, which were held by volunteers. Mayor Chomyszak stated there were volunteers serving at one time. Clerk Zakrevsky said the Disaster Preparedness Plan does include two positions. Ald. Angelino asked if the assistant's position would be filled. Ald. McNeil indicated the Public Safety Committee would review the assistant's position.

RESOLUTION #88 - 1992. ESTABLISHING LOCAL MEETING EXPENSE BUDGET AND AUTHORIZING TRANSFER

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, there have been occasions where it has been necessary for the Mayor or the Mayor's designee to conduct official city business for several hours and continued through lunch time; and

WHEREAS, in some instances, the Mayor has been involved in day long sessions with city representatives or officials from other outside agencies or governments; and

WHEREAS, the Finance Committee has discussed the establishment of a local meetings expense budget and has made certain recommendations; now, therefore be it

RESOLVED, that a new account be and hereby is established as follows:

Account No.	Name
A1210.4031	Mayor - Local Meeting Expense

and further be it

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

FROM:

Account No.	Name	Amount
A1990	Contingency	$500.00

TO:

Account No.	Name	Amount
A1210.4031	Mayor - Local Meeting Expense	$500.00

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

-- Prior to the vote, Ald. Titus asked if the amount was for six months. Chamberlain Hutton said it was for a full year and any funds remaining would be turned over to the Fund Balance and rebudgeted next year.

-- Clerk Zakrevsky reported that the proposed City/County Parks Agreement was received late Friday afternoon and was not forwarded to the City Attorney until Monday. He said the proposal would be placed on the agenda for the next Common Council meeting.

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

	Prepaid	07/14/92	Grand Total
General Fund	100,796.83	41,076.23	141,873.96
Trust Fund	94,158.31	0.00	94,158.31
Capital Reserve	27,633.16	0.00	27,633.16
Community Development	0.00	849.00	849.00
Capital Projects	16,004.00	40,505.85	56,509.85
TOTALS	238,592.30	82,431.08	321,023.38

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

-- Ald. McNeil moved to go into executive session at 7:50 pm to discuss a personnel matter. Seconded by Ald. Symonds and duly adopted, ayes all.

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

-- Ald. Carnrike moved to adjourn. Seconded by Ald. Rabinowitz and duly adopted, ayes all.