

COMMON COUNCIL

August 25, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on August 25, 1992, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. David Symonds
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Police Chief Richard Whiting
Asst. Fire Chief James Wallen
Asst. Highway Supt. Mark Williams
Historian Patricia Scott
Water Board Chairman Albert Sullivan
Charter Revision Chair C. Skolfield
Supervisor John Dolan
Supervisor Ron Annese

Ald. McNeil moved to dispense with the reading and approve the minutes of August 11, 1992. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

PUBLIC HEARING:

Mayor Chomyszak opened the hearing at 7:06 pm regarding an ordinance relative to Games of Chance Licensing which would allow certain authorized organizations to conduct games known as "merchandise wheels, bell jars and other games of chance".

-- Glen Krouse, 32 Howard Street, on behalf of the Elks Club, said the Elks Club is in favor of the ordinance. He explained that the Elks Club has been in existence for 81 years and that each year it's charities donate in excess of \$70,000. He noted that last year the Elks Club helped the City's Youth Bureau produce a Youth Directory which was distributed throughout the area. Mr. Krouse stated the Elks Club is not a tax exempt organization. He noted the lodge may not be able to afford to be as charitable as they have in the past as they, too, are feeling the current financial crunch.

There being no further discussion, Mayor Chomyszak closed the hearing at 7:09 pm.

OPEN FORUM:

-- Carol Skolfield, Chair of the Charter Review Commission presented a final draft of the Charter revisions for review.

Ald. McNeil questioned Section 2.04, the intent of a city manager. Ms. Skolfield said it is the Commission's recommendation that there be a city manager and a mayor.

John Dolan, Supervisor for Wards 1, 2 and 3, noted, referring to page 15 of the revisions which states that the Supervisors choose the list of jurors, that the Supervisors no longer perform that duty. He stated that several years ago the County formed a Board of Jurors to prepare the list of jurors. Clerk Zakrevsky noted the City Clerk verifies the list of jurors.

There was some discussion regarding the term "majority" vote.

It was the consensus of the Council that several questions need further clarification and that additional time was needed to review the document.

-- Ald. Angelino moved to table the issue for a week and set a special Common Council meeting for September 1 at 6:30 pm to resolve the issue. Seconded by Ald. McNeil and duly adopted, ayes all (5-0) on a roll call vote.

CORRESPONDENCE:

Clerk Zakrevsky reported no correspondence was received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Water Board minutes of July 27 and August 17, 1992
- Civil Service Commission minutes of July 30 and August 13, 1992
- Charter Review Commission meetings of July 29 and August 4, 1992
- Mayor's Task Force on Halloween

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

WARD AND COMMITTEE REPORTS:

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

-- Ward One - Ald. Carnrike reported that the Water Board's annual tour of the water facilities will commence at City Hall on September 19 at 8:30 am. He noted the rain date is September 26, 1992.

-- Ward Three - Ald. Rabinowitz reported he has been receiving calls regarding problems with cable television. He explained that the cable television company has been shutting off service after 12 am to service equipment with no advance notice to customers. Ald. Rabinowitz said when he contacted the cable company about the situation, he was told the hours after 12 am seemed to be the least likely to affect customers. He noted that this has been going on for several weeks and he feels this is an excessive imposition on customers. Ald. Rabinowitz said that we are paying for 24 hour service and at the very least, the company should inform the public in advance when the cable will be out of service.

-- Ward Five - Ald. Symonds commended the Department of Public Works for their efforts in handling recent situations in Ward Five. He also reported a meeting held with representatives of Mirabito Fuel Group on August 21 was very productive and a newsletter should be going out in the near future.

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

OLD BUSINESS:

-- Ald. Angelino asked if a Plumbing Board of Appeals was being appointed that evening. Mayor Chomyszak said she is still recruiting members.

-- Ald. McNeil moved to remove the proposed ordinance amending the garbage and rubbish ordinance of the City of Norwich from the table. Seconded by Ald. Symonds and duly adopted, ayes all.

Proposed

ORDINANCE NO. 4

OF 1992

AN ORDINANCE TO AMEND GARBAGE AND RUBBISH
ORDINANCE OF THE CITY OF NORWICH

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

Section 1. Subsection 43-3 of Chapter 43 of the general City ordinances is hereby amended as follows:

All garbage and refuse shall be kept in a metal or durable plastic, nonleakable, tightly covered container designed to prevent the attraction of animals.

Section 2. This ordinance shall take effect immediately.

Clerk Zakrevsky noted that the proposed ordinance was previously tabled to allow the Public Works Committee time to receive comments from the haulers.

-- Ald. Symonds moved to receive the proposed ordinance and set a public hearing. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Mayor Chomyszak noted that this is an amendment to an ordinance that has been on the books for quite some time which states that all garbage and refuse shall be kept in a metal, nonleakable, tightly covered container.

David Gale, 9 Davis Street, asked if clear bags and curbside pickup would still be required. Ald. McNeil said they are the requirements of the haulers. He also noted that there has not been an accident since the curbside pickup went into effect. Mayor Chomyszak noted that the haulers will perform back door pickup for an added fee.

Mr. Gale asked if the City would be providing the containers. Ald. Symonds said the City Clerk's office is looking into quantity buying which residents could buy at a reduced price.

Ald. Rabinowitz stated that this is a matter of public health and safety.

Ald. McNeil indicated the intention is also that this will cut down the food source for skunks.

NEW BUSINESS:

Mayor Chomyszak reported the following mayoral appointments:

- Richard Ingraham, 49 West Main St, Co-Chair of the Sign Committee.
- Lou Callea, 27 Eric Street, reappointment to the Civil Service Commission, a six year term expiring May 31, 1998.
- Frank Revoir, 23A Berry St, appointment to the Youth Board, to the remainder of a one year term expiring December 31, 1992.
- Minad Deshpanday, 82 South Broad St, appointment to the Youth Board, to the remainder of a one year term expiring December 31, 1992.

-- Ald. Angelino moved to award the bid for the 1981 Plymouth Reliant (Various Surplus Equipment - Rebid) to Paul Cunningham, Norwich for \$100.00, the highest bidder meeting specifications, as recommended by the Public Works Committee.

-- Clerk Zakrevsky noted the bids for Rescue Fire Apparatus have been referred to the Public Safety Committee for recommendation.

RESOLUTION #105 - 1992. APPROVING ORDINANCE KNOWN AS GAMES OF CHANCE ORDINANCE

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 3 of 1992 on August 11, 1992, such ordinance relative to Games of Chance Licensing allowing certain authorized organizations to conduct games known as "merchandise wheels", "bell jars" and other games of chance; and

WHEREAS, a public hearing has been held on August 25, 1992, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 3 of 1992, relative to Games of Chance Licensing, as presented to the Common Council on August 11, 1992, be and hereby is adopted.

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

-- Prior to the vote, Ald. McNeil noted that the ordinance would not take effect until it is approved by a majority of the voters at the general election in November.

RESOLUTION #106 - 1992. AUTHORIZING TRANSFER FOR TYPEWRITER MAINTENANCE FOR THE CHAMBERLAIN'S OFFICE

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of typewriter maintenance for the Chamberlain's office; 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	\$ 162.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 162.00

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

-- Prior to the vote, Ald. Carnrike asked how many typewriters the contract covers. Chamberlain Hutton said it covers four typewriters.

RESOLUTION #107 - 1992. AUTHORIZING TRANSFER FOR STREET LINE PAINTING

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of street line painting; 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	\$ 1,500.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5110.4020	Street Maintenance Contracted Services	\$ 1,500.00

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

-- Prior to the vote, Asst. Highway Supt. Williams explained that the painting included crosswalks, bus marks, parking spaces, stop marks and traffic control marks.

RESOLUTION #108 - 1992. TRANSFER OF FUNDS FOR PILOT PLANT WATER FILTRATION

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the N.Y.S. Health Dept. requires a specific pilot plant operation of a water filtration system being submitted for their approval; and

WHEREAS, the pilot plant needs to be conducted prior to the onset of the cold weather; and

WHEREAS, the Water Board of Commissioners have made certain recommendations; and

WHEREAS, there are sufficient funds available in the Water Fund Contingency provision; now therefore be it

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

FROM:

<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
F1990	Water Fund Contingency	\$24,500

To:

<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
F1989	Special Project	\$24,500

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

-- Prior to the vote, Water Board Chairman Albert Sullivan explained what the project would involve. He stated a trailer type piece of equipment would be leased that would test the water filtration system for compatibility with the current system. He explained that if it is compatible and the Health Department approves it, a proposal for the new system will be presented to the Council for approval.

RESOLUTION #109 - 1992. AUTHORIZING FUNDS FOR ECONOMIC FEASIBILITY STRATEGY

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, Victory Markets has announced that it will close its Norwich distribution center and relocate its corporate offices; and

WHEREAS, such actions will have severe economic repercussions on Norwich and Chenango County; and

WHEREAS, the New York State Department of Economic Development has indicated they will co-sponsor an economic feasibility strategy needed on behalf of the employees of Victory Markets; and

WHEREAS, the City of Norwich recognizes the need for such a strategy to assist in the retention of jobs in the community; now, therefore be it

RESOLVED, that the City of Norwich acknowledges it will be a co-sponsor for an economic feasibility strategy; and further be it

RESOLVED, that the Mayor be and hereby is authorized to commit up to \$5,000 on behalf of the City of Norwich for such purposes.

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

-- Prior to the vote, Mayor Chomyszak noted that it would be matching funds.

Ald. Carnrike stated he feels this is a small price to pay to keep the City going.

-- Asst. Fire Chief Wallen reported that the antique steamer took first place in the Antique Division at the FASNY Convention held recently in Chateaugay, NY.

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

	<u>Prepaid</u>	<u>8/25/92</u>	<u>Grand Total</u>
General Fund	154,372.08	115,355.95	269,728.03
Trust Fund	99,199.43	0.00	99,199.43
B.I.D.	250.00	0.00	250.00
Capital Reserve	0.00	5,666.00	5,666.00
Capital Projects	0.00	32,082.64	32,082.64
TOTALS	253,821.51	153,104.59	406,926.10

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

-- Ald. Angelino moved to adjourn at 8:07 pm. Seconded by Ald. Symonds and duly adopted, ayes all.