

COMMON COUNCIL

September 1, 1992

Mayor Chomyszak presided at a special meeting of the Common Council held at 6:30 pm on September 1, 1992, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Water Board Chair Albert Sullivan
Charter Revision Chair C. Skolfield
Ron Annese, Supervisor Wards 4,5,6

Mayor Chomyszak stated that the purpose of the special meeting was to discuss the proposed Charter Revisions.

Charter Review Commission Chair Carol Skolfield presented the proposed Charter Revisions to the Council for consideration. Ms. Skolfield stated the question is not whether the Council agrees or disagrees with the Commission's recommendations, but whether or not the Council will allow the voters the chance to approve or disapprove of the recommendations.

Ald. Symonds commended the Charter Review Commission on an outstanding job updating the Charter.

Mrs. Skolfield said much of the Charter is general to allow the Council to make changes through an administrative code and supportive manuals rather than going through a Charter change.

Ms. Skolfield said the proposed revision includes the provision for a city manager. She explained that the Commission believes a city manager is the City's best chance of more efficiently delivering needed services to the residents.

The role of the city manager, including the appointment and removal of the manager and the manager's powers and duties was discussed. Ms. Skolfield stated that the city manager would direct and supervise the administration of all departments, offices and agencies of the City. Ald. McNeil stated the City Manager should be required to live in the City. Ms. Skolfield noted that would be a Council decision and would be part of the administrative code or part of the hiring agreement. Ms. Skolfield explained, regarding emergency management, that in emergency situations the Mayor would take control of all procedures.

Discussion was held concerning equal weight vote and the role of the City Supervisors. The Charter Review Commission proposes that the supervisors shall be members of the Common Council. Ald. Rabinowitz noted the one person one vote is currently satisfied due to the reapportionment performed last year. City Attorney Cushman said as long as the wards are evenly populated, the one person one vote proposal is legitimate.

The transitional provisions of the proposed charter were discussed. Several council members noted concern that the City would be going back and forth between the old and new charter. Charter Review Commissioner Sternberg said the Commission felt that by adopting the new Charter in January of 1994 there would be time to prepare administrative code and supportive manuals.

Mayor Chomyszak reported an estimate of approximately \$20,000 was given for updating the ordinances and code.

Clerk Zakrevsky asked for clarification regarding the Board of Appeals. Ms. Skolfield said "Zoning" was added to the charter revisions as the Zoning Board of Appeals.

Clerk Zakrevsky noted that since the last Council meeting when the item was tabled, he and Attorney Cushman agreed that the Council is not required to approve the proposal.

-- Ald. Symonds moved to place the proposed charter revisions on the ballot as a proposition in the General Election on November 3, 1992. Seconded by Ald. Carnrike and duly adopted, ayes all on a roll call vote.

-- Ald. Angelino moved to adjourn at 7:36 pm. Seconded by Ald. Titus and duly adopted, ayes all.

COMMON COUNCIL

September 8, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on September 8, 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
Police Chief Richard Whiting
Fire Chief Timothy Ashcraft
Asst. Fire Chief T. Christophersen
Asst. Fire Chief James Wallen
Engineer James Suozzo
Historian Patricia Scott
Police Sergeant Gordon Miles
Asst. Water Supt. Fred Gray

Ald. Symonds moved to dispense with the reading and approve the minutes of August 25, 1992. Seconded by Ald. McNeil and duly adopted, ayes all.

Mayor Chomyszak presented NYCOM "Certificate of Public Service" awards to two long standing employees, Police Sergeant Gordon Miles for 25 years of service and Assistant Water Superintendent Fred Gray for 30 years of service.

OPEN FORUM:

-- David Gale, 9 Davis Street, reported the caps on Front Street are three and four inches above the ground. Mayor Chomyszak explained that the final coat has not yet been applied to the street. Engineer Suozzo said he would look into the matter.

-- Mr. Gale asked if Rotary Park was finished and noted he has several concerns regarding the park. He noted there are several steep areas along the creek. Mayor Chomyszak said the park is near completion with several finishing touches remaining. Clerk Zakrevsky explained, with regard to the areas of concern to Mr. Gale, a promenade will be constructed along the park side and a railing installed on the creek side of the park.

-- Mr. Gale asked, regarding matching funds approved at the last Council meeting for a feasibility study on behalf of employees of Victory Markets, where the other funding was coming from. Mayor Chomyszak said the funds are coming from many sources and total approximately \$25,000.

-- Mr. Gale reported that he sent a letter, as the Council requested, to the Mayor, Codes Enforcement Office, and Police Department, regarding sidewalk conditions in the City of Norwich. Ald. Angelino explained that the City is investigating the possibility of a city-wide sidewalk program. The Council referred Mr. Gale's letter to the Public Works Committee for recommendation.

-- Mr. Gale reported he saw the article regarding the change in Halloween activities this year in the Binghamton Press and he feels it is unfair to punish the small children because of the actions of some pranksters. He suggested the police go into the schools and let the kids know there will be more patrols and probation for offenders. Mayor Chomyszak noted that the Halloween Task Force report is the opinion of many people who looked into the matter.

Mark Dalrymple, 19 Division Street, said he understands there is a problem but he feels the solution should not be to change a tradition. He noted he has talked to many people that share his opinion that this is not a

good solution to the problem. He said the Halloween parade is one of the largest parades the City has and it is a shame that it must take place during the day.

Mayor Chomyszak gave some history as to what transpired last Halloween in the City and stated that the City is going forward with the current plan.

Ald. Rabinowitz noted that there were no complaints about small children.

Police Chief Whiting stated that the Police Department will be going into the grade schools as they have for the past 15 years, to talk to students. He said there will be as many police officers out on patrol as can be that evening. Chief Whiting noted it is fortunate that no one has been hurt yet.

Mary Coe, 5A Waite Street, said kids should not be out without their parents and that it all starts in the home.

-- Joe Portelli, Division Street, asked if there is a group that is pursuing bringing business into Norwich and if so is there any progress being made. Mayor Chomyszak said there is such a group and progress is being made. Ald. McNeil said there is approximately one million dollars in the City's loan fund program. He noted a package is being put together for distribution showing the City's assets in the community.

Clerk Zakrevsky gave a brief history of the loan fund program and how it operates.

Mr. Portelli suggested that the City contact some of the wealthy local business people to form a think tank to channel ideas for improving the local economic situation.

-- Ald. McNeil reported a survey was taken of municipalities with populations ranging from 5,000 to 10,850 in size and the results were that of the 10 cities, one city that has a city manager and also has the largest tax levy, and the tax levy per capita of the City of Norwich is the lowest budget of all the cities surveyed. He noted that the Charter Review Commission recommended that a city manager was the way to go, but not according to this survey.

-- Ald. McNeil also reported that the City has started a program to deal with the skunk problem. He noted 12 skunks have been removed from the City to date by licensed people.

-- Mary Coe, 5A Waite Street, asked what color is being painted on the window trim at City Hall. Mayor Chomyszak said the color is a dark greyish green and noted it was chosen by Ed Parkhill. Ald. McNeil noted that the City did not pay for the paint used for sampling.

CORRESPONDENCE:

-- Ald. Angelino requested that a letter received from the City's insurance carrier be entered as correspondence and distributed to all department heads. Clerk Zakrevsky read the letter from the Stott Agency which restates the policy for handling claims against the city.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Parks Commission minutes of August 10, 1992
- Police Department 1991 Annual Report
- Police Department monthly report for August, 1992
- Water Board minutes of special meetings of August 17 and 31, 1992

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

WARD AND COMMITTEE REPORTS:

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

- Personnel Committee meeting of August 4, 1992
- Public Safety Committee meeting of August 24, 1992
- Ward One - Ald. Carnrike reported a weed problem which has been referred to Highway Supt. Loscavio. He also reported receiving sidewalk complaints which were referred to DPW.
- Ald. Angelino requested a copy of the letter from David Gale regarding sidewalks for the next Public Works Committee meeting on September 10, 1992.

OLD BUSINESS:

-- Ald. McNeil moved to award the bid for Rescue Fire Appartus to Saulsbury Fire Equipment of Tully, NY for \$100,506 for the rescue body and \$41,423 (including discount) for the freightliner chassis, the lowest qualified bidder meeting specifications as recommended by the Finance and Public Safety Committees. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Angelino moved to remove Resolution No. 100 of 1992 from the table. Seconded by Ald. McNeil and duly adopted, ayes all.

Clerk Zakrevsky noted the resolution was tabled on July 28, 1992 to allow further review of the agreement by the City Attorney. Mayor Chomyszak said a revised agreement has been received with a re-written item number 10 which includes the removal of the sidewalk issue.

-- Ald. Angelino moved the resolution. Seconded by Ald. McNeil and duly adopted, ayes all (5-0) on a roll call vote. The Council concurred that the date the agreement will take effect would be determined by the Public Works Committee at their next meeting.

NEW BUSINESS:

-- Ald. Rabinowitz moved to approve the mayoral appointment of David Wagoner, 105 North Broad Street, to the Water Board for the remainder of a five year term expiring December 31, 1995. Seconded by Ald. Symonds and duly adopted, ayes all.

RESOLUTION #110 - 1992. AUTHORIZING TRANSFER FOR FIRE DEPARTMENT DRYCLEANING AND PHYSICALS

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of current and future drycleaning and physicals expenses; 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>
A3410.4060	Fire - Materials & Supplies	\$ 1,800.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3410.4186	Fire - Drycleaning & Physicals	\$ 1,800.00

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

RESOLUTION #111 - 1992. AUTHORIZING TRANSFER FOR TEMPORARY ACCOUNTING EMPLOYEE

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of a temporary accounting employee for an additional eight weeks; 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	\$ 2,000.00
A1990	Contingency	1,400.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1325.4020	Chamberlain - Contracted Services	\$ 3,400.00

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

-- Prior to the vote, Chamberlain Hutton noted that the resolution is for the temporary person filling in for the Deputy Chamberlain and would cover her payroll until October 15, if needed.

RESOLUTION #112 - 1992. AUTHORIZING SUBMISSION OF FINAL REPORT ON WATER FILTRATION FACILITY TO NYS DEPARTMENT OF HEALTH

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the United States Clear Water Act requires all water systems to comply with new standards by June 30, 1993; and

WHEREAS, in order for the Water System filtration plant to meet these requirements, extensive modifications and additions are required, as outlined in the Final Report by Stearns and Wheler Environmental Engineers and Scientists; now, therefore be it

RESOLVED, that the Board of Water Commissioners, be and hereby is authorized to submit the Final Report on the Water Filtration Facility to the New York State Department of Health for their review and approval; and, further be it

RESOLVED, that building such a facility is contingent upon receipt of appropriate federal and state aid.

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

RESOLUTION #113 - 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 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	\$ 2,169.87

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Services	\$ 2,169.87

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

RESOLUTION #114 - 1992. AUTHORIZING MAYOR TO SUBMIT A NEW YORK JOBS BOND ACT PRELIMINARY APPLICATION

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the City of Norwich may be eligible to receive funding from the New York Jobs Bond Act available through the New York State Department of Economic Development; and

WHEREAS, the City wishes to submit preliminary applications for funding of infrastructure projects in the City of Norwich through the New York State Department of Economic Development; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to submit preliminary applications to the New York Bond Act through the New York State Department of Economic Development; and further be it

RESOLVED, that in the event the New New York Bond Act is approved by the voters of the State of New York, the Common Council shall direct the Community Development Director to prepare final applications for Common Council approval.

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

-- Prior to the vote, Ald. Carnrike asked if part of the money could be used for sidewalk repair. Clerk Zakrevsky said that sidewalk repair is an eligible expense in conjunction with a larger project.

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

	<u>Prepaid</u>	<u>9/08/92</u>	<u>Grand Total</u>
General Fund	98,145.38	166,973.56	265,118.94
Trust Fund	94,145.39	0.00	94,145.39
B.I.D.	125.00	0.00	125.00
Capital Reserve	0.00	255.00	255.00
Capital/Pool	0.00	7,525.07	7,525.07
Community Development	0.00	490.10	490.10
TOTALS	192,415.77	175,243.73	367,659.50

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

-- Ald. Angelino moved to go into executive session at 8:15 pm to discuss a personnel matter. Seconded by Ald. Symonds and duly adopted, ayes all.

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

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