

COMMON COUNCIL

October 13, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on October 13, 1992, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike
Ald. Patrick McNeil (7:10)
Ald. Robert Rabinowitz
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Asa Allison, Delaware Engineering
Asst. Fire Chief Tim Christophersen
Asst. Fire Chief James Wallen
Police Chief Richard Whiting
Historian Patricia Scott
Highway Supt. Joseph Loscavio
City Supervisor Ron Annese

Ald. Carnrike moved to dispense with the reading and approve the minutes of September 22, 1992. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

OPEN FORUM:

-- David Gale, 9 Davis Street, said he received the Community Information Guide in the mail recently. He commented positively and asked if extra maps were available as he would like have one to use and another as a keepsake. Mayor Chomyszak said there are some extra maps available. She noted appreciation to several people including Mary Musson of Elm Street for writing the brief history on the front of the guide, Dick Snyder for the planning, and Ken Dewey for the art work.

Mr. Gale commended the City on the banners hanging on Broad Street noting that they look sharp.

Mr. Gale also stated he is pleased to see the City has been out repairing sidewalks.

Mr. Gale asked if the issue of the City providing garbage containers at bulk discount has been resolved. Chamberlain Hutton said he did some investigating following Mr. Knapp's comments regarding the issue and discovered that the City cannot engage in any activity which could be construed as commercial. Mr. Gale stated prices locally for Rubbermaid Trash Containers range from \$8.50 at Jamesway to \$10 at Webb & Sons. He suggested that possibly one of the local organizations would provide the containers to residents.

Mayor Chomyszak clarified, regarding garbage pickup, that the haulers, for an added fee, do provide back yard pickup as well as back door pickup for the handicapped.

-- Thomas Knapp, 14 Locust Street, noting they are very attractive, asked the Clerk to elaborate on the banners. Clerk Zakrevsky explained that in 1985 the City adopted a "Streetscape" plan to delineate the downtown area from the rest of the City. The plan also included new sidewalks and tree planting. He said the banners were made by a reputable and famous flag maker from California. He noted the Business Improvement District helped select the design. Clerk Zakrevsky stated funds for the banners came from the Urban Renewal Fund through the Community Development office and noted that no tax money was involved. Mr. Zakrevsky said banners would also be placed along East Main Street.

-- Joe Portelli, 11 Division Street, asked when pea stones would be placed under the playground equipment at Bruchhausen Park. Ald. McNeil explained that after looking at the situation, the Public Works Committee

has determined that the park needs to have the ground built up with landscaping ties. He said the project has been budgeted for spring of 1993.

-- Edwin Parkhill, 115 South Broad Street, noted, regarding the Chapman Turner clock, that people were distressed that it took four years to have the clock installed. He suggested that city codes are too strict and discourage business from the downtown. Ald. McNeil noted that currently there is only one vacant storefront in the downtown. Mayor Chomyszak emphasized that a person does have the right to do as they wish on their own property. She noted that the City adopted the New York State Building Code. Highway Supt. Loscavio noted that currently there is a proposed ordinance reducing the NYS building code on existing buildings.

Mr. Parkhill asked if there is an ordinance that would prevent bells on the Chapman Turner clock, should funds become available to purchase them. Ald. McNeil said there was no such ordinance.

Mr. Parkhill asked when the fire department doors at City Hall will be painted. Mayor Chomyszak said the Fire Department does not wish to have the doors painted as the new doors are coated with a white, maintenance free finish.

CORRESPONDENCE:

-- Clerk Zakrevsky reported the resignation of Ward Four Alderman Kenneth Titus was received effective immediately.

Ald. McNeil moved accept the resignation with regret. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Police Department monthly report for September 1992
- Civil Service Commission minutes of September 10, 1992
- Parks Commission minutes of September 14, 1992
- Plumbing Board minutes of September 16, 1992
- Charter Commission meetings of August 12, 19, 31 and September 16, 1992

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

WARD AND COMMITTEE REPORTS:

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

- Personnel Committee meeting of September 1, 1992
- Public Works Committee meeting of September 10, 1992
- Public Safety Committee meeting of September 21, 1992
- Finance Committee meeting of October 5, 1992
- Ald. Carnrike reported he has been notified of a water main problem on Locust Street and noted he has not received anything in writing at this time.
- Ald. Rabinowitz reported the filling of potholes is complete in Ward Three and complimented DPW on their prompt attention to the matter.

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

NEW BUSINESS:

-- Ald. Angelino introduced a resolution to the City Council nominating, on behalf of Kenneth Titus and the City Republican Committee, Mr. Stephen L. Tooker to represent the residents of Ward Four for the remainder of Mr. Titus' term. Ald. Angelino stated, as Mr. Titus had said, Mr. Tooker is

a hard working, intelligent individual who surely will add a fresh dimension to our Council. Ald. Angelino noted Mr. Tooker graduated from Miami of Ohio University with a bachelors of science degree in economics and that he received his M.B.A. degree in finance from Xavier University. Mr. Tooker is currently the manager of financial analysis at Procter and Gamble and in addition, he also teaches finance at Morrisville College. Ald. Angelino asked the City Clerk to read the resolution and respectively requested the Council to take an affirmative action.

RESOLUTION #116 - 1992. APPOINTMENT OF STEPHEN TOOKER TO FILL VACANCY AS ALDERMAN OF WARD FOUR

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, Kenneth Titus has resigned as Alderman of Ward Four creating a vacancy in the position; now, therefore be it

RESOLVED, that Stephen Tooker of 108 North Broad Street, Norwich, NY be and hereby is appointed as Alderman of Ward Four to fill that portion of an unexpired term through December 31, 1993.

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

Clerk Zakrevsky swore Mr. Tooker in as Alderman of Ward Four. Ald. Tooker made several comments in acceptance of the position and took his seat on the Council.

RESOLUTION #117 - 1992. AUTHORIZING TRANSFER FOR ELECTIONS PERSONAL SERVICES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, additional funds are needed to cover the cost of payroll for two Primary elections and the General election; 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>
A1990	Contingency	\$ 2,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1450.1010	Elections - Personal Services	\$ 2,000.00

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

-- Prior to the vote, Ald. McNeil asked if the funds were covering payroll from past elections. Clerk Zakrevsky explained that due to two primaries being held this year, there are insufficient funds to cover estimated payroll costs for the General Election in November.

RESOLUTION #118 - 1992. AUTHORIZING TRANSFER FOR HUBBARD AVENUE CONSTRUCTION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of construction and reconstruction of Hubbard Avenue; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1992 General Fund and Capital Projects Budgets:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1440.1010	Engineer - Personal Services	\$ 5,000.00
A3620.1010	Codes Enforcement - Personal Services	10,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H93-5118.4020	Hubbard Avenue	\$15,000.00

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

RESOLUTION #119 - 1992. AUTHORIZING TRANSFER FOR RE-ASSESSMENT AWARDS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of awards for 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>
A1990	Contingency	\$ 50.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1964	Refund of Erroneous Prior Years Tax	\$ 50.00

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

RESOLUTION #120 - 1992. AUTHORIZING SUBMISSION OF GRANT APPLICATION TO THE GREATER NORWICH FOUNDATION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, historical information and records of the City of Norwich are currently stored in cardboard files in the office of the City Historian; and

WHEREAS, funding is available through the Greater Norwich Foundation for the purchase of legal size semi-fireproof filing cabinets for the storage of historical records of the City of Norwich; now, therefore be it

RESOLVED, that the City Historian be and hereby is authorized to submit an application to the Greater Norwich Foundation for a \$6,000 grant to purchase legal size semi-fireproof filing cabinets for the storage of historical records of the City of Norwich.

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

RESOLUTION #121 - 1992. APPROVING SMALL CITIES CDBG SOUTHWEST QUADRANT HOUSING GRANTS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, David Kepner of 40-40A Conkey Avenue has been found eligible for a low to moderate income, matching grant of \$10,000 for two rental units, and

WHEREAS, Hildegard Korzun of 26 Elm Street has been found eligible for a low to moderate income, matching grant of \$10,000 for two rental units; now, therefore be it

RESOLVED, that David Kepner of 40-40A Conkey Avenue and Hildegard Korzun of 26 Elm Street be and hereby are approved for a \$10,000 matching grant through the 1986 Small Cities CDBG Southwest Quadrant Housing Program.

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

-- Prior to the vote, Clerk Zakrevsky reported there is approximately \$45,000 left in the program and as there seems to be no eligible low income residents in the quadrant interested in participating, HUD has recommended the program be completed with rental units. He noted the units must be rented to low to moderate income individuals.

RESOLUTION #122 - 1992. AUTHORIZING SUBMISSION OF GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the New York State Department of Health requires that all public drinking water systems be in compliance with the United States Environmental Protection Agency (EPA) water filtration standards by June 29, 1993; and

WHEREAS, the City of Norwich has completed schematic designs of a proposed new water filtration plant; and

WHEREAS, the City is desirous of applying for various federal and state funds for assistance in the construction of the facility; and

WHEREAS, the U.S. Economic Development Administration (EDA) and the Southern Tier East Regional Planning and Development Board have indicated that the City of Norwich is eligible for assistance under EDA grant programs; now, therefore be it

RESOLVED, that that the Mayor be and hereby is authorized to submit an EDA grant application for \$1,300,000 to the Southern Tier East Regional Planning Board for the construction of a new water filtration plant for the City of Norwich.

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

RESOLUTION #123 - 1992. DESIGNATING THE COMMON COUNCIL OF THE CITY OF NORWICH AS LEAD AGENCY IN NYS ENVIRONMENTAL REVIEW FOR PROPOSED WATER FILTRATION PLANT

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the New York State Department of Health requires that all public drinking water systems be in compliance with the United States Environmental Protection Agency (EPA) water filtration standards by June 29, 1993; and

WHEREAS, the City of Norwich has completed schematic designs of a proposed new water filtration plant; and

WHEREAS, the City of Norwich is desirous of applying for various federal and state funds for assistance in the construction of the facility; and

WHEREAS, the project requires compliance with the New York State Environmental Quality Review Act, pursuant to section 8-0113 of the Environmental Conservation Law; and

WHEREAS, pursuant to such law, the Common Council is principally responsible for carrying out, funding or approving various actions needed for such a facility; now, therefore be it

RESOLVED, that the Common Council designates itself as lead agency for determining whether an environmental impact statement is required in connection with the proposed water filtration plant; and further be it

RESOLVED, that the Mayor be and hereby is authorized to act on behalf of the Common Council in preparation and determination of any environmental impact or negative declaration and to comply with all aspects of the State Environmental Quality Review Act as it pertains to the proposed water filtration plant.

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

-- Prior to the vote, Clerk Zakrevsky explained that as the Common Council would be making final decisions regarding the project, it would be appropriate that it be designated as the lead agency for the project.

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

	<u>Prepaid</u>	<u>10/13/92</u>	<u>Grand Total</u>
General Fund	315,441.52	177,855.19	493,296.71
Trust Fund	199,325.20	0.00	199,325.20
Capital/Pool	300.00	667.56	967.55
Community Development	0.00	2,061.55	2,061.55
TOTALS	515,066.72	180,584.30	695,651.02

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

-- Ald. Angelino moved to go into executive session to discuss litigation where a contract is involved. Seconded by Ald. Carnrike and duly adopted, ayes all.

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

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