COMMON COUNCIL

November 10, 1992

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on November 10, 1992, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Asst. Fire Chief T. Christophersen
Asst. Fire Chief James Wallen
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Historian Patricia Scott
Police Chief Richard Whiting
Supervisor Ron Annese

Ald. Symonds moved to dispense with the reading and approve the minutes of October 27, 1992. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- David Gale, 9 Davis Street, said he was away during Halloween, but had heard there were no problems and he commended the Police Department. Mr. Gale suggested that next year student input be included in the Halloween planning. Mayor Chomyszak said that was an excellent idea and it would be recommended next year.

Mr. Gale asked where the Charter stands now that it was defeated by the voters. Mayor Chomyszak stated the Charter Commission is automatically disbanded after the general election unless re-appointed. Mr. Gale suggested that the pros and cons of the charter be separated and addressed one at a time before going before the people for a vote again. Ald. McNeil said the proposed charter is not a dead issue. Ald. Angelino stated the matter would be brought up later in the meeting under old business. Mayor Chomyszak said there were good changes to the charter but it still requires some study.

Mr. Gale asked how long the revaluation will be delayed. He said he would prefer to see a gradual increase in taxes rather than all at once. Mayor Chomyszak explained that the tax roll is a vehicle that the taxes can be portioned out, but the budget is what determines the tax rate. She stated that the revaluation in theory does not establish the tax rate. Mr. Gale noted that with the amount of unappropriated funds in the general fund budget, taxes should not have to go up. Chamberlain Hutton stated that in November of last year when the budget was developed, it was not known how much state funding would be available and the City budgeted accordingly. He noted that the City is in the same position again this year. Ald. McNeil added that the sales tax revenue was new to us last year and the City budgeted in the event of a shortfall in the sales tax. Chamberlain Hutton noted there is still some uncertainty regarding sales tax and state aid for 1993.

-- Thomas Knapp, 14 Locust Street, said he is concerned with the decision to postpone the revaluation. He said the assessment is a fairness issue keeping people proportionately even. He noted that it was the people who were previously under-assessed that came forward and that nothing was heard from the previously over-assessed taxpayers who would have seen their assessments decreased. Mr. Knapp stated that delaying the revaluation for another year will cause many people to pay more than their fair share and give them another year of unfairness.

BIDS:

Clerk Zakrevsky reported two bids were received for Sale of Surplus Real Estate. Ald. McNeil moved to receive and refer the bids to the Public Works and Finance Committees for recommendation. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

CORRESPONDENCE:

Clerk Zakrevsky reported the following correspondence was received:

-- Request from VFW to hold annual Veterans Day Parade on November 11, 1992 at 10:15 am.
-- Request from YMCA to hold annual Turkey Trot Race on November 22, 1992 at 1:30 pm.

-- Ald. McNeil moved to approve the requests under the direction of the Police Chief. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Mayor Chomyszak reported a letter was received from residents of 24 Beebe Avenue thanking the City for making Halloween a more enjoyable one and requesting that the same plan be used in 1993. The residents' only suggestion was that trick or treat begin at 5 pm rather than 4 pm.

Mayor Chomyszak noted that the letter reflected the many positive comments she has heard from residents. She also noted that 15 extra police officers helped to keep the events under control.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

-- Water Board minutes of September 28, 1992
-- Civil Service Commission minutes of October 15, 1992
-- Parks Commission minutes of October 12, 1992

-- Ald. Angelino reported that the Youth Bureau is making an appeal for ice skates to have available in the warm-up building at the ice rink for people who do not have them. He also said skate sharpening is also needed. Mayor Chomyszak stated that if anyone has ice skates to donate to the Youth Bureau they may bring them to the City Chamberlain's office or the Youth Bureau office at City Hall, or to the DPW on Hale Street.

WARD AND COMMITTEE REPORTS:

-- Finance Committee meetings of October 26, 29 and November 4, 1992
-- Public Safety Committee meeting of October 26, 1992

-- Ald. Rabinowitz reported from Ward Three that there was general satisfaction with the proceedings of Halloween and many residents expressed their gratitude.

-- Ald. Tooker reported from Ward Four that he also received positive comments regarding Halloween.

-- Ald. Angelino reported a curb cut request from the Housing Authority for Peacock Manor on Front Street and moved that it be approved under the direction of the City Engineer. Seconded by Ald. Symonds and duly adopted, ayes all.

OLD BUSINESS:

-- Ald. Angelino presented Council with a Refuse District 3 meeting report and asked the Clerk to read the report. The Council concurred that a letter would be sent to the County that the City acknowledges the fact that operational costs due the City are separate from closure costs, and that all parties accept the fact that payment of the operational charge is in no way an agreement on closure, and the Refuse District retains all their rights to pursue the closure issue with the City.

-- Ald. Angelino stated that as President of the City Council, he has heard from many of his fellow aldermen regarding the proposed city charter and they are in agreement that there were items in the proposed charter which could have improved operations of the City and streamlined some procedures.

-- Ald. Angelino moved that the Personnel and Public Safety Committees investigate the merits of a full time fire chief for the City, as well as increasing the term of the mayor to four years; that the Planning Commission review the proposed charter for other items that could be implemented without changing the structure of the charter; that preliminary findings be presented to the Council in approximately three months. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Prior to the vote, Ald. Tooker stated he is concerned that it may appear to the public that the Council is taking the Charter and asking someone else to look at it. He said it shouldn't look like the Planning Commission is taking on the Charter. Ald. Rabinowitz emphasized that the request is for the Planning Commission to evaluate certain items in the proposed charter which could be implemented without changing the structure.

NEW BUSINESS:

Chamberlain Hutton presented the proposed 1993 budgets and made several comments.

Ald. Rabinowitz noted, regarding the proposed water and waste water budgets, that the Finance Committee has asked the Water Board to make several amendments. Ald. Carnrike said the Water Board expects to have the amendments made before the next Council meeting.

There was discussion as to whether the proposed budgets should be received and public hearings set when amendments are anticipated.

Chamberlain Hutton recommended the proposed budgets be received and amended after they are adopted.

-- Ald. Angelino moved to not accept the proposed budgets. The motion failed for lack of a second.

-- Ald. McNeil moved to receive the proposed budgets and set public hearings for November 24, 1992. Seconded by Ald. Rabinowitz and duly defeated, 4-2 (Nays - Aldermen Carnrike, Tooker, Symonds, and Angelino; Ayes - Aldermen McNeil and Rabinowitz).

RESOLUTION #128 - 1992. AUTHORIZING TRANSFER FOR LEGAL SERVICES

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of legal services in connection with general legal proceedings; 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	$ 101.25

To:

Account Number	Name	Amount
A1420.4020	Attorney - Contracted Services	$ 101.25

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

RESOLUTION #129 - 1992. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH RE-ASSESSMENT CASES

Ald. Rabinowitz 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:

Account Number	Name	Amount
A1989.402	Contracted Services	$ 312.50

To:

Account Number	Name	Amount
A1420.4020	Attorney - Contracted Services	$ 312.50

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

RESOLUTION #130 - 1992. AUTHORIZING TRANSFER FOR ECONOMIC FEASIBILITY STUDY

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Common Council on August 25, 1992 approved Resolution Number 109 of 1992 authorizing the commitment of up to $5,000 on behalf of the City of Norwich for an economic feasibility study; and

WHEREAS, funds are required to cover the cost of such study; 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
A1990	Contingency	$ 5,000.00

To:

Account Number	Name	Amount
A8020.4020	Planning - Contracted Services	$ 5,000.00

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

RESOLUTION #131 - 1992. AUTHORIZING TRANSFER FOR WASTE WATER F.I.C.A. BUDGET ADJUSTMENT

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, additional funds are needed to cover the percentage required of the budgeted payroll for the Waste Water budget provision for F.I.C.A.; now, therefore be it

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

From:

Account Number	Name	Amount
G9090.8	Employee Benefits - Other	$ 2,875.00

To:

Account Number	Name	Amount
G9030.8	Employee Benefits - Social Security	$ 2,875.00

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

RESOLUTION #132 - 1992. ADJUSTING THE TERMS FOR ASSESSMENT BOARD OF REVIEW MEMBERS

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, pursuant to the New York State Property Tax Law, Section 523, Subdivision 1, terms for members of the Assessment Board of Review must be staggered so that only one term expires each year; and

WHEREAS, currently there are two terms expiring in 1995, two terms expiring in 1996 and one term expiring in 1997; now, therefore be it

RESOLVED, that the terms of the members of the Board of Assessment Review be and hereby are adjusted as follows:

-- Mary Pat Lanfair, 87 Mitchell Street, the remainder of a five year term expiring September 30, 1993
-- Thomas J. Coffey, 65 Cortland Street, the remainder of a five year term expiring September 30, 1994
-- Harry Gibson, 39 Sunset Drive, the remainder of a five year term expiring September 30, 1995
-- Mary Coe, 5A Waite Street, the remainder of a five year term expiring September 30, 1996
-- Michael Sinniger, 39 Hillview Drive, the remainder of a five year term expiring September 30, 1997

Seconded by Ald. Tooker and duly adopted, 5-0 on a roll call vote with Ald. McNeil abstaining due to a possible conflict of interest.

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

	Prepaid	11/10/92	Grand Total
General Fund	63,442.33	105,111.20	168,553.53
Trust Fund	37,294.01	0.00	37,294.01
Community Development	0.00	1,147.78	1,147.78
Capital Projects	0.00	10,190.12	10,190.12
TOTALS	**$100,736.34**	**$116,449.10**	**$217,185.44**

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

-- With the business of the meeting completed, Mayor Chomyszak called for a five minute recess before commencing a brainstorming session with the Water Board.

Mayor Chomyszak stated that with the defeat of the New New York State Jobs Bond Act, an alternative is needed to fund a new water filtration plant. Water Board Chairman Sullivan explained that the EPA has issued regulations which the current water filtration plant cannot meet. He stated the NYS Health Department adopted these regulations and by June 23, 1993 we must comply with them. Chairman Sullivan said the Water Board has been looking at what would be the most practical approach to meeting the new regulations.

Chairman Sullivan explained that the current water filtration plant, now 90 years old, was the state of the art for that time. He stated that regulations have become more strict. He explained that the City has presently both surface water and ground water supply and the Water Board's proposal is based on maintaining an alternate supply of ground and surface water.

Mayor Chomyszak asked if there has been any investigation done on using any alternative methods. Mr. Sullivan stated no methods other than ground and surface water have been studied. He noted there is no geological study of our current aquifer.

The Water Board explained several different systems which would meet the new regulations.

There was discussion regarding the need to have two systems. Water Commissioner Dunne stated the Board feels it would be imprudent to rely strictly on ground water due to the great number which have become contaminated in New York State. He also noted that it would be very difficult to go back to a surface water system once it has been abandoned. Engineer Suozzo said he believes there is a higher risk with surface water systems. He said 80% of the communities he works with have ground water systems. He agreed with the Water Board that the best system is a dual system if you can afford it. He asked if both current systems could be used with minor modifications to the plant. Water Commissioner Dunne explained that the Water System would continue to use the building on Rexford Street in addition to a new building to house the filter.

Engineer Suozzo advised the City to examine the pipe system thoroughly.

Mayor Chomyszak asked if the project could be completed in phases. Chairman Sullivan said that it is one complete system and could not function in stages.

Ald. Angelino asked how many wells the City has currently. Chairman Sullivan said there are three wells which combined generate 300,000 gallons. Ald. Angelino asked where new wells would be located. Mr. Sullivan said a study would have to be done to determine possible locations. Engineer Suozzo stated that wells could be found to supply the system, possibly with sonar, and preferably near the old wells. Mr. Suozzo said if wells can't be located near the old ones, he estimates a study to locate wells would cost approximately $100,000 rather than $30,000.

Robert Edmunds stated his concerns regarding the size of the proposed building and separate aquifers. Chairman Sullivan said that the size of the proposed building has been reduced.

After some discussion, it was the decision of the Council that the Water System proceed with obtaining estimates on a study of the aquifer and the groundwater.

-- Ald. McNeil moved to go into executive session at 9:08 pm to discuss possible litigation regarding assessments. Seconded by Ald. Angelino and duly adopted, ayes all.

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

-- Ald. McNeil moved to adjourn at 9:15 pm. Seconded by Ald. Carnrike and duly adopted, ayes all.