

COMMON COUNCIL

February 9, 1993

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on February 9, 1993, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Police Chief Richard Whiting
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Asst. Fire Chief Terry Kuhn

Ald. Tooker moved to dispense with the reading and approve the minutes of January 26, 1993 with the typographical correction. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- Aaron Seward, President of Building and Trades Council, stated that Cam-Ful Industries of Syracuse, the firm being awarded the bid for Screening and Primary Clarifier Modifications at the Waste Water Treatment Plant, is not a responsible bidder. He said a responsible bidder is not disbarred for five years. Mr. Seward also stated that Cam-Ful Industries imports their workers from out of town rather than employ local workers.

Carlton Atkinson, city taxpayer, stated that he is 100% against the Water Board hiring this contractor. He said he believes that once a firm cheats it always cheats.

Mr. Seward said that Cam-Ful Industries was notified by the Water Board that the issue would be brought up and noted that there was no one representing the firm at the meeting.

BIDS:

Clerk Zakrevsky reported that bids were received for 1993 Police Patrol Vehicle and 1993 Cleaning Supplies and Paper Products. The Clerk noted that the bid received for the cleaning supplies was below the bidding limit. The police patrol vehicle bids were referred to the Public Safety Committee for recommendation.

CORRESPONDENCE:

Clerk Zakrevsky reported a letter was received from the Norwich Merchants Association requesting permission to hold the annual St. Patrick's Day Parade on March 13, 1993 at 1 pm.

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

-- Mayor Chomyszak reported she received a letter from Derrick Bigford Smith of Norwich, England. Mr. Smith will be visiting the City of Norwich from May 4 through May 7 and would like to make some presentations of his own Norwich. He is requesting assistance in organizing his visit. Mayor Chomyszak indicated her office would be a scheduling center for Mr. Smith's visit and anyone interested should contact her office. Mr. Atkinson noted his relatives came from Norwich, England.

-- Mayor Chomyszak reminded residents that garbage must be in sealed containers and the ordinance will be enforced.

- Ald. McNeil reminded everyone that there is a leash law in effect.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Parks Commission minutes of December 14, 1992 and January 11, 1993
- Civil Service Commission minutes of January 14, 1993
- Water Board minutes of February 1, 1993
- Police Department annual report for 1992

-- Highway Supt. Loscavio reported that the list of street trees to be removed this spring has been distributed. He asked that the aldermen look over the list and contact him with any changes as soon as possible as he would like to get it out to bid. Ald. McNeil asked Mr. Loscavio to look a tree at the corner of Guernsey and Henry Streets.

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

WARD AND COMMITTEE REPORTS:

- Finance Committee meeting of January 21, 1993

-- Ald. Carnrike reported from Ward One several street light problems which were referred to the Highway Superintendent.

-- Ald. McNeil reported he has received many calls from residents of Ward Two questioning proposed changes at the county landfill including a minimum fee of \$10 for bringing garbage to the landfill. He said many taxpayers are upset and asked if the City has a representative on the board. Mayor Chomyszak said that since the County now runs the landfill, the City's representative would be the City Supervisors. Ald. Tooker noted that haulers have raised their rates approximately 60% and the result is more residents are taking their garbage to the landfill themselves. Ald. Carnrike said he too has received concerns from residents regarding the issue. The Council concurred to request the city supervisors be present at the next meeting to discuss the matter further.

Ald. McNeil also reported that for better communications, the Public Safety Committee has requested that a member from each volunteer fire company attend Public Safety Committee meetings.

-- Ald. Rabinowitz reported that there has been some work on the pothole situation.

-- Ald. Tooker reported, regarding the tractor trailer trucks on Mr. Hess's sidewalk on Turner Street, that he has spoken with the store and the Police Department has contacted the store manager. He indicated that if the situation is not resolved, the Police Department will contact the truck company directly.

-- Ald. Angelino reported that with the return of the cold weather and snow he has received many calls regarding ice skating. He has received several requests for a hockey program for adults and children. Ald. Angelino requested the Youth Bureau investigate the matter. Chamberlain Hutton noted that the Youth Bureau Director came in to inquire about insurance for such a program.

Ald. Angelino also reported that the cross county ski trails are open at Rotary Park.

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

OLD BUSINESS:RESOLUTION #14 - 1993. AWARDING BID AND AUTHORIZING TRANSFER OF FUNDS FOR MODIFICATIONS TO THE WASTEWATER SCREENING AND CLARIFIER OPERATIONS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, bids were received on January 15, 1993 for Screening and Primary Clarifier Access Modifications at the Waste Water Treatment Plant; and

WHEREAS, the recommendation of the Water Board is that the bid be awarded to the lowest qualified bidders meeting specifications; now, therefore be it

RESOLVED, that the bid for Screening and Primary Clarifier Access Modifications at the Waste Water Treatment Plant be and hereby is awarded to M. Gleason & Sons of Binghamton, NY with a bid of \$3,696.00 for the electrical contract and to Cam-Ful Industries of Syracuse, NY with a bid of \$129,905.00 for the general contract; and further be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1993 Waste Water Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H19-599	Waste Water Treatment Plant Fund Balance	\$ 134,000.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H19-8134.402A	Waste Water Treatment Plant	\$ 134,000.00

Seconded by Ald. McNeil.

Ald. Carnrike stated that a special Water Board meeting was held on February 1 to make a recommendation on the bid. He noted that no one was present at the meeting with objections or information stating why Cam-Ful Industries should not be awarded the bid.

Bill Fishbash of Otsego County stated that Cam-Ful Industries has broken a number of laws and in his opinion they are criminals.

Ald. Carnrike noted that the firm is no longer on the list of disbarred contractors and the state is saying, therefore, that the firm is now a responsible bidder.

Mr. Atkinson suggested throwing out the bids and re-bidding. Ald. Carnrike said 75 sets of plans were made at a cost of \$55 per set. He noted that in New York State's eyes and in eyes of the Water Board the firm is a responsible bidder. Clerk Zakrevsky stated that the project could have been re-bid if there was not a sufficient number of bids received or due to a change in the specifications which would have reduced the scope of the project.

-- Ald. Angelino moved to table the resolution until the City Attorney can obtain a ruling on the term "responsible". Seconded by Ald. McNeil and duly adopted, 3-2 (Ayes - Aldermen McNeil, Tooker, Angelino; Nays - Aldermen Carnrike and Rabinowitz) on a roll call vote.

NEW BUSINESS:RESOLUTION #15 - 1993. AUTHORIZING TRANSFER FOR PAYMENT OF SPECIAL ASSESSMENT ON HAYES STREET PARKING LOT

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the Finance Committee has recommended payment in full of the Business Improvement District special assessment on the Hayes Street Parking Lot located at 20 - 22 South Broad Street; and

WHEREAS, additional funds are required to cover the cost of such payment; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1993 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 300.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1950	Taxes and Assessments	\$ 300.00

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

RESOLUTION #16 - 1993. AUTHORIZING TRANSFER FOR NYS&W RAILROAD LEASE AGREEMENT

Ald. Tooker introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of the 1993 lease agreement for the use and maintenance of the driveway; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1993 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1989.402	Contracted Services	\$ 128.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1620.4020	Municipal Buildings Contracted Services	\$ 128.00

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

RESOLUTION #17 - 1993. AUTHORIZING TRANSFER FOR ASSESSMENTS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the City has not renewed a contract with the YMCA for use of their parking lot, and

WHEREAS, funds are required to cover the costs associated with assessment settlements; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1993 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7620	Adult Recreation	\$ 1,200.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1964	Refund of Erroneous Tax	\$ 1,200.00

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

RESOLUTION #18 - 1993. AUTHORIZING TRANSFER FOR SURVEY OF CITY PROPERTY
KNOWN AS THE FORMER O & W RAILROAD

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of an engineering survey of the former O & W Railroad; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1993 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>
A1440.4020	Engineering - Contracted Services	\$ 2,000.00

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

-- Prior to the vote, Mayor Chomyszak noted that the survey has been completed.

-- Ald. Angelino moved to award the bid for 1993 Cleaning Supplies and Paper Products to Roberts Supply of Johnson City, NY, the lowest qualified bidder meeting specifications as recommended by the City Engineer. Seconded by Ald. Tooker and duly adopted, ayes all.

RESOLUTION #19 - 1993. AUTHORIZING GROUND WATER STUDY

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the Chenango County Health Department has recommended that a ground water study be done to determine the feasibility of using such a service; and

WHEREAS, on November 10, 1992, the Common Council requested the Water Board of Commissioners obtain estimates for a study of the aquifer and groundwater conditions in and around Norwich; and

WHEREAS, the Water Board of Commissioners have received several engineering proposals to perform such a study; and

WHEREAS, members of the Water Board of Commissioners have made certain recommendations; now, therefore be it

RESOLVED, that a contract between the Water Board of Commissioners and Ground Water Associates, Inc., Dracut, Massachusetts, in the amount not to exceed \$77,000 to conduct hydrogeologic and ground-water resource investigations be and hereby is approved; and further be it

RESOLVED, that the cost is to be charged to a capital project to be established with funds from the Capital Reserve - Filtration System.

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

-- Prior to the vote, Ald. Angelino asked the City Engineer if he has reviewed the proposal. Engineer Suozzo said he has reviewed the proposal and is in agreement with the recommendation. Ald. Carnrike noted that it is a six part test not to exceed \$77,000 and includes quality testing and an aquifer map. He also explained that it will be staged over a four month time table.

Ald. Rabinowitz requested a cumulative report on the wells that fail.

Mayor Chomyszak asked if the aquifer map would be of use for a period of time. Engineer Suozzo said the map will be of use for a long period of time. He explained that this is a planning tool to make a decision with and noted that no alternate has been selected.

-- Ald. Tooker indicated he had a list of possible names for the Civil Service Commission. He also noted that the Police Department's annual report was very good.

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

	<u>Prepaid</u>	<u>2/09/93</u>	<u>Grand Total</u>
General Fund	1,583,939.10	142,052.58	1,725,991.68
Trust Fund	97,731.56	265.00	97,996.56
W.W.T.P.	0.00	1,124.28	1,124.28
Community Development	0.00	1,348.74	1,348.74
Capital Projects	0.00	3,278.70	3,278.70
TOTALS	1,681,670.66	148,069.30	1,829,739.96

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

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

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

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