

COMMON COUNCIL

March 23, 1993

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on March 23, 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
Engineer James Suozzo
Asst. Highway Supt. M. Williams
Police Chief Richard Whiting
Asst. Fire Chief T. Christophersen
Historian Patricia Scott

Ald. Tooker moved to dispense with the reading and approve the minutes of March 2, 1993. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

OPEN FORUM:

-- Richard Hess, 16 Turner Street, regarding tractor trailers driving up on his sidewalk, reported that his sidewalk is now uneven. Chief Whiting said the Police Department has looked into the matter and the next step is to issue summons to the drivers. He noted that this is difficult to do as the violation must be witnessed before a summons can be issued. Mr. Hess said cones placed on the sidewalk as a blockade were stolen and he now puts them inside at night. He noted that the trucks can make the turn into Victory Markets parking lot without driving over his sidewalk with a few more maneuvers. Ald. Rabinowitz suggested placing video equipment in a window at Mr. Hess's residence to catch the trucks. Ald. Tooker indicated that summons should be issued to as many truckers as can be caught.

Ald. Tooker asked if, as a last resort, the street could be designated for no truck traffic. The matter was referred to the Traffic Commission for recommendation.

-- Stan Prusik expressed concern regarding the treatment of taxpayers who address the Council at Common Council meetings. He said taxpayers do not receive respect when addressing the Council. He reported that when he filed a complaint to the Council of the treatment he received by a department head, nothing was done. Ald. Angelino said that a committee reviewed the complaint and it was the decision of the committee that no action be taken.

-- Ald. McNeil thanked the Police Department, Volunteer Emergency Squad and residents of the city for their support of the basketball team.

-- Mayor Chomyszak reported, regarding the recent blizzard, that all of the many comments she received on her return conclude that the procedures carried out by all the city departments during the blizzard were superb. The Mayor congratulated all departments for the work done, the friendly cooperation within and the general attitude of caring about the needs of the community in the emergency during and after the blizzard.

BIDS:

Clerk Zakrevsky reported six bids were received for 1993 Tree Removal and a recommendation would be made by the Public Works Committee later in the meeting under New Business.

CORRESPONDENCE:

Clerk Zakrevsky reported a letter was received from the American Legion requesting permission to hold the annual Memorial Day Parade on May 31, 1993 beginning at 10:30 am.

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

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Planning Commission minutes of March 1, 1993
- Police Department monthly report February 1993
- Water Board minutes of February 22, 1993
- Traffic Commission minutes of March 10, 1993
- Zoning Board of Appeals minutes of March 17, 1993

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

WARD AND COMMITTEE REPORTS:

- Public Works Committee meeting of March 4, 1993
- Personnel Committee meeting of February 17, 1993
- Public Safety Committee meeting of February 22, 1993
- Finance Committee meeting of March 17, 1993

Ald. Tooker, referring to the Public Works Committee report, asked when the banners would be re-hung. Clerk Zakrevsky explained that several design changes are being looked into to better secure the banners to the poles. He noted one banner was hung up as a test model but it did not withstand the wind. Mr. Zakrevsky said the banners should be up by the fourth of July.

Ald. Tooker, referring to the Public Works Committee report, asked for clarification on the discussion regarding American Avenue being converted to a walkway. Clerk Zakrevsky explained that in 1986 a streetscape study was conducted which recommended American Avenue be closed to traffic and used a walkway. He noted that it is still in the discussion stage.

-- Ald. Carnrike reported from Ward One that a rabid raccoon was taken from Ward One and he warned people to be cautious. He reported one garbage violation and reminded residents that they must use sealed containers. Ald. Carnrike also reported that DPW is watching the creek and asked residents in the area of the creek to check their basements often for flooding. He also commended the departments for the great job during the blizzard. Ald. Carnrike also commented on the pot hole situation.

-- Ald. Rabinowitz also commented with regard to pot holes that the problem is worsened by clogged storm drains. Asst. Highway Supt. Williams said crews have been out clearing the storm drains. Engineer Suozzo stated that within the next several days, providing the weather cooperates, crews would be out repairing streets.

-- Ald. Tooker also commented with regard to pot holes, particularly one location on Rexford Street. Engineer Suozzo said that particular street had just been addressed.

Ald. Tooker commended the departments for the overall excellent work during the blizzard. He reported an elderly woman on Turner Street is in need of Camp Pharsalia's snow shovelling service.

-- Ald. Angelino requested a resolution be prepared for the next meeting congratulating the Norwich Basketball Team on their achievement. He also asked that a letter of recognition be sent to the Police and Fire Departments, Department of Public Works and Camp Pharsalia for their efforts during and after the blizzard.

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

NEW BUSINESS:

-- Ald. McNeil moved to award the bid for 1993 Tree Removal to the lowest qualified bidder meeting specifications as recommended by the Public Works Committee; Butternut Valley Tree Service of Morris, NY with a bid of \$4,582.00. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. McNeil moved the following appointments to the Norwich Fire Department as recommended by the Public Safety Committee:

- Douglas W. Rifanburg, 29 Hale Street, to the Emergency Squad.
- Tracy Chawgo, 16 Park Street, to the Emergency Squad.
- Joseph Straus, 27 Rexford Street, to the Maydole Hose Company.

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

RESOLUTION #27 - 1993. APPOINTING PERMANENT RELIEF FIRE ASSISTANT

Ald. Tooker introduced the following and moved its adoption:

WHEREAS, due to retirement a vacancy will exist in the ranks of permanent relief fire assistant in the Norwich Fire Department; and

WHEREAS, the Personnel and Public Safety Committees have made certain recommendations; now, therefore be it

RESOLVED, that Andrew Pratt of 4 Gerald Street, Norwich, NY be and hereby is appointed as permanent relief fire assistant in the Norwich Fire Department effective March 27, 1993.

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

-- Prior to the vote, Mayor Chomyszak introduced Mr. Pratt. Asst. Chief Christophersen stated that the permanent relief fire assistant, a part time position, covers vacations and sick time off taken by the full time fire fighters.

RESOLUTION #28 - 1993. AUTHORIZING TRANSFER FOR MODIFICATIONS OF WASTE WATER TREATMENT PLANT CONTROL CENTERS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Common Council on February 23, 1993 awarded the bid for Modifications to the Motor Control Centers at the Waste Water Treatment Plant to M. Gleason and Sons of Binghamton, NY for \$25,200.00; and

WHEREAS, funds are required to finance such project; now, therefore 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 Appropriated Fund Balance	\$ 25,200.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H19-8134.402A	Waste Water Treatment Plant Modifications	\$ 25,200.00

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

-- Prior to the vote, Ald. Carnrike noted that without the modification being made a power outage could cause \$25,000 worth of damage in 15 minutes time. Ald. Angelino stated the City has spent approximately \$100,000 on a plant that is only three years old and asked why these things weren't done during the design phase. Ald. McNeil noted there was a problem with the Engineer on the project, O'Brien & Gere.

RESOLUTION #29 - 1993. ESTABLISHING 1993 BUDGET FOR BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION

Ald. Tooker introduced the following and moved its adoption:

WHEREAS, the Norwich Business Improvement District Management Association (BIDMA) has hired a Program Administrator as well as developed a preliminary project list for 1993; and

WHEREAS, the BIDMA wishes to establish an operating budget for 1993 covering such administrative and project costs in the amount of \$34,000; and

WHEREAS, the Finance Committee has recommended approval of this budget; now, therefore be it

RESOLVED, that the Treasurer of the Norwich BIDMA be and hereby is authorized to establish the following 1993 operating budget:

Budget:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CB1010.402	Administration - Contractual Services	\$ 15,000.00
CB1010.401	Administration - Office Expense	3,000.00
CB1010.403	Administration - Travel & Training	500.00
CB6989.4	Downtown Development Programs	15,500.00
		<u>\$ 34,000.00</u>

Revenue:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
CB2401	Interest Income	\$ 3,700.00
CB1720	Special Assessment - Principal	7,800.00
CB1721	Special Assessment - Interest	2,800.00
CB2705	Community Donations/User Fees	3,000.00
CB599	Appropriated Fund Balance	16,700.00
		<u>\$ 34,000.00</u>

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

RESOLUTION #30 - 1993. AUTHORIZING TRANSFER FOR CLOSE OUT OF COMPLETED 1992 FRONT & NORTH FRONT STREET WATER LINE PROJECT

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Front and North Front Street water line project has been completed under budget and expenditures paid; and

WHEREAS, it is recommended that the remaining budget be returned to the original source of funding; now, therefore be it

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H37-9950.1	Water Main Capital Project	\$ 916.29

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR31-5031	Water Main Replacement Reserve	\$ 916.29

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

RESOLUTION #31 - 1993. AUTHORIZING VACATION BENEFIT TO EMPLOYEES WITH TWENTY YEARS OF SERVICE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, pursuant to Section 92-1 of the New York State General Municipal Law, the Common Council of the City of Norwich may by resolution grant vacations to its employees with pay and may also in like manner provide for cash payment of the monetary value of accumulated and unused vacation time to the credit of its employees at the time of their separation from service; and

WHEREAS, the Personnel and Finance Committees have made certain recommendations; and

WHEREAS, the Common Council of the City of Norwich is desirous of recognizing employees for their dedicated service of twenty years or more for their contributions to the City; now, therefore be it

RESOLVED, that any retiring employee of the City of Norwich with at least twenty years of consecutive employment with the City of Norwich shall be entitled to three weeks vacation with pay during their last month of employment prior to their effective date of retirement, pursuant to the provisions of Section 92-1 of the New York State General Municipal Law; and further be it

RESOLVED, that the vacation award will be based on the employee's standard workweek in their last year of employment and the monetary value of the vacation shall be paid to such employee upon their retirement; and further be it

RESOLVED, that vacation award shall not apply to employees covered under any contract containing similar provisions irrespective of the amount of vacation time awarded; and further be it

RESOLVED, that this resolution shall take effect immediately.

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

-- Prior to the vote, Ald. Carnrike asked if this would be retroactive. Clerk Zakrevsky said it would not be.

RESOLUTION #32 - 1993. ESTABLISHING WATER/SANITARY MAIN REPLACEMENT CAPITAL PROJECT FOR ROSS AVENUE, KING AND HICKOK STREETS AND AUTHORIZING TRANSFERS.

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the Water System has recommended replacement of the water/sanitary mains for Ross Avenue, King and Hickok Streets; and

WHEREAS, the Common Council on March 2, 1993 awarded bids for Water and Temporary Water Main Materials to Vellano Brothers of Latham, NY for \$26,027.60 and for Sanitary Main and Lateral Materials to Martisco Corporation of Liverpool, NY for \$5,003.82; now, therefore be it

RESOLVED, that the following capital project budget for the replacement of mains on Ross Avenue, King and Hickok Streets be and hereby is established:

BUDGET

H37-8343.4	Water Main Materials (Vellano Bros)	\$ 26,027.60
H37-8344.4	Sanitary Main Materials (Martisco Corp)	5,003.82
		<u>\$ 31,031.42</u>

REVENUE

H37-5031	Transfers from Other Funds (HR31,G)	\$ 31,031.42
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and, further be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfers in the 1993 Waste Water Fund budget and the Water Main Capital Reserve:

FROM:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
HR31-9950.9	Water Main Reserve	\$26,027.60
	Transfer to Capital Project	
G9950.8340	Waste Water - Interfund Transfer	5,003.82
		<u>\$31,031.42</u>

TO:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
H37-5031	Main Replacement Capital Project	\$31,031.42

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

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

	<u>Prepaid</u>	<u>3/23/93</u>	<u>Grand Total</u>
General Fund	177,495.76	31,117.02	208,612.78
Trust Fund	90,986.40	0.00	90,986.40
B.I.D.	1,455.60	0.00	1,455.60
Community Development	0.00	646.80	646.80
Capital Projects	0.00	18.96	18.96
TOTALS	\$269,937.76	\$31,782.78	\$301,720.54

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

-- Ald. McNeil moved to go into executive session at 8:05 pm to discuss the purchase of property where the price may be affected. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

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

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