

COMMON COUNCIL

July 13, 1993

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on July 13, 1993, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Police Chief Richard Whiting
Fire Chief Timothy Ashcraft
Asst. Fire Chief T. Christophersen
Asst. Fire Chief Terry Kuhn
Engineer James Suozzo
Highway Supt. Joseph Loscavio
Historian Patricia Scott

Ald. Symonds moved to dispense with the reading and approve the minutes of June 22, 1993. Seconded by Ald. McNeil and duly adopted, ayes all.

PUBLIC HEARINGS:

Mayor Chomyszak opened the hearings at 7:02 pm for the proposed local law amending the Charter of the City of Norwich to allow purchase or lease of city property by a local development corporation and a proposed resolution authorizing the disposition of city property not required for use by the City.

There being no discussion, Mayor Chomyszak declared the hearings closed at 7:03 pm.

OPEN FORUM:

-- Joe Portelli, 11 Division Street, commented on the poor condition of many of the city streets and asked if there was a plan for repairing them. Mayor Chomyszak said an agenda for street repair has been developed which includes the resurfacing of six streets this year. Mr. Portelli noted that Griffin and Mechanic Streets are in very poor condition.

Mr. Portelli asked if the street sweeper has been out and noted that Broad Street is very dirty. Highway Supt. Loscavio said the sweeper is out at 4 am in the morning and noted that there is a lot of construction currently on Broad Street. He suggested that Mr. Portelli stop in his office to look at the work schedule for the sweeper.

Mr. Portelli asked the status of hanging the banners up in the downtown. Clerk Zakrevsky said the banners will be hung as soon as a work crew is available.

-- Firefighter Robert Wightman asked the status of the firefighters contract and what the city plans to do in the future. Ald. Tooker said the Council would be going into a brief executive session later in the meeting before voting on the memorandum of agreement.

-- Mr. Portelli asked if any progress has been made on the subject of a full time fire chief. Ald. McNeil said the Public Safety and Personnel Committees are still studying the issue.

BIDS:

Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

Clerk Zakrevsky reported a request for a Special Events Permit was received by Morrisville College for the SUNY Morrisville Norwich Campus grand opening/community celebration beginning at 5 pm on Thursday, July 29 and concluding at 3 pm on Saturday, July 31, 1993. The request includes erecting a tent in the parking lot, closing the area immediately adjacent to the main entrance and allowing up to three vendors in the parking lot during the event.

-- Ald. Carnrike moved to approve the request. Seconded by Ald. Angelino and duly adopted, ayes all.

-- Prior to the vote Ald. Symonds asked if there will be enough parking in the area during the event. Clerk Zakrevsky said a shuttle service from the fairgrounds and other parking areas is being looked into.

-- Ald. McNeil moved to designate free parking in the downtown during the three day event. Seconded by Ald. Angelino and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Zoning Board of Appeals minutes of June 16, 1993
- Water Board minutes of May 24, 1993
- Police Department monthly report for June 1993
- Civil Service Commission minutes of June 10, 1993

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

-- Prior to the vote, Ald. McNeil questioned the Civil Service minutes discussion regarding advertising for positions. Clerk Zakrevsky explained that the Civil Service Commission would like to run all the advertisements for position openings through the Civil Service office rather than the Personnel Department.

WARD AND COMMITTEE REPORTS:

-- Ald. Angelino commented that the new street markings are better than the old ones. He asked if over head signs will be installed before winter. Chief Whiting said currently there is no plan for over head signs.

Ald. Angelino commended the contractor for keeping the barricades down at the Preferred Mutual Building on East Main Street during the day. Ald. Carnrike, the contractor on the job, explained that his crew begins work at 4 am which allows the barricades to come down earlier to free up the parking spaces in front of the building during the busiest time of the day.

-- Mayor Chomyszak reported there is some confusion regarding left turns into the Great American and A & P Store parking lots from vehicles in the south bound lane. Chief Whiting said it is illegal for drivers to pull into the yellow crosshatched area to make turns and that the police officers have been lenient until drivers get used to the changes. He indicated the state maintains that they cannot make turn lanes into private businesses.

- Personnel Committee meeting of June 15, 1993
- Public Safety Committee meeting of June 14, 1993
- Finance Committee meeting of June 16, 1993

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

OLD BUSINESS:

-- Ald. McNeil moved to remove Resolution No. 61 of 1993 - Authorizing Agreement With Town Of Otselic For Use Of Kurt Beyer Pool from the table. Seconded by Ald. Symonds and duly adopted, ayes all.

Mayor Chomyszak reported that after receiving all the documentation required, she obtained preliminary Council approval over the telephone.

-- Ald. Symonds moved for a vote, seconded by Ald. McNeil and the resolution was duly adopted, ayes all on a roll call vote.

NEW BUSINESS:

RESOLUTION #66 - 1993. ADOPTING LOCAL LAW RELATIVE TO AMENDING THE CHARTER TO ALLOW THE PURCHASE OR LEASE OF CITY PROPERTY BY A LOCAL DEVELOPMENT CORPORATION

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, Local Law No. 1 of 1993, which provides for the purchase or lease of city property by a local development corporation, was introduced on June 22, 1993, before the Common Council; and

WHEREAS, a public hearing has been held on such local law on July 13, 1993; now, therefore be it

RESOLVED, that Local Law No. 1 of 1993, which amends the City Charter to allow purchase or lease of city property by a local development corporation, be and hereby is adopted.

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

RESOLUTION #67 - 1993. AUTHORIZING THE DISPOSITION OF PROPERTY

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, pursuant to Section 1141 (d) of Article 14 of the New York State Not-For-Profit Law, the Common Council of the City of Norwich may by resolution determine that real property owned by the City is not required for use by the City and sell or lease such real property to a local development corporation; and

WHEREAS, the City has determined that the properties known by Tax Map Numbers 136.56-4-7, 136.56-4-8 and 136.65-6-37 are not required for use by the City; and

WHEREAS, the Greater Norwich Local Development Corporation may purchase such properties for development in accordance with Article 14 of the New York State Not-For-Profit Law; now, therefore be it

RESOLVED, that the Mayor, under the advice of the City Attorney, is authorized to sell City owned properties known by Tax Map Numbers 136.56-4-7, 136.56-4-8 and 136.65-6-37 to the Greater Norwich Local Development Corporation.

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

-- Prior to the vote, Clerk Zakrevsky explained that the properties include the child care center and playground, as well as the property immediately surrounding the freight depot.

RESOLUTION #68 - 1993. AUTHORIZING TRANSFER FOR SUMMER YOUTH PROGRAMS

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the estimated costs of buses for field trips and Friday Evening in the Park programs; 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	\$ 1,300.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7140.4020	Playground & Recreation Contracted Services	\$ 1,300.00

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

RESOLUTION #69 - 1993. AUTHORIZING TRANSFER FOR HICKOK, SOUTH HICKOK AND ROSS AVENUE CAPITAL PROJECT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council, on June 22, 1993, awarded bids for Hubbard, Ross and Hickok Avenue Rehabilitation to Burrell's Excavating of Norwich for \$178,850.54; and

WHEREAS, funds are required to cover the cost of replacement of water and sanitary sewer mains in Hickok, South Hickok and Ross Avenues; now, therefore be it

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
HR31-9950.1	Water Main Reserve	\$ 19,413.00
G9950.8340	Waste Water Interfund Transfer	56,359.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H37-5031	Main Replacement Capital Project	\$ 75,772.00

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

RESOLUTION #70 - 1993. AUTHORIZING TRANSFER FOR WATER TURBIDITY CONTROL

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the New York State Department of Health and the United States Environmental Protection Agency have issued revised turbidity sampling requirements effective June 29, 1993; and

WHEREAS, a turbidity meter and recorder are needed to comply with the continuous sampling requirements; and

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

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

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F1990.4	Water Fund - Contingency	\$ 2,900.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
F8330.2100	Water Fund - Treatment & Equipment	\$ 2,900.00

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

RESOLUTION #71 - 1993. AUTHORIZING BUDGET AMENDMENT FOR 1993 GENERAL FUND

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City has received a donation of \$1,500 from the Greater Norwich Foundation for the purpose of purchasing filing cabinets for the City Historian's office; and

WHEREAS, the Finance Committee has made certain recommendations; now, therefore be it

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

BUDGET

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7510.2100	Historian - Equipment	\$ 1,500.00

REVENUE

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A2705	Donations	\$ 1,500.00

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

-- Prior to the vote, Ald. Angelino asked if the filing cabinets were delivered to the Historian's office after the Public Works Committee agreed they would be delivered directly to the temporary quarters at the Waste Water Treatment Facility. Mayor Chomyszak said the filing cabinets were delivered to the Historian's office in error and she has instructed the Historian not to fill them until after they are moved to the temporary quarters.

RESOLUTION #72 - 1993. AUTHORIZING AGREEMENT FOR COURT SECURITY

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the State Office of Court Administration is requesting the City to provide security for City Court facilities; and

WHEREAS, the State Unified Court System will reimburse the City for certain costs associated with such security; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized, subject to approval by the City Attorney, to enter into an agreement with the New York State Unified Court System for the City to provide security for Norwich City Court and to obtain reimbursement for such activity.

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

-- Prior to the vote, Mayor Chomyszak noted that the resolution was to renew the agreement which provides for a peace officer to be present during city court sessions for security purposes.

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

	<u>Prepaid</u>	<u>7/13/93</u>	<u>Grand Total</u>
General Fund	516,225.52	49,305.87	565,531.39
Trust Fund	90,384.03	100.00	90,484.03
B.I.D.	1,000.00	0.00	1,000.00
W.W.T.P.	0.00	2,998.13	2,998.13
Reserves	25,000.00	0.00	25,000.00
Community Development	1,687.71	14,273.26	15,960.97
Capital Projects	0.00	21,213.07	21,213.07
TOTALS	634,297.26	87,890.33	722,187.59

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

-- Ald. McNeil moved to go into executive session at 7:35 to discuss contract negotiations with a possible vote afterwards. Seconded by Ald. Tooker and duly adopted, ayes all.

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

-- Ald. McNeil moved to authorize the Mayor to sign the Memorandum of Agreement between the City of Norwich and the Norwich Firefighters with the word elected changed to selected in paragraph 20 and that a resolution be prepared for the next Council meeting approving the contract. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0 with Ald. Angelino abstaining due to a possible conflict of interest.

Ald. Carnrike stated the firefighters do a superb job and said he hoped that in the future everyone can work together.

-- Ald. McNeil moved to adjourn at 8:15 pm. Seconded by Ald. Symonds and duly adopted, ayes all.