

COMMON COUNCIL

August 24, 1993

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on August 24, 1993, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Asst. Police Chief Robert Mason
Asst. Fire Chief T. Christophersen
Highway Supt. Joseph Loscavio
Historian Patricia Scott
Asa Allison, Delaware Engineering

Ald. Symonds moved to dispense with the reading and approve the minutes of August 10, 1993. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- Elizabeth Vodvarka, Norwich, addressed the Common Council on behalf of the Chenango County Senior Advocates, an organization comprised of approximately 35 senior citizens. She explained that her organization, due to increases in cost of living and the economy, is receiving less money for senior citizen programs and trips. She said she understood the City does make available funds for senior activities and would like to request the City to consider her organization. Mrs. Vodvarka explained that some of the programs the group is involved in include supporting the senior care bill which recently failed passage as well as lifeline telephone lines.

Ald. McNeil noted the City has a senior citizen program which is coordinated by Mary Henkes. Mrs. Vodvarka stated that her group is not affiliated with Mary Henkes group. She said her organization, unlike Mrs. Henkes group, caters to upper aged senior citizens. She explained that her group sponsors trips that do not require a lot of walking. Mrs. Vodvarka stated that she has also been in contact with the United Way for funding and has requested Opportunities for Chenango to assist with transportation. Ald. McNeil said he would request Mrs. Henkes to attend the next Personnel Committee meeting and would be back in touch. Ald. Rabinowitz suggested the number of handicapped members in the organization may lead to another source of funding.

-- Joe Portelli, 11 Division Street, regarding East and West Side Parks, said he does not feel a curfew will help the situation. He said he talked to both City Supervisor Annese and the Police Chief regarding the situation. He noted that his main concern is the litter and disrespect for property. He asked about the possibility of a litter fine. Ald. Symonds stated that the Public Works Committee discussed the matter and is recommending additional lighting and increased police presence in the parks. He noted the committee will continue to look into the matter.

BIDS:

Clerk Zakrevsky reported no bids were received for 1993 Surplus Wood and one bid was received for 1993 Street Program-Asphalt Recycling from Suite Kote Corporation of Cortland, NY.

It was the consensus of the Council that the 1993 Surplus Wood be rebid and that the bid for 1993 Street Program be held for further study by the Public Works Committee.

CORRESPONDENCE:

Mayor Chomyszak read a mayoral proclamation congratulating the Town of Norwich on its Bicentennial anniversary.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

- Ald. Rabinowitz moved to receive and file the following reports:
 - Water Board minutes of July 26, 1993
 - Fire Department monthly report for May 1993
 - Parks Commission minutes of August 9, 1993
 - Codes Enforcement monthly reports for June and July 1993

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

WARD AND COMMITTEE REPORTS:

- Finance Committee meetings of August 10 and 18, 1993
- Public Works Committee meeting of August 12, 1993
- Ald. Rabinowitz reported from Ward Three a complaint from a resident regarding a motor vehicle accident on the corner of Borden Avenue and North Broad Street. The resident feels strongly that there should be a traffic light at the intersection. Ald. Rabinowitz said he explained to the resident that it is a decision the State would have to make. He said she accepted his explanation and informed him she would approach the State herself.
- Ald. Symonds questioned several items from the Public Works Committee meeting of August 12 including the discussion regarding dredging the river and the Smith property. Highway Supt. Loscavio said the State is recommending the river and creek be dredged. Ald. Angelino said there will be more information available at the next Public Works Committee meeting. Regarding the Smith property, Clerk Zakrevsky explained that there are no formal plans at this time to do anything more than determine how much work needs to be done to the property to make it usable.

OLD BUSINESS:

- Ald. Symonds reported, regarding the Halloween parade and trick or treating, that a poll was taken of the Halloween Task Force members and the decision was split between the two days. He stated that it is the recommendation of the Public Safety Committee to hold the parade at 2 pm on Saturday, October 30, 1993 with trick or treating following the parade.

The Mayor noted that she has received many positive comments regarding holding the activities during the daylight hours. Mr. Portelli noted that he could gather just as many comments supporting holding the event in the evening. Ald. Symonds said the recommendation has been made for this year's event and suggested Mr. Portelli may want to campaign for an evening event next year.

Mayor Chomyszak, upon the recommendation of the Public Safety Committee, designated Saturday, October 30 at 2 pm for the annual Halloween Parade with trick or treat to follow.

- Ald. Angelino asked if the surplus fire truck has been disposed of yet. Asst. Chief Christophersen said that it has not. The matter was referred to the Public Safety Committee.

Ald. Angelino asked why the DPW dump truck is parked at the Waste Water Treatment Plant. Highway Supt. Loscavio said the truck will be at the plant for approximately three weeks hauling sludge from the drying bed.

NEW BUSINESS:

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

- Lynn W. Manwarren, Jr., 6 Hubbard Avenue to the Alert Hose Company
- Gene K. Murphy, PO Box 390 B, Norwich to the Alert Hose Company
- Jason W. Lawrence, 68 Henry Street to the Hook & Ladder Company

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

Prior to the vote, Asst. Chief Christophersen noted that all the applicants went through the background checks and were approved by the committees. He noted that Mr. Lawrence began as a member of the Explorer Youth Firefighter program.

RESOLUTION #81 - 1993. AUTHORIZING TRANSFER FOR SUMMER YOUTH PROGRAMS

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of the remaining summer youth bus trips; 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	\$ 600.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7140.4020	Playground & Recreation Contracted Services	\$ 600.00

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

RESOLUTION #82 - 1993. AUTHORIZING TRANSFER FOR LEGAL EXPENSES INCURRED FROM DISMISSED LAW SUIT

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover expenses from a dismissed law suit which are under the deductible portion of the insurance policy; 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	\$ 1,062.50

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1911.4	Payment of Insured Losses	\$ 1,062.50

Seconded by Ald. Rabinowitz.

-- Ald. Angelino moved to table the resolution for further clarification. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

RESOLUTION #83 - 1993. AUTHORIZING TRANSFER FOR ENGINEERING SERVICES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the estimated cost of engineering services through December 31, 1993; 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	\$ 23,064.15

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1440.4020	Engineer - Contracted Services	\$ 23,064.15

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

RESOLUTION #84 - 1993. AUTHORIZING TRANSFER FOR REASSESSMENT AWARDS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the costs associated with reassessment awards; 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	\$ 50.00

To:

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

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

RESOLUTION #85 - 1993. AUTHORIZING AMENDMENT FOR BEYER POOL PROJECT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Finance Committee has approved amending the Beyer Pool Project Budget to eliminate "Capital Note" funding; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following amendment in the 1993 Beyer Pool Project Budget:

Revenues:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H39-2401	Interest Income-Beyer Pool/Rotary Park	\$ 1,434.00
H39-2705	Gifts and Donations-Rotary Park	8,900.00
H39-3097	EQBA Municipal Grant-Beyer Pool/Park	197,840.00
H39-5031	Transfers from Other Funds to Pool/Park	258,170.00
		\$ 466,344.00

Expenses:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
H39-7180.1010	Personal Services-Beyer Pool/Park	\$ 3,272.00
H39-7180.102	Administration-Beyer Pool/Park	1,316.00
H39-7180.22	Land Acquisition-Beyer Pool/Rotary Park	21,300.00
H39-7180.402A	General Construction-Beyer Pool/Park	348,156.00
H39-7180.402B	Other Construction-Beyer Pool/Park	61,300.00
H39-7180.402D	Design & Engineering-Beyer Pool/Park	31,000.00
		\$ 466,344.00

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

-- Prior to the vote, Ald. Carnrike asked if there is a balance left. Chamberlain Hutton said there is not.

Clerk Zakrevsky noted that people have been using the park excellently, helping to keep it clean and not abusing it.

Mayor Chomyszak noted that the pool will close for the season on September 4, 1993. Ald. Angelino stated that next year the pool should be open until Labor Day.

RESOLUTION #86 - 1993. AUTHORIZING CDBG ECONOMIC INVESTMENT PROGRAM LOAN FOR THE LABEL GALLERY

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are available from repayment proceeds of Urban Development Action Grants and Small Cities CDBG grants, and

WHEREAS, a CDBG national program objective is to create and/or retain employment opportunities for persons of low and moderate incomes, and

WHEREAS, the Economic Investment Program Loan Committee has recommended approval of a loan application in the amount of \$ 40,000 submitted by Christopher Ulatowski for the development a label manufacturing company on Hale Street in the City of Norwich; now, therefore be it

RESOLVED, that an economic investment program loan to Christopher Ulatowski in the amount of \$ 40,000 be and hereby is authorized, to be amortized over ten years at the rate of seven percent interest with a balloon payment in year five; and, further be it

RESOLVED, that the Mayor be and hereby is authorized to act on behalf of the City in all matters related to the loan and such other terms and conditions as may be deemed appropriate relative to implementation of this resolution.

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

-- Prior to the vote, Ald. Symonds stated that it is good to see a small business come into the community.

RESOLUTION #87 - 1993. AUTHORIZING TRANSFER FOR PERSONNEL SERVICES FOR YOUTH RECREATION PROGRAM

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of payroll for operation of Beyer Pool due to an extended program year; 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	\$ 3,115

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7140.1010	Youth Bureau - Personnel Service	\$ 3,115

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

-- Prior to the vote, Mayor Chomyszak noted that only nine weeks of payroll were budgeted last fall.

RESOLUTION #88 - 1993. AMENDING SIDEWALK PROGRAM

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, Resolution Number 15 of 1983 authorized the City Sidewalk Program be reinstated with the entire cost of sidewalk construction charged back against the property owner at a cost not to exceed \$2.25 per square foot; and

WHEREAS, the cost of implementing such program has increased over the past ten years; and

WHEREAS, the Public Works and Finance Committees have made certain recommendations; now, therefore be it

RESOLVED, that Resolution Number 15 of 1983 is amended in that the entire cost for sidewalk construction to be charged back against the property owner shall not exceed \$3.35 per square foot, and further be it

RESOLVED, that this resolution shall take effect immediately.

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

-- Prior to the vote, Ald. Angelino noted that the new rate will apply to new contracts. Ald. Rabinowitz suggested that the actual costs be reviewed every year.

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

<u>Prepaid</u>	<u>08/24/93</u>	<u>Grand Total</u>
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General Fund	155,355.76	20,605.52	175,961.28
Trust Fund	92,764.87	0.00	92,764.87
Water Filtration Reserve	90,000.00	0.00	90,000.00
W.W.T.P.	0.00	46,048.40	46,048.40
Community Development	30,473.28	625.38	31,098.66
Capital Projects	130,396.00	49.03	130,445.03
TOTALS	498,989.91	67,328.33	566,318.24

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

-- Ald. McNeil moved to go into executive session at 8:15 pm to discuss pending litigation and the purchase of property where the price may be effected. Seconded by Ald. Carnrike and duly adopted, ayes all.

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

-- Ald. McNeil moved to adjourn at 8:52 pm. Seconded by Ald. Symonds and duly adopted, ayes all.