

COMMON COUNCIL

November 30, 1993

Mayor Chomyszak presided at a regular meeting of the Common Council held at 7 pm on November 30, 1993, at the Higley Building.

Present:

Mayor Marjorie Chomyszak
Ald. George Carnrike
Ald. Robert Rabinowitz
Ald. Barbara Schermerhorn
Ald. Sam Symonds
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Fire Chief Timothy Ashcraft
Police Chief Richard Whiting
Asst. Police Chief Robert Mason
Water Board Chairman Albert Sullivan
Highway Supt. Joseph Loscavio
Historian Patricia Scott
Deputy Chamberlain James Hoffman

Ald. Symonds moved to dispense with the reading and approve the minutes of November 16, 1993. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

PUBLIC HEARINGS:

Mayor Chomyszak opened the public hearings at 7:05 pm for the budgets.

-- Stan Prusik, 30 Eric Street, stated that he is concerned with the Council using surplus money to balance the budget. He suggested the City cut the budget by 10 percent by reorganizing and combining departments to decrease employment.

-- Mary Coe, 5-A Waite Street, said many people are on a fixed income and the tax increases will not only affect senior citizens, but our children and grandchildren as well.

-- Carlton Atkinson, 9 Howard Street, said that with everything rising, any increase in taxes should be looked at very seriously. He asked the Council to consider lowering taxes.

-- Nancy Stiles, on behalf of the senior citizens, read a letter from Assemblyman Rappleyea regarding increasing the senior citizen low income scale. She presented a petition of residents requesting the Council give due and careful attention to the real property tax exemption rate for senior citizens. Ald. Angelino moved to receive and file the petition. Seconded by Ald. Symonds and duly adopted, ayes all.

-- Peggy Parker asked if the Council has taken into account the loss of jobs and the number of homes going on the market.

Ald. Symonds said all aspects of the economy and the job market were considered before determining the budget. He explained that the city used money from the fund balance to maintain services at the same level currently provided. He noted that with the drop in employment rates, the sales tax revenue is uncertain. Ald. Symonds stated that the Council will restructure and strive for no duplicated services next year.

Ald. Rabinowitz said the City, in response to complaints from residents, has kept street maintenance a priority. He stated that in order to attract other businesses, the City needs to look like a success. Ald. Rabinowitz stated that the Council will look at operations and consolidating to maintain services.

-- Mr. Atkinson stated that he has reached the limit of what he can pay. He said that these are lean, hard times and the Council must get lean and hard.

Ald. Carnrike said prospective businesses will not be coming into the City because of the high tax rates and he would like to see the budget at a zero percent increase. He indicated the tax rate should be decreasing by five percent.

Mark DeMellier, 47 Hayes Street, stated that he cannot see how the City would consider raising taxes when major businesses are closing.

-- Casey Jones, 4 Maydole Street, said he is concerned that things are being addressed on a one year basis rather than planning for long term solutions.

Mr. Jones also addressed the water and sewer rates with regard to rates being established according to useage.

-- Cliff Tamsett, 23 North Broad Street, stated that the City structure needs to be changed and suggested that the City and County consolidate services. He also suggested consolidating the Fire and Police Departments with police and fire personnel being cross trained.

Ald. Rabinowitz stated that the City's tax rate is very small compared to the whole tax bill. He also noted that the City has been cooperating with the Towns, consolidating where possible and will continue to do so.

There being no further comments, Mayor Chomyszak closed the hearing at 7:55 pm and opened the hearing regarding proposed Ordinance No. 2 of 1993, an Ordinance to Amend the Water and Sewer Use Rates in the City of Norwich.

-- Water Board Chairman Sullivan stated that in excess of five years ago the City had a structure which had seven declining rates built on the basis that the larger users would have the lowest rates. The Water System started annually reducing the number of rates. He also noted that there has not been an adjustment in water rates in three years.

There being no further comments, Mayor Chomyszak closed the hearing at 8 pm.

OPEN FORUM:

-- Mary Coe, 5-A Waite Street asked if the sales tax was increasing in the City of Norwich. Mayor Chomyszak said it was not increasing.

BIDS:

Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

Clerk Zakrevsky reported a mayoral proclamation was received which Mayor Chomyszak read proclaiming December 1, 1993 as World AIDS Day.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Water Board minutes of October 13 and 25, 1993
- Plumbing Board minutes of September 16, October 13 and November 17, 1993
- Planning Commission minutes of November 1, 1993
- Traffic Commission minutes of November 10, 1993

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

WARD AND COMMITTEE REPORTS:

-- Ald. Carnrike reported he has received complaints regarding garbage not being placed in approved containers. He also expressed concern

regarding the South Broad Street bridge elevations which was referred to the Public Works Committee.

-- Ald. Rabinowitz reported a resident expressing disapproval of any increase in the tax rate. He noted that he has also received complaints regarding garbage being placed at the curb improperly.

-- Ald. Schermerhorn reported she has been contacted by residents who are concerned with the possibility of an increase in property tax rates.

- Public Works Committee meeting of November 11, 1993, revised
- Finance Committee meetings of November 15 and 16, 1993
- Personnel Committee meeting of November 8 and 15, 1993
- Public Safety Committee meeting of November 15, 1993

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

OLD BUSINESS:

-- Ald. Symonds moved to remove Resolution Number 106 of 1993 - AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH RE-ASSESSMENT CASES from the table. Seconded by Ald. Angelino and duly adopted, ayes all.

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

-- Prior to the vote, Mayor Chomyszak said she spoke with Dr. Cleveland and it is his opinion that the School Board may not be agreeable to pay half the fees since there is only one open case. Ald. Angelino noted that there were 18 cases originally.

NEW BUSINESS:

RESOLUTION #127 - 1993. ADOPTING 1994 GENERAL FUND BUDGET

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, a proposed general fund budget in the amount of \$3,975,393 was presented to the Common Council on November 16, 1993; and

WHEREAS, a public hearing on such budget has been held on November 30, 1993; now, therefore be it

RESOLVED, that the 1994 General Fund Budget for the City of Norwich in the amount of \$3,975,393, as presented on November 16, 1993, be and hereby is adopted.

Seconded by Ald. Angelino.

Ald. Carnrike said he would like to keep the budget at a zero percent increase and would like the full Council present to vote. Ald. Symonds stated that a special meeting was held on November 8 to review the goals for 1994 budget and hearing no complaints, the Finance Committee presented the budget on November 16.

-- Ald. Symonds moved to table the resolution and schedule a Council meeting on December 7, 1993 when a full Council can be present for a vote. Seconded by Ald. Angelino and duly adopted, ayes all.

-- Mr. Carlton Atkinson suggested the position of Assessor be cut to part time.

RESOLUTION #128 - 1993. ADOPTING 1994 WATER, WASTE WATER, UNEMPLOYMENT INSURANCE AND SPECIAL GRANTS BUDGETS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, proposed 1994 budgets for the Water Fund in the amount of \$589,724, the Waste Water Fund in the amount of \$852,550, the Unemployment Insurance Fund in the amount of \$9,200, and the Special Grants Fund in the amount of \$1,540,050 were presented to the Common Council on November 16, 1993; and

WHEREAS, public hearings on the Water Fund, Waste Water Fund, Unemployment Insurance Fund, and Special Grants Fund budgets have been held on November 30, 1993; now, therefore be it

RESOLVED, that the 1994 Water Fund budget in the amount of \$589,724, the 1994 Waste Water Fund budget in the amount of \$852,550, the 1994 Unemployment Insurance Fund budget in the amount of \$9,200, and the 1994 Special Grants Fund budget in the amount of \$1,540,050, as presented to the Common Council on November 16, 1993, be and hereby are adopted.

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

-- Prior to the vote, Ald. Carnrike stated that the Water and Waste Water budgets were in line.

Ald. Schermerhorn requested an explanation of why a nine percent increase was needed. Water Board Chairman Sullivan explained that although expenditures have been reduced, the increases are needed due to lost income from the departure of Victory Markets and the anticipated loss of Proctor and Gamble's Eaton Avenue facility.

RESOLUTION #129 - 1993. APPROVING ORDINANCE RELATIVE TO WATER AND SEWER USE RATES

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the Common Council has approved water and waste water budgets for the City of Norwich for the 1994 fiscal year which require increases in rates to achieve necessary revenues; and

WHEREAS, the Common Council received proposed Ordinance No. 2 of 1993 on November 16, 1993, such ordinance establishing new water and sewer use rates in the City of Norwich; and

WHEREAS, a public hearing has been held on November 30, 1993, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 2 of 1993, relative to establishment of new water and sewer rates, as presented to the Common Council on November 16, 1993, be and hereby is approved.

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

-- The Council deferred a resolution regarding Establishing 1994 Non-Unit Compensation Benefits until the December 7, 1993 meeting.

RESOLUTION #130 - 1993. AUTHORIZING TRANSFER FOR STREET MAINTENANCE PERSONAL SERVICES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of Personal Services for Street Maintenance; 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>
A5410.1010	Sidewalks - Personal Services	\$ 10,960.76

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5110.1010	Street Maintenance - Personal Services	\$ 10,960.76

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

RESOLUTION #131 - 1993. ESTABLISHING CLARIFIER REPAIR RESERVE FUND

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, Article 2, Section 6-c of the New York State General Municipal Law provides for the establishment of various capital reserve funds for municipal services; and

WHEREAS, the Board of Water Commissioners is desirous of having such a reserve fund established for "Clarifier Repairs" at the Waste Water Treatment Plant; now, therefore be it

RESOLVED, that

1. a reserve fund for Clarifier Repairs is hereby established in accordance with Article 2, Section 6-c of the New York State General Municipal Law;

2. the Chamberlain is hereby directed to deposit monies of the reserve fund in a separate bank account to be known as the "Clarifier Repair Reserve Fund" and is authorized to invest from time to time the monies of such fund pursuant to the New York State General Municipal Law;

3. no expenditure shall be made from such fund, except upon authorization of the Board of Water Commissioners and the Common Council, pursuant to Article 2, Section 6-c of the New York State General Municipal Law.

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

RESOLUTION #132 - 1993. ESTABLISHING SANITARY SEWER MAIN REPLACEMENT RESERVE FUND

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, Article 2, Section 6-c of the New York State General Municipal Law provides for the establishment of various capital reserve funds for municipal services; and

WHEREAS, the Board of Water Commissioners is desirous of having such a reserve fund established for "Sanitary Sewer Main Replacement"; now, therefore be it

RESOLVED, that

1. a reserve fund for Sanitary Sewer Main Replacement is hereby established in accordance with Article 2, Section 6-c of the New York State General Municipal Law;

2. the Chamberlain is hereby directed to deposit monies of the reserve fund in a separate bank account to be known as the "Sanitary Sewer Main Replacement Reserve Fund" and is authorized to invest from

time to time the monies of such fund pursuant to the New York State General Municipal Law;

3. no expenditure shall be made from such fund, except upon authorization of the Board of Water Commissioners and the Common Council, pursuant to Article 2, Section 6-c of the New York State General Municipal Law.

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

-- The Council deferred a resolution Authorizing Transfer for Legal Fees Associated with Assessment Cases until the next Council meeting.

RESOLUTION #133 - 1993. APPROVING AGREEMENT WITH CITY OF NORWICH POLICE BENEVOLENT ASSOCIATION

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Mayor and the City of Norwich Police Benevolent Association have reached a tentative agreement on a new labor agreement for 1993, 1994 and 1995; and

WHEREAS, the Police Benevolent Association has ratified such agreement; and

WHEREAS, further clarifications have been made regarding the terms of the agreement; now, therefore be it

RESOLVED, that the Common Council does hereby approve an Agreement with the Norwich Police Benevolent Association for the period January 1, 1993 through December 31, 1995.

Seconded by Ald. Rabinowitz.

Mayor Chomyszak said she has not received a response from the PBA negotiator.

-- Ald. Rabinowitz moved to table the resolution until a reply can be obtained. Seconded by Ald. Carnrike and defeated 3-1 with Ald. Angelino abstaining due to a possible conflict of interest. Ayes - Ald. Carnrike, Rabinowitz and Schermerhorn. Nays - Ald. Symonds.

Ald. Symonds called the question and the resolution was defeated, 3-1 with Ald. Angelino abstaining due to a possible conflict of interest. Ayes - Ald. Rabinowitz, Schermerhorn and Symonds. Nays - Ald. Carnrike.

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

	<u>Prepaid</u>	<u>11/30/93</u>	<u>Grand Total</u>
General Fund	103,561.26	122,263.16	225,824.42
Trust Fund	118,883.25	0.00	118,883.25
B.I.D.	1,238.86	0.00	1,238.86
W.W.T.P.	0.00	41,438.45	41,438.45
Community Development	11,698.51	437.66	12,136.17
TOTALS	235,381.88	164,139.27	399,521.15

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

-- Ald. Rabinowitz moved to adjourn at 8:40 pm. Seconded by Ald. Carnrike and duly adopted, ayes all.