

COMMON COUNCIL

June 28, 1994

Mayor Biviano presided at a regular meeting of the Common Council held at 7 pm on June 28, 1994, at the Higley Building.

Present:

Mayor Joseph Biviano  
Ald. Patrick McNeil  
Ald. Robert Rabinowitz  
Ald. Barbara Schermerhorn  
Ald. Sam Symonds  
Ald. Charles Angelino

Also:

Clerk Jody Zakrevsky  
Chamberlain Hutton  
Police Chief Robert Mason  
Asst. Highway Supt. Mark Williams  
Asst. Fire Chief Graydon Titus  
Historian Patricia Scott  
William Roberts, Directional Resource

Absent:

Ald. George Carnrike

Ald. McNeil moved to dispense with the reading and approve the minutes of June 14, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

OPEN FORUM:

-- Mary Coe, 5A Waite Street, stated that she was very disturbed to see that only two downtown merchants displayed a flag on Flag Day and only one merchant had a flag displayed on Memorial Day. She indicated that she would be contacting the president of the Merchants Association regarding the matter. Mrs. Coe noted that there is still garbage out at the residence on Silver Street. The Mayor said letters have been sent to the resident. The matter was referred to the Asst. Engineer.

Ald. Angelino noted that the banners should be up for the Fourth of July.

-- Frank Feitsma, 10 Marshall Street, stated that he has made approximately three calls to the police department over the past year regarding a rooster in the neighborhood that begins crowing at 4:30 am. He said the rooster has been in the area of the Sheldon Street extension for the past year when, he believes, it escaped from a livestock auction at the County Fairgrounds. He said the rooster, which neighbors have fed through the winter, is a nuisance. Police Chief Mason stated that he would look in to the matter. He noted that there is no ordinance relative to roosters in the City.

BIDS:

Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

Clerk Zakrevsky reported no correspondence was received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Ald. McNeil moved to receive and file the Parks Commission minutes of June 13, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. McNeil moved to receive and file the Youth Board minutes of May 17, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

-- Ald. Rabinowitz moved to receive and file the Civil Service Commission minutes of June 16, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

#### WARD AND COMMITTEE REPORTS:

-- Ald. McNeil asked if there should have been an approval from the Council to allow the barricade for the crane on East Main Street. He noted that it is good to see the building being painted, but there may be a possible traffic hazard. The matter was referred to the Police Chief.

-- Ald. Rabinowitz asked if the street crack sealing project will be started soon. Asst. Highway Supt. Williams said it should get underway in the near future.

-- Ald. Symonds stated the Council recently toured the P&G facility on Eaton Avenue with the members of the Task Force and found it very informative. He noted that the Task Force is doing a tremendous job with marketing strategies and P&G is working with them. Mayor Biviano said P&G has made a commitment of 135 positions and noted that the public is not well enough informed of how much P&G is doing to help the area. Ald. Symonds said he would suggest to the Task Force that an open house be held for the public.

-- Ald. Angelino reported that the Fire Station Committee has made some recommendations and tentative plans are being drawn up which will be reviewed by the Public Safety and Finance Committees.

-- Mayor Biviano reported that he met with the NYS Department of Transportation regarding the condition of East Main Street and it has been put on the State's proposed list for resurfacing.

-- Ald. Symonds moved to receive and file the Public Safety Committee meeting of May 17, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

-- Ald. Symonds moved to receive and file the Public Works Committee meeting of June 9, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

-- Ald. Rabinowitz moved to receive and file the Finance Committee meeting of June 15, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

#### OLD BUSINESS:

Chief Mason reported that he received clarification regarding the CNY Firemen's Convention being held in Norwich on July 14, 15, 16 and 17, 1994. He stated that the main events will be held on Saturday and would include a two hour parade beginning at 2 pm. The parade will consist of fire companies from up to 19 counties, 10 bands and six drum and bugle corps. He noted that there would be no alcoholic beverages at the concert. The Chief explained that several streets would be closed at times during the event.

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

#### NEW BUSINESS:

-- Ald. McNeil moved to approve the appointment of Lenthel C. Drachler, 59A Canasawacta Street, to the Maydole Hose Company and the Emergency Squad of the Norwich Fire Department. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. McNeil moved to approve the appointment of Elaine Y. Squires, 59 A Canasawacta Street, to the Emergency Squad of the Norwich Fire Department. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

## ORDINANCE NO. 2

OF 1994

AN ORDINANCE TO DISPOSE OF CERTAIN REAL  
PROPERTY OWNED BY THE CITY OF NORWICH LOCATED AT  
15 BARNES STREET, 80 SHELDON STREET AND 82 SHELDON STREET

BE IT ORDAINED by the Common Council of the City of Norwich, New York,  
as follows:

Section 1. In accordance with provisions of Section 74 of the City Charter, the City Clerk is hereby authorized to publicly bid surplus property located at 15 Barnes Street, 80 Sheldon Street and 82 Sheldon Street in the City of Norwich, property described by Tax Map Nos. 136.51-1-14, 136.51-1-10 and 136.51-1-11 to the highest bidder after proper advertisement.

Section 2. This ordinance shall take effect immediately.

-- Ald. McNeil moved to receive proposed Ordinance No. 2 of 1994 and set a public hearing for July 12, 1994 at 7 pm. Seconded by Ald. Angelino and duly adopted, ayes all (5-0) on a roll call vote.

RESOLUTION #87 - 1994. AUTHORIZING TRANSFER FOR REFUND OF BAIL

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of refunding bail; now, therefore be it

- RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A9010.8               | Retirement  | \$ 1,000.00   |

To:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A1964                 | Refund      | \$ 1,000.00   |

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

RESOLUTION #88 - 1994. AUTHORIZING AGREEMENT WITH TOWN OF OTSELIC FOR USE OF KURT BEYER POOL

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Town of Otselic is in need of pool facilities to conduct its summer swim instruction program; and

WHEREAS, the City has facilities available to meet the town's needs; and

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

RESOLVED, that the Mayor be and hereby is authorized to enter into an agreement with the Town of Otselic to rent facilities at the Kurt Beyer Pool for a swim instruction program at a cost of \$500 for a six week period, and further be it

RESOLVED, that the Town will provide its own personnel to conduct such program with qualifications equal to those of the City of Norwich as well as provide insurance naming the City as coinsured.

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

RESOLUTION #89 - 1994. 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 Thursday 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 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u>         | <u>Amount</u> |
|-----------------------|---------------------|---------------|
| A1989.402             | Contracted Services | \$ 2,000.00   |

To:

| <u>Account Number</u> | <u>Name</u>                                    | <u>Amount</u> |
|-----------------------|------------------------------------------------|---------------|
| A7140.4020            | Playground & Recreation<br>Contracted Services | \$ 2,000.00   |

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

RESOLUTION #90 - 1994. AUTHORIZING TRANSFER FOR AUDIT SERVICES

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the remaining cost of audit services; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u>         | <u>Amount</u> |
|-----------------------|---------------------|---------------|
| A1989.402             | Contracted Services | \$ 9,250.00   |

To:

| <u>Account Number</u> | <u>Name</u>                       | <u>Amount</u> |
|-----------------------|-----------------------------------|---------------|
| A1325.4020            | Chamberlain - Contracted Services | \$ 9,250.00   |

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

RESOLUTION #91 - 1994. AUTHORIZING TRANSFER FOR FIREFIGHTER CLOTHING

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, additional funds are required in the Paid Firefighter Clothing budget to comply with the 1994 Firefighters contract; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A1990                 | Contingency | \$ 1,225.00   |

To:

| <u>Account Number</u> | <u>Name</u>                                     | <u>Amount</u> |
|-----------------------|-------------------------------------------------|---------------|
| A3410.4071            | Fire Department<br>Clothing - Paid Firefighters | \$ 1,225.00   |

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

RESOLUTION #92 - 1994. AUTHORIZING TRANSFER FOR ADDITIONAL TREE REMOVAL

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of additional tree removal on Sheldon and Gold Streets; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A1989.402             | Contingency | \$ 850.00     |

To:

| <u>Account Number</u> | <u>Name</u>                         | <u>Amount</u> |
|-----------------------|-------------------------------------|---------------|
| A8560.4020            | Tree Removal<br>Contracted Services | \$ 850.00     |

Seconded by Ald. Schermerhorn and duly adopted, 4-1 (Ald. Angelino).

-- Prior to the vote, Asst. Highway Supt. explained that three trees need to be taken down on the City owned property on Barnes Street. Ald. Angelino said trees should be taken down only during the annual tree removal contract as it is too expensive for individual trees to be removed. Ald. Symonds noted that for safety reasons it was recommended that the trees be taken down.

RESOLUTION #93 - 1994. AMENDING THE 1994 GENERAL FUND BUDGET AND AUTHORIZING TRANSFER FOR MIDLAND DRIVE AND EATON AVENUE STREET RECYCLING

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Common Council has approved amending the 1994 Street Recycling Project budget to include the addition of Midland Drive and Eaton Avenue; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following amendment in the 1994 General Fund Budget:

Budget:

| <u>Account Number</u> | <u>Name</u>       | <u>Amount</u> |
|-----------------------|-------------------|---------------|
| A9950.1H93            | Permanent Streets | \$ 33,787.00  |

Source:

| <u>Account Number</u> | <u>Name</u>     | <u>Amount</u>       |
|-----------------------|-----------------|---------------------|
| A3001                 | Revenue Sharing | \$ 30,685.00        |
| A3501                 | CHIPS           | 3,102.00            |
|                       |                 | <u>\$ 33,787.00</u> |

and, further be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u>               | <u>Amount</u>       |
|-----------------------|---------------------------|---------------------|
| A9060.8               | Medical Insurance         | \$ 24,412.00        |
| A7110.1010            | Parks - Personal Services | 15,000.00           |
|                       |                           | <u>\$ 39,412.00</u> |

To:

| <u>Account Number</u> | <u>Name</u>       | <u>Amount</u> |
|-----------------------|-------------------|---------------|
| A9950.1H93            | Permanent Streets | \$ 39,412.00  |

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

-- Prior to the vote, Chamberlain Hutton stated that there are additional funds available for the project. He explained that the City received more State Aid than anticipated. Also, no increase in medical insurance this year and several staff cuts left additional funds in the budget.

RESOLUTION #94 - 1994. APPROVING "FAST TRACKING" FOR HOME PROGRAM

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the City of Norwich, through the State Division of Housing and Community Renewal has received funding under the federal HOME program; and

WHEREAS, due to the nature of the provisions of the program certain actions must be taken by the City to enable repairs to be made in a timely manner and contractors to be paid; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to audit claims for contractor services under the HOME program and the Chamberlain is hereby authorized to pay such claims following such audit to the extent necessary for the completion of such repairs undertaken under the program.

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

-- Prior to the vote, Clerk Zakrevsky stated that the resolution would allow contractors to be paid on a timely basis rather than waiting for up to three weeks for the bill list. He noted that many of contractors are small businessmen that cannot afford to cover the cost of materials for several weeks. Mr. Zakrevsky said the bill would be approved for pre-payment by himself and audited by the Mayor. He noted that the Council would post audit the bill.

RESOLUTION #95 - 1994. AUTHORIZING TRANSFER FOR CONSULTING SERVICES OF WILLIAM ROBERTS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of the consulting services provided by William Roberts for Organizational Planning and Development

for the City of Norwich for the period of May 16 through June 17, 1994; now, therefore be it

RESOLVED, that the Chamberlain be and hereby is authorized to make the following transfer in the 1994 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u>         | <u>Amount</u> |
|-----------------------|---------------------|---------------|
| A1989.402             | Contracted Services | \$ 325.00     |

To:

| <u>Account Number</u> | <u>Name</u>                     | <u>Amount</u> |
|-----------------------|---------------------------------|---------------|
| A8020.4020            | Planning<br>Contracted Services | \$ 325.00     |

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

-- Prior to the vote, Ald. McNeil asked Mr. Roberts if the Council would be receiving a summary of what he has compiled. Mr. Roberts stated that he would be making a presentation to the Council.

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

|                       | <u>Prepaid</u>       | <u>6/28/94</u>      | <u>Grand Total</u>   |
|-----------------------|----------------------|---------------------|----------------------|
| General Fund          | \$ 98,823.33         | \$ 44,608.85        | \$ 143,432.18        |
| Trust Fund            | 87,312.72            | 50.00               | 87,362.72            |
| W.W.T.P.              | 0.00                 | 550.00              | 550.00               |
| Community Development | 28,602.48            | 25,457.50           | 54,059.98            |
| <b>TOTALS</b>         | <b>\$ 214,738.53</b> | <b>\$ 70,666.35</b> | <b>\$ 285,404.88</b> |

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

-- Ald. McNeil moved to go into executive session at 7:50 pm to discuss a personnel issue and possible litigation. Seconded by Ald. Schermerhorn 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. Seconded by Ald. Rabinowitz and duly adopted, ayes all.