

COMMON COUNCIL

September 13, 1994

Mayor Biviano presided at a regular meeting of the Common Council held at 7 pm on September 13, 1994, at the Higley Building.

Present:

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

Also:

Clerk Jody Zakrevsky
Chamberlain Harold Hutton
Attorney James Cushman
Engineer James Suozzo
Asst. Police Chief Gardner Miles
Asst. Fire Chief Graydon Titus
Asst. Highway Supt. Mark Williams
Codes Enforcement Officer J. Loscavio
Deputy Clerk Harriett Leigh

Absent:

Ald. Carnrike moved to dispense with the reading and approve the minutes of August 23, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

-- Harriet Brunig of 134 South Broad Street, AARP Secretary, spoke to the Council concerning the condition of the City's sidewalks. She said the condition of the sidewalks is deplorable. Mrs. Brunig suggested the City prepare a study of the situation and have a plan in place for the next budget. The Mayor said he met with the AARP last week and agreed that their concerns are real. He explained that the City does a number of sidewalks per year. He noted that this year 16 sidewalks were done at a cost of \$9,910. Ald. Angelino indicated that the Public Works Committee recommended \$80,000 be placed in a sidewalk budget last year, however, during the budget negotiations, it was taken out to avoid a tax increase. He said that 70% of the sidewalks in the City are in poor condition and noted the Charter states that the sidewalk is the homeowner's responsibility. Engineer Suozzo said there are over 50 miles of sidewalk in the City and it would take approximately 10 years at \$50,000 per year before a noticeable difference could be seen. Ald. Carnrike added that an ongoing maintenance program would also be required. Ald. McNeil suggested the sidewalk and curbs be included as part of every street reconstruction project. Ald. Angelino said there are two options, the funds can be budgeted for sidewalk repair or the homeowners can be cited for the sidewalks in bad condition. He suggested the AARP obtain signatures of residents supporting a sidewalk program in the budget. The matter was referred to the Public Safety and Finance Committees for recommendations.

BIDS:

Clerk Zakrevsky reported no bids were received.

CORRESPONDENCE:

Clerk Zakrevsky reported a request from Citizen Telecom to close East Park Place from 11 am to 4 pm on September 17, 1994 to hold a Public Safety Awareness Day.

-- Ald. Angelino moved that prior to a vote, Sears and the Farmers Market be approached regarding the request with a telephone vote of the Council to follow. Seconded by Ald. McNeil and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Ald. Rabinowitz moved to receive and file the Plumbing Board minutes of August 17, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Ald. Rabinowitz moved to receive and file the Electrical Board minutes of August 18, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS:

-- Ald. Carnrike stated that there is concern regarding a river study and asked if there has been any further information regarding the bridge. Ald. Angelino said the study should be getting underway for next season and noted the water level has been too high to get into the creek. Engineer Suozzo reported that a crew is removing gravel from under Black Bridge and plan to do the same at the South Broad Street Bridge. He noted that they have not received permission to enter the Chenango River. Ald. Carnrike said the plants in the downtown are not being maintained properly. Asst. Highway Supt. Williams said the Streetscape Committee has plans to replace them.

-- Ald. McNeil reported that there is concern regarding the flow of water on Pleasant Street. There was discussion relative to the need for spring drains in the street. Ald. McNeil said he would like to see the installation of sidewalks and curbs included in the project. He encouraged all residents of Pleasant Street to attend a meeting regarding the project on Thursday, September 22, 1994 at 7 pm in the Higley Building. Ald. McNeil also reported that King Street should be completed within two or three weeks.

-- Ald. Rabinowitz reported residents of the west end of Pleasant Street near Plymouth Street have expressed concern regarding water drainage.

-- Ald. Schermerhorn asked if the curb cut on Lackawanna Avenue has been patched. Asst. Highway Supt. Williams said it has.

-- Ald. Symonds asked the status of a lease for the railroad right of way property. Clerk Zakrevsky said the lease is still being reviewed with some clarification of several sections of the law needed.

-- Asst. Highway Supt. Williams reported that the County is holding their tire amnesty and the Public Works Committee has recommended that tire pick up be held Friday, Monday and Tuesday, September 16, 19 and 20, and anyone with tires to be picked up should call the Highway Department. He said that the tires must have the rims removed and cannot be larger than 32 inches. Mr. Williams noted that up to 10 tires will be picked up per residence.

-- Ald. Angelino moved to approve tire pickup in the City on September 16, 19 and 20, 1994. Seconded by Ald. Symonds and duly adopted, ayes all.

The Asst. Highway Supt. reported that the Public Works Committee has also recommended that leaf pick up be conducted the weeks of October 17 and 27 and noted that only leaves in clear bags will be picked up. He stated that no brush will be picked up and no garbage mixed with leaves will be accepted. Ald. Angelino noted that both tires and leaves must be placed at the curb for pickup.

-- Ald. Angelino moved to approve fall leaf pickup in the City during the weeks of October 17 and 27, 1994. Seconded by Ald. Symonds and duly adopted, ayes all.

-- Ald. McNeil moved to receive and file the Personnel Committee meeting of July 5, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Carnrike moved to receive and file the Public Safety Committee meeting of July 19, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

-- Ald. Symonds moved to receive and file the Finance Committee meeting of August 10, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Angelino moved to receive and file the Public Works Committee meeting of August 11, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

NEW BUSINESS:

Proposed
LOCAL LAW NO. 4

OF 1994

A Local Law to amend the Charter of the City of Norwich relating to authority to act in the absence of the City Clerk

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

Section 1. Section 39 of the Charter of the City of Norwich is hereby amended by deleting the following paragraph:

The Chamberlain shall, during the absence of the Clerk from the city, or in case of his inability by reason of sickness or disability to act, possess all the powers and perform all the duties of the City Clerk, and shall otherwise assist the Clerk when required.

Section 2. This local law shall take effect immediately upon adoption and filing with the Secretary of State.

Proposed
LOCAL LAW NO. 5

OF 1994

A Local Law to Amend the Charter of the City of Norwich to provide for consolidation of any offices or positions

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

Section 1. Section 40-a of the Charter of the City of Norwich is hereby amended by deleting the existing Section 40-a and substituting the following as Section 40-b:

Section 40-b. Consolidation of offices or positions

The Common Council may, by resolution at any time, combine or consolidate the powers and duties of any officers or positions in City government. The Common Council also is empowered to provide such additional compensation to such officers or position holders for the performance of such combined or consolidated duties as the Common Council may determine.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

Proposed
LOCAL LAW NO. 6

OF 1994

A Local Law to amend the Charter of the City of Norwich to create the Office of Community Development

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

Section 1. Section 40-a of the Charter of the City of Norwich is hereby created as follows:

Section 40-a. Community Development Director, powers and duties

The Community Development Director shall be the head of the Office of Community Development. He or she may appoint any deputies, assistants, or other employees of the department for whom positions have been created and to terminate such persons from such positions.

The specific powers and duties of the Director of Community Development shall include, but not be limited to, creation of policies related to operation of the Community Development Office; initiation of new and upgraded development within the City as it relates to industrial, commercial and residential uses of property; preparation of applications for grants, gifts, financial aid or other assistance which may be available to advance community development programs and projects; supervision and coordination over community development activities involving city funds and other types of assistance, including monitoring of compliance by the City and by developers as it relates to any grant conditions for which the City is responsible; assistance to the Mayor, and to City boards and commissions to which the Director may be assigned, as it pertains to comprehensive planning and development of the physical, economic, social and cultural environments of the City and the preparation of related plans and programs.

Section 2. This local law shall take effect immediately upon adoption and filing with the Secretary of State.

-- Ald. Angelino moved to receive proposed Local Laws 4, 5 and 6 of 1994 and set public hearings for September 27, 1994. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote.

-- Prior to the vote, Ald. McNeil suggested that anyone with questions regarding the proposed local laws should contact the Mayor or Jody prior to the next Council meeting.

Ald. Carnrike stated, referring to a recent editorial in the newspaper regarding the appointment of Casey Jones to the Community Development office, that the intention is not to ignore Civil Service laws, but to move the City forward.

RESOLUTION #116 - 1994. AUTHORIZING BUDGET AMENDMENT FOR 1994 GENERAL FUND

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Norwich Police Department has received a donation in the amount of \$1,400 from MADD (Mothers Against Drunk Driving) for the purpose of purchasing a video camera for use in the DWI Program; now, therefore be it

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

BUDGET

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3120.2100	Police - Equipment	\$ 1,400.00

REVENUE

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A2705	Gifts and Donations	\$ 1,400.00

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

RESOLUTION #117 - 1994. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH ASSESSMENT CASES

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of legal fees associated with assessment cases; 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	\$ 120.85

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1420.4020	Attorney - Contracted Service	\$ 120.85

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

RESOLUTION #118 - 1994. AUTHORIZING SUBMISSION OF ARC GRANT APPLICATION

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich has a strong interest in revitalizing the Greater Norwich Area; and

WHEREAS, the City and the Town of Norwich, together with the Town of North Norwich, have entered into a mutual cooperation and sharing plan in which the parties have agreed to work cooperatively in job creation activities in the Greater Norwich Area; and

WHEREAS, there is a need to extend water and sewer lines from the City of Norwich, south into the Town of Norwich in order to aid in job creation and retention activities; and

WHEREAS, needed grant funds exist under the Appalachian Regional Commission in order to provide vital financial assistance with such construction costs and resultant jobs creation and retention activities; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized and directed to submit an application for a \$150,000 Appalachian Regional Commission grant to aid with the cost of extending water and sewer services from the City of Norwich boundary south into the Town of Norwich and to act in all matters related to such application.

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

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

	<u>Prepaid</u>	<u>9/13/94</u>	<u>Grand Total</u>
General Fund	124,922.03	46,790.20	171,712.23
Trust Fund	116,973.37	0.00	116,973.37
Reserves	700.00	0.00	700.00
Community Development	311,196.74	47.00	311,243.74
Capital Projects	0.00	7,374.70	7,374.70
TOTALS	\$553,792.14	\$54,211.90	\$608,004.04

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

-- Ald. McNeil moved to go into executive session at 8:20 pm to discuss a personnel matter. Seconded by Ald. Angelino and duly adopted, ayes all.

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

-- Ald. Angelino moved to adjourn at 9 pm. Seconded by Ald. Carnrike and duly adopted, ayes all.