

COMMON COUNCIL

January 10, 1995

Mayor Biviano presided at a regular meeting of the Common Council held at 7 pm on January 10, 1995, at the Higley Building.

Present:

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

Absent:

Ald. Sam Symonds

Also:

Attorney Aaron Dean
Chief Deputy Chamberlain Gary Clark
Police Chief Robert Mason
Asst. Fire Chief Graydon Titus
Asst. Engineer Asa Allison
Deputy C. D. Director Casey Jones
Codes Enforcement Officer Loscavio
Asst. Highway Supt. Mark Williams
Deputy Clerk Harriett Leigh
Historian Patricia Scott

Ald. McNeil moved to dispense with the reading and approve the minutes of of December 27, 1994 and the organizational meeting of January 3, 1995. Seconded by Ald. Carnrike and duly adopted, ayes all.

OPEN FORUM:

-- No one wished to be heard.

BIDS:

-- There were no bids to be received.

CORRESPONDENCE:

-- There was no correspondence to be received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

-- Ald. McNeil moved to receive and file the Civil Service Commission minutes of December 29, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Rabinowitz moved to receive and file the Parks Commission minutes of December 12, 1994. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS:

-- Ald. Carnrike reported from Ward One that he is receiving a number complaints of street lights being out. He thanked the Public Works Department for their efforts at the creek in flood prevention and noted that the creek has been cleaned from the South Broad Street Bridge to the Black Bridge.

-- Ald. Angelino reported the Fire Building Committee would like to meet with the Council relative to the presentation made by representatives of the volunteer fire companies.

-- Ald. McNeil moved to receive and file the Public Works Committee meeting of December 13, 1994. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Carnrike moved to receive and file the Finance Committee meeting of December 21, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

OLD BUSINESS:

-- Ald. McNeil moved to remove Resolution No. 163 of 1994 from the table. Seconded by Ald. Angelino and duly adopted, ayes all.

-- Ald. Angelino stated that the Loan Committee has recommended the loan be approved and Binghamton Savings Bank has also approved a loan contingent upon the City approving this loan. He also noted that Michael Fox is funding the merchandise purchase.

-- Ald. Carnrike said that he is in favor of creating new business and employment opportunities in the City, however, he feels that this action would merely be transferring employment.

-- Bob Nassar, Norwich Tire, said he feels the competition that the new business would create will bring more business to the area. He explained that with competition, the area businesses will lower their prices, making everyone more competitive with the larger stores out of town.

-- Ralph Conner, Norwich, said he did not believe that inventory can be used as collateral because it is moveable product. Mr. Stevens explained that the fixtures, equipment and \$20,000 from Mr. Fox will be used as collateral.

-- Linda Natoli, City Supervisor, said she feels economic development should be looked at as a win/win situation rather than a win/lose and feels this is a win/lose situation. Mr. Nassar noted that there are very few businesses that could be brought in that would not create competition with someone else.

-- Ald. Angelino noted that Mr. Stevens intends to carry merchandise that other businesses do not sell.

-- Ald. Carnrike asked Mr. Stevens if he had conducted a market survey. Mr. Stevens said he had not conducted a survey but has talked to people and determined that they had spent approximately \$22,000 on parts purchased outside the City.

-- Ald. Rabinowitz asked how many jobs would be created. Mr. Stevens said he will have a Manager, an Assistant Manager, four part-time Associates and one full time Associate.

-- Ald. McNeil moved to approve Resolution No. 163 of 1994. Seconded by Ald. Rabinowitz and duly adopted 4-2 (Aldermen Carnrike and Schermerhorn) on a roll call vote with the Mayor voting aye to make a majority vote.

NEW BUSINESS:

-- Ald. Angelino moved to receive the proposed Zoning Ordinance and Map and set a public hearing for January 24, 1994. Seconded by Ald. McNeil and duly adopted, ayes all.

-- Prior to the vote, Ald. McNeil questioned the time frame of setting a public hearing only two weeks after receiving the ordinance. Mayor Biviano said questions and concerns can be addressed at the public hearing and if any changes are required, a revised ordinance can be presented at the next meeting.

RESOLUTION #01 - 1995.

AUTHORIZING THE CITY OF NORWICH TO BE DESIGNATED
THE "LEAD AGENCY" FOR THE REVISIONS TO THE ZONING
ORDINANCE ENVIRONMENTAL REVIEW PROCESS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council of the City of Norwich has received and set a public hearing for proposed revisions to the Zoning Ordinance; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR"), the City of Norwich constitutes a Local Agency; and

WHEREAS, pursuant to the provisions of SEQR, the City of Norwich has determined that it has principal responsibility for carrying out and approving the action constituting the Project; now, therefore be it

RESOLVED, that the City of Norwich hereby designates itself "Lead Agency" for purposes of reviewing and making determinations under SEQR respecting the significance of any effect the Project may have on the environment; and, further be it

RESOLVED, that the Community Development Office shall prepare a review under SEQR an environmental assessment of the proposed revision to the Zoning Ordinance.

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

-- Prior to the vote, Ald. Rabinowitz noted that the ordinance will provide a means for an orderly restructuring of neighborhoods and prevent continued piecemeal deterioration.

RESOLUTION #02 - 1995. AUTHORIZING TRANSFER FOR 1994 PAYROLL

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of payroll through December 31, 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>
A5142.1010	Snow & Ice - Personal Services	\$ 4,700.00
A8140.1010	Storm Sewers - Personal Services	4,847.86
A8170.1010	Street Cleaning - Personal Services	1,330.14
	Total	\$ 10,878.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5110.1010	Street Maintenance - Personal Services	\$ 10,000.00
A8745.1010	Flood Control - Personal Services	878.00
	Total	\$ 10,878.00

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

RESOLUTION #03 - 1995. AUTHORIZING TRANSFER FOR CONSULTING SERVICES OF WILLIAM ROBERTS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the remainder of the contract for consulting services provided by William Roberts for Organizational Planning and Development for the City of Norwich through December 31, 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	\$ 3,725.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A8020.4020	Planning Contracted Services	\$ 3,725.00

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

-- Ald. Angelino moved to receive the State Audit Report of the Business Improvement District for 1993. Seconded by Ald. McNeil and duly adopted, ayes all. The Mayor noted that the report outlines some recommended changes. The matter was referred to the City Attorney for review.

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

	<u>Prepaid</u>	<u>1/10/95</u>	<u>Grand Total</u>
General Fund	279,790.70	24,887.35	304,678.05
Trust Fund	96,342.80	158.00	96,500.80
B.I.D.	1,200.00	0.00	1,200.00
Reserves	5,250.00	0.00	5,250.00
Community Development	12,800.00	0.00	12,800.00
Capital Projects	310,600.00	0.00	310,600.00
Waste Water Fund	72,145.21	0.00	72,145.21
Water Fund	266,657.39	0.00	266,657.39
TOTALS	\$ 1,044,786.10	\$ 25,045.35	\$ 1,069,831.45

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

-- Ald. McNeil moved to go into executive session at 7:45 pm to discuss the personnel history of a particular individual and the purchase of property where the price may be affected. Seconded by Ald. Carnrike and duly adopted, ayes all.

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

-- Ald. Carnrike moved to adjourn. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

COMMON COUNCIL

Executive Session

January 10, 1995

Present:

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

Also:

Deputy Chamberlain Gary Clark
Attorney Aaron Dean
Deputy CD Director Casey Jones
Donna Russell

During an executive session of the Common Council on January 10, 1995, the following action was taken:

-- Ald. McNeil moved to authorize the Mayor, under the direction of the City Attorney, to enter into a purchase agreement with the Elks Club. Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote (5-0).