

COMMON COUNCIL

October 17, 1995

Mayor Biviano presided at a regular meeting of the Common Council held at 7 pm on October 17, 1995, at the Higley Building.

Present:

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

Also:

Attorney Aaron Dean
Director of Finance/Clerk Gary Clark
Deputy Dir. of Finance Brian Haak
Asst. Police Chief Gardner Miles
Asst. Fire Chief Graydon Titus
Asst. Fire Chief Stanley Brightman
Emergency Squad Captain W. Edwards
Water Supt. Carl Ivarson
B.I.D. Administrator Jean Hayes
Deputy Clerk Donna Russell

Ald. Symonds moved to dispense with the reading and approve the minutes of September 19, 1995. Seconded by Ald. Angelino and duly adopted, ayes all.

OPEN FORUM:

Senior Advocates/Ambulance Service -- Mayor Biviano introduced Elizabeth Vodvarka, Chairman of Chenango County Senior Advocates. Ms. Vodvarka expressed concerns about the emergency ambulance service in the City of Norwich. She said there is concern among senior citizens that should Gray's Ambulance Service respond to their 911 call, they will be billed. Ms. Vodvarka referred to a senior citizen that recently called 911 and her call was answered by Gray's Ambulance Service. The senior received a bill of \$325 from Gray's, submitted it to Medicare and was left with a balance of \$85 to pay to Gray's. Ms. Vodvarka said the difficulty is that if two senior citizens call 911, one get's the city's free EMS and pays nothing and one get's Gray's Ambulance Service and a bill for \$85.

Ald. Carnrike said the Public Safety Committee would address the matter at their next meeting and asked Ms. Vodvarka to attend. He stressed that people should not hesitate to call 911 in an emergency and noted the City has a policy which allows it to pay the uncovered balance of the ambulance bill.

-- Anna Suplee, Chenango County Senior Citizens Council, read a letter from Jack Salo of Opportunities for Chenango recommending the City consider a fair and equitable cost distribution for all residents provided ambulance service through a combined volunteer - private ambulance service model.

Mayor Biviano said the City is looking into fee based systems as well as the possibility of charging a fee to the non-profit groups who use city services but do not pay taxes.

BIDS:

Water System Upgrade -- Mayor Biviano reported four bids were received on September 29, 1995 for Contract #3 for the Purchase of Materials and would be taken up under the New Business portion of the meeting.

CORRESPONDENCE:

Resignation of Gary Clark -- Ald. McNeil moved to receive the resignation of Gary R. Clark as Director of Finance/City Clerk. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

Annual Holiday Parade -- Ald. Angelino moved to approve, under the direction of the Police Chief, a request from the Evening Sun to hold the annual Holiday Parade on November 24, 1995 at 10 am. Seconded by Ald. Carnrike and duly adopted, ayes all.

AIDS Hope and Remembrance Walk -- Ald. Angelino moved to approve, under the direction of the Police Chief, a request from the Chenango County AIDS Task Force to hold the annual Hope and Remembrance Walk on December 1, 1995 at 7 pm. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

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

- Parks Commission minutes of September 11 and October 9, 1995
- Traffic Commission minutes of September 20, 1995
- Planning Commission minutes of August 7, 1995
- Codes Enforcement monthly report for September, 1995
- Police Department monthly report for September, 1995

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

WARD AND COMMITTEE REPORTS:

- Public Works Committee meetings of August 24 and September 28, 1995
- Personnel Committee meeting of September 4, 1995

Tree Removal -- Ald. Carnrike referred a question regarding tree removal to the Public Works Committee. Ald. Angelino noted that the tree list for 1996 is being compiled and that the possibility of removing trees from inside the sidewalk is being looked into.

Free Downtown Holiday Parking -- Ald. McNeil moved to approve a request from the Business Improvement District Parking Committee for free downtown parking during the holiday season from November 1 through December 31, 1995. Seconded by Ald. Carnrike and duly adopted, ayes all.

Leaf Pickup -- Ald. McNeil reminded everyone that only leaves in clear bags would be picked up. Ald. Angelino indicated leaf pickup will continue through November 10 and noted that white goods are being picked up this week.

Sidewalk Installation -- Ald. Rabinowitz reported sidewalk installation on Pleasant Street is moving along well.

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

OLD BUSINESS:

Natural Gas Service -- Ald. Angelino moved to authorize the Mayor, under the direction of the City Attorney, as recommended by the Finance and Public Works Committees, to enter into an agreement with the Empire Natural Gas Corporation (ENG) for natural gas service. Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 6-0.

NEW BUSINESS:

Assessment Board of Review Appointment -- Mayor Biviano reported a Council appointment to the Assessment Board of Review would be held for further discussion.

Fire Department Appointment -- Ald. Carnrike moved to approve the appointment of James Fowlston, 160 East Main Street, to the Emergency Squad of the Norwich Fire Department. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

1996 Water and Waste Water Fund Budgets -- Ald. Angelino moved to receive the 1996 Water and Waste Water Fund Budgets and set a public hearing

for November 21, 1995 at 7 pm in the Higley Building. Seconded by Ald. Symonds and duly adopted, ayes all.

RESOLUTION #88 - 1995. AWARDING BID FOR WATER SYSTEM IMPROVEMENTS CONTRACT
NO. 3 FOR PURCHASE OF MATERIALS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council, on August 15, 1995, adopted Resolution No. 75 of 1995, authorizing the construction of improvements to the Water System of the City of Norwich and the issuance of not exceeding \$2,400,000 serial bonds to pay the cost thereof; and

WHEREAS, bids were received on September 29, 1995, for Water System Improvements Contract No. 3 for Purchase of Materials; and

WHEREAS, the Public Works Committee has made certain recommendations; now, therefore be it

RESOLVED, that the bid submitted by Vellano Brothers, Inc. of Latham, NY, in the amount of \$335,309.42 for Bid Alternate A, be and hereby is approved pending final approval from the Farmers Home Administration.

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #89 - 1995. APPOINTING BRIAN R. HAAK AS DIRECTOR OF
FINANCE/CITY CLERK

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Director of Finance/City Clerk; and

WHEREAS, the Personnel Committee has recommended that Brian R. Haak, 14 Eaton Avenue, be appointed to such position; now, therefore be it

RESOLVED, that Brian R. Haak be and hereby is appointed to the position of Director of Finance/City Clerk, at Grade 32 of City Non-Unit Compensation Schedule, for the remainder of a two year term expiring December 31, 1996; and, further be it

RESOLVED, that this resolution shall take effect October 1, 1995.

Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #90 - 1995. AUTHORIZING TRANSFER FOR POSTAGE COSTS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of postage for the Personnel and Civil Service offices; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1995 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1210.4011	Mayor - Postage	\$ 100.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1430.4011	Personnel & Civil Service - Postage	\$ 100.00

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #91 - 1995. AUTHORIZING BUDGET AMENDMENT FOR 1995 GENERAL FUND AND ESTABLISHING RECORDS MANAGEMENT/SARA BUDGET

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Common Council on July 18, 1995, authorized an agreement with the State Archives and Records Administration to accept a grant in the amount of \$6,444 through the Local Government Records Management Improvement Fund; and

WHEREAS, such agreement includes a budget approved by the State Archives and Records Administration for the term of the grant from July 1, 1995 through June 30, 1996; and

WHEREAS, funds have been received in the amount of \$3,222 for fiscal year 1995 with the remaining balance to be received in 1996; now, therefore be it

RESOLVED, that the 1995 General Fund Budget be and hereby is amended and the following budget for Records Management/SARA is established:

BUDGET

Revenue:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A3060	State Aid - Records Management	\$ 3,222.00

Appropriations:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1460.1010	Records Management - Personal Services	\$ 2,138.00
A1460.4010	Records Management - Office Expense	521.00
A1460.4020	Records Management - Contracted Services	0.00
A1460.4030	Records Management - Travel & Training	14.00
A1460.4100	Records Management - Other	384.00
A9030.8000	Social Security/Medicare	165.00
	Total	\$ 3,222.00

Seconded by Ald. Schermerhorn and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #92 - 1995. REGRADING OF KEYBOARDIST AND CLERK POSITIONS

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, recent personnel actions within the City of Norwich have revealed a salary grading inequity among non-unit positions; and

WHEREAS, the Common Council is desirous of correcting such inequities; and

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

RESOLVED, that 1. the title of Keyboardist be and hereby is Grade 10 of the City Non-Unit Compensation Schedule.

2. the title of Clerk be and hereby is Grade 11 of the City Non-Unit Compensation Schedule.

3. this resolution shall take effect October 3, 1995.

Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #93 - 1995. AUTHORIZING ENGINEERING SERVICES FOR THE FINAL DESIGN PHASE OF THE WATER SYSTEM UPGRADE

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City of Norwich has undertaken a Water System Improvements Project to meet the current E.P.A. and New York State Department of Health Safe Drinking Water Standards which includes the issuance of not exceeding \$2,400,000 serial bonds to pay the cost thereof; and

WHEREAS, such improvements include upgrade of the groundwater supply system with infrastructure; and

WHEREAS, the Water System has received Requests for Proposals for engineering services for the final design phase of the project which includes Controls, Well House Well and Inspection as Part One and Construction Inspection Phase 1 & 2 as Part Two; and

WHEREAS, the City Engineer has made certain recommendations; now, therefore be it

RESOLVED, that 1. the firm of PLS Engineering of Tully, NY be retained at a cost not to exceed \$49,000 for engineering services for Part One.

2. the firm of Clough, Harbour and Associates of Albany, NY be retained at a cost not to exceed \$56,700 for engineering services for Part Two.

3. this resolution be and hereby is approved pending final approval from the Farmers Home Administration.

Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 6-0.

-- Prior to the vote, Water Supt. Ivarson said this was the final engineering phase and noted Natoli Engineering would be retained for smaller items.

Mayor Biviano noted that due to the efforts of Jim Suozzo and Carl Ivarson, the City is saving \$2.5 million on a system which has been redesigned to meet the needs of the City with an anticipated increase in water rates of 27% rather than an 85% increase.

RESOLUTION #94 - 1995. AUTHORIZING TRANSFER FOR A CHANGE ORDER FOR THE PLEASANT STREET RECONSTRUCTION PROJECT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, during the reconstruction of Pleasant Street a collapsed storm sewer line was discovered running from Prospect Street to North Broad Street; and

WHEREAS, a change order is required to cover the cost of repairing such line; and

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

RESOLVED, that Change Order No. 1 of the 1995 Pleasant Street Reconstruction Project in the amount of \$10,000.06 is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1995 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 10,000.06

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A9950.1H93	Interfund Transfers-Capital Projects Permanent Streets	\$ 10,000.06

Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #95 - 1995. AUTHORIZING TRANSFER FOR A CHANGE ORDER FOR THE 1995 STREET PROGRAM/ASPHALT RECYCLING

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, during the 1995 Street Recycling Project it was discovered that additional work on curbing was required to insure proper drainage; and

WHEREAS, a change order is required to cover the cost of such additional work; and

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

RESOLVED, that Change Order No. 1 of the 1995 Street Program/Asphalt Recycling project in the amount of \$4,268.00 is approved; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1995 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990	Contingency	\$ 4,268.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A9950.1H93	Interfund Transfer-Capital Projects Permanent Streets	\$ 4,268.00

Seconded by Ald. Symonds and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #96 - 1995. AUTHORIZING LICENSE AGREEMENT WITH THE NEW YORK, SUSQUEHANNA AND WESTERN RAILWAY CORPORATION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, relative to the Water System Improvement Project, the New York, Susquehanna and Western Railway Corporation has presented the City with a proposal to allow for the installation and maintenance of water mains on railroad property in the City of Norwich; and

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

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney to enter into an agreement with the New York Susquehanna and Western Railway Corporation for a license in the amount of \$525.00 which includes a standard preparation fee of \$225 and the annual fee of \$300.

Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #97 - 1995. AUTHORIZING AN AGREEMENT WITH THE WING GROUP OF HOUSTON FOR PROFESSIONAL SERVICES

Ald. Symonds introduced the following and moved its adoption:

WHEREAS, the Common Council has a desire to reduce the cost of electricity to the residents of the City of Norwich and Economic Development Zone; and

WHEREAS, a proposal has been presented from The Wing Group of Houston to study options that would provide electrical services at lower rates than those charged by New York State Electric & Gas Corp. (NYSEG); now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized under the direction of the City Attorney and the Finance Committee to enter into an agreement with The Wing Group of Houston for professional services to conduct a feasibility study relative to creating a municipal power authority in the City of Norwich and Economic Development Zone at no cost to the City of Norwich until said power authority is formed.

Seconded by Ald. Angelino and duly adopted, 5-1 (Ald. Carnrike) on a roll call vote.

RESOLUTION #98 - 1995. AMENDING RULES OF THE COMMON COUNCIL RELATIVE TO NUMBER OF MEETINGS PER MONTH

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council on February 14, 1995 amended the Rules of Procedure to provide that the two regular meetings of the Common Council be replaced by one regular meeting to be held at 7 p.m. on the third Tuesday of each month; and

WHEREAS, discussions have been held relative to the need for an additional meeting; and

WHEREAS, a recommendation has been made to hold a work session meeting for the purpose of reviewing the preliminary agenda; now, therefore be it

RESOLVED, that the Rules of Procedure of the Common Council be and hereby are amended to provide that in addition to one regular meeting of the Common Council and Council Committee meetings, a work session of the Common Council shall be held at 7 p.m. on the second Tuesday of each month; and, further be it

RESOLVED, that the work session meetings may be dispensed with periodically at the discretion of the Common Council.

Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 6-0.

Notice of Lawsuit -- Mayor Biviano reported a notice of a lawsuit against the State Board of Real Property Services by NYSEG was received and referred to the City Attorney.

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

	<u>Prepaid</u>	<u>10/17/95</u>	<u>Grand Total</u>
General Fund	342,343.20	149,944.40	492,287.60
Trust Fund	212,848.11	19.00	212,867.11
B.I.D.	0.00	1,762.04	1,762.04
Community Development	27,752.15	227,880.34	255,632.49
LDC/EDZ	3,424.89	710.00	4,134.89
Capital Projects	608.63	179,912.57	180,521.20
Waste Water (Sept)	44,729.27	0.00	44,729.27
Water (Aug)	78,867.99	0.00	78,867.99
TOTALS	\$ 710,574.24	\$ 560,228.35	\$ 1,270,802.59

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

LDC/EDZ Budget -- Ald. Symonds addressed the Local Development Corporation/Economic Development Zone (LDC/EDZ) budget stating that although the City had agreed to contribute \$50,000 per year for the first three years to bring the LDC up and running and has completed its obligation, at this time, it is not yet self sustaining. With the funding shared by the towns of North Norwich and Norwich, Ald. Symonds proposed an amount not to exceed \$27,500 for the City's share for 1996 funding of the LDC/EDZ. He noted that the County has been asked to contribute \$10,000 to the funding and if approved, it could reduce the City's share further.

-- Ald. Symonds moved to approve a budget item in an amount not to exceed \$27,500 for funding of the LDC/EDZ for 1996. Seconded by Ald. Angelino and duly adopted, ayes all on a roll call vote, 6-0.

Executive Session -- Ald. Carnrike moved to go into executive session at 7:55 pm to discuss police and fire negotiations and the employment history of a particular individual. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Symonds moved to go out of executive session at 8:16 pm. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

Fire District -- Mayor Biviano reported receiving a request from the Town of Norwich for the City of Norwich to participate with the Town in forming a fire district. There was some discussion relative to the matter.

-- Ald. Angelino moved the City decline the request to participate in a fire district at this time. Seconded by Ald. McNeil and duly adopted, 4-2, with the Mayor voting aye (Ayes: Aldermen McNeil, Symonds and Angelino; Nays: Aldermen Rabinowitz and Schermerhorn).

Adjournment -- Ald. McNeil moved to adjourn at 8:45 pm. Seconded by Ald. Rabinowitz and duly adopted, ayes all.