

COMMON COUNCIL

January 16, 1996

Mayor Biviano presided at a regular meeting of the Common Council held at 7 pm on January 16, 1996, at the Higley Building.

Present:

Mayor Joseph Biviano  
Ald. Patrick McNeil  
Ald. Barbara Schermerhorn  
Ald. Mat Thall  
Ald. Charles Angelino

Also:

City Attorney Aaron Dean  
Director of Finance/Clerk Brian Haak  
Police Chief Robert Mason  
Fire Chief Mark Rice  
Asst. Fire Chief Graydon Titus  
CD Director David Wagoner  
Codes Enforcement Officer J. Loscavio  
Historian Patricia Scott  
Deputy Clerk Donna Russell

Absent:

Ald. George Carnrike  
Ald. Robert Rabinowitz

Ald. McNeil moved to dispense with the reading and approve the minutes of the work session of December 12, 1995, the regular meeting of December 19, 1995, the organizational meeting of January 2, 1996 and the work session of January 9, 1996. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

PUBLIC HEARING:

Conveyance of Property -- Mayor Biviano opened the public hearing at 7:04 pm relative to the conveyance of property on Front Street from the IDC to the City of Norwich and property on Virginia Lane from the IDC to the Chamber Foundation.

There being no discussion, Mayor Biviano closed the hearing at 7:05 pm.

OPEN FORUM:

Gus Macker Basketball -- Jamie Mullen, Gus Macker Committee, presented information regarding Gus Macker Basketball Tournaments. He stated that 3 on 3 basketball is a growing sport that has a positive, healthy image and a well executed tournament becomes a source of civic pride and a commercial benefit for local businesses. Mr. Mullen said the committee investigated the matter and has concluded that this could be an outstanding event with great benefit to the area. He said it is anticipated that approximately 250 teams of all ages will participate in the event. Mr. Mullen noted that the event requires a three year agreement with a registration fee paid each year. Mr. Mullen stated the Committee has been able to obtain a loan of \$3,000 to cover the registration fee. He asked for the City's support of the event which would be held on July 13 and 14, 1996. Mayor Biviano indicated the Public Works Committee has recommended approving the event. The matter was referred to the Public Safety Committee for review with regard to police and fire protection.

CHIPS Affordable Housing -- Barry Cummings of CHIPS, Inc. addressed the Council relative to the need for additional affordable elderly housing in the community. He indicated CHIPS is proposing to build a 32 unit elderly rental complex and asked if police and fire protection would be available. There was discussion relative to negotiating a payment in lieu of taxes for the project. Mayor Biviano noted there is a long list of senior citizens throughout the County that would take advantage of this. Mr. Cummings said several locations are being investigated including an area near the hospital

and a property on O'Hara Drive. Mr. Cummings asked the Common Council for a letter of support for the project.

Winterfest -- Joe Portelli, Chairman of the City Youth Board, reported on plans for the 1996 Winterfest. He stated that the third annual Winterfest is scheduled for February 10, 1996 in East and West Side Parks and the Citizens Telecom parking lot. The event includes Figure Skaters from the Clinton Figure Skating Club, members of the Colgate Red Raiders Hockey Team, horse and wagon rides, a chili cook-off, snow sculptures, broom ball, a 5k run, and more. Mr. Portelli anticipates a successful event, weather permitting.

Norwich Fire Department -- Patrick Ford, presented a resolution adopted by the Norwich Fire Department at its annual meeting on December 12, 1995. He indicated the resolution supports the formation of a fire district and requests the Common Council to reconsider its action taken on October 17, 1995.

Holiday Lighting -- Mary Coe, 35A Waite Street, suggested the City turn off the Christmas lights in the park in an effort to save money. Mayor Biviano said that is not a decision the City can make as the B.I.D. is responsible for the holiday lighting in the downtown.

#### BIDS:

No bids were received.

#### CORRESPONDENCE:

Fire District Resolution -- Ald. Angelino moved to receive the Norwich Fire Department resolution supporting the formation of a Fire District and refer the matter to the Public Safety Committee, the Finance Committee and the Municipal Cooperation Committee for recommendations. Seconded by Ald. McNeil and duly adopted, ayes all.

#### DEPARTMENT, BOARDS AND COMMISSION REPORTS:

- Ald. McNeil moved to receive and file the following reports:
- Traffic Commission minutes of December 13, 1995, January 10, 1996
- Plumbing Board minutes of December 20, 1995
- Electrical Board minutes of December 21, 1995
- Police Department monthly report for December 1995
- Youth Board minutes of December 12, 1995

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

#### WARD AND COMMITTEE REPORTS:

- Public Works Committee meeting of November 30, 1995
- Finance Committee meetings of December 6, 1995 and January 3, 1996
- Ald. Angelino moved to receive and file the ward and committee reports. Seconded by Ald. McNeil and duly adopted, ayes all.

#### NEW BUSINESS:

Liquid Chlorine and Sodium Hypochlorite Bids -- Ald. Angelino moved to award the bids to the lowest qualified bidders as recommended by the Public Works Committee as follows: Liquid Chlorine to Jones Chemicals of Goshen, NY for \$67.50 each with no deposit charge on the cylinders; Sodium Hypochlorite to Slack Chemical of Carthage, NY for \$1.15 each. Seconded by Ald. McNeil and duly adopted, ayes all.

Deputy Director of Disaster Preparedness -- Ald. Angelino moved the appointment of A. Jones, 4 Maydole Street, to the position of Deputy Direc-

tor of Disaster Preparedness for the City of Norwich. Seconded by Ald. McNeil and duly adopted, ayes all.

RESOLUTION #02 - 1996. AUTHORIZING TRANSFER FOR 1995 POSTAGE FOR FINANCE AND CODES DEPARTMENTS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover additional postage for the Finance and Codes Enforcement Departments through December 31, 1995; now, therefore be it

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

From:

| <u>Account Number</u> | <u>Name</u>               | <u>Amount</u> |
|-----------------------|---------------------------|---------------|
| A1430.4020            | Personnel & Civil Service | \$ 1,000.00   |
|                       | Contracted Services       |               |
| A1410.4011            | City Clerk - Postage      | 110.00        |

To:

| <u>Account Number</u> | <u>Name</u>                 | <u>Amount</u> |
|-----------------------|-----------------------------|---------------|
| A1325.4011            | Finance - Postage           | \$ 1,000.00   |
| A3620.4011            | Codes Enforcement - Postage | 110.00        |

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #03 - 1996. AUTHORIZING TRANSFER FOR HIGHWAY 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 and Street Cleaning through December 31, 1995; now, therefore be it

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

From:

| <u>Account Number</u> | <u>Name</u>                            | <u>Amount</u> |
|-----------------------|----------------------------------------|---------------|
| A5142.1010            | Snow & Ice Removal - Personal Services | \$ 10,200.00  |
| A8140.1010            | Storm Sewers - Personal Services       | 2,000.00      |
| A8745.1010            | Flood Control - Personal Services      | 2,136.88      |
|                       | Total                                  | \$ 14,336.88  |

To:

| <u>Account Number</u> | <u>Name</u>                            | <u>Amount</u> |
|-----------------------|----------------------------------------|---------------|
| A5110.1010            | Street Maintenance - Personal Services | \$ 14,200.00  |
| A8170.1010            | Street Cleaning - Personal Services    | 136.88        |
|                       | Total                                  | \$ 14,336.88  |

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #04 - 1996. AUTHORIZING TRANSFER FOR TAX SALE FILINGS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the filing fees on unpaid taxes; 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> |
|-----------------------|-------------|---------------|
| A1990                 | Contingency | \$ 865.43     |

To:

| <u>Account Number</u> | <u>Name</u>              | <u>Amount</u> |
|-----------------------|--------------------------|---------------|
| A1325.4010            | Finance - Office Expense | \$ 865.43     |

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #05 - 1996. AUTHORIZING TRANSFER FOR BACKHOE REPAIRS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of repairs to the Water System backhoe; now, therefore be it

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

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| F1990                 | Contingency | \$ 2,400.00   |

To:

| <u>Account Number</u> | <u>Name</u>            | <u>Amount</u> |
|-----------------------|------------------------|---------------|
| F8340.4047            | Distribution - Repairs | \$ 2,400.00   |

Seconded by Ald. Thall and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #06 - 1996. AUTHORIZING TRANSFER FOR 1995 PERSONAL SERVICES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover personal services of several departments through December 31, 1995; now, therefore be it

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

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A1990                 | Contingency | \$ 8,925.00   |

To:

| <u>Account Number</u> | <u>Name</u>                             | <u>Amount</u> |
|-----------------------|-----------------------------------------|---------------|
| A1325.1010            | Finance - Personal Services             | \$ 2,038.00   |
| A1620.1010            | Municipal Buildings - Personal Services | 205.00        |
| A3410.1010            | Fire Department - Personal Services     | 5,500.00      |
| A3520.1010            | Codes Enforcement - Personal Services   | 1,182.00      |
|                       | Total                                   | \$ 8,925.00   |

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #07 - 1996. ESTABLISHING CAPITAL RESERVE FOR WASTE WATER EQUIPMENT

Ald. McNeil introduced the following and moved its adoption:

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

WHEREAS, the City of Norwich is desirous of establishing such a reserve fund for the purchase of wastewater equipment for the City of Norwich; now, therefore be it

RESOLVED, that 1. pursuant to Article 2, Section 6-c of the General Municipal Law of the State of New York, a capital reserve fund for "Wastewater Equipment" be and hereby is established to finance the purchase of wastewater equipment;

2. the Director of Finance is hereby directed to deposit monies of the reserve fund in a separate bank account to be known as the "Wastewater Equipment 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 Common Council, pursuant to Article 2, Section 6-c of the New York State Municipal Law.

Seconded by Ald. Thall and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #08 - 1996. AUTHORIZING TRANSFER FOR AMBULANCE EQUIPMENT CAPITAL RESERVE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are available in the 1995 General Fund Budget due to insurance savings for the Emergency Squad; 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> |
|-----------------------|-----------------------------|---------------|
| A3625.4024            | Emergency Squad - Insurance | \$ 7,252.06   |

To:

| <u>Account Number</u> | <u>Name</u>                                     | <u>Amount</u> |
|-----------------------|-------------------------------------------------|---------------|
| A9950.1HR22           | Transfer to Capital Ambulance Equipment Reserve | \$ 7,252.06   |

Seconded by Ald. Schermerhorn and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #09 - 1996. AUTHORIZING TRANSFER FOR LEGAL FEES ASSOCIATED WITH ASSESSMENT CASES

Ald. Angelino 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 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 | \$ 523.84     |

To:

| <u>Account Number</u> | <u>Name</u>                    | <u>Amount</u> |
|-----------------------|--------------------------------|---------------|
| A1420.4020            | Attorney - Contracted Services | \$ 523.84     |

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #10 - 1996. AUTHORIZING BUDGET AMENDMENT FOR 1996 GENERAL FUND AND ESTABLISHING RECORDS MANAGEMENT/SARA BUDGET

Ald. Angelino 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, funds were received in the amount of \$3,222 for the fiscal year 1995 portion of the grant and a budget established; and

WHEREAS, on December 31, 1995, funds remained in such budget which lapsed into Fund Balance; and

WHEREAS, the Common Council has appropriated funds in the 1996 General Fund Budget to continue the grant program; now, therefore be it

RESOLVED, that the 1996 General Fund Budget be and hereby is amended and the following budget for Records Management/SARA is established:

BUDGET

Source:

| <u>Account Number</u> | <u>Name</u>               | <u>Amount</u> |
|-----------------------|---------------------------|---------------|
| A599                  | Appropriated Fund Balance | \$ 2,041.20   |

Appropriations:

| <u>Account Number</u> | <u>Name</u>                            | <u>Amount</u> |
|-----------------------|----------------------------------------|---------------|
| A1460.1010            | Records Management - Personal Services | \$ 1,041.11   |
| 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                 | 81.09  |

Total \$ 2,041.20

Seconded by Ald. Schermerhorn and duly adopted, ayes all on a roll call vote, 4-0.

RESOLUTION #11 - 1996. ESTABLISHING A RECORDS MANAGEMENT ADVISORY BOARD

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City of Norwich recognizes that good record keeping ensures open government, which promotes more confidence in public officials and greater accountability in the use of public funds; and

WHEREAS, the Common Council is committed to a records management program for the efficient and cost effective management of records; now, therefore be it

RESOLVED, that 1. a Records Advisory Board be and hereby is appointed to provide advice, guidance and support to the records management program.

2. such Board shall consist of the Mayor; a member of the Common Council; the Director of Finance; the City Attorney; the City Historian; the Records Management Officer.

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

RESOLUTION #12 - 1996. AUTHORIZING TRANSFER FOR RECORDS MANAGEMENT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich is conducting a records inventory of several of its departments through a grant from the State Archives and Records Administration; and

WHEREAS, the Common Council is desirous of supporting an ongoing records management program in the City of Norwich; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1996 General Fund Budget:

From:

| <u>Account Number</u> | <u>Name</u> | <u>Amount</u> |
|-----------------------|-------------|---------------|
| A1990                 | Contingency | \$ 500.00     |

To:

| <u>Account Number</u> | <u>Name</u>                | <u>Amount</u> |
|-----------------------|----------------------------|---------------|
| A1460.4100            | Records Management - Other | \$ 500.00     |

Seconded by Ald. Schermerhorn and duly adopted, ayes all on a roll call vote, 4-0.

-- Prior to the vote, Director of Finance/Clerk Haak stated the resolution acknowledges the City's commitment and support of the records management program.

RESOLUTION #13 - 1996. AUTHORIZING THE SUBMISSION OF STATE ARCHIVES AND RECORDS ADMINISTRATION (SARA) GRANT APPLICATION

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich applied for and received a grant in the amount of \$6,444 through the New York State Education Department, Local Government Records Management Improvement Fund for eligible local governments to improve management of their records; and

WHEREAS, such grant has enabled the City to undertake Phase I of a records inventory of City departments as part of its Records Retention Program; and

WHEREAS, the Common Council is desirous of completing the records inventory of all City departments; and

WHEREAS, funds are available for eligible local governments through the 1996/97 SARA grant cycle; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to submit an application to the State Archives and Records Administration for funding through the Local Government Records Management Improvement Fund and to act in all matters related to such application.

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

Authorizing Support to CHIPS -- Ald. Angelino moved to authorize the Mayor to sign a letter supporting the proposed elderly rental complex to CHIPS, Incorporated. Seconded by Ald. McNeil and duly adopted, ayes all.

Authorizing Conveyance of Property -- Ald. Angelino moved to authorize the Mayor to sign, under the direction of the City Attorney, an agreement for the conveyance of property located on Front Street from the LDC to the City of Norwich and the property located on Virginia Lane from the LDC to the Chamber Foundation. Seconded by Ald. McNeil and duly adopted, ayes all.

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

|                            | <u>Prepaid</u>       | <u>1/16/96</u>       | <u>Grand Total</u>   |
|----------------------------|----------------------|----------------------|----------------------|
| 1995 General Fund          | 152,624.94           | 33,920.40            | 186,565.34           |
| 1996 General Fund          | 49,599.24            | 11,288.37            | 60,887.61            |
| 1995 Sewer Fund            | 42,268.00            | 3,384.48             | 45,652.48            |
| 1996 Sewer Fund            | 8,065.88             | 0.00                 | 8,065.88             |
| 1995 Water Fund            | 7,330.32             | 3,667.73             | 10,998.05            |
| 1996 Water Fund            | 3,772.53             | 9.30                 | 3,781.83             |
| 1995 Trust Fund            | 99,178.15            | 0.00                 | 99,178.15            |
| 1996 Trust Fund            | 4,010.71             | 0.00                 | 4,010.71             |
| 1995 B.I.D.                | 0.00                 | 524.64               | 524.64               |
| 1996 B.I.D.                | 0.00                 | 465.00               | 465.00               |
| 1995 Unemployment Ins      | 0.00                 | 0.00                 | 0.00                 |
| 1996 Unemployment Ins      | 0.00                 | 0.00                 | 0.00                 |
| 1995 EDZ/LDC               | 1,829.23             | 19.79                | 1,849.02             |
| 1996 EDZ/LDC               | 0.00                 | 0.00                 | 0.00                 |
| 1995 Community Development | 15,322.61            | 0.00                 | 15,322.61            |
| 1996 Community Development | 798.50               | 57,176.09            | 57,974.59            |
| 1995 Capital Projects      | 78,647.77            | 32,479.65            | 111,127.42           |
| 1996 Capital Projects      | 19,575.40            | 0.00                 | 19,575.40            |
| <b>TOTALS</b>              | <b>\$ 483,023.28</b> | <b>\$ 142,935.45</b> | <b>\$ 625,968.73</b> |

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

Executive Session -- Ald. Angelino moved to go into executive session at 7:50 pm to discuss the personnel history of a particular individual and pending litigation. Seconded by Ald. Thall and duly adopted, ayes all.

-- Ald. McNeil moved to go out of executive session at 8:15 pm. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

Vacation Leave for Gardner Miles -- Ald. McNeil moved to approve a request for Gardner Miles to accrue eight vacation days until just after February 1, 1996. Seconded by Ald. Thall and duly adopted, ayes all.

-- Prior to the vote, Ald. McNeil explained that Sgt. Miles had intended to request the accrual in the capacity of "department head" which has been allowed in the past by Council approval. As the recent changes in his status were not foreseen, he is requesting to take his remaining time in a "department head" capacity as that is what he was when he earned the time. Any vacation accrued after this will be taken in accordance with the rules for members of the police bargaining unit and will not be held over.

Adjournment -- Ald. Angelino moved to adjourn at 8:35 pm. Seconded by Ald. Thall and duly adopted, ayes all.