COMMON COUNCIL

April 16, 1996

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

Present:

Mayor Joseph Biviano
Ald. George Carnrike
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Barbara Schermerhorn
Ald. Mat Thall (7:15)
Ald. Charles Angelino

Also:

Attorney Aaron Dean
Director of Finance/Clerk Brian Haak
Police Chief Robert Mason
Fire Chief Mark Rice
Asst. Fire Chief Graydon Titus (7:15)
Asst. Engineer Asa Allison
CD Director David Wagoner
Historian Patricia Scott

Ald. McNeil moved to dispense with the reading and approve the minutes of the work session of March 12, 1996, the regular meeting of March 19, 1996, and the special meeting of April 1, 1996. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

OPEN FORUM:

Norwich Housing Authority -- Ann Lauenstein, Chairman of the Norwich Housing Authority, announced that an anniversary will occur next week. She explained that on April 20, 1996, the Housing Authority will have been in existence for 20 years. Ms. Lauenstein gave a background of some of the projects the Housing Authority has been involved with. She noted that the seven member board, which includes two tenant members, meets monthly.

With regard to housing needs, Ms. Lauenstein stated greater emphasis should be placed on helping the private landlords. Ms. Lauenstein noted there are 96 rental units in the Section 8 subsidized housing program. She said the Section 8 Program was started by the Housing Authority and seems to be the best use for the money they receive.

Ms. Lauenstein requested that the Housing Authority be involved in the plans for future housing.

Zoning at 214 North Broad Street -- Dick Serafen, owner of property located at 214 - 216 North Broad Street, inquired as to the procedure to follow for rezoning his property from residential to commercial. He explained that the property has been of a commercial use for many years and he would like to have it zoned such. The matter was referred to the Planning Commission.

BIDS:

No bids were received.

CORRESPONDENCE:

No correspondence was received.

DEPARTMENT, BOARDS AND COMMISSION REPORTS:

Ald. Angelino moved to receive and file the following reports:

-- Parks Commission minutes of March 11, 1996
-- Plumbing Board minutes of March 20, 1996
-- Electrical Board minutes of March 21, 1996
-- Civil Service Commission minutes of March 13, 1996

-- Water Commission minutes of March 25, 1996
-- Youth Board minutes of March 19, 1996
-- Police Department monthly report for March 1996
-- Codes Enforcement monthly report for March 1996
-- Traffic Commission minutes of April 10, 1996

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

WARD AND COMMITTEE REPORTS:

Ald. Angelino moved to receive and file the following ward and committee reports:

-- Public Safety Committee meeting of March 26, 1996
-- Finance Committee meeting of April 3, 1996

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

NEW BUSINESS:

1996 Street Program -- Ald. Angelino moved to authorize the bidding of the 1996 Street Program, Lackawanna Avenue. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

Director of Human Resources -- Mayor Biviano introduced the Director of Human Resources, Deborah DeForest, and welcomed her to the City of Norwich.

Civil Service Commission Travel Request -- Ald. Angelino moved to send a member of the Civil Service Commission to the New York State Association of Personnel and Civil Service Annual Meeting and Spring Training Seminar to be held on June 11-14, 1996. Seconded by Ald. Rabinowitz.

Civil Service Secretary Margaret Stratton explained the Civil Service Commission would like to send one commissioner to the annual meeting in June which will be held in Alexandria Bay. Ald. Angelino said he is opposed to sending a commissioner at city expense and suggested that Ms. Stratton attend the meeting.

Ald. Rabinowitz called for a vote and the motion was duly defeated on a roll call vote, 1-5 (Aye - Ald. Rabinowitz).

Chemical Bank as Additional Depository -- Ald. Rabinowitz moved to name Chemical Bank as an additional depository for City of Norwich funds. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 6-0.

Dump Truck Purchase -- Ald. Angelino moved to authorize the purchase of a dump truck for the Department of Public Works at State contract price, estimated to be $60,000. Seconded by Ald. Rabinowitz and duly adopted, 5-1 (Ald. Carnrike) on a roll call vote.

Hole Hog Purchase -- Ald. Angelino moved to authorize the purchase of a hole hog at a cost of $5,900. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 6-0.

RESOLUTION #33 - 1996. ESTABLISHING CAPITAL PROJECT FOR CANASAWACTA STREET SEWER LINE EXTENSION

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City is desirous of extending and improving sewer lines in the area of Canasawacta Street; and

WHEREAS, funds have been included in the fiscal year 1996 budget for said project; and

WHEREAS, the rules and regulations promulgated by the New York State Comptroller require the establishment of a capital project fund to account for transactions relating to said project pursuant to GAAP; now, therefore be it

RESOLVED, that a capital project for Canasawacta Street Sewer Line Extension be and hereby is established; and

RESOLVED, that the Director of Finance be and hereby is authorized and directed to take the steps necessary to include the project fund in the City's chart of accounts and record transactions therein pursuant to GAAP.

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

RESOLUTION #34 - 1996. AUTHORIZING TRANSFER FOR TEMPORARY WATER LINE MATERIALS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Water System Improvement Project requires the installation of temporary water lines; and

WHEREAS, funds are required for the purchase of materials for such lines; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1996 Water System Improvement Capital Project Budget:

From:

Account Number	Name	Amount
H38-1990.4	Project Contingency	$ 3,118.70

To:

Account Number	Name	Amount
H38-8330.4020C3	Construction - Materials	$ 3,118.70

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

-- Prior to the vote, Ald. McNeil suggested using the extra lines from the Pleasant Street project. Asst. Engineer Allison explained there are not enough lines.

RESOLUTION #35 - 1996. AUTHORIZING TRANSFER FOR HOME I PROGRAM

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover changes in project requirements within the HOME I Program; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1996 HOME I Community Development Budget:

From:

Account Number	Name	Amount
CD61-1994.37DIV	DCHR Program - 37 1/2 Division St	$ 7,500.00
CD61-1994.39DIV	DCHR Program - 39 1/2 Division St	7,500.00
CD61-1994.5SROWL	DCHR Program - 5 S. Rowley Ave	5,841.00
	TOTAL	$ 20,841.00

To:

Account Number	Name	Amount
CD61-1994.18WES	DCHR Program - 18 Wescott St	$ 5,219.00
CD61-1994.20WES	DCHR Program - 20 Wescott St	3,575.00
CD61-1994.9WES	DCHR Program - 9 Westcott St	12,047.00
	TOTAL	$ 20,841.00

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

RESOLUTION #36 - 1996. AUTHORIZING TRANSFER FOR CLOSED HOME I PROJECTS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, certain HOME I projects have been closed with unused balances; now, therefore be it

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

From:

Account Number	Name	Amount
CD61-1994.17SDEL	DHCR Program - 17 S. Delaware Square	$ 401.25
CD61-1994.20ROWL	DHCR Program - 20 Rowley Avenue	495.19
CD61-1994.21DEL	DHCR Program - 21 Delaware Square	1,466.55
CD61-1994.24DEL	DHCR Program - 24 Delaware Square	2,068.26
CD61-1994.25DEL	DHCR Program - 25 Delaware Square	1,512.16
CD61-1994.5SROWL	DHCR Program - 5 South Rowley Avenue	1,659.00
CD61-1994.78BIRD	DHCR Program - 78 Birdsall Street	412.01
CD61-1994.7DEL	DHCR Program - 7 South Delaware Square	120.00
CD61-1994.8DEL	DHCR Program - 8 Delaware Square	3,391.64
CD61-1994.94BIRD	DHCR Program - 94 Birdsall Street	19.16
	TOTAL	$ 11,545.22

To:

Account Number	Name	Amount
CD61-1994.MASTER	DCHR Program - Master Account	$ 11,545.22

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

RESOLUTION #37 - 1996. AUTHORIZING TRANSFER FOR OUTSIDE LEGAL SERVICES RELATIVE TO VICTORY MARKETS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of outside legal services relative to the Victory Markets Bankruptcy case; 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:

Account Number	Name	Amount
A1990	Contingency	$ 1,859.39

To:

Account Number	Name	Amount
A1420.4020	Attorney - Contracted Services	$ 1,859.39

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

RESOLUTION #38 - 1996. AUTHORIZING TRANSFER FOR OUTSIDE LEGAL SERVICES RELATIVE TO THE WEST MAIN STREET SCHOOL

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of outside legal services relative to the West Main Street School Assessment case; 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:

Account Number	Name	Amount
A1990	Contingency	$ 456.39

To:

Account Number	Name	Amount
A1420.4020	Attorney - Contracted Services	$ 456.39

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

RESOLUTION #39 - 1996. AUTHORIZING TRANSFER FOR WASTE WATER FUND PERSONAL SERVICES

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of personal services within the Waste Water Fund due to shifting job duties; now, therefore be it

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

From:

Account Number	Name	Amount
G8110.1010	Sewer Admin - Personal Services	$ 15,000.00

To:

Account Number	Name	Amount
G8130.1010	Sewage Treatment & Disposal Personal Services	$ 15,000.00

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

RESOLUTION #40 - 1996. AUTHORIZING TRANSFER FOR WASTE WATER UNEMPLOYMENT INSURANCE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of unemployment insurance payments; now, therefore be it

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

From:

Account Number	Name	Amount
G1990	Contingency	$ 6,100.00

To:

Account Number	Name	Amount
G9090.8	Employee Benefits - Other	$ 6,100.00

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

-- Prior to the vote, Finance Director Haak explained there was not sufficient funds budgeted.

RESOLUTION #41 - 1996. AUTHORIZING TRANSFER FOR VOLUNTEER FIRE COMPANIES

Ald. Thall introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover the cost of contractual obligations to the volunteer fire companies; 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:

Account Number	Name	Amount
A1990	Contingency	$ 763.00

To:

Account Number	Name	Amount
A3410.4022	Fire Department Payments to Volunteer Companies	$ 763.00

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

RESOLUTION #42 - 1996. AUTHORIZING TRANSFER FOR PAYMENT OF TAXES ON MUNICIPAL PROPERTY

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of tax payments on municipal owned properties; 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:

Account Number	Name	Amount
A1990	Contingency	$ 1,900.00

To:

Account Number	Name	Amount
A1950	Taxes and Assessments	$ 1,900.00

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

-- Prior to the vote, Finance Director Haak explained the transfer is relative to a payment received from the Elks Club and is a matter of moving funds from one account to another.

RESOLUTION #43 - 1996. NAMING DIRECTOR OF PUBLIC WORKS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, Section 136 of the Charter of the City of Norwich establishes the position of Director of Public Works as head of the Department of Public Works; and

WHEREAS, said position of Director of Public Works is currently vacant; and

WHEREAS, a reorganization of the Department of Public Works is underway; and

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

RESOLVED, 1. that Charles Angelino, 14 York Street, Ward Six Alderman and Chairman of the Public Works Committee, be and hereby is appointed as Director of Public Works for the remainder of a two term expiring December 31, 1996; and

2. that for the term of such appointment the said Charles Angelino shall receive no additional compensation; and

3. that this resolution shall take effect May 12, 1996.

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call, 5-0, with Ald. Angelino abstaining due to a possible conflict of interest.

RESOLUTION #44 - 1996. ESTABLISHING GRADES FOR SUPERINTENDENT AND ASSISTANT SUPERINTENDENT OF PUBLIC WORKS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, a reorganization of the Department of Public Works is currently underway which includes the consolidation of the Highway Department and the Norwich Water System; and

WHEREAS, a revised organizational chart has been established which includes the positions of Superintendent and Assistant Superintendent of Public Works; and

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

RESOLVED, 1. that the position of Superintendent of Public Works be and hereby is created at Grade 30 of the City of Norwich Non-Unit Compensation Schedule; and

2. that the position of Assistant Superintendent of Public Works be and hereby is created at Grade 25 of the City of Norwich Non-Unit Compensation Schedule; and

3. that Carl P. Ivarson, Oxford, NY, be and hereby is appointed to the position of Superintendent of Public Works at the after five year step; and

4. that Mark J. Williams, Norwich, NY, be and hereby is appointed to the position of Assistant Superintendent of Public Works at the after five year step; and

5. that this resolution shall take effect May 12, 1996.

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

<u>RESOLUTION #45 - 1996</u>. ESTABLISHING 1996 NON-UNIT COMPENSATION BENEFITS

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Personnel and Finance Committees have made certain recommendations relative to 1996 compensation benefits for non-unit employees including department heads; now, therefore be it

RESOLVED, that City employee benefit manuals for non-union employees and department heads be amended by increasing the 1996 compensation schedule by three percent across the board; and, further be it

RESOLVED, that this resolution shall be retroactive to January 1, 1996.

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

<u>RESOLUTION #46 - 1996</u>. CREATING EARLY RETIREMENT INCENTIVE FOR NON-UNIT EMPLOYEES

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the City of Norwich has reached labor agreements providing an early retirement incentive for police officers and firefighters; and

WHEREAS, the City is desirous of offering a similar early retirement incentive to non-unit employees; and

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

RESOLVED, 1. that effective June 1, 1996, all non-unit employees who retire within ninety (90) days of becoming eligible, shall receive a one-time payment equivalent to seventy five percent (75%) of the employee's base pay; and

2. that an eligible employee shall be one who has met the minimum eligible retirement age under their respective New York State and Local Retirement System pension plan and who shall have twenty or more years of continuous service to the City of Norwich; and

3. that full payment of the retirement incentive shall be made to such employee within thirty (30) days of retirement; and

4. that this early retirement incentive program shall expire effective December 31, 1996.

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

<u>RESOLUTION #47 - 1996</u>. AUTHORIZING PROFESSIONAL SERVICES FOR THE RESTRUCTURING OF CITY GOVERNMENT

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Common Council is committed to restructuring city government in terms of its structure, organization and philosophy; and

WHEREAS, such restructure would include changes to the City Charter, local laws, ordinances, policy manuals, etc; and

WHEREAS, such a restructuring effort would require an independent perspective accompanied by a thorough knowledge of the law and government operations; and

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

RESOLVED, 1. that the proposal submitted by Charles Weinberg of Norwich, NY, in the amount of $25,000, to prepare a restructuring plan for the City of Norwich which shall include but not be limited to a proposed City Charter be and hereby is accepted; and

2. that all city officials, including members of various board and commissions, and all city employees are requested and directed to cooperate fully with the said Charles Weinberg in his efforts; and

3. that Mr. Weinberg shall report from time to time to the Common Council on the status of his efforts.

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

RESOLUTION #48 - 1996. APPROVING AGREEMENT WITH CITY OF NORWICH FIREFIGHTERS ASSOCIATION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, the Mayor and the City of Norwich Firefighters Association have reached a tentative agreement on a new labor agreement for 1996 and 1997; and

WHEREAS, the Norwich Firefighters Association has ratified such agreement; now, therefore be it

RESOLVED, that the Common Council does hereby approve an Agreement with the Norwich Firefighters Association for the period January 1, 1996 through December 31, 1997.

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

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

	Prepaid	04/16/96	Grand Total
General Fund	540,431.14	447,808.82	988,239.96
Sewer Fund	51,786.59	4,001.71	55,788.30
Water Fund	29,327.24	9,822.23	39,149.47
Trust Fund	182,140.20	925.00	183,065.20
Unemployment Insurance	0.00	0.00	0.00
Community Development	44,770.83	18,449.64	63,220.47
EDZ/LDC	13,721.61	195.95	13,917.56
Capital Projects	579.64	59,118.85	59,698.49
TOTALS	**$ 862,757.25**	**$ 540,322.20**	**$ 1,403,079.45**

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

Executive Session -- Ald. McNeil moved to go into executive session at 8 pm to discuss the purchase of property where the price may be affected. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Mayor Biviano noted there may be a vote taken after the executive session.

Ald. Carnrike moved to go out of executive session at 8:40 pm. Seconded by Ald. Thall and duly adopted, ayes all.

Purchase of Property -- Ald. McNeil moved to authorize a purchase offer with the tax issue to be addressed by the City Attorney. Seconded by Ald. Carnrike and duly adopted, ayes all on a roll call vote, 6-0.

Executive Session -- Ald. Carnrike moved to go into executive session at 8:41 pm to discuss contract negotiations. Seconded by Ald. McNeil and duly adopted, ayes all.

Ald. Angelino moved to go out of executive session. Seconded by Ald. Rabinowitz an duly adopted, ayes all.

Adjournment -- Ald. Thall moved to adjourn at 8:55 pm. Seconded by Ald. Schermerhorn and duly adopted, ayes all.