

Work Session

Common Council

May 14, 1996

Present:

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

Also:

Director of Finance/Clerk Brian Haak
 Police Chief Robert Mason
 Fire Chief Mark Rice
 DPW Supt. Carl Ivarson
 Asst. Engineer Asa Allison
 Human Resources Dir. Deborah DeForest
 CD Director David Wagoner
 Deputy Clerk Donna Russell

1996 Street Program/Asphalt Recycling -- Ald. Angelino moved to award the bid for 1996 Street Program/Asphalt Recycling (Lackawanna Avenue) to the lowest bidder meeting specifications as recommended by the Public Works Committee, Central Asphalt of Norwich with a bid of \$18,720.08. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 6-0.

Trash Receptacles and Benches -- Ald. McNeil reported the B.I.D. is placing trash receptacles and benches in various areas in the downtown. It was the consensus of the Council that the matter should have been brought before the Public Works Committee and the Common Council. Ald. Angelino requested a letter be sent to the B.I.D. explaining the steps to take for actions of this type.

Topsoil for Pleasant Street -- Ald. McNeil asked if there is a scheduled date to place topsoil on Pleasant Street. Asst. Engineer Allison said approximately a week of dry weather is needed before the work can be done.

Street work -- DPW Supt. Ivarson stated that a water main replacement and street resurfacing project is underway throughout the City. He explained the streets will be resurfaced at one time when all the main replacements have been completed. Mr. Ivarson said signs will be placed warning residents of rough road and work zone and suggested people drive accordingly.

Plumbing Board -- Ald. Carnrike reported he has received many complaints regarding the Plumbing Board. There was discussion relative to the Board and discrepancies in permits. The Mayor noted that Ed Schuurman is looking into the matter.

RESOLUTION #50 - 1996. AMENDING VEHICLE & TRAFFIC ORDINANCE TO PROVIDE NO PARKING ON THOMPSON DRIVE

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, pursuant to Section 90-4 of the Vehicle and Traffic Ordinance of the City of Norwich, the Common Council has been granted the authority to make, promulgate and enforce reasonable rules and regulations governing and designating parking, parking spaces, safety and loading zones, one-way streets and streets for through traffic; now, therefore be it

RESOLVED, that Section 90-63, No Parking, of the Vehicle and Traffic Ordinance of the City of Norwich be and hereby is amended as follows:

THOMPSON DRIVE, both sides, from Ridgeland Drive to Hillview Drive. (5/14/96)

Underlined material is new.

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

RESOLUTION #51 - 1996. AMENDING RESOLUTION NO. 97 OF 1995

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Common Council, on October 17, 1995, adopted Resolution No. 97 of 1995 Authorizing An Agreement With The Wing Group of Houston for Professional Services; and

WHEREAS, since then, representatives of the City have been in negotiations with the said Wing Group; and

WHEREAS, as a result of these negotiations, the need exists for a slightly expanded authorization; and

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

RESOLVED, that 1. Resolution No. 97 of 1995 be and hereby is amended to authorize the Mayor, 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 and subject to a successful referendum, to form a municipal power authority in the City of Norwich and Economic Development Zone; and

2. no cost for the feasibility study shall be owed to the Wing Group until such time as a municipal power authority is established; and

3. at no time shall the full faith and credit of the City of Norwich be pledged without further action by this Common Council.

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

RESOLUTION #52 - 1996. AMENDING POSITION OF CODE ENFORCEMENT OFFICER AND SETTING GRADE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the Community Development Department; and

WHEREAS, the Community Development Director has reviewed the position and has made certain recommendations; and

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

RESOLVED, that 1. the duties of Building Inspector, Code Enforcement Officer and Rehabilitation Specialist be combined into one full time (40 hr/wk) position entitled Code Enforcement Officer; and

2. the position of Code Enforcement Officer be and hereby is established at grade 24 of the City's non-unit compensation schedule; and

3. this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

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

Common Council agenda -- The following agenda was developed for the May 21, 1996 Common Council meeting:

- Call to order
- Pledge of Allegiance
- Invocation
- Approval of minutes of Work Session of April 9, 1996, the regular

- meeting of April 16 1996 and the special meeting and work session May 14, 1996
- Amend minutes of August 11, 1992, typographical error - Page 9, paragraph 3, line 6: correct license fee for Bell Jar Games to 2% rather than 5%.
 - Open forum
 - Bids
 - Loader Backhoe - refer to Public Works Committee
 - Correspondence
 - Request from Citizens Telecom Community Action Team to close East Park Place for the annual Public Safety Awareness Day to be held on Saturday, September 14, 1996 from 10:30 am to 4 pm.
 - Request from American Legion Post 189 to hold annual Memorial Day Parade on May 27, 1996 at 9 am.
 - Department, Board and Commission reports
 - Police Department monthly report for April 1996
 - Traffic Commission minutes of May 8, 1996
 - Parks Commission minutes of April 8, 1996
 - Youth Board minutes of April 16, 1996
 - Water Commission minutes of April 22, 1996
 - Ward and Committee reports
 - Public Works Committee meeting of March 28, 1996
 - Public Safety Committee meeting of April 23, 1996
 - Personnel Committee meeting of April 2, 1996
 - Old Business
 - New Business
 - Appointments -
 - Receive Ordinance Setting Dog License Fees and set public hearing for June 18, 1996
 - Receive Local Law to Amend the Charter relative to the Designation of Departments and set public hearing for June 18, 1996
 - Receive Local Law to Amend the Charter relative to the Employment of Certain Individuals and set public hearing for June 18, 1996
 - Receive Local Law relative to Compensation for the Mayor and Aldermen and set public hearing for June 18, 1996
 - Motion to Proceed with Legal Action Against Loan Default
 - Motion to Approve the Purchase of Pipe Laser
 - Motion to Authorize Bidding for City Hall/Depot Renovations
 - Res-Establish Date and Time for Tax Auction
 - Res-Establish Tax Auction List and Minimum Bids
 - Res-Auth Transfer for Municipal Electric
 - Res-Auth Transfer for Appraisal
 - Res-Auth Transfer for Water Project
 - Res-Establish Computer Capital Budget
 - Res-Amend 1996 General Fund Budget-Community Development Computers
 - Res-Amend 1996 General Fund Budget-Charter Study
 - Res-Approve Wire Transfer Agreement
 - Res-Est Capital Projects Budget for Highway Equipment
 - Res-Appointment to the Board of Assessment Review
 - Res-Regrading Chief of Police
 - Res-Transfer of Payroll Duties and Personnel
 - Res-Est Position in DPW/Engineering and Set Grade
 - Payment of Bills
 - Adjournment

Executive Session -- Ald. McNeil moved to go into executive session at 8:25 pm to discuss the personnel history of a particular individual. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Ald. Carnrike moved to go out of executive session at 9 pm. Seconded by Ald. McNeil and duly adopted, ayes all.

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

COMMON COUNCIL

Special Meeting

May 14, 1996

Mayor Biviano presided at a special meeting of the Common Council held at 7 pm on May 14, 1996, at the Higley Building.

Present:

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

Also:

Director of Finance/Clerk Brian Haak
Police Chief Robert Mason
Fire Chief Mark Rice
DPW Supt. Carl Ivarson
Asst. Engineer Asa Allison
Human Resources Dir. Deborah DeForest
CD Director David Wagoner
Deputy Clerk Donna Russell

Mayor Biviano stated the purpose of the special meeting was to take formal action on the purchase of the former Victory Markets Transportation Center located on Borden Avenue. The Mayor noted that the resolution before the Common Council will show Victory Markets that the City is serious in its intent to purchase the property.

Community Development Director David Wagoner explained that the City's final purchase offer is contingent upon three items: financing, a positive environmental impact study and an appropriate survey of the area.

There was discussion relative to the Fire Department finding the DPW building on Hale Street suitable and the suggestion that the department's Building Committee evaluate the Borden Avenue building as well.

RESOLUTION #49 - 1996.

AUTHORIZING THE PURCHASE OF THE FORMER VICTORY MARKETS TRANSPORTATION FACILITY ON BORDEN AVENUE FOR USE AS EITHER A DEPARTMENT OF PUBLIC WORKS FACILITY OR A FIRE STATION FOR THE CITY OF NORWICH, CHENANGO COUNTY, NEW YORK, AT A MAXIMUM COST OF \$500,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$500,000 SERIAL BONDS OF SAID CITY TO PAY THE COST THEREOF.

Ald. Angelino introduced the following and moved its adoption:

Be it RESOLVED, the Common Council of the City of Norwich, Chenango County, New York, as follows:

Section 1. The purchase of the former Victory Markets Transportation Facility on Borden Avenue for use as either a Public Works Facility or a Fire Station for the City of Norwich, Chenango County, New York, whether or not including repairs to such facility or original furnishings, equipment, machinery or apparatus or the replacement of such equipment, machinery or apparatus required for the purposes for which such building is to be used, is hereby authorized at a maximum estimated cost of \$500,000.

Section 2. SEQRA DETERMINATION: It has been heretofore determined by this Common Council, acting as Lead Agency, that this project constitutes an Unlisted Action pursuant to the SEQRA regulations of the State of New York and that environmental findings in connection therewith are currently underway. No funding pursuant to this resolution shall be undertaken until all necessary steps under SEQRA have been fully complied with. Nonetheless, no further action of this Common Council shall be necessary in order to proceed with funding once SEQRA has been satisfied.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance of not exceeding \$500,000 serial bonds of said City,

hereby authorized to be issued therefor pursuant to the Local Finance Law, provided, however, that the amount of serial bond authorized to be issued pursuant to this resolution shall be reduced, dollar for dollar, to the extent of any moneys received as Federal or State grants-in-aid therefor.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 11(b) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. The faith and credit of said City of Norwich, Chenango County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining debt service, shall be determined by the Director of Finance, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full in The Evening Sun, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

-- Ald. McNeil moved to adjourn the special meeting. Seconded by Ald. Thall and duly adopted, ayes all.