

COMMON COUNCIL

September 5, 1996

Mayor Biviano presided at a special meeting of the Common Council held at 7 pm on September 5, 1996, at the Higley Building.

Present:

Mayor Joseph Biviano
Ald. George Carnrike
Ald. Patrick McNeil (7:10 pm)
Ald. Robert Rabinowitz
Ald. Barbara Schermerhorn
Ald. Mat Thall
Ald. Charles Angelino

Also:

Director of Finance/Clerk Brian Haak
Police Chief Robert Mason
Sergeant Joseph Angelino
Asst. Fire Chief Graydon Titus
C.D. Director David Wagoner
Deputy Clerk Donna Russell

Proposed Local Law No. 4 of 1996 -- Mayor Biviano opened the special meeting with a public hearing relative to a proposed local law allowing the City of Norwich to Establish, Own and Operate a Public Utility Service.

Ald. Rabinowitz, Chairman of the Finance and Energy Committees, stated that the feasibility study done by the Wing Group showed municipalization was not a practical option. He read the letter from the Wing Group which stated that it is not advisable for the City to enter into a contract with the Wing Group as the 13.47 per kwh rate is not competitive. Ald. Rabinowitz noted that there is no margin for any substantial reduction of rates and there may be more advantages in waiting for the deregulation process through the State. He said it is the recommendation of the Finance and Energy Committees that the proposed local law be dropped.

Casey Jones, 4 Maydole Street, said he is dismayed that the Council would set a public hearing on a local law with no information for the public.

Mayor Biviano said the project has been discussed for a year and Council action was required at this time to be able to proceed with the project, pending a favorable outcome to the study. He said he was concerned when the report did not come in when expected. The Mayor said he is disappointed in the report and suggested that if the County had joined the effort the outcome might have been different.

Ald. Carnrike said he is concerned about holding a public hearing with no information made available prior to the hearing. He asked if a representative of the Wing Group was present. There was no one present. Ald. Carnrike asked if the City is obligated to the Wing Group. The Mayor said the City owes the Wing Group no money.

Mayor Biviano said discussions with NYSEG have been ongoing for the past six months. He indicated NYSEG made a presentation to the Finance and Energy Committees and a Memorandum of Understanding has been reached. The Mayor read the document to the public.

Frank McCormack, downtown business owner, asked if the City enters into an agreement with NYSEG, would it prevent it from entering into another agreement, should lower rates be found elsewhere. NYSEG representative Bruce Peer stated the agreement allows for either party to opt out of the agreement. Mr. Peer noted that when the deregulation occurs, NYSEG will be ready to compete.

There being no further discussion, Mayor Biviano closed the public hearing at 7:25 pm.

RESOLUTION #107 - 1996. AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH NYSEG

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the City of Norwich and New York State Electric and Gas Corporation (NYSEG) have negotiated a memorandum of understanding for the provision of additional services for 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 sign the Memorandum of Understanding with NYSEG dated September 5, 1996.

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

-- Prior to the vote, Mayor Biviano noted that the memorandum of understanding applies only to the City of Norwich and Economic Development Zone.

RESOLUTION #108 - 1996. ADOPTING LOCAL LAW RELATIVE TO ALLOWING THE CITY OF NORWICH TO ESTABLISH, OWN AND OPERATE A PUBLIC UTILITY SERVICE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, Local Law No. 4 of 1996, which provides for the City of Norwich to establish, own and operate a public utility service, was introduced on August 27, 1996, before the Common Council; and

WHEREAS, a public hearing has been held on such local law on September 5, 1996; and

WHEREAS, such local law shall be subject to a mandatory referendum as provided by the Municipal Home Rule and the Election Law; now, therefore be it

RESOLVED, that Local Law No. 4 of 1996, which provides for the City of Norwich to establish, own and operate a public utility service, be and hereby is adopted, subject to the approval by a majority of the electors qualified and voting at the General Election to be held on November 6, 1996, on a proposition in said election and filing as provided in the Municipal Home Rule.

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

Adjournment -- Ald. Thall moved to adjourn at 7:30 pm. Seconded by Ald. Schermerhorn and duly adopted, ayes all.