

COMMON COUNCIL

April 15, 1997

Mayor Joseph L. Biviano presided at a regular meeting of the Common Council held at 7 PM on April 15, 1997, at the Higley Building.

Present:

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

Also:

Director of Finance/Clerk William Roberts
Director of H.R. Deborah DeForest
Police Chief Joseph Angelino
Attorney Aaron Dean
Historian Patricia Scott
Codes Enf. Officer Ed Schuurman
James Dennis
Deputy Clerk Donna Russell

Absent:

Supervisor J. Dolan
Supervisor L. Natoli

-- Ald. Carnrike moved to dispense with the reading and approve the minutes of the regular meeting of March 18, 1997 and the work session of April 8, 1997. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

Jay Travis questioned why he was not informed of the proposed amendment to the vendors ordinance. He said he is concerned about vendor spaces and was told that he would not be relocated from his space. The proposed ordinance would be received later in the evening with a public hearing set for May 20, 1997.

CORRESPONDENCE:

- ◆ Ald. McNeil moved to approve a request from Norwich Little League to hold its annual parade on May 3, 1997 at 9 AM, under the direction of the Police Chief. Seconded by Ald. Angelino and duly adopted, ayes all.
- ◆ Mayor Biviano reported correspondence from Mang, Craine & Mirabito relative to Municipal Insurance Group and noted the City will be receiving a refund of \$15,000.
- ◆ Ald. McNeil moved to accept a letter of resignation from James Dennis from the Assessment Board of Review. Seconded by Ald. Schermerhorn and duly adopted, ayes all.
- ◆ Ald. Angelino moved to receive and file correspondence from Dennis Cevasco, Norwich NY, with notification of his application for a liquor license at 13 Mitchell Street. Seconded by Ald. Schermerhorn and duly adopted, ayes all.

DEPARTMENT, BOARD AND COMMISSION REPORTS

-- Ald. Carnrike moved, upon request of Mayor Biviano, that all departments submit monthly reports to the Mayor on Monday before the work session. Seconded by Ald. McNeil and duly adopted, ayes all.

Prior to the vote, Ald. Rabinowitz asked if this would be a duplication of the department head meeting. The Mayor said it would not be the same information.

-- Ald. Angelino noted that Board and Commission reports should also be submitted on a timely basis and moved that all members of Boards and Commissions be mailed a monthly calendar. Seconded by Ald. Rabinowitz and duly adopted, ayes all. Ald. Carnrike noted the reports should be a system of checks and balances for the work session.

-- Ald. McNeil moved to receive and file the Historian Annual Report for 1996. Seconded by Ald. Carnrike and duly adopted, ayes all.

WARD AND COMMITTEE REPORTS

- ◆ Personnel Committee meeting of March 4, 1997
- ◆ Public Safety Committee meeting of March 25, 1997
- ◆ Public Works Committee meeting of February 27, 1997
- ◆ Ald. Carnrike reported that the Route 12 bridge on South Broad Street is proposed for reconstruction.

- ◆ Ald. McNeil reported the West Main Street Bridge and the Plymouth Street bridge are being done this year and suggested a letter be sent to the Town of Norwich and the County requesting that the Red Mill Road be closed to traffic during the reconstruction. Mayor Biviano suggested the Police Chief meet with the Sheriff regarding the matter. Ald. McNeil said, relative to the construction taking place on Fair and Guernsey Streets, the County should have gone before the Zoning and Planning Commissions.
- ◆ Ald. Rabinowitz reported he is waiting for a determination on a storm drain on North Broad Street. He reported a request for an extension to a curb cut at 27 Sunset Drive and noted the Engineer has reviewed the request. Ald. Rabinowitz moved to approve the curb cut extension at 27 Sunset Drive under the direction of the City Engineer. Seconded by Ald. McNeil and duly adopted, ayes all.
- ◆ Ald. Thall reiterated that Gold Street is on the 1997 Street Program list.
- ◆ Ald. Angelino moved to approve a curb cut request on Hale Street under the direction of the City Engineer. Seconded by Ald. Rabinowitz and duly adopted, ayes all. Ald. Angelino requested letters of thank you be sent to NYSEG for the flags and Citizens Telecom for the flag poles at One City Plaza.
- ◆ Mayor Biviano reported many complaints have been received relative to the flag at the DPW which has since been taken down.

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

OLD BUSINESS

Resignation of Brian R. Haak -- Ald. Angelino moved to receive and file a letter of resignation from Brian R. Haak as Director of Finance/City Clerk, effective April 11, 1997. Seconded by Ald. McNeil and duly adopted, ayes all.

NEW BUSINESS

Mayoral Proclamation -- Mayor Biviano read a mayoral proclamation proclaiming May as Chenango County SPCA Recognition Month.

Fire Department -- Ald. Carnrike moved to approve the following volunteer applications to the Norwich Fire Department:

- ◆ Mark McLaughlin, 205 Grayson Drive, Norwich, to the Emergency Squad
- ◆ Norman Nichols, 43 Mitchell Street, to the Emergency Squad

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

Assessment Board of Review -- Ald. McNeil moved the following appointments to the Assessment Board of Review:

- ◆ John Liptak, 77 Cortland Street, for the remainder of a six year term expiring September 30, 1999.
- ◆ A. Anthony Abraham, 30-40 Midland Drive, for the remainder of a six year term expiring September 30, 2000.

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

1997 Surplus Equipment Bids -- Ald. Angelino moved to award bids for 1997 Surplus Equipment to the highest qualified bidders and rebid H-16 John Deere 3pt hitch V-plow, as recommended by the Public Works and the Finance Committees as follows:

Name	Item No.	Description	Amount
Ruthan Thomas, RR3, Box 60-3	P-19	Gemini Binoculars	15.00
	P-58	Liberty Half Dollar	10.00
Eric Tyler, Plymouth Street	F-8	White Counter Top	6.00
	F-29	Paper Shredder	11.00
Warren Tuzzo, 58 East Main Street Earlville, NY 13332	F-18	Secretary chair	3.95
	F-26	Metal drawer	2.87
	F-27	Metal drawer	2.87
William Leech, RR1, Box 139-1 South New Berlin, NY 13843	H-2	1982 Stowe plate tamp	51.50
	H-36	Homelite weed eater	5.00
	H-37	Stihl weed eater	5.00
	H-38	Stihl weed eater	5.00
	H-39	Murray push mower	5.00
	H-40	Murray push mower	5.00

Jackson Parker, PO Box 548	H-41	Murray push mower	5.00
	P-8	Shimano fishing reel	12.50
	P-49	Leather Gun belt/holster	5.00
	P-28	Baby Stroller	1.19
Lee Scanlan, 8343 Rt 26 Pitcher, NY 13135	H-4	IBM monitor and keyboard	21.75
	H-11	Pair aluminum running boards	25.00
	H-32	Westinghouse air conditioner	5.56
	P-6	1.5 ton floor jack	5.26
	P-23	Steel first aid kit	3.16
Terry Drake, PO Box 603	P-7	Nylon case/audio cassettes	2.51
	P-14	Cassette carrier w/23 tapes	2.51
	P-21	Various cassette tapes	11.00
	F-17	Secretary chair	12.50
	F-22	wooden chair	25.00
Trula Ogbon, 122 Bourbon St Norwich	H-42	Agway push mower	6.25
	H-43	Agway push mower	6.25
Nancy Matz, PO Box 465 North Norwich, NY 13814	H-27	Floor chlorinator	10.00
	H-28	1Floor chlorinator	10.00
Tredwell Place, 4754 Co Rte 32	H-26	3 pt hitch scraper	25.00
	Y-1	IBM Selectric typewriter	5.00
	P-1	IBM Selectric III typewriter	5.00
Leif Johannesen, RR1, Box 122A New Berlin, NY 13411	H-22	1 pile scrap copper and brass	385.00
Gerald E. Cushman, Box. 103 Plymouth, NY 13832	H-1	1979 Stowe plate tamp	107.50
Rita Teehan, RD 1, Box 235 Mt. Upton, NY 13809	P-24	wooden jewelry box	2.00
	P-40	Skateboard	2.00
	P-52	Blue water proof tarp	1.00
	P-61	Cobra radar detector	10.00
	P-62	Brown Leather Suitcase	3.00
	F-2	NEC Personal Computer	30.00
	F-3	Table	10.00
	F-4	Large metal storage cabinet	15.00
	F-5	Large metal storage cabinet	15.00
	F-6	Large metal storage cabinet	10.00
James Rahn, PO Box 348	F-7	Large metal storage cabinet	10.00
	F-11	Stool	3.00
	F-12	Small table	15.00
	H-9	Roll top desk	75.00
Lee Stith, 1158 PitcherSprings Rd Pitcher, NY 13136	H-18	John Deere mower deck	50.00
	P-9	Assorted new sunglasses	4.00
	P-33	Zenith Winchester computer	23.87
Mario Chimento, 19 Hillview Drive	P-51	Air Cadet air compressor	5.00
	H-3	1989 Miller paver	180.00
	H-23	Water pump 2"	21.00
Howard Franklin, 546 County Rd 19	H-24	Water pump 1"	18.00
	H-19	John Deer 3 pt hitch v-plow	86.00
Robert Wilcox, 814 BatesWilson Rd	H-30	Homemade trailer	54.00
	H-14	7015Z Savin copier	35.00
	H-31	Small refrigerator	10.00

	H-44	Drafting table	25.00
	A-1	Minolta copier	106.00
	P-63	IBM Selectric II	12.00
Curtis Dewey, 1541 Conlling Ave	P-36	Florescent trouble light	5.00
Utica, NY 13501	F-25	Two Drawer Filing Cabinet	10.00

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

1997 Tree Removal Bid – Ald. Angelino moved to award the bid for 1997 Tree Removal to the lowest qualified bidder as recommended by the Public Works Committee, Central New York Tree Experts, Brookfield, NY for \$10,500 for Item B. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Proposed Ordinance No. 4 of 1997 – Ald. Carnrike moved to receive proposed Ordinance No. (4) Amending Hawkers, Peddlers and Solicitors Ordinance and set a public hearing for May 20, 1997. Seconded by Ald. McNeil and duly adopted, ayes all.

ORDINANCE NO. (4)
OF 1997

AN ORDINANCE TO AMEND THE HAWKERS, PEDDLERS
AND SOLICITORS ORDINANCE OF THE CITY OF NORWICH

BE IT ORDAINED by the Common Council of the City of Norwich, New York, as follows:

Section 1. Chapter 48, Hawkers, Peddlers and Solicitors Ordinance of the City of Norwich, New York, is hereby amended by adding Section 48-9.G as follows:

48-9.G Participants in the Norwich Business Improvement District (BID) Pushcart Program are hereby exempted from paragraphs 48-9.C, 48-9.D and 48-9.E above.

Section 2. This ordinance shall take effect immediately.

RESOLUTION No. # 39 - 1997. AUTHORIZING CONSENT TO THE FORMATION OF THE
CHENANGO HOUSING DEVELOPMENT FUND CORPORATION

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Common Council has previously approved the development of a multi family housing project for the elderly, to be known as Marlene Meadows Senior Citizens Apartments to be located on O'Hara Drive in the City of Norwich (the "project") under the sponsorship of Chenango Housing Improvement Program, Inc. (CHIP), which project was to have been owned by Chenango Limited Partnership, a subsidiary of CHIP; and

WHEREAS, the Common Council has previously entered into an agreement with the Chenango Limited Partnership for payments in lieu of real property taxes for the project, which agreement is dated October 22, 1996; and

WHEREAS, the Common Council has been advised by CHIP that due to changes in the financing structure of the project the owner of the project is to be a not-for-profit corporation organized pursuant to Article XI of the NY Private Housing Finance Law, known as Chenango Housing Development Fund Corporation (the "corporation"); and

WHEREAS, the Common Council has been asked to consent to the formation of the corporation and to the filing of the certificate of incorporation of the corporation, a copy of which is annexed hereto, with the NYS Department of State; and

WHEREAS, the proposed project will have an impact requiring off-premises improvements to allow for utility hookup and the provision of services in the sum of \$18,240; and

WHEREAS, the Common Council finds that CHIP has the ability to develop the project in the interest of the public welfare; now, therefore be it

RESOLVED, that

1. The Director of Finance of the City of Norwich is authorized to consent to the formation of Chenango Housing Development Fund Corporation and to the filing of the Certificate of Incorporation of Chenango Housing Development Fund Corporation with the NYS Department of State, and
2. The City of Norwich consents to the assignment of Agreement for Payment in Lieu of Taxes between the City and Chenango Limited Partnership by Chenango Limited Partnership to Chenango Housing Improvement Fund Corporation, and

3. The Director of Finance is authorized to levy upon Chenango Housing Development Fund Corporation an impact fee for certain necessary off-premises improvements in the sum of \$18,240.

Seconded by Ald. Carnrike and duly adopted, 4-2 (Aldermen McNeil and Angelino) on a roll call vote.

RESOLUTION No. # 40 - 1997. AMENDING EMPLOYEE POLICY MANUAL RELATIVE TO MUNICIPAL OFFICE HOURS

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the Employee Policy Manual adopted by the Common Council on May 14, 1985, states that the municipal offices shall have specific hours of operation; and

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

RESOLVED, that the municipal offices shall be open 9 AM to 5 PM Monday through Friday, exclusive of designated holidays; and, further be it

RESOLVED, that such offices shall remain open to the public through the noon hour.

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

RESOLUTION No. # 41 - 1997. APPOINTMENT OF POLICE OFFICER

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the rank of police officer in the Norwich Police Department; and

WHEREAS, the Police Chief has recommended the appointment of Scott Meade of Brisben, NY, to such position, such candidate being available as a lateral transfer; now, therefore be it

RESOLVED, that Scott Meade of Brisben, NY, be and hereby is granted a permanent appointment as police officer in the Norwich Police Department, effective April 28, 1997, contingent upon the satisfactory completion of the required physical examination.

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

RESOLUTION No. # 42 - 1997. APPOINTMENT OF FIRE CHIEF

Ald. Carnrike introduced the following and moved its adoption:

WHEREAS, the City of Norwich, on December 3, 1996, adopted Local Law No. 3 of 1996, to amend the Charter relative to the Fire Department, granting the Common Council the authority to appoint a full time Fire Chief; and

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

RESOLVED, that Edward Schuurman, 31 Hayes Street, be and hereby is granted a provisional appointment to the position of Fire Chief in the City of Norwich Fire Department at Grade 27, entry level, of the City's Non-Unit Compensation Schedule; and, further be it

RESOLVED, that this resolution shall take effect on April 28, 1997.

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

RESOLUTION # 43 - 1997. AUTHORIZING TRANSFER FOR DEPOT BUILDING DEDICATION

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, funds are required to cover the costs related to the Depot Building Dedication; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1997 General Fund Budget:

FROM:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$ 3,000.00

TO:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A7550.4100	Celebration - Other	\$ 3,000.00

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

RESOLUTION # 44 - 1997. AUTHORIZING P.I.L.O.T. RELATIVE TO THE CHIP MERRILL STREET PROPERTY

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, Chenango Housing Improvement Program, Inc., a not-for-profit corporation owns certain real property on Merrill Street in the City of Norwich; and

WHEREAS, under the terms of the Real Property Tax Law such property would tax exempt except to the extent provided by law; and

WHEREAS, Chenango Housing Improvement Program, Inc. and the City of Norwich have negotiated a mutually beneficial agreement for payments in lieu of taxes to the City; now, therefore be it

RESOLVED, that the Director of Finance be and hereby is authorized, under the direction of the City Attorney, to sign an agreement with Chenango Housing Improvement Program, Inc., to establish a payment in lieu of taxes for the property located on Merrill Street in the City of Norwich.

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

RESOLUTION No. # 45 - 1997. NOTING APPRECIATION TO BRIAN R. HAAK

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, Brian Haak has resigned from his position as Director of Finance/City Clerk; and

WHEREAS, during his two years with the City of Norwich, Brian made great progress towards improving government effectiveness including a significantly improved budget document; and

WHEREAS, Brian endeavored to bring unity and quality to his department by creating a team effort;

WHEREAS, Mr. Haak has established foundation for the future management of the office; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich does hereby extend to Brian R. Haak a vote of thanks for his efforts on behalf of the City and best wishes for continued success in future endeavors; and, further be it

RESOLVED, that this Key to the City along with a copy of this resolution be and hereby is presented to Brian R. Haak in appreciation for his service and commitment to the City of Norwich.

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

RESOLUTION No. # 46 - 1997. NOTING APPRECIATION TO MAT THALL

Ald. Angelino introduced the following and moved its adoption:

WHEREAS, Mat Thall has served the residents of the City of Norwich as Alderman for Ward Five since January 1, 1996; and

WHEREAS, circumstances have caused Mr. Thall to resign his position effective April 25, 1997; and

WHEREAS, Alderman Thall has served the residents of the City of Norwich with extreme dedication and proficiency; and now, therefore be it

RESLOVED, that the Common Council of the City of Norwich does hereby extend to Mat D. Thall a vote of thanks for his efforts on behalf of the residents of the City; and, further be it

RESOLVED, that Mat Thall be presented this Key to the City along with a copy of this resolution in appreciation of his dedication and service to the City of Norwich.
Seconded by Ald. Schermerhorn and duly adopted, ayes all.

Payment of Bills -- Ald. Thall moved to pay the bills after proper audit and certification as follows:

	<u>Prepaid</u>	<u>4/15/97</u>	<u>Grand Total</u>
General Fund	370,810.04	61,546.29	432,356.33
Sewer Fund	169,788.22	7,396.13	177,184.35
Water Fund	47,688.01	5,907.76	53,595.77
Trust	184,554.35	250.00	184,804.35
Debt Service	120,087.50	0.00	120,087.50
Reserves	0.00	2,111.88	2,111.88
Unemployment	0.00	0.00	0.00
C.D.	20,836.71	876.81	21,713.52
EDZ/LDC	4,462.41	17.95	4,480.36
Capital Projects	579.64	104,291.83	104,871.47
TOTALS	\$918,806.88	\$182,398.65	\$1,101,205.53

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

Executive Session -- Ald. McNeil moved to go into executive session at 7:45 PM to discuss the personnel history of a particular individual. Seconded by Ald. Carnrike and duly adopted, ayes all.

Ald. Carnrike moved to go out of executive session at 7:55 PM. Seconded by Ald. Thall and duly adopted, ayes all.

Adjournment -- Ald. McNeil moved to adjourn at 7:55 PM. Seconded by Ald. Thall and duly adopted, ayes all.