

COMMON COUNCIL

November 17, 1998

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on November 17, 1998, at One Court Plaza.

Present:

Mayor Robert Raphael
Ald. Thomas Anderson
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Jeffrey Thornton
Ald. Sharon Jeffer

Absent:

Ald. Joseph Biviano
Supervisor J. Dolan
Supervisor L. Natoli

Also:

Attorney Aaron Dean
Director of Finance/Clerk William Roberts
Director of H.R. Deborah DeForest
Fire Chief Gary Lynk
Police Chief Joseph Angelino
DPW Supt. Carl Ivarson
Director of C.D. David Wagoner
Historian Patricia Scott
Deputy Clerk Donna Russell

-- Ald. McNeil moved to dispense with the reading and approve the minutes of the regular meeting of October 20, 1998 and the work session of November 10, 1998. Seconded by Ald. Jeffer and duly adopted, ayes all.

OPEN FORUM:

Common Council name – **Carlton Atkinson**, 9 Howard Street, stated that the names “Common Council” and “Alderman/Alderwoman” is archaic and suggested the City consider updating them to “Norwich City Council” and Councilman/Councilwoman. Ald. McNeil said it was an excellent suggestion and authorized that the process to update the titles move forward.

CORRESPONDENCE:

World AIDS Day Walk – Ald. McNeil moved to approve a request from Chenango Community AIDS Resources to hold the annual World Aids Day Walk on December 1, 1998 at 7 PM, under the direction of the Police Chief. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Curb Cut at 24 Rexford Street – Ald. Thornton moved to approve a request for curb cut from Michael Toby of the Auto Museum, 24 Rexford Street, under the direction of the City Engineer. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0. Prior to the vote, it was noted that the request was previously approved by a telephone poll of the Common Council.

DEPARTMENT, BOARD AND COMMISSION REPORTS

- ◆ Community Development/Planning monthly report for October, 1998
- ◆ Fire Department/Codes monthly report for October, 1998
- ◆ Historian monthly report for October, 1998
- ◆ Public Works Department monthly report for September, 1998
- ◆ Records Management monthly report for October, 1998
- ◆ Youth Bureau monthly report for September and October, 1998
- ◆ Civil Service Commission minutes of October 1, 1998
- ◆ Electrical Board minutes of September 8 and October 12, 1998
- ◆ Parks Commission minutes of October 12, 1998
- ◆ Planning Commission minutes of October 23, 1998
- ◆ Plumbing Board minutes of October 27, 1998
- ◆ Water Commission minutes of October 21, 1998
- ◆ Youth Board minutes of September 8, 1998

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

WARD AND COMMITTEE REPORTS

- ◆ Personnel Committee meeting of October 6, 1998
- ◆ Public Safety Committee meeting of October 27, 1998
- ◆ Public Works Committee meeting of October 22, 1998

Ward Six – Mayor Raphael noted that Ald. Biviano was unable to attend this evening due to a knee injury.

Mayor – Mayor Raphael reminded all that the dedication ceremony for the skating facility will be held on Wednesday, November 19, 1998 at 11 AM. He also requested any aldermen wishing to participate in the Christmas parade on November 27, 1998 let the Deputy Clerk know.

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

NEW BUSINESS

Appointments – Mayor Raphael reported the following student appointments to the Youth Board for indeterminate terms:

- ◆ Harold Cole, 9 Pleasant Street
- ◆ Sara Bagg, 35 Eaton Avenue

Public Safety Committee – Ald. McNeil asked the Mayor if he has appointed a Chairman of the Public Safety Committee. Mayor Raphael said he has not yet made an appointment.

Ordinance No. 7 of 1998 – Ald. McNeil moved to receive a proposed ordinance amending the Zoning Ordinance Map of the City of Norwich relative to a P.U.D. for the Eaton Center and set public hearing for December 15, 1998. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

ORDINANCE NO. (7)
OF 1998

AN ORDINANCE TO AMEND THE ZONING ORDINANCE MAP
OF THE CITY OF NORWICH

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

Section 1. The City of Norwich Zoning Ordinance Map is hereby amended to reclassify the Eaton Center located at 19 Eaton Avenue (C.T.M. 136.64-5-1, 136.64-2-9), from an IN (Industrial District) to a Planned Use Development zone.

Section 2. This ordinance shall take effect immediately.

Ordinance No 8 of 1998 - Ald. McNeil moved to receive a proposed ordinance amending the Zoning Ordinance relative to open space requirements, parking requirements and the establishment of a Site Plan Review Team and set public hearing for December 15, 1998. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0. (Copy attached)

RESOLUTION # 103 - 1998. AUTHORIZING TRANSFER FOR PERSONAL SERVICES

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, an allowance was provided in the 1998 General Fund Contingency Account for changes to both unit and non-unit compensation rates; and

WHEREAS, funds are required to cover the corresponding cost of subsequently approved rate changes affecting various departments through December 31, 1998; and

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

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 1998 General Fund Budget:

From:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$ 78,029.00

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
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A1325.1010	Finance - Personal Services	13,809.00
A1355.1010	Assessor - Personal Services	45.00
A1410.1010	City Clerk - Personal Services	1,365.00
A1420.1010	Attorney - Personal Services (Summer Intern)	5,000.00
A1430.1010	Civil Service - Personal Services	3,500.00
A3120.1010	Police Department - Personal Services	24,800.00
A3120.1020	Police Department - Overtime	3,000.00
A3410.1010	Fire Department - Personal Services	14,510.00
A3410.1020	Fire Department - Overtime	877.00
A5110.1010	Street Maintenance - Personal Services	9,151.00
A8020.1010	Planning - Personal Services	1,562.00
	TOTAL	\$ 78,029.00

Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

RESOLUTION # 104 - 1998. DETERMINATION OF NEGATIVE DECLARATION RELATIVE TO AN ORDINANCE TO AMEND THE ZONING ORDINANCE

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich is amending the Zoning Ordinance relating to open space requirements and parking requirements in the Business Improvement District and the establishment of a Site Plan Review Team, as described in a Full Environmental Assessment Form dated September 23, 1998; and

WHEREAS, said amendment is subject to an environmental review as outlined in 6 NYCRR Part 617, the Administrative Rules and Regulations of the State of New York (hereinafter “the Rules”), prepared and adopted pursuant to Section 8-0113 of the Environmental Conservation Law to implement the provisions of the State Environmental Quality Review Act (SEQR); and

WHEREAS, the Common Council of the City of Norwich has been designated as “Lead Agency” pursuant to Part 617.6 of the Rules; and

WHEREAS, comments regarding said zoning amendment have been received and the identified environmental impacts will not be significant; now, therefore be it

RESOLVED, that the Common Council hereby makes a negative declaration, a “determination of non-significance” as a result of amending the Zoning Ordinance of the City of Norwich.

Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

RESOLUTION # 105 - 1998. APPOINTMENT OF WATER SYSTEM MAINTAINER IN THE DEPARTMENT OF PUBLIC WORKS

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Water System Maintainer in the City of Norwich; and

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

RESOLVED, that

1. Larry Bishop, Oxford, NY, be and hereby is provisionally appointed to the position of Water System Maintainer, effective November 23, 1998; and
2. such appointment is contingent upon the satisfactory completion of the required physical examination; and
3. this resolution shall be subject to such action as may be necessary by the Norwich Civil Service Commission.

Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

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

	<u>Prepaid</u>	<u>11/17/98</u>	<u>Grand Total</u>
General Fund	\$ 40,733.53	\$ 57,043.26	\$ 97,776.79
Sewer Fund	1,679.26	7,075.72	8,754.98
Water Fund	3,152.37	12,493.05	15,645.42
Trust	36,575.55	824.00	37,399.55

Debt Service	0.00	0.00	0.00
B.I.D.	0.00	10,000.00	10,000.00
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	0.00	32,500.00	32,500.00
EDZ/LDC	16.78	2,437.25	2,454.03
Capital Projects	48,999.50	37,548.11	86,547.61
TOTALS	\$131,156.99	\$159,921.39	\$291,078.38

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

Executive Session – Ald. Thornton moved to go into executive session at 7:25 PM to discuss the personal history of a particular individual. Seconded by Ald. Jeffer and duly adopted, ayes all.

Ald. McNeil moved to go out of executive session at 8 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 8 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.

ORDINANCE NO. (8)
OF 1998

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE CITY OF NORWICH

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

Section 1. The Zoning Ordinance of the City of Norwich, New York, is hereby amended as follows:

ARTICLE VI ADMINISTRATION

Section 1 Enforcement and Administration

- A. Administrative Official: Except as otherwise provided in this ordinance, the Codes Enforcement Officer or other person designated by Common Council by resolution, shall be designated the Zoning Officer and shall enforce this ordinance, including the receiving of applications, the inspection of premises and the issuing of building permits. No building permit or certificate of occupancy shall be issued by him except where the provisions of this ordinance have been complied with.
- B. Building permit required: No building or structure shall be erected, added to or structurally altered until a permit therefore has been issued by the Zoning Officer. All applications for such permits shall be in accordance with the requirements of this ordinance and unless upon written order of the Board of Appeals, no such building permit or certificate of occupancy shall be issued for any building where said construction, addition or alteration or use thereof would be in violation of any of the provisions of this ordinance.
 1. Matter accompanying application: There shall be submitted with all applications for building permits ~~four (4)~~ {two (2)} copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected, and such other information as may be necessary to determine and provide for the enforcement of this ordinance. Within the Business Improvement District (BID), two of the four copies of the plot plan, for new construction or additions only, will be sent to the Site Plan Review Team for comment. The Site Plan review Team shall consist of the Planning Commission together with the staff of the

Department of Community Development and the Zoning Officer and shall appoint their own chairperson. The Team will meet within 30 days of the application to review the site plan for compliance with the Zoning Ordinance and to indicate required improvements or modifications to the site plan. Within 30 days of the application, the Team's recommendation of approval, conditional approval or disapproval based on compliance with the Zoning Ordinance will be submitted in writing simultaneously to the property owner, and to Common Council.

2. In the case of a project that is not approved, the owner is invited to meet with the Planning Commission to address the required adjustments.
3. Payment of fee: The Common Council shall establish by resolution such fees as it shall deem appropriate in regard to the administration of this ordinance.

New material is underlined; deleted material is {bracketed}.