COMMON COUNCIL

December 15, 1998

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on December 15, 1998, at One Court Plaza.

Present:
Mayor Robert Raphael
Ald. Thomas Anderson
Ald. Robert Rabinowitz
Ald. Jeffrey Thornton
Ald. Sharon Jeffer
Ald. Joseph Biviano

Absent:
Ald. Patrick McNeil
Supervisor J. Dolan
Supervisor L. Natoli

Also:
Director of Finance/Clerk William Roberts
Director of H.R. Deborah DeForest
Fire Chief Gary Lynk
Police Chief Joseph Angelino
Director of C.D. David Wagoner
Asst. Fire Chief Leroy Burlingame
Historian Patricia Scott
Deputy Clerk Donna Russell

-- Ald. Anderson moved to dispense with the reading and approve the minutes of the regular meeting of November 17, 1998, the special meeting of November 24, 1998 and the special meeting and work session of December 8, 1998. Seconded by Ald. Jeffer and duly adopted, ayes all.

PUBLIC HEARINGS:

Proposed Ordinance No. 7 of 1998 – Mayor Raphael opened the public hearing at 7:02 PM for a proposed ordinance to amend the Zoning Ordinance Map relative to a Planned Use Development for the Eaton Center.

There being no comments, the Mayor closed the hearing at 7:02 PM.

Proposed Ordinance No. 8 of 1998 – Mayor Raphael opened the public hearing at 7:02 PM for a proposed ordinance to amend the Zoning Ordinance relative to the Business Improvement District (B.I.D.).

Mary Davis, 11 Conkey Avenue and President of the B.I.D., thanked the Common Council for the time and effort in getting the ordinance to this point and encouraged the Council to support it as presented. She stated the ordinance will be one of the best tools the City will have in getting the City into the future.

Theodora Arnell, Georgetown, NY and downtown business owner, thanked everyone connected with the preparation of the ordinance. She feels that the ordinance will show that Norwich can work together to beautify the City.

David Wagoner, Community Development Director, spoke in support of the ordinance. He noted that the ordinance will allow the City to work with future developers in planning projects in the downtown. Developers will have guidelines showing them ordinances and parameters to streamline the process.

There being no further comments, the Mayor closed the hearing at 7:08 PM.

OPEN FORUM:

Weiler Park Walkway – **Muriel True**, 168 North Broad Street and Parks Commission Chair, expressed concern with regard to a cut in the Parks budget of $9,000 for repairs to the Weiler Park walkway. She noted the Council has been informed of the situation. Mrs. True said this is the only planned walkway in the City and it is used regularly by both the young and old. Mayor Raphael said the funds may be lumped in with other items. Director of Finance Roberts said there was no cut of $9,000 from the budget and said the question is was included at all. Ald. Biviano said the Council supports the walkway and will find the funds to complete the repairs. Ald. Thornton said in the future there needs to be more attention paid to these types of items.

Vehicle and Traffic Ordinance Amendments – **Casey Jones**, 4 Maydole Street and downtown business owner, said he was very disappointed that the Council chose next week to hold public hearing relative to the Vehicle and Traffic ordinances. He said it is one of the busiest weeks for merchants and he, as well as others, will be unable to attend the meeting. Mr. Jones indicated that parking must be reserved for customers. The store front should be available for the customer to run in and out and the lots for people who are going to shop. He recommended the on-street parking area be designated for one hour parking. Ald. Biviano said the issue of downtown parking has been studied for over a year by the ad hoc Parking Committee and he supports their recommendations.

Mary Davis, President of the B.I.D. and member of the Parking Committee, stated that the Committee surveyed the downtown businesses and of the 70 % of the surveys returned, the majority requested the meters be removed with on-street parking limited to two hours. She noted that although some of the members preferred a one hour parking limit on the street, the recommendation was to follow the opinion of the surveys. Mrs. Davis suggested the City could sell the meters.

BIDS:

Walk Behind Vibratory Roller – A single bid was received for a walk behind vibratory roller. Upon review by the Public Works Committee, the bid was referred to the Finance Committee for a recommendation.

CORRESPONDENCE:

First Night 1999 – Ald. Biviano moved to approve a request to hold First Night 1999 on December 31, 1998 from 6 PM to 12:30 AM, under the direction of the Police and Fire Chiefs. Seconded by Ald. Thornton and duly adopted, ayes all on a roll call vote, 5-0.

Petition Relative to Skunks – Ald. Biviano moved to refer a petition from concerned citizens relative to skunks to the Public Safety Committee. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

DEPARTMENT, BOARD AND COMMISSION REPORTS

- DPW/Water monthly report for October and November, 1998
- Fire Department/Codes monthly report for November, 1998
- Historian monthly report for November, 1998
- Police Department monthly report for October, 1998
- Records Management Monthly report for November, 1998
- Youth Bureau monthly report for November, 1998
- Civil Service Commission minutes of November 5, 1998
- Electrical Board minutes of November 10, 1998
- Parks Commission minutes of November 9, 1998
- Plumbing Board minutes of November 19, 1998
- Traffic Commission minutes of November 18 and December 9, 1998
- Water Commission minutes of November 18, 1998
- Youth Board minutes of November 10 and December 8, 1998

-- Ald. Biviano moved to receive and file the department, board and commission reports. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

WARD AND COMMITTEE REPORTS

- Personnel Committee meeting of November 4, 1998
- Public Safety Committee meeting of November 24, 1998
- Public Works Committee meeting of November 19, 1998

Manhole Repair in Ward One – Ald. Anderson thanked the Department of Public Works for the timely repair of the manhole cover at Norwich Tire on Hale Street. He reported on concerns from residents relative to the proposed increase in revenue recovery rates.

Landscaping in Ward Three – Ald. Rabinowitz thanked the Department of Public Works for the re-topsoiling and re-seeding of Hillview Drive and Eric Street.

Railroad Well – Ald. Biviano reported a railroad well on city owned property in adjacent to Ward Six in Ward Four that needs to be locked. The matter was referred to the Department of Public Works.

-- Ald. Rabinowitz moved to receive and file the ward and committee reports. Seconded by Ald. Anderson and duly adopted, ayes all on a roll call vote, 5-0.

OLD BUSINESS

Overtime Reports – It was noted that the Council is still not receiving overtime reports from departments other than Police and Fire. Ald. Biviano moved that all department heads provide a monthly overtime report to the Common Council. Seconded by Ald. Thornton and duly adopted, ayes all on a roll call vote, 5-0.

NEW BUSINESS

Fire Department Volunteer Appointment – Ald. Jeffer moved to appoint Bonita Scott, Norwich, NY, to the George Rider Hook and Ladder Company of the Norwich Fire Department. Seconded by Ald. Thornton and duly adopted, ayes all on a roll call vote, 5-0.

Assessment Board of Review – Ald. Biviano moved the re-appointment of Del Webster, 39 Brown Avenue, to the Assessment Board of Review, a five year term expiring September 30, 2003. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Zoning Board of Appeals – Mayor Raphael reported the following appointments to the Zoning Board of Appeals:

- Del Webster, 39 Brown Ave, appointment to the remainder of a three year term expiring December 31, 2000
- Leslie Dopkeen, 113 Hillview Court, appointment to the remainder of a three year term expiring December 31, 1999

Planning Commission – Mayor Raphael reported the following appointments to the Planning Commission:

- Jack Weinman, 183 North Broad Street, appointment to the remainder of a three year term expiring December 31, 1999
- Frank Revoir, 15 Hickok Ave, appointment as an Alternate member for a three year term expiring 12/31/2001
- Appointed on October 20, 1998 - Nancy Adsit, 30 Park Street, appointment as an Alternate member for the remainder of a three year term expiring December 31, 1999
- Appointed on October 20, 1998 - Michael McCollough, 33 Hayes Street, appointment as an Alternate member for the remainder of a three year term expiring December 31, 2000

RESOLUTION # 108 - 1998. APPROVING ORDINANCE TO THE ZONING ORDINANCE MAP OF THE CITY OF NORWICH RELATIVE TO A P.U.D.

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 7 of 1998 on November 17, 1998, such ordinance to amend the Zoning Ordinance Map of the City of Norwich relative to a Planned Use Development for the Eaton Center; and

WHEREAS, a public hearing has been held on December 15, 1998, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 7 of 1998, to amend the Zoning Ordinance Map of the City of Norwich relative to a Planned Use Development for the Eaton Center, as presented to the Common Council on November 17, 1998, be and hereby is approved.

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

RESOLUTION # 109 - 1998. APPROVING ORDINANCE TO THE ZONING ORDINANCE OF THE CITY OF NORWICH RELATIVE TO THE B.I.D.

Ald. Anderson introduced the following and moved its adoption:

WHEREAS, the Common Council received proposed Ordinance No. 8 of 1998 on November 17, 1998, such ordinance to amend the Zoning Ordinance the City of Norwich relative to the B.I.D.; and

WHEREAS, a public hearing has been held on December 15, 1998, relative to such ordinance; now, therefore be it

RESOLVED, that Ordinance No. 8 of 1998, to amend the Zoning Ordinance the City of Norwich relative to the B.I.D., as presented to the Common Council on November 17, 1998, be and hereby is approved.

Seconded by Ald. Jeffer.

Ald. Thornton moved to amend the wording of the ordinance with regard to the Team appointing its own chairperson; rather, the Community Development Director shall be designated as the Chair. Seconded by Ald. Biviano and duly adopted, 4-1 on a roll call vote.

The resolution was then duly adopted, ayes all on a roll call vote, 5-0.

-- Prior to the vote, there was discussion relative to the site plan review team and parking in the rear of buildings. Ald. Biviano suggested the review team include the police chief, fire chief, codes enforcement officer, the community development director and planning commission chairman. He also suggested the community development director be the chairperson of the team. CD Director Wagoner noted that the fire chief is represented on the team by the codes enforcement officer and noted the team will avail from all areas of the City to get the expertise they need. Ald. Biviano questioned the requirement that all parking be in the rear of buildings and suggested there be some variance. CD Director Wagoner explained that if a project is important enough to the community, a variance can be granted by the Zoning Board of Appeals based on the situation.

Resolution Establishing 1999 Non-Unit Compensation Benefits – Ald. Biviano noted the resolution has been pulled from the agenda and moved to refer the matter to the Personnel and Finance Committees for recommendation.

RESOLUTION # 110 - 1998. AUTHORIZING SUBMISSION OF STATE ARCHIVES AND RECORDS ADMINISTRATION (SARA) GRANT APPLICATION

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the City of Norwich, through grant funding from SARA, has been able to conduct a records inventory of City departments and establish a permanent records retention room for the City's inactive records storage; and

WHEREAS, the Common Council is committed to improving methods for the creation of records and the design and implementation of records systems; and

WHEREAS, funds are available for eligible local governments through the 1999/2000 SARA grant cycle; now, therefore be it

RESOLVED, that the Mayor be and hereby is authorized to submit an application to the State Archives and Records Administration for funding through the Local Government Records Management Improvement Fund and to act in all matters related to such application.

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

RESOLUTION # 111 - 1998. AUTHORIZING TRANSFER FOR WATER MAIN REPLACEMENT PROGRAM

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover the cost of the 1998 Water Main Replacement Program; 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 transfers in the 1998 Water Fund Budget:

From:

Account Number	Name	Amount
HR31-599	Water Main Reserve - Appropriated Fund Balance	$ 9,500.00
HR34-878	Sewer Main Reserve - Appropriated Fund Balance	12,800.00
	TOTAL	$22,300.00

To:

Account Number	Name	Amount
H37-5031	Interfund Transfer from Capital Reserve-Water Main	$
9,500.00		

H41-5031	Interfund Transfer from Capital Reserve-Sewer Main	
12,800.00		
	TOTAL	$22,300.00

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

RESOLUTION # 112 - 1998. AUTHORIZING TRANSFER CITY COURT BICENTENNIAL CELEBRATION

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the costs related to the City Court Bicentennial Celebration; 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:

Account Number	Name	Amount
A1990.4	Contingency	$ 500.00

TO:

Account Number	Name	Amount
A7550.4100	Celebrations - Other	$ 500.00

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

-- Prior to the vote, Ald. Biviano suggested the funds come from the community development fund. Director of Finance Roberts said there are no funds left in that account. Mayor Raphael stated this is half of the cost of the event which is scheduled for December 21, 1998 from 4 -6 PM. He noted that all are invited.

RESOLUTION # 113 - 1998. AUTHORIZING TRANSFER FOR REPAIRS AT THE WATER FILTRATION PLANT

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of materials needed to complete the roof repairs at the Albert A. Sullivan Water Filtration Plant; 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 Water Fund Budget:

From:

Account Number	Name	Amount
F1990.4	Water Fund Contingency	$ 2,000.00

To:

Account Number	Name	Amount
F8330.4040	Water Fund - Repairs and Maintenance	$ 2,000.00

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

RESOLUTION # 114 - 1998. APPROVING ECOMONIC DEVELOPMENT LOAN

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, funds are available for eligible applicants through the City's Economic Development Revolving Loan Program; and

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

RESOLVED, that an economic development loan be and hereby is approved in the amount of $125,000 to William Andrew, Inc., for a term of five years, at a fixed rate of 75% of prime, subject to all terms and conditions as specified by the Loan Committee.

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

RESOLUTION # 115 - 1998. AUTHORIZING AGREEMENT WITH THOMA DEVELOPMENT CONSULTANTS FOR PROFESSIONAL SERVICES

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the City wishes to retain the services of a professional grant writing firm to search out and submit applications for grant funding; and

WHEREAS, the Community Development Director and the Finance Committee have made certain recommendations; now, therefore be it

RESOLVED, that the Mayor, under the direction of the City Attorney, be and hereby is authorized to enter into an agreement with Thoma Development Consultants for professional services relative to a Retainer Grant Writing Service, for a period of 12 months at $100 per month with an additional fee based on a percentage of the funds awarded.

Funds Awarded	**Percentage Fee**
Up to $30,000	**10%**
$30,000 to $99,999	**7.5%**
$100,000 to $400,000	**5%**
Greater than $400,000	**Negotiable**

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

-- Prior to the vote, the Council concurred to include the grant award scale (bold) with the resolution.

RESOLUTION # 116 - 1998. APPEAL TO STATE LEGISLATURE TO RESTORE REVENUE SHARING AID

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the New York State Revenue Sharing program, between 1988 and 1992, was reduced by over 50%; and

WHEREAS, the City of Norwich received $ 710,670 in State Revenue Sharing Aid in 1988 and $443,623 in 1998; and

WHEREAS, local governments, including the City of Norwich, have had to replace that lost aid with property tax increases and services reductions; now, therefore be it

RESOLVED, that City of Norwich appeals to the State Legislature to restore State Revenue Sharing Aid to its 1988 level; and, further be it

RESOLVED, that a formula be developed that provides municipal property tax relief in a fair and effective manner.

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

The Council concurred that a copy of the resolution should be sent to Governor Pataki, Senator Libous, Assemblyman Crouch and NYCOM.

RESOLUTION # 117 - 1998. DESIGNATING THE COMMON COUNCIL "LEAD AGENCY" RELATIVE TO THE PRENTICE STREET EXTENSION PROJECT

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, the City of Norwich proposes to construct the Prentice Street Extension from O'Hara Drive to Hale Street; and

WHEREAS, the State of New York requires an environmental review of such projects; now, therefore be it

RESOLVED, that the Common Council does hereby designate itself as lead agency as required by the State Environmental Quality Review Act and shall by this act commence the required review.

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

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

	Prepaid	12/15/98	Grand Total
General Fund	318,417.12	35,507.92	353,925.04
Sewer Fund	3,539.93	7,519.65	11,059.58
Water Fund	4,279.12	12,843.96	17,123.08
Trust	37,319.78	280.39	37,600.17
Debt Service	0.00	0.00	0.00
B.I.D.	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	0.00	0.00	0.00
EDZ/LDC	3,390.64	45.05	3,435.69
Capital Projects	26,492.38	21,206.71	47,699.09
TOTALS	**$ 393,438.97**	**$ 77,403.68**	**$ 470,842.65**

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

Special Common Council Meeting – Mayor Raphael reminded everyone of the special Common Council meeting for December 22, 1998.

Executive Session – Ald. Rabinowitz moved to go into executive session at 8:30 PM to discuss the personnel history of a particular individual. Seconded by Ald. Anderson and duly adopted, ayes all.

Ald. Anderson moved to go out of executive session at 9:30 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Adjournment –Ald. Anderson moved to adjourn at 9:35 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.