COMMON COUNCIL

September 21, 1999

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on September 21, 1999, at One Court Plaza.

Present:
Mayor Robert Raphael
Ald. Thomas Anderson
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Sharon Jeffer
Ald. Joseph Biviano

Absent:
Ald. Jeffrey Thornton
Supervisor J. Dolan
Supervisor L. Natoli

Also:
Attorney Joseph McBride
Director of Finance/Clerk William Roberts
Director of H.R. Deborah DeForest
Police Chief Joseph Angelino
Fire Chief Gary Lynk
Asst. Fire Chief James Williams
E.M.O. A Jones
C.D. Director David Wagoner
C.D. Assistant Katy Schwan
Historian Patricia Scott
Deputy Clerk Donna Russell

-- Ald. Anderson moved to dispense with the reading and approve the minutes of the regular meeting of August 17, 1999, the special meeting of August 31, 1999, and the work session of September 14, 1999. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

OPEN FORUM:

Proposed Sign Ordinance -- Richard Paino, owner of John's Hot Dog Stand at 116 Birdsall Street, requested that the Council not act on a proposed ordinance amending the sign ordinance and send it back to committee. He feels the ordinance is ill-written with language that is not asking for what the City is really asking. Mr. Paino stated that changeable copy signs should be allowed in a B-2 zone. He also expressed concerns with the sign ordinance definition of an institutional sign and special events.

BIDS:

Bids have been received for the following and will be taken up under New Business later in the meeting.

- 1999 Borden Avenue Skating Facility - Parking Lot Program
- Police Department Headquarters
- Asbestos Abatement at Police Department Headquarters

CORRESPONDENCE:

There was no correspondence to be received.

DEPARTMENT, BOARD AND COMMISSION REPORTS

- Community Development/Planning monthly report for August, 1999
- Emergency Management Office monthly report for August, 1999
- Fire Department/Codes monthly report for August, 1999
- Historian monthly report for August, 1999
- Public Works Department monthly water system reports for July and August, 1999
- Records Management monthly report for August, 1999
- Youth Bureau monthly report for August, 1999
- Civil Service Commission minutes of July 22, 1999
- Electrical Board minutes of August 10, 1999
- Parks Commission minutes of August 8, 1999
- Plumbing Board minutes of June 17, 1999
- Water Commission minutes of August 18, 1999
- Youth Board minutes of September 14, 1999
- Zoning Board of Appeals minutes of September 13, 1999

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

WARD AND COMMITTEE REPORTS

- Personnel Committee meeting of August 2, 1999
- Public Safety Committee meeting of August 24, 1999
- Public Works Committee meeting of August 26, 1999

Year 2000 Compliance – Mayor Raphael reported that the City of Norwich will hold a Community Forum on October 25 at 7:30 PM at the Norwich High School to address the Year 2000 computer problem and family emergency preparedness issues. A. Jones, Emergency Management Officer for the City, said that representatives from the area service providers have been asked to attend. He said an informational package will be distributed to attendees with information relative to disaster planning as well as the Year 2000.

Prentice Street sidewalks – Ald. Anderson reported that issues relative to sidewalks in the Prentice Street area have been referred to the Public Works Committee.

Conkey Avenue traffic concerns – Ald. Anderson reported that the traffic problems on Conkey Avenue are continuing and have been referred back to the Traffic Commission. He explained the congestion on Conkey Avenue has not been eased by the recent ordinance amendment which extended the distance of no parking from the corner.

Crack Sealing – Ald. Rabinowitz reported that crack sealing has been completed and the streets should now be ready to withstand the winter.

Ward Six Concern – Ald. Biviano stated that he would be requesting an executive session later in the meeting relative the sale of property where the price may be affected.

Loitering Ordinance – Mayor Raphael stated that he would like the City Attorney to look into developing an ordinance to prevent loitering.

-- Ald. Biviano moved to direct the City Attorney to contact NYCOM for the information necessary to draft an ordinance relative to loitering. Seconded by Ald. McNeil and duly adopted, ayes all.

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

NEW BUSINESS

Appointments

Planning Commission -- Mayor Raphael reported the mayoral appointment of Kay Zaia, 43 Rexford Street, to the Planning Commission the remainder of a three year term expiring December 31, 2000.

Fire Department -- Ald. McNeil moved to approve the transfer of Timothy J. Harter, 10 Hickory Street, from the Explorer Post to the George L. Rider Hook and Rider Company of the Norwich Fire Department. Seconded by Ald. Jeffer and duly adopted, ayes all.

Award of Bids

Skating Facility Parking Lot Program -- Ald. Rabinowitz moved to award the bid for the Borden Avenue Skating Facility - Parking Lot Program to the only qualified bidder meeting specifications, Suite Kote Corp. of Cortland, NY in the amount of $22, 224.50 for Parking Lot A, B and C. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Police Department Headquarters – Ald. Biviano moved to award the bid for Police Department Headquarters to the lowest qualified bidders meeting specifications, as recommended by the Public Works and Finance Committees, as follows:

- General – Richard Wakeman, Inc., Sidney, NY for $684,000
- Electrical – EPPY Electric, Oneida, NY for $116,014
- Mechanical – Auchinachie Plumbing, Heating & A/C of Binghamton, NY for $163,631

Seconded by Ald. Rabinowitz and duly adopted, 4-1 (Ald. Anderson) on a roll call vote.

Mayor Raphael stated that the Common Council has taken a historical step this evening and for the record, had his vote been required, it would have been aye.

-- Prior to the vote, Ald. McNeil stated, relative to the exercise room proposed in the new police station, that the Police and Fire Departments should share an exercise facility in the new fire station.

Asbestos Abatement – Ald. Rabinowitz moved to award the bid for Asbestos Abatement at the Police Department Headquarters to USA Remediation Services of Sauquoit, NY, the lowest qualified bidder meeting specifications, as recommended by the Public Works Committee, with a base bid of $23,000 and $1 for unit price #1. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Street Line Painting – Ald. Rabinowitz moved to accept the proposal of Niez Pavement Painting of Liverpool, NY, for street line painting, as recommended by the Public Works Committee, in the amount of $4,330. DPW Supt. Ivarson noted that the painting is done in the fall, after the construction season is over.

Proposed Ordinance No. 6 of 1999 – Ald. Biviano stated that in view of what was said earlier this evening relative to the proposed amendments to the sign ordinance, that no action be taken at this time. He suggested the proposed ordinance be sent back to the Community Development Department and Planning Commission to be reviewed further. CD Director Wagoner stated that the ordinance as presented is based on the recommendations of the CD Department and Planning Commission and that if the Council wants changes, it needs to direct the CD Department to make those changes. Ald. McNeil noted that there is a variance process in place. Ald. Anderson suggested that with several zoning cases pending, it might quicken the process if the Council could review the ordinance together at the next work session and make changes at that time. Ald. Rabinowitz noted the Planning Commission will meet before the next work session.

-- Ald. Biviano moved to refer the proposed ordinance to amend the sign ordinance relative to changeable copy signs back to the Planning Commission with the direction to make the recommended changes to allow changeable copy signs in a B-2 zone. Seconded by Ald. McNeil and duly adopted, ayes all.

Payment for Water Tank Demolition – Ald. McNeil moved to approve the payment of the water tank demolition completion under the 1995 Water System Upgrade Project, as recommended by the Finance Committee. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

Auth Agreement with Delaware Engineering – Ald. Biviano moved to authorize the Mayor to sign an agreement with Delaware Engineering for the remainder of engineering services under the 1999 Water Distribution and Filtration Upgrade Project. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Auth Agreement with Chenango County – Ald. Biviano moved to authorize the Fire Chief to sign an Indemnification and Hold Harmless Agreement with the Chenango County Health Department for the installation of smoke detectors in conjunction with a grant received by the County under the NYS Prevention of Fire-Related Injuries Project - Smoke Alarm Distribution and Installation program. Seconded by Ald. Rabinowitz and duly adopted, ayes all on a roll call vote, 5-0.

RESOLUTION # 66 - 1999. AUTHORIZING TRANSFER FOR WATER AND WASTEWATER SYSTEMS EQUIPMENT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of a trench box for the Water and Wastewater Systems; and

WHEREAS, the Public Works and Finance Committees have 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 1999 Water and Wastewater Fund Budgets:

From:

Account Number	Name	Amount
HR28-878	Water Equipment Reserve - Appropriated Fund Balance	2,500.00
HR42-909	Sewer Equipment Reserve - Appropriated Fund Balance	2,500.00
	TOTAL	$ 5,000.00

To:

Account Number	Name	Amount
F8340.2100	Water Distribution - Equipment	2,500.00
G8120.2100	Sanitary Sewers - Equipment	2,500.00
	TOTAL	$ 5,000.00

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

RESOLUTION # 67 - 1999. REPLACE FIRE ASSISTANT POSITION WITH FIRE FIGHTER POSITION IN THE NORWICH FIRE DEPARTMENT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the Personnel and Public Safety Committees have made certain recommendations relative to replacing one position of part time Fire Assistant with that of full time Fire Fighter; now, therefore be it

RESOLVED, that one position of part time Fire Assistant be and hereby is replaced with that of full time Fire Fighter.

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

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

	Prepaid	9/21/99	Grand Total
General Fund	136,304.99	47,902.15	184,207.14
Sewer Fund	15,088.34	3,605.22	18,693.56
Water Fund	5,586.18	4,566.10	10,152.28
Trust	48,711.99	200.00	48,911.99
Debt Service	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	1.49	0.00	1.49
EDZ/LDC	17,412.12	667.18	18,079.30
Capital Projects	176,027.29	11,970.98	187,998.27
B.I.D.	13,988.08	0.00	13,988.08
TOTALS	**$413,120.48**	**$68,911.63**	**$482,032.11**

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

Executive Session – Ald. Biviano moved to go into executive session at 7:50 PM to discuss the sale of property where the price may be affected. Seconded by Ald. Jeffer and duly adopted, ayes all.

-- Ald. McNeil moved to go out of executive session at 8:10 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

RESOLUTION # 68 - 1999. AUTHORIZING SALE OF PROPERTY FROM TAX AUCTION

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, on July 30, 1999, the Director of Finance conducted a sealed bid auction of properties taken by the City of Norwich, pursuant to the New York State Real Property Tax Law and Norwich City Charter, for delinquent taxes from 1997 and prior years; and

WHEREAS, the bids received have been reviewed by the Director of Finance and the City Attorney and have been confirmed to be in order; and

WHEREAS, all conditions of the sale of such portion have been satisfied; and

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

RESOLVED, that the City transfer the below listed properties to the individuals and at the price set opposite thereto:

Property Address	Tax Map Number	Buyer	Amount
6 Berry Street	136.33-2-12	Barbara Lovertro	$ 3,500.00
45 Gold Street	136.34-2-11	Barbara Lovertro	1,000.00
12 Grove Avenue	136.5-4-8	Barbara Lovertro	3,000.00
23 Grove Avenue	136.58-2-5	Barbara Lovertro	3,000.00
65 Henry Street	136.47-3-4	Barbara Lovertro	4,000.00
25 King Street	136.39-2-11	Barbara Lovertro	4,000.00
5 State Street	136.41-1-12	Barbara Lovertro	1,500.00
5A State Street	136.41-1-11	Barbara Lovertro	1,500.00

and, further be it

RESOLVED, that the Director of Finance and the City Attorney be and hereby are directed to prepare and execute the necessary documents for the transfer of the above listed properties on behalf of the City of Norwich.

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

Executive Session – Ald. McNeil moved to go into executive session at 8:15 PM to discuss the personnel history of a particular individual. Seconded by Ald. Jeffer and duly adopted, ayes all.

Ald. McNeil moved to go out of executive session at 8:35 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 8:35 PM. Seconded by Ald. Anderson and duly adopted, ayes all.