COMMON COUNCIL

April 18, 2000

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on April 18, 2000, at One Court Plaza.

Present:	Also:
Mayor Robert Raphael	Attorney Joseph McBride
Ald. Thomas Anderson	Director of Finance/Clerk William Roberts
Ald. Patrick McNeil	Director of H.R. Deborah DeForest
Ald. Robert Rabinowitz	Police Chief Joseph Angelino
Ald. Sharon Jeffer	Fire Chief John Tighe
Ald. Joseph Biviano	DPW Supt. Carl Ivarson
	Historian Patricia Scott
	CD Assistant Katy Schwan
	EMO A. Jones
Absent:	Asst. Fire Chief Leroy Burlingame
Ald. Jeffrey Thornton	Supervisor James McNeil
Supervisor L. Natoli	Deputy Clerk Donna Russell

-- Ald. Jeffer moved to dispense with the reading and approve the minutes of the regular meeting of March 21, 2000 and the work sessions of March 14 and April 11, 2000. Seconded by Ald. McNeil and duly adopted, ayes all.

OPEN FORUM:

No one wished to heard under Open Forum.

BIDS:

Mayor Raphael reported the following bids have been reviewed by the appropriate Committees and will be taken up under New Business:

- 2000 Tree Removal – two bids opened on March 24, 2000
- One Type III Ambulance – one bid opened on April 17, 2000
- Modifications to Vehicle for First Responder Unit – four bids opened on April 17, 2000

CORRESPONDENCE:

Support Soccer/Sport Park –Ald. McNeil moved to receive a request from Jim Bleyle of the Chenango Soccer Club for a letter of support for the development of a multi-field soccer/sport park in the Town of Oxford and authorized the Mayor to submit such letter of support. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

-- Prior to the vote, Ald. Biviano asked if the Parks Commission endorsed the project. Mayor Raphael stated that the Chairpersons of both the Parks Commission and the Chenango River Enhancement Committee are aware of the project and have no concerns.

Great Race "Pit Stop" – Ald. Biviano moved to approve a request from the Northeast Classic Car Museum to host a "pit stop" for the History Channel's Great Race in the City of Norwich on June 12, 2000, under the direction of the Police Chief. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

Curb Cut at 37-37 ½ Division Street – Ald. Biviano moved to approve a request from Judy Dean for a curb cut at 37 – 37 ½ Division Street, under the direction of the City Engineer and that the curb cut be made solely on the property of Judy Dean. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Site Plan Review for YMCA Project – Ald. Biviano moved to receive and file the Planning Commission/Site Plan Review Team's recommendation of a conditional approval of the project providing certain conditions are met. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- The Mayor noted that the conditions are outlined in a memo by CD Assistant Katy Schwan. The Council concurred to move forward with the discontinuance of a portion of Turner Street and directed the City Attorney research the matter for action at the special Common Council meeting on April 25.

Mayoral Proclamation – Mayor Raphael presented the following proclamation relative to Arbor Day:

PROCLAMATION
Arbor Day
April 28, 2000

WHEREAS, the holiday called Arbor Day was first observed in 1872 by the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood, fuel and wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, beautify our community and are a source of joy; now

THEREFORE, I, Robert Raphael, Mayor of the City of Norwich, New York, do hereby proclaim April 28, 2000, as Arbor Day in the City of Norwich.

DEPARTMENT, BOARD AND COMMISSION REPORTS

- Historian monthly report for March, 2000
- Police Department monthly report for March, 2000
- Records Management monthly report for March, 2000
- Youth Bureau monthly report for March, 2000
- Civil Service Commission minutes of February 3, 2000
- Electrical Board minutes of April 11, 2000
- Parks Commission minutes of March 13, 2000
- Planning Commission minutes of March 17, 2000
- Plumbing Board minutes of March 17, 2000
- Traffic Commission minutes of April 12, 2000
- Youth Board minutes of April 11, 2000

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

WARD AND COMMITTEE REPORTS

- Finance Committee meeting of March 7, 2000
- Personnel Committee meeting of March 6, 2000
- Public Safety Committee meeting of March 28, 2000
- Public Works Committee meeting of March 23, 2000

Public Works Committee minutes – Ald. Biviano indicated that the Public Works Committee minutes of March 23 incorrectly state that the **Public Safety Committee** recommended the widening of Mechanic Street. He clarified that it was the **Traffic Commission** that made the recommendation.

Prentice Street Project – Ald. Anderson reported for Ward One that there are issues relative to the Prentice Street project including cracked sidewalks and general cleanup that would be referred to the Public Works Committee.

Public Health Concern – Ald. McNeil reported for Ward Two that a concern regarding public health would be referred to the City Attorney and the Public Health Officer.

Water Backup Due to Snow Storm – Ald. Rabinowitz reported for Ward Three that he received a call from a resident affected with water backup from the recent snow storm. The resident commended the Department of Public Works for its quick response in clearing the storm drain which resolved the problem.

Ward Six Concerns – Ald. Biviano reported that the City Engineer and Public Health Officer would be looking into issues regarding two houses in Ward Six.

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

OLD BUSINESS

Ald. Anderson clarified, referring to a memo regarding the street surfacing program, that the Public Works Committee has recommended the City resurface Borden Avenue this year and that the other streets would be under Years 1 and 2 of the Water Project. He also noted that the first street under Year 1 should be Elm Street, not Eaton Avenue.

NEW BUSINESS

Award of Bids

♦ 2000 Tree Removal – Ald. McNeil moved to award the bid for 2000 Tree Removal to the lowest qualified bidder meeting specifications, Cook's Tree Service of Vestal, NY, in the amount of $7,349.00 for Item B (including removal), as recommended by the Public Works Committee. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

♦ Type III Ambulance – Ald. Biviano moved to award the bid for Type III Ambulance to the lowest qualified bidder meeting specifications, PL Custom Emergency Vehicles of Manasquan, NJ, in the amount of $91,500.00, as recommended by the Public Safety Committee. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

♦ Modifications to First Responder Vehicle – Ald. Biviano moved to award the bid for Modifications to First Responder Vehicle to the lowest qualified bidder meeting specifications, Bruce's Equipment of Ithaca, NY in the amount of $29,551.70, including vehicle, as recommended by the Public Safety Committee. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

Accept Proposal – Ald. Jeffer moved to accept the Proposal from E.J. Prescott, Inc. of Round Lake, NY, for field test compound meters with test ports at $185 each. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

Agreement with Town of Norwich – Ald. Biviano moved to Approve the Provision of Water Meter Reading and Billing Services to the Town of Norwich with reimbursement by the Town to the City for Incidental Related Costs, which shall be made in a timely manner. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

Water Project Services – Ald. Jeffer moved to retain Gray's Water Enterprises for construction inspection services under the Water Distribution System Upgrade Project at a rate of $26 per hour. Seconded by Ald. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

(Proposed)
LOCAL LAW NO. 1 OF 2000

A LOCAL LAW TO ESTABLISH ADDITIONAL COMPENSATION FOR PRESIDENT OF COMMON COUNCIL AND PROVIDE ALLOCATION IN COMPENSATION SCHEDULE

BE IT ENACTED by the Common Council of the City of Norwich, as follows:

Section 1. The compensation for President of the Common Council in the City of Norwich be and hereby is established at $ 1,000 annually and shall be additional to compensation received as Alderman.

Section 2. This local law shall take effect August 1, 2000.

Receive Local Law – Ald. Biviano moved to Receive Proposed Local Law 1 of 2000, Establishing Additional Compensation for Common Council President, and set a public hearing for May 16, 2000 at 7 PM. Seconded by Jeffer and duly adopted, ayes all on a roll call vote, 5-0.

-- Prior to the vote, Ald. Biviano stated that the additional compensation for the Council President is due to the added and ever increasing duties of the position.

Bonding Resolution – Mayor Raphael stated that a resolution proposed this evening relative to bonding the fire equipment purchases has been removed from the agenda until further information can be obtained from the City's Bond Counsel. Finance Director Roberts stated that the delay would not affect the awarding of the bids and a resolution should be ready for the May Council meeting.

RESOLUTION # 33 - 2000. AUTHORIZING TRANSFER FOR EQUIPMENT FOR NEW POLICE STATION FACILITY

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, available funds remain, following the completion of the capital building project on the City Hall Depot and old Police Station; and

WHEREAS, funds are required to cover the cost of equipment for the new Police Station facility; 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 2000 General Fund Budget:

From:

Account Number	Name	Amount
H36-909	Municipal Buildings – Capital Projects	$ 32,000

To:

Account Number	Name	Amount
A3120.2100	Police Department – Equipment	$ 32,000

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

-- Prior to the vote, Finance Director Roberts noted that the funds were leftover from the City Hall capital project and older projects.

RESOLUTION # 34 - 2000. APPROVING BUDGETARY TRANSFERS FOR YEAR 2000 STREET PROGRAM AND AUTHORIZING TRANSFER OF FUNDS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Permanent Streets Capital Projects requirements of the past three years have exceeded CHIPS State Aid; and

WHEREAS, plans for the 2000 Street Program will require additional funds for full completion; and

WHEREAS, available funds remain, following the completion of previous capital buildings projects; and

WHEREAS, the Finance and Public Works 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 2000 General Fund Budget:

From:

Account Number	Name	Amount
H36-909	Municipal Buildings – Capital Projects	$ 25,000

To:

Account Number	Name	Amount
H93-5031	Permanent Streets – Capital Projects	$ 25,000

Seconded by Ald. Jeffer.

Ald. Biviano stated that funds for buildings should go into buildings. Director of Finance Roberts noted that the State Comptroller's manual provides for funds, once a project has been completed, to be distributed elsewhere.

-- Ald. McNeil moved to table the resolution for further review by the Finance Committee. Seconded by Ald. Biviano and duly adopted, ayes all.

RESOLUTION # 35 - 2000. AUTHORIZING REAL PROPERTY PURCHASE FOR PRENTICE STREET PROJECT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, by Resolutions #24 of 1998, #82 of 1998, and #83 of 1998, the City of Norwich has authorized and committed to the Prentice Street Extension Project using N.Y.S. D.O.T. Multimodal funds, CHIPS capital improvement funds, and other available funds; and

WHEREAS, the acquisition of certain real property parcels is required to accommodate the construction of the project; and

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

RESOLVED, that the Mayor be and hereby is authorized to execute the appropriate documents under the direction of the City Attorney to effect the purchase of real property in the City of Norwich under the Prentice Street Extension project from Christman Motor Sales, Inc. at a consideration not to exceed $7,500.

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

RESOLUTION # 36 - 2000. AUTHORIZING TRANSFER FOR KURT BEYER POOL PUMP REPLACEMENT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, funds are required for the purchase of a replacement pump for the Kurt Beyer Pool; 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 2000 General Fund Budget:

From:

Account Number	Name	Amount
HR27-878	Pool Maintenance – Repairs Reserve	$ 2,314

To:

Account Number	Name	Amount
A7110.4040	Parks – Repairs & Maintenance	$ 2,314

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

RESOLUTION # 37 - 2000. ESTABLISHING 2000 COMPENSATION FOR CITY HISTORIAN

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, a planned increase in the hours for the Historian's Office has been provided for in the 2000 General Fund Budget; and

WHEREAS, the Personnel and Finance Committees have made certain recommendations relative to 2000 compensation for the City Historian; now, therefore be it

RESOLVED, that effective January 1, 2000, the salary for City Historian be and hereby is established at an annual rate of $ 6,800, covering an average of 13 hours per week.

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

RESOLUTION # 38 - 2000. AUTHORIZING TRANSFER FOR ADVERTISING EXPENSES FOR HUMAN RESOURCES

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, funds are required to cover the cost of advertising for filling the position of Community Development Director / City Clerk; and

WHEREAS, the Personnel 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 2000 General Fund Budget:

From:

Account Number	Name	Amount
A1990.4	Contingency	$ 2,500.00

To:

Account Number	Name	Amount
A1430.4025	Human Resources - Advertising	$ 2,500.00

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

RESOLUTION # 39 - 2000. REPLACE FIRE ASSISTANT POSITION WITH RELIEF FIRE FIGHTER POSITION IN THE NORWICH FIRE DEPARTMENT

Ald. Jeffer 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 Relief 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 Relief Fire Fighter.

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

RESOLUTION No. # 40 - 2000. SETTING PUBLIC HEARING TO DETERMINE IF CERTAIN REAL PROPERTY IS REQUIRED FOR USE BY THE CITY

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, the City owns a certain parcel of real property at the location known as 99 Borden Avenue in the City of Norwich, tax map number 136.25-1-1.2, which property may be required for use by the City; and

WHEREAS, the Common Council wishes to determine if the said property is required for use by the City; and

WHEREAS, the Greater Norwich Local Development Corporation has expressed an interest in obtaining said property pursuant to section 1411 of the Not-For-Profit Corporation Law; now, therefore be it

RESOLVED, that

1. a public hearing shall be held on the 16th day of May, 2000 at the City Council Chambers at One Court Plaza at 7 PM to determine if such property is required for use by the City, and
2. the City Clerk publish such notice of hearing as required by law.

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

RESOLUTION # 41 - 2000. APPROVING ECONOMIC DEVELOPMENT LOAN FOR THE PET STREET STATION ANIMAL HOSPITAL, PLLC

Ald. Jeffer 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 an amount not to exceed $103,000 to The Three Amigos, LLC/Pet Street Station Animal Hospital, PLLC 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. McNeil and duly adopted, ayes all on a roll call vote, 5-0.

-- Prior to the vote, Ald. McNeil stated this loan is one of the most secure loans the City has given and noted the applicants have collateral and term life insurance on everyone.

RESOLUTION # 42 - 2000. AUTHORIZING TRANSFER RELATIVE TO LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) AWARD

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich, on February 15, 2000, accepted a grant in the amount of $12,913, through the U.S. Department of Justice, Bureau of Justice Assistance, Local Law Enforcement Block Grant (LLEBG) Program; and

WHEREAS, such grant award requires that matching funds be provided by the City of Norwich in the amount of $1,435; 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 2000 General Fund Budget:

FROM:

Account Number	Name	Amount
HR21-878	Police Equipment – Capital Reserve	$ 1,435.00

TO:

Account Number	Name	Amount
A3120.2100	Police Department - Equipment	$ 1,435.00

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

RESOLUTION # 43 - 2000. ADOPTING COMPREHENSIVE EMERGENCY PLAN

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich is required to have a plan in place detailing how it will respond to major emergencies and disasters; and

WHEREAS, such a plan was presented to the Common Council on April 11, 2000; and

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

RESOLVED, that "The City of Norwich Comprehensive Emergency Plan" as presented on April 11, 2000, be and hereby is adopted.

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

RESOLUTION # 44 - 2000. DESIGNATING THE COMMON COUNCIL AS 'LEAD AGENCY' FOR THE ENVIRONMENTAL REVIEW PROCESS RELATIVE TO THE YMCA BUILDING PROJECT

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the Norwich Family YMCA is undertaking a building project which includes the demolition of six houses, the relocation of two historically significant houses, the demolition of the present YMCA building, the closing a portion of Turner Street and the construction of a new, 65,000 sq. ft., YMCA facility, as described in a Full Environmental Assessment Form dated March 15, 2000, and

WHEREAS, said project 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 provisions of the State Environmental Quality Review Act (SEQR), and

WHEREAS, part 617.3 of the Rules require the designation of a "Lead Agency" for each project and Part 617.6 of the Rules govern the determination of lead agency status, and

WHEREAS, the City of Norwich, in a letter dated March 20, 2000, advised other involved/interested agencies of its intentions to be lead agency pursuant to the Rules, and

WHEREAS, no challenge to the City of Norwich was made or received by any qualified agency within the comment period; now, therefore be it

RESOLVED, that the Common Council hereby designates itself "Lead Agency" for the environmental review of the YMCA Building Project, as set forth in the City's letter of intent to interested parties on March 20, 2000.

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

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

	Prepaid	4/18/00	Grand Total
General Fund	154,820.41	301,638.44	456,458.85
Sewer Fund	22,458.69	2,468.40	24,927.09
Water Fund	6,600.11	8,686.35	15,286.46
Trust	37,346.56	0.00	37,346.56
B.I.D.	6,545.52	0.00	6,545.52
Debt Service	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	678.75	0.00	678.75
C.D.	6,837.30	16.00	6,853.30
EDZ/LDC	10,725.58	1.98	10,727.56
Capital Projects	148,770.18	36.05	148,806.23
TOTALS	**$394,783.10**	**$312,847.22**	**$707,630.32**

Seconded by Ald. and duly adopted, ayes all.

Executive Session – Ald. McNeil moved to go into executive session at 7:35 PM to discuss the sale of property where the price may be affected. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Ald. McNeil moved to go out of executive session at 8:30 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 8:30 PM. Seconded by Ald. Biviano and duly adopted, ayes all.