

COMMON COUNCIL

January 16, 2001

Mayor Robert Raphael presided at a regular meeting of the Common Council held at 7 PM on January 16, 2000, at One Court Plaza.

Present:

Mayor Robert Raphael
Ald. Gary Clark
Ald. Patrick McNeil
Ald. Robert Rabinowitz
Ald. Jeffrey Thornton
Ald. Sharon Jeffer
Ald. Joseph Biviano

Also:

Attorney Patrick Flanagan
Community Development/Clerk Joseph Serbin
Director of Finance William Roberts
Human Resources Director Deborah DeForest
Fire Chief John Tighe
Police Chief Joseph Angelino
Public Works Supt. Carl Ivarson
CD Assistant Katy Schwan
Historian Patricia Scott
Supervisor James McNeil
Mary Lou Stewart, Planning Commission Chair
Deputy Clerk Donna Russell

Absent:

Supervisor L. Natoli

-- Ald. Biviano moved to dispense with the reading and approve the minutes of the regular meeting of December 19, 2000, the organizational meeting of January 2, 2001 and the work session of January 9, 2001. Seconded by Ald. McNeil and duly adopted, ayes all.

PUBLIC HEARINGS:

Museum District Plan – Mayor Robert Raphael opened the first public hearing at 7:03 PM relative to the proposed museum district plan. Planning Commission Chair Mary Lou Stewart summarized the development of the proposed museum district and noted that the boundaries have been expanded from the initial plan based on the recommendations of the Common Council.

Ald. Thornton said there was discussion relative to the possibility of an entrance to the museum district from Route 12 and to allow for that, he suggested that all of Rexford Street should become part of the district. Mayor Raphael stated that it may be possible to connect the museum district with the historic district at some time in the future.

There was no opposition heard regarding the proposed museum district plan. Mayor Raphael closed the hearing at 7:07 PM.

Local Law No. 1 of 2001 – Mayor Raphael opened the public hearing at 7:07 PM for proposed Local Law No. 1 of 2001, a local law to amend the City Charter as it relates to the sale or lease of City owned property.

There were no comments relative to the proposed local law. Mayor Raphael closed the hearing at 7:08 PM.

OPEN FORUM:

No one wished to be heard.

BIDS:

Liquid Chlorine / Sodium Hypochlorite – Three bids were received for Liquid Chlorine and Sodium Hypochlorite and have been reviewed by the Public Works Committee. The matter would be taken up under New Business.

CORRESPONDENCE:

Dairy Day Parade – Ald. McNeil moved to refer correspondence from the Dairy Day Planning Committee regarding American Dairy Day to the Public Safety Committee. Seconded by Ald. Biviano and duly adopted, ayes all.

Accident Report Fees – Ald. Biviano moved to refer to the City Attorney, correspondence from Charles Fenson of Binghamton, NY concerning the legality of charging the \$15 fee for accident reports. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

DEPARTMENT, BOARD AND COMMISSION REPORTS:

- ◆ Emergency Management Office monthly report for October-November, 2000
- ◆ Fire Department/Codes monthly report for December, 2000
- ◆ Historian monthly report for December, 2000 and annual report for 2000
- ◆ Police Department monthly report for December, 2000
- ◆ Public Works Department monthly Water System report for November, 2000
- ◆ Records Management monthly report for December, 2000 and annual report for 2000
- ◆ Youth Bureau monthly report for November/December, 2000
- ◆ Civil Service Commission minutes of December 7, 2000
- ◆ Electrical Board minutes of December 12, 2000 and January 9, 2001
- ◆ Parks Commission minutes of December 11, 2000
- ◆ Planning Commission minutes of December 8, 2000
- ◆ Plumbing Board minutes of December 21, 2000
- ◆ Traffic Commission minutes of January 10, 2001
- ◆ Water Commission minutes of December 20, 2000
- ◆ Youth Board minutes of January 9, 2001

-- 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:

Ward Four Concerns – Ald. Thornton reported that various concerns from Ward Four have been referred to the appropriate department heads.

Ward Six Concerns – Ald. Biviano reported that concerns in Ward Six have been referred to the Public Works Superintendent.

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

OLD BUSINESS:

Resolution No. 126 of 2000 – Ald. Biviano moved to remove Resolution No. 126 of 2000 from the table. Seconded by Ald. Clark and duly adopted, ayes all.

Ald. Biviano reiterated his comments from last month's meeting when he stated that he feels it is in the City's best interest to retain a local audit firm. Finance Director Roberts noted that the audit usually begins in April and recommended that the City retain Dorfman-Robbie for this year and begin preparing specifications to bid the project for next year.

-- Ald. McNeil moved to amend the resolution to authorize an agreement with Dorfman-Robbie, P.C. for fiscal year ending 2000 only, by replacing the last paragraph with the following: RESOLVED, that the Mayor be and hereby is authorized, under the direction of the City Attorney, to sign an agreement with Dorfman-Robbie, P.C. of Johnstown, NY, for performing single audit services for the fiscal year ending 2000, at a cost not to exceed \$14,250. Seconded by Ald. Jeffer and duly adopted, 4-2 (Aldermen Clark and Biviano) on a roll call vote.

-- Ald. McNeil moved to adopt Resolution No. 126 of 2000 as amended. Seconded by Ald. Jeffer and duly adopted, 4-2 (Aldermen Clark and Biviano) on a roll call vote.

NEW BUSINESS:

Fire Department Building Project – Ald. Biviano moved to include an additional item in the list of options for the Fire Department building project: Option No. 12 – that should the City receive funding through the Historic Preservation fund, the project would include the reconstruction of the portico. Seconded by Ald. Clark and duly adopted, 5-1 (Alderman Rabinowitz) on a roll call vote.

Award of Bids – Ald. Rabinowitz moved to award the bid for Liquid Chlorine and Sodium Hypochlorite to the lowest qualified bidder meeting specifications, Amrex Chemical Co. of Binghamton, NY, in the amounts as follows:

- Item I –A. Liquid Chlorine in 150# cylinders: \$51.00
- Item I –B. Sodium Hypochlorite, bulk liquid: \$.64
- Item I –C. Sodium Hypochlorite, 55 gallon drums: \$.65

- Item II –A. Liquid Chlorine in 150# cylinders: \$51.00
- Deposit charge for cylinders over six months -- \$100.00 per cylinder
- Replacement charge for cylinder -- \$100.00 each

Item III –A. Sodium Hypochlorite, bulk liquid: \$.64

Item IV –A. Sodium Hypochlorite, 55 gallon drums: \$.65
Deposit charge for barrels over six months -- \$ 35.00 per barrel
Replacement charge for barrel -- \$ 35.00 each

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

RESOLUTION # 01 - 2001. ADOPTING LOCAL LAW NO. 1 OF 2001 RELATIVE TO THE
SALE OR LEASE OF CITY OWNED PROPERTY

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, Local Law No. 1 of 2001, which provides for amending the Charter of the City of Norwich as it relates to the sale or lease of City owned property, was introduced on December 21, 2000, before the Common Council; and

WHEREAS, a public hearing has been held on such local law on January 16, 2001; now, therefore be it

RESOLVED, that Local Law No. 1 of 2001, which provides for amending the Charter of the City of Norwich as it relates to the sale or lease of City owned property, be and hereby is adopted.

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

RESOLUTION # 02 - 2001. DETERMINATION OF NON-SIGNIFICANCE RELATIVE TO THE
MUSEUM DISTRICT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich is undertaking a building project which involves the creation of a Museum District that revitalizes the existing neighborhood and enhances the community's historic heritage, as described in a Short Environmental Assessment Form dated November 27, 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, comments regarding said subject 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 the Museum District.

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

RESOLUTION # 03 - 2001. ADOPT MUSEUM DISTRICT PLAN

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the proposed Museum District Plan, as presented to the Common Council on October 10, 2000 and revised on November 21, 2000 was received by the Common Council on December 19, 2000; and

WHEREAS, a public hearing was held on January 16, 2001 to hear all persons interested in the subject; now, therefore be it

RESOLVED, that the Museum District Plan, as received on December 19, 2000, be and hereby is adopted.

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

RESOLUTION # 04 - 2001. APPOINTMENT OF CLERK IN THE FINANCE OFFICE

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, a vacancy exists in the position of Clerk in the Finance Office; and

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

RESOLVED, that effective January 22, 2001, Katherine H. Franklin of Norwich, NY, be and hereby is appointed to a permanent full-time position as Clerk in the Finance Department at a Grade 11, such candidate being eligible for a permanent appointment based on the result of her Civil Service Exam.

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

-- Prior to the vote, Ald. McNeil said the Personnel Committee, at the direction of the Common Council, reviewed all positions to determine if further consolidation of positions could be made. He stated that after conducting the extensive review of job descriptions and duties statements, the recommendation of the Personnel Committee was to fill the clerk's position. Ald. McNeil asked the Common Council to support the Committee system and approve the recommendations of the Committee. Ald. Clark expressed concern about filling the position for several reasons including projected increases in salaries and wages and the additional buildings. He noted that projections from the Finance Director that sales tax revenue is not coming in at expected levels is an additional concern.

RESOLUTION # 5 - 2001. AUTHORIZING SUBMISSION OF HEALTHY HEART GRANT APPLICATION FOR THE CHENANGO RIVER ENHANCEMENT PROJECT'S WALKING TRAIL

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the Chenango County Healthy Heart Coalition is providing mini-grants of up to \$2,500 for projects which further the mission of the Healthy Heart Coalition: "to provide education, encouragement and opportunity for making healthy choices and lifestyle changes directly related to improved cardiovascular health for the residents of Chenango County".

WHEREAS, the City of Norwich is involved in a project to develop a green way on City owned property located near the Waste Water Treatment Plant to Hale Street; and

WHEREAS, such project includes the creation of a walking trail which may be eligible for funding through the Healthy Heart Coalition; now, therefore be it;

RESOLVED, that the Mayor be and hereby is authorized and directed to file an application for funding through the Chenango County Healthy Heart Coalition.

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

RESOLUTION # 6 - 2001. AUTHORIZING TRANSFER FOR GOVERNMENT ACCESS CHANNEL EQUIPMENT

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, the City of Norwich has received \$12,750 in donated funds to purchase the equipment necessary to operate a government access channel; 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:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A9010.8	State Retirement	\$12,750

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1650.2100	Government Access Channel – Equipment	\$12,750

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

-- Prior to the vote, Finance Director Roberts explained that CD Director Serbin has secured \$12,750 in donated funds to pay for the equipment to set up the government access channel on cable television. The expenditure of these donated funds will be charged to the government access channel equipment account, and will therefore require the transfer of unneeded budgetary authorization from another line in the General Fund. He noted that there is a substantial amount of unneeded budget authorization remaining under State Retirement, since the State Fund actual charges to the City for 2000 will be much less than the original budget.

RESOLUTION # 7 - 2001. AUTHORIZING TRANSFER FOR SNOW AND ICE REMOVAL

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, additional funds are required to cover the purchase of rock salt; 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:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A1990.4	Contingency	\$23,000
A5410.4060	Sidewalks – Materials & Supplies	3,000
	TOTAL	\$26,000

To:

<u>Account Number</u>	<u>Name</u>	<u>Amount</u>
A5142.4060	Snow & Ice – Materials & Supplies	\$26,000

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

RESOLUTION # 8 - 2001. APPROVING ECONOMIC 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 an amount not to exceed \$ 75,000 to John F. and Connie M. Elia, d/b/a Grande Pizza, for a term of 10 years, at a fixed rate of 75% of prime, subject to all terms and conditions as specified by the Loan Committee.

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

RESOLUTION # 9 - 2001. SUPPORTING CENTRAL NEW YORK LIBRARY RESOURCE COUNCIL SPECIAL INITIATIVE FOR REDISCOVERING NEW YORK HISTORY AND CULTURE

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the Central New York Library Resource Council (CLRC) has stressed the need for State funded support to preserve and interpret the diverse cultural heritage throughout New York State; and

WHEREAS, whole industries, cultures and areas of New York State life, and many of its important events, peoples, and organizations are undocumented; and

WHEREAS, New York State’s magnificent historic treasures, extraordinary cultural diversity, and its museums, historical societies, archives, libraries and other cultural institutions are a resource for life-long learning and the renewal of prosperity and quality of life in our communities; now, therefore be it

RESOLVED, that the Common Council hereby voices its support of the CLRC Documentary Heritage Program for rediscovering New York State history and culture.

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

RESOLUTION # 10 - 2001. NOTING APPRECIATION TO JAMES PLUMMER

Ald. McNeil introduced the following and moved its adoption:

WHEREAS, James Plummer has been employed by the City of Norwich for 12 years; and

WHEREAS, James has notified the City of his retirement, effective December 6, 2000; and

WHEREAS, the City has been well served by his work for the Public Works Department; and

WHEREAS, Jim, in the position of Motor Equipment Operator II, has demonstrated initiative, patience, and dedication in his work; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich does hereby extend to James Plummer a vote of thanks for his efforts on behalf of the City and best wishes for a long and happy retirement; and, further be it

RESOLVED, that a copy of this resolution be transmitted to James Plummer by Mayor Robert Raphael.

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

RESOLUTION # 11 - 2001. NOTING APPRECIATION TO MICHAEL POLLIE

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, Michael Pollie has been employed by the City of Norwich for 27 years; and

WHEREAS, Michael has notified the City of his retirement, effective December 20, 2000; and

WHEREAS, the City has been well served by his work for the Public Works Department; and

WHEREAS, Mike, in the position of Motor Equipment Operator II, has demonstrated initiative, patience, and dedication in his work; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich does hereby extend to Michael Pollie a vote of thanks for his efforts on behalf of the City and best wishes for a long and happy retirement; and, further be it

RESOLVED, that a copy of this resolution be transmitted to Michael Pollie by Mayor Robert Raphael.

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

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

	<u>Prepaid</u>	<u>1/16/01</u>	<u>Grand Total</u>
General Fund 2000	64,644.82	31,730.20	96,375.02
General Fund 2001	6,057.72	0.00	6,057.72
Sewer Fund 2000	6,756.45	16,811.39	23,567.84
Sewer Fund 2001	19.20	0.00	19.20
Water Fund 2000	11,016.61	3,510.36	14,526.97
Water Fund 2001	2,842.00	0.00	2,842.00
Trust 2000	23,637.34	0.00	23,637.34
Trust 2001	17,724.47	0.00	17,724.47
B.I.D.	0.00	0.00	0.00
Debt Service	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	113.70	0.00	113.70
C.D.	37,457.18	0.00	37,457.18
EDZ/LDC	0.00	0.00	0.00
Capital Projects	6,242.19	0.00	6,242.19
TOTALS	\$176,511.68	\$52,051.95	\$228,563.63

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

Executive Session – Ald. McNeil moved to go into executive session at 7:44 PM to discuss the employment history of a particular individual. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Ald. Jeffer moved to go out of executive session at 9:02 PM. Seconded by Ald. Clark and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 9:02 PM. Seconded by Ald. Biviano and duly adopted, ayes all.