

COMMON COUNCIL

January 7, 2002

Mayor Marylou Stewart presided at an organizational meeting of the Common Council held at 7 PM on January 7, 2002, in the Common Council Chambers at One Court Plaza.

Present:

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

Also:

Attorney Patrick Flanagan
Director of Finance William Roberts
City Clerk/CD Director Joseph Serbin
Police Chief Joseph Angelino
H.R. Director Deborah DeForest
DPW Supt. Carl Ivarson
Fire Chief John Tighe
EMO A. Jones
Supervisor James McNeil
Deputy Clerk Donna Russell

Rules of Procedure – Mayor Stewart presented for consideration by the Council, the 2001 Rules of Order with the verbiage relating to Common Council President and Acting Mayor removed. After some discussion, it was determined that some of the verbiage should stay, as there are additional duties that should be included in the Rules. Ald. McNeil moved to adopt the Rules of Procedure for 2002 as presented with clarifications relative to Common Council President and Acting Mayor to be made at the work session. Seconded by Ald. Biviano and duly adopted, ayes all.

CITY OF NORWICH COMMON COUNCIL

2002 RULES OF PROCEDURE

The Common Council shall hold regular meetings on the 3rd Tuesday of each month and work sessions on the 2nd Tuesday of each month. Such meetings shall commence at 7 PM and be conducted in the Common Council Chambers at One Court Plaza.

The agenda (standing order) of business shall be:

- a) Call to order
- b) Pledge of Allegiance
- c) Invocation
- d) Approval of Minutes of previous meeting
- e) Public Hearing (if required)
- f) Open Forum (under established rules)
- g) Bids (if required)
- h) Correspondence
- i) Department, Board and Commission Reports (if required)
- j) Ward and Committee Reports
- k) Old Business
- l) New Business
- m) Payment of Bills
- n) Adjournment

Work sessions shall be held for the purpose of reviewing the preliminary agenda and may be dispensed with periodically at the discretion of the Common Council. Work Session meetings shall also include an open forum for public comment.

While business is being conducted, only Council members will be principally recognized for the purpose of debate and discussion and upon request by any Alderman or the presiding Chairperson, City Officials, Department Heads, Chairpersons of City Boards and Commissions or their designee for that meeting, will be recognized by the Chairperson for the purpose of providing meaningful information on the subject under debate and discussion.

Any resident wishing to speak **except** during the Open Forum may do so by being placed on the agenda by one of the following methods:

- A. Written request to the City Clerk stating intent, or
- B. Requesting placement on agenda by their Alderman, or
- C. Serving notice of intent at the previous work session; or
- D. Requesting permission from the Mayor during the New Business portion of the agenda - only if the request pertains to any new subjects or proposals that come up after the Open Forum, are not part of the agenda, are in fact new business, and only if any action could be taken during New Business.

In a public hearing or open forum, any person wishing to address the Common Council may do so after being recognized by the Chair, and that person will then approach the table, state his or her name,

address (at no time will the Chair allow a speaker to speak from the audience area), then speak on the subject the allowed amount of time in an orderly and courteous manner.

No one will be allowed to speak more than twice on the same day on the same subject except on an appeal to the Common Council or in a public hearing.

In absence of specific rules and regulations, Roberts Rules of Order (latest available edition) shall apply.

At any meeting these rules may be suspended by a majority vote, or they may be amended or rescinded by a 2/3 vote.

The City Attorney shall act as the official parliamentarian to the Common Council.

The Mayor has a veto power on matters coming before the Common Council and as the Common Council is elected as having a one man-one vote, the Mayor shall vote only in case of a tie vote occurring between the Aldermen.

Common Council Committees – Mayor Stewart made the Common Council Committee appointments as follows:

Finance - Aldermen Clark, Thornton and Rabinowitz
Personnel - Aldermen Thornton, Clark and Jeffer
Public Safety - Aldermen Jeffer, McNeil and Biviano
Public Works - Aldermen Biviano, Rabinowitz and McNeil

The Mayor shall be an ex-officio member of all committees. The Mayor and all Advisory members shall be notified of all committee sessions.

Meetings of the committees may be called by the chairman, the Mayor or any two members of the committee.

Chairmanships of each committee shall flow from the order of appointment.

The Committee meetings schedule shall be determined.

Council President – Ald. Clark nominated Robert Rabinowitz as President of the Common Council for 2002. Seconded by Ald. Thornton and duly adopted, ayes all.

Acting Mayor – Ald. Rabinowitz nominated Sharon Jeffer as Acting Mayor for 2002. Seconded by Ald. Thornton and duly adopted, ayes all.

Acting City Judge -- Ald. Rabinowitz moved the appointment of James Fertig, 145 North Broad Street, as Acting City Judge for a six-year term expiring December 31, 2007. Seconded by Ald. Thornton.

Ald. McNeil raised concern with the legality of the appointment with regard to the uniform city court act. Attorney Flanagan referred to the Public Officers Law relative to the requirement of residency. Ald. Biviano said the issue needs clarification. Attorney Flanagan stated that the issues raised by Aldermen McNeil and Biviano should be investigated before making the appointment. Ald. Clark called the question and the motion was duly adopted, 4-2 (Aldermen McNeil and Biviano) on a roll call vote.

-- Ald. Rabinowitz questioned the validity of the action just taken and moved to hold the appointment of James Fertig in abeyance until the January 15, 2002 work session to allow the matter to be reviewed further by the City Attorney. Seconded by Ald. Jeffer and duly adopted, ayes all on a roll call vote, 6-0.

Appointments by the Mayor

Mayor Stewart made the following Board and Commission appointments:

Civil Service Commission

- ◆ Donna Wood-Craig, 14 Coomes Street, appointment to the remainder of a six-year term expiring May 31, 2004.

Planning Commission

- ◆ Joanne Borfitz, 21 Summit Street, appointment as Chairman, a two-year term expiring December 31, 2003.
- ◆ Jay Joyce, 11 Newton Avenue, appointment to a three-year term expiring December 31, 2004.
- ◆ Michael McCollough, 33 Hayes Street, re-appointment to three-year term expiring December 31, 2004.
- ◆ Robert Jeffrey, 17 York Street, appointment as an Alternate, a three-year term expiring December 31, 2004.

Youth Board

- ◆ Michael McIntyre, 19 Sunset Drive, re-appointment to a three-year term expiring December 31, 2004
- ◆ Gabrielle Clark, 38 Hayes Street, appointment as student representative for an indeterminate term.
- ◆ Jason Mirabito, 19 Cole Drive, appointment as student representative for an indeterminate term.

Zoning Board

- ◆ Brian Wessels, 100 Birdsall Street, appointment as Chair, a two-year term expiring December 31, 2003.
- ◆ Edward Morano, 21 Miller Street, appointment to the remainder of a three-year term expiring December 31, 2002.
- ◆ Bartolo Natoli, 40 Sunset Drive, re-appointment to a three-year term expiring December 31, 2004.
- ◆ Alternate - Joseph Mauriano, 5 Natoli Avenue, re-appointment to a three-year term expiring December 31, 2004.

Appointments by the Mayor with the Approval of the Council

Parks Commission -- Ald. Rabinowitz moved the following mayoral appointments to the Parks Commission. Seconded by Ald. Jeffer and duly adopted, ayes all.

- ◆ Linda Getchonis, 18 Summit Street, appointment as Chairman, a two-year term expiring December 31, 2003.
- ◆
- ◆ James Cushman, Cortland Street, appointment to the remainder of a three-year term expiring December 31, 2002
- ◆ Patrick McNeil, 31 Plymouth Street, re-appointment to a three-year term expiring December 31, 2004.
- ◆ Francis Hailey, 25 Hayes Street, re-appointment to a three-year term expiring December 31, 2004.

Water Commission -- Ald. Jeffer moved the following mayoral appointments to the Water Commission. Seconded by Ald. Thornton and duly adopted, ayes all.

- ◆ Bartolo Natoli, 40 Sunset Drive, re-appointment as Chairman, a two-year term expiring December 31, 2003.
- ◆ A. Anthony Abraham, 118 South Broad Street, re-appointment to a three-year term expiring December 31, 2004.
- ◆ Anthony Caezza, 13 Brown Avenue, re-appointment to a three-year term expiring December 31, 2004.

Appointments by the Council

Traffic Commission -- Ald. McNeil moved the following appointments to the Traffic Commission. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

- ◆ Bernard Merritt, 10 Hayward Avenue, re-appointment as Chairman, a two-year term expiring December 31, 2003.
- ◆ Thomas Knapp, 14 Locust Street, re-appointment to a three-year term expiring December 31, 2004.
- ◆ Philip Giltner, 19 Hayes Street, re-appointment to a three-year term expiring December 31, 2004.

Official Newspaper – Ald. McNeil moved to designate The Evening Sun as the official newspaper of the City of Norwich. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Official Depository – Ald. Thornton moved to designate NBT Bank, Binghamton Savings Bank and Central National Bank as the official depositories of City general, water and sewer funds. Seconded by Ald. Jeffer. Ald. Clark suggested that Wilbur National bank should be included as an official depository. Ald. Thornton moved to amend the motion to include Wilbur National Bank as an official depository of City general, water and sewer funds. Seconded by Ald. Jeffer and duly adopted, ayes all. The motion as amended was then duly adopted, ayes all.

Meeting Schedule -- The Common Council concurred that for the month of January, the work session would be held on the third Tuesday and the regular meeting on the fourth Tuesday.

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

Ald. Biviano moved to go out of executive session at 9:15 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.

Adjournment –Ald. McNeil moved to adjourn at 9:15 PM. Seconded by Ald. Rabinowitz and duly adopted, ayes all.