COMMON COUNCIL

October 15, 2002

Mayor Marylou Stewart presided at a regular meeting of the Common Council held at 7:08 PM on October 15, 2002, 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

Absent:
Supervisor J. McNeil
Supervisor L. Natoli

Also:
Attorney Patrick Flanagan
Community Development/Clerk Joseph Serbin
Director of Finance William Roberts
Fire Chief John Tighe
Human Resources Director Deborah DeForest
Police Chief Joseph Angelino
Public Works Supt. Carl Ivarson
EMO A. Jones
Deputy Clerk Donna Russell

Mayor Stewart apologized for the delay in commencing the Council meeting and explained it was due to a special Personnel Committee meeting held prior to the meeting that ran over. Ald. Thornton, Chair of the Personnel Committee, stated the Committee held a special meeting to discuss the vacancy in the Fire Department with no determination made at this time.

-- Ald. Jeffer moved to dispense with the reading and approve the minutes of the regular meeting of September 17, 2002, the special meeting of September 24, 2002 and the work session of October 8, 2002. Seconded by Ald. Clark and duly adopted, ayes all.

OPEN FORUM:

-- **Mary Coe**, 5A Waite Street, praised the Police and Fire Departments with special recognition to the Public Works Department for job done on Waite Street.

BIDS:

Thermal Imaging Cameras -- Three bids for "Two Thermal Imaging Cameras" were opened on September 19, 2002 and a recommendation will be made under the New Business portion of the meeting.

CORRESPONDENCE:

Respect Life-Loveline Procession -- Ald. Clark moved to approve a request from the Respect Life-Loveline Committee to hold a procession down a portion of East Main Street on October 18, 2002 from 7 PM to 7:45 PM under the direction of the Police Chief, as recommended by the Public Safety Committee. Seconded by Ald. Thornton and duly adopted, ayes all.

-- Prior to the vote, Ald. Thornton asked what the Chief's role is when an event is approved under his direction. Chief Angelino explained that for the event noted above his department would place cones in the area that the procession may expand into the street and also barricade the area with a police car in the street to keep vehicles away from the procession area. Ald. Biviano suggested that possibility of issuing parade permits be looked into.

Liquor License Renewal -- Ald. Clark moved to receive and file a notification from Andrew Nicastri, d/b/a Nina's Pizzeria and Restaurant of intent to renew liquor license at 32 South Broad Street. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

Halloween Parade -- Ald. Biviano moved to approve a request from the YMCA to hold the annual Halloween Parade at 11 AM on October 26, 2002 under the direction of the Police Chief, as recommended by the Public Safety Committee. Seconded by Ald. Jeffer and duly adopted, ayes all.

Turkey Trot Road Race -- Ald. Jeffer moved to approve a request from the YMCA to hold the annual Turkey Trot Road Race at 1:30 PM on November 17, 2002 under the direction of the Police Chief, as recommended by the Public Safety Committee. Seconded by Ald. Biviano and duly adopted, ayes all.

DEPARTMENT, BOARD AND COMMISSION REPORTS:

- Fire Department/Codes monthly report for September, 2002
- Historian monthly report for September, 2002
- Police Department monthly report for September, 2002
- Public Works/Water System monthly report for September, 2002
- Records Management monthly report for September, 2002

- Youth Bureau monthly report for September, 2002
- Civil Service Commission minutes of August 21, 2002
- Electrical Board minutes of September 10, 2002
- Parks Commission minutes of September 9, 2002
- Planning Commission minutes of September 13, 2002
- Plumbing Board minutes of September 19, 2002
- Traffic Commission minutes of October 9, 2992
- Water Commission minutes of September 18, 2002
- Youth Board minutes of October 8, 2002
- Zoning Board of Appeals minutes of September 23, 2002

Ald. McNeil asked why the Council is not receiving department head minutes. Mayor Stewart indicated that the minutes aren't being recorded and noted that the meetings are primarily brainstorming sessions.

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

WARD AND COMMITTEE REPORTS:

- Finance Committee meeting of October 2, 2002
- Personnel Committee meeting of September 3, 2002
- Public Safety Committee meeting of September 24, 2002
- Public Works Committee meeting of September 16, 2002

- Ald. Clark reported no concerns from Ward One.
- Ald. McNeil reported that concerns from Ward Two have been directed to the appropriate Committee Chair.
- No concerns reported from Ald. Rabinowitz for Ward Three.
- Ald. Thornton asked, on behalf of Ward Four, if the issue regarding a Rexford Street property near the County DPW has been resolved. DPW Supt. Ivarson said there have been some discussions, however, he was not aware of a resolution being reached and would look into the matter.
- Ald. Jeffer reported for Ward Five that she is working on several issues.
- Ald. Biviano asked if there was an update on the proposed Housing Authority project. CD Director Serbin said his office met with the Housing Authority earlier in the day. DPW Supt. noted the matter is on the Public Works Committee agenda. Ald. Biviano the Council needs to be kept updated regularly on the project.

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

OLD BUSINESS:

Downtown Light Poles -- Ald. Biviano said clarification is needed from the NYSEG Agreement relative to responsibility for the downtown light poles. CD Director Serbin would follow up on the matter.

NEW BUSINESS:

Appointments – Mayor Stewart reported the appointment of Edward C. Nichols of Norwich, NY to the LDC.

Award of Bid – Ald. Jeffer moved to award the bid for Two Thermal Imaging Cameras to the only bidder meeting specifications, Safair, Inc. of Sherburne, NY in the amount of $ 30,000, as recommended by the Public Safety Committee. Seconded by Ald. Thornton and duly adopted, ayes all.

Authorize Construction Supervision -- Ald Biviano moved to authorize the use of Community Development (UDAG) funds in the amount of $5,000 to cover the cost of construction supervision for the Hosbach Trail development by the Headwaters Youth Conservation Corps, as recommended by the Finance Committee. Seconded by Ald. Rabinowitz and duly adopted, ayes all.

-- Ald. Biviano asked the status of the bridge design for the trail. Mayor Stewart said she would follow up with Delaware Engineering on the matter.

RESOLUTION # 75 - 2002. AUTHORIZING DIRECTOR OF EMERGENCY MANAGEMENT THE LATITUDE TO REQUEST AND PROVIDE ASSISTANCE DURING THE COURSE OF A MAJOR DISASTER

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, during the course of a major disaster in one or more of the government entities of New York State, said municipality or county may call for assistance from the Norwich Emergency Management Office; and

WHEREAS, this assistance may require said Director or other employees of the City, under his direction, to travel to other municipalities or counties to furnish assistance in said disaster; and

WHEREAS, the Director has requested pre-approval for such work to other governments, in the reasonable expectation that should our City ever require such aid and assistance, it would be forthcoming from other municipalities or counties of the State; and

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

RESOLVED, that the Director of Emergency Management is hereby authorized to travel to other municipalities or counties, with other employees of the City, if necessary, to render aid and assistance during a major disaster and disaster recovery.

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

RESOLUTION # 76 - 2002. AUTHORIZING PARTICIPATION IN MUNICIPAL GROUP SELF-INSURANCE PROGRAM

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, the Common Council of the City of Norwich desires to secure the City of Norwich's obligation to provide workers' compensation benefits through participation in a group self-insurance program of which the City of Norwich will be a member; now, therefore be it

RESOLVED, that the Common Council of the City of Norwich, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Common Council (hereinafter "Representative") of the City of Norwich does hereby resolve to secure the City of Norwich's obligation to provide workers' compensation benefits through participation in a group self-insurance plan of which the City of Norwich will be a member.

Section 2. The Representative of the City of Norwich does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York.

Section 3. In order to effect the City of Norwich's membership in said group self-insurance program, the authorized officer of the City of Norwich is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement on behalf of the City of Norwich.

Section 4. This Resolution shall take effect on December 13, 1999.

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

RESOLUTION # 77 - 2002. AWARDING BID FOR 2002 VIBRATORY ROLLER AND AUTHORIZING TRANSFER OF FUNDS

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, bids have been received for a 2002 Double Drum Vibratory Roller; and

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

RESOLVED, that the bid for a 2002 Double Drum Vibratory Roller be awarded to the lowest qualified bidder meeting specifications, Anderson Equipment of Buffalo, NY, in the amount of $20,485 which includes $500 trade-in for old roller; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2002 Capital Reserves Fund budget:

From:

Account Number	Name	Amount
HR26-878	Capital Reserves Highway Equipment - Fund Balance	$10,000.00

To:

Account Number	Name	Amount
A5110.2100	Street Maintenance - Equipment	$10,000.00

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

RESOLUTION # 78 - 2002. AWARDING BID FOR WWTP SLUDGE DRYING BED IMPROVEMENTS AND AUTHORIZING TRANSFER OF FUNDS

Ald. Biviano introduced the following and moved its adoption:

WHEREAS, bids have been received for Waste Water Treatment Plant Sludge Drying Bed Improvements; and

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

RESOLVED, that the bid for WWTP Sludge Drying Bed Improvements be awarded to the lowest qualified bidder meeting specifications, Wilcox Construction of Norwich, NY, in the amount of $350,000; and, further be it

RESOLVED, that the Director of Finance be and hereby is authorized to make the following transfer in the 2002 Capital Reserves Fund budget:

From:

Account Number	Name	Amount
HR42-878	Capital Reserves Sewer Equipment - Fund Balance	$350,000.00

To:

Account Number	Name	Amount
G1989.0	Special Items - Sewer Fund	$350,000.00

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

RESOLUTION # 79 - 2002. AUTHORIZING AGREEMENT FOR AUDIT SERVICES

Ald. Jeffer introduced the following and moved its adoption:

WHEREAS, the firm of Dorfman-Robbie, P.C. has performed single audit services for City of Norwich for fiscal years ending 1995 through 2000; and

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

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 2001 at a cost not to exceed $14,675.

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

RESOLUTION # 80 - 2002. AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CHENANGO COUNTY RELATIVE TO EMERGENCY MANAGEMENT OPERATIONS

Ald. Rabinowitz introduced the following and moved its adoption:

WHEREAS, the City of Norwich and Chenango County each have established and, for many years, operated an Emergency Management unit to address natural and man-made emergency situations so as to safeguard the life and property of the citizenry; and

WHEREAS, the parties have recently engaged in discussions concerning the most effective method to deliver Emergency Management services to the public and have determined that a co-location of

a combined Emergency Operating Center (EOC) and sharing or pooling of certain equipment and functions at one location would attain substantial programmatic and fiscal efficiencies; and

WHEREAS, each party has authority under General Municipal Law Article 5-G as well as other laws, to enter into municipal cooperative agreements for functions which each is authorized to perform individually; and

WHEREAS, each party is empowered to operate an Emergency Management program under authority of New York law including but not limited to Article 2-B of the Executive Law and Title 26 of the Unconsolidated Laws of the State of New York; 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, under the direction of the City Attorney, to enter into an intermunicipal agreement with Chenango County for a combined Emergency Operating Center in the City of Norwich Police Department Building at 18 East Main Street.

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

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

	Prepaid	10/15/02	Grand Total
General Fund	95,084.54	100,005.71	195,090.25
Sewer Fund	9,222.97	29,440.04	38,663.01
Water Fund	19,720.42	8,689.30	28,409.72
Trust	42,922.95	0.00	42,922.95
B.I.D.	3,104.67	0.00	3,104.67
Debt Service	0.00	0.00	0.00
Reserves	0.00	0.00	0.00
Unemployment	0.00	0.00	0.00
C.D.	1,390.07	11,211.56	12,601.63
EDZ/LDC	0.00	0.00	0.00
Capital Projects	57,509.36	274.80	57,784.16
TOTALS	**$228,954.98**	**$149,621.41**	**$378,576.39**

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

Adjournment –Ald. McNeil moved to adjourn at 7:55 PM. Seconded by Ald. Jeffer and duly adopted, ayes all.