



City Council **Minutes**
The City of Cortland
March 5, 2019

Council Meeting #4
March 5, 2019
25 Court Street
7:00 PM

Present: Mayor Brian Tobin, Aldermen Kat McCarthy, Thomas Michales, William Carpenter, Troy Beckwith, John C. Bennett, and Carlos Ferrer

Absent: Alderman Katy Silliman, Gary Thomas

Staff Present: Corporation Counsel Ric VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, City Clerk Raymond A. Parker, and Confidential Secretary Devon Rainbow.

Regular Session:

Mayor Tobin called the fourth Common Council meeting of the year to order at 7:03 PM.

Pledge of Allegiance

Public Hearing: Mayor Tobin opened a public hearing at 7:03 for the parking on Tompkins Street. No one was present to speak. Mayor Tobin closed the public hearing at 7:04.

Public Comments:

Richard S – Richard is a current Uber driver and would like to be given the chance to pick up within city limits. He has lived here a long time.

Doctor Mekka Nagel- She came regarding the United Voices of Cortland. She brought a letter for the Police Chief and Police Commission regarding some issues. They appreciate what City Police does and they understand that award ceremonies have to happen and she mentioned Jessie Abbott's wonderful work. She also said that some people are now thinking twice about calling 911 due to some negative interactions with the Police. She requests that the Police Officers work with more respect and peace with citizens.

Ward Reports:

Ward 1: There was a meeting mid-February and some people spoke out about concerns, and everything was addressed.

Ward 4: Reminder that potholes are an issue, and DPW is working hard to get to fixing them. He also mentioned that he was recently in Albany, and there was a conference on the legalization of cannabis which will happen soon in New York. There were mentions of having 'smoke rooms' inside of the cannabis dispensaries, and it could work well for large cities with a lot of public transportation, but it is not known if it was a state-wide, or just by city. Also, the County has the choice of allowing it or not.

Ward 5: All quiet in the fifth ward.

Ward 6: All quiet in the sixth ward.

Ward 7: There are some concerns with the traffic light on Pomeroy and Port Watson. There are many handicapped people and there is a defect in the crosswalk light, it will be talked about with DPW.

Ward 8: There are many potholes, which should be fixed by DPW. Thank you to DPW for reacting quickly on a garbage problem.

Mayor's report:

The Mayor asked for an executive session at the end of the meeting to discuss a contractual matter.

Resolution #47 of 2019 – Resolution to approve and accept the minutes as amended from the February 19, 2019 Common Council meeting.

Motioned by: Alderman Ferrer
Seconded by: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Proclamation: St. Baldrick's day. The Mayor spoke about St. Baldrick's day and what it entailed. This is the fourth year Cortland has celebrated St. Baldrick's day.

Item #1 – Discussion regarding requiring rental properties to be tested for radon and require disclosure to tenants.

Derek Green was present to speak, representing the Cortland County Health department. He came to speak about Radon. Cortland County has the highest level of Radon in homes in the entire state. Radon has serious negative health correlations. Radon is an odorless, tasteless gas underground. It enters home through cracks. It is urged that buildings get tested for radon. Radon is formed from the radio-active decay of uranium. Derek explained the science behind how it is formed. One of the health impacts include lung cancer. Radon is the number one cause of lung cancer among non-smokers. The average home in Cortland has 4 times more radon than what is considered a high amount. What Cortland citizens are urged to do is test their homes. It is the perfect time to test because windows are closed, and homes are sealed. People should test in the rooms where they spend a lot of time. If it is found that homes have a high test of radon, the owner should get a radon mitigation system. It's a perforated PVC pipe that goes in the lowest level of the house, which would normally be the basement. The price ranges for each home and building. Michael Ryan, the Director of Environmental Health for the Cortland County Health Dept. was also present to give information. He mentioned the rental law and adding in the requirement of testing. The test takes about 2-3 days. Just on a local level, 1,227 house have been tested since 1986. The average was 15.3, which is higher than the County readings. The highest level was a remarkable 125.3. If someone has high radon and smokes, the effects are not just twice as bad, it is ten times worse. Michael gave many statistics regarding radon in buildings. Derek and Michael answered any questions council had.

Resolution #48 of 2019 – Resolution to commit \$20,000 in Community Development Block Grant program income for the demolition of 16 Harmon Avenue in the City of Cortland, subject to approval by the NYS Office of Community Renewal.

Motioned by: Alderman Ferrer
 Seconded by: Alderman Bennett

Approved: Ayes – 6
 Nays – 0

Resolution #49 of 2019 – Resolution to commit additional Community Development Block Grant program income \$123,600.00 to the rehabilitation of the bathhouse at Wickwire Pool for the purpose removing architectural barriers, subject to approval by the NYS Office of Community Renewal.

Motioned by: Alderman McCarthy
 Seconded by: Alderman Carpenter

Approved: Ayes – 6
 Nays – 0

Resolution #50 of 2019 – Resolution to accept, recognize and appropriate the following donations to the Youth Bureau.

<u>Donation</u>	<u>Amount</u>	<u>Event/Project</u>	<u>Budget Line</u>
Patrick J Omara	\$1,360.00	Yaman Park Benches	A-7110.5405.02
Total	\$1,360.00		

Thank you for the donation.

Motioned by: Alderman Carpenter
 Seconded by: Alderman Beckwith

Approved: Ayes – 6
 Nays – 0

Resolution #51 of 2019 – Resolution to declare the items listed below as Surplus Inventory.

1. Video rack system
2. Elmo color monitor
3. SONY video graphic printer
4. NAVCO time-lapse recorders

The idea is to go through auctions, and the proceeds will be appropriated from the Police Department back to special investigations.

Motioned by: Alderman Carpenter
 Seconded by: Alderman Bennett

Approved: Ayes – 6
 Nays – 0

Resolution #52 of 2019 – Resolution to approve the sale of items below through Auctions International with the proceeds being appropriated to the Cortland City Police budget A3120.5416.04 for the purchase of new equipment.

1. Video rack system
2. Elmo color monitor
3. SONY video graphic printer
4. NAVCO time-lapse recorders

Motioned by: Alderman Carpenter
Seconded by: Alderman Michaels

Approved: Ayes – 6
Nays – 0

Resolution #53 of 2019 – Resolution to approve the appointment of Brett Barnes to the Zoning Board of Appeals for a 3 year term.

Motioned by: Alderman Bennett
Seconded by: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #54 of 2019 – Resolution to appoint Robert Rhea, the City’s Zoning Officer, as the City of Cortland’s Fair Housing Officer.

We have used an employee at Thoma, but the State declared that we must use a City employee.

Motioned by: Alderman Carpenter
Seconded by: Alderman Ferrer

Approved: Ayes – 6
Nays – 0

Resolution #55 of 2019 – Resolution to authorize the Mayor to execute a 2018 Environmental Restoration Program Grant Contract (DEC01-Coo770gg-3350000) with the NYS Department of Environmental Conservation to provide \$115,000 in funding towards the restoration of Noss Industrial Park.

This is accepting money from the DEC and moving forward with a project that has been sitting out for a little bit.

Motioned by: Alderman Carpenter
Seconded by: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #56 of 2019 – Resolution establishing a date, time and place to conduct a public hearing on the adoption of a local law to abolish all previous local laws, ordinances, and resolutions pertaining to taxi cabs, taxi cab drivers and taxi cab companies operating within the boundaries of the City of Cortland.

This came about because of Uber and Lyft. Cortland looks to regulate all of them equally. It is council’s choice to eliminate or minimize the current laws. Cortland regulates registration and price structure. Alderman Ferrer gave examples of how taxis work in New York City, and Ric VanDonsel explained that Cities over the amount of 100,000 people, then they can handle it how they’d like, but cities with a population smaller than that cannot. Uber is supposed to do an efficient job doing background checks and such, but Cortland goes the extra length to also do the checks. The public hearing will be March 19th at 7 PM.

Motioned by: Alderman Bennett
Seconded by: Alderman Ferrer

Approved: Ayes – 6
Nays – 0

Item # 11 – Discussion regarding Code Enforcement fees.

The mayor has other fees to approve, so Ric VanDonsel said he'd bring in a booklet with the changes and present it for approval of all the fees.

Item # 12 – Update on DRI. There are 4 projects currently being worked on to move forward. There was a preliminary meeting with property owners for seasonal decorations. They decided that until there is more discussion, there is hesitation to commit to something so it was mentioned to hang things from street lamps, and they decided to hold off to wait to make sure it is widely-enjoyed for the annual streetscape.

Item # 13 – Update on Parker School Task Force. The Mayor does not have any Parker School updates.

Motion to adjourn into executive session:

Motioned by: Alderman Bennett
Seconded by: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Motion to adjourn out of executive session:

Motioned by: Alderman Bennett
Seconded by: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Motion to adjourn:

Motioned by: Alderman McCarthy
Seconded by: Alderman Beckwith

Approved: Ayes – 6
Nays – 0

I, RAYMOND A. PARKER, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 5TH DAY IN MARCH 2019. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.

RAYMOND A. PARKER, CITY CLERK

MAYOR BRIAN TOBIN