



City Council **Minutes**  
The City of Cortland  
**August 6, 2019**

Council Meeting #12  
**August 6, 2019**  
25 Court Street  
7:00 PM

Present: Aldermen Kat McCarthy, Troy Beckwith, Thomas Michales, , John Bennett, Carlos Ferrer, Gary Thomas & William Carpenter

Excused: Aldermen Katy Silliman

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

**Public Hearing 1:** Public Hearing on 4 year term for Mayor.  
Mayor Tobin opened the public hearing at 7:00 PM.

Gerry Ruggiero stated that Section 4 of chapter 108 of the NYS Local Election law states that Officials had to have changes in by August 5, 2019.

Bruce Tytler asked Council not to extend the terms to 4 years because if the person elected is doing a good job the voters will reward them with a re-election time and time again, but if someone isn't doing a good job then it is only 2 years and a new person could be elected in.

Mayor Tobin called public hearing to close at 7:03 PM

**Public Hearing 2:** Public Hearing on 4 year term for City Council Members.  
Mayor Tobin opened the public hearing at 7:03 PM.

There was no one present to speak to this hearing.

Mayor Tobin called public hearing to close at 7:04 PM

**Regular Session:**  
Mayor Tobin called the twelfth Common Council meeting of the year to order at 7:04 PM.

**Pledge of Allegiance**

**Public Comments:**

Cynthia Hartnett spoke regarding Frank & Mary's parking problem, she and her staff monitored and did a study of how few parking spots there are available. She also has about 335 signatures also saying there is a problem with finding a parking space.

Joshua Hartnett spoke regarding Frank & Mary's parking being a problem and needing more parking available for customers.

John Morton, owner of Gable Inn, spoke regarding downtown retail parking (Frank & Mary's). He suggested taping off the Youth Bureau basketball court and make parking spots there.

Lawrence Jones spoke stating he supports changing the parking at Frank & Mary's as there are a lot of elderly people who go to Frank & Mary's, as well as young children. Parking is getting harder and harder to find which is pushing customers away.

Devon Darrow spoke on behalf of the staff at Frank & Mary's stating the parking is strangling the business. They have had to adjust restaurant hours and the staffing to reduce costs. Stress on the staff has increased because of downsizing and having to take on additional responsibilities. Many of the staff have grown socially by interacting with residents of Cortland.

**Ward reports:**

Ward 1 – Thank you DPW for the continuous road work going on. There are a couple events coming up in Suggett Park, Porch Fest and Shakespeare in the park. Send Parker School questions to Kat McCarthy

Ward 3 – Doctor's house on Forest Ave was vacant for many years and recently was taken over by a couple of young men who have been doing work. There is a continued problem with residents not picking up after pets.

Ward 4 – Quiet

Ward 5 – Quiet

Ward 6 – Complaints on Front St and Charles St. have been passed on to the Law Dept. and Mayor's Office.

Ward 7 – Complaint about the Apex property. Working with Code Office to get resolved.

Ward 8 – Concerns on Bartlett Ave with trash and flies, flooding on Kellogg Road and Dawn Drive, parking at Frank & Mary's.

Alderman Michales would like to add to the end of the agenda an item for an exotic pet permit.

**Mayor's report:**

Recognition for Deputy Chief Wayne Friedman.

Chief Catalano presented Prudy Prior with a plaque for her husband Eric Prior's service with City of Cortland Police Department as Police Commissioner.

**Resolution #179 of 2019** – Motion to approve the minutes from the meeting of July 16, 2019 as presented.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #180 of 2019** – Resolution authorizing the Mayor to enter into an agreement with the City of Cortland Fire Department BOE.

Alderman Ferrer had questions regarding the wording and numbers in the contract not matching up. Chief Glover confirmed the correct amount with a BOE member. To clarify the numbers on bottom of page 1 from \$60,000 to \$55,000 & adjust the \$29,360 down to \$24,360 on page 2.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 6  
Nays – 0  
Abstention – 1 (Alderman Ferrer)

**Resolution #181 of 2019** – Resolution to approve the Sound Device application for Gators located at 83 Owego St to have DJ/One Person Sing on the weekends weather permitting.

No times listed on device, have approved typically until 10pm.

Motioned by: Alderman Thomas  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution #182 of 2019** – Resolution to waive the fees associated with the Sound Device application for Gators.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Thomas

Approved: Ayes – 6  
Nays – 1 (Alderman Ferrer)

**Resolution #183 of 2019** – Resolution to approve the Sound Device application for Cortland Valley Baptist Church located at 131 Port Watson St. to have Megaphone on Fridays 11AM-1PM during the summer and fall months.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Beckwith

Approved: Ayes – 7

Nays – 0

**Resolution #184 of 2019** – Resolution to waive the fees associated with the Sound Device application for Cortland Valley Baptist Church.

Motioned by: Alderman Thomas  
 Seconded by: Alderman Beckwith

Approved: Ayes – 7  
 Nays – 0

**Resolution #185 of 2019** – Resolution to approve the Sound Device application and Street Closure for 9/11 Memorial Foundation to have PA/Bag Pipes on September 11, 2019 from 8AM-11AM.

Motioned by: Alderman McCarthy  
 Seconded by: Alderman Bennett

Approved: Ayes – 7  
 Nays – 0

**Resolution #186 of 2019** – Resolution to waive the fees associated with the Sound Device application and Street Closure for 9/11 Memorial Foundation.

Motioned by: Alderman Thomas  
 Seconded by: Alderman McCarthy

Approved: Ayes – 7  
 Nays – 0

**Resolution #187 of 2019** – Resolution to accept, recognize and appropriate the following donations to the Youth Bureau.

<b>Donation</b>	<b>Amount</b>	<b>Event/Project</b>	<b>Budget Line</b>
Coffee Mania	\$500.00	Porch Fest Sponsor	A-7550.5405
Karen Brady Dudgeon	\$100.00	Porch Fest Sponsor	A-7550.5405
Anonymous	\$100.00	Porch Fest Sponsor	A-7550.5405
Gary & Amy Thomas	\$50.00	Porch Fest Sponsor	A-7550.5405
Artelissa Eckstrom	\$50.00	Porch Fest Sponsor	A-7550.5405
McNeil & Co., Inc	\$100.00	Youth Football	A-7140-5405
Total	\$900.00		

Motioned by: Alderman Bennett  
 Seconded by: Alderman McCarthy

Approved: Ayes – 6  
 Nays – 0  
 Abstention – 1 (Alderman Thomas)

**Resolution #188 of 2019** – Resolution to appoint Elizabeth Wavle-Brown as: City of Cortland Historian and member of the Historic and Architecture Board.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Item #10** – Consideration of a Resolution to lift the hiring freeze to fill an anticipated vacancy in the Fire Department.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Beckwith

To clarify Alderman Carpenter explained that an Assistant Chief is a salaried position and Captain is hourly with overtime. There was discussion regarding budget and there would be possible cuts in the future.

Chief Glover explained that he has to have a person interested in the position, if he doesn't have an interested person, he has to rotate personnel every 30 days which then there is no consistency and no management in that situation. Chief Glover also stated that the contract says that if he doesn't have a volunteer for the position, he has to force a person to do the job. By forcing a person to this position, that person doesn't want to be there, isn't going to want to do the work, isn't going to enjoy the work and whose heart isn't going to be into the work.

Motion to table until September 3, 2019 meeting.

Motioned by: Alderman Michales  
Seconded by: Alderman Ferrer

A roll call was done for making a decision on item #10.

Ward 1: Nay, Ward 3: Nay, Ward 4: Nay, Ward 5: Aye, Ward 6: Nay, Ward 7: Aye, Ward 8: Aye

Failed: Ayes – 3  
Nays – 4 (Aldermen McCarthy, Thomas, Bennett, Ferrer)

**Item #11** – Consideration of a Resolution to commence with the hiring process to fill an anticipated firefighter position vacancy subsequent to the promotional process for the position of Assistant Fire Chief II/Director of Code Enforcement.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Beckwith

Failed: Ayes – 0  
Nays – 7

**Resolution #189 of 2019** – Resolution to Transfer \$127,272.51 from the Community Development Fund to the Capital Projects Fund.

**Whereas;** Common Council has previously allocated \$305,083.00 in Program Income, which is held in the Community Development Fund to the Clinton Avenue Water Main Project (“Project”) which is accounted for in the Capital Project Fund, and

**Whereas;** \$1.5 million dollars to fund the Project is provided by CDGB grants which are accounted for in the Capital Fund, and

**Whereas;** the City has expended \$ 177,810.49 in Program Income towards the Project, and

**Whereas;** there is \$127,272.51 remaining in Program Income, and

**Whereas;** all allocated Project Income funds are required to be used before expenditures can be drawn from CDGB grants, and

**Whereas;** the July 2019 Invoice for construction services on the Project is expected to exceed the remaining balance of Program Income, and

**Whereas;** it is inefficient and problematic to pay one invoice from two different funds.

**Therefore, Be It Resolved** that Common Council authorizes the transfer of the remaining balance of Project Income, \$127,272.51, from the Community Development Fund to the Capital Fund so that future construction invoices can be paid from a single fund, that being the Capital Fund.

Motioned by: Alderman McCarthy

Seconded by: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**Item #13** – Discussion to change cell phone vendor to AT&T for a cost savings and to obtain FirstNet.

Alderman Bennett commented that AT&T has less coverage whereas Verizon has more coverage and lower cost.

Chief Catalano was present to speak on subject and stated there will be towers going up all throughout the State. FirstNet is dedicated priority network for emergency services and it is a national program. The idea is that if an emergency comes up, Police and emergency personnel would get priority usage.

**Item #14** – Discussion of Frank & Mary’s parking concerns with possibility of locating more spaces.

Alderman Michales suggested shifting some of the permitted spaces to the basketball area across the street, or making the current parking between the Gable Inn and Repertory Theatre into more public parking.

Alderman McCarthy asked if other businesses have expressed concern about the parking situation or does it come back to this particular location? It was explained that other businesses have expressed concerns with parking.

Alderman Ferrer suggested that reducing the number of permitted parking spots, increase the number of 2 hour parking, or possibly look into putting in kiosk parking.

Corporate Counsel Ric VanDonsel will look into the parking issues and present a potential change in parking to Council at next meeting to be held August 20, 2019.

**Item #15** – Discussion and Consideration of a Resolution to accept suggested corrections and amendments to the new Zoning Law Section 300. Possible scheduling of Public Hearing.

Mayor Tobin stated he would like to push it off to the next Council meeting instead of having a resolution today to accept suggested corrections and amendments to the new Zoning Law Section 300 and the

potential to have a Public Hearing if Council so desires. Zoning Officer Robert Rhea sent email with the proposed changes. Mayor Tobin asked if there is a desire to have a public hearing as it is modifications and clarifications. A Public Hearing is scheduled for August 20, 2019. There were no questions at this time for Zoning Office Robert Rhea regarding this matter.

**Item #16** – Discussion regarding the City’s plans for Workers Compensation in 2020.

City sent a resolution to the County. There have been discussions with other companies. We have gotten 2 comparison price quotes. The City has a plan and is moving forward. We are waiting to hear from the County on what they want to do. A meeting will be held on August 26<sup>th</sup> or 29<sup>th</sup> for discussion on what to do for 2020. We need a final decision by early September due to budget planning.

**Item #17** – DRI Update

We are figuring out how to front and fund what we need to fund for the Downtown Revitalization Initiative. There are contracts still being finalized. We are moving forward with putting Architects & Engineers in the best position possible so they can do what they need to do. The planning will take into account mitigating things, such as storm water run-off and it will be a vast improvement.

**Resolution # 190 of 2019** – Resolution to approve exotic pet permit for an emotional support Rabbit for a SUNY Student.

Motioned by: Alderman Thomas

Seconded by: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**Motion to adjourn:**

Motioned by: Alderman Ferrer

Seconded by: Alderman McCarthy

Approved: Ayes – 7  
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 6th DAY IN AUGUST 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.**

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**RAYMOND A. PARKER, CITY CLERK**

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**MAYOR BRIAN TOBIN**