



City Council Minutes  
The City of Cortland  
November 20, 2012

Council Meeting #21  
November 20, 2012  
Regular Session  
City Hall  
7:00 PM

Present: Mayor Brian Tobin, Aldermen Julie Bird, Kathryn Silliman, Kenneth Dye, John Bennett, Dan Quail, Carlos Ferrer, Linda Ferguson and Thomas Michales.

Staff Present: Corporation Counsel Kelly Colasurdo, Director of Administration & Finance Mack Cook, and City Clerk Judith Chamberlin.

Regular Session

Mayor Tobin called the twenty-first Common Council meeting of the year to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Public Comments

Mayor Tobin noted that the first person signed in to speak to Council was Don Barber regarding the Tompkins County Health Care Consortium, who was informed that he was included in the agenda and would be waiving the public comments at this time.

Mike Dexter spoke on trees and lights. His comment from the Landscape and Design Committee was that after a very successful year of tree planting, the Committee has grant money left and trees have been selected from the nursery for next year. After December 1<sup>st</sup> the application for trees will be available on the City's website.

He expressed disappointment in the way trees and lights were treated; the vandalism and destruction of the lights that occurred during Cortaca weekend, after all the effort put forth by Nick Dovi, Adam Megivern, Mack Cook and others.

Also he stated Niagara Mohawk sent the City an email indicating concern about the number of items placed on the electrical light poles but did not take the time to inspect the lights for the need of replacement, instead expecting the residents to notify Niagara

Mohawk/National Grid if the City needed some attention. Given the money paid for the service in the contract, he feels it should not be up to the residents to contact them.

Tom Gobel, noted his observation that the City is not living up to its Crown City title. It was his opinion that if more people involved themselves with the politics of the City, perhaps we could bring back the status of being a "Crown City" again by taking one small step.

## **MINUTES**

Mayor Tobin asked if there were any corrections of the minutes of the October 16<sup>th</sup> meeting.

Ward 7 report, on page 2 – should read that Ward 7 would like to work with Wards 2 and 5 to get ideas of how their Neighborhood Watch programs are run.

## **RESOLUTION #196 OF 2012 – Minutes of the October 16, 2012, as amended**

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

Bills were reviewed.

### Ward Reports

#### Ward 1 Report

I want to thank the residents of Chestnut Street for inviting me to their Community Picnic that was held at the Burch Building on Sunday. It was nice to see a street come together and visit with each other. It was a real sense of community.

I participated in the Cortland County Housing Consortium on Nov 7th. It was sponsored by Access to Independence and the Seven Valleys Health Coalition. They addressed housing issue within the city.

I also wanted to thank Robin Cataldo, Principal Yard, and the staff and students of Parker School for inviting me to participate in the first Educator for the Day on Nov 15th. I was teaching a kindergarten class and all I have to say is God bless Kindergarten teachers. It was one of the most exhausting things I have done in a long time. It was very eye opening on the challenges these teachers have on a daily basis.

I also thank the DPW for hanging the cd's in the trees. We are experimenting with different ideas to see what works best for scaring the crows. The cd's are not as successful as we had hoped, but we are going to hang more up higher and see what happens.

Ward 2 – Alderman Silliman, report for Nov. 20th

Thanks for the lights on Main St. They look fabulous and we're all happy that the First Night celebration will be back on.

2nd ward people are happy about the berm and the city's response to the potential threat of hurricane Sandy. Thanks to the DPW and especially Nick for taking care of dams in the creek. They are working on trapping beavers so there's no point in clearing more dams until the beavers are gone.

Thanks to the mayor and Mack Cook for their work on the budget. Wards 2 and 3 will be meeting with Mack Cook at the Beard Building, 9 Main Street, at 7pm, on Monday Dec. 3rd.

We had an incident with a chimney sweep that walked into the wrong house and this caused alarm but it is supposedly a common practice for people to leave the door open.

This went out on an email and everyone went on the alert but then the new neighbor who hired the sweep contacted me and vouched for him. Everyone was relieved. On the same night we heard everything was ok, we had someone rifling through cars (mine and my neighbor's) so please lock your car doors.

As for Cortaca, in the past the crowd has felt threatening; this time it felt festive. Students were cordial and apologetic when spoken to, however we did have people sleeping in their cars and there was trash everywhere. The hill was not too bad because the police were on the hotspots as soon as we called. However, the concern is that the crowds seem bigger and how can our little city manage them when they are not so friendly?

Ward 7 - Linda Ferguson volunteered at loaves and fishes for their Thanksgiving dinner. Commented on the Cortaca issue, agreeing on what other Council members have said. Mentioned, Ward 7 will be holding a Ward meeting in December, will have the date and time at our next council meeting.

Ward 4 – Alderman Bennett thanked Nick Dovi and the DPW for their hard work and quick response in taking care of the tree problem on Delaware immediately with professionalism. Thanks to Chief Catalano, Deputy Chief Sandy, the fire department and all who did such a great job during Cortaca Jug.

Cortaca weekend brings several concerns as it becomes more of a party every year. The public urination, the constant foul language, the disruption to the neighborhoods and the trash and garbage strewn about. Other college towns don't have kids acting like animals, using foul language in every sentence. Last Wednesday Mr. Bennett went to a young female student's apartment to speak to her, and when the complaints were expressed to her, her response was "What do you expect? ~ it's Cortaca weekend." Our residents should not have to put up with such behavior. He has been in other cities comparable to Cortland and was impressed with the respect and pride the students have for their environment.

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Ward 8 – Alderman Michales supported Alderman Bennett’s opinion of the Cortaca event. Mr. Michales agreed that something should be done before hosting the next game in two years. Another issue in Mr. Michales ward is the crows. The sidewalks, the Courthouse Park, the mess the crows make all over the City. Something else needs to be done to move the crows from the City.

Auburn tried to control the crows in cooperation with the DEC, and after two years the crow population was decreased. Discussion of the crows will be continued at the next Common Council meeting.

Ward 3 – Alderman Dye stated his ward has been quiet. He went on a ride along with the Police Department Cortaca weekend, and he commends the officers for the fantastic job they did that weekend, as well as every day. Approximately 80 % of the arrests made were out of town people.

Ward 5 – Alderman Quail stated that his Ward met last Wednesday, the concern of garbage and dumpsters was discussed, the need to contain it better. He attended the Cortaca game, the crowd was quite well behaved and there was a large law enforcement presence.

Ward 6 – Alderman Ferrer noted that his ward was quiet. He thanked the DPW for taking care of a downed tree during the storm. A combination Ward 1 and Ward 6 meeting regarding the budget, no one attended.

### Mayor’s Report

#### **Mayor’s Report November 20, 2012**

1. Spent an hour chasing crows last week, we are getting some feedback from the general public as well as to the location of the crows. We have a face book page, “Cortland Crow Chasers”, where people can log where and when they are observing the miscreants. However, we need people who are willing to dedicate an hour or two to “crow chasing”. Please call (607) 753-0872 if you are willing to volunteer some time.
2. Working diligently on multiple bargaining unit contracts, and I believe we will have resolution to five contracts in a short period of time.
3. Have had meetings with non-union personnel to work on outlining expectations/responsibilities to help answer concerns of employees.
4. Have had several meetings to work on the Public Safety Department responsibilities - making sure all responsibilities are covered in an efficient and effective manner.
5. Youth Council- had an event Sunday, and will host another event Sunday, December 9, from 1-5 pm. It will be Holiday Helpers- looking to have college students and local high school students volunteer to supervise younger kids so the parents can do holiday shopping, wrapping, cleaning, etc. It will be published on our website, and we will be requiring RSVP’s because it will be FREE.

6. Met with 2 chairs and a couple of other members of the Historic District commission, Planning Commission, and Zoning Board of Appeals to work on improving how agendas are set up and organized, and how minutes are recorded and tracked. It is my belief (and corporation counsel and city clerk as well) that we can improve the process, making it better for volunteers, applicants, and personnel.
7. Hurricane Sandy Relief effort- The Red Cross is a great way to donate to helping the people who are still struggling with recovering from the Hurricane. Also, there are ongoing efforts at the college. The face book page is: SUNY Cortland Hurricane Sandy Relief.
8. Community Cleanup participant.
9. We had a departmental debriefing about two weekends ago, and we are going to have a larger meeting where we will invite certain community members, business owners, and representatives from the college to discuss how we can deal with the festivities that surrounded the exciting win that the Red Dragons provided.
10. Attended Parker School Career Day

PINK SHEET sign off

Motion to go into Executive Session

To consider Collective Bargaining Agreement

Motion By: Alderman Ferrer  
 Seconded By: Alderman Quail

Approved: Ayes – 8  
 Nays – 0

Motion to come out of Executive Session

Motion By: Alderman Ferrer  
 Seconded By: Alderman Quail

Approved: Ayes – 8  
 Nays – 0

Item #1 – Consideration of a Resolution to allow the Mayor to enter into a Memorandum of Agreement with the CSEA bargaining unit

Mayor Tobin stated that he was pleased that this was a multi-year agreement that is consistent, regarding salaries and other benefit structures, with other union agreements already negotiated.

**RESOLUTION #197 OF 2012 – Resolution to allow the Mayor to enter into a Memorandum of Agreement with CSEA.**

Motion By: Alderman Ferrer

Seconded By: Alderman Bird

Approved: Ayes – 8  
Nays – 0

Item #2 – Consideration of a Resolution to authorize the Mayor to sign the Tompkins County Health Insurance Consortium Municipal operating agreement

Mack Cook introduced Don Barber, supervisor of the Town of Caroline.

- He was the driving force of the City entering the Tompkins County Health Insurance Consortium.
- Mr. Barber gave a detailed description of the process to become the Consortium.
- He advised the council to make a Resolution for two members of the City to hold seats on the Consortium Board of Directors, one being management and one being a Union representative.
- Members will know the rates in the middle of October for the coming year in order to plan ahead, and if any issues arise, bring those issues to the Board and they will be addressed.
- There is a joint Ethics Committee, so someone from Common Council as well as the Union will be represented.

**RESOLUTION #198 OF 2012** – Resolution to authorize the Mayor to sign the Tompkins County Health Insurance Consortium municipal operating agreement.

Motion By: Alderman Silliman  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays - 0

Item #3 – Discussion of City 2013 Property values – (David Briggs)

- David Briggs, City Assessor, presented an overview of the City assessment process. Any City with a State University faces similar issues of exempt properties.
- There are two types of exempt properties: one that is entirely exempt and one that is partially exempt, such as Veteran's exemption, senior and disability exemptions.
- Mr. Briggs explained that the reason the 2012 tax rolls did not show the usual gradual increase was due to the construction of the Holiday Inn Express in 2011, having not filing for new business exemption until after the assessments were implemented. Therefore the 2012 tax roll was affected by the hotel's 50% tax exemption, which decreases by 5% each year afterward.
- The issue of how student housing was fairly assessed was discussed, which since 2008 was determined by housing location, condition, rent paid, and the number of students housed there. If student housing were reassessed at current market

value, then all City properties would need to be reassessed at current market value.

Item #4 – Discussion of the Department of Public Works anti-icing procedure for pre-treating City of Cortland streets using salt brine from a DEC approved source, (Chris Bistocchi)

Chris Bistocchi was present to speak, as well as Pat Reidy from the Soil & Water Conservation District.

- NYS DOT has been using the pre-treating process for three years now. Salting the 47 miles of City streets on average uses about 2700 tons of salt. Using the brine application before predicted events could result in significant savings to the City.
- Mr. Bistocchi would like to try equipping one truck this year to try the brine on some of the main streets and see if it would create a savings.

Item #5 – Consideration of a resolution to transfer funds from A3410.104.01 to A3410.104.03 in the amount of \$5,000 to cover the unanticipated costs associated with training of personnel on the new apparatus and a NYS mandated curriculum update for EMT's (Chief Chuck Glover)

Motion By: Alderman Silliman  
Seconded By: Alderman Quail

**RESOLUTION #199** OF 2012 – Resolution to transfer funds from A3410.104.01 to A3410.104.03 in the amount of \$5,000 to cover the unanticipated costs associated with training of personnel on the new apparatus and a NYS mandated curriculum update for EMT's (Chief Chuck Glover)

Approved: Ayes – 7  
Nays – 1 Alderman Ferrer

Item #6 – Consideration of a resolution to recognize seven donations totaling \$1,321.00 submitted to the Youth Bureau for the Wickwire Pool Trust Fund (John McNerney)

Motion By: Alderman Ferrer  
Seconded By: Alderman Michales

Approved: Ayes – 8  
Nays – 0

**RESOLUTION #200** OF 2012 - Resolution to recognize seven donations totaling \$1,321.00 submitted to the Youth Bureau for the Wickwire Pool Trust Fund (John McNerney)

Item # 7 – Consideration of a Resolution to appropriate funds received from FEMA (\$60,173) for reimbursement for costs associated with the SAFER grant to the following accounts:

Account # A3410-101 (Payroll)	\$9,879.00
Account # A3410-405 (Operations)	2,430.24
Account # A3410-415 (Contractual)	27,113.76
Account # A3410-420 (Firefighter Gear / Career)	9,875.00
Account # A3410-421 (Firefighter Gear / Volunteer)	9,875.00

Motion By: Alderman Bennett  
Seconded By: Alderman Ferguson

Approved: Ayes – 8  
Nays – 0

**RESOLUTION #201** OF 2012 – Resolution to appropriate funds received from FEMA (\$60,173) for reimbursement for costs associated with SAFER grant to the following accounts:

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Account # A3410-421 (Firefighter Gear / Volunteer)	9,875.00

Item # 8 – Consideration of a Resolution to appropriate a deposit received from FEMA (\$2,066) for reimbursement for costs associated with the SAFER grant to Account A3410-415 (Contractual) – Chief Glover

Motion By: Alderman Silliman  
Seconded By: Alderman Ferrer

Mack Cook asked to table this item until it can be determined exactly what the costs were associated with the grant.

Aldermen Silliman and Ferrer withdrew their motion and second.  
The item was tabled for the December 4<sup>th</sup> Council meeting in light of Chief Glover not being present to explain.

Item #9 – Establish a date of a Public hearing on the 2013 Budget. (Mack Cook)

Mayor Tobin indicated that the Council needs to set a date for further discussion of the budget for 2013, possibly a work session.

Motion to hold a workshop on Tuesday, November 27<sup>th</sup> at 6:30 to continue discussion on the 2013 Budget.

Item #10 – Consideration of a Resolution to authorize the Mayor to enter into a lease with Madison County ARC, for lease of certain facilities at the Armory.

By: Alderman Ferrer  
Seconded By: Alderman Silliman

Mayor Tobin noted the lease agreement is for the area of offices, kitchen and classrooms with shared use of the restrooms and the parking lot, with the ARC taking over janitorial duties in addition to the \$600.00 per month rent, which will go into the General Budget.

Alderman Ferguson questioned the section of the lease that stated that sub-leasing was possible without consent from the landlord, which council agreed to strike that sentence from the agreement.

**RESOLUTION #202** OF 2012 - Resolution to authorize the Mayor to enter into a lease with the Madison County ARC for lease of certain facilities at the Armory.

Approved: Ayes – 8  
Nays – 0

Item #11 – Consideration of a Resolution to authorize the Mayor to sign the modification to the 2012 sales tax agreement.

Motion By: Alderman Silliman  
Seconded By: Alderman Bird

Mayor Tobin explained the amount of sales tax the City will be receiving will be decreased, however Mack Cook noted that the first six months of the budget year will not be affected.

Approved: Ayes – 8  
Nays - 0

**RESOLUTION #203** OF 2012 - Resolution to authorize the Mayor to sign the modification to the 2012 sales tax agreement.

Executive Session

To obtain advice of Corporate Counsel regarding a loan assumption.

Motion to go into Executive Session

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

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Motion to come out of Executive Session

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

Adjournment

Motion By: Alderman Dye  
Seconded By: Alderman Bird

Approved: Ayes – 8  
Nays - 0

**I, JUDITH CHAMBERLIN, CITY CLERK OF 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 1st DAY OF MAY 2012. 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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**JUDITH CHAMBERLIN, CITY CLERK**

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**MAYOR TOBIN**