



City Council Minutes  
The City of Cortland  
December 4, 2012

Council Meeting #22  
December 4, 2012  
Regular Session  
City Hall  
7:00 PM

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

Staff Present: Corporation Counsel Kelly Colasurdo, Director of Administration & Finance Mack Cook and Joyce Nadge from the Clerk's office.

Public Hearing – 6:30 PM

William Wood was signed in to speak at the Public Hearing, but he stated he would wait until the Mayor had arrived. Mayor Tobin arrived at 6:45.

Regular Session

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

PLEDGE OF ALLEGIANCE

Public Comment

To speak was William Wood, owner of Woodman's Pub. The tax levy was a concern to him, and wondered how a city like Oneida could only levy \$7.70 per thousand and the City of Cortland's tax rate was \$15.28 per thousand. He wanted to know if the Council was still following the resolution that was approved years ago in regards to Council approving any travel expenses, budgeted or not, before paying them. He felt the City wants to prosper, more needs to be done to make living here more affordable.

Minutes

There was a brief discussion regarding each Ward submitting the Ward Report to the City Clerk's office by email so they can easily be attached or cut and pasted into the minutes.

Mayor Tobin suggested making reports brief and bulleting the main points. It was agreed to type up reports from the recording from the last meeting, and going forward, attaching Ward reports to the minutes.

**Resolution #205** of 2012 - to approve the minutes of November 20, 2012, contingent to including the missing Ward reports as an addendum.

By: Alderman Ferrer  
Seconded: Alderman Silliman

Approved: Ayes - 8  
Nays - 0

Bills were reviewed.

Nuisance wild life removal was in question. Director of Administration Cook explained the dams were built in the creeks, causing concern, and the beavers were trapped and relocated.

Mayor Tobin noted that the dams were a concern during the storm due to possible flooding and if the dams were taken apart, the beavers would just rebuild them, so it was necessary to remove the beavers.

Ward 4 – Alderman Bennett

Alderman Bennett noted it was quiet in his ward.

Ward 8 – Alderman Michales

Alderman Michales noted he had received several calls and emails regarding the crow situation. The crow committee now has an idea of what works and what doesn't work. He is waiting to hear back from the crow committee to see what they might come up with, but people are growing impatient. A petition of 72 signatures of residents in his ward was presented tonight.

The housing Committee met last Wednesday and did have a good discussion on standardizing forms used in the Code Office, as well as exploring ways in which the Code Office can be more efficient. The committee will be reaching out to the Code Office for any suggestions on how this may be achieved. The intention is to invite Capt. Knickerbocker to the next meeting.

Ward 1 – Alderman Bird

Alderman Bird said her ward was pretty quiet, but just a reminder of the Crow Committee meeting on Thursday night at 7 PM in the Mayor's Conference Room. We are trying different things, but participation is needed. The crow issue will be discussed later in tonight's agenda.

Ward 3 – Alderman Dye

Alderman Dye stated his ward had been quiet, and wanted to thank Mack Cook and the Department Heads for the hard work on the budget and the 1.06% increase, which is much better than anticipated.

#### Ward 2 – Alderman Silliman

Alderman Silliman noted there was a meeting last night of the second and third ward, a productive meeting, and she thanked Mack Cook for being there to present the budget as it currently stands. She thanked Mack Cook and Ken Dye for attending. Mr. Cook gave a very good budget presentation and answered several questions.

She also thanked the DPW for contracting with someone to trap the beavers that were damming up the creeks in her ward. The work seems to be finished on Clayton Ave on the gas line by NYSEG, most of the equipment is gone, sidewalks look nice, but a porta-john still needs to be taken away.

#### Ward 7 – Alderman Ferguson

Alderman Ferguson noted that a ward meeting will be held on December 17<sup>th</sup> at 7:00 in the Beard Building: topics including Neighborhood Watch, Time Warner Cable, and Marietta. Residents in her ward are very upset over Time Warner. Other than that, the ward has been quiet.

#### Ward 6 – Alderman Ferrer

Alderman Ferrer said his ward has been quiet, but wanted to echo Alderman Dye's comments and thank Department Heads and Mack for working on the budget.

#### Ward 5 – Alderman Quail

Alderman Quail stated his ward has also been quiet. He would like to connect on having a fifth an eight ward budget meeting, possibly next Thursday night, December 13<sup>th</sup>.

Alderman Michales stated he would not be available to meet until December 17<sup>th</sup>.

#### Mayor's Report

The Mayor said he attended a big meeting a couple weekends ago after the big football game up at the College and there were a number of people that represented businesses in town, a couple representatives from the College, Ken Dye and John Bennett were there. He apologized to Katy Silliman but the meeting was scheduled for the morning so that the majority of people could be there. They had a discussion about some of the issues that arise from the football rivalry between Cortland and Ithaca, and how some of those issues might be managed and better promote our community. He thought there might be a way to manage some of that energy surrounding the event.

#### PINK SHEET sign off

### **AGENDA**

Item #1 - Consideration of a Resolution to accept the Cortland Downtown Partnership's request for the 2013 "First Light" New Year's Eve countdown celebration. (Downtown Partnership – Adam Megivern)

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Adam Megivern was present to answer any questions that might arise, tentatively closing the section of Main Street from Court Street to Port Watson Street on Monday, December 31<sup>st</sup> as deemed appropriate by the Police Department and Department of Public Works. There will be a DJ playing music from 9:30PM to 12:15 AM, a large screen to provide a visual for the Times Square countdown in New York City, and fireworks display at the Youth Bureau parking lot.

**RESOLUTION #206** OF 2012 - Resolution to accept the Cortland Downtown Partnership's request for 2013 "First Light" New Year's Eve countdown celebration. (Downtown Partnership – Adam Megivern

Item #2 - Consideration of a Resolution to abandon the alley way situated between 12 and 14 William Street (Ron Walsh)

Motion By: Alderman Quail  
Seconded By: Alderman Michales

To speak was Ron Walsh, attorney for the applicant. He gave an explanation of the intention of the applicants, to allow the two properties to each have its own driveway rather than sharing the one. Mr. Walsh asked that Common Council set a Public Hearing. He noted the situation is similar to the abandonment a few years ago on the other side of Williams Street to benefit Tompkins Community College. Abandonment of the alley would be that piece of property on the tax rolls, in the best interest of the City.

Mayor Tobin asked if motions were withdrawn. Aldermen Quail and Michales withdrew Their motions.

A Public hearing will be scheduled for **January 15, 2013**.

Item 3 - Approval for a saxophone quartet from Grace Christian Fellowship playing Christmas music on December 7, 2012 outside of 18 Main St. 5:30 p.m. – 7:30 p.m.

Mayor Tobin noted that no permit is required since there will be no sound device used, that it's more of an informational item, and could provide good advertising for the event.

Item #4 - Consideration of a Resolution for the Common Council to appropriate proceeds from the auction of abandoned vehicles from the Police Impound Lot and the auction of miscellaneous obsolete equipment in the amount of \$5,268.07 to Account A3120.206.00/Operational Equipment. (Deputy Chief Paul Sandy).

Motion By: Alderman Bennett  
Seconded By: Alderman Ferrer

Alderman Quail suggested considering this as income and reducing expenses so that next year's budget will not reflect misinformation.



Item #7 - Discussion to lift the hiring freeze to fill one position in the Police Department.  
(Chief Catalano)

Police Chief Catalano stated that he had a Police officer transfer to the Town of Vestal, leaving an open position. He asked Council to lift the hiring freeze in order to allow him to begin a long process of replacing that officer. The council questioned the reason the officer left, the fact that the City paid for his training, and the possibility of recouping some of the costs involved.

Mayor Tobin asked the Council if they would like to place this item on the December 18<sup>th</sup> agenda for consideration.

Item #8 Discussion regarding crows in the city (Tom Michales)

Alderman Michales looked for information from the Crow Committee. The idea of chasing the crows is not accomplishing anything, it only serves to chase them from one ward to another and back again.

Alderman Bird noted that more CD's will be placed higher in the trees, and her research is continuing on how to solve the problem.

Several residents from 42 Church Street were in attendance and expressed concerns of the crow feces, if the health of people and pets were in jeopardy with so much excrement on the sidewalks and getting tracked inside. Vehicles are a constant mess.

The Mayor noted that sidewalks remain under the responsibility of landowners and suggested the tenants should talk to the person responsible for the upkeep of the senior building. He suggested setting up a time to come to 42 Church Street and meet with some of the concerned residents, or they would be welcome to attend the next Crow committee meeting.

Mack Cook stated that the past few nights, the Courthouse has not been lit and the numbers of crows in that area have diminished.

Item #9 - Consideration of a Resolution to authorize the Mayor to enter into a lease agreement with the New York Susquehanna and Western Railway Corporation for the Central Avenue Passenger Station. (Mack Cook)

Motion By: Alderman Ferrer

Seconded By: Alderman Bird

Mayor Tobin stated that this would be a great opportunity for some community use.

The Railroad uses a very small part of the station for their work crews, Mack Cook explained that the Railroad has spent about ¼ million dollars on the façade and the interior of the building. Discussions on what the Railroad intended to do with that building suggest it would be perfect for a civic purpose, not one particular group, but any civic purpose. The lease is not us leasing to another entity, it is a no cost lease for five years between the City and the Railroad. If the City decides that civic use is not possible, ninety days notice would end the lease and the property would go back to the Railroad. The railroad would be responsible for plowing the lot, and the City would only be responsible for clearing a small section of sidewalk. What organizations might be a good fit to use the station will be a future discussion.

Approved: Ayes – 8  
Nays - 0

**RESOLUTION #210** OF 2012 – Resolution to authorize the Mayor to enter into a lease agreement with the New York Susquehanna and Western Railway Corporation for the Central Avenue Passenger Station. (Mack Cook)

Item #10 - Discussion regarding a request from the Housing Committee for an update of the rental registration law and the three unrelated lawsuits (Law Dept.)

Mayor Tobin confirmed with Corporation Counsel that this should be discussed in Executive Session. The question was directed to the Council if the 3 unrelated law could be enforced at this time, to Which Kelly Colasurdo said no, not into it is passed as a law.

Motion to go into: Alderman Dye  
Seconded By: Alderman Silliman

Approved: Ayes – 8  
Nays - 0

To discuss ongoing litigation.

Motion to come out of Alderman Dye  
Seconded By Alderman Silliman

Approved: Ayes – 8  
Nays – 0

New Business

No new business to discuss.

Adjournment

Motion By: Alderman Quail  
Seconded By: Alderman Bird

**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 18th DAY OF SEPTEMBER, 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**

