



City Council Minutes  
The City of Cortland  
March 5, 2013

Council Meeting #5  
March 5, 2013  
Regular Session  
City Hall  
7:00 PM

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

Absent: Alderman Quail

Staff Present: Corporation Counsel Kelly Colasurdo, Director of Administration & Finance Mack Cook, Police Chief Frank Catalano, Fire Chief Chuck Glover and City Clerk Judi Chamberlin

Mayor Tobin called the fifth Common Council meeting of the year to order at 7:05 P.M.

#### PLEDGE OF ALLEGIANCE

#### Public Comments

Mayor Tobin asked that public comments be limited to 3 minutes, address concerns that can be addressed by the Council, and be addressed to the Council as a whole.

Susan Williams was present to speak about the Suggett Park Garden. Ms. Williams is a resident of Katy Silliman's ward and asked that the Council consider approving the proposed garden in Suggett Park. She had attended the forum Thursday night, spoke briefly there, and had sent emails to each Common Council member. She recognized the various concerns from some neighbors of the Park, but expressed her reasons why she thought the entire Community should support the idea.

Next to speak was Jim Reeners to speak on behalf of the City Housing Committee regarding the paving plan, which he believed Mack Cook was putting forward. Mr. Reeners stated that one of the few things that the City can do visibly for everyone is to maintain the streets. Well maintained streets affects the value on homes and businesses, but it also reflects directly upon the stewardship of the City and how the City is cared for. The Committee was supportive of the million dollar five-year revolving credit to fund street paving, but Mr. Reeners thought the City should have a better plan, work on establishing a long-term fund just for street repair to allow repaving of a few streets every year.

Next to speak was Anthony Stevens, a resident of Van Hoesen Street, in regards to the Wickwire Pool Trust Fund. He presented a donation to add to the Fund. Mr. Stevens stated that he was a life long resident of Cortland and thinks the Pool is an important Community asset.

Regarding the Community Garden in the Park, he felt that allowing this garden could lead to other organizations wanting to do the same. Mr. Stevens felt the park should be used for organized sports and simple games that children play there.

Lastly to speak was Tom Gobel with questions concerning grants and their usage. He wondered if the City might be able to apply for a grant to repair the Wickwire Pool.

## **MINUTES**

**RESOLUTION #30** of 2013 – Resolution to approve the minutes of the February 19, 2013 Meeting.

Motion By: Alderman Silliman  
Seconded By: Alderman Bird

Approved: Ayes – 7  
Nays – 0

Bills were reviewed.

Alderman Dye questioned cleaning cost (Advantage).  
Mack Cook explained Advantage is used now rather than doing it in-house.

### Ward Reports

Ward 4 – Alderman Bennett

Fourth Ward was quiet.

Ward 8 – Alderman Michales

The Eight Ward meeting is still on schedule for next Wednesday at City Hall. It was brought to Alderman Michales attention a couple days ago regarding towing fees the City charges; complaints have been made that people were charged with fees beyond the fees of the contract. He asked if it involved one towing company or all companies the City contracts with.

Police Chief Catalano responded

Ward 3 – Alderman Dye

He attended the meeting for the Community Garden on Thursday night; about 50 people were present.

## Ward 2 – Alderman Silliman

She was dismayed to hear there was so much opposition at the meeting on the Garden. A lot of residents would like to see a Community Garden in the Park.

Two of her constituents contacted her to say they do not want cameras on Main Street.

## Ward 1 – Alderman Bird

The First Ward met on February 28<sup>th</sup> to voice their concerns and opinions on the Community Garden, the majority not happy with the location. She commended Sara Watrous and the Committee for all their hard work, and listening to the constituents.

## Ward 7 – Alderman Ferguson

Some of the issues are the sort that she did not wish to speak about now, but had discussed with Chief Catalano.

She also had people contact her to let her know they were not in favor of cameras on Main Street. Her idea was to look into a canine unit.

## Ward 6 – Alderman Ferrer

Nothing to report.

## Mayor's Report

There was a press conference last Wednesday on the federal budget sequestering, which will have an impact on school districts and potential impact on several programs that serve the needy, the people least likely to afford such an impact. Cuts would be made in such programs as Head Start, FEMA (Federal Emergency Management Agency), and Home Energy Assistance Program. Loss of funds for Teacher Aids, Special Education, and funds for expensive equipment for small municipalities will have a huge impact in the near future.

The Mayor also had an opportunity to speak to Leadership Cortland and present City government in general and about some of the good things in City government.

He would like to add to the agenda, after some discussion with some Council members, after item #7, an Executive Session to discuss final contract negotiations and current litigation.

## Pink Sign off Sheet

**RESOLUTION #31** OF 2013 – Resolution to allow the Mayor to appoint the District Attorney's secretary Donna Johnson, staff Mary Lou Pai and Tammy Bergmark as Commissioner of Deeds (Mayor Tobin)

The Mayor noted that Commissioner of Deeds is important to the DA's office. These are reappointments.

Motion By: Alderman Ferrer  
Seconded By: Alderman Ferguson

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #32** OF 2013 – Resolution to authorize the establishment of a one million dollar five-year revolving line of credit to fund street paving and repairs and pledge the annual allocation of CHIPS funding for repayment. (Mack Cook and Chris Bistocchi)

Mack Cook explained that the plan is to use the City’s allocation of CHIPS money that comes from New York State, which originates from the State and Federal gasoline tax money that is paid at the pump. The money is restrictive and is not free money. The Department of Public Works would draw against the line of credit for the funds needed for paving. Mr. Cook gave an overview of the plan and the debt service.

Chris Bistocchi explained the planned paving schedule and fielded questions from the Council.

Real estate agent Jamie Yaman also spoke in favor of the repaving of City streets as needed in order to preserve perceived property values in the City.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #33** OF 2013 – Resolved to retain Benefits Consulting Group to file application with and pursue from Medicare Services the Medicare Retiree Drug Subsidiary for an annual fee not to exceed \$8,000.00 (Mack Cook)

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

Mack Cook explained that when Medicare Part B came into law back in 2004, there was always an incentive in both the private and public sector that offered so that employers would continue to offer retiree drug care. The Government offered to subsidize a portion of the employer’s cost.

**RESOLUTION #34** OF 2013 – Resolution to transfer responsibility to assign street numbers from the City Assessor to the County Planning Department. (Chief Glover)

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

Mayor Tobin noted that this pertains to street numbers for new properties, of which the City has very few. The City Assessor has assigned only one house number in the past three years.

Dan Dineen of the County Planning Department explained that when the 911 emergency system was first implemented, there were no cell phones and calls were tied to a land line. The State has now implemented an enhanced 911 service which ties a call to an address.

**RESOLUTION #35** OF 2013 – Resolution to have monies reimbursed from FEMA for the SAFER grant and to be appropriated to the fire department budget line as follows: (Chief Glover)

Account # A3410-415 (contractual)  
Amount: \$28,040

Motion By: Alderman Ferrer  
Seconded By: Alderman Bird

Approved: Ayes - 7  
Nays – 0

**RESOLUTION #36** OF 2013 - to accept and recognize the following donations from local businesses and individuals and request the funds be deposited into the Wickwire Pool Trust Fund. (John McNerney)

Matthew McSherry	-	\$ 250.00
Donald & Catherine Smith	-	\$ 100.00
Margarette Kabanuk	-	\$ 50.00
Calendar Sales	-	\$ 260.00
Anthony Stevens		
	Total:	\$ 660.00

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes - 7  
Nays – 0

Item # 7 - Discussion of blue bags (Chris Bistocchi)

Mayor Tobin stated there had been some discussion on the color of the garbage bags and whether the color might deter the crows, but apparently color does not affect crows. Cost of changing the color was also a factor, which would be more expensive to change from blue to yellow. The recommendation was for the Department of Public Works to contact the supplier to ask for a few samples of different colored bags to try. To minimize the chance of crows tearing into the bags, the bags should be in a container until picked up by the hauler.

### Executive Session

To discuss final contract negotiations and current litigation.

Motion to go into: Alderman Bennett  
Seconded By: Alderman Ferrer

Motion to come out of: Alderman Bennett  
Seconded By: Alderman Ferrer

**RESOLUTION #37** OF 2013 - Resolution to approve the collective bargaining agreement with the Civil Service Employee Association, Local 1000 (CSEA) Union covering the time period from January 1, 2012 through December 31, 2015 and further authorizing the Mayor to sign said Agreement. (Kelly Colasurdo)

Motion By: Alderman Silliman  
Seconded By: Alderman Bird

Approved: Ayes - 7  
Nays – 0

**Resolution #38** OF 2013 - Resolution to retain Allen Peterman, Esq. of the firm Hiscock & Barclay to represent the City in two grievances filed: the demand for overtime pay by members of CSEA Union for work done to clean up Main Street in preparation for various events such as the NY Jets Training Camp, and additional duties assigned to union members since the dissolution of the Public Safety Department.  
(Mayor Tobin)

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes - 7  
Nays – 0

**RESOLUTION #39** OF 2013 – Resolution to retain Alan Peterman, Esq, of the firm Hiscock & Barclay to represent the City in the demand for overtime pay by members of CSEA Union for work done to clean up Main Street in preparation of the NY Jets training camp.

Motion by: Alderman

Seconded By: Alderman

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #40** OF 2013 – Resolution to hire Alan Peterman to represent the City in legal action where the CSEA is challenging the City’s right to assign responsibilities.

Motion By: Alderman  
Seconded By: Alderman

Approved: Ayes –  
Nays -

Adjournment

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes - 7  
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 5th DAY OF MARCH, 2013. 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