



City Council Minutes
The City of Cortland
March 4, 2014

Council Meeting #4
March 4, 2014
Regular Session
City Hall
7:00 PM

Present: Mayor Brian Tobin, Alderman Bennett, Michales, Silliman, Dye, Bird, Ferguson, Dutcher and Ferrer

Staff Present: Corporation Counsel Richard Van Donsel, Director of Administration and Finance Mack Cook, Chief Catalano, Confidential Secretary to the Mayor Shellie Blaisdell

Opened the Public Hearing at 6:45 pm: To hear comments on an agreement with the United States Environmental Protection Agency that will compromise property taxes on the Buckbee Mears property.

Closed the Public Hearing at 6:46 pm. No speakers for this public hearing.

REGULAR SESSION:

Mayor Brian Tobin called the forth Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Public Comments:

Tom Gobel:

- After the last meeting Tom was speaking with Mayor Tobin and he wanted to apologize, he meant no disrespect; he was just frustrated.
- Feels we all need to work together, the “8 little cities”, come together and have a conference with head of the County and Cortlandville and Mayor and include the airport to have a big marketing concept and new ideas.

Minutes of the February 18, 2014 meeting:

RESOLUTION #43 of 2014 – Resolution to approve the February 18, 2014 Common Council Minutes.

Motion By: Alderman Bennett

Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Ward Reports:

Wards 4 (Bennett), 6 (Ferrer), 5 (Dutcher), 7 (Ferguson) and 1 (Bird)

- Reported all quiet in their wards

Ward 8 – Tom Michales

- Street related issues; discuss in another city meeting but to come up with ideas. Chris Bistocchi enlighten to what can be done in future.
- Would request an executive session to discuss an employee performance.

Ward 2 – Katy Silliman

- For the hill on the weekends there is a lot of foot traffic and noise in the middle of the night.
- Big issue of pot holes but realizes they are being fixed.

Ward 3 – Ken Dye

- Recycling issue with Casella but the problem has been taken care of.

Mayor's Report:

- Mayor Tobin reported he attended leadership Cortland with Martha Hubbard through TC3-with the intention of helping people with leadership Skills – a way to contribute to the city and community as a whole.
- Attended “Engage CNY” an event with the region (several counties) to find grant funding opportunities to support the arts and cultural offerings; it was a strong gathering coming together to help answer the questions of what do we have and want do we want to have
- Attended the County Meeting of the Ash for Trash and with assistance from Bruce Adams expressed concerns about potential of the ash coming to Cortland and how to address those concerns.
- Common Council Retreat priorities and goals of one to two years which will be discussed further at the State of the City Address on Wednesday, March 5, 2014. It is a requirement of the Charter to hold before March 15th each year.
- Meeting with DPW and Frank Pizzola about the sidewalks and will have another meeting to continue those discussions.

Mayor Tobin read a Proclamation in support of St. Baldrick's Day; a day to recognize and honor children with cancer.

Mayor Tobin read a Proclamation in support of the American Red Cross – proclaiming March as American Red Cross Month.

Resolution #44 of 2014 – Resolution allowing the City of Cortland to close Pomeroy Street between Elm Street and Central Ave to through traffic on Sunday, June 8, 2014 from 6:00 am until 9:00 pm for the St. Anthony's Day Festival planned for June 7 and June 8, 2014.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #45 of 2014 – Resolution authorizing the Mayor to enter into an agreement with H. Sicherman Company, Inc. of Amherst, NY for the de-federalization of Community Development Program Income.

Program income is money generated by grants – stays in city and termed program income. Came from federal money. Stays federal money. Loans to business, or housing loans that are outside grants. If you go through a de-federalization process, it allows for more flexibility as to what you can do with the money. There are legal requirements and Thoma is not comfortable with the process. Going through Harry Sicherman (former Thoma) who has worked with this before.

There would be a grant agreement with a local third party – created organization. City has some hand in it. Community grant agreement, blue print, by which to operate. Doesn't lose federal flavor immediately. Still have program income, loan it out, assigning the note over to the LDC.

Money to pay Sicherman is from program income. It will alleviate the headache the program income comes with – it is a good idea. Hoping state would come up with a plan but that is not likely.

Meeting has been set up with Harry Sicherman and more information will be available after that.

Motion By: Alderman Ferrer
Seconded By: Alderman Ferguson

Approved: Ayes – 6
Nays – 2 (Alderman Bird, Dutcher)

Resolution #46 of 2014 – Resolution authorizing the Mayor to sign the agreement by and between United States Environmental Protection Agency and the City of Cortland regarding Buckbee Mears Co. site.

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

Resolution #47 of 2014 – Resolution rescinding resolution #107 of September 9, 2009 to return Buckbee Mears property to tax rolls.

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Resolution #48 of 2014 – Resolution to adopt local law #1 of 2014 which will amend the city code to permit Mobile Ice Cream Vendors to operate in certain areas of the City of Cortland.

- Alderman Bird feels a concern of limiting this law only to Ice Cream will have to readdress this as a food truck eventually.
- Item number 1 should be drawn out more with the “etc...”
- Two vehicles limited – redundant comment. And is limiting how many vehicles

- Nothing mentioned about a background check. Dealing with children should have a background check.
- More things should be considered so we don't have to readdress this later.
- Alderman Bennett – most other municipalities limit to 2 trucks. Food trucks require many additional rules and regulations and should be treated as a separate law.
- Alderman Ferguson concerned there is no mention of any background checks written in this law. Chief Catalano stated a criminal background check can only be performed for certain things; this is not one of them. We cannot legally request a background check.
- And, there is not enough to protect downtown business.

Roll Call Vote: (Ayes – 4 and 4 Nays)

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|----------|-----|
| Bennett | Aye |
| Michales | Nay |
| Silliman | Aye |
| Dye | Aye |
| Ferrer | Nay |
| Ferguson | Nay |
| Dutcher | Aye |
| Bird | Nay |

Mayor Tobin carried the vote as approved.

Resolution #49 of 2014 – Resolution to approve the following donations to the Wickwire Pool Trust Fund.

| <i>Donations</i> | <i>Amount</i> |
|-------------------------------|-------------------|
| Pall Corporation | \$5,000.00 |
| <i>Total Donations</i> | \$5,000.00 |

Motion By: Alderman Bird
 Seconded By: Alderman Bennett

Approved: Ayes – 8
 Nays – 0

Discussion for Council to establish dates to receive public comments regarding the City of Cortland's Local Law #2 that would prohibit parking; on Church Street, west side for a distance of 20+ feet north of the existing driveway of 25 Court Street eliminating one parking spot.

Public Hearing is set for March 18, 2014 at 6:45 pm

Resolution #50 of 2014 – Resolution to approve the appointment of Jim Reeners to the Planning Commission.

- Alderman Ferguson feels he will do well on the board due to his experience but does feel there will be a conflict of interest.
- Alderman Bennett feels his experience will be an asset to the board.
- Per Corporation Council, should there be a conflict of interest; Mr. Reeners would recues himself from voting or discussion for the commission.

Motion By: Alderman Silliman
Seconded By: Alderman Michales

Approved: Ayes – 6
Nays – 2 (Alderman Bird and Ferguson)

Resolution #51 of 2014 – Resolution to approve the appointment of William Wood to the Fire Board Commission.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #52 of 2014 – Resolution to approve the specifications for the request for proposal for Garbage, Trash and Recycling Contract.

- Ric VanDonsel explained we need to go by an RFP rather than an extension on the existing contract to make sure we follow state procurement requirements. These specifications are consistent with past RFP's the city has done in the past.
- Chris Bistocchi states 30 day period to cease and desist our contract and is standard in all city contracts.
- Casella attorney have been advised. We will not be doing the contract voted on in December.

Motion By: Alderman Dutcher
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Resolution #53 of 2014 – Resolution to abolish the current Automotive Mechanic Position.

Trying to accomplish one thing at a time to make the department function more efficiently. Current job description is more of an automotive mechanic and needs to move into more of what it should be and able to work on more equipment.

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #54 of 2014 – Resolution to create a new Heavy Equipment Mechanic Position.

Will follow the County job description and will include NYS Inspection license so more can be done in house. Currently spending more in outsourced repairs that could be done cheaper in house. This would allow assisting in the larger equipment tasks and supervising a staff. Would like to try to fill this position from within.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #55 of 2014 – Resolution to lift the hiring freeze to fill Heavy Equipment Mechanic Position with current employee contingent upon Common Council approval of a negotiated pay scale.

It is up the Common Council, Mayor and CSEA to set the pay scale and the time frame on posting the job, finding eligible employees to bid on the job based on seniority and skill set. An MOA would be required and then post the opening.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Executive Session

A Motion was made to go into Executive Session for:

- 1) An employee performance/personnel issue

Motion By: Alderman Ferrer
Seconded By: Alderman Michales

Approved: Ayes – 8
Nays – 0

A Motion was made to come out of Executive Session.

Motion By: Alderman Ferrer
Seconded By: Alderman Michales

Approved: Ayes – 8
Nays – 0

Resolution #56 of 2014 – Resolution based upon job performance and acceptance of supervisory responsibilities and exceptional performance in the job to increase the base salary of the Superintendent of Public Works by an annual pay rate of \$5,000 effective April 1, 2014.

- Alderman Michales commented with looking at all the responsibilities taken on, should have be done a while ago.
- Alderman Silliman likes the efficiency he runs the department and creative problem solving and is now head of three departments.

Motion By: Alderman Michales
Seconded By: Alderman Bennett

Roll Call Vote: (Ayes – 4 and 4 Nays)

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|----------|-----|
| Bennett | Aye |
| Michales | Aye |
| Silliman | Aye |
| Dye | Aye |
| Ferrer | Nay |
| Ferguson | Nay |
| Dutcher | Nay |
| Bird | Nay |

Mayor Tobin carried the vote as approved.

ADJOURNMENT

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

I, RAY 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 21ST DAY OF JANUARY, 2014. 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.

RAY PARKER, CITY CLERK

MAYOR BRIAN TOBIN