



City Council Minutes
The City of Cortland
January 6, 2015

Council Meeting #1

January 9, 2015

Regular Session

City Hall

7:00 PM

Present: Acting Mayor Tom Michales, Alderman Bennett, Bird, Dutcher, Ferguson and Ferrer, Silliman

Absent: Mayor Brian Tobin, Alderman Ken Dye

Staff Present: Director of Administration and Finance Mack Cook, Corporation Counsel Ric VanDonsel, Fire Chief Glover, Police Chief Catalano, Confidential Secretary to the Mayor Shellie Blaisdell, City Clerk Ray Parker

Public Hearing #1 – To hear comments on the proposed change from a part-time zoning officer to a full-time zoning officer.

The Public Hearing opened at 6:47 pm.

- Ann Doyle –Feels we need a full-time zoning officer and supports it but does not feel the person in the position should report to the Mayor.
- Gerry Ruggiero – Expressed opinion that the Council does not have a legal right to vote on this tonight. Does not feel the person in the position should report to the Mayor, it should remain in the Code department.
- Steve Muka – Agrees with prior speaker (Ruggiero) asked questions: will there be a candidate search, will the protocol that has to happen over this move with Civil Service exam.

The Public Hearing closed at 6:48 pm.

REGULAR SESSION:

Alderman Tom Michales called the first Common Council meeting of the year to order at 7:00PM.

PLEDGE OF ALLEGIANCE

Public Comments: -

Tom Gobel – Wishes all a Happy New Year, and is hopeful for new business to downtown.

Gerry Ruggiero – Is glad to tell you what the flaw is in the new Nuisance Law that was passed December 2, 2014 – there is a 9th item which was added to a revised version of the law which is “Occupancy as defined by the Charter”. “Occupancy” is not defined by the City Charter – this

implies that “occupancy” is the definition of a nuisance. Gerry Ruggiero stated the City needs to take out the 9th item or change it to say “illegal occupancy” and define it a little better Justice and equality for all. Submitted material to ZBA highlighting inconsistent treatment of landlords, with a 2 ½ hour meeting. They tabled the discussions and will gather additional information to make a decision on the interpretation application.

Told the CC that he has substantial evidence of breaking the laws, credible documentation to support the accusation. Feels the City has a legal obligation to sit down and hear every side indicating the laws are not being enforced the same. Feels it is a violation of constitutional rights and wants a public forum to hear the evidence. He admits he has a written lawsuit ready to go, but will not file it if he can have a public forum to hear the evidence. He asks the Alderman to do their jobs and fix it and be accountable.

Linda Ferguson requested an Executive Session. No one seconded the motion. Alderman Ferguson states she wants to stop hearing all of the accusations and has asked for it to be an agenda item at the next Common Council meeting to hear both sides. Alderman Ferrer asked for a straw poll, and asked a second time for a straw poll. Alderman Michales asked the council if they wanted it to be an agenda item for discussion on some of the allegations being proposed. Alderman Bird and Ferrer both stated they want to have it at the next meeting. Alderman Silliman abstained indicating she wished to have a better idea on what exactly they would be addressing before committing to it; she stated this twice. Alderman Dutcher asked what the item is. Alderman Michales asked Mr. Ruggiero to submit his item to the secretary to the Mayor.

Gerry Ruggiero also states that the City does not have a full Ethics Commission and would like to be in front of the Ethics commission but there is not a full board. He also indicated there is one member on the Ethics Commission who is named in the lawsuit and would need to recuse himself.

John Troy (Agenda Items 7-12) – A long standing member of the Wastewater Advisory Board and feels for items number 7-12 are the best way to align the duties and the board voted unanimously to endorse the plan.

Derek Reynolds – Is in support of agenda item #5 – The City of Cortland contract for the Bunker Program – the City Fire Department has had 26 applicants since its inception many have moved on to pursue careers: paramedic, fire academy, and other city fire departments. The program has noticeable value and Derek said he sees great things out of this program. Also, Derek wanted to make the Council aware of the contract negotiations – it has been filed for arbitration. Expressed it is just a process and encourages open communication, the union is willing to talk.

Minutes of the December 16, 2014 meeting:

RESOLUTION #1 of 2015 – Resolution to approve the December 16, 2014 Common Council Minutes with amendment to attendance correction and resolution number 251 omit “how toes”.

Motion By: Alderman Bennett
Seconded By: Alderman Bird

Approved: Ayes – 5
 Nays – 0
 Abstain (Alderman Ferrer)

Ward Reports

Alderman Julie Bird, Clif Dutcher, Katy Silliman – No ward report

Linda Ferguson – unleashed dogs are still an issue, announced she is going to Kentucky for one month and will visit local government to share business ideas

Carlos Ferrer – quiet, has requested a moment of silence for Former Governor of New York, Mario Cuomo and the two NYC Police Officers who were killed two weeks ago.

Tom Michales – explained the snow blower thought to have been stolen was really being serviced for the property owner who was out of town.

John Bennett – The new City Assessor search has begun and interview process has started. Also stated that First Night had a fantastic fireworks display and the event was well attended.

Swearing in ceremony for Volunteer Chief Officers and Fire Police Personnel

The following volunteer officers and fire police personnel were sworn in by Ray Parker, City Clerk for the City of Cortland:

Volunteer Chief Officers: Lt. Michael Pitaro, Deputy Chief William Buttino, Assistant Chief Rich Allen, Assistant Chief Charles Sherman

Fire Police: Scott Fairbanks, Dannie Reynolds, Kelly Barber, Gerald Kalk, Joe Tucci, Gavin Stage, Kevin Lent, Chris Hines, Larry Carr (Joe Morales was not present to be sworn in to office-it is noted he will do it at City Hall during the week)

Moment of Silence – A moment of silence was given in honor of Mario Cuomo, former NYS Governor who died on January 1, 2015 and for New York City Officers Rafael Ramos and Wenjian Liu who were killed in the line of duty on December 20, 2014.

Resolution #2 of 2015 - Amendment to Agenda: Alderman Michales has requested items number 10-12 be removed and put on a future agenda. The items will require charter changes with a public hearing and local law. The resolution also sets a public hearing for January 20, 2015 at 6:40pm.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 6
 Nays – 0

Resolution #3 of 2015 – Resolution to move \$12,473 from contingency to the IT budget A16805405 for the purchase of a new spam filter and email archiver.

Dave Stathis stated there are problems with the current system which is five years old and it really needs to be updated. The new purchase is highly rated and is a top brand. The subscription for the service will be absorbed in the budget line, it is no additional expense from our current one.

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #4 of 2015 – Resolution to re-designate the eight (8) parking spaces immediately behind the Tompkins Trust Building which are currently designated Residential Parking to Hourly Parking effective January 19, 2015. (Agenda item was amended from original format-“ten hourly spaces” was removed).

Adam Megivern explained now that some of the construction is cleaned up it can free up the space. This will free-up some additional needed spaces to ease the burden to businesses.

Motion By: Alderman Silliman
Seconded By: Alderman Ferguson

Approved: Ayes – 5
Nays – 1 (Alderman Ferguson)

Item #3 – Discussion and possible Consideration of a Resolution to accept the changes of the part-time Zoning Officer to a full-time Zoning Officer Effective January 7, 2015.

The job description presented is a rough draft and will require maintenance. The full-time person is appointed by the Mayor and will comply with the Community Rating System required by the Flood PlaneTask Force. The City is working with the Cortland County Civil Service regarding the changes for this position.

This is a Charter change. The questions came up on who the FT Zoning Officer will report to on a daily basis; would like it clear on who will handle the documentation, complaints, and the day-to-day things that come up and to have clear decisions. Is looking for this person to be the “gatekeeper” of things coming in and going out. Is the Mayor to make zoning decisions with the changes of the FT Zoning Officer reporting to the Mayor? It was explained it would be an administrative and budgetary items.

“Item J” is being removed from the job description.

RESOLUTION #5 of 2015 – Resolution for the Mayor to sign the 2015 Mutual Aid Agreement. .

Chief Glover stated he understands the disadvantages to the City. Prior to last year there was no requirement, going back many years ago the Fire Chief would sign off they met the requirements of the Mutual Aid participation. Chief Glover does not feel comfortable doing that. He is bringing it back on an annual basis, make it a three year certification – ensuring we meet the certifications.

Motion By: Alderman Ferrer
 Seconded By: Alderman Silliman

Approved: Ayes – 6
 Nays – 0

RESOLUTION #6 of 2015 – Resolution to enter into an agreement for Memorandum of Understanding between the City of Cortland and the Career Firefighters Bunker 2015 Program.

This is the same contract that has been in place for the last 3 years. The benefits of the bunker allow for additional staffing where it is more manageable with guaranteed manpower. Bunker participant Katelyn Provided several scenario’s where the additional manpower were beneficial on the job and helps to protect each other and the citizens. She also stated the program allows the applicants to become better firefighters.

Motion By: Alderman Silliman
 Seconded By: Alderman Dutcher

Approved: Ayes – 5
 Nays – 1 (Alderman Ferrer)

Resolution #7 of 2015 – Resolution to approve the following donations to the Cortland Youth Bureau Budget/Trust Funds as indicated below:

<u>Donation</u>	<u>Amount</u>
<i>Sandra Ripic</i>	<i>\$200.00</i>
<i>Albert & Mary Beilby</i>	<i>\$500.00</i>
<i>Cortland Community Foundation</i>	<i>\$5,808.00</i>
<i>SUNY at Cortland Student Government</i>	<i>\$30.54</i>
<i>Ashley and Beverly Ellefson</i>	<i>\$100.00</i>
<i>Total Donations</i>	<i>\$6,638.54</i>

Motion By: Alderman Bird
 Seconded By: Alderman Silliman

Approved: Ayes – 6
 Nays – 0

Resolution #8 of 2015 – Resolution to create the position of Wastewater Treatment Plant Operator of Record.

Bruce Adams explained with redefining the organization of the WWTP is providing an economic tool.

Motion By: Alderman Silliman
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution #9 of 2015 – Resolution to Resolution to temporarily lift the hiring freeze in order to fill the position of Wastewater Treatment Plant Operator of Record.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution #10 of 2015 – Resolution to authorize the appointment of Ed Poole, a current employee, to the position of Wastewater Treatment Plant Operator of Record effective January 7, 2015.

Ed Poole, as the Operator of Record satisfies the stipulation in the consent order.

Motion By: Alderman Ferguson
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Item 10, 11, 12 and 13 have been removed from the original agenda. These items require a Charter change and will be presented at a future meeting.

Resolution #11 of 2015 – Resolution to authorize the Mayor to enter into Comptroller’s Contract No. D034816 by and between the NYSDOT and the City for the NE Gateway and Clinton Ave Corridor Enhancement Initiative.

Mack Cook explained the 2013 CFA process of \$650,000 re-design and enhancement of the bridge over river extending – River Street, Pomeroy Street and Clinton Street will allow us to begin the work funded through that grant. It will address the infrastructure of the City.

This allows the City to be prepared and ready to compete for the money from the Governor’s budgeted stimulus money; it will go fast but if you are prepared and ready you have a chance at some of those funds.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #12 of 2015 – Resolution to authorize spending up to \$5000 from contingency for Police NCBI Training on January 13, 2015.

A collaborative effort with SUNY Cortland will provide cultural diversity training to not only city police but other local law enforcement personnel. The training is conducted with a retired police chief from the state of Washington.

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 5
Nays – 1 (Alderman Dutcher)

ADJOURNMENT

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 6
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 6th DAY OF JANUARY 2015. 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