



City Council Minutes
The City of Cortland
March 3, 2015

Council Meeting #6

March 3, 2015

City Hall

7:00 pm

Present: Mayor Brian Tobin, Alderman Bird, Dutcher, Michales, Silliman, Ferguson, and Dye
Absent: Alderman Bennett, Ferrer
Staff Present: Director of Administration and Finance Mack Cook, Corporation Counsel Ric VanDonsel, Fire Chief Glover, Police Chief Catalano, Superintendent of Wastewater Department Bruce Adams, Superintendent of Public Works Chris Bistocchi, City Clerk Ray Parker

REGULAR SESSION:

Mayor Brian Tobin called the Sixth Common Council meeting of the year to order at 7:04PM.

PLEDGE OF ALLEGIANCE

Public Comments: There is no one to speak for public comments.

Ward Reports

Alderman Michales-Ward 8 – Request agenda item #10 (discussion and possible resolution regarding changes to the Charter on the Noise Permit and the fee for commercial business) be tabled until the April 7, 2015 meeting. Alderman Dutcher stated he would like to keep it open as a discussion because it has been delayed for too long already. A straw poll was taken: Alderman Bird and Dutcher are for keeping it as a discussion; Alderman Silliman, Dye and Michales are against. It will be tabled until April 7, 2015.

Alderman Silliman-Ward 2 – The Flood Committee is getting information out with pamphlets, flyers with information to include the flood insurance discounts if they meet the requirements.

Alderman Dye-Ward 3 – The Public Safety/DPW Commission will be holding their monthly meeting on March 10, 2015 at 6:30pm. The City contractor for trash removal will be there to hear of the issues and address concerns.

Alderman Ferguson-Ward 7 – Would like to request the Code Department to drive through the City and enforce for those not shoveling and removing snow from sidewalks. She feels the DPW is doing a good job with the strains the winter has caused.

Alderman Dutcher-Ward 5 – Has received many, probably more than a dozen calls about frozen pipes. Indicated insurance companies are not covering any loss. Would like to point out there is insurance out there for frozen pipes, could be costly but perhaps needed. Also noted, the amount of snow and sidewalk conditions hindered those needing to get around for the weekend Chill-a-bration event.

Alderman Bird-Ward 1 – Would like to request of Council to add an agenda item to discuss what residents can do with the extra water bill expense from having frozen pipes. Also, regarding the snow complaints – can the City look into some type of private snow plow business registry due to the problems they are creating by pushing snow into the streets or pushing into neighboring driveways.

Mayors Report –

If we have people (elderly) unable to take care of sidewalks and need assistance clearing sidewalks, please pass along emails and calls – there may be an option of getting SUNY Student volunteers to help clear snow away. Call 753-0872. There are students who are interested in Community Service.

Mayor Tobin is requesting the addition of an Executive Session to discuss progress on existing litigation.

Minutes of the February 17, 2015: A request to add Superintendent of Public Works Chris Bisticchi and Superintendent of Wastewater Dept. Bruce Adams to the minutes of February 17, 2015 as in attendance.

RESOLUTION #51 of 2015 – Resolution to approve the February 17, 2015 Common Council Minutes with amendment.

Motion By: Alderman Bird
Seconded By: Alderman Ditcher

Approved: Ayes – 4
Nays – 0
Abstain – 2 (Alderman Silliman and Ferguson)

Resolution # 52 of 2015 – Resolution to approve Bruce Adams, Superintendent of Wastewater to act on behalf of the City in matters relating to State funding assistance under the Environmental Conservation Law for a phosphorus reduction project and further that the city agrees it will fund its portion of said project within twelve (12) months of written approval of its application by DEC.

Bruce Adams – in 2013 made application to the State for water quality improvement projects. The City was awarded a grant in the amount of \$300,000 for phosphorus removal. It is already in the City plan and is a revolving fund-it will free up to add on or expand on. This is almost identical to what was approved in November 2013. The City's portion is 20%-and is already planned for, no additional money is needed.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

RESOLUTION #53 of 2015 – Resolution to lift the hiring freeze to promote within the DPW/Water Department the now two vacant positions of:

- a) DPW Motor Equipment Operator Heavy
- b) Water Distribution Maintenance Worker

There were two employees who retired in January and February, both with 35/33 years of service. The jobs will be posted internally for current employees to bid on. The plan if promoting from within will be to hire two new employees as indicated in the next resolution. There will be a cost savings to the City due to the higher salaries of those that retired vs. those being hired. Chris Bistocchi indicated current number of employees in the department is at 14, the addition will bring it back to 16.

Motion By: Alderman Michales
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution # 54 of 2015 – Resolution to lift the hiring freeze to hire two new employees for two positions of:

- a) DPW Motor Equipment Operator Light
- b) Water Distribution Maintenance Worker

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Discussion regarding the water services and what the City can do for those affected by freezing pipes and any increase with their water bills. Chris Bistocchi indicates this winter season is coming in a close second highest number (30 calls) of frozen pipes after 1993-94 season of 50 calls. He recommends leaving water faucets running slightly as one way to help. If there are people who feel their water bills went up due to this issue are encouraged to file a grievance with the City. The board meets quarterly and will review those grievances filed. The grievances will be reviewed by comparing prior quarters and prior year of same time period. The forms to file are available at City Hall, Franklin Street and will be put on the City website in the coming weeks. There is a short list of contractors with proper insurance available to those who request it.

Chris explained one issue is if the electrical system is grounded to the water pipe it, any work being done could possible send a current through the water to neighboring houses which could cause some damage. Older homes may have their systems grounded this way. Is there funds available through Thoma similar to what was offered during the flooding to those affected by having frozen pipes and repair bills. (As indicated there have been 30 to date).

Chris explained this season has been a challenge having no thaw to catch and could possibly bring additional challenges to the City once the snow begins to melt. There is no salt available with suppliers having a shortage due to the high demand the winter has brought. What salt the DPW has they are using it sparingly.

RESOLUTION #55 of 2015 – Resolution to transfer funds from the Snow Removal Reserve:

WHEREAS, The 2015 Winter has seen historic winter conditions and resulting demands upon the Department of Public Works’ snow removal equipment and;

WHEREAS, the City and the Department of Public Works continue to place the highest priority on the safety of motorists and pedestrians throughout the City and the removal of snow from the Downtown Core and;

WHEREAS, The City’s Fund Policy sets apart in the General Fund’s Fund Balance fiscal reserves to financial demands caused by abnormal winter weather without adversely effecting current City services and;

WHEREAS, the Snow Removal Reserve is replenished annually from the prior year’s operating surplus.

THEREFORE BE IT RESOLVED that \$25,000 is to be transfer from Snow Removal Reserve in the General Fund’s Fund Balance to Account 5110-5402, “Equipment Repairs-DPW” to provide funds to maintain the City’s snow removal fleet and equipment in operating condition.

With this winter season hitting hard and steady there has been a greater toll of the typical upkeep of equipment, the funds will be used to provide needed maintenance to the equipment.

Motion By: Alderman Dutcher

Seconded By: Alderman Bird

Approved: Ayes – 6

Nays – 0

Resolution # 56 of 2015 – Resolution to extend the time for the compliance with Resolution #29 of 2013 to December 31, 2015.

Ric VanDonsel explained the property of 17 Stewart Place as an abandoned property whose owners passed away with no heirs and a large Medicare debt acquired deeming the property as unsalable with debt exceeding house value. With Council approval, expenses to get paid with the balance coming to the City to extinguish liens in order to sell the house. This is a formality to allow cleaning up of the paperwork from the resolution #29 of 2013 and they just need a little more time to complete the process therefore asking for an extension through December 31, 2015.

Motion By: Alderman Silliman
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

RESOLUTION #57 of 2015 – Resolution to appoint Devon Rainbow s Deputy Registrar for the City Clerk’s Office.

This is the newly hired part-time clerk.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Discussion – to set a public hearing to amend the Charter C18-2; A – to remove the enforcement of the duty “Zoning” ordinances.

Ric VanDonsel explained this is really just housecleaning to follow the Charter changes made on February 17, 2015 of a full-time Zoning Officer.

A public hearing is supported by the Common Council and is set for Tuesday, March 17, 2015 at 6:50 pm.

Resolution # 58 of 2015 – Resolution to express support for the Enactment of the Abandoned Property Neighborhood Relief Act.

Alderman Michales would like Council to support for the Enactment of the Abandoned Property Neighborhood Relief Act (Zombie Law) which was first introduced to Council in the fall (2014) and is once again gaining momentum. This is a State level law which includes provisions for homeowners to stay in the property longer through the foreclosure process so the property is abandoned. It also includes a declaration for Code to have a local contact in regards to notification on violations (snow removal, grass cutting etc.)

Motion By: Alderman Michales
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

RESOLUTION #59 of 2015 – Resolution to adopt the Miscellaneous Revenue Budget for 2015.

This is an annual resolution. From the budget report at the beginning of the year there is \$73,675.16 and \$11,925.16 at the end of the year. It is primarily for beautification program,

regional sports council, music series, and Downtown Partnership to have a collection of different uses for engaging and to better the community.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 4
Nays – 2 (Alderman Ferguson, Bird)

Discussion and possible Consideration of a Resolution regarding changes to the Charter on the Noise Permit and the fee for commercial business. (Alderman Tom Michales)

- To reduce the noise permit fee to \$100 per event for a period of time or permanent.
- To allow commercial businesses to purchase a one-time fee for \$100 for multiple events. The business would need to apply for that permit by a specific date to be determined and they would still need to apply for each event.
- To set the noise permit end time for 10:00 pm.

This item was tabled until the April 7, 2015 Common Council meeting.

Resolution #60 of 2015 – Resolution to form a committee to make recommendations regarding City facilities and future usage.

This topic was first introduced at the February 17, 2015 Common Council meeting and is carried over from that. There is a need for a strategic plan for the City regarding all facilities and the task at hand for a committee to form a proposal / rough structure on how to go about meeting the needs of all departments regarding facilities and bring to Council for approval.

The revised motion: Resolution to form a committee to make recommendations regarding City facilities and future usage of Mayor Tobin, Alderman Ferguson, Alderman, Dutcher and another Alderman to be named at a future time.

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Executive Session – A motion was made by Alderman Silliman to go into Executive Session to discuss updated information on litigation and was seconded by Alderman Bird.

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 6
Nays – 0

Executive Session – A motion was made by Alderman Silliman to come out of Executive Session and was seconded by Alderman Bird.

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 6
Nays – 0

ADJOURNMENT

Motion By: Alderman Bird
Seconded By: Alderman Dutcher

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 3rd DAY OF MARCH, 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