



## City Council Minutes The City of Cortland June 16, 2015

Council Meeting #12

**June 16, 2015**

City Hall

7:00 pm

Present: Mayor Brian Tobin, Aldermen Linda Ferguson, John Bennett, Carlos Ferrer, Clifton Dutcher, Ken Dye, Katy Silliman and Julie Bird

Absent: Alderman Tom Michales

Staff Present: Corporation Counsel Richard VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, Superintendent of Public Works Chris Bistocchi, Supervisor DPW Nick Dovi City Clerk Ray Parker, and Confidential Secretary to the Mayor Shellie Blaisdell

### **REGULAR SESSION:**

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

### **PLEDGE OF ALLEGIANCE**

### **Public Comments:**

**Anita Parker** – lives at 35 Garfield Street and expressed frustration of her attempts to communicate her flooding concerns with various City of Cortland departments. She stated she contacted the DPW, Fire and Police over the course of several days during a period of heavy rainfall. She stated she did not feel the City responded appropriately to her concern of flooding, and the drainage/catch basin and drywells for Garfield Street. Anita Parker stated on Friday, June 12, 2015 she had three inches of water in her basement.

**Deb Monty** – Has lived at 37 Garfield Street for 27 years and during heavy rain, flooding has always been an issue. The water pools in the road and runs into neighbor's yard. Have put in sand bags at the curve but this year it has been the worse.

**Arnold Parker** – resident at 35 Garfield Street and has question as to why is the City making Main Street so nice before putting needs of the taxpayers first? Covering up and having DPW not respond doesn't get things done. The DPW said the equipment would be fixed by end of April/beginning of May – is there a maintenance plan for it? After 9 years – it does not get cleaned frequently – debris sits there for weeks. There is also a sewer smell.

**Ray Lynn Knolls** – is the 7<sup>th</sup> District Legislature and would like to discuss the removal of the traffic lights at Greenbush and Elm Street and Greenbush and Central – making both of them 4-way stops. Has many concerns-a stop sign is not visible and is not a very safe option. People speed through there now-a stop sign will not solve the problem. There are issues with parking – the lot at the County Office Building is packed all the time so there are parked cars in the street making the four corners hard to see. It may be more expensive to the City if pedestrians are hit – it is a blind intersection. People always run stop signs. Ray Lynn requests the City reconsider and push not to remove these lights for the benefit of human life.

**Proclamation** – The Mayor read the Summer Learning Day Proclamation and encourages support of continuous learning for the youth during summer months.

**Minutes of the May 19, 2015:**

**RESOLUTION #96 of 2015** – Resolution to approve the May 19, 2015 Common Council Minutes as amended.

Motion By: Alderman Bennett

Seconded By: Alderman Ferrer

Approved: Ayes – 7

Nays – 0

**Mayor Tobin** requested the addition of an agenda item be added as number 1 – to further discuss the issues faced by residents at 35 Garfield Street and the flooding on Garfield Street. He also requested the addition of an agenda item after item #3 for the “Taste of Downtown”.

**Alderman Ken Dye** has requested an Executive Session be added at the end of the agenda to discuss arbitration.

**Item #1** – (added) to address flooding issue on Garfield Street. Chris Bistocchi, Superintendent of Department of Public works addressed the concerns raised by residents on Garfield Street. With the first call in April 2015 it was explained the truck is not in service until later but the DPW would add Garfield to the list to clean the catch basin for May. In May, the vacuum truck was in disrepair-with outdated parts-where the process of fabricating their own parts were needed and it was sent out to another garage. On May 20 – the DPW did respond and went to do a physical inspection where there was no apparent water in the road which indicated the catch basins were working.

It was explained the water tables are high-the riverbanks are high, the ground is saturated and there is no capacity for run off. On June 10<sup>th</sup>, Chris Bistocchi, Nick Dovi, Mack Cook and Linda Ferguson met with the Parkers and set the parameters on how the issue would be addressed with the catch basin’s being cleaned out in the next week. In two days, another storm passed through with heavy downfalls and the Parkers were dealing with water in their basement.

The process of cleaning the catch basins is time consuming – filling the trucks, transporting to empty with back and forth trips. It could take many trips to complete so it is a slow moving

process. In the month of May there are 60 structures. They have gotten through 80% of the list using two crews. There have been 48 repaired out of 83.

**Resolution # 97 of 2015** – to approve an exotic pet permit of 2 chickens to JoAnn Gillette at 34 Pomeroy Street. (Alderman Tom Michales)

A motion was made by Alderman Ferrer to table the item until Alderman Michales is present to present agenda item. The motion was seconded by Alderman Dutcher.

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 7  
Nays – 0

**Item #3** – Presentation given by Youth Bureau Director John McNerney on the engineer status of the Wickwire Pool Renovation Project.

With a major need of repair and renovation, assistance with the State for grants and other funding we are able to begin the project. John presented the new design and time table with Aquatic Pools hired for engineering. The new pool design features zero grade entry pool, senior, and handicap accessibility and recessed ladders. There is a play area of 0-2 feet with a bench and play features. There is an 8 foot wide stair access – all the way across. There is eight lap lanes for competitive swimming. There will be buoy lines. It allows for the entry into the shallow end coming from the changing room.

The construction is scheduled to start in early September 2015.

**Resolution # 98 of 2015** – Consideration of a Resolution to allow “Cortland Comeback” to use the Courthouse Park on Saturday, August 8, 2015 from 9am-10pm and to waive the Noise Permit Fee for the event.

Vickie Burns, event organizer stated there are many former residents of Cortland County wanted to bring a positive event to Cortland. Their event will include the show mobile hosting bands throughout the day. There will be a food vendor, magician, DJ etc... The event is the same day as the Brockway Truck Show which draws a large crowd and the two events will work well together. Chief Catalano stated there has never been any issues with the Brockway Truck show and sees no issues for the Cortland Comeback event. The insurance will be provided at a later date.

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

**Resolution # 99 of 2015** – Consideration of a Resolution to allow the closure of the Marketplace Mall parking lot and have it remained closed and barricaded after the Main Street Music Series concert on Friday, July 10, 2015 from 10:30pm until Saturday, July 11, 2015 at 6pm for the set up and operation of the “Taste of Downtown” Festival’s Indie Comic and Craft Show that will host exhibits, comic and craft vendors, a juggler, and other entertainment.

Jane Witty, Downtown Partnership/organizer was present to address questions from Council. This is an annual event and is very well received.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**Item #4** – Discussion regarding proposed changes to add a stop sign at the corner of Garfield and Pomeroy Street and to set a public hearing.

This is a formality - there is no record in the charter to allow for this stop sign. At the direction of Corporation Counsel it was advised to put the stop sign back up due to liability. A public hearing was set for the July 7, 2015 Common Council meeting.

**Item #5** – Discussion regarding proposed changes to remove the traffic light at the corner of Greenbush Street and Elm Street and to add a four-way stop sign and to set a public hearing.

Due to the state of the ageing poles supporting the traffic lights, indicating a green pulley strap is being used as a substitute for the support of the light, the DPW and the Public Safety Commission is suggesting the council consider replacing them with solar powered, LED-flashing stop signs at the intersections. There have been 12 accidents at Greenbush and Elm in the past two years and said the signs would be a cost-effective alternative to upgrading and replacing existing poles and traffic signals.

Nick Dovi used the City of Oneonta, a comparable city to Cortland, has drastically less traffic signals. There are 32 in Cortland, 22 in Oneonta. The cost of repair and maintenance if the traffic light was done would be \$57,000 exceeding the budget of \$49,000. With this proposal it would be \$4,000 bringing significant cost savings as well as a safe and efficient alternative. There are four (4) other locations with the old green poles and two (2) other intersections with antiquated light systems.

There was concern expressed, and it was requested the DPW provide additional information to include a study of how many cars go through this intersection in one day, detail on the 12 accidents as noted above, and a request of looking for any other alternatives.

**Item #6** – Discussion regarding proposed changes to remove the traffic light at the corner of Greenbush Street and Central Avenue and to add a four-way stop sign and to set a public hearing.

It is the same proposal as Greenbush and Elm. There were concerns raised about the foot traffic at this intersection due to the County office building being at that intersection along with a bus stop which increases the pedestrian. There is concern for public safety.

**Resolution # 100 of 2015** – Resolution to enter into agreement with the NYSDOT for the construction phase of the locally administered Federal Aid Project PIN 375567, D035015, Safe Route To School Project at Barry Elementary School in the City of Cortland.

This is for the construction phase which won't begin until after December 1<sup>st</sup> due to the protection of the North American Bat with restrictions of April 1 through December 1. The DPW will remove the trees after December 1<sup>st</sup>.

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

**Resolution # 101 of 2015** – Resolution to authorize the Mayor to enter an MOU Agreement with the County of Cortland for the joint membership of the Tactical Response Unit for the City Police and County Sherriff.

Chief Catalano explained this is for a tactical team. The city currently has ten (10) officers and it is a 15 member team in an ideal team. The City itself does not have enough resources to accommodate 15 members which lead to talks with the County to train together. The specifics of the joint tactical team is for high risk investigations and can see the value. There is no cost to the City for this emergency response, high risk resource.

The agreement will have policy tactical team commander-the county is merely joining the team. There will be "incident" commander to use on each call basis.

Motion By: Alderman Silliman  
Seconded By: Alderman Ferrer

Approved: Ayes – 6  
Nays – 1 (Alderman Dutcher)

**Resolution # 102 of 2015** – Resolution to engage services with a utility auditor to examine the City electric bills.

There are 1400 street lights in the City of Cortland which the City pays utility on. The usage has never been audited. Alderman Bennett proposes the City utilize the services of Troy & Banks to see we are being billed correctly. At any given time we have street lights out. There is zero cost if there is no recovery and 30% of recovery if found.

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

Approved: Ayes – 6  
Nays – 1 (Alderman Ferguson)

**Resolution # 103 of 2015** – Resolution to encumber \$9,615.36 in the 2014 financial statements to fund services rendered by legal counsel for In-Rem proceedings.

This is for carrying over from the 2014 to budget to cover the \$10,000 incurred in 2015.

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 7  
Nays – 0

**Item #11** – Discussion on the Sign Ordinance to include review of the proposed local laws and setting a public hearing. Begin discussion on the rental signs.

The proposed sign ordinance includes the “for sale” updates and is consistent with current real estate signs. The 7 square foot is typical in residential areas, which is 6 square feet with a 1 foot riser allowed.

A public hearing was set for July 21, 2015 for the proposed local law of the Sign Ordinance.

**Executive Session** – A motion was made by Alderman Silliman to go into Executive Session to discuss arbitration and was seconded by Alderman Bennett.

Motion By: Alderman Silliman  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**Executive Session** – A motion was made by Alderman Ferrer to come out of Executive Session and was seconded by Alderman Bennett.

Noted Alderman Bird recused herself from the executive session due to a conflict of interest.

Motion By: Alderman Silliman  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**ADJOURNMENT**

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 7  
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 16<sup>th</sup> DAY OF JUNE, 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.**

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**RAY PARKER, CITY CLERK**

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**MAYOR BRIAN TOBIN**