



City Council Minutes The City of Cortland July 7, 2015

Council Meeting #13

July 7, 2015

City Hall

7:00 pm

Present: Mayor Brian Tobin, Aldermen Linda Ferguson, John Bennett, Tom Michales, Clifton Dutcher, Ken Dye and Julie Bird

Absent: Alderman Katy Silliman, Carlos Ferrer

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

PUBLIC HEARING #1: To hear comments on the proposal to add a stop sign at the corner of Garfield Street and Pomeroy Street.

- Karen Armstrong – Supports keeping the stop sign at the corner of Garfield Street and Pomeroy Street.
- Anita Parker – This is a real need to have the stop sign at the corner of Garfield Street and Pomeroy Street. Another concern is the re-routed traffic down Garfield Street.

PUBLIC HEARING #2: to hear comments on the proposal to remove the traffic light at the corners of Greenbush Street and Elm Street and to add a four-way stop sign.

- Nick Dovi – provided background information – there has been the need of immediate repairs due to tractor trailers hitting the poles. Repairs have been made with tie straps but that is not the answer, just a quick fix to the problem. It will cost \$50,000 to replace the traffic light. There are currently 4 of the old style traffic lights in the City-replacing all would be \$200,000. The review of the accidents at this intersection showed one (1) out of fourteen (14) was nighttime.
- Tony Pace – expressed concern of the seniors who use the County Office Building and safety of the citizens and employees should be considered. Wednesday's being the most car and foot traffic to the building-parking is a huge issue forcing street parking blocks away. A four-way stop won't work.
- Karen Armstrong – lives at 112 Elm Street and goes through the intersection several times a day. There are always children and their toys (balls) and animals around that intersection. She stated she has seen people cruise through stop signs and does not feel this is the appropriate solution. If it is the option of choice, she encourages the intersection be raised and it have a flashing light.
Linda Salamino – expressed her concern of a safety issue with a lot of children on those blocks-how are people to cross the street. If the tractor trailers are always hitting those lights then why are they allowed to travel on these streets?

- Jo Schaffer – this is a dramatic issue; Greenbush Street is a solid choice of travel on both intersections. The Parking lot of the County office Building is filled to capacity and it is critical the traffic light remains. No one really stops at potentially safe intersections. What is the price of a child or a senior citizen? Safety comes first.
- Dan Tagliente – who has the right of way? When maintenance issues come up-you have to take care of them as they go along. Where you save money on other areas, those savings can be applied to other areas-such as the replacement of traffic lights.
- Mike Dexter – a four-way stop is better than two-way at these intersections. Mike drives this route regularly and sees many children and seniors in this area. If it changes to a four-way stop, please educate the public, safety comes first. Recommends a flash and coordinate they are synchronized.
- Rosa Salamino – from 158 Central Avenue states Safety first. Cars are parked right to the corners of these streets which already causes concern for walkers.

PUBLIC HEARING #3: to hear comments on the proposal to remove the traffic light at the corners of Greenbush Street and Central Avenue and to add a four-way stop sign.

- Tony Pace - the cost to replace these are high, that is what a capital reserve can be used for. Having two traffic lights removed and replaced with four-way stop signs back to back is a big concern. Consider all the issues and put safety first.
- Karen Armstrong – there is a great deal of traffic on these streets plus children play in the empty parking lot at night. Are you willing to take extra precautions such as painting the road, have 6 foot signs with laser stop signs with blinking lights, having designated cross walks and provide education about the stop signs.
- Linda Salamino – Concerns are the same as in the prior public hearing. It is already a parking nightmare at the County Office Building. The four-way stop sign will add to the confusion in the area.
- Mike Dexter – has a niece living on the corner of Greenbush and Central and there has always been a concern of the tractor trailers that travel this route damaging lawns and other concerns. The tractor trailers should not be allowed this through-way.
- Kim Murch – of the 57 accidents – were tickets/fines issued?
- Ann Doyle – How much does a life cost and what is it worth?
- Brian Tobin – expressed the DPW is taking all into consideration and is relying on their expertise to improve the safety at these intersections.

REGULAR SESSION:

Mayor Brian Tobin called the Thirteenth Common Council meeting of the year to order at 7:17PM.

PLEDGE OF ALLEGIANCE

Public Comments:

- Tony Pace – Speaking on agenda item #18- has concerns and wants the public to understand it. Why isn't the county taking part? The benefits are for state wide ski centers. Doesn't feel it fits the business model. Please ask the hard questions to spend these funds.

- Anita Parker – flooding remains to be a problem on Garfield Street. Anita provided members of Council and the public with a handout of pictures associated with the catch basins and flooding. There is debris in the drains, broken asphalt and curbs. What happened to the engineering study of the infrastructure mentioned at the prior meeting?
- Also wanted to add she does not support the MarketNY/Ski grant- put the money into the City.

Ward Reports

Tom Michales – had a couch concern on a primary road-once it rains that free couch is not wanted by anyone.

Ken Dye – TC3's funding of \$33 million – saw fit not to pass.

Linda Ferguson – Thank you to constituents who came out to support the traffic signal issues.

Clif Dutcher – nothing to report.

Julie Bird – has received calls regarding vacant properties and has referred to the slow process of the Zombie Law.

Minutes of the June 16, 2015:

RESOLUTION #104 of 2015 – Resolution to approve the June 16, 2015 Common Council Minutes as amended.

Motion By: Alderman Bennett

Seconded By: Alderman Bird

Approved: Ayes – 6
Nays – 0

Mayor Tobin requested an Executive Session be added at the end of the meeting to discuss litigation.

Item #1 – Informational presentation on Solarize Central New York-Cortland County. (Frank Kelly)

A presentation was given to provide information from the Cortland Regional Development Plan to increase solar energy in Cortland County. NYSERDA is providing funding / loan money to eligible applicants who wish to install solar panels to their property. They are providing an outreach of education and workshops for those interested. The installers are required to meet best practices set by NYSERDA. People interested are encouraged to attend one of the many workshops scheduled and also to attend the open house tours set up in Cortland County. For more information: www.solarizecny.org.

Item #2 – Presentation report given by District Attorney Mark Suben on the criminal justice of the City of Cortland and Cortland County.

District Attorney Mark Suben presented an update on criminal justice in the City of Cortland and in Cortland County. Statistically, crime is down which is attributed to a good police presence with laws enforced. Some crime is just decent, hardworking people using poor judgement however some crimes are not forgivable. He spoke of the great things coming from the Child Advocacy

Center where some of the process has been streamlined and not so invasive to child victims of abuse. There is an increased ability to serve the children of Cortland County.

Resolution #105 of 2015 – Resolution to accept the following donations to the Cortland Youth Bureau Budget/Trust Funds as indicated below:

| Donation | Amount | Event | Budget Line |
|---|-------------------|------------------|----------------------------|
| <i>Charles Gardner</i> | <i>\$300.00</i> | <i>Wickwire</i> | <i>Wickwire Pool Trust</i> |
| <i>Excelsior Hook & Ladder Co. #2</i> | <i>\$500.00</i> | <i>Fire Camp</i> | <i>A-7550.5405</i> |
| <i>Orris Hose Co. #2</i> | <i>\$175.00</i> | <i>Fire Camp</i> | <i>A-7550.5405</i> |
| <i>Jean Maxwell</i> | <i>\$175.00</i> | <i>Fire Camp</i> | <i>A-7550.5405</i> |
| <i>Cleary Pizza of Cortland</i> | <i>\$150.00</i> | <i>Fire Camp</i> | <i>A-7550-5405</i> |
| Total Donations | \$1,300.00 | | |

Motion By: Alderman Bennett
 Seconded By: Alderman Bird

Approved: Ayes – 6
 Nays – 0

Resolution # 106 of 2015 – Resolution to approve an exotic pet permit of 2 chickens to JoAnn Gillette at 34 Pomeroy Street.

Alderman Michales interviewed and inspected the applicant and property. Applicant went through the proper process. It was discovered after the fact that one of the chickens was actually a rooster. Applicant is to return the rooster and get another chicken.

Motion By: Alderman Dutcher
 Seconded By: Alderman Michales

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

Resolution # 107 of 2015 – Resolution for street closures of Court Street and Main Street from Groton Avenue to Tompkins Street on August 8, 2015 from 8:30am to 4:00pm for the Brockway Truck Show.

Annual event that is well received in the community.

Motion By: Alderman Bennett
 Seconded By: Alderman Michales

Approved: Ayes – 6
 Nays – 0

Resolution #108 of 2015 – Resolution to allow the street closure at South Main Street between Union Street and South Avenue (Penny’s One-Cent Saloon) for an event to sponsor “The Office” Bikers on July 18, 2015 from 12:00 noon until 6:00pm.

The purpose of the street closure is to provide parking for the motorcycles.

Motion By: Alderman Dutcher
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #109 of 2015 – Resolution to approve funding for two microenterprise projects as recommended by the City’s Microenterprise Assistance Program (MAP) Review Committee. Funding to be provided from the City’s Fiscal year 2014 Community Development Block Grant.

Two start up projects. The first being a gently used clothing store for infants, teens and pregnant women. The second is an extension of the farm on South Avenue with the addition of a greenhouse. There is a Site Plan Review required and application will be presented to the Planning Commission.

Motion By: Alderman Dutcher
Seconded By: Alderman Bird

Approved: Ayes – 6
Nays – 0

Resolution #110 of 2015 – Resolution to amend City Code Article 5, Section 11-41: Stop Signs -to add a stop sign at the intersection of Garfield Street and Pomeroy Street facing west.

The stop sign is a replacement for one that was previously knocked down. It was discovered there was never legislation for the stop sign and this will formalize the need for one.

Motion By: Alderman Bennett
Seconded By: Alderman Ferguson

Approved: Ayes – 6
Nays – 0

Resolution # 111 of 2015 – Resolution to award the Tree Removal Contract to Carter’s Tree Service for \$15,250.00 for tree removal and \$165/hourly rate for tree trimming.

Carter’s was the lowest bid, they also won the bid last year and did a very good job for the City. It was mentioned the removal of stumps is included with the bid.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution # 112 of 2015 – Resolution to award the Elevator Modernization Contract to ThyssenKrupp Elevators America in the amount of \$49,306.92.

The bid came in slightly lower than anticipated. Some components will be re-used and others will be new parts.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 6
Nays – 0

Resolution # 113 of 2015 – Resolution to approve the MOA for the CSEA on the assignment of added responsibilities involving maintenance and operation of a City owned paving unit.

With the DPW purchasing a paver it does require a skill to run it. The labor agreement needs modification to reflect the additional job duties. There is a large cost savings to the City vs. hiring a company such as Suit Kote to do this work and having the paver allows the City schedule and not rely on another companies schedule to get the work completed.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

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

Resolution # 114 of 2015 – Resolution to reserve \$275,100 in the City Capital Project Fund for the Federal Aid Project PIN 375567, D035015, Safe Route to School Project at Barry Elementary School in the City of Cortland.

This is a reimbursable grant where it is funded first and then reimbursed.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution # 115 of 2015 – Resolution to appropriate proceeds from the Sale of one (1) retired unmarked police vehicle from the City of Cortland Police Department in the amount of \$4,900 to A3120.206.00 – Operational Equipment to be applied to the purchase of police vehicles in 2016.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 6
Nays – 0

Resolution #116 of 2015 – Resolution to authorize the sale of abandoned bicycles on Saturday, July 18, 2015 from 8:00am to 11:00 am at the Armory Drill Room on Wheeler Avenue (rear overhead door) and commit the proceeds 50/50 to the Wickwire Pool Fund and the Water Works Deer Fund.

This event was successful in prior years with the money going to City programs.

Motion By: Alderman Dutcher
Seconded By: Alderman Bird

Approved: Ayes – 6
Nays – 0

Resolution #117 of 2015 – Resolution to appoint Michael Magee to the Board of Assessment Review effective July 8, 2015 through July 7, 2020.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution #118 of 2015 – Resolution to appoint Martha Diehl and Tari Robbins as Tenant Representatives for the Cortland Hosing Authority for the Board of Directors effective August 1, 2015 and will expire on July 31, 2017.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution #119 of 2015 – Resolution to waive the \$3,000 in Vacant Building Registry Fees owing on the property located at 51-55 Main Street (Pothos Building) due to meeting the condition set by Common Council at the meeting of February 3, 2015 to have Phase I of the rehabilitation project completed by June 1, 2015.

The façade work has been completed while work does continue on the inside. A reminder the fees were never intended to be a money maker but more of a motivator to property owners to get buildings back into functional use.

Motion By: Alderman Bennett
Seconded By: Alderman Michales

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

Resolution #120 of 2015 – Resolution to execute the Assignment Agreement between the City and Downtown Partnership and advance funds from the City’s Capital Project and Development Funds towards the \$750,000 MARKETNY Grant reimbursable Ski Cortland expenditures.

Mack Cook provided information on this proposed grant. The City of Cortland in not paying for any of this grant and does not turn control of the administration at any time to Greek Peak or Virgil. This is an assignment of the contract to Downtown Partnership for their administration. We disperse the funds and then we (the City of Cortland) receives the reimbursement from the grant. It will bring in sales tax to the county which comes back to us all. It will help local businesses. Greek Peak has a large investment with a \$90,000 match to build a deck and \$500,000 they are funding for it. This is for destination advertisement to attract those to the area that will stay overnight. The funds cannot be used to advertise in other areas. The Town of Virgil sees the upside of this and is working with Greek Peak.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

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

Resolution #121 of 2015 – Resolution to authorize the Mayor to sign the amended Greater Tompkins Municipal Health Insurance Consortium Municipal Cooperative Agreement.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

Resolution #122 of 2015 – Resolution to engage the services of Randall + West and Stream Collaborative Architecture and Landscape Architecture from Ithaca, New York at a cost not to exceed \$5,000 funded from the Community Development Project Income account for the creation of a five-page Downtown Redevelopment Master Plan focusing on redevelopment opportunities including a supplemental sign page graphics of the visual imagining of a two-way Main Street.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

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

Resolution #123 of 2015 – Resolution to permit the closure of 150 feet of Clayton Avenue starting at its intersection with Main Street on August 1, 2015 from 10am to 10pm for the 40th Anniversary Celebration of the Dark Horse Tavern.

With this special event, there is a planned outdoor party. Neighbors were canvassed and there was no objection.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 6
Nays – 0

Resolution #124 of 2015 – Resolution to waive the City’s “Open Container” law to permit the consumption of alcoholic beverages on August 1, 2015 from 12pm to 10pm within a confined area on Clayton Avenue starting at the intersection of Main Street and proceeding 150 feet to the west.

Motion By: Alderman Dutcher
Seconded By: Alderman Bennett

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

Resolution #125 of 2015 – Resolution to permit amplify sound originating from the parking lot off Clayton Avenue adjacent to the west side of property owned by the Dark Horse Tavern between the hours of 12pm to 10pm on August 1, 2015.

It was noted that the college is not in session at this time.

Motion By: Alderman Dutcher
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #126 of 2015 – Resolution to set a public hearing for July 21, 2015 to amend Local Law #11 of 2014 – Membership “Energize NY”, set by Common Council on December 2, 2014 (Resolution #222 of 2014) to include “City of Cortland” as requested by State of New York.

Motion By: Alderman Bennett
Seconded By: Alderman Dutcher

Approved: Ayes – 6
Nays – 0

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

Motion By: Alderman Dutcher
Seconded By: Alderman Bennett

Approved: Ayes – 6
 Nays – 0

Executive Session – A motion was made by Alderman Dutcher 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 Dutcher
Seconded By: Alderman Bennett

Approved: Ayes – 6
 Nays – 0

ADJOURNMENT

Motion By: Alderman Bennett
Seconded By: Alderman Bird

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 7th DAY OF JULY, 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