



## City Council Minutes The City of Cortland November 17, 2015

Council Meeting #22

**November 17, 2015**

City Hall

7:00 pm

Present: Mayor Brian Tobin, Aldermen Linda Ferguson, Clifton Dutcher, Julie Bird, Carlos Ferrer, Kathryn Silliman (arrived at 7:38PM), Ken Dye, John Bennett

Absent: Alderman Thomas Michales

Staff Present: Corporation Counsel Richard VanDonsel, Director of Administration and Finance Mack Cook, Police Chief F. Michael Catalano, Fire Chief Charles Glover, Superintendent of WWTP Bruce Adams, City Clerk Raymond A. Parker, and Confidential Secretary to the Mayor Devon Rainbow

### **REGULAR SESSION:**

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

### **PLEDGE OF ALLEGIANCE**

### **Public Comments:**

Tom Gobel – Wants to congratulate Cortland State on their win. He believes one of the best marketing tools we have here is Cortland State.

Dr. M. Nagel – Voiced her concerns on the usage of ash for soil cleanup. She feels that more toxins would be released in to the river by using ash instead of what is currently being used.

Valerie Shank – Item # 3 on agenda says suspend rather than waive the fees for the property. She purchased the property in April 2013 with fees already on the property. There are a lot of things financially to be done to bring it up to code. She feels that because the fees are only suspended it is hurting her chances of selling the house because of all the fees hanging over the potential buyers head.

Tony Pace – Item #16 on the traffic signals. Wants to know about the consideration of public safety. A lot of the paint in those areas is faded. He wonders why the City can't make the trucks use an alternate route. They are too big to go down those streets. Keep them out of the residential neighborhoods. He would also like to speak in favor of using the ash for soil cleanup.

Bobbie Lansdowne – Speaking on behalf of her neighbors regarding the removal of the traffic lights. There is a fear that there will be an increase of speed within those areas and pedestrians won't have enough time to cross the roads to get to where they need to go.

**RESOLUTION #202 of 2015 – Minutes** - Resolution to approve the October 20, 2015 Common Council Minutes as submitted.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 6  
Nays – 0

**Proclamation** – Mayor Tobin read the Small Business Saturday Movement for November 28, 2015.

**Mayor Tobin** – In honor of the recent events in France and past events in New York, would like to take a moment of silence in memory of those lost and their families. With Council's permission, add executive session at the end of the meeting for contract discussions regarding negotiations with potential action afterwards.

**Resolution # 203 of 2015** – Resolution to adopt a Final Implementation Plan, as provided to the Common Council, for the City's recently awarded fiscal year 2014 CDBG Housing Rehabilitation Program. Alderman Bird questioned if there were any Council members on the CDBG, and if it was ok. She also questioned who is supposed to approve the loan. Ric VanDonsel explained that it is the Council's duty due to the charter to approve the loan after the loan committee approves who it goes to.

Motion By: Alderman Bennett  
Seconded By: Alderman Ferrer

Approved: Ayes – 6  
Nays – 0

**Resolution #204 of 2015** – Resolution to approve the Local Law on littering of places in plain view of the public and owners and occupants to keep sidewalks clean. This is to help police to ticket immediately if owners and occupants do not clean up the yard within a reasonable time.

Motion By: Alderman Bird  
Seconded By: Alderman Dye

Approved: Ayes – 4  
Nays – 2 (Ferguson/Dutcher)

**Item #3** – This item was pulled off the agenda.

**Item #4** – This item was pulled off the agenda.

**Resolution #205 of 2015** – Resolution to lift the hiring freeze for the Police Department.

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

**Resolution # 206 of 2015** – Resolution to fill the vacant position at the Police Department that was created on November 8<sup>th</sup>, 2015

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

**Resolution #207 of 2015** - Resolution to lift the hiring freeze for the Fire Department.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bird

Approved: Ayes – 7  
Nays – 0

**Resolution #208 of 2015** – Resolution to fill the vacant position of Administrative Assistant at the Fire Department or as an Administrative Aide in Code Department. The starting salary is 28,762 per year. Effective start date would be December 1, 2015.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bird

Approved: Ayes - 7  
Nays - 0

**Resolution #209 of 2015** – Resolution to create the position of Instrumentation Technician.

Motion By: Alderman Bird  
Seconded By: Alderman Ferrer

Approved: Ayes - 7  
Nays - 0

**Resolution #210 of 2015** – Resolution to temporarily lift the hiring freeze in order to fill the position of Instrumentation Technician.

Motion By: Alderman Bird  
Seconded By: Alderman Ferrer

Approved: Ayes - 7  
Nays - 0

**Resolution #211 of 2015** – Resolution to authorize the appointment of a current employee to the position of Instrumentation Technician effective November 18, 2015.

Motion By: Alderman Bird  
Seconded By: Alderman Ferrer

Approved: Ayes - 7  
Nays - 0

**Resolution #212 of 2015** – Resolution to lift the hiring freeze.

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes - 6  
Nays - 1 (Dutcher)

**Resolution #213 of 2015** – Resolution to promote within the Wastewater Department to fill the vacant position of Operator II effective November 18, 2015.

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes - 6  
Nays - 1 (Dutcher)

**Resolution #214 of 2015** – Resolution to temporarily lift the hiring freeze.

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes - 6  
Nays - 1 (Dutcher)

**Resolution #215 of 2015** – Resolution to hire via Civil Service’s eligible list to fill the vacant position of Operator I / Operator Trainee.

Motion By: Alderman Ferrer  
Seconded By: Alderman Silliman

Approved: Ayes - 6

Nays - 1 (Dutcher)

**Item #16** – Discussion of the report from the traffic signals study that was done. Nick Dovi was present to answer questions and concerns. It is still a concern that if the lights are removed on Pomeroy and Elm, it would become a race track. That intersection was suggested to be used as a 4 way stop if the lights are taken down. Mayor Tobin suggests that at the next meeting we look at all 3 intersections separately with discussions on each one individually.

**Resolution #216 of 2015** – Resolution for a new supplemental agreement with NYSDOT. Chris Bistocchi explained that he had a meeting on November 3, 2015 on the bridges that need to be repaired. The original amount that was approved by Council in September for this was \$6,240.00. Due to recent evaluation, they will need \$7,600.00. The idea is to repair 3 bridges in 2016 and the other bridge in 2017 as it will cost more to repair.

Motion By: Alderman Ferrer  
 Seconded By: Alderman Bennett

Approved: Ayes - 7  
 Nays - 0

**Item #18** – Discussion on blue bags. This is a pay as you throw system and has been working well. It seems as people are recycling more items rather than throwing them away. It is suggested that the price increase by \$0.25 for medium and large bags. Any additional funds may go towards a compost program. The new hauler will not be following the same schedule as the old hauler. Garbage will be picked up on the same day but may not be at the same time. Blue bags will be produced by the same company as they have been.

**Resolution #217 of 2015** – Resolution to adopt the City’s 2016 Budgets, the proposed Budget for the General Fund. There was some discussion regarding the increase in pay to the Common Council from \$3,500 to \$5,000. It was explained that there has not been a raise to Council members in a long time. There is a lot of time that is required from Council members. This will not affect tax payers.

Motion By: Alderman Dye  
 Seconded By: Alderman Silliman

Approved: Ayes - 4  
 Nays – 3 (Bird/Dutcher/Ferguson)

**Resolution #218 of 2015** – Resolution to adopt the City’s 2016 Budgets, the proposed Budget for the Wastewater Fund.

Motion By: Alderman Silliman  
 Seconded By: Alderman Bennett

Approved: Ayes - 5  
 Nays – 2 (Bird/Dutcher)

**Resolution #219 of 2015** – Resolution to adopt the City’s 2016 Budgets, the proposed Budget for the Water Fund.

Motion By: Alderman Ferrer  
 Seconded By: Alderman Bennett

Approved: Ayes - 4  
 Nays – 3 (Bird/Dutcher/Ferguson)

**Resolution #220 of 2015** – Resolution authorizing the City of Cortland, New York the issuance of \$1,839,000 in serial bonds to finance the cost of various capital improvements to be followed by SEQR Review. The SEQR review was done with negative environmental impact.

CFA#	Project Title	Award	Borrowing
#42349	Otter Creek Culvert Repairs	\$600,000	\$600,000
#42082	Smart Water Network	\$600,000	\$600,000
#39729	City-Wide Ped/Bike Planned Trail	\$39,000	\$39,000
2016/2017 CHIPS	Road Improvements	\$600,000	\$600,000

Motion By: Alderman Bennett  
 Seconded By: Alderman Silliman

Approved: Ayes - 7  
 Nays - 0

**Resolution #221 of 2015** – Resolution authorizing the publication of the estoppel notice providing a summary of the bond resolution adopted on November 17, 2015

Motion By: Alderman Ferrer  
 Seconded By: Alderman Silliman

Approved: Ayes - 7  
 Nays - 0

**Resolution #222 of 2015** – Resolution to authorize the issuance of \$800,000 in revenue anticipation notes of the City of Cortland, Cortland County, New York in anticipation of the collection of revenues to be collected during the fiscal year 2016. This is to promote the City of Cortland and Cortland County.

<b>CFA#</b>	<b>Project Title</b>	<b>Award</b>	<b>Borrowing</b>
#42488	Ski Cortland	\$840,000	\$750,000
#39724	Downtown Market Analysis	\$50,000	\$50,000

Motion By: Alderman Silliman  
 Seconded By: Alderman Bennett

Approved: Ayes - 4  
 Nays – 3 (Bird/Dutcher/Ferguson)

**Resolution #223 of 2015** – Resolution authorizing the filing of a no-match \$2 million NYSERDA Grant (PON 2828) to provide funding for the Anaerobic Digestion Project.

Motion By: Alderman Bennett  
 Seconded By: Alderman Silliman

Approved: Ayes - 7  
 Nays - 0

**Resolution #224 of 2015** – Resolution to express support for Assemblyman Michael Kearns’ (District 142) “Good Neighbor” bill requiring banks or other foreclosing entities to provide contact information to municipalities about whoever is responsible for maintaining a foreclosed property.

Motion By: Alderman Ferrer  
 Seconded By: Alderman Silliman

Approved: Ayes - 7  
 Nays - 0

**Resolution #225 of 2015** – Resolution express support for Assemblyman Michael Kearns’ (District 142) “Good Faith” bill requiring banks to make a good faith effort to maintain properties they hold in foreclosure until the foreclosure proceedings are completed

Motion By: Alderman Ferrer  
 Seconded By: Alderman Silliman

Approved: Ayes - 7  
 Nays - 0

**Resolution #226 of 2015** – Resolution to transfer \$14,000 from the general fund contingency account to DPW maintenance to fund the repairs made to the Sanitary Sewer Jet Rodder Truck

Motion By: Alderman Silliman  
Seconded By: Alderman Bird

Approved: Ayes - 7  
Nays - 0

**Resolution #227 of 2015** – Resolution to Form an ESD Smart Growth Advisory Committee as required by the Smart Growth Public Infrastructure Policy Act comprised of:

Ric VanDonsel (City of Cortland, Chair Person)  
Bruce Adams (WWTP, Vice-Chair Person)  
Adam Megivern (Downtown Partnership)  
Rich Cunningham (Thoma Development)  
Mack Cook (City of Cortland)

To serve as required. Anyone is welcome to be on this committee. Anyone that would like to join, please contact Ric VanDonsel and they can be appointed at the December meeting.

Motion By: Alderman Silliman  
Seconded By: Alderman Dye

Approved: Ayes - 7  
Nays - 0

**Item #30** – Discussion on Dog Park. Alderman Dutcher has nothing new to present. Katy Silliman has had a lot of interest in the park. They would like to have it within walking distance.

**Executive Session:**

- Contract negotiations

Motion to go into:

By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

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

Motion to come out of:

By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 7  
Nays – 0

**Resolution #228 of 2015** – Resolution to ratify an agreement between the City of Cortland and CSEA Labor Union representing employees in the Department of Public Works.

Motion By: Alderman Bennett  
Seconded By: Alderman Ferrer

Approved: Ayes - 7  
Nays - 0

**ADJOURNMENT**

Motion By: Alderman Dye  
Seconded By: Alderman Silliman

Approved: Ayes – 7  
Nays – 0

**I, RAYMOND A. 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 17<sup>th</sup> DAY OF NOVEMBER, 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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**RAYMOND A. PARKER, CITY CLERK**

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**MAYOR BRIAN TOBIN**