



## City Council Minutes The City of Cortland September 20, 2016

Council Meeting #17  
**September 20, 2016**  
25 Court Street  
6:30 PM

Present: Mayor Brian Tobin, Aldermen Michelle Mastropolo, Katy Silliman, Gary Thomas, John Bennett, Bill Carpenter, Carlos Ferrer, Adam Megivern

Excused: Alderman Thomas Michales

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

### **Public Hearing:**

Alderman Bennett opened the Public Hearing on Central Business Historic Overlay District regulations as encompassed in the Cortland NY Façade Renovation Handbook at 6:30PM.

Jo Schaffer – She has served on many City boards for a number of years. Jo would like to thank Mack Cook and Linda Kline for the work they have done putting the guidelines together. On the back page of the packet, there is no resource references cited from New York State. Back in 2006 the City was asked to take out a membership to be a Certified Local Government. This is part of the Historic Government. The state would provide exports and assistance regarding topics for little to no cost. The City can pass any Local Law they want but if they do not enforce these, then it's of no value to anyone. There are many violations on Main St. currently that have not been taken care of. She highly encourages everyone to attend a Historic Commission board meeting to see the time and effort they put into the meetings.

Ann Doyle – Agrees with everything Jo stated. She also invites everyone to go to the Historic Commission Board meetings and see how much time and effort Linda Kline puts into the meetings.

The Public Hearing was closed at 6:52PM

### **REGULAR SESSION:**

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

### **PLEDGE OF ALLEGIANCE**

**Public Comments:**

Jo Schaffer – Thank you for the post cards that went out regarding the Rental Permits. It was a good idea. She has noticed a safety issue for students crossing on Broadway. There are no signs or lights for the students and cars coming around the corner don't see them. The parking issue has been good so far on Pearl St., however they are now parking on Warren St. where there are no signs regarding parking.

**Mayors Report:**

The fluoridation Forum was well attended and some good information was given. There were a couple well known speakers both for and against municipal fluoridation. There were plans on a second forum but due to scheduling conflicts it has been canceled. A huge thank you to everyone that attended and helped make it successful.

**Proclamation** - Mayor Tobin read the Proclamation – Breast Cancer Awareness Month (October), Anti-Bullying Awareness Month (October), Disability Employment Awareness Month (October).

**RESOLUTION #226 of 2016** - Resolution to approve the September 6, 2016 Common Council Minutes as presented.

Motion By: Alderman Thomas  
Seconded By: Alderman Ferrer

Approved: Ayes – 7  
Nays – 0

**Resolution #227 of 2016** – Resolution to approve the special event application for Halloween Parade & Trick or Treating on Thursday, October 27 from 3PM – 7PM starting at 2 Main St.

Jane Witty explained that this is the 3<sup>rd</sup> year for this event and it seems to be a big hit with the community. It is the same route as the last year. Many more businesses on Main St. will be participating this year. Please register kids in advance on line and at the Cortland Free Library. There will be registration the day of as well. The theme this year is Heroes and Villains.

Motion By: Alderman Silliman  
Seconded By: Alderman Bennett

Approved: Ayes – 6  
Nays – 0  
Abstention – 1 (Megivern)

**Resolution #228 of 2016** – Resolution to approve the special event application for Cortland Elks Lodge, NY Football Tailgate on Sunday, October 9 from 1PM – 11PM at the Cortland Elks and the adjacent Groton Ave. lot.

Motion By: Alderman Silliman

Seconded By: Alderman Bennett

Approved: Ayes— 7  
Nays— 0

**Resolution #229 of 2016** – Resolution to approve the Sound Device permit for Woodman’s Pub.

The amplified music will be 7 days a week, open to close.

Alderman Thomas suggested that the City contact neighbors of businesses looking to play music as the ZBA does for people wanting a Variance. He has talked to a couple neighbors who are against this permit. The sound coming from the bar was rattling windows.

It was discussed that many of the bars on Main St. play music outside and if there are any concerns regarding the noise, people are encouraged to call the City Police and a noise violation can be issued. The form has been updated in the City Clerk’s office. Council would like applicants to be more specific with days and times for amplified music in the next year for all bars/taverns to be consistent.

Motion By: Alderman Bennett  
Seconded By: Alderman Carpenter

Approved: Ayes – 4  
Nays – 3 (Silliman, Thomas, Megivern)

**Resolution #230 of 2016** – Resolution to authorize the City to file an application for fiscal year 2016 housing funds from the New York State Office For Community Renewal, in an amount not to exceed \$500,000; to authorize the Mayor of the City of Cortland to sign said application on behalf of the City; and upon approval of said request, to execute a grant agreement with the State for such financial assistance to the City of Cortland.

This year’s application will be around \$250-300 thousand, 5% for administration.

Motion By: Alderman Silliman  
Seconded By: Alderman Mastropolo

Approved: Ayes – 6  
Nays – 1 (Thomas)

**Resolution #231 of 2016** – Resolution to approve a contract for energy audit services for the City’s fiscal year 2015 Community Development Program pursuant to a Request for Proposal (RFP) process.

Motion By: Alderman Bennett  
Seconded By: Alderman Ferrer

Approved: Ayes – 6

Nays – 1 (Thomas)

**Resolution #232 of 2016** – Resolution to authorize the Mayor to sign and submit a Restore NY Application not to exceed \$500,000, and upon approval of said application to execute an agreement for said funds.

This Grant is to restore 40 - 42 Main St. It is a 90/10 Grant and must be submitted by Local government. It is a highly competitive Grant and the last time it was offered was in 2009. This location was the only location in the City that met the qualifications. Another location was put forth as well but did not meet the qualifications. The area was part of the Downtown Revitalization Grant that was applied for but was not granted to us. The elevator in 40 Main St. could help occupy the top floors of both buildings. The one building is vacant and this will help get people into it. This project was brought to the City by Cortland Repertory Theater because they would like a space for their actors and directors to stay while they are performing.

Motion By: Alderman Bennett  
 Seconded By: Alderman Ferrer

Approved: Ayes – 4  
 Nays – 2 (Mastropolo, Thomas)  
 Abstention – 1 (Megivern)

**Item #7** – Presentation on current efforts to encourage rental permit registrations.

Deputy Chief Knickerbocker, CEO Tom Tobin and ZEO Bob Rhea were present to discuss the Rental Permit process. They did make some modifications to the Rental Permit application following ZBA meeting relative to maximum number of tenants and a recording of traditional or functional family. Applications are available on the City website but the process starts at the Code office where the application is filled out and presented to Tom Tobin. After he reviews it, it then goes to ZEO Bob Rhea to review the property file for any previous Certificate of Zoning Compliance or other documents to verify conforming or nonconforming status. From there a decision is determined as to lawful use. Post cards went out to City residents informing them of the need to have rental properties registered. If a rental property is not registered with the Code Office, the owner can be cited and sent to Justice Court, where fines may be imposed. The judge decides on the final fee/fine that is to be paid. A few violations have been issued, but abated. If a property is grandfathered in, then the Code Office needs to see documentation or proof, as described in the council packet. 500 Multiple dwellings are rentals and require the City to inspect every three years. The Law dept. has sent out letters to roughly 10 rental property owners encouraging them to register.

**Resolution #233 of 2016** – Resolution to accept, recognize, and appropriate the following donations.

Donation	Amount	Event/Project	Budget Line
Porchfest	\$593.00	Porchfest Collection	A-7550.5405

Laurie Hogan	\$1,750.00	Softball Tournament	Jim Partigianoni Trust Fund
Gators, LLC	\$200.00	Softball Tournament	Jim Partigianoni Trust Fund
Gators, LLC	\$150.00	Softball Tournament	Jim Partigianoni Trust Fund
JP Brown	\$150.00	Softball Tournament	Jim Partigianoni Trust Fund
Woodman’s Pub, LLC	\$150.00	Softball Tournament	Jim Partigianoni Trust Fund
<b>Total Donations</b>	<b>\$2,993.00</b>		

Motion By: Alderman Bennett  
 Seconded By: Alderman Silliman

Approved: Ayes – 7  
 Nays – 0

**Resolution #234 of 2016** – Resolution pursuant to section 104-c of the New York State General Municipal Law, authorizing the City of Cortland’s Technology Department to donate surplus City-owned software and computer equipment to public not-for-profit institutions for secular educational and civic oriented use.

All hard drives will be erased before going out.

Motioned By: Alderman Bennett  
 Seconded By: Alderman Thomas

Approved: Ayes – 7  
 Nays – 0

**Resolution #235 of 2016** – Resolution to approve a cost not to exceed \$3,000.00 for the Pumpkin Fest Event.

The Committee needs volunteers, please help the Pumpkin Fest be great!

Motion By: Alderman Thomas  
 Seconded By: Alderman Silliman

Approved: Ayes – 6  
 Nays – 0  
 Abstention – 1 (Megivern)

**Resolution #236 of 2016** – Resolution to approve the appointment of Bill Stark to the City of Cortland Public Safety/Department of Public Works Commission for a 3 year term.

This is a new appointee.

Motion By: Alderman Silliman  
Seconded By: Alderman Carpenter

Approved: Ayes – 7  
Nays – 0

**Item #12** – Discussion regarding the Municipal Alarm System

It was proposed to get rid of the Pull boxes and keep the Master boxes within the buildings.

Fire Chief Glover stated the issue with the system is not the boxes but the wires. There are about 120-130 street pull boxes in the City. If the pull boxes are abandoned then the businesses will have to make other arrangements. It was discussed to talk to the businesses about charging an annual fee to be on the Municipal Fire Alarm system. There is a lot of time that is needed to keep up with the maintenance of the system. It would cost \$25-30 thousand to remove the system.

Council requested more information on the cost of repairing the cable that is not working and how much should be charged to the businesses if they want to stay on the system.

**ADJOURNMENT**

Motion By: Alderman Thomas  
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 20<sup>th</sup> DAY OF SEPTEMBER, 2016. 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**