

January 16, 2001

A regular meeting of the Common Council was held on January 16, 2001 at 7:30PM at the Board of Education Office at Cortland High School, Valley View Drive, Cortland.

PRESENT: Mayor Bruce Tytler
Council Members Smith, Tobin, Abdulla, Lissberger, Strangeway, Hansen, Hyde, and Hennessy.
Deputy City Clerk, Jodi M. McLyman
City Clerk, William J. Wood
Corporation Counsel, James J. Baranello
Director of Admin. & Finance, Andrew J. Damiano

Mayor Tytler called the meeting to order at 7:30 PM followed by a salute to the flag.

PUBLIC COMMENTS

Steve Muka of 73 Evergreen Street speaks regarding the water board and the Memorandum of Agreement.

MINUTES

On the motion of Council Member Hansen, seconded by Council Member Abdulla, voted and carried, **MINUTES OF JANUARY 2, 2001 BE APPROVED FOR FILING.**

BILLS

On the motion of Council Member Hansen, seconded by Council Member Smith, voted and carried,

Council Member Strangeway asks if the maintenance under data processing is the maintenance contract. Mr. Damiano replies yes.

RESOLVED THE BILLS IN THE AMOUNT OF \$47,530.37 BE APPROVED FOR FILING.

MAYOR'S REPORT

Thanks the Cortland Standard for running the article on Fire Hydrants. It is very important that the residents clear the hydrants out. At the Council's request we are in the process of looking at an increase in fines for illegal parking. We should have something by February. Mayor wants to congratulate the Volunteer Fireman of the Year, Dale Saddlemire, for numerous years of service. Thanks to the Cortland County Legislature the City residents can take tires and old appliances to the recycling center. The Mayor hopes the Council will approve the Water Board agreement. The Mayor thanks the members of the Water

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Board, the Council and Tom Gallagher for all the time and effort that went into this agreement. Congratulations to the Cortland High School Boys Varsity Basketball Team for beating West Hill.

Ward 8 – Council Member Hennessy

Still receiving calls regarding crows in the 8th ward. We are working toward a solution. There may be some health issues involved. She also thanks Steve Robinson. He spent a lot of time on the Water Board Agreement. It continues to give the Water Board autonomy, they set their own budget, set their own water rates, and they hire their own Superintendent.

Ward 7 – Council Member Hyde

He will be meeting with Andy Damiano regarding the vacant buildings in his ward.

Ward 6 – Council Member Hansen

Wants to thank the Code Office and Railroad for taking care of the sidewalks across the railroad's property. She feels the Water Board Agreement represents a good partnership. Although public hearings were promised, they were promised for local law change. This is not a local law change. It is a Memorandum of Agreement.

Ward 5 – Council Member Strangeway

Problem with crows in the 5th ward as well. The engineers for the South Main Street Project will be attending the Common Council Meeting on February 6, 2001. The Code Office is in the process of inspecting the Wickwire Building on South Main St. The bricks are falling off. She hopes that she can attend the meeting with Andy and Council Member Hyde regarding abandoned buildings. A discussion regarding the Marietta entrance and Church Street ensues. She has received complaints regarding sidewalks not being shoveled on Tompkins Street. Before the next election, she would like to have the voting place moved to Randall School. Council Member Hennessy explains that it is difficult for handicapped access. Council Member Strangeway will look into that.

Ward 4 – Council Member Lissberger

Council Member Lissberger reads a comment by Council Member Hyde made to the Cortland Standard. "It is very unfortunate that people in the City are faced with an 8% tax increase because of the way the economy is now". "Instead the taxes should have gone up over six years". Council Member Lissberger states that Council Member Hyde has voted for all but one budget.

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Ward 3 – Council Member Abdulla

There is an issue with one of the properties being renovated on Prospect Terrace. He is working with Codes regarding this property as it may be turned from a 3 unit to a 5 unit. He has received several complaints from neighbors in this area. He was pleased to see an agreement reached with regard to the Water Board. He feels the people of the City will ultimately benefit from this and although Steve Muka feels otherwise, there were people who felt that there were problems and issues that needed to be addressed. Council Member Abdulla passes out some proposed changes that he would like to see talked about. He would like to see this on the next agenda for discussion. Council Member Abdulla reads a few of the proposed changes, which are attached hereto. Corporation Counsel Baranello explains that it would be subject to mandatory referendum because it would decrease the power of a public officer. There is a constitutional requirement that Cities pay as they go. You cannot have a previous year's budget carry over when it wouldn't be adequate to fund the cost.

Ward 2 – Council Member Tobin

Pigeon problems. Council Member Tobin opposes the action with regard to the Water Board and feels that it is a Memorandum of Appeasement rather than a Memorandum of Agreement. The only benefit to the public would be that we no longer have to waste our time talking about it.

Ward 1 – Council Member Smith

Complaint regarding the recyclables not being picked up. Takes exception to Mr. Muka's comment that there was railroading going on. It was the farthest thing from the truth.

The Mayor swears in the volunteer chiefs, Elwood "Bud" Miller, George Francis, Fire Police Shawn Stevely, and the secretary Lori Blair.

AGENDA

Item No. 1 – Consideration of a proposal to introduce public ice-skating in Courthouse Park (Alderman Hyde).

Council Member Hyde explains that he would like to do something similar to the Village of Homer. It would be located behind the fountain. It wouldn't ruin the grass. The power is currently there for lighting. A discussion regarding volunteers, the making of ice and where people would sit ensues. Insurance and Liability are issues. Council Member Hyde will get this worked out and bring back to the Council in July for next year. John

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McNerney, Director of Youth Bureau, states that a few problems would be lighting but it is fixable and the other being no bathrooms. John explains the ideal time to make ice is in the evening. The Youth Bureau will need to bring in staff to make ice. The location is a very good location; it is centrally located and easily accessible. The cost to make the ice is approximately \$1,200.00 for staff people. One person could maintain it on a regular basis to total approx. \$3,000.

Item No. 2 – Consideration of a Resolution authorizing the Mayor to enter into a lease agreement with Cellular One for the use of the Prospect Terrace water tank for a cellular phone base station.

On the motion of Council Member Smith, seconded by Council Member Hennessy voted and carried,

Council Member Tobin asks if the proposal requires a special permit and whose budget does the money go to. Corporation Counsel Baranello states that we are exempt from our own zoning ordinances. The lease would not be for more than five years. This board should not tie the hands of Common Council's 20 years down the road. If it were office space it would be a three-year limitation. The obvious reason being Cities should not lease out what they might need. A discussion ensues regarding what the antennas look like and where the money should go.

Council Member Hansen states that the minutes of the December 13, 2000 meeting does not state the feelings of the Water Board. Supt. Withey explains that the Water Board was fine with the idea. The water board was concerned about lightning strikes and how it might affect the tanks. Another concern was attaching the antennas to the tanks. Supt. Withey again states that the Water Board was in agreement with the contract. Council Member Lissberger asks if cell phones could be part of the package. Mike Crissan states that they will give them three phones but no service.

RESOLUTION APPROVED AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH CELLULAR ONE FOR THE USE OF THE PROSPECT TERRACE WATER TANK FOR A CELLULAR PHONE BASE STATION.

Item No. 3 – Consideration of a Resolution authorizing the adoption of a Memorandum of Agreement between the City and the Cortland Water Board, which defines the working relationship between the two entities.

The Mayor states that the members present at the Water Board unanimously approved this.

On the motion of Council Member Hennessy, seconded by Council Member Hansen,

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Council Member Lissberger feels that we should all be proud of this Agreement. It was created by the people who had the best intentions. Everyone worked very hard on this. Council Member Hyde said that this should have been done long before everyone voted for the Home Rule Legislation, which still hangs over the Water Board. Council Member Lissberger feels that this document is our security that Home Rule wouldn't be needed. Council Member Tobin feels it is an appeasement. He has never had a problem with communication with the Water Board.

Council Members Tobin and Hyde voting No, Council Members Smith, Abdulla, Lissberger. Strangeway, Hansen and Hennessy voting Yes.

RESOLUTION APPROVED AUTHORIZING THE ADOPTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND THE CORTLAND WATER BOARD, WHICH DEFINES THE WORKING RELATIONSHIP BETWEEN THE TWO ENTITIES.

On the motion of Council Member Smith, seconded by Council Member Hansen, voted and carried,

RESOLVED THE MEETING BE ADJOURNED AT 8:45 PM.

MAYOR

CITY CLERK

I hereby certify that the foregoing resolutions were presented to the Mayor in the time required and were approved by him.