



City Council Minutes February 18, 2003

The City of Cortland, New York

COUNCIL MEETING #4
February 18, 2003
REGULAR BUSINESS MEETING
City Hall
7:00PM

PRESENT: Mayor Mary E. Leonard
Alderman Faraoni, Tobin, Morey, Guido, Partigianoni, Quail, Testa, and Hennessy

Staff present: City Clerk, William J. Wood, Corporation Counsel Mark Suben, Director of Admin. & Finance Andrew Damiano, and Deputy Dir. Carol Sonnacchio

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

Francis Uhler of 82 W. Main St. speaks regarding the petitions submitted in opposition of war.

Mike Dexter of 10 Cedar St. recognizes Mr. and Mrs. Cochrane (a.k.a. Mr. and Mrs. Santa Claus) and praises them for all their hard work and happiness they have brought to the children. He reads a letter from a citizen and presents them with an award.

Charles Maxfield of Ellwood Ave. speaks against the war. He is concerned and asks the Council to consider the resolution submitted.

Joseph Onello of SUNY Cortland is also concerned about the threat of war. He asks the Council to consider the resolution submitted. They are deeply against a preemptive strike.

Norm Trigoboff of Interfaith Center is against the possible threat of war. He asks the Council to consider the resolution.

Marjorie Inaua of 41 W. Court St. is concerned about the noise in the area of her home. She hopes the fine is increased for violators.

MINUTES of January 21, 2003

Alderman Quail has two pages of corrections and he is not done. He asked what is the procedure for notes. City Clerk Wood states the tapes is listened to and summarized by his Deputy. Alderman Quail would like to have a stenographer for the minutes. Clerk Wood states it might run about \$200.00 per meeting. Alderman Quail notes the meeting of January 21st was so important it deserves it. Alderman Quail's request does not include the public comment section. Alderman Morey states the minutes are by the far the worst she has ever seen. City

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Clerk Wood suggests hiring a stenographer. Alderman Morey is concerned about the discrepancies.

RESOLUTION #27 of 2003 – Motion to table the minutes of January 21, 2003.

By: Alderman Quail
Seconded: Alderman Tobin

Approved: Ayes - 8
Nay – 0

RESOLUTION #28 of 2003 – to take \$200.00 from contingency to hire a stenographer to complete comprehensive minutes of the meeting of January 21, 2003. (From Acct. A1990.400 Contingencies \$300.00 to Acct. A1410.415 City Clerk – Contractual \$300.00. Also includes Resolution #30)

By: Alderman Quail
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays - 0

Alderman Morey asks Mr. Damiano if someone other than the Clerk's office find a stenographer.

MINUTES of February 4, 2003

RESOLUTION #29 of 2003 – table the minutes of February 4, 2003.

By: Alderman Quail
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

Alderman Quail requests the discussion on the referendum be verbatim. This portion will be transcribed, monies will be allocated. Alderman Quail states the referendum section should not take more than 1 hour and \$100.00 will be allocated.

RESOLUTION #30 of 2003 – to allocate \$100.00 from contingency to transcribe the portion of the meeting, which addresses the referendum.

By: Alderman Quail
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

BILLS

Questions arise regarding Superior trash, pizza boxes, and bins in the street. Bills are received.

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MAYOR'S REPORT

The mayor recognizes Officer Jaime Williamson for his efforts and is awarded Lawmen of the Year for rescuing the little boy in the river last year. The reception was at the Cortland Elks Club. She attended the board of education meeting at Parker School, which was recognized for its receipt of the Pathfinder Award. This is an award for its improvement in scores. Smith School was also recognized for this. The armory might become available. The facilities study engineers were there and some department heads to try and see if this would be suitable. Is the consensus of the Council to acquire this building? We would get it for a nominal cost but we would have to take on the maintenance. Alderman Testa asks if it becomes a burden on the community down the road, what are the options.

RESOLUTION #31 of 2003 – to look into this and see what is necessary to obtain this property.

By: Alderman Faraoni
Seconded: Alderman Hennessy

Approved: Ayes – 8
Nays – 0

The Mayor met with Congressman Boehlert today. He expresses his interest with working with the City and anything we might need assistance on. She has a list of properties from the Code Office that she wants to recognize for the work they have done. They are a marked improvement on the community. 10 Prospect Terrace, 100 Pt. Watson St., 40 Prospect Terrace, 136 Port Watson St., 103 Clinton, and 135 N. Main St.

The Fire Department will receive a grant of about \$28,000 concerning the emergency service grant program. This will be used for lifesaving equipment. The Mayor thanks Chris Bistocchi and the DPW for all of their hard work. He says whatever is going on with the County; the City has plenty of salt.

WARD REPORTS

Ward 1 - Alderman Faraoni

Alderman Faraoni states the crows are back in his ward. He also would like clarification regarding the private plowers that plow and make the road even narrower. He has had one accident in his ward. He asks if a private plower plows the snow across the street, is that legal. Corp. Counsel Suben states no. He would like to know what we can do about it. This is a problem all over the City.

Ward 2 - Alderman Tobin

He thinks the crows are gone from the 2nd ward. He would like to see deferments on shoveling snow for the elderly people. This would allow them a permit so that they would not be fined for not shoveling their sidewalk. He wants this looked into for people over 65 or people with a medical deferment.

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Ward 3 - Alderman Morey

Alderman Morey realizes the DPW Superintendent is doing all he can do for Groton Ave. She wants to caution all drivers driving down Groton Ave., Helen, etc. to be aware of deer. She congratulates the YWCA who recently received a grant for breast cancer.

Ward 4 - Alderman Guido

Alderman Guido also congratulates the YWCA. Thanks Steve Dafoe for helping some people on Pearl St. with snow removal. He had some concerns with rail cars being parked in residential areas. They are an eyesore to begin with. Alderman Quail notes this is a federal issue and there is not much we can do. He asks about the feasibility study. Mr. Damiano notes hopefully sometime in March we will have a work session.

Ward 5 - Alderman Quail

Alderman Quail acknowledges the quality of the police force as well as the other officers nominated for the Lawmen of the Year Award.

Ward 6 - Alderman Testa

Alderman Testa recognizes his crow problem. He discusses his next ward meeting and the River Trail this Wednesday. He has been attending the Code and Zoning sessions. He attended Congressman Boehlert's open house.

Ward 7 - Alderman Partigianoni

He has also been attending the code sessions. He acknowledges the crow problem. He had a meeting last night at the Pomeroy St. Apartments regarding the St. Anthony's day celebration. Snow removal is also discussed.

Ward 8 - Alderman Hennessy

Alderman Hennessy asks if the second meeting in March isn't too long, the Communities that Care group could probably address the Council. She has had several calls regarding the high banks on Cedar St.

AGENDA

RESOLUTION #32 of 2003 – authorizing the Mayor to enter into a contract with CSEA Local 1000/DPW Unit 6558 for the period January 1, 2003 through December 31, 2005

By: Alderman Tobin
Seconded: Alderman Hennessy

Approved: Ayes – 8
Nays – 0

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RESOLUTION #33 of 2003 – Reappointment of Diana Jeffalone as a Commissioner of Deeds.

By: Alderman Faraoni
Seconded: Alderman Partigianoni

Approved: Ayes –8
Nays –0

RESOLUTION #34 of 2003 - refer a zone change request submitted by James J. Yaman to the County Planning Board, City Planning Board, and the City Zoning Board of Appeals for their review and recommendations.

Alderman Testa explains they are proposing to take two of those lots and put a one story medical unit on it. He briefly explains the zoning in the area. He believes this is going to be a pediatrician's office. Alderman Testa has spoke to the neighbors and they are not in opposition.

By: Alderman Testa
Seconded: Alderman Partigianoni

Approved: Ayes –8
Nays – 0

RESOLUTION #35 of 2003 - to table until the March 4th 2003 meeting amending Section 193-4 of the Code of Ordinances in order to establish a minimum fine of \$100.00 for noise ordinance violations

Corporation Counsel gives his opinion with regard to this ordinance. A brief discussion ensues regarding minimum fines, time in jail, tickets currently issued, pleas, etc. Corp. Counsel Suben will try to gather information with regard to the number of arrests and their dispositions.

By: Alderman Faraoni
Seconded: Alderman Partigianoni

Approved: Ayes 7.
Nays- 1 (Tobin)

RESOLUTION #36 of 2003 - to amend Section 100-6 of the Code of Ordinances relating to fees imposed for building permits for handicap ramps.

By: Alderman Tobin
Seconded: Alderman Partigianoni

A discussion ensues regarding two family residents, owner occupied residents, who will be eligible, etc. Mayor Leonard notes Chief Glover's suggestion was to keep the constructed value under \$2,000.00.

Motion was amended.

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RESOLUTION #36 of 2003- to amend Section 100-6 of the Code of Ordinances relating to fees imposed for building permits for handicap ramps under \$2,000.00 for any given project.

By: Alderman Tobin
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #37 of 2003 - to approve the travel request submitted by the Youth Bureau to authorize two employees to attend the NY State Youth Leadership Forum in Albany on February 24th and 25th.

Alderman Morey comments regarding the van, which is driven by the staff. The staff is in the process of taking care of that problem.

By: Alderman Faraoni
Seconded: Alderman Tobin

RESOLUTION #38 of 2003 - authorizing year-end 2002 budget transfers and encumbrances.

By: Alderman Hennessy
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #39 of 2003 - authorizing the creation of the attached list of new Water Department positions and the submission of said list to the Civil Service Office.

Alderman Tobin would like to table this and asks for a description of these positions. Director Damiano explains there are people in these positions currently and if we do not authorize the creation of these positions, Civil Service will not certify the paperwork and we will not be able to pay the Water Department personnel. There is no change in duties we have to create the positions. Director Damiano states if these positions are not approved by February 26, these people cannot get paid. Alderman Quail questions the fact that all of the positions are listed except for one. The Mayor notes that you could create a position for that and refer it to civil service.

A brief discussion ensues regarding civil service and positions.

By: Alderman Hennessy
Seconded: Alderman Faraoni

Alderman Morey would like to amend the motion to add a Superintendent. Director Damiano notes the Superintendent's position is a unique position. When the new department was created, the Local Law was adopted but there was no provision for the position of

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Superintendent. A brief discussion ensues. Director Damiano suggests that Mr. Will Streeter speak to the Council with regard to the unionized employees.

Mr. Streeter addresses the Council states the list includes nine titles that encompasses twelve people. All but one of them is a union represented employee. The Clerk is not. By virtue of recognizing CSEA Local 1000 these titles have to be recognized and by recognizing CSEA Local 1000 at the January 21, 2003 Council meeting, you recognized CSEA as the bargaining unit and by doing that you recognized the titles. The CSEA does not represent the Superintendent. That is your issue. The job descriptions for the titles have not changed. If you do not pass this, his members do not get paid and God For Bid if that happens.

The Mayor and various Alderman state their positions. Alderman Faraoni suggests voting on this and moving on to the Superintendents position. Some Aldermen want it included with the positions as brought forth. There is no motion on the floor. If a motion is amended it will have to amend the Local Law. Director Damiano explains when the Local Law was adopted it made the Director of Administration and Finance the Department Head. Included in the duties and responsibilities currently are a number of administrative responsibilities that he will be handling. We may have to go back to Civil Service and amend the duties and responsibilities pursuant to the Local Law. The amended position will not accurately reflect the duties and responsibilities of the Superintendent, as civil service perceives that now. A position could be created but you can't create a title without going through civil service.

A discussion ensues regarding a consulting firm, cost, availability, hiring, amending the Local Law, Home Rule Bill, etc.

Alderman Morey makes a motion to go into Executive Session. Director Damiano explains you can discuss terms and conditions of a contract in Executive Session but there is no contract, therefore Executive Session would not be appropriate.

Alderman Morey asks how much time is needed to create a position. Director Damiano states if an amendment to the Local Law is placed on the table March 4th, we can hold the public hearing and vote on the 18th. It could be done. Director Damiano notes if the duties are to be exactly the same as they are today, then it might not be a problem. If they are changed in any way it could be a problem.

A discussion ensues regarding duties of the Superintendent if it's an independent department vs. a City department and the time frame involved. Alderman Morey requests a work session. Alderman Quail wants the original layout to be set up the way it is now. Alderman Testa is upset and feels Corp. Counsel did not prepare this properly. Corp. Counsel states he prepared it and gave it to the Council a month in advance and no one raised any of the issues that are being raised tonight. Corp. Counsel Suben notes Mr. Testa and Mr. Quail abolished a 100-year old entity without knowing what they were doing and he will not assume responsibility for that.

Director Damiano, addressing Alderman Tobin, states the intent is not to privatize the water department contrary to what you may think. **This section is inaudible due to everyone speaking at once. This author has listened to the tape several times with no avail.

Approved: Ayes – 8
Nays – 0

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Alderman Quail requests a work session. Thursday night Feb. 20, 2003 at 6:00 is the agreed upon date and time.

Adjournment.

By: Alderman Hennessy
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays - 0

I, WILLIAM J. WOOD CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 18TH DAY OF FEBRUARY 2003. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

WILLIAM J. WOOD – CITY CLERK

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Additions to the Feb. 18, 2003 Council meeting per Alderman's request.

Alderman Guido would like to add his congratulations to Officer Jaime Williamson, it spoke well of the quality of people we have working for the City.

Page 7 –Alderman Guido suggested that we contract with Mr. Withey on that. When Mr. Damiano was talking about hiring a consulting firm out of Syracuse, Alderman Guido asks the question why we couldn't use Mr. Withey in the same capacity.

Page 1 - Alderman Quail wants added City Clerk Wood's comment, the minutes are issued by the Deputy with no review by anyone else.