



City Council Minutes The City of Cortland

April 5, 2005

COUNCIL MEETING #7

April 5, 2005

Regular Business Meeting

City Hall

7:00 PM

PRESENT: Alderman Faraoni, Terwilliger, Morey, Guido, Quail, Feiszli, Partigianoni and Michales

Staff Present: Director of Admin. & Finance Andrew Damiano, Corporation Counsel Lawrence Knickerbocker & City Clerk John O. Reagan

Mayor Gallagher calls the seventh Common Council meeting of the year to order at 7:08 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

Alderman Partigianoni addressed the Common Council on the passing of Pope John Paul II and asked that they have a moment of silence in his honor.

The Mayor deviated from the agenda to address the issue of the weekend flooding. The Department Heads were present and the Mayor praised and thanked everyone for one of the most cooperative and coordinated efforts that he had ever seen in this city. Everyone worked some 30-40 hours around the clock, a command center at the armory, which worked fantastic and NYSEG and NYMO sent their dispatchers there and when the calls came in, they were sent out to wherever was necessary and the response was awesome and he wished to thank everyone. They're still working down on Kennedy Parkway and they haven't been able to get into Hickory Park since Sunday. Alderman Morey indicated that the 3rd Ward was hit pretty hard and she wished to thank the Department Heads for all of their work. Alderman Feiszli also expressed her thanks on behalf of her ward. The Mayor stated

that there had been an Assessment and Review Meeting that day and all Department Heads could go over what had been done, what could be done if it happened again and an assessment of costs for the weekend and since it was declared a State of Emergency and when the President signs it, they will come under the FEMA authorization. He contacted Senator Seward and he has put in for State Emergency Management Office relief for our community and he will be here tomorrow to do a walk around. It's unfortunate, he wasn't here in the beginning to see the devastation, but we asked that all departments take pictures to document all of the devastation and flooding. These will show the magnitude of the damages and that damages weren't pre-existing, always one of FEMA's concerns. They did a good job of that as well as dealing with all of the problems. Alderman Morey asked what sort of compensation will there be available and when will they know. The Mayor indicated that the Council would know as soon as Coordinator Brenda DeRusso finds out. Mr. Damiano stated that there would be two application processes for compensation, one for private homeowners and one for businesses and the municipality. In 1996 he did the applications to FEMA for the city and the city was reimbursed about 25%. This time, he feels that the city has better documentation. Alderman Morey addressed Mr. Bistocchi regarding erosion in her ward. He indicated that many photos were taken, but if further locations needed to be photographed, just contact him. Manager Davis from the Waste Water Treatment Plant reported that in 1996 he was afraid that the water was going to go into the substation and cut power to the plant, but that didn't happen then or now. They did a good job of filtering out large objects from going into the river, but they had negative removal on the solid side because of the aggravated sludge and they were able to keep quite a bit of that in the plant and notified the DEC. They called him yesterday and they went over everything that was done at the plant and they had to limit the county leachate discharge to 40,000 gallons per day for now until they get back on track. They managed to save all of the equipment, but lost one \$2,000 convertimeter. There were some leaks, but they used submersible pumps and they had no water in the basement. We never stopped treating throughout the event, although we may have to go back to the DEC and ask to be allowed to bypass later. No raw sewage was put in the river. All agencies were very cooperative. Mr. Bistocchi spoke about trees that lodged under bridges and the DOT brought in their large grader. There was also a question regarding boiling of water. Mr. Withey stated that at no time did the City Water not meet state standards, they were well prepared. Citizens who did not get correct information from various media sources may have thought they had to boil water. His department had to contact one media source and address their statements. They added more chlorine. His department received few calls regarding the quality of the water, but did receive calls

regarding the sewage backing up and those issues were addressed. At one point the Mayor received a call that Wilson Farms was selling lots of bottled water and the Mayor and Mr. Withey contacted the media and had them immediately put out the news that the City's water was safe to drink. The staff did a wonderful job. It also was noted that the sewage system did not back up, but was handling so much water that drains were very slow running and in some places, still are. Kennedy Parkway will continue to be pumped out and they will do so until the neighbors complain of the noise. Four wheel drive vehicles can get through, but not most cars. The Mayor indicated that two (2) thirty yard roll offs would be placed at the DPW next to the recycling for people to put flood damaged materials there and someone will be there to monitor it. This is for flood damaged items only, not an amnesty day; hours for this to be established. The fire department and all the volunteers did a wonderful job. TLC, Economy Paving, all were there. The Boy Scout barriers were all used. No charge for Economy Paving engineer.

PUBLIC COMMENT

Robert Rhoades speaking for Citizens for Aquifer Protection and Employment. He was there to speak of nuclear waste transportation through the city. The Common Council passed a local law in this regard. It may have only been a symbolic gesture, but it was a grand brave gesture. Those things can and do matter. As a citizen, he finds this Council has stood strangely aloof from the threats to our aquifer, other parts of the environment and quality of life that may be affected if the proposed rezoning in the town of Cortlandville is permitted. It's not acceptable for you to say, "That's in Cortlandville". The aquifer is no respecter of arbitrary municipal boundaries. He suggests that they attend the public hearings and to be more attentive to this issue.

The Mayor feels that they have been very attentive and is concerned about the aquifer. Various council members have attended some of those zoning meetings and meetings on the aquifer.

MINUTES of March 15, 2005

RESOLUTION #32 OF 2005 – Approve the minutes of March 15, 2005.

By: Alderman Partigianoni
Seconded: Alderman Faraoni

Approved: Ayes – 8
 Nays – 0

Bills were reviewed and received.

There was a question regarding legal expenses and a question about the use of City cars on off hours. Only employees that are responsible to respond to emergency situations and department heads and fire chiefs that are on call 24 hours a day get those vehicles.

MAYOR'S REPORT

He had several meetings with Thoma Development to discuss the Downtown Revitalization Program and they have extended the deadline for applications because they've had so many. They have hired an architect through the grant program to assist anybody that needs review of their project. The Governor's office representative in charge of the \$200,000 grant came and did a walk through. He held a swearing in ceremony for three new police officers, a new procedure for welcoming new fire and police officers to the City. He met with the professional paid and volunteer fire committees to discuss the future of the fire station and they will get back to the Mayor in regard to the number of stations. Everyone is involved, not just a few people. He attended a SUNY Cortland ceremony honoring individuals for their volunteer work in the community. He met with the armed services representative to discuss their parking situation on Main Street. He attended a DBA meeting and the SPCA Open House last Friday. Met with the Leadership Cortland group for the Little League fields proposal and held a staff meeting today to discuss the assessment and review of the flood.

Alderman Partigianoni asked for an update on the South Main Street Project. Mr. Damiano said that the opening of the asphalt plant has been moved back, so the schedule is being adjusted. He thinks they're having trouble getting materials and they lost a lot in the flood. We may be talking May. There have been some meetings with the McNeil's regarding the Wickwire Building and the Mayor should know more by Friday. The concrete at the fire station is still not cured. Fans will be turned on to help.

WARD REPORTS

Ward 1 – Alderman Faraoni

The weekend has not been quiet, but most everything has been discussed. He would like to pass.

Ward 2 – Alderman Terwilliger

She would like to know as soon as possible when funds would be available, so that the information could be passed on to her constituents.

Ward 3 – Alderman Morey

She, too, would like to know about the funds and wishes to thank everybody in the Ward for being out and helping. There were a few calls in regard to the article in the paper about the bus driver. Because that was a County issue, she had to refer those callers to Carol Tytler.

Ward 4 – Alderman Guido

His Ward is on higher ground, but he wished to thank all the emergency crews for their hard work. He did have an issue come up about parking issues on Tompkins Street and is researching it.

Ward 5 – Alderman Quail

He wished to express his thank you's to the department heads for their crew's efforts in helping his Ward through the flood. He is going to have a Ward meeting April 27 at 7 PM at the East End Community Center. They will be meeting with the 8th Ward regarding Neighborhood Watch and the North Cliff on the retaining wall. He also attended the City Council of Villages meeting on March 17 about safety. He thanked the Cortland Figure Skating Club for a wonderful job.

Ward 6 – Alderman Feiszli

She has been contacting Codes as a result of calls about some unkempt property and one property took three (3) sheets to fill out for the violations. She likes the idea of an Amnesty Day so people can get rid of old items. Some Neighborhood Watch block captains have contacted her and the signs

will be going up shortly. The next Neighborhood Watch meeting will be Sunday, May 1 at 7 PM at the East End Community Center.

Ward 7 – Alderman Partigianoni

Crandall Street work is almost done and will be paved soon. There will be a Ward meeting on Thursday at 7 PM at the East End Community Center. They will discuss the feasibility of starting a Neighborhood Watch program. They have a committee working on an Open House for the Center. The computer classes started last night and they are being very well received, there are four classes. Tonight at the Center there is a presentation by AARP & SUNY representatives on the pros and cons of Social Security reform.

Ward 8 – Alderman Michales

He extended his thank you's to all the agencies that provided assistance to the residents in his Ward. He received a call from a resident regarding an attempted break in. The resident had called the police and Mr. Michael contacted the Neighborhood Watch group. The City police want everyone to know that springtime is when these incidents are on the increase and for citizens to be alert. He also attended the SPCA fundraiser on April 1.

There was a question regarding the dumpster on Lincoln Ave. and the Mayor said that Code has talked with the property owner and they are trying to resolve that now. A work session will be scheduled for the first meeting in May on the 3rd to discuss the tree ordinance at 5:30 PM.

RESOLUTION #33 OF 2005 – Approve a resolution authorizing the appropriation of funds, \$5,900, from the Contingency Fund Balance, Account Number A1990.400 (Contingencies) to Account Number A1620.415 (Buildings & Grounds – Contractual) in order to retain the services of Bell & Spina Architects to undertake a space feasibility study of City Hall.

Counsel Knickerbocker amended the resolution to read, “ Upon the condition that the County of Cortland shall reimburse the City of Cortland for the cost of said study should the plan not take place. “

By: Alderman Partigianoni
Seconded: Alderman Guido

Approved: Ayes – 8
Nays – 0

RESOLUTION #34 OF 2005 – Approve a resolution acknowledging the receipt of a Health Heart Grant in the amount of \$4,272.75 Account Number A2705 (Youth Bureau Donations) and appropriating said funds to Account Number A7180.405.02.

By: Alderman Morey
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #35 OF 2005 – In relation to the proposed \$3,079,500 General Purpose Bond Issue: Approve a resolution declaring the Common Council the lead agency for review of the Short Environmental Assessment Form relative to the proposed retaining wall project.

By: Alderman Quail
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #36 OF 2005 – In relation to the proposed \$3,079,500 General Purpose Bond Issue: Approve a resolution issuing a negative declaration with respect to the above action.

By: Alderman Partigianoni
Seconded: Alderman Guido

Approved: Ayes – 8
Nays – 0

RESOLUTION #37 OF 2005 – In relation to the proposed \$3,079,500 General Purpose Bond Issue: Approve a resolution authorizing the issuance of \$3,079,500 in serial bonds for various objects and purposes (requires a roll call vote).

There was a question as to the useful life of various categories and they are established by law.

By: Alderman Faraoni
Seconded: Alderman Michales

Roll Call: Alderman Faraoni – Aye
Alderman Terwilliger – Aye
Alderman Morey – Aye
Alderman Guido – Aye
Alderman Quail – Aye
Alderman Feiszli – Aye
Alderman Partigianoni – Aye
Alderman Michales - Aye

RESOLUTION #38 OF 2005 – Approve a resolution authorizing the creation of the title Deputy Director of Finance and Administration, pursuant to the Civil Service Commission’s review.

This is not a current title. It is the goal of Civil Service to reflect reality and not have a person in a job where the title is not reflective of the duties. Alderman Morey questioned if they could make it a blanket statement that the applicants must be city residents. Mr. Damiano doesn’t want them to restrict their pool of candidates and wants to see the best qualified person get the job. The Council feels, at least, living in the county. Perhaps they should have the ability to waive rather than not have the restriction at all.

By: Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Item #5 - Update on the process for filling the vacancy created by Carol Sonnacchio’s retirement.

Mr. Damiano outlined his duties and the roll he hoped the new Deputy Director could assist him with these duties and assume responsibility when he retires. The Deputy City Clerk has been preparing a duties manual for that office in finite detail. The Director of Administration and Finance position is a much more complicated and spans much more than a single year cycle. A

successor plan for that position is a much bigger issue than the Deputy City Clerk position. Mr. Damiano proposes a pay scale of \$50,000-\$60,000. That should be very competitive in the market. He feels that they should be able to find someone with municipal accounting experience and some administrative experience within a city, village or town and someone who has supervisory experience. There's also been an upgrade to find someone with a bachelors degree in accounting or public administration and four years of prior managerial experience. The Alderman Morey feels that a blanket residency requirement should be put in all job descriptions for new department head or deputy department head positions. It may be a charter change or require a local law. Alderman Morey has also indicated that the Council would like the authority to waive that requirement, if they agreed. Counsel Knickerbocker informed them that they would have to think on how they would like to word that requirement; i.e., live in the city, how soon to move into the city, etc. They would like to set up a work session to discuss this and change the charter. The process for filling Mrs. Sonnacchio's position will probably take at least eight (8) weeks and she's only here until April 30 and available through August. The hiree will be Mr. Damiano's appointment, but the Council would like a presence on the hiring committee. Mr. Damiano is not opposed to that. Civil Service has advised that it will be sometime before the test is given, but the provision will have to be placed on the position, that the individual will take the position, with the understanding that they will have to pass the test. It will be a provisional appointment. The test may not be offered for a year or more. The residency requirement will be placed in the ad and/or communicated during the hiring process, such as city preferred, county acceptable. That will be for this position and the Council will work on something to be used on a more general basis.

RESOLUTION #39 OF 2005 – Approve a resolution authorizing the closure of Main Street, from Groton Avenue to Tompkins Street, from 2:00 p.m. to 6:00 p.m. on May 22, 2005 in order to stage "Cruise Nite".

It is anticipated that perhaps 200 vehicles will be involved in this. It begins in Marathon and continues on into the City on a Sunday afternoon. The group does carry liability insurance and the City will receive a certificate from the CNY Mustang Club for this event.

By: Alderman Quail
Seconded: Alderman Morey

Approved: Ayes – 8
Nays – 0

RESOLUTION #40 OF 2005 – Approve a resolution authorizing the use of Courthouse Park by the Cultural Council of Cortland County on July 30, 2005 in order to stage an “Arts in the Park” exhibit.

David Beals works will be here and it will be a nice event for Cortland.

By: Alderman Faraoni
Seconded: Alderman Terwilliger

Approved: Ayes – 8
Nays – 0

RESOLUTION #41 OF 2005 – Approve a resolution approving the request by Douglas Withey and Matthew Wethje to attend the Annual Spring Conference of the American Water Works Association.

There are a number of seminars at this conference regarding ultraviolet convection and there are a lot of offerings.

By: Alderman Guido
Seconded: Alderman Morey

Approved: Ayes – 8
Nays – 0

The Mayor made an announcement at this time. City electrical services that have been interrupted due to water problems will need to be evaluated for safety and integrity prior to restoration. At this time, the evaluation of wiring can only be done through an approved third party inspection agency. NIMO will not turn electricity back on without approval and without a responsible party being present at the dwelling or business. Contact NIMO.

Adjournment

By: Alderman Michales
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

I, JOHN O. REAGAN, CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 5TH DAY OF APRIL 2005. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER