



City Council Minutes April 6, 2004

The City of Cortland, New York

COUNCIL MEETING #7

April 6, 2004

Regular Business Meeting

City Hall

7:00PM

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

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

Mayor Gallagher calls the Common Council meeting to order at 7:00PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

Mary Spencer addresses the Council with regard to the Celtic Festival. They feel it is necessary to address the Council as they do not want to lose the opportunity to obtain travel and tourism funds. The deadline is April 12, 2004. They already have between 18 and 20 volunteer committee members and several sponsors who are willing to contribute. They are asking the City for in-kind services such as staff time, equipment, and the use of the armory grounds. The use of the grounds is in order to have the pub for the festival. The pub has not been a problem at past festivals. They have been in contact with the new sports complex and the newly formed sports council. Both groups are looking forward to working with the Celtic Festival in future years to bring in full Scottish games and bringing in people from all over the country to compete. They feel if they were not able to have the Celtic Festival this year it would leave a big void and much missed opportunity.

Bruce Tytler also notes the committee is looking to get additional funds from the County. They are really in need of in-kind services and support from the City. Andy Damiano notes the City has never sponsored the event due to the fact it is in Cortlandville. The majority of the function is not in the City. The festival is scheduled for August 21, 2004. A brief discussion ensues regarding funding, insurance, and the history of this event.

RESOLUTION #36 of 2004 – Resolved the City of Cortland will sponsor the Cortland Celtic Festival on August 21, 2004 with in-kind services and the use of the Armory grounds.

By: Alderman Morey
Seconded: Alderman Faraoni

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Approved: Ayes – 8
Nays – 0

Daniel Walker addresses the Council. He is the public relations Chairman for the City of Cortland Student Government. He talks about Festivus. This is a community outreach festival that the student government, in conjunction with other clubs on campus, host. This year it is taking place April 25, 2004 at the County Office Building from Noon to 4:00PM. For the past two years it has been a tremendous success. This is open to all the elementary school kids in Cortland County. There have been a lot of sponsors who have given gift certificates and small items to raffle off. He invites everyone to attend and to get involved in the event. Alderman Quail and Guido have attended the event and agree with Mr. Walker.

MINUTES of the March 16, 2004 meeting.

RESOLUTION #37 of 2004 – Approve the minutes of March 16, 2004.

By: Alderman Guido
Seconded: Alderman Terwilliger

Approved: Ayes – 8
Nays – 0

BILLS

Alderman Michales questions the \$620.00 bill with regard to the Armory. He asks if anyone is interested in renting space in the building. Andy Damiano explains there are a lot of interested parties but the building does not meet code yet but they are close. Andy has been working on permits for use of the building and the details for same. Bills are reviewed and received.

MAYOR'S REPORT as submitted by Mayor Gallagher

He acknowledges former Mayor Bruce Tytler in the audience.

The brochures are out for the Youth Bureau and he commends John McNerney.

Met with Linda Hartsock and representatives from Buckbee Mears to discuss closing and clean-up functions.

Attended the CCTV meeting at the County Office Building. Appreciation was extended to the City for the cooperation in allocating the 1½ percent sales tax.

Met with Linda Smith to discuss consideration of a memorial in Suggett Park by the Midstate Central Labor Council.

Attended the Workforce Investment Board Meeting in Moravia.

Met with representatives at the Town of Cortlandville to discuss cooperative efforts between the Town of Cortlandville and the City.

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Met with Jim Yaman and John McNerney to discuss refurbishing and repairing structures at Yaman Park. Mr. Yaman graciously presented us with a check for \$20,000.00 that will cover most of the repairs.

Met with Glenn King, Director of New York State Small Cities Program, for his input and expertise to assist us with the development of a new fire station.

Attended Chamber of Commerce Business After Hours at Resource Associates.

Attended retirement and going away party for Tom Carman, President of Cortland Memorial Hospital.

Spoke at Delta Phi Epsilon Sorority on their one hundredth birthday.

Met with members of the Cortland Business Network at President Bitterbaum's office for an update on NYSERDA programs presented by Peter Smith, the new Director.

Traveled to Syracuse Sheraton Inn with BDC representative Karen Niday for presentation and update of Brownfield sites.

Attended roundtable session at SUNY Cortland for overview of politics on local and national level by Bob Spitzer, Scott Steve and Ron Walsh.

Had the pleasure of Attorney General Eliot Spitzer, his assistants, former mayor Marty Mack and Win Thurlow in my office to discuss state and local issues and the state political scene.

Hosted DBA meeting at City Hall.

Met with C & S Engineering to discuss current fire station facilities.

Guest speaker at SUNY Cortland for over 2,000 guests for admissions day.

Attended press conference with Chief Nichols and Superintendent John Lutz to release information on the \$125,000.00 grant for Cops in Schools.

Spoke to fourth grade students and staff at Randall School on local government, with the assistance of Tamara Wyant, County Legislator.

Cable Commission meeting with Public Service Commission to discuss upcoming franchise agreement with Time Warner.

WARD REPORTS

Ward 1 –Alderman Faraoni

He has a ward meeting in the works with himself and Dr. DiGiovanni. He attended Tom Carmen's retirement dinner. It was a very moving event and he wishes Tom good luck in

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Oswego. He does have exotic animal forms if anyone is interested. He asks Andy about the Code with regard to the exotic animals. Alderman Faraoni asks if it can be revamped. The ordinance does call for the Council to grant the permit. Alderman Feiszli suggests adding the definition of exotic birds.

Ward 2 – Alderman Terwilliger

She was questioned as to whether the city is going to take a position about the aquifer in Cortlandville seeing that it does provide drinking water to such a large portion of the County. She will also be attending an organizational meeting with regard to neighborhood watch involving Lincoln and Maple Ave. this Thursday at 7:00PM. Anyone interested can call her and she will advise them as to where it will be held.

Ward 3 – Alderman Morey

She had a couple of calls on the Celtic Fest. Due to the bad weather this week, they did not walk James St. She will contact Mike Preston this coming week. She has had several calls from a lot of people with regard to Glenn St. Legislature Carol Tytler and she had a commitment from Niagara Mohawk to remove the trees they had trimmed that were dying and debris that was left over the years. They had never committed to cleaning this up but we did get them to commit. The plan was to have a ward meeting in April to talk to the residents on what was going to be done. Unfortunately Niagara Mohawk wasn't going to fund doing that after the first of April. On April 28, 2004 there will be a ward meeting specifically on this property. This is the beginning of the project, not the end of the project. She was a guest speaker at the YWCA essay contest this year. It was a great event and she thanks the YWCA for the opportunity. She did receive a call regarding the Easter egg hunt at Beaudry Park. It was a very successful event.

Ward 4 – Alderman Guido

Alderman Guido thanks Mike Preston and his crew for getting the stop sign put on the corner of Pearl and Warren St. They did have a problem placing the second stop sign on the corner at the North end of Pearl St. because there is a gas line that runs underneath. The corner will be a two-way stop instead of a three-way stop.

Ward 5 – Alderman Quail

He had a ward meeting on Thursday March 25th. He thanks Chief Nichols and Sheriff Price for being part of the discussion regarding speeding and noise throughout the 5th ward. They spoke about trying to get the license plate number and contacting the local police. There have been a number of complaints with regard to the loudness of motorcycles. The individuals are taking the motorcycle mufflers out and making them very loud. They can be ticketed for that. He was also in attendance with Mayor Gallagher with regard to the City/Town/Village meeting. There is a great deal of comradery there. He felt the City was welcomed. He worked at the Maple Festival last weekend. He wants to thank Kay Zaharis for helping one of his constituents. She has been house ridden and Kay took care of some books for her. He encourages all residents to pick up the garbage now that the snow has melted.

Ward 6 – Alderman Feiszli

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It has been very quiet in the 6th ward. Her next ward meeting will be on the 29th of this month at 7:00PM. She will announce the location at the next council meeting.

Ward 7 – Alderman Partigianoni

They will be accepting bids on the property located on Crandall St. They will also be tearing up the water service on Crandall St. There is a procedure for the residents.

Andy Damiano notes the residents are encouraged to replace their laterals if they have the old service especially if it is a lead service. We have a program for income eligible people to qualify for assistance through Community Development but it is purely based on income levels. You can contact Linda Armstrong at Thoma Development at 753-1433. All the residents should get a letter noting the above mentioned information. Alderman Partigianoni feels Crandall St. is not in good shape at the present time. Once they dig it up it is going to be worse. The street is scheduled for next year. He has been in contact with the engineer at Marietta regarding the state of the art facility on Hubbard St. and Central Ave. Parking has been a bit of a problem but he has been assured the materials have been ordered and they will be utilizing the parking lot on Court Street.

Tops market offers free transportation to their shopping center on Groton Ave. for the residents of the Friendship House and Senior Citizens Building. He is happy to announce that Price Chopper is going to expand on that. Senior Citizens will be given a free ride from the Senior Citizens Building, the Friendship House, and also the Office of the Aging.

Ward 8 - Alderman Michales

His email is not working but you can call him anytime. He has received phone calls concerning Church St. and Port Watson St. The push button on the walk pole has been sticking. He is going to ask Mike Preston to look into replacing these buttons. They tend to start beeping even when no one is at the intersection. The other issue was regarding a street paving issue. The street in question is a couple of years out but it will be replaced. Things like this do take time. He is working on a ward meeting and will announce it at the next council meeting. Andrea Rankin is sponsoring a tree/shrub/flower planting day May 1st. Any interested volunteers will be meeting at the Youth Bureau parking lot at 9:00AM. They are also looking for interested homeowners. This has been provided for by Community Outreach Partnership.

AGENDA

Item No. 1 – Presentation by Charles Lang regarding the Central New York Firefighters Convention.

Mr. Charles Lang briefs the Council on the upcoming events. This convention will take place on the weekend of July 16, 17, & 18th. He notes some of the events for the weekend and asks the Council for their permission to hold the activities. They have the certificate of insurance in place. Mr. Maxwell is the head of the convention committee. He is asking for \$5,000.00 in donations for these activities. This is the 150th anniversary as well as the convention and he hopes the City will make a donation. In 1997 when this event was last held, the City did donate \$5,000.00. The parade route will be lining up on Madison/Lincoln/Maple/Jewett/Homer Ave. to run down Main St. The parade will be Friday night at 5:00PM until about 6:30PM. They have

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contacted Chief Nichols and they are waiting on the permit. Typically for street closing, they are referred to the emergency services for their recommendations and whatever contingencies they want to add. Chief Nichols and Chief Barron usually work together on what's allowed and how we treat the intersections.

Alderman Partigianoni feels we should give them permission to close the street. Mr. Lang explains they cannot get approved until the Council approves the request. Mr. Lang notes each company of the Cortland Fire Department is donating \$1,000.00 out of their funds. Mr. Maxwell is not going to answer the letter requesting the information. Mr. Lang is asking for this for the 150th anniversary. Alderman Morey would like to have this put on the next Council agenda. They are looking at holding a festival in the parking lot of the old Cooper Tools across from the Holiday Inn. This will not require a street closing. On Sunday there will be hose races which they are hoping will be held in the parking lot.

RESOLUTION #38 of 2004 – Resolved to grant the organization permission to proceed with the parade permit and to put this on the agenda for the next Common Council meeting for a monetary decision.

By: Alderman Partigianoni
Seconded: Alderman Terwilliger

Approved: Ayes – 8
Nays – 0

RESOLUTION #39 of 2004 – Approve the request by Douglas Withey and Matthew Wethje of the Water Department to attend the New York Rural Water Association Conference.

By: Alderman Morey
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #40 of 2004 – Approve the request made by the Midstate Central Labor Council to place a memorial in Suggett Park.

Linda Smith of the Labor Council notes Workers Memorial Day has been recognized since 1989 by Unions. The day is April 28 and that symbolizes the day OSHA was passed in 1970. She reviews her proposal. The memorial is a rock. The one that is going to be in Cortland has a plaque on it and you actually look down on it. They would like to plant flowers around it in the summer. Alderman Quail asks who will be maintaining this memorial. Ms. Smith states the Labor Council will. He notes there is a Gregg Partigianoni Memorial. This will be the second memorial in the City parks. Is there a policy if memorials start springing up in our parks? John McNerney states in his 15 years the only memorial he is aware of is the Gregg Partigianoni Memorial.

By: Alderman Guido
Seconded: Alderman Morey

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Approved: Ayes – 8
Nays – 0

RESOLUTION #41 of 2004 – Authorize the submission of a letter relative to a service contract.

By: Alderman Morey
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #42 of 2004 – Resolved to declare the City as lead agency for the purpose of completing the environmental review relating to the Cortland County Local Waterfront Revitalization Program. Resolution attached hereto and made a part thereof.

Corporation Counsel Knickerbocker notes it had to be a local municipality request.

By: Alderman Michales
Seconded: Alderman Guido

Approved: Ayes – 8
Nays – 0

RESOLUTION #43 of 2004 – Authorize the scheduling of a public hearing on April 20, 2004 at 7:00PM to accept comments relating to proposed Local Law No. One of 2004, Senior Citizen Tax Exemption.

By: Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Item No. 8 - Discussion regarding the change of time, dates or locations of regularly scheduled meetings of City boards, commissions and advisory boards.

Alderman Quail went to attend a meeting last month and the meeting time had been changed. He came back to City Hall and looked on the wall and the meeting time was still the old time. He checked the website and contacted Andy and the meeting time was still the old time. He thinks the Council should be made aware of the changes. Andy Damiano notes he doesn't know if we have the luxury of time every time a time changes. If there is going to be a permanent change then the public and Council needs to be made aware of that.

RESOLUTION #44 of 2004 - Approve the confirmation of the Mayor's appointment of Gerald O'Rourke to the Assessment Review Board.

By: Alderman Guido
Seconded: Alderman Faraoni

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Approved: Ayes – 8
Nays – 0

Executive Session

On the motion of Alderman Morey, seconded by Alderman Terwilliger, voted and carried,

RESOLVED TO GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.

On the motion of Alderman Morey, seconded by Alderman Faraoni, voted and carried,

RESOLVED TO COME OUT OF EXECUTIVE SESSION AND INTO THE REGULAR SCHEDULED MEETING.

RESOLUTION #45 of 2004 – Authorize the payment of a membership fee to the Cortland County Chamber of Commerce in the amount of \$476.00. Transfer from Account A-1990.400 (Contingencies) \$476.00 to Account A-1210.415 (Mayor-Contractual) \$476.00.

A discussion ensues regarding an appointment to the Administrative Code Commission. After caucus, the full Council advised Director Damiano to send a letter stating the appointment was not approved.

Adjournment.

By: Alderman Faraoni
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 6th DAY OF APRIL, 2004. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER