

May 1, 2001

A regular meeting of the Common Council was held on May 1, 2001 at 7:30 PM in the Council Chambers at City Hall, 25 Court Street, Cortland New York. A public hearing was held at 7:20 PM for a request for a zone change at 134 Homer Ave.

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

### PUBLIC HEARING

Council Member Hennessy excuses herself from the discussion.

Linda Hartsock speaks in favor of the proposed change and feels it will stimulate economic growth in the community.

Fred Wilson speaks in favor of the change.

Attorney Robert Shafer explains that the hospital wants to spend time over the next few years attempting to acquire property. The hospital will try to minimize any change as much as possible.

Public Hearing was closed at 7:40 PM.

Council Member Hennessy returns to the meeting.

### PUBLIC COMMENTS

There were no public comments.

### MINUTES

On the motion of Council Member Abdulla, seconded by Council Member Strangeway, voted and carried,

Walter Grunfeld's name is corrected on page two of the April 17, 2001 minutes.

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**RESOLVED THE AMENDED MINUTES OF APRIL 17, 2001 BE APPROVED FOR FILING.**

BILLS

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

**RESOLVED THE BILLS IN THE AMOUNT OF \$3,691.79 BE APPROVED FOR FILING.**

MAYOR'S REPORT

Mayor reads three proclamations: Brain Tumor Awareness Week, Zonta Club, and National Day of Prayer.

Mayor thanks the people associated with the Star program with cleaning up the City. Mayor Tytler also honors Jim Dempsey and Vicky Delaney with a plaque of recognition for their hard work as co-chairman of the centennial committee.

WARD REPORTS

Ward 1 – Council Member Smith

One call on tree removal.

Ward 2 – Council Member Tobin

He comments on the fact Downtown was cleaner this weekend than most.

Ward 3 – Council Member Abdulla

Will reserve comments for the discussion on the hospital project.

Ward 4 – Council Member Lissberger

Council Member Lissberger received a call regarding the rate of speed that snowplow trucks travel on Tompkins St. Complaints on speeders on Delaware and Tompkins St. Complaints on motorcycle noise. Complaints on signs for housing. Comments on the licensing of cats and the use of break away collars.

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The Mayor states that a letter was sent to various property owners regarding the signs.

Ward 5 – Council Member Strangeway

Ward meeting tomorrow night at the Youth Center.

Ward 6 – Council Member Hansen

Thanks Council Member Hennessy for taking her phone calls. Thanks Paul Slowey for his help on the railroad property. Welcomes a new business, Hyde's Dinner to the 6<sup>th</sup> ward. Council Member Hansen reads a letter to the County with regard to the County Office relocation.

On the motion of Council Member Abdulla, seconded by Council Member Tobin, voted and carried,

**RESOLVED THAT COUNCIL MEMBER HANSEN SEND THE LETTER TO THE COUNTY AND THE APPROPRIATE COMMITTEE MEMBERS.**

Ward 7 – Council Member Hyde

Thanks Council Member Tobin for taking his calls in his absence. Council Member Hyde addresses the cat issue. He reminds the Council that they did not approve the funds for the SPCA spay and neutering program.

Ward 8 – Council Member Hennessy

She attended the training program that N.Y. State held regarding zoning regulations. She highly recommends the course. She notes the neighborhood watch group that is forming on Cedar Street.

## AGENDA

Item No. 1 - Consideration of a Resolution authorizing a zone change to "Professional Office" for a number of properties per a request submitted by the Cortland Memorial Hospital.

Council Member Hennessy excuses herself from the discussion.

County Planning has asked that the hospital obtain consent from the property owners whose properties are part of the amendment.

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Attorney Robert Shafer explains that County Planning said that they do not need to get consent from everyone but there should be some consensus by the neighborhood. A question arises as to notification. Council Member Tobin states that there is no concrete evidence as to what buildings are going to be replaced and what portion of the abutting neighborhoods will be effected. The hospital does not want to buy all these properties and then not get the zone changed. A brief discussion ensues regarding this.

Tom Carmen states he personally spoke to some of the neighbors along with the articles that appeared in the paper and the notification sent by the Clerk's office. Attorney Shafer explains that this was unanimously recommended by City Planning, The Zoning Board of Appeals, and County Planning. Any plan in the P.O. zone will have to go through all the steps, site plans, SEQR review, etc. A discussion ensues regarding the assessment of the properties and tax-exempt status.

Council Member Strangeway asks what is the most intensive use for this property if the hospital doesn't decide to utilize it after the zone is changed. The explanation is any business would have to have ZBA and planning approval.

Council Member Lissberger states that Council Member Tobin's comments are his own. He asks if there was any other way to proceed other than the zone change. Counsel Baranello explains that it wouldn't be a zone change, it would be an application for use variance and the burden would be very difficult to meet by any applicant.

Attorney Shafer brings up the point of making it a Medical Professional Office Zone. There may not be a need for all the space to be committed for medical purposes. If its not then you would have someone with a single family residence that would like to sell their property but they are limited because the only thing they can do with it is find a physician to buy it.

Counsel Baranello explains that there was residents who did not receive notice therefore he feels that we should have a new public hearing at the May 15, 2001 meeting.

On the motion of Council Member Abdulla, seconded by Council Member Lissberger, voted and carried,

**RESOLVED TO TABLE THE ITEM UNTIL THE MAY 15, 2001 COMMON COUNCIL MEETING.**

Council Member Hennessy returns.

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Item No. 2 – Consideration of a Resolution authorizing the Mayor to enter into a renewal agreement with the New York School & Municipal Energy Consortium for the purpose of purchasing gas and/or electric; as a participant of said consortium.

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

**RESOLUTION APPROVED AUTHORIZING THE MAYOR TO ENTER INTO A RENEWAL AGREEMENT WITH THE NEW YORK SCHOOL & MUNICIPAL ENERGY CONSORTIUM FOR THE PURPOSE OF PURCHASING GAS AND/OR ELECTRIC; AS A PARTICIPANT OF SAID CONSORTIUM.**

Item No. 3 – Consideration of a Resolution designating Stub’s Tree Service as the low bidder for tree and stump removal services and authorizing the Mayor to execute the necessary documents.

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

**RESOLUTION APPROVED DESIGNATING STUB’S TREE SERVICE AS THE LOW BIDDER FOR TREE AND STUMP REMOVAL SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS.**

Item No. 4 – Discussion regarding a request submitted by Chairman Gallagher of the Water Board for all of the revenue realized from the lease agreement with New York Holding, LLC to be appropriated to the Water Board.

A lengthy discussion ensues.

On the motion of Council Member Smith, seconded by Council Member Strangeway, voted,

|                           |     |                           |    |
|---------------------------|-----|---------------------------|----|
| Council Member Strangeway | Yes | Council Member Tobin      | No |
| Council Member Hansen     | Yes | Council Member Lissberger | No |
| Council Member Hennessy   | Yes | Council Member Hyde       | No |
| Council Member Abdulla    | Yes |                           |    |
| Council Member Smith      | Yes |                           |    |

**RESOLVED THAT THE CITY OF CORTLAND EQUALLY SPLIT THE REVENUE WITH THE WATER BOARD FROM THE LEASE BETWEEN CINGULAR AND THE CITY FOR USE OF THE PROSPECT TERRACE WATER TANK.**

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On the motion of Council Member Abdulla, seconded by Council Member Hennessy, voted, and carried, Council Member Tobin voting No.

**RESOLVED TO GO INTO EXECUTIVE SESSION FOR PERSONNEL MATTERS AT 9:20 PM.**

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

**RESOLVED TO GO OUT OF EXECUTIVE SESSION.**

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

**RESOLVED TO GO INTO THE REGULARLY SCHEDULED MEETING.**

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

**THE MEETING IS ADJOURNED AT 9:45 PM.**

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**MAYOR**

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**CITY CLERK**

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