



City Council Minutes June 18, 2002
The City of Cortland, New York

COUNCIL MEETING #10
June 18, 2002
REGULAR BUSINESS MEETING
Barry Elementary School
7:30PM

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

Staff present: City Clerk, William J. Wood, Corporation Counsel, Mark Suben, and Director of Administration & Finance, Andrew J. Damiano

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS

Michelle Farron of 2 James St. Cortland speaks as a Water Board Member. She invites everyone who is interested to attend the water board meetings, which are held the third Wednesday of every month at the Pump House on Broadway St. in Cortland.

MINUTES

Approve the Common Council minutes of May 21, 2002.

By: Alderman Hennessy
Seconded: Alderman Faraoni

Approved: Ayes - 8
Nays – 0

BILLS

Alderman Quail asks about the legal services. Part of the expenses was the Merkur case and Hoffman was related to the ethics board. Alderman Tobin would like to see a breakdown of the Holiday Inn expenses for the City Clerk's Office.

Receive the bills of July 1, 2002.

MAYOR'S REPORT

Thanks all the students for their wonderful performance. It is nice to be in a different ward. The Empire State Games are going to be here soon. The Mayor joined the raising of the flag in Syracuse this morning to kick off the games. President Taylor was also present. This could have a big financial impact on our community. She is working on the dilapidated housing and

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delinquent tax issue. She has been also reviewing the Haz-Mat issue. She is hopeful the County will adopt something that is identical to what she has proposed. Alderman Hennessy has asked Corporation Counsel to address some of the Code issues. Corporation Counsel Suben states on May 7, 2002 a memo was circulated regarding updating the Code. Corp. Counsel indicates he will prepare a letter to Mr. Contento by Friday, June 21, 2002. He appreciates any suggestion regarding zoning or code issues. He has spoke to Gerry Contento. Mr. Contento has retained Counsel and he intends to address the Cities requests. His attorney, Mr. Barney, feels there is no provision in our code for this issue. He also suggested the operation did not fall within the definition of a scrap yard. It seems clear to the City it does fall within the definition. Mr. Suben will convey that to him. He will give him a definite date as to when he needs to respond. A brief discussion ensues regarding the various sections of the code, SEQR, the direction in which Mr. Contento is going, etc.

Counsel Suben explains Assistant Corporation Counsel is working on the sign issue. Alderman Tobin feels the law is there and we should be enforcing it. The signs are becoming permanent signs, not temporary "for rent" signs. Counsel Suben feels this is a section that needs to be revamped. This section needs to be clear so when it does go to court it will hold up.

Ward 1 – Alderman Faraoni

He has had several calls on Suggett Park. They now have on a trial basis a doggy pot. If it works out it could be in all the parks. There is a sign on the top that says, "dog waste transmits disease", and another, which says, "Leash and clean up after your dog". The next sign shows you how to use the doggy pot litterbags. This is on a trial basis.

Ward 2 – Alderman Tobin

Most of his calls are regarding lawn mowing which have been taken care of. People on Lincoln and Maple Ave. would like to have their street resurfaced.

Ward 3 – Alderman Morey

She reported a tree massacre on Pinecrest. One of the residents called channel nine news. We spent a lot of time talking about trees. She would like NIMO to come back. Andy suggests a more formal meeting to discuss this. Alderman Testa has also had a problem in his ward. Alderman Hennessy feels the letter that was sent in her ward was not specific enough, therefore, the public was not aware that they were going to come and cut their trees whether they wanted them to or not. NYSEG is working on Groton Ave. and is leaving big signs. One resident stated the sign had been there for three weeks and no one came back to remove the signs. She has had calls on the Code issue, fluoride, and skunks. She has also received calls regarding the Kappa building and the old Cavelli's. The Mayor explains that debris was flying off of the Cavelli's building therefore it was blocked off. Alderman Morey reads a letter from a couple of students.

Ward 4 – Alderman Guido

Thanks the DPW and Bob Spada for cleaning up around the telephone poles. He has had calls regarding fluoridation. There will be an upcoming ward meeting to be announced at a later date.

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Ward 5 – Alderman Quail

He thanks Barry Elementary for hosting the meeting. Also acknowledges Mrs. Buonamici's retirement. She does a really nice job. His May 20th ward meeting had about 20-25 people in attendance. He used the Beaudry Park building. There were a lot of concerns, safety issues, walking ramps. Ron VanDee was also present. He is getting a lot of requests for the Cortland Youth Bureau for a polling place. The access is very good. The Contento junkyard was also a concern. He has had a number of code issues. He has had several calls on fluoride. There is a house on the Corner of 220 South Main. The grass is about a foot high with toys all over the place. It is an empty home. The dairy parade was very well organized. The water festival was on June 1. This was also a nice event. His next ward meeting will be June 26, 2002. He wants to talk about the County budget and speeding on Sunnyfield Dr.

Ward 6 – Alderman Testa

He had a few calls regarding Mike Preston's Department. He thanks Bob Spada for his quick work by Haskell Place. Hickory Park light is still in the works. Jim Sponaugle is working on this. He states he also has dilapidated properties in his ward. He will not be having a ward meeting this month.

Ward 7 – Alderman Partigianoni

He has had a call from a constituent that she is unable to find the small blue bags. Andy notes they are available at the Office of the Aging. He also wants the price to be cheaper. He has had calls regarding woodchucks. He is also concerned about the dilapidated properties in his ward. St. Anthony's celebration went very well. He has been to three or four commission meetings. He feels not all of the members show up at the commission meetings. He participated in the Senior Games and overall it was a success. Pomeroy Street will be getting a topcoat.

Ward 8 – Alderman Hennessy

She had a ward meeting last night. Some of the more urgent issues were the scrap yard in the City. The idea of a dog park was discussed. Most people were not in favor of this. There were concerns about speeding. The loud radios which occur between 2:00 and 3:00 am. is of concern. If you can hear the radio 50' away, then it is too loud. The fire department has some training vehicles located on Hyatt St. She is hoping there is someplace else to store these.

AGENDA

RESOLUTION #52 of 2002 – Authorize the closing of the various streets for the sidewalk festival. The partial closure of Main Street from Central Avenue to Court Street on Friday, August 2, 2002 from 6:00 am to 12:30pm; and the closure of Main Street from Court to Port Watson from 5:00pm to 10:30pm; and on Saturday, August 3, 2002 from Groton to Court, and Court to Port Watson from 6:00am to 5:00pm.

By: Alderman Hennessy
Seconded: Alderman Testa

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Approved: Ayes – 8
Nays - 0

RESOLUTION #53 of 2002 – Brockway Day; the closure of Main Street from Clinton to Port Watson on Saturday, August 10, 2002 from 7:00am to 5:00pm.

By: Alderman Partigianoni
Seconded: Alderman Hennessy

Approved: Ayes – 8
Nays – 0

RESOLUTION #54 of 2002 – Gold Wing Riders Association; the closure of Main Street from the Marketplace Mall to the Dark Horse Tavern on Friday, August 16, 2002 from 5:00pm to 11:00pm; plus the approval of the “bike parade”.

Garry VanGorder explains this is a national club of high-end bikes. The estimates are between 300-500 bikes. The parade route will come through the City. Some of these bikes are equipped with strobe lights. The judges will pick the best bikes; there will be food. This is a middle-aged group of professional people such as bankers and lawyers.

By: Alderman Morey
Seconded: Alderman Testa

Approved: Ayes – 8
Nays – 0

RESOLUTION #55 of 2002 – Approval of a request submitted by the residents of Euclid Avenue to close the street on Saturday, August 17, 2002 from noon to 9:00pm in order to stage their “10th Annual Street Picnic”.

By: Alderman Testa
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #56 – Approval of a Resolution authorizing the creation of a City Beautification Committee consisting of five City residents appointed by the Mayor.

Alderman Faraoni explains this will be strictly an advisory board of residents to improve the appearance of the City. They will make recommendations to the Council. This is strictly a recommendation body.

By: Alderman Faraoni
Seconded: Alderman Hennessy

Approved: Ayes – 8
Nays – 0

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Discussion regarding the proposals submitted for the installation of a sound system for the Council Chambers.

Andy suggests this might be something the Office of Court Administration might be also considering funding. The Council agrees to hold on this issue until they hear more from the Court.

RESOLUTION #57 of 2002 – Approval of the Mayor's re-appointment of F. Russell Bentley to the Cortland Housing Authority.

By: Alderman Tobin
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #58 of 2002 – Approval of the Mayor's re-appointment of Joseph McMahon to the Planning Board.

By: Alderman Hennessy
Seconded: Alderman Guido

Approved: Ayes – 8
Nays – 0

RESOLUTION #59 of 2002 – Approval of the Mayor's appointment of Bonnie Heath to the Fire Commission.

By: Alderman Faraoni
Seconded: Alderman Morey

Approved: Ayes – 8
Nays – 0

RESOLUTION #60 of 2002 – Approval of the Mayor's appointment of Gary Howe to the Plumbing Commission.

By: Alderman Testa
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #61 of 2002 – Approval authorizing the Mayor to enter into an agreement with C & S Engineers for the purpose of performing a facilities study.

Alderman Tobin states that back in 1990 a study was done. The main Fire station is a huge concern. Alderman Morey asks why is there no information on that. Alderman Quail wants to

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know what is the scope, what is the purpose. What will they be delivering to us. Andy explains reauthorization of the funding is not necessary. The police department is also in need of facilities for its female officers. The detective bureau also needs to expand. The office of Court Administration could possibly be expanding again. There are also no provisions for female fire fighters at the present location. Alderman Morey feels without all this information it is difficult to consider this tonight. Andy explains this is a really lengthy process and out of the 6 companies only three bid on it. He briefly explains the bid process, etc. Alderman Hennessy feels there is not a lot of interest by this board to build another building. We are not growing as far as population although services may be growing. Alderman Morey is not questioning the firm. She wants to know what the information is we are asking them to study. Alderman Hennessy states their first step is to interview all the employees and department heads. The Mayor explains we don't want the engineering firm to tell us things we already know. We want the engineering company to give us viable options as to how we can address this in the most cost effective manner.

By: Alderman Hennessy
Seconded: Alderman Quail

Approved: Ayes – 6
Nays – 2 (Morey and Tobin)

Discussion regarding the appropriation of City funds for sidewalks and trees.

Alderman Quail feels the money has been spent for the sidewalk and tree program. He thought part of the misc. revenue is for sidewalks and trees. He is being told that the money is being appropriated for the Crown Neighborhood Program and if you are not part of that program, you don't qualify. Linda Armstrong states the money is encumbered but it's not all spent. A small portion was set-aside for the Program. There is \$4,000. out of \$58,000. which was set aside. Linda explains there is a lottery for the trees and first come first serve for the sidewalks. Everybody is still playing under the same rules. This money was appropriated under specific guidelines by resolution of the Common Council. He feels reapportionment should have been brought back to the Common Council. Alderman Quail states he has had calls from constituents stating there is no more sidewalk money left. She might have been told all the money was encumbered. A discussion ensues regarding who is eligible and who isn't and how the money gets carried over from one year to another. Alderman Quail feels his constituent is being punished because she cannot get enough people involved in the Neighborhood Program. Alderman Morey feels taking from the tree program to start another program with all these restrictions isn't fair. Linda explains if the Crown Program wasn't an issue, there will still be a lot of people that will not be served. Some people won't get a tree even if they were picked in the lottery because of various reasons like not having a proper place to put it. A discussion ensues regarding the changes in the resolution since its inception. Alderman Partigianoni states that the yearly average for sidewalk projects was about 25 per year. This year they are accommodating 72 and there are 9 more on the waiting list. He feels the City went above and beyond.

Discussion regarding the status of the Contento scrap yard and deadline for coming in compliance. Done in ward report.

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RESOLUTION #62 of 2002 – Approval of a Resolution requiring the Common Council to approve any changes to the location of meetings.

Alderman Quail feels the changes should come before the Council before they are announced. Alderman Faraoni is concerned about the security issue. Alderman Morey feels it is an informational issue. Mayor Leonard states she had told the Council a month ago about the Pomeroy Place location. Alderman Quail feels we need to make sure everyone is comfortable with the venue. The Council agrees the Mayor's Office will send a letter for the change of venue.

By: Alderman Quail
Seconded: Alderman Testa

RESOLUTION #62 of 2002 is amended to read to require the Common Council to receive a two-week notice of a change in venue for the Common Council meetings. (Alderman Quail and Testa consent).

By: Alderman Hennessy
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

Consideration of a Resolution asking Corporation Counsel to prepare a letter to the Water Board asking for a representative to appear before the Council to discuss water fluoridation.

Alderman Testa states he has had a lot of questions from constituents about fluoridation. Alderman Hennessy states the water board is an independent organization. They have members who are appointed by the Mayor. The City Council has no control over their actions. This sounds like we are making a demand. Alderman Morey explains she would like a representative from the water board to address the board. Andy Damiano states he has attended the water board meetings recently and they are in the infant stages of studying fluoridation. They have not come close to making a decision. The board itself has taken no position. Michelle Farron, a water board member but who is not speaking as a representative of the water board at this time, states that if anyone has any concerns to please contact a water board representative. Michelle Farron stated she is offended that the Council has asked Mark Suben to write a letter requesting a board member be present at the Common Council meeting. Alderman Tobin asks if someone could appear at the next Council meeting to address his or her concerns.

Discussion regarding the possibility of subcontracting the Assistant Corporation Counsel to Cortland County for a period not to exceed six months at a cost of \$1.00.

Corporation Counsel Suben states he is not sure why this is on the agenda but he would like to hear the reason for it. Alderman Quail asks if there is any way Assistant Corporation Whitney could be contracted to the County. Corp. Counsel Suben states no. Alderman Morey asks why we can't subcontract her. Alderman Hennessy asks why would we want to do this? The County has not wanted to consider any of the offers we have made. Alderman Tobin agrees. We have not received a response thus far from the County. Alderman Partigianoni states we voted at the last meeting to assist them. The County rejected the offer. Alderman Hennessy notes we have

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been offered them different ideas but they have not replied. Alderman Morey will contact the District Attorney's Office.

Adjournment

By: Alderman Partigianoni

Seconded: Alderman Hennessy

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 June 2002. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

WILLIAM J. WOOD – CITY CLERK
