



City Council Minutes The City of Cortland

June 21, 2005

**Council Meeting #11
June 21, 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

Alderman Quail calls the eleventh Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

Alderman Partigianoni introduced Rita Wright. She has been recognized several times, most recently as the 2005 Woman of Distinction by the Girl Scout Council of America of Central New York. Mayor Gallagher nominated her and his nomination letter was read to the Council by Alderman Partigianoni. Rita Wright spoke thanking everyone.

PUBLIC COMMENT

Keith Agate has lived in Cortland since 1968 and has been before the Council three or four times regarding the issue of garbage being piled in his neighbor's backyard, next to where Mr. Agate parks his car. He has now found a dead rat as big as a squirrel. This is now a health and safety issue. He would like to propose that dumpsters placed on residential property be done so with a permit. Further, its use should be for the collection and weekly disposal of garbage and trash generated by the property that is seeking that permit and if it is abused, the permit would be revoked. The landlord that is next door to him owns multiple properties in the city and brings most of that garbage to the dumpster next to Mr. Agate's property. He's using it as a transfer station for his tenant's garbage. Mr. Agate does not believe he is zoned for industrial, commercial, but residential. He feels there is no reason that city garbage should be dumped in his back yard. He will continue to return to Council

meetings. He should have brought the rat to this meeting. He has asked repeatedly for something to be done. He has yet to receive an answer. He has checked with the Health Department, Codes Department, the County and nothing has been done. He understands that the lid is supposed to be down, but it's never down, there's too much garbage in there and it can't be closed and animals are getting in there. He understands that the corporation next to him has been cited for many violations and feels that normally repeat offenders would receive numerous tickets that must be paid. Mr. Agate was assured that someone would be contacting him back.

There was some discussion regarding this. The Council did refer this issue to the Health Department with regard to the neighboring property being some sort of a transfer station and nothing has been heard back on it. Alderman Morey stated that she parks in front of his house daily to pick up her daughter and she notes that the situation is disgusting.

William Duca was present with regard to softballs from Dexter Park coming across the street and hitting his house and garage. His house was hit three times in one week. A ball hit a passing car around 10:30 PM at night and there was a fight at the ball field. He would like a permanent solution to the problem. Each year, it's getting worse. He also had three seedlings planted in front of his home, which are now gone because individuals hit balls into his yard at night and then the players come into his yard in the dark looking for the lost balls. The Council will have the Youth Bureau look into it. Mr. Duca feels that the height of the fence should be increased. He is concerned that someone passing on the sidewalk will be hit. He asks for help. Alderman Partigianoni stated that they are going to get a different type of ball, a #44 and they are looking into getting a big net and a request has been made to move the A teams to Meldrim where there is more room if the first two items don't solve the problem. He recognizes that this is an ongoing problem. Mr. Duca is keeping the balls that land on his property because he is tired of being sworn at and will put them in the trash. He recommends that if they install the net, that it be fifteen to twenty feet high.

MINUTES of May 17, 2005

RESOLUTION #62 OF 2005 - Approve the minutes of May 17, 2005

By: Alderman Faraoni
Seconded: Alderman Terwilliger

Approved: Ayes - 8
Nays - 0

Bills were reviewed and received.

There was some discussion that the vehicle maintenance budget line for the Police Department was \$20,000 and it was currently expensed for about \$18,000. It was expressed that now that his new vehicles had arrived, there would be little additional costs for repairs once the new vehicles were added to the fleet. If they did exceed their allotted budget line amount, transfers from under-expended lines within their budget could be done at the end of the year.

MAYOR'S REPORT

Read by Alderman Quail. The Mayor participated in interviews for the Deputy Director of Administration and Finance position. He attended the press conference for the Police Department's digital fingerprinting and attended a retirement party for Jeff Nicoson of the City Police Department and the retirement dinner for Catherine Bertini at the United Nations in New York City. He met with a housing group from Syracuse that was interested in rehabbing some of the low income housing stock in the City. I have scheduled another meeting with them later this month.

He met with Thoma Development to review applications for Downtown Revitalization. He had several meetings with FEMA representatives to discuss ways of getting people into the system for flood damage. He attended Business After Hours and the Essex Steel ribbon-cutting. He welcomed the Senior Citizens who are participating in the Empire State Senior Games and met with Kay Zaharis, library director, to discuss the early phase of their budget. He attended graduation ceremonies for Leadership Cortland, the ribbon-cutting for Olde Homer House, Relay for Life ceremonies at SUNY Cortland and the ribbon-cutting at Fox Hollow for Habitat for Humanity. He also met with Bell and Spina to discuss upgrading of City Hall.

Ward 1 - Alderman Faraoni

He wished the Mayor a speedy recovery. Most of the footbridge at Suggett Park is back in operation. His Ward is fine except for Van Hoesen and Chestnut Streets which look like a war zone, but will soon be much better. The Water Department and DPW have done a great job.

Ward 2 - Alderman Terwilliger

She has received a few calls, but issues are being ironed out.

She would like to take this opportunity to disclose her potential participation in the City of Cortland's Downtown Revitalization Program for her business, the local bookstore, here in downtown. There is a possibility of a conflict of interest in her participation, being a Council Member and Corporation Counsel is looking into the matter and she wanted to let folks know about that.

She attended the Lime Hollow Art Trail on Father's Day and she felt it was a wonderful event and she hopes that a lot more people will go out there and take advantage of the wonderful resource of Lime Hollow. She has been circulating a flood follow-up questionnaire to the different neighborhoods in her Ward to find out from people affected by the flooding, how they felt the City did with taking care of their problems and the overwhelming response was that the City did a very good job, but there was a lot of concern regarding the repair and maintenance of the beds and walls of Otter and Dry Creeks. She's happy to announce that the City has been meeting with FEMA and things are looking good for obtaining funding for a project of that sort.

Ward 3 - Alderman Morey

She thought the Dairy Parade was great success and there was a great turn out. It was good see nice weather for the event. She would like to commend the Mayor on the work he has been doing with regards to the flood issues with Otter and Dry Creeks and working with other groups. Other than a letter she received and is working on, things have been quiet in her Ward.

Ward 4 - Alderman Guido

Quite a bit has been going on in his Ward. He attended a meeting on June 8 with about a dozen concerned Pearl Street neighbors with the proposed building of a recreation center on Davis Field. He and some of his neighbors met with SUNY's President yesterday and brought up five points of concern. Number one being the environmental issues regarding placing a large building and a parking lot over greenspace adjacent to the municipal Water Works and odors associated with a fast food restaurant that is proposed to be located inside of the new recreation center. Number two is concerns for increased vehicular and foot traffic. Number three is a noise issue because the facility is being advertised as being a place to hang out from 6:00 AM to 2:00 AM and this would mean that students would be coming and going behind a residential neighborhood at all hours. This would impact on property values and the quality of life for the neighbors in that area. The fifth point would be the loss of green space. President Bitterbaum assured them that plans were only in the preliminary stages and that funding was going to be a critical issue. They are unsure that they can obtain it and there is no guarantee that the facility will be located on Davis Field if funding is received. He promised to keep the Ward informed. He also has been in contact with Chief Nichols regarding speeding on Broadway and that is an issue with people cutting off of Tompkins and coming down Pearl and speeding down Broadway. Chief Nichols did have the radar set up in that area. Alderman Guido also congratulated all of the teams that participated in the Relay for Life. The event took place in the Field House due to the inclement weather and the amount of raised was just phenomenal. He also congratulated John

McNearney and the Youth Bureau crews for the success of the BULL LaCrosse Tournament that took place at SUNY Cortland. One hundred forty to fifty teams were in attendance, well run and well attended. He attended the St. Anthony's festival with the great food and music.

Ward 5 - Alderman Quail

He attended the East End Community Center Grand Opening. It's a wonder asset to the community. They've done a tremendous job of decorating with pictures of the history of that end of the community. He also wanted to make people aware that on South Main Street from June 27 will be the date that they are going to make the detour for Otter Creek. He also attended the opening ceremonies for the Relay for Life and the Survivor Walk is an emotional event.

Ward 6 - Alderman Feiszli

In reference to the idling train issue is a source of frustration, but she did finally get a response the railroad's attorney. He met with the railroad's Operating Department in Binghamton and got back to Alderman Feiszli two weeks ago and assured her that the train would not be left idling for long periods of time. Regarding Kennedy Parkway, the engineer's preliminary draft has been received. She met with Andy Damiano and Chris Bistocchi yesterday along with the engineers and she is trying to get a time together with the engineers so that she can organize an informational meeting with them and the residents to go over the report and the options that are available. At the last Neighborhood Watch Committee meeting they discussed how crime was affecting their neighborhood and strategies and resources that could be used to help prevent crime. There are a lot of unknowns with the start-up of a new watch program and everyone on the Council has received a brochure from the NYS Attorney General's Office regarding an informational seminar that is going to be held in Syracuse at the end of this month. She plans to attend along with Sgt. Carpenter and some of the watch captains and co-captains. That will be the topic of discussion at the July 10 Watch Meeting that is scheduled for 7:00 PM at the East End Community Center. She has contacted the Codes Office on many issues and she thanked them for taking care of them. Her report is also on the City's web page.

Ward 7 - Alderman Partigianoni

It's been a busy past four weeks. He participated in the meeting with the railroad; they were surprised to hear that the engines were running in the neighborhood areas. The attorney was emphatic that he does not want them to do that. He received two calls from residents who complained that the fumes made them ill. He attended the VFW Memorial Service at Courthouse Park with the Mayor. He heard a loud complaint regarding the absence of American flags on the entire length of Main Street. He talked

with Andy Damiano regarding this. At one time the Chamber of Commerce made flags available, but vandals did their thing. It was also suggested that Congressman Boehlert could be contacted to help. He feels that it was a legitimate complaint. Many poles do not have holders, but some of them do and there should've been a few flags displayed, he almost brought his down from home. It is being looked into to purchase sturdy special flag holders. Alderman Partigianoni is happy to announce that River Street and part of Elm Street received a base layer of blacktop ahead of schedule. With the dry weather, the dust has been a problem. He would also like to note that the street trees have been marked and trimming can begin immediately. The Code Office has received several complaints from his Ward regarding a foul odor and he thinks they have a lead on it and he will report more later. The Senior games were held June 7-9 and he's happy to announce that the Cortland Softball Chapter fulfilled their duties well. He also discussed the East End Community Center's Grand Opening on June 5 with Alderman Feiszli as Master of Ceremonies. He wanted to express his sincere thanks to all of those who made this a successful event. St. Anthony's held their 90th anniversary celebration on Sunday and everything went extremely well.

Ward 8 - Alderman Michales

He received a call regarding excessive flooding on Kellogg Road and Dawn Drive a week ago Friday. He referred this to the DPW and they are going to remove the debris from the drywells soon. He and Andy Damiano met with NYSEG representatives today to discuss problems with homeowners digging in their right of way. A neighbor of his went to plant a tree in the right of way and Alderman Michales wanted more information on the process. If a homeowner wants to dig in the utility right of way, they should start with contacting Dig Safely in New York. That Agency will contact the homeowner back within three days, letting them know if they where they can dig in that area. What they found out that morning was that the gas lines are about two feet down and diggers should be cautious after the first foot and a half. He attended the ribbon cutting at the East End Community Center and it was a great day for that and lots of fun. He also attended the Habitat for Humanity event at the house up on Fox Hollow this past Saturday. There was a good sized turn-out and they are looking for help this weekend with putting the Styrofoam forms together to pour concrete. He resolved an issue with Cortland Transit involving residents along Dawn and Woodcrest Drives. He and Marilyn Brown met with a committee to try to resolve the issue of the busses going down those side streets, using them as a turnaround and whether there was a more direct route. The residents are happy with the resolution. His grandson would also like to know why the fountain in the park is not working. Andy Damiano told him that the fountain pump broke and another one has been ordered.

ITEM #1 - Presentation by Linda Kline on her proposed Gateway Lamp Post Project.

Linda Kline did a well prepared visual and verbal presentation for the Landscape and Design Committee's proposal for the new Gateway for the City of Cortland. This gateway project is to make the many people driving down the Exit 11 area (off of Rt. 81), that Cortland has a historic downtown. They had come up with a few proposals that had to be revised for various reasons. The final proposal is an attractive antique light post with a sign advertising our historic downtown and a decorative arrow pointing them to Main Street. The lamp post project will be located directly across from the Rt. 81 Exit 11 ramp because there is a source for electricity there. The Committee is requesting that the City agree to lease the two globe lamp post through Niagara Mohawk, Niagara Mohawk will install them and will replace them if they become old, worn or broken. This is cheaper than the City running an electrical line, pouring a base and maintaining the lamp post themselves. Mrs. Kline was asked what the cost was going to be to the City. She said that a contractor will have to lay the electric line and extend it up ten feet. After that, Niagara Mohawk will do the rest. Her committee is looking for a commitment from the City for the annual leasing and energy fee which includes the maintenance for which Niagara Mohawk will charge \$302 per year. She was asked if it was possible to add other locations to this project, if it went over well. She thought that was a possibility.

RESOLUTION #63 OF 2005 - Approve a resolution accepting the Gateway Lamp Post Project Plan, authorizing the Landscape and Design Committee to proceed with the Gateway Lamp Post Project and agreeing to cover the annual leasing and electricity fees.

By: Alderman Faraoni
Seconded: Alderman Morey

Approved: Ayes - 8
Nays - 0

RESOLUTION #64 OF 2005 - Approve a resolution authorizing the submission of a grant application in the amount of \$53,000 to the New York State Environmental Protection Plan for funding to construct a canoe launch at Yaman Park.

By: Alderman Guido
Seconded: Alderman Morey

Approved: Ayes - 8
Nays - 0

RESOLUTION #65 OF 2005 - Approve a resolution authorizing the submission of a grant application in the amount of \$14,400 to the New York State Governor's Office for Small Cities Technical Assistance Program to fund the drafting of a strategic plan for the development and/or rehabilitation of the South Main Street/South Avenue area.

Linda Armstrong stated that the grant was for \$53,000 and in applying for it, it would commit to coming up with \$53,000. Andy Damiano stated that it would be primarily community development funds and not taxpayer funds. Linda Armstrong said that in-kind services would also apply. This will be a project for next year, as funds won't be released until then. The City's chances of getting the grant are very good with all the activities with the Tioghnioega River.

The second grant that is being looked at is because of the City's participation with the Housing Confab and what can be done with housing in the community. Mayor Gallagher met with Housing Visions Unlimited, what they do in the Syracuse and Auburn areas is buying houses and rehab them and sell them. What Thoma Development would like to obtain a small grant and he put together a budget to try to capture some of that money to do some visioning and to develop a plan for the South End. It would include a multitude of things, but this project would have to be put out for bid, but if Thoma got it, they would collect data, talk to residents, come up with some funding sources, look at the infrastructure, etc. They are looking for authorization to apply for these funds. Alderman Morey asked if the City had to come up with matching funds of 40%. Ms. Armstrong said they are looking for a grant of \$14,400, coming up with \$2,600 in cash and coming up with \$7,000 in-kind.

By: Alderman Morey
Seconded: Alderman Partigianoni

Approved: Ayes - 8
Nays - 0

RESOLUTION #66 OF 2005 - Approve a resolution to close Pearne Avenue on August 13, 2005 from noon to 8:00 PM in order to hold a neighborhood picnic.

They've had a number of requests like this and more coming and the Council encourages this type of gathering to continue.

By: Alderman Feiszli
Seconded: Alderman Terwilliger

Approved: Ayes - 8
Nays - 0

RESOLUTION #67 OF 2005 - Approve a resolution for an amendment to Section 11-41 of the Code of Ordinances adding a "STOP" sign on Pearne Avenue at its intersection with East Main Street. (Recommended by the Public Safety Commission).

**By: Alderman Feiszli
Seconded: Alderman Michales**

**Approved: Ayes - 8
Nays - 0**

RESOLUTION #68 OF 2005 - Approve a resolution for the Main Street Music Series Committee to close the parking lot adjacent to the Market Place Mall at 3:00 PM on Fridays, commencing on July 8, 2005, through and including August 13, 2005.

Amy Bertini was asked if there was any negative feedback about this and she indicated not. Alderman Morey urges anyone who has not been to attend and noted that the series was very well attended.

**By: Alderman Faraoni
Seconded: Alderman Terwilliger**

**Approved: Ayes - 8
Nays - 0**

RESOLUTION #69 OF 2005 - Approve a resolution authorizing the Mayor to enter into a lease agreement with Nextel Partners which will allow the company to place antennas on the water tanks located at SUNY Cortland. Said approval to be contingent upon Nextel Partners' receipt of the necessary approvals from the Zoning Board of Appeals, the City Planning Commission and Corporation Counsel.

There was a question regarding the prepping of the site. Doug Withey will be coordinating it.

**By: Alderman Morey
Seconded: Alderman Guido**

**Approved: Ayes - 8
Nays - 0**

RESOLUTION #70 OF 2005 - Approve a resolution to close Euclid Avenue from the Euclid Avenue Street Picnic Committee on August 20, 2005 from noon to 9:00 PM to hold their 13th annual event.

**By: Alderman Faraoni
Seconded: Alderman Feiszli**

Approved: Ayes - 8
 Nays - 0

RESOLUTION #71 OF 2005 - Approve a resolution authorizing the Mayor to enter into a grant agreement with the New York State DOT in order to undertake a project to replace the culvert at North Main Street over Otter Creek.

This is the one that is going in right around the corner from Pudge's.

By: Alderman Partigianoni
Seconded: Alderman Terwilliger

Approved: Ayes - 8
 Nays - 0

Adjournment

By: Alderman Faraoni
Seconded: Alderman Guido

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 21ST DAY OF JUNE 2005. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN-CITY CLERK

MAYOR THOMAS GALLAGHER