



City Council Minutes The City of Cortland

July 18, 2006

Council Meeting #12
July 18, 2006
Regular Business Session
City Hall
7:05 PM

Present: Alderman VanGorder, Terwilliger, Quail,
Feiszli, Partigianoni and Michales

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

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Public Comment

Kay Zaharis from the Cortland Free Library was present. She was there as a citizen to thank whomever purchased and was responsible for putting up the flags on Main Street. She felt that they looked very nice. The Mayor noted that it was a joint effort of the Downtown Partnership Program, the Veterans and the American Legion.

As Director of the Library, she was also present to announce that the Library was now on-line and automated. She noted that ninety-nine (99) percent of what they do now is on computer and she hopes that everyone comes in to see the new look of the library. While they still have the old card catalogue system, everyone is willing to help individuals locate books using the computer system. She noted that there are two (2) more sessions of the summer reading program for youngsters at the Library.

Mike Dexter was present to thank Alderman Michales for spearheading the effort to have downtown flags. He also spoke of the bug infestation on the locust trees. He noted that the trees on Church Street have leafed out for a second time. He is hoping that this bug has gone away. He has read that if the trees are defoliated again, they will struggle next year.

Minutes of June 20, 2006

RESOLUTION #69 OF 2006 - Approve the minutes of June 20, 2006.

By: Alderman Quail
Seconded: Alderman Terwilliger

Approved: Ayes - 5
Nays - 0

Bills were reviewed and received.

Mayor's Report

He left each of the Aldermen a copy of a letter from the College regarding the off-campus housing program. They have adopted a booklet that is available in his office. He felt it was a great effort on the College's part to recognize that there are some problems with off-campus housing and they are going to address them.

He attended CCTV meeting and attended the candlelight vigil at Cobblestone Church for United Nation's Day in Support of Victims of Torture. There was a great turnout. He attended the Downtown Partnership Committee meeting. Lloyd Purdy is doing a great job despite working out of his car or from the Blue Frog Café. He has a lot of things planned for the Downtown Festival Days. There are a lot of events scheduled.

He also met with SPCA to discuss a serious feline problem. He attended meeting with Barbara Lifton and also attended Loan Committee meeting. He met with members of the VFW to discuss the parking lot issue.

Ward 2 - Alderman Terwilliger

She was very happy to learn of the meeting regarding the feline problem. She has been receiving many complaints in the past few weeks. She did speak with Bill Carr, the SPCA officer and tossed some ideas around. She would like to put an item on the agenda to enact some legislation or something with spay or neutering cats, so that if he is out on a call, and asks the pet owner for some verification of spay/neuter and they don't have it, they will have to comply. Hopefully this will get the problem under control. There is a bad problem in her Ward. Andy Damiano inquired if she was referring to mandatory spay/neutering of animals, because he noted that it was not mandatory for dogs and he was unsure of the legality of such legislation. Corporation Counsel Knickerbocker noted that he had reference materials available where this has been tried in other jurisdictions without much success. Alderman Terwilliger noted that she thought there was a five (5) pet limit per household on the books and she wondered how this was enforced as many of these cats were not pets, but are being fed. Perhaps tickets could be issued for the feeding of stray pets. She noted that the SPCA normally did take in stray pets that were captured, but right now the SPCA is full and is not taking in cats. Bill Carr told her that Ithaca was having a similar problem.

She also received another call regarding the property on the corner of Clayton, the yellow house. The stone wall is deteriorating and crumbling down on to the sidewalk. The individual who contacted her about this issue also noted that a lot of children were playing in that area and asked if a Children at Play sign could be installed.

Ward 5 - Alderman Quail

He noted that it has been a year of construction in the Ward. He also noted the clocktower building clean up. He had received a few inquiries regarding this and he referenced a piece of correspondence to David Aloj from Andy Damiano and he noted that the New York State Department of Labor is responsible for monitoring these things and not the City. The City is not responsible for monitoring of asbestos, but is responsible as it relates to vehicular and pedestrian safety. Andy Damiano noted that it was a common misconception that the Code Office monitored asbestos removal and abatement, but the New York State Department of Labor does the licensing and they do the monitoring. The City Code Office requires that in a demolition project that an asbestos assessment be done to be sure that the asbestos is removed properly in the event that it is on the site, but they do not monitor the actual removal. That is left up to the State.

Ward 6 - Alderman Feiszli

She received a call from a constituent on Morningside Drive concerned about grading/regarding work being done over at BOCES because they are in kind of a bowl. She contacted Bruce Weber, Code Officer in Cortlandville. He noted that they are doing some regarding over there and work on their drywells, but they are going through the process and the approvals for the storm water prevention program.

In their last sub-planning committee meeting, Ward 6 determined to be eligible for Community Block Grant money for retaining wall placement along Sampson Street and Willow Avenue. There are also thirty (30) properties in the sixth Ward and six (6) in the second Ward. What is going on right now, is that the County is doing an assessment as far as the cost and what type of retaining wall would go up there and they will meet again in September and the next step would be applying for the grant money.

She also spoke with a constituent with regards to her rights as a tenant on multiple issues. It was noted that in the past an effort had been made to start up a tenant association and it wasn't too successful. There are resources available on the internet from the NYS Attorney General's Office. The person's question was in regard to paying water and sewer bills. The tenant has been told to pay these and Alderman Feiszli was not sure that these bills were the tenant's responsibility. Mayor Gallagher noted that it was up to the landlord to determine whether it was to be included in the rent or not.

She also received a call from a constituent who has a power pole on her property, which is not on the City right of way. The power lines are hitting a tree that is on her property. The lines go to her house and a neighbor's house. Alderman Feiszli gave the resident a number of an individual at National Grid, who has not contacted the resident back in two

(2) or three (3) weeks. She asked if there was someone else that she could refer this resident to. Mike Dexter noted that he would get an address and phone number to her.

She also noted a lot of problems and issues with catch basins and storm water drains. She contacted the DPW. She spoke of one on Euclid Avenue which has had a cone over it for almost a year and it has been replaced. She also received a flooding call from Morningside Drive and Yaman Park. The DPW attended to those dry wells, as well. She received a call regarding the sensor lights that were put in last year underneath the trestle between Sampson Street and Front Street asking if they could be made brighter. They seem to be working very well, but a lot of kids seem to be partying under that trestle.

She also noted that Kennedy Parkway had flooded quite a few times this summer and the DPW had been out there draining. They pretty much have a system in place, where the police patrol it after a heavy rain and call the DPW to come out with their trash pump and their vehicle and that system seems to be working. She asked residents to please bear with this until next year when their project comes through.

Finally, she received a call asking that a stop sign be placed over at the Denny's parking lot and Locust Avenue. She felt there was a potential for an accident there. She noted that there was an eight (8) sided sign there, but it had been painted white. She asked Public Safety to look at that situation.

Ward 7 - Alderman Partigianoni

He noted that along with Alderman Terwilliger, he had quite a discussion regarding the cat problem and he is interested to see if Corporation Counsel can come up with something. He noted that it was more complex than anyone might think. He attended the meeting with Barbara Lifton down at the East End Community Center.

He received a call from a resident to come see the construction on the credit union building site on Port Watson Street. She was pleased with the work crew and also felt that the construction of this facility will enhance the value of her property. He noted it will be a real plus for the East End.

He noted that there had been an issue with the VFW. He had received quite a few calls. As of this morning, he feels that the issue has been resolved. The barrier was removed from the parking lot this morning. He also asked Linda Armstrong for an update on the trees for the lots. She noted that no decisions had been made as the bids received had been quite high and they have to do some cutting and scaling back of the project. One (1) of the issues that have to be dealt with is where they will have access and whether they will be moving the tree backward or forward. Thoma will want to touch base with Chris Bistocchi and his availability.

He also noted that the presentation of the Great American Tragedy at the East End Community Center was a very successful event. Nearly two hundred (200) people were in attendance. He thanked the Mayor for introduce the forum. He also noted that the next telecast, thanks to Sharon Stevans, will be shown tonight and again tomorrow night

at 10:30. He noted that these forums were taped and if anyone was interested they could contact the Youth Bureau and they were available for a nominal \$2.00. It was the 100th anniversary of this event.

The next scheduled event is a Fund Raiser at the Holiday Inn on July 30th 1:00 pm to 5:00 pm. There will be two (2) bands and food and tickets are \$10.00 each.

He also announced that tomorrow was Old Timers Day at Meldrim Field. He also mentioned that a team of fifteen (15) and sixteen (16) year olds, who won their first Southern Tier League play-off game and their second one is tonight against Ithaca. He took time to thank the organizations that have given support to this young team.

Ward 8 - Alderman Michales

He met with the VFW in regards to the parking lot issue on Monday. He dealt with a swarm of honey bees. The early warning system for the Kellogg Road residents that went into effect when they had the rising water about a week ago, allowed them to get their pumps ready long before anything happened. He also has had several Code related issues that have been referred to them. He also had an issue that was relayed to the Police Department.

He attended the fundraiser for Habitat for Humanity. They netted over \$4,000.00. He wanted to thank all of those who participated in that event. He noted that there were flags on Main Street for the 4th of July. He thanked all of those who participated to make this happen and he is now working to have flags up on South Main Street and hopes they would be in place by the end of this month. Mike Dexter, who is also on the Flag Committee, for being very resourceful. He thanked all of those involved with this project. He also dealt with a woodchuck problem.

The Mayor thanked him for orchestrating the flag program.

Ward 1 - Alderman VanGorder

She apologized for her late arrival. She noted that her Ward meeting went very well. She has not received any complaints in the last several weeks. She noted that she was unsure if the portable ashtrays were working or if people were being more considerate, but things seemed to be much better. There was discussion regarding the start up of a Neighborhood Watch in the Ward and she would like to find out more and work on. She also has been working on a big code issue with the Mayor and others.

The Mayor took the opportunity to introduce the new City Reporter, Kevin Geibold, who did a wonderful job covering the recent Great American Tragedy anniversary event.

RESOLUTION #70 OF 2006 - Consideration of a Resolution approving a Community Development loan.

Linda Armstrong was present to outline the application. The loan is in the amount of \$25,000 to the company listed in the memo that all of the Aldermen received. It is

Thoma Development's policy not to announce company names until and unless they have Council approval.

By: Alderman VanGorder
Seconded: Alderman Partigianoni

Approved: Ayes - 5
Nays - 0
Abstained - 1 (Tom Michales)

Item No. 2 - Consideration of a Resolution authorizing the Mayor to enter into contract with the lowest bidder for the Parking Lot Project.

This item is being pulled from the agenda, due to the fact that all bids were way over budget.

RESOLUTION #71 OF 2006 - Consideration of a Resolution authorizing the closure of Euclid Avenue on August 19, 2006 from 12:00 Noon to 9:00 PM in order to hold the 14th Annual Euclid Avenue Street picnic.

Alderman Feiszli noted that this was a very big picnic and invited the Mayor and Council Members to the event.

By: Alderman Feiszli
Seconded: Alderman Quail

Approved: Ayes - 6
Nays - 0

RESOLUTION #72 OF 2006 - Consideration of a Resolution authorizing the closure of Glenn Street on July 30, 2006 from 11:00 AM to 6:00 PM in order to hold a neighborhood picnic.

By: Alderman Terwilliger
Seconded: Alderman Partigianoni

Approved: Ayes - 6
Nays - 0

Discussion regarding the proposal to restructure the Water Department.

There was discussion noting that Andy Damiano's memo was very well written. Alderman Feiszli noted that in the past there had been some major issues in scheduling and that this consolidation would resolve this. She hoped to see more of this type of thing in the future. The Aldermen, in general, felt this was a good thing. Chris Bistocchi would be overseeing the water lines, sewer lines, hydrants and street paving; anything involving the streets being torn up and repaved. He would be the primary point of contact if residents had any questions or concerns as he would have full responsibility

of maintenance of the streets and the manpower to do that. The Water Department, now, would be in charge of the pumping and distribution of water and the administrative tasks related to that, such as meter reading, shut offs, etc. The construction portion would be under the Department of Public Works. Andy Damiano noted that the intent was to better coordinate projects being done in the streets. Mr. Bistocchi will completely control the scheduling and the manpower.

There was some discussion regarding qualifications for a 1-B certification and the number of employees the City would and should have that have this certification. It was also noted that there would be a nominal increase in salary to cover the additional responsibilities Mr. Bistocchi that he will be taking on. Mr. Bistocchi is comfortable with the size of the increase and Mr. Damiano noted that if the Council was also comfortable, he would put the amount in the 2007 budget.

RESOLUTION #73 OF 2006 - Consideration of a Resolution authorizing the restructuring of the Water Department.

By: Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes - 6
Nays - 0

Adjournment

By: Alderman Quail
Seconded: Alderman Feiszli

Approved: Ayes - 6
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 18TH DAY OF JULY 2006. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN - CITY CLERK

MAYOR THOMAS GALLAGHER