



City Council Minutes September 2, 2003
The City of Cortland, New York

COUNCIL MEETING #16

September 2, 2003

REGULAR BUSINESS MEETING

City Hall

7:00PM

PRESENT: Mayor Mary E. Leonard

Alderman Faraoni, Tobin, Morey, Guido, Partigianoni, Quail, Testa, and Hennessy

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

PUBLIC HEARING

7:00PM – Consideration of Local Law No. 3 of 2003 Prohibiting the Discharge of firearms, and the carrying of weapons in certain City buildings.

There was no one to speak; therefore the public hearing was closed at 7:04PM.

7:05PM – Consideration of Local Law No. 2 of 2003 placing a three month moratorium on Manufactured housing.

Jack Comfort of 14 Excelsior Street. He is a hauler of manufactured housing. He employs 32 people and will be putting on another 10. Today manufactured housing is as good as any stick built house on the market. He chose not to put a basement in his house when he put it up because he is handicapped. A basement is not a necessary item for everybody. He feels as a tax payer of the City of Cortland this will not hurt him at present but there are a lot of vacant buildings throughout the City and at some point there could be a developer that would like to put manufactured housing up.

There was no one further to speak; therefore the public hearing was closed.

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

No public comment.

MINUTES of August 19, 2003

Alderman Guido adds to Resolution #123, "In the future if employees could look into cheaper hotel rooms that would be best for the City". Alderman Morey states there was no report of Resolution No. 123. Mayor Leonard asks Alderman Morey to state what she would like to add or correct. Clerk Wood asks what should be added.

Alderman Morey states that one department had different pricing of the hotel, and one department had chosen to carpool. The Mayor notes those are comments but Alderman Morey needs to say something specific and provide some examples. Alderman Morey would like her comments added to these minutes. Alderman Morey states she does not have anything specific to add. She is making the comment there is no discussion.

RESOLUTION #127 of 2003 – Approve the minutes of August 19, 2003 as amended.

By: Alderman Guido
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

BILLS

Alderman Quail asks about legal fees. Corporation Counsel will put a packet together for the Council and the Council members can pick it up. Bills are received.

MAYOR'S REPORT

Welcomes the students back. The Mayor notes we have a sales tax agreement. It is not ideally what we would like to see happen. The amounts are going to cause us some impact but we're pleased it is over and done with. Andy and the Mayor attended the meeting at the Legislature last week.

There is going to be a clean up for the IDA and people who are interested in participating in the Tioughnioga River clean-up on Sept. 20. They are asking volunteers to meet at 8:45AM at Grange Place.

We received the traffic study from the DOT. This will go to the Public Safety Commission. If you have any concerns let either the Mayor or Public Safety know. The facilities project still needs to be addressed. She has asked members of the fire department to drive around and check potential sites. They are trying to get aerial photographs. One of the concerns when looking for sites is the turning for ladder trucks or backing in and out. If we are going to be looking at acquiring a site, we have to figure out what that site is going to be. She would like to either hire the consultant that came to speak to us or make some move towards what you want to do next. Alderman Testa wants to keep the ball rolling. He doesn't feel that after two studies we should let this thing fall. Alderman Quail notes everyone at his ward meetings agree we need to do something with the fire station. It will increase taxes but we need to decide what are needs and wants are. Alderman Tobin is not in favor of paying \$100,000. for a study. The Mayor explains the consulting company cannot give us a building plan if we don't have a place to put it. Alderman Morey asks why we need to choose a consultant before we see our final product. The Mayor notes we need someone to oversee what is going to happen. If it's your pleasure to not have a consultant then we need to make that decision. Alderman Morey wants to look at the finished product and then find a consultant. A brief discussion ensues regarding location, ratings, SUNY Cortland, senior housing, railroad tracks, etc. Alderman Quail suggests a work session. The next Common Council meeting will be held at 6:00PM to discuss locations, etc.

WARD REPORTS

Ward 1 – Alderman Faraoni

Reminds everyone his ward meeting is Wed. Sept. 3rd at 7:00PM in the assembly room on the first floor of the nursing facility at CMH. Tom Carmen, CEO will answer questions and give a tour of the new emergency wing.

Ward 2 – Alderman Tobin

School is back in session. There is noise, illegal parking, and illegal housing. The issue is too many people living in housing. This needs to be addressed and he is going to speak to this issue every council meeting until he leaves. The other thing is some time ago we commissioned the idea of having 2 sets of minutes done by a professional. We have not seen these. Director Damiano notes the woman from McGraw was not interested in doing it. The next quote was between \$600.00-\$700.00. Andy asks that in light of the current budget, this be reconsidered. Alderman Morey asks why we can't have the clerk's office do it. Clerk Wood states we are not equipped to do it. We do not have the time or the staff. If you want it word for word we will have to go outside to do it. A brief discussion ensues regarding the author of said minutes.

Ward 3 – Alderman Morey

The students are back. She has received calls on trash, noise, and housing problems, etc. She wants to direct this to the Legislature. We have got to start sales tax negotiations earlier. They have got to be willing to work with the City Council. The local schools open tomorrow. Please drive slowly. She thanks Chris Bistocchi and the DPW for paving Groton Ave. They should be done in a couple more days.

Ward 4 – Alderman Guido

The students are back. The garbage and noise is a concern. Schools open tomorrow so please drive carefully. Thanks Code for looking into an issue on Tompkins St.

Ward 5 – Alderman Quail

Reminds everyone the 5th ward party will be on September 13, 2003 from 1:00PM to 3:00PM at Beaudry Park. Please bring a dish to pass and a beverage. He will provide hamburgers, hot dogs, and paper products. He comments on the sales tax agreement. He supports it in the short term. He is concerned about the current distribution given the many services the City continues to provide. He believes we should be receiving a larger share of the sales tax. Delaware St. has been dug up since last week because of the gas line. There are craters a foot deep in some places. Someone is going to get hurt.

Ward 6 – Alderman Testa

Things are quiet. He discusses bushes on property lines and what does someone do if the neighbor refuses to cut the bushes. Should this be addressed in the Code with regard to setback?

Ward 7 – Alderman Partigianoni

He contacted DPW with regard to repairing cracks and maintenance. They told him depending on funds, they would try to do as much of the City as possible. He thanks everyone because 521/2 Elm St. is gone. The health department has been in contact with the legislature. There were two crows diagnosed with West Nile virus. Please call if you find a dead bird. Alderman Hennessy states they don't pick up the bird, they only want to know how many carcasses are found. Repellent and long sleeves are recommended after dark. They are going to spray but they have to wait until it is not going to rain.

Ward 8 – Alderman Hennessy

She reminds everyone about the Pumpkinfest which is coming the first weekend in October. She will try to

answer any questions if they arise tonight. The Agency on Aging is sponsoring two events this fall. One is the memory walk which is Sunday September 21st. That is a fundraiser for the agency. Most of the money stays here in Cortland County. In the past it has been used for respite care for patients with Alzheimer's. The other event is Senior Enrichment Day which is October 6th at the college. You can hear a speaker and take courses. It's a very interesting day. You can contact the Cortland County Agency on Aging and they can help you get signed up.

The Mayor notes there is a dedication for the Harvey Kaufmann Administration Building and Conference Center on September 25th at 7:00PM.

AGENDA

RESOLUTION #128 of 2003 – Adoption of Local Law No. 3 of 2003, amending Chapter 207 of the Code of Ordinances. A copy is attached hereto and made a part thereof.

By: Alderman Hennessy
Seconded: Alderman Faraoni

Alderman Guido asks if a law abiding citizen wants to have a B.B. gun range in their basement, is that still okay. Corporation Counsel says if it is on your property and it's not breaking any state laws then this doesn't impact it.

Roll Call:

Alderman Faraoni	Aye	Alderman Quail	Aye
Alderman Tobin	Aye	Alderman Testa	Aye
Alderman Morey	Aye	Alderman Partigianoni	Aye
Alderman Guido	Aye	Alderman Hennessy	Aye

Approved: Ayes – 8
Nays – 0

RESOLUTION #129 of 2003 – Adoption of Local Law No. 2 of 2003, establishing a moratorium on the placement of manufactured homes in the City for a three month period of time.

By: Alderman Hennessy
Seconded: Alderman Morey

Alderman Testa asks what will happen after three months. Corp. Counsel Suben notes by then we should have a revised code of zoning. Alderman Hennessy states the purpose is not to exclude manufactured housing. This will be addressed in the new code. The Mayor agrees with Mr. Comfort whereas there are a lot of nice manufactured homes but there is nothing at all in our code that would prevent an old home being brought in from some place else or a trailer park. Alderman Morey notes we are asking for limits or guidelines. Mr. Comfort agrees with the intent of the Council and the Mayor welcomes his suggestions.

Roll Call:

Alderman Faraoni	Aye	Alderman Quail	Aye
Alderman Tobin	Aye	Alderman Testa	Aye
Alderman Morey	Aye	Alderman Partigianoni	Aye

Alderman Guido Aye Alderman Hennessy Aye

Approved: Ayes – 8
 Nays - 0

RESOLUTION #130 of 2003 – Authorize the amendment to Chapter 146 of the Code of Ordinances to allow games of chance to be conducted on Sundays.

By: Alderman Faraoni
Seconded: Alderman Morey

Approved: Ayes – 8
 Nays – 0

RESOLUTION #131 of 2003 – Approve the requests submitted by The Great Cortland Pumpkin Fest Committee for the annual event which will be held on October 4th and 5th, 2003:

- a. Permission to use the City's portion of Court House Park
- b. Permission to close Court Street from Main Street to Church Street from 7:00am on October 4, 2003 to 7:00am on October 6, 2003.
- c. Permission to place promotional signs at or near the entrances to the City.

By: Alderman Tobin
Seconded: Alderman Partigianoni

Approved: Ayes – 8
 Nays – 0

RESOLUTION #132 of 2003 – Authorize the use of certain City streets for a 5K run on October 4, 2003 from 9:00am to approximately 10:00am.

By: Alderman Guido
Seconded: Alderman Morey

Approved: Ayes – 8
 Nays – 0

RESOLUTION #133 of 2003 – Authorize the closure of Van Hoesen Street from Joy Street to Harrison Street on September 14, 2003 from Noon to 5:00pm for a neighborhood picnic.

By: Alderman Faraoni
Seconded: Alderman Guido

Approved: Ayes – 8
 Nays – 0

Item No. 7 – Establish deposit amount pursuant to Section 220-17 of the City Code (commercial storage of junk vehicles).

The Code itself says the City Council shall establish the deposit amount. The Mayor asks the Council to pick

an amount. Asst. Corp. Counsel Whitney suggested \$100.00 but that was just a number. The Code does not provide for payment of fees or anything else.

RESOLUTION #134 of 2003 - Approve the deposit amount of \$100.00 pursuant to Section 220-17 of the City Code.

By: Alderman Quail
Seconded: Alderman Guido

Approved: Ayes - 8
Nays - 0

Adjournment.

By: Alderman Quail
Seconded: Alderman Guido

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 2nd DAY OF SEPTEMBER, 2003. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

WILLIAM J. WOOD - CITY CLERK