



City Council Minutes The City of Cortland

September 5, 2006

Council Meeting #15
September 5, 2006
Regular Business Meeting
City Hall
7:00 PM

Present: Alderman VanGorder, Cobb, DeCarlo, 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 fifteenth Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

Public Comment

Rita Wright was there to give a presentation about the Cortland YWCA Women's Domestic Violence Program and Women's Shelter.

Linda Riccardi was there to inquire about the flooding issue in the Fox Hollow Road area. The Mayor noted that Chris Bistocchi and the DPW are working with the Town of Cortlandville on the resolution to this issue, but he does not know at this point, what has happened. She also inquired if the City had heard from Soil and Water Conservation. The Mayor noted that Chris Bistocchi was coordinating the resolution and that he had a death in the family and had not been gotten back to the Mayor. Ms. Riccardi noted that the School District also mentioned that they were working with the City. She also inquired about the enforcement of the three (3) way stop sign at Sunnyfield and Fox Hollow and police patrols. She felt that the situation was getting worse and more patrols were needed. It was noted that if license plate numbers of violators were taken down and called in to the police, violators would then be contacted.

Kay Zaharis from the Cortland Free Library was present to invite everyone to the Saturday, Sept. 16, 2006, Computer Automation Thank You Celebration Open House from 1:00 to 4:00 PM with Barbara Lifton. It will also be an amnesty day for late book returns. Lime Hollow will also host a Possum Party in the children's room.

Mike Dexter was present to give an update on the tree planting in the City. He also noted that St. Mary's Church shrine had been vandalized. There have been three reports on church vandalism in recent months. He felt that something should be done to enforce the City curfew on weekends.

Bill Wood was present in regard to the Council's discussion of the acquisition of real property in executive session. He noted that the acquisition of real property should be part of a public meeting, not an executive session.

Minutes of August 15, 2006

RESOLUTION #87 OF 2006 - Approve the minutes of August 15, 2006 as amended.

By: Alderman DeCarlo
Seconded: Alderman Partigianoni

Approved. Ayes - 7
Nays - 0

Bills were reviewed and received.

Mayor's Report

Met with DPW members of the Cortland Housing Authority staff to discuss the flooding situation on Jackson Drive and Pendleton Street. He attended the United Way meeting, Access to Independence 16th Anniversary, the Red Cross 90 year birthday celebration and the sales tax meetings with the County. He attended key leaders' breakfast at Cortland Regional Medical Center as well as the Downtown Partnership meeting. He participated in ribbon cutting ceremony at SUNY Cortland's new parking lot and attended the Leadership 10th anniversary celebration at ETL.

He gave the welcoming speech for the Celtic Fest. He met with veterinary team from Cornell University. He met with Senator Clinton's aide to preview the McNeil Building. He also met with Larry Spring, the new Superintendent of Cortland High School. He participated in the search of 7 Wheeler Avenue to assess the situation of hoarding cats and also spent 9/1, 9/2, 9/3, 9/4 dealing with logistical problems regarding 7 Wheeler Avenue. He also announced the upcoming programs:

Ice cream social at Dexter Park, East End.
Pumpkin Fest October 7th and 8th.

He gave an update on the 7 Wheeler Avenue feline situation and asked for volunteers and donations of food.

Ward 1 - Alderman VanGorder

It has been a busy time in her Ward, starting out with 7 Wheeler Avenue. It took months and months of work with Corporation Council, herself, the Mayor, the Chief of Police and the Code Office. It was a horrendous situation. The neighbors are grateful that

something was able to be done. She thanked all those individuals and agencies that have been involved in this. She asked for donations of money, food and time. There is also another house in her Ward that has been posted and she has been dealing with that situation. She also had a woman in her Ward that was bitten by a pit bull. It was severe. She has spoken with the Chief of Police. She noted that these are some issues that need to be addressed. She would like to have the Council discuss some of these issues and try to bring some resolution to them. She has been working with the DPW on some flooding issues and working with NYSEG about issues on Wheeler Avenue. She also has received some noise complaints and some prowler complaints. She has spoken with the Chief of Police and Sgt. Carpenter about setting up a Neighborhood Watch in her Ward. She has been very busy in the past few weeks. She noted that some of these issues are starting to be resolved and she feels that things are going in the right direction.

Ward 3 - Alderman Cobb

She received some call regarding flooding in the Ward. They have decided in her Ward to do an Otter Creek clean up and will be speaking with Corporation Counsel regarding the legalities of this. There will be a meeting on Saturday, September 9, for planning and organizing this if they are able to do the clean up. It will be at the Suggett Park Community Building at 5:00 PM. This is not with machinery. It will just be volunteers going in and removing debris and rubbish. She also contacted Alderman Feiszli because the creek goes through her Ward as well. She tried to reach Alderman Terwilliger, but she was unable to do so, as she has had her baby. She also has received some calls in regards to woodchucks in people's yards. She contacted Chief Nichols, but was informed that there was no more money available this year for nuisance animal removal and she inquired if more money could be obtained from elsewhere in the budget to further fund this. She hoped that this fund could be increased for 2007.

Ward 4 - Alderman DeCarlo

He noted that there was a paintball attack on some cars in his Ward. The police were contacted and he noted that the paint washed off of the cars. He did note that this was vandalism and it's occurring around 9:00 to 9:30 PM and he asked that residents keep an eye out and be aware that things are going on. He has had a few neighbors contacting him in regards to housing sales. Some private homes in the area have recently sold and now they are advertising student housing or rooms for college students and he is looking into that. He was urged to check with the Code Office. He is also waiting for his streets to be repaired.

Ward 5 - Alderman Quail

He is also dealing with some code issues, in regard to garbage. He thinks most items have been taken care of and he thanked Code for that. He attended several meetings for the strategic planning for the South Side. They are working to put together some visioning. They are using some techniques that Thoma's developer has used in the past. He noted that South Main Street looks nice.

Ward 6 - Alderman Feiszli

She noted at the last Planning Committee meeting, they addressed the issue of the flooding of Otter and Dry Creeks. They will be applying for HUD grant funding. The next step is to determine how much it will cost to repair and replace the retaining walls and they are meeting again in the next couple of weeks to write out a Request for Proposal to send to engineers to give them an idea of how much they should apply for. This goes with Alderman Cobb's creek clean up. There is a lot of debris in her Ward in the creeks and she has a lot of elderly and disabled residents who live along the creeks that would really appreciate assistance. She also asked that residents also be alert and to contact the police if they notice young people throwing things in the creeks or doing other damage. She addressed some Code and DPW issues. She would like to put on the agenda for an upcoming meeting, a discussion regarding block parties. People are not sure about the guidelines for street closings for these and she would like to establish clear regulations or rules.

Ward 7 - Alderman Partigianoni

He congratulated Angelo Maniccia on perhaps being the oldest bartender in the country. He received about eight (8) or nine (9) calls regarding code issues. Almost all of them have been resolved and those are being addressed. He received two (2) calls and a visit from an irate student housing landlord who doesn't agree with the policies and procedures of the City Code Office. He received e-mails concerning the county sales tax. Tomorrow morning, the Central New York Men's Senior Traveling Softball League is holding their season ending tournament and Cortland has been declared a host city and it starts at 10:00 a.m. at Dexter, Meldrim and Beaudry Parks. He met with Mike Preston of Public Safety regarding calls received over the holiday weekend in regard to a tree issue which will be addressed very soon. It will be taken down shortly. This Sunday, September 10, from 2-4, the 7th Ward will host an Ice Cream Social at Dexter Park. Christine Chad, of the Advisory Committee and a Hubbard Street neighbor won an essay contest sponsored by Eddy's Ice Cream Company and they are donating all of the ice cream for this block party. The Advisory Committee invited all of the City Officials and the Sweet Adelines will perform, the Elm Street Bakery and Anecella's Deli will provide refreshments. It's on Sunday, rain or shine.

Ward 8 - Alderman Michales

He welcomed back all of the Cortland State students. He attended the Celtic Festival as well as the Leadership Anniversary at ETL/Intertech. He also had an issue in regards to an individual bitten by a loose dog. The City Police handled the incident, as well as the Health Department. The dog did have to be quarantined for ten (10) days as there was no proof of rabies vaccination. He pointed out that there was a leash law in Cortland and dog owners should abide by it. He thanked the SPCA and all of the agencies and individuals involved in the difficult situation on Wheeler Avenue. He understood that the Boy Scouts, volunteers from Syracuse and Cortland State students also helped and the help was much appreciated. He will be out there tomorrow night to help. He also wanted to recognize the Restore American Pride Committee. This Committee worked hard to obtaining funds to place flags on Main Street in honor of our veterans, armed forces, firefighters, police and all patriots. He called out the names of individuals on the committee: Judy Chamberlain, Mike Dexter, Lloyd Purdy, Ray

Nausseef, Mike Preston and Brian Gofkaniski and wished to recognize them for their efforts.

The Mayor noted that he received a letter from Joanne Cleary of the American Red Cross. On Friday, September 15, they're going to have a countywide dress down day and they are selling T-shirts for \$10 each to be sold on that day.

He also noted that Alderman Shannon Terwilliger had a baby girl on Friday.

RESOLUTION #88 OF 2006 - Consideration of a Resolution authorizing the submission of a grant application for funding to develop a strategic plan in the Riverside area.

Bernie Thoma was asked when this was previously discussed. He noted that it was discussed with the Mayor's office. Alderman Feiszli inquired that this appeared to be a little more than half in the 6th Ward and she had received a call. She asked what the need was and the overall attitude of the residents was that previous plans had been thoroughly discussed and this one had completely come out of the blue. She asked him to explain the purpose. He noted that the reason for coming out of the blue was that there was a very short lead time to put in an application for the funding and a plan to apply for a portion of the money. The feeling was that this area was a portion of the City that was going through changes; from residential to commercial. Usually there is a plan to guide those kinds of changes. The City doesn't currently have that kind of comprehensive plan. This was an opportunity to do some specific planning for that area to help the City make its future decisions. He asked if they had noticed on the map that the area was mostly a commercial area, with the focus on the Riverside Plaza. He noted that the Plaza is not developed to the extent that it should be. Part of that is ownership and part is lack of a real clear cut City position on how they would like to see it developed. That is why he suggested that the City seek this funding. Alderman Feiszli asked who would do this plan. Mr. Thoma stated that there would be a request for proposals, such as what was done on the South end. Alderman Feiszli noted that the application was for twenty thousand (\$20,000) and then forty (40%) of that is required. Mr. Thoma noted that he thought most of that could be in-kind services although some might be in cash. It depends on what kinds of proposals were received from the planning firms. Any involvement by City Staff members, County Staff members and volunteer members of the Advisory Committee would go toward the match. Alderman Partigianoni noted that this would be some strategic planning for that area.

By: Alderman Partigianoni
Seconded: Alderman Michales

Approved: Ayes - 7
Nays - 0

Item No. 2 - Presentation by Thoma Development on the Restore NY Communities Initiative Program.

Bernie Thoma noted that the State just announced this program three (3) weeks ago. The Restore NY Program is an opportunity for communities to apply for funds that can be used to do either the demolition of residential buildings, the demolition of commercial buildings, the rehabilitation of residential buildings or the reconstruction of commercial

building. The City has an opportunity along with every other municipality in New York State by Sept. 15, to submit an application. The application process isn't too detailed, because there isn't much time and the one application that the City would submit would address a number of different projects. The Mayor stated that the City was looking at some blighted properties. Mr. Thoma noted that there is the potential to apply for ninety (90) percent of the cost to do the demolition as well as the potential to get money to reconstruct a property that is important to the neighborhood. The key is that the City has to own the property or they have to have an agreement with the property owner. The real emphasis on the program on the State level was for larger cities to have fifty (50) or one hundred (100) dilapidated properties which might be taken for taxes and then that city wouldn't have any money to do anything with them. One of the quick things that could be done for acquired residential property is to apply for \$20,000 and tear the building down. Obviously some of the money will go to that. There is fifty million (50,000,000) dollars available and the most a municipality can apply for is five million (5,000,000) dollars. The bigger cities will probably get that apiece and hopefully there will be some leftover. The other thing, the application has to be filed on September 15. We have several properties, but because it happened so quickly, we have to schedule a public hearing, and he scheduled that for September 19. A notice has to be put in the paper and it must run for three days, saying these are the properties that the City is looking at and then it has to come back to the Council for a resolution of approval. That can happen after September 15, but has to happen by September 29, 2006 and then it would still be considered a complete application.

Alderman Partigianoni inquired if the application had to identify the specific properties. Mr. Thoma noted that the properties had to be identified, the cost for demolition must be provided and there is actually some square footage costs that can be used to apply for the up to ninety (90) percent cost coverage. His hope is that the public hearing can be held on the 19th and then they'll be coming back on to the Council meeting on the 19th and at that point, they will actually have locations and final numbers. Alderman Michales noted that they would be looking at property that they can tear down or fix up if you want to go half way in between. Mr. Thoma noted that there was three hundred million (300,000,000) that the State committed and fifty million (50,000,000) will be available based upon this round of applications going in this September. Sometime next spring, there is going to be another one hundred million (100,000,000) available and next fall there will be another one hundred fifty million (150,000,000) available. There will be other projects that they may be coming back for that are going to take a little longer for them to identify as a project. Certainly the demolition ones are a bit easier and don't take as much planning.

RESOLUTION #89 OF 2006 - Consideration of the approval of the following actions relating to the 11th Annual Great Cortland Pumpkinfest. - Use of the City's portion of Courthouse Park to stage the event on October 7th and 8th, 2006.

By: Alderman VanGorder
Seconded: Alderman Quail

Approved: Ayes - 7
Nays - 0

RESOLUTION #90 OF 2006 - Consideration of a Resolution to approve of the placement of promotional signs near the City entrance signs from September 18th through October 9th.

By: Alderman Michales
Seconded: Alderman Partigianoni

Approved: Ayes - 7
Nays - 0

RESOLUTION #91 OF 2006 - Consideration of a Resolution to approve the use of the Northeast corner of Court House Park for a microbrew sampling on October 7, 2006 from 1:00 P.M. to 5:00 P.M.

Alderman Michales inquired as to who would be handling this. The Mayor noted that it was a committee, but that he didn't know who was handling it.

By: Alderman DeCarlo
Seconded: Alderman Michales

Approved: Ayes - 7
Nays - 0

RESOLUTION #92 OF 2006 - Consideration of a Resolution authorizing the use of the Water Works property for the Haunted Hayride program on October 21 and October 26, 2006.

By: Alderman DeCarlo
Seconded: Alderman Quail

Approved: Ayes - 7
Nays - 0

RESOLUTION #93 OF 2006 - Consideration of a Resolution accepting a donation of \$8,000 from Reality Check for the purchase of skateboard park equipment; and appropriating said funds to Account No. A7265.405.02.

The Mayor noted that John McNerney heard about this grant, wrote for it, and received it.

By: Alderman Partigianoni
Seconded: Alderman Michales

Approved: Ayes - 7
Nays - 0

RESOLUTION #94 OF 2006 - Consideration of a Resolution accepting a donation of \$1,000 from Wal-Mart in support of the fire prevention program and appropriating said funds to Fire Department Account No. A3410.419.

By Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes - 7
Nays - 0

RESOLUTION #95 OF 2006 - Consideration of a Resolution authorizing the creation of the position of Building Maintenance Supervisor.

Alderman Feiszli contacted Andy Damiano in regard to this position. She understood that Mr. Sponaugle's new position was part time and that this position would also be part time, but now it looks like a full time position with a much lower level. It won't be a department head level position based on recommendations of the Civil Service Department. Mr. Sponaugle's new position will encompass the more difficult, professional duties of his old position, which made it a department head level position. Mr. Damiano stated that the position would be advertised at \$25,000. It was noted the individual would qualify for benefits and that this was not currently a union position with supervisory duties. It will begin as a non-union position. It was noted that the City would be getting a person and a half for less money than was being earned by a single person. Alderman Partigianoni noted that the qualifications called for a lot of various experience and he wondered if they could get anyone for \$25,000. Mr. Damiano felt that they could get someone and that full time jobs attract a bigger pool of applicants. They were looking for someone with supervisory experience, but not necessarily professional credentials or budgetary background or other educational requirements.

By: Alderman DeCarlo
Seconded: Alderman Partigianoni

Approved: Ayes - 6
Nays - 1 (Alderman Feiszli)

RESOLUTION #96 OF 2006 - Consideration of a Resolution authorizing the mayor to enter into agreement with Superior Disposal for garbage collection services for the period January 1, 2007 through December 31, 2009 (low bidder).

Andy Damiano noted that the overall impact on the City budget will be about \$35,000 above the 2006 cost. The County felt it was more beneficial for them to do the recycling sorting, although the contract was bid both ways. The City will continue with the two stream recycling and the County will do the hand sorting at the facility. This will go into effect on January 1, 2007. Twenty (20) different haulers were mailed bid packets and only three (3) bids were received and none of them was from a local hauler.

By: Alderman Partigianoni
Seconded: Alderman VanGorder

Approved: Ayes - 7
Nays - 0

RESOLVED TO GO INTO EXECUTIVE SESSION TO DISCUSS A POSSIBLE ACQUISITION OF REAL PROPERTY.

By: Alderman Quail
Seconded: Alderman Michales

Approved: Ayes - 7
Nays - 0

**RESOLVED TO COME OUT OF EXECUTIVE SESSION AND INTO THE
REGULARLY SCHEDULED MEETING.**

By: Alderman VanGorder
Seconded: Alderman Cobb

Approved: Ayes - 7
Nays - 0

Adjournment

By: Alderman DeCarlo
Seconded: Alderman Cobb

**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 5TH DAY OF SEPTEMBER 2006. I FURTHER CERTIFY THE FOREGOING
RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

JOHN O. REAGAN, CITY CLERK

MAYOR THOMAS GALLAGHER