



City Council Minutes November 19, 2002

The City of Cortland, New York

COUNCIL MEETING #19
November 19, 2002
REGULAR BUSINESS MEETING
City Hall
7:25PM

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

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

PUBLIC HEARING

7:25PM Public Hearing opened regarding the adoption of Local Law No. 4 of 2002 (Senior Citizen Tax Exemption)

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

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

Anthony Pace of 93 East Court St. is a residence of Cortland and is a Health Educator in the Fayetteville Manlius school district. They have fluoridated water and he has had class after class with children with no cavities. He thinks it is important to keep the information on fluoridation readily available to the public. The cost of fluoridation is a little bit more than a can of soda per year. Every dollar spent prevents \$80.00 of dental caries over a lifetime. 80% of all the dental caries in the U.S. occur in 25% of the population. This population is the underserved, the lower income areas, communities that have no dental health care. This is a serious issue.

Sharon Brown of Washington St. voices her concern with a neighbor who makes noise at all hours of the night. She hopes the City will lower the noise ordinance. She is concerned about the fluoride for people who are not healthy. She has stomach problems. She thinks the public should vote on it.

William Fiske of 7 Courthouse Park speaks against fluoridation. There are expert opinions for and against fluoridation. When we talk about fluoridating water we are not talking about killing harmful bacteria as we are with chlorine. We are talking about adding something to the water for a reported health benefit. We don't add vitamins to the water supply. The Common Council is not licensed to practice dentistry.

MINUTES of October 15, 2002

Nov. 19, 2002

By: Alderman Faraoni
Seconded: Alderman Hennessy

Approved: Ayes – 8
Nays – 0

MINUTES of November 12, 2002

By: Alderman Morey
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

BILLS

Bills are reviewed.

MAYOR'S REPORT

The Mayor makes special mention with regard to Police Chief Jim Nichols who was recognized by SUNY Cortland for being a friend and recognized by the community. It was a very nice occasion and an honor that was well deserved by him.

The Cortland Senior Club celebrated its 50th anniversary. She attended as well as Alderman Faraoni. The small fry football club had its recognition dinner. The Moose Club was packed. There have been some questions regarding the animal committee. They will have some information to share in the near future. There will also be information forthcoming with regard to the traffic study.

The recycling center for the County caught on fire. There are roll-off containers at the DPW site. The Mayor is a little concerned that the County has not obtained those containers yet. It is important we encourage recycling. It is a difficult thing getting people to recycle and to stop them could be a problem getting them accustomed to doing it again.

Nothing is in place with regard to the block grant, facilities study, etc. If anyone has questions or ideas, please contact the Mayor.

WARD REPORTS

Ward 8 – Alderman Hennessy

She has been receiving calls on crows in the neighborhood. The Mayor has them in her neighborhood. She would like them to be moved along now before they get settled. The City of Cortland Holiday Lighting Contest is going to happen again this year. The nomination forms will be available at City Hall in the Mayor's Office or at the Library. The winners will be announced

Nov. 19, 2002

at the December 17, 2002 meeting. She is looking for judges. It is a very difficult job but would encourage anyone who is interested to give her a call.

Ward 7 – Alderman Partigianoni

The pigeons are back. They have been doing damage at Dexter Park. He had a meeting with the DOT regarding the intersection at Clinton Ave. and Rt. 13. The DOT is going to change the phasing sequences and add an advanced walk light with a six-second delay. He attended the Cable Commission informational meeting. Corp. Counsel Suben notes he has prepared a form for eligibility for seniors. He will provide this to the Cable Commission and something will be in place soon. He thanks Public Safety for removing the dead trees on Crandall Street. He also attended the small-fry dinner. The Code office is working on Elm St.

Ward 6 – Alderman Testa

He had a good turn out for his ward meeting. Pat O'Mara took questions on the County budget. Most of the people that attended his meeting were against fluoride. He had a situation where a truck left garbage all down Rt. 11. After the phone calls he and Pat O'Mara made, the whole pile is gone and has been re-seeded. He is canceling his ward meeting for the end of this month due to Thanksgiving but it will be rescheduled to December 11, 2002.

Ward 5 – Alderman Quail

He will be getting with Ron VanDee to schedule him to talk about the County Budget. The Cortica Jug was a great game. Congratulates the Marathon Girls Field Hockey Team for their big win. He has had a number of calls regarding fluoridation. Most of them against, a couple for it. He is concerned about the visibility on Northcliffe. The garbage is still on the back of the pick-up truck at the Third Rail.

Ward 4 – Alderman Guido

Several calls regarding the lighting situation on the north end of Pearl St. The police have been called down there on numerous occasions over the past two weeks. NIMO has not gotten back to him as of yet. He has had many calls on the fluoride issue. All of the calls were against it. He had a couple people state they resented the fact that a non-elected board would be making that decision.

Ward 3 – Alderman Morey

Congratulates Cortland State on winning the jug. She received several calls regarding cars on lawns, cups all over, etc. She attended the Cable meeting and felt it was very productive. She attended Congressman Walsh's luncheon. She congratulates Pete Lalla on his retirement. She has had calls on fluoride. The majority has been against fluoride. She has had calls on the roles the Council plays regarding this.

Ward 2 – Alderman Tobin

He has received calls on the pre-game ceremony Friday night. He has received a number of calls on fluoride. He acknowledges the retirement of Dr. Taylor from SUNY Cortland and

Nov. 19, 2002

recognizes the changes he has made for the college and to the community. He has been an excellent president.

Ward 1 – Alderman Faraoni

All of the problems in the first ward have been taken care of. The Animal Committee will meet December 5, at 7:00 at the CAPCO building. Alderman Faraoni ask about the Cavelli building and the gas station on Clinton Ave. The Mayor notes the Code Office has been investigating the Cavelli building. We don't know at this point who will be tearing it down. As far as the gas station property, that was sent to an attorney in Auburn. The report states according to the man that had one or more of the mortgages has now acquired all of the mortgages and expects the foreclosures to be complete within the next couple of months.

AGENDA

RESOLUTION #108 of 2002 – Authorize the adoption of Local Law No. 4 of 2002 in order to amend the Senior Citizen Tax Exemption.

By: Alderman Hennessy
Seconded: Alderman Tobin

Roll call vote.

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 #109 of 2002 – Authorize the Mayor to enter into an agreement with Thoma Development Consultants for the administration of the fiscal year 2002 Community Development Block Grant.

By: Alderman Hennessy
Seconded: Alderman Morey

Approved: Ayes – 8
Nays – 0

RESOLUTION #110 of 2002 – Authorize the reappointment of the following employees of the District Attorney's Offices as Commissioners of Deeds:

- A.) Shirley J. Cobb
- B.) Connie Frost

Nov. 19, 2002

By: Alderman Faraoni
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

RESOLUTION #111 of 2002 – Accept \$2,325.00 in revenue for the display of banners and appropriating said funds to account Number A7550.40501 (Celebrations)

By: Alderman Hennessy
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Alderman Quail asks what the procedure is to appropriate money. The Mayor states we got the money after the fact but we had already appropriated money for celebrations. This is the new money received from the banners. The banners have been up for free all these years but this year we negotiated a good price. Alderman Morey notes she thought there was no money. The Mayor states there has been celebrations money donated for this event. Some of the celebrations money went to the jazz concert, Empire State Games and other events which went on throughout the summer. A question arises as to when it was appropriated. Andy explains there was an assumed revenue that wasn't realized at the time the concert was held. Technically we over spent the account. The issue is coming to the Council now because the money has been just recently received. Andy states that on the surface it appears the transaction happened out of sequence. If possible, it would have been appropriate to assume the revenue first.

Item No. 5 – Discussion regarding re-instituting the Landscape and Design Commission to address “tree related” issues.

A discussion ensues regarding the reinstatement of this committee. Alderman Morey suggests combining the Landscape and Beautification Committee. Alderman Hennessy thought the Beautification Committee would be more involved in planting and taking care of the entrances to the City. The Mayor states the issue at hand is the trees. Alderman Hennessy would like to put Mike Dexter's name on the list to serve. Gary David has volunteered.

The Council decides to come up with a broader plan and use that plan to help with negotiations with NiMo as to whether not there will be some sort of impact on the trees and which ones will be affected. Alderman Faraoni will approach that committee and see who would like to serve on the combined committee.

Item No. 6 is pulled from the agenda.

RESOLUTION #112 of 2002 – Approve the request submitted by John McNerney for two Youth Bureau employees to attend the NYS Recreation and Park Society Risk Management Seminar.

By: Alderman Tobin
Seconded: Alderman Faraoni

Nov. 19, 2002

Approved: Ayes – 8
Nays – 0

RESOLUTION #113 of 2002 – Whereas the City of Cortland's Water Dept. operates in and for the City of Cortland, it shall therefore be required that any department intending to change the chemical composition of the City of Cortland's drinking water shall bring those intentions before the City of Cortland's Common Council. It shall further be resolved by the Common Council that the clear intent of the New York State Legislature regarding the fluoridation of a public water supply shall be the legislative intent of the locally elected governing body as referenced in New York State Public Health Law 1100-A.

By: Alderman Tobin
Seconded: Alderman Guido

Alderman Tobin feels the right to fluoridate a public water supply belongs to the elected body, the Common Council. The Water Board does not have that right and taking that upon them might be illegal. Alderman Hennessy states she is shocked at the total change in Alderman Tobin's attitude about the Water Board. Up until about two months ago Alderman Tobin believed the Water Board was an independent body and should be protected. Now, your saying we should have taken them over to begin with. Alderman Tobin replies, the make up of the board changes. Alderman Hennessy states that should not make any difference as to how the Water Board operates. Either it is an independent board or its not. Alderman Quail feels the Water Board is independent on operating budget only. He believes this process should come before the Council and it should not be the Water Board making that decision. He has had a number of phone calls regarding this. Alderman Hennessy explains her position. A lengthy discussion ensues regarding the addition of fluoride to the public water supply, whether this should be a public health issue. Alderman Testa feels the majority of the people in the City of Cortland do not want fluoride added to their water. Alderman Guido feels that by someone else making the decision as to what goes into their body, it is taking away the people's decision and it is undemocratic. Alderman Morey notes this issue isn't about the benefits of fluoridation, this is a discussion on whether the community is going to benefit on fluoride.

On the question,

Approved: Ayes – 7
Nays – 1(Hennessy)

Alderman Partigianoni makes a motion to canvas the Council as to whether they are in favor of fluoridation the whether the Water Board should implement fluoridation. Alderman Morey feels the question is inappropriate because her personal feelings on fluoride are not representing the body she is here to represent.

There is no second, the motion fails.

Adjournment

By: Alderman Hennessy
Seconded: Alderman Faraoni

Nov. 19, 2002

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 19th DAY OF NOVEMBER 2002. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

WILLIAM J. WOOD – CITY CLERK
