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City Council Minutes December 7, 2004

The City of Cortland, New York

COUNCIL MEETING #20
December 7, 2004
Regular Business Meeting
City Hall
7:00PM

PRESENT: Mayor Thomas Gallagher
Alderman Faraoni, Terwilliger, Morey, Guido, Feiszli, Quail, Partigianoni, and
Michales

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

PUBLIC HEARING

(General Fund Budget)

* * KAY ZAHARIS * * *

KAY ZAHARIS: Hello. I'm Kay Zaharis, the director of the Cortland Free Library and I'm just here to ask, because I have not heard, how much the city is going to help us with our operating expenses. Will it be heard tonight?

COUNSEL KNICKERBOCKER: Yes.

MAYOR GALLAGHER: Yes.

KAY ZAHARIS: Will I have a figure tonight?

MAYOR GALLAGHER: Yes.

KAY ZAHARIS: Thank you.

And I would also like to drop off our latest newsletter for all of you and for anybody in the room here, what's happening currently at the library.

Thank you.

Thank you all for all your considerations, for listening to all the people that have called – hopefully there was more than a couple. I just say thank you and I want you to know that whatever it is you decided, good things are going to happen at that library and I want you to stay tuned to what we're doing.

MAYOR GALLAGHER: Thank you.

(No discussion held on Water Fund Budget.)

December 7, 2004

(No discussion held on Sewer Fund Budget.)

(PUBLIC COMMENTS CLOSED.)

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES of November 16, 2004.

RESOLUTION #125 of 2004 – Approve the minutes of November 16, 2004.

By: Alderman Quail
Seconded: Alderman Partigianoni

Approved: Ayes – 8
Nays – 0

BILLS

Bills are received.

MAYOR'S REPORT - March 18, 2005

- Attended working meeting with BDC/IDA on the possible start-up of a cheese factory in the City of Cortland.
- Met with representative of Growth Opportunities for the 21st Century. This federal group is promoting the development policies for expanding freight rail hauling capacity as a means toward a stronger economy, effective solutions to highway congestion, reduced air pollution and improved quality of life.
- Attended public meeting organized by Jim Partigianoni to discuss with 7th Ward constituents the possibility of a community center at the former Elm Street Café.
- Attended the College Community Forum.
- Attended a roundtable at SUNY Cortland; the forum was discussing the possibility of gangs in the Cortland community. The City of Cortland was represented by Lieutenant John Gesin and Lieutenant Paul Sandy.
- Participated in a workshop on local waterfront revitalization planning. Discussions were held regarding development of the Tioughnioga River.
- Spoke to the League of Women Voters at their annual Christmas luncheon.
- Kicked off the Christmas season with a tree lighting ceremony at City Hall.
- Met with leaders of Buckbee Mears to discuss timeline for the start-up of their operations.
- Attended the Cortland Regional Sports Council marketing meeting.

December 7, 2004

WARD REPORTS

Ward 1 – Alderman Faraoni

ALDERMAN FARAONI: Since our last meeting, I've had a number of calls. The City Department is helping me out. We've gotten all of them taken care of and I appreciate those departments.

That's all I have.

Ward 2 – Alderman Terwilliger

ALDERMAN TERWILLIGER: I have an email, a concern about a property - - zoning concern about a property on Clayton Ave. and Amy is looking into that. Other than that, it's been quiet.

Ward 3 – Alderman Morey

ALDERMAN MOREY: It's been quiet in the third ward. I did get a couple more calls for the library and I did meet at the library with Diane Ames. Dan and I met with her and we had a good discussion.

I sent everybody - - I hope everybody got the email on the bird and I know that Tom wants to comment on that , so I won't say anything more about that.

MAYOR GALLAGHER: I've had a lot calls, too, and I referred them to you about the distress call.

ALDERMAN MOREY: Like the TV station?

MAYOR GALLAGHER: No. I could've if you wanted me to.

ALDERMAN MOREY: I think they told me they called you and you referred them to me.

MAYOR GALLAGHER: Oh, maybe it was Channel 10. Yes, I did.

ALDERMAN MOREY: Other than that, everything's been quiet in the third ward.

Ward 4 – Alderman Guido

ALDERMAN GUIDO: As everybody knows, we had a terrible tragedy last Thursday night with the three students from the high school. And I just wanted to put the message to the community that if they would like to make a donation to the McDermott family, the family of Ben Cobb and John Thorington, that they can contact the folks up at the high school at the switchboard, board office.

I've also been in contact with Sergeant Carpenter and he's got a lot of things going on right now and we are going to be setting up a time and place for a neighborhood watch organization. That will be in late January or early February of next year.

Other than that, things are quiet in the fourth ward.

December 7, 2004

Ward 5 – Alderman Quail

ALDERMAN QUAIL: On the 25th of November, I had my board meeting, discussed budget issues and also neighborhood watch and the organization of it. I've had limited participation from the fifth ward so far. What I've done from that meeting is to hand out fliers to specific sections of the fifth ward; Argyle Street, Frederick, Hollenbeck, Smith - - not Smith, Stewart, Reynolds, Union Street and South Ave. to try and focus just at that area to see if I can't get that section of the community organized. I've got a meeting this Thursday night at the Moose Lodge at 7:00 if anybody wants to participate, all are welcome. I'm not going to advertise it out there. I just want that section of the community to come focused on that issue. I'm not going to discuss budget issues. It's going to be the neighborhood watch.

Also, I delivered the Thanksgiving proclamation at the Community Services at the First United Methodist Church. Thank you for allowing me to do that, Tom. It was a lot of fun and it was a nice evening.

I attended the Tree Lighting Ceremony and my compliments to the Smith School Chorus. They did a really nice job.

And I would also like to add something to the agenda: The Water Board Resolution on coordinating the City Cortland water dated December 20th, 2002.

That's it.

Ward 6 – Alderman Feiszli

ALDERMAN FEISZLI: I attended the CCIC Meeting and discussed the parking lot and the committee would the possibility of using some of these spaces to be used as permit parking. I don't know if they've approached you yet about it.

MAYOR GALLAGHER: Uh-uh.

ALDERMAN FEISZLI: And within the past two weeks in the sixth ward, there's been a drug bust on Charles Street. I've gotten calls from constituents on that street who did not attend my last neighborhood watch meeting and they're more interesting now. Unfortunately, it does take something to happen before people get involved.

Also, on Grand Street, two of the boys that passed away in the automobile accident and were residents on the sixth ward, and in the Post Standard, the day after, they wrote about the accident, they also talked about a program called STOPPED, which is Sheriffs telling our Parents and Promotion Educated Drivers. And with this information, this program, parents can register cars with the police and the sheriff's department, then whenever anyone is pulled over for a traffic violation a notice is sent to the owner of the car. This way we can be more aware of our children if they're - - if they've been speeding and hopefully be able to talk to them and possibly avoiding a tragedy before it's too late.

We'll be combining our next ward meeting with a neighborhood watch meeting. I'm going to have it here at City Hall. It's going to be this Sunday, December 12th at 7:00 at night. A lot of concerns with the constituents that we had at the last meeting. I've been gathering information which I will be sharing with them at that time. We'll also be taking a collection for the families of John Thorington, Ben Cobb and Fred McDermott.

That's it.

December 7, 2004

Ward 7 – Alderman Partigianoni

ALDERMAN PARTIGIANONI: Well, we had a good time at the Warner meeting last night. I believe that Brian from the Cortland Standard – it's in tonight's paper for you people to see. He summed it out pretty good. I guess the essence is the Cortland area rate went up 9 percent which is twice as high and they tried to justify it by saying that we get more than other communities. So we'll leave it at that.

Now, the - - I'm glad we broke there, had a moment of silence for December 7th. I really can vividly recall President Roosevelt declared on December 8th, December 7th a day that will live infinitely and it sure has.

As previously mentioned by Tom, we attended the - - it was a growth opportunity for the 21st Century. They're looking for some kind of endorsement from us; is that correct?

MAYOR GALLAGHER: They're looking for a resolution from the Common Council.

ALDERMAN PARTIGIANONI: And the other one is - - well, I'll make it short. One of the big issues is the library. And, really, I felt all along that 15 percent cut was too drastic and I still do. And I think we're going to rectify that. We'll leave that for - - that's going to be done tonight, right?

MAYOR GALLAGHER: Mm-hmm.

ALDERMAN PARTIGIANONI: Okay.

Now the Community Center. We had our meeting and it was a public information meeting. And we had a great panel there. We had the city government, two aldermen and the mayor, three counting myself, and we had the county government was there, two county legislators, Lieutenant Gesin, the Youth Bureau, and we had the Community Care, she was there. There were a lot of questions. We're still awaiting final figures in order to be able to finalize this. We had two or three conversations today.

Now, after the meeting, 13 people were in attendance volunteered their services to help make this become a reality.- we were quite happy with that. That was a good percentage.

One of the good questions raised was opening up a new building like the bakery. I have to say that it's probably not really understood by a lot of people. We received an award – two awards, actually – for this. The money is there. If we don't use it, we lose it. So it's not - - some people are saying, why don't we go to the Dexter Park or something like that, but in my mind and other people's minds, if you got to Dexter Park, first of all you're infringing on - - it's a youth center and we don't want the adult center to take that over from them. Number 2, we just send the money back. It's been said before to this panel - I think most of you all realize it – if you get an award and you don't take it, wards won't be forthcoming. They will say - - I know some people think, well, if we save that, it's money saved, but it isn't. It's been granted, and if we don't use it, they'll use it in New York or Buffalo or where have you. I would rather have it in the 7th Ward.

With that, I will end my ward meeting.

December 7, 2004

Ward 8 – Alderman Michales

ALDERMAN MICHALES: I set up a meeting with the major and Alderman Partigianoni, with Julie Panna (phonetic), told them how - - bill 21 which is the same thing we've been talking about all night regarding the rail transportation. (Inaudible)...

I also attended Alderman Partigianoni's proposed adult center meeting. It was very informational. I'm pretty sure that's going to go forward.

I also received a call concerning potential code violation on Hyatt Street, again, and the Code Office is going to respond to this.

I also cleared up an issue regarding the no parking here to curb on East Ave. The signs are within the maximum state limits. So there's no real issue there at this point.

I'm also planning for my next board meeting which will be some time in January and I'll provide more detail at the next council meeting.

Last but not least here: I want to place on the agenda at the next meeting to discuss these crows and possibly looking at an audible deterrent that everybody has been kind of talking about and indicated that they seemed to be working all right. I think I would like to get a group together and discuss this at the next meeting.

Also, I had been - - well, I received one call regarding the fire department renovation. I made a point to stop over there today to see how we were doing and nobody was there. I was kind of wondering what's going on.

MAYOR GALLAGHER: They've had a skeleton crew over there. They're getting ready to pour the cement, aren't they? It's going to be a 30-day cure period after that, so there won't be anybody around.

ALDERMAN FEISZLI: What happened with the floor joists?

MAYOR GALLAGHER: They found some of them were rotted.

ANDY DAMIANO: Minor repairs, it wasn't bad.

ADLERMAN MICHALES: That's it for the 8th Ward.

AGENDA

Item No. 1 – Consideration of a resolution amending Section 11-66(6) of the Code of Ordinances in order to eliminate three (3) parking spaces located in the vicinity of 13 Groton Avenue. (Tabled on 11/16/04)

By: Alderman Partigianoni
Seconded: Alderman Quail

(Discussion ensued).

Barb Gage, restaurant owner of Barconi's Pizzeria, indicated disinterest in getting rid of parking spaces. Doesn't believe taking parking spaces is going to change traffic pattern noticeably unless planning on making it a right turn on red.

December 7, 2004

Alderman Terwilliger stated that she contacted the owner of the building and let me know about the meeting tonight. Owner stated that business owners had concerns.

Barb Gage states that as a business owner she should have been approached, also, not just the owner of the building. Barb also states that her views should have been heard prior to tonight.

Alderman Faraoni stated when he was in Public Safety they did a study and with the study it contradicts everything Barb Gage said. With the study, even if there's one car there, cars were lined up past the Hollywood who wanted to turn right and could not do it. So to have the traffic flow just like it flows on Clinton Ave., Public Safety recommended that the three spots be eliminated. One of the reasons it hasn't been done is because they felt there wasn't enough parking in the parking lot. Now with the building being torn down there's at least 20-some spaces extra than before. It's not very far to walk from the building to the parking lot.

Alderman Morey questions receipt of report. Thought the state was going to look at the traffic pattern. Hasn't seen report from Public Safety, report from the state. Nothing to show that the cars are going to get through there faster.

Mayor Gallagher states that all the information received was from Public Safety, whom Alex said did the survey.

Alderman Guido questioned Gage if parking spaces were necessary for delivery. Gage stated no.

Alderman Guido questioned Gage on what would happen if the three spaces were occupied and Gage claimed they are desperately needed for business.

Approved: Ayes – 2
Nays – 6

Resolution #126 – Consideration of a resolution amending Section 11-111 of the Code of Ordinances in order to delete the school zone in the vicinity of the former Parkside Academy on Homer Avenue.

By: Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

December 7, 2004

Resolution #127 – Consideration of a budget amendment authorizing the acceptance of a grant in the amount of \$5,514.82 (appropriations as follows: A510 Est. Rev. \$5,514.82, A2389 Misc. Rev.-Other and A960 Appropriations \$5,514.82, A7140.40500 Playground & Rec. Ctrs.) from the Cortland County Health Department and appropriating said funds to Account #A7140.405 (Youth Bureau – Playgrounds and Recreation Centers)

By: Alderman Partigianoni
Seconded: Alderman Guido

Approved: Ayes – 7
Nays – 1

Resolution #128 – Consideration of a resolution authorizing the adoption of the 2005 Wastewater Treatment Plant Operating Budget and establishing a domestic rate of \$1.68 per unit. (No change)

By: Alderman Morey
Seconded: Alderman Faraoni

Approved: Ayes – 8
Nays – 0

Resolution #129 – Consideration of a resolution authorizing the adoption of the 2005 Water Fund Operating Budget and establishing a domestic rate of \$1.58 per unit. (No change)

By: Alderman Partigianoni
Seconded: Alderman Michales

Approved: Ayes – 8
Nays – 0

Resolution #130 – Consideration of a resolution authorizing the adoption of the 2005 General Fund Budget and establishing a tax rate of \$14.338 per thousand dollars of assessed valuation.

By: Alderman Morey
Seconded: Alderman Partigianoni

Alderman Quail proposes to increase the rate and make a couple adjustments. 1, proposing to reduce the city clerk personnel line by \$10,000; 2, proposing to increase the appropriation to the library by \$24,000 which brings them back to their 2004 funding level; 3, take \$14,000 increase in revenue which brings the new tax rate to \$14.3734.

Alderman Faraoni states that the major and library should enter into contract for the next three years.

John O. Reagan expresses displeasure in city clerk's budget decrease, stated that this issue wasn't brought to his attention beforehand to explain clerk's stance and it was

December 7, 2004

inappropriate that he wasn't conferred with. Clerk's Office still needs to hire an additional full-time person for the passport program.

Alderman Morey states that this was talked about this in the work session. After the work session is where amounts came up. There was a fair discussion about the Clerk's Department. Personally does not feel guilty that this wasn't communicated. Shared all information needed to share to get to assessment. States this was money that was not in last year's budget in Clerk's Department, doesn't feel that they're taking money away from the operation in the Clerk's Office. This was money that was to be added to the department and it can always add it back if need is there.

Alderman Feiszli states that she agrees with City Clerk Reagan that she believes that the council, there is lack of communication. Suggested going line by line and making recommendations for the budget which was totally ignored. Decision was made that she wasn't consulted on. Feel that taxes are already too high, services are not benefiting, not increasing from the taxes.

Alderman Morey stated in last work session that Alderman Feiszli was in favor of increasing taxes.

Alderman Feiszli states she's not talking about the 3.5 percent, she's talking about how the number was derived. Next year work together in more work sessions. Cutting down one department is not accomplishing anything.

Alderman Quail states he did not ignore Alderman Feiszli, he did call her, did answer question in an email. States he did not go down through the itemized list, he gave answers to Alderman Feiszli's question. Explained a number of items that were already committed to specific programs.

Alderman Partigianoni is not clear on reducing Clerk's Department for 10,000. Asks for explanation.

Alderman Morey offers explanation. Part-time employee to go full time is not going to happen. Employee is going to stay part time which is where the money comes from. This comes directly from personnel line.

John O. Reagan clarified it was determined that there was another person needed full time to achieve the goal of raising \$20-25,000 in the passport area. Proposes additional staffing to do additional work. If additional staffing is reduced, not able to do the additional work.

Alderman Partigianoni asks Andy Damiano for his opinion.

Andy Damiano states that the community has spoken that they want additional funding for the library. His recommendation would be to raise the taxes to \$24,000 and not reduce the Clerk's Department. It would be a minimal increase of about \$6 per year for a house assessed at a hundred thousand dollars. So that would be 50 cents a month.

December 7, 2004

Can be accomplished without a tremendous amount of pain. Recommendation: Raise the money through taxes and not decrease the Clerk's Office.

(Miscellaneous discussions held).

Approved: Ayes – 7
Nays – 1

Discussion of other matters:

Alderman Quail discussed fluoridation of city water – currently on live resolution. Asks council to rescind water board resolution.

RESOLUTION NO. 131 - Motion to rescind water board resolution that states the city of Cortland Water Board take all necessary steps to seek the required approval levels of the New York State Department of Health for the introduction of therapeutic levels of fluoride to the water supply by the Cortland Water Board to customers within the city of Cortland adopted on November 20th of 2002.

By: Alderman Quail
Seconded: Alex Faraoni

Approved: Ayes – 8
Nays – 0

Motion to go into Executive Session to Discuss Personnel Issues:

By: Alderman Terwilliger
Seconded: Alex Faraoni

Adjournment.

By: Alderman Guido
Seconded: Alderman Morey

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 19th DAY OF OCTOBER, 2004. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER