



City Council Minutes The City of Cortland

December 5, 2006

Council Meeting #21
December 5, 2006
Regular Business Session
City Hall
7:00 PM

Present: Alderman VanGorder, Terwilliger, 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

Public Hearing: Proposed 2007 Wastewater Fund Budget

No Comments
Public Hearing Closed

Public Hearing: Proposed 2007 Water Fund Budget

No Comments
Public Hearing Closed

Public Hearing: Proposed 2007 General Fund Budget

Evan Geibel was present and stated that it was his first year paying taxes, but he would like to see extra personnel in the City Code Office next year. There were no further public comments.

Public Hearing Closed

Public Hearing: Proposed Zone Change for 4 Crawford Street Property

No Comments
Public Hearing Closed

Mayor Gallagher calls the twenty-first Common Council meeting of the year to order at 7:06 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

No one was present to speak.

Minutes of November 21, 2006

RESOLUTION #123 OF 2006 - Approve the minutes of November 21, 2006 as amended.

By: Alderman DeCarlo
Seconded: Alderman Cobb

Approved: Ayes - 8
Nays - 0

Bills were reviewed and received.

MAYOR'S REPORT

The Mayor did an update on the cat situation with News Channel 10. He also attended the Downtown Partnership meeting as well as participating in the press conference announcing the Celtic Fest that will now be held downtown. He attended Leave A Legacy meeting and the announcement of the \$25,000 for East Side Community Center Community Outreach Program.

He also met with Senator James Seward to discuss on-going City issues. He attended the ribbon cutting ceremony with Chamber Director Garry VanGorder at the Red Jug Pub and also presented a re-cap of Year 2006 to the League of Women Voters.

He kicked-off the Christmas season with the tree lighting ceremony at City Hall and participated in the raising of the First Night ball at the Cortland Standard building.

Ward 1 - Alderman VanGorder

It has been quiet in the 1st Ward. She did receive a couple of calls and there was one (1) regarding a code issue and she contacted Amy Bertini. The person, who called, contacted her back the next day to inform her that the problem had been taken care of already. She thanked Amy for her prompt response.

Ward 2 - Alderman Terwilliger

She had a similar experience with the Code Office last week, very speedy results. She wondered about the Holiday Decorating Contest. Was there anything formal being organized this year? It was noted that it was a challenge to judge such an event. The Mayor noted that there was no formal contest this year, but he encouraged residents to decorate their homes. He also noted that the Water Works was beautifully decorated.

Ward 3 - Alderman Cobb

Her Ward has been pretty quiet. She did have a few Code issues regarding parking on lawns.

Corporation Counsel Knickerbocker noted that he is currently working on a draft of something would revise the Code to enable the Code Office to write tickets or simplify the process. He hopes to have that before the end of the year. He also noted that the College and the City are working together and the College is taking a tough stance on student misbehavior in the City. They either make them pay restitution or do community service. The problem is that there are federal statutes that prohibit the College from giving information on students, such as where they live or if they are registered at the College, etc. It was noted that if tickets were able to be issued, it would be a much better process for the City. Currently the Code Office is not authorized to issue tickets for cars parked on a lawn, they can issue informations and currently they are unable to determine who the owners of the vehicle are. Currently they have to issue these personally to the owner and in many cases the owner resides downstate. Ticketing would be a much simpler process and he wants to amend the Code of Ordinances allowing the Code Office to issue tickets for certain types of offences such as that.

Alderman Cobb noted that other than this issue her Ward has been quiet. She did thank the Cortland City Fire Department. She had a fire in her house the day after Thanksgiving and they responded in record time and saved her house from any further damage and she commended them for doing a great job in putting the fire out and not ruining things.

Ward 4 - Alderman DeCarlo

He attended the tree lighting ceremony. He noted that the 5th and 6th grade student chorus from Smith School did an outstanding job. He enjoyed them. He has been hearing complaints about the crows. He doesn't know what can be done, as it looks like they have settled in for the winter.

Ward 5 - Alderman Quail

He has also had some Code issues, especially in some areas that are transitioning from residential to student housing. It has been a challenge, but other than that, the Ward has been pretty quiet. He noted that there have been crows in his Ward also.

Ward 6 - Alderman Feiszli

She noted that sometime ago she had a priority list and now that the budget has been voted on, she asked how everyone felt about having work sessions with different departments, starting with the Fire Department in January, and looking at their location, space and equipment. The general consensus was that it was a good idea. She would organize this and contact everyone.

She noted that a Neighborhood Watch was established in her Ward a few years ago and they had a strong network of people. It was a lot of work for an Alderperson, but she noted that it really paid off. She has recently noticed that some of the Block Captains have not followed through and she would like to start up the Neighborhood Watch meetings again to build up the program again.

She also noted that one of the last County meeting addressing flooding that she attended issues. It was one of the most productive ones that she had attended. There were engineers there who had conducted studies within the County and they were very informative in their presentation. Currently they are working on this in stages obtaining easements along some of the creek beds from constituents and this will be not be resolved overnight, but this committee is working on the goal of controlling the flooding issues.

Ward 7 - Alderman Partigianoni

He attended the City tree lighting ceremony and the firemen's gathering afterwards. He was pleased to hear that the firemen are quite happy with the improvements that were made to the boiler. It is comfortable there now.

He spoke regarding the intersection at Central and Church. He noted that a letter had been written to the DOT sometime ago. With that, he contacted the DOT and they had no knowledge of the accident at that intersection. He then contacted the Cortland Standard and had them FAX the article up to the DOT in Syracuse. The City will just have to wait to have the DOT make their determination in regard to this intersection.

The other big item that happened in his Ward, on behalf of the East End Advisory Board and himself, he thanked Senator Seward for taking the time to visit and to support the Police Outreach Program and the East End Community Center. He also thanked the Mayor for leading a group of civic minded individuals that also lent their support to the Center. He gave a history of the Community Center and what it means to the East End and the City. He is pleased that new businesses are now opening in the East End after several years of decline. He also gave credit to the McNeil Building on Main Street which was part of the Downtown Partnership and noted that this, too, was in the 7th Ward. He also appreciated the Downtown Revitalization Project and noted that the store façade facelifts were revitalizing our downtown and he is proud of that. He also thinks that the South Main Street project also was a wonderful project and he noted the new athletic center out by the fairgrounds with the two (2) new small athletic fields.

The Mayor spoke about the new program that the Downtown Partnership was promoting. It is to encourage residents to shop downtown, keep their money local and enjoy the downtown.

Ward 8 - Alderman Michales

Alderman Michales pointed out that the new Red Jug Pub is in the 8th Ward. He has received several calls regarding the crows, especially in the Court House Park. They are generating a terrible mess over there and some attempt has been made to hose off the monuments. He also received two (2) calls concerning leaf pick-up in Court House Park, as well. Another concern was the orange dye left in the fountain after the Pumpkin Festival. It may have been a different dye than what was used in the past, but it looks like the staining is going to remain for awhile. He also received several calls regarding the lack of white lights on the Main Street trees. The Mayor noted that the Downtown Partnership is responsible for that program and with the cost of \$3,000 for those lights, it was noted that the Partnership is a little short of funding right now, but

they will have those done for next year. Alderman Michales noted that some people were will to donate toward the lights and the Mayor asked that they make the donations to the Downtown Partnership and to contact Lloyd Purdy for further information.

He attended the tree lighting ceremony here at City Hall. He noted that for a cold night, there was great turnout. He announced that Santa Claus is coming to the Water Works to visit all the children of Cortland on Saturday, Dec. 16 from 4:00 to 6:00 p.m., Sunday, Dec. 17, 3:00 to 5:00 p.m., Thursday, Dec. 21, from 6:00 to 8:00 p.m. and Saturday, Dec. 23 from 3:00 to 5:00 p.m. This schedule will be in the Cortland Standard as well.

The Mayor noted that Jim Sponaugle and Monica Norris were responsible for putting together this year's tree lighting ceremony and it was the biggest crowd they had ever had for the event. It was estimated that there were about three hundred (300) people there. He also noted that the Fire Department did a great job with the cookies and hot chocolate. He also noted that the League of Women Voters program on Saturday was very well attended. There was a lot of cooperation shown between the County, the Town of Cortlandville and the City.

RESOLUTION #124 OF 2006 - Consideration of a Resolution authorizing the Cortland County Planning Department to assign street numbers for parcels in the City of Cortland.

Andy Damiano noted that the City and other municipalities in the County had no ability to assign numbers at all and they all had turned to the County for this. Currently there are some subdivisions where there is no number because there was no authorization to assign them. This was the appropriate way to go.

By: Alderman VanGorder
Seconded: Alderman Quail

Approved: Ayes - 8
Nays - 0

RESOLUTION #125 OF 2006 - Consideration of a Resolution declaring the Common Council as the lead agency for the SEQRA process for the proposed zoning change for the property located at 4 Crawford Street.

By: Alderman Terwilliger
Seconded: Alderman Partigianoni

Approved: Ayes - 8
Nays - 0

Item No 3 - Completion of the short form SEQRA review process pursuant to agenda item 2.

The short form SEQRA form was reviewed by the Common Council and Corporation Counsel Knickerbocker. A copy of the SEQRA form is attached to these minutes.

RESOLUTION #126 OF 2006 - Consideration of a Resolution issuing a negative SEQRA environmental review process and authorizing the Mayor to sign the SEQRA and to approve the zoning change from R2 to General Business for the property located at 4 Crawford Street.

By: Alderman Quail
Seconded: Alderman Cobb

Approved: Ayes - 8
Nays - 0

RESOLUTION #127 OF 2006 - Consideration of a Resolution recognizing the receipt of a grant in the amount of \$7,480 from the Governor's Traffic Safety Committee and appropriating said funds to Account No. A3210.104 (Police - Overtime).

By: Alderman Partigianoni
Seconded: Alderman Michales

Approved: Ayes - 8
Nays - 0

Item No. 6 - Discussion to Schedule a Public Hearing for Local Law No. 1 for the Year 2006.

Corporation Counsel Knickerbocker outlined the points of this law. This would enable the City of Cortland to rescind and repeal the Local Law No. 1 of 1994 in which the City of Cortland opted out of the tax enforcement provision which was then possible and will also allow the City of Cortland to collect separate and distinct from in the way that it is presently set forth in the City Charter and this would put the City in line with the vast majority of the municipalities within in the State of New York in enforcing the taxes via the inrem process so that if the taxes are not collected or unpaid, the City will end up having a public auction of the property and then garner the revenue from the auction and this would put the property back on the tax rolls. The Mayor noted that if approved, this law would take effect on January 1, 2007, but would not be effective until 2008. The process begins with the first (1st) year of unpaid taxes and if the taxes are not paid in the second (2nd) year, then the auction will be scheduled after January 1 of the third (3rd) year. It was noted that back tax years could not be counted. The first year of a possible auction of a property for unpaid taxes would be 2009.

The Mayor also noted that they might want to discuss the possibility of an amnesty program to entice property owners with unpaid taxes to pay them. They could waive all or part of the penalties and interest and it was noted that there are currently over (\$900,000) nine hundred thousand dollars in unpaid back taxes, not including penalties and interest. It was noted that the properties with unpaid taxes due would be auctioned off automatically and would not be individually coming before the Common Council. Every parcel would be treated the same based on a cut off date and treatment must be uniform. The Mayor noted that Corporation Counsel suggested that if they did do an amnesty period, that it be done one (1) time at the end of the first (1st) year to bring a full payment of their unpaid taxes. Alderman Partigianoni asked if there was going to be an extension for a hardship and it was noted that if it was done for one person it had to be

done for everyone. Andy Damiano noted that this is what caused this problem to begin with because prior Council's had feared that by adopting this procedure they would be taking away the ability to allow for a special case. It was noted that there were over one hundred (100) properties currently on the six (6) page list. Andy Damiano noted that some on the list were abandoned properties and when the time came, those would be confiscated and auctioned off after the three (3) years.

This Local Law No 1 of 2006 item has now been placed on the table and must set on the table for a period of ten (10) days and a public hearing must be scheduled. The hearing will be held on December 19, 2006. The Council was in agreement with this.

The Mayor announced that the Show Mobile for the First Night activities will be on the Clock Tower site at the intersection of Port Watson and South Main Street. Alderman Partigianoni announced that on December 13, 2006 at City Hall, there would be the Mayor's Christmas party.

Adjournment

By: Alderman DeCarlo
Seconded: Alderman Cobb

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

JOHN O. REAGAN - CITY CLERK

MAYOR THOMAS GALLAGHER