



# City Council Minutes The City of Cortland

April 17, 2007

Council Meeting #8  
April 17, 2007  
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

Mayor Gallagher calls the eighth Common Council meeting of the year to order at 7:00 PM.

## PLEDGE OF ALLEGIANCE

The Mayor asked for a moment of silence to remember the victims of the Virginia Tech College shootings and their families.

## PUBLIC COMMENT

Vivian Bosch was present. She spoke in support of the moratorium on multiple housing units in the City.

Clay Benedict was present. He spoke in support of the moratorium on multiple housing units in the City.

Ann Doyle was present. She stated that the two (2) previous speakers had covered everything she had intended to say and she had no further comments.

Sally Kamerling was present. She also spoke in support of the moratorium on multiple housing units in the City.

Mike Dexter was present. He praised the Common Council and the Mayor for allowing the public to voice their opinions. He spoke in support of the moratorium on multiple housing units in the City. He spoke in support of the no smoking project his niece developed for the City parks.

Minutes of April 3, 2007

**RESOLUTION #32** OF 2007 - Approve the minutes of April 3, 2007.

By: Alderman Quail  
Seconded: Alderman DeCarlo

Approved: Ayes - 8  
Nays - 0

Bills were reviewed and received.

Mayor's Report

Attended the Civic Engagement Leadership Awards reception at SUNY Cortland. One of the highlights was the award for leadership and civic engagement for community partners. John McNerney from the Youth Bureau was given this award. He also attended the SUNY Roundtable Program. Discussion and presentation on migrant workers in the Cortland workforce and the programs developed by SUNY staff.

He did radio interview with Kevin Mooney. He also attended press conference at the Cortland American Legion by Senator Schumer outlining his proposal for benefits to National Guard and reservists.

He had the privilege of swearing in three new police officers last Friday; Cody Petrella, Melissa Eccelston and Jeffery Fitts. These three new officers will be attending training school and will become active on the police force the 1<sup>st</sup> of November.

He attended panel discussion at SUNY Cortland regarding the importance of students voting in local elections. Shannon Terwilliger and Nick DeCarlo were the panelists. He also did a radio interview with WXHC. He also attended South End strategic meeting.

He had a meeting with County representatives to discuss detention and retention possibilities on Route 281 and discussions are continuing.

**JUST A REMINDER:** this weekend is the Cortland County Chamber of Commerce Business Showcase.

He also announced that he will be out of the office from April 23 until May 3.

He read three (3) proclamations.

The first was regarding TV Turn Off Week. Children are watching too much television. This is the thirteenth (13<sup>th</sup>) annual Turn Off Week. He proclaimed April 23 to April 29, 2007 as TV Turn Off Week.

The second (2<sup>nd</sup>) was a proclamation honoring the planting of trees for Arbor Day. He proclaimed April 27, 2007 as Arbor Day.

The third (3<sup>rd</sup>) was a proclamation in support of uninsured children and adults. He declared April 23 to April 29, 2007 as Cover the Uninsured Week.

#### Ward 1 - Alderman VanGorder

She has received e-mails about the moratorium. She also received a call from Mr. Menapace regarding the Smoke Free Parks. She is totally in favor of Smoke Free Parks in the City of Cortland. She thinks it's a wonderful idea. She reminded everyone about Community Clean Up Day which is on April 28, 2007. They will be meeting at Court House Park between 8:30 a.m. and 9:00 a.m. Refreshments will be provided. There will also be gloves and garbage bags provided. Everyone will break into groups and go out to the various Wards. She noted that it is a sidewalk to curb clean up, not an amnesty day. She has heard from the college and other downtown groups who will be doing the flower beds. Lloyd Purdy's group will be working on a project. She believes that this will be bigger than last year. She also reminded everyone that this weekend is the Business Showcase for the Chamber of Commerce.

Andy Damiano noted that references were being made to the fact that the State Fair was now smoke free. He clarified that what actually was done, was that the State Fair Commission banned the sale of tobacco products at the Fair, they banned smoking in some of the buildings, but they did not stop smoking on the grounds.

#### Ward 2 - Alderman Terwilliger

She is in favor of a smoke free City park system. She is the mother of two (2) young children and she is not happy when her little ones pick up cigarette butts in the local parks. She also received e-mails and phone calls regarding the moratorium. She and Alderman DeCarlo participated in a panel discussion at SUNY Cortland on the subject of college students voting in local elections. She feels that this is important and she hopes to be invited back for future discussions. She and Alderman Cobb cancelled yesterday's joint Ward meeting due to the inclement weather. It has been rescheduled for Tuesday, May 8 at 7:00 pm at the Burch Building. She will be contacting residents. She is also working on a safety issue on the College hill that was brought to her attention.

#### Ward 3 - Alderman Cobb

She is also in support of smoke free City parks. She was invited to participate in the panel discussion, but she was not able to be there. She has received several e-mails regarding the moratorium and a couple of phone calls. Other than that, her Ward has been quiet.

#### Ward 4 - Alderman DeCarlo

He also supports the smoke free City parks. He also received several e-mails and calls on the proposed moratorium. A lot of housing issues came up. He met with the folks on Broadway. A few neighbors got together and they visited some of the houses that have issues of concern. Photos were taken of names on mailboxes, over parking of

vehicles, conditions of the property. He talked with the Code Office, made some phone calls and asked a bunch of questions and will meet with Amy Bertini regarding these residences. He also had it brought to his attention that there are a lot of cars parked at the Djreck Sub Shop and he has spoken with the Code Office and they are investigating who owns it. It's possible that the Mobil Station owns it and has allowed students to park there. There is a concern that it has many cars parked there and that traffic in and out of the lot have caused concerns for residents using Water Street. The Mayor and he received calls regarding the fact that after sidewalks were cleaned on Tompkins Street, a large plow went through and filled the sidewalks in with slush. They cleaned them a second time and the plow filled them in again. He wasn't sure if there was anything that could be done about that. He did note that the DPW did a good job of cleaning up the City after this recent storm. He wasn't sure if it was the State or the City plow that did this. He noted that the calls he received were from elderly people.

On April 10 he and Alderman Terwilliger were up at the College for a panel discussion.

#### Ward 5 - Alderman Quail

He has a Ward meeting scheduled at the Randall School April 24, 2007 at 6:45 p.m. He will be covering the South End Strategic Plan process and review the action plan and the process that was used to create the strategic plan. Also, he is trying to get more people involved in the Community Clean Up Day. He reminded everyone of the Business Showcase taking place this weekend and urged everyone to attend.

#### Ward 6 - Alderman Feiszli

She noted that there was an article in the paper with a mention of the scare that closed North Church Street. She was out of town, but her husband told her about it. There was a similar incident in Boca Raton, Florida and the young man involved in that incident was shot and killed. She urged parents whose children owned air rifles, to instruct their children on how to use them correctly.

Every year near her, there has been a neighborhood street closing. This event has been very successful. Last year there were some incidents and some confusion, because the event has become so popular. Some people choose not to participate. She feels that because this type of event is becoming more popular, she has contacted the Neighborhood Party Permit Committee. These folks are specialists and have been doing this for a number of years. The City doesn't have any rules and regulations or a process. The Council approves these events, but doesn't have any guidelines to give out. This group is working on a permit application to give out and at the next meeting, she would like to have this placed on the agenda for the Council's review and comments.

She noted that the moratorium was covered very well at the work session which was held prior to this meeting. She is looking forward to the next step and identifying the Code issues that have been brought up and resolving some of these issues.

There is continuing concern about the Holiday Inn Express. Some area residents are concerned about the height of the proposed building being four (4) stories tall and that it won't fit in with the landscape in that area. She has also received calls from some people who are for the project and think that type of development would be good in that area. She reported the concerns raised to the Planning Commission.

#### Ward 7 - Alderman Partigianoni

He took the opportunity to ask about the Downtown Partnership and the activities in the Beard Building. The Mayor noted that they have held art and cultural exhibits in that building.

He received a call from the folks at the Color it Red Beauty Shop in regards to an almost serious accident to a pedestrian at the blinking signal light by Cole Muffler at Clinton Avenue and Greenbush Street. This is not the first incident. He spoke with Andrew Damiano and he asked that Mike Preston send a letter to the State DOT to take a look at that very dangerous corner and blinking light.

He has done research on the lighting for the City parking lot at 25 Clinton Avenue. It was found out that one pole was cosmetic and the other was not feasible, but Jim Sponaule has contacted National Grid and the neighboring businesses on each side have been contacted and he hopes that they will give permission to install a motion light in that area. So lighting is in the works.

As a follow up to the East Side Forum held at the Holiday Inn a few weeks ago, the East Side businesses are holding a meeting tomorrow night and they plan to hold an East Side festival late in the summer.

He also attended Senator Shumer's discussion about the inequities in veteran's benefits that was held at the American Legion a week ago. He also was at the panel discussion at SUNY Cortland as an observer.

He noted that the East End Community Center is making plans to hold a golf clinic. All the golf course pros in the area have indicated that they will gladly participate. More will be announced as plans progress. A huge crowd is anticipated.

#### Ward 8 - Alderman Michales

He received a call from a resident regarding a Code issue. Their concern was lawn debris. This was before the last snowfall and probably won't be resolved until the snow melts. He also placed a call to Public Safety in regards traffic lights on the corner of Church and Port Watson Streets. The walk lights had been malfunctioning for quite some time. Mr. Preston informed him that he has contacted the DOT and parts are on order and will be replaced as soon as they are received. The Youth Bureau hosted its first chicken barbeque last Saturday. The chicken sold out a lot earlier than in previous years.

He has a Ward meeting scheduled for Wednesday, April 25 at the BOCES Center for New Careers on Port Watson Street. It will be at 7:00 p.m. The agenda will be home security and Officer Nelson will be there to make the presentation. They also will be organizing for the April 28 Clean Up Day and he is looking for volunteers. They also will discuss City and County issues. Marilyn Brown will be present to give an update on the County.

He also asked that an agenda item be added to tonight's meeting for an exotic pet permit.

Item No. 1 - Presentation by Smokefree Cortland regarding a smoking awareness program for City parks and during Youth Bureau programs.

John McNerney outlined the program that they would like to institute at City playgrounds and parks. He is seeking the Council's support. He gave some background information on this proposal of smoke free parks. Representatives were present from Smokefree Cortland to show a sign design that will be installed at the parks. Other upstate municipalities were contacted for their policies and to monitor smoking complaints coming in to the Youth Bureau. The biggest question is enforcement and how that would be done. That is a huge challenge. There was also a question regarding concerns that park users would leave the parks to smoke on private property. There was also some concern that donor sponsorship of Youth Bureau programs might be affected. The sign example was passed around. They would like to post them at the City parks that have playgrounds and at the pool entrances and at the entrance to Yaman Beach. This will involve eight to ten (8 to 10) signs. Smokefree Cortland has offered to cover the expenses of these signs.

The second part of this plan is no smoking at Cortland Youth Bureau sponsored events. This involves all sports activities as well as summer and playground events. The emphasis on enforcement would be on voluntary compliance. They would work hard to enforce it. It would be discussed at the preseason staff meetings to outline the rules and policies of the program. It also will be placed on the sports schedules that go out to the parents as well as the agreement that parents sign to register their children for the programs.

It was noted that the signs would be funded by Smokefree Cortland and Reality Check grant funds. Alderman Feiszli asked if the Youth Bureau facility was smoke free. Mr. McNerney indicated that they had a designated smoking zone in the parking lot. This had been done to stop teens from leaving the facility and going across the street to smoke. Many complaints had been received from area businesses and there was concern that there was a lack of supervision near the road. This area is monitored by surveillance cameras. This appeared to be the most workable solution for all involved. It was asked that Mr. Yaman be contacted regarding the installation of these signs.

**RESOLUTION #33** OF 2007 - Consideration of a resolution supporting the smoking awareness program and authorizing placement of the presented No Smoking signs in the City Parks.

By: Alderman Quail  
Seconded: Alderman VanGorder

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #34** OF 2007 - Consideration of a Resolution authorizing the City Assessor to proceed with a reassessment of all properties in the City of Cortland.

By: Alderman Partigianoni  
Seconded: Alderman Quail

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #35** OF 2007 - Consideration of a request from St. Anthony's parish to close certain streets for approximately one (1) hour for the festival procession; and to close Pomeroy, between Elm and Central, for the majority of the day on June 10, 2007 to hold the 93<sup>rd</sup> Annual St. Anthony's Festival (6:00 a.m. to 9:00 p.m.).

Alderman Partigianoni noted that a parade permit had been filed with the City police department and the procession would begin around 10:30 a.m.

By: Alderman Partigianoni  
Seconded: Alderman Terwilliger

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #36** OF 2007 - Consideration of a Resolution recognizing five (5) donations made to the Youth Bureau and appropriating said funds to various accounts.

Wal Mart Foundation - \$1,000 for the East End Community Center - A7312.405. SUNY @Cortland Student Government - \$250 for Arts in the Park - A7550.405. Wal Mart Foundation - \$1,000 for Fantastic Friday Field Trips - A7310.405. Borg Warner Morse TEC - \$1,500 for Arts in the Park - A7550.405. Pall Trinity Micro - \$250 for Arts in the Park - A7550.405.

By: Alderman DeCarlo  
Seconded: Alderman Michales

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #37** OF 2007 - Consideration of a request submitted by Cory Fowler to close Pearne Avenue on August 11, 2007 from 12:00 Noon to 8:00 PM in order to hold a neighborhood picnic.

By: Alderman Feiszli  
Seconded: Alderman Terwilliger

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #38** OF 2007 - Consideration of a request submitted by the VFW to close Main Street, from Court to Clayton, on May 28, 2007 from 9:00 AM to 12:00 Noon for the VFW Memorial Day program.

Alderman Partigianoni indicated that a request had been made by the VFW for a showing of flags on Main Street. Alderman Michales indicated that they would be up about a week before the event, weather permitting.

By: Alderman Cobb  
Seconded: Alderman VanGorder

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #39** OF 2007 - Consideration of a Resolution conditionally accepting title to parcels along North Main Street and assuming maintenance responsibilities for same.

The Mayor indicated that this was for the culvert project. Andy Damiano outlined the process behind this procurement of easements.

By: Alderman Terwilliger  
Seconded: Alderman Cobb

Approved: Ayes - 8  
Nays - 0

**RESOLUTION #40** OF 2007 - Approval of a Resolution for an exotic pet permit submitted by Donald Greene to house a snake at 26 South Avenue.

Alderman Michales indicated that he and another individual had inspected the premises. He indicated that the snake is over five (5) feet long and it is secured in a cage with a padlock. A letter is on file from the landlord approving the keeping of the snake in that apartment. He indicated that it was being properly cared for.

By: Alderman Michales  
Seconded: Alderman Quail

Approved: Ayes - 6  
Nays - 2 (Aldermen Partigianoni and VanGorder)

**Adjournment**

By: Alderman Terwilliger  
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 17th DAY OF APRIL 2007. I FURTHER CERTIFY THE FOREGOING  
RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

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**JOHN O. REAGAN - CITY CLERK**

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**MAYOR THOMAS GALLAGHER**