



## City Council Minutes The City of Cortland

September 18, 2007

Council Meeting #17  
September 18, 2007  
Regular Business Session  
City Hall  
7:00 PM

Present: Alderman Terwilliger, Cobb, DeCarlo,  
Quail, Feiszli, Partigianoni and Michales

Staff Present: Director of Admin. & Finance Andrew Damiano,  
and City Clerk John O. Reagan

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

### PLEDGE OF ALLEGIANCE

### PUBLIC COMMENT

Mike Dexter was present and gave an update on the City tree trimming and removal project. He also announced that permission had been given to trim the Downtown trees and National Grid did that on twenty-two (22) from Groton Avenue to Court Street. Some minor trimming was done on Central Avenue. Not all of the Main Street and Court Street trees were able to be completed. These trees will not be done this year, but plans are being made to trim them next spring. He thanked Jim Maloney of National Grid for his donation of time and effort to do this project.

Phyllis McGinley was present to discuss the noise ordinance. She lives in an R-1 on Clinton Avenue. She is concerned about the number of students living in a neighboring house and wants the City to be able to enforce their regulation of only three (3) unrelated. She has spoken with the college and they say that they can't do anything. She outlined all of her objections to student housing issues in the area. She also objects to the College president expressing his desire to hold a block party for students. She hopes it will be on campus and not in one of the surrounding neighborhoods.

The Mayor noted that the Council was working on a rental permit process.

Minutes of September 4, 2007

**RESOLUTION #91** OF 2007 - Approve the minutes of September 4, 2007.

By: Alderman DeCarlo  
Seconded: Alderman Feiszli

Approved: Ayes - 7  
Nays - 0

Bills were reviewed and received.

### Mayor's Report

He attended the SPCA outing and was the emcee for the event. He attended the Dexter Park ice cream social as well as the Varsity Restaurant reunion party for Norm and Rose Abdallah. He did a walk through at Yaman Park with Jim Yaman, Chris Bistocchi and John McNerney. He attended the BDC/IDA meeting. He was the guest interview with WHCU. He attended the Planning Con-Fab meeting and the ribbon cutting at the new senior apartments in Homer. He also attended the I Live New York festivities. He was also at the Noon Rotary Club. Suzanne Etherington was the guest speaker giving a history of the SPCA.

#### Ward 2 - Alderman Terwilliger

She attended the I Live New York festivities the night before on Main Street. There was a good turnout and she thought it was a good idea. She has received numerous complaints in her Ward about noisy parties. She's glad that the Council is talking about the nuisance party ordinance and move ahead with that.

#### Ward 3 - Alderman Cobb

She thanked Stephanie Perez for spearheading the Otter Creek Clean Up along with Soil and Water Conservation, that took place this weekend. A lot was cleaned up. She received a call about a feral cat and that is being worked on.

#### Ward 4 - Alderman DeCarlo

He noted that a light was going to be installed on Park Street up near the dead end. A large tree branch came down on Delaware that took down power lines and that tree will be removed if there is enough money in the budget. It's along the walkway to Barry School. He asked Alderman Quail to check into the sequencing of the traffic light down on Huntington and S. Main. It only allows about two (2) cars to go ahead before it changes and it backs up traffic making it hard to get through. He also spoke with Alderman Quail after he saw some video of the flooding on Owego Street during a recent rain storm. The water was knee deep. The concern was for traffic trying to get through the flooded area.

#### Ward 5 - Alderman Quail

He noted that the flooding was where Perplexity Creek and is notorious for flooding. Unless a new sluiceway is installed, there's not much that can be done with all that

water. He dealt with an issue on Sunnyfield and that was a challenge. He attended the 100<sup>th</sup> anniversary of SUNY Morrisville. He noted that it was a very unique school. He attended the I Live New York festivities last night. He thought it brought a lot of character to downtown Cortland. He noted that it was possibly spread out too much and he wished that an agenda had been available in the area.

#### Ward 6 - Alderman Feiszli

She did a mailing to residents because of the number of questions concerning Kennedy Parkway and the gateway to the City. She apologized for the fact that not everyone had received a letter and she will follow up on that. She also did a Q & A to try to answer a number of questions that had been asked. She noted that Kennedy Parkway will be paved if the work is done before the third week in October and they can get the asphalt. If it's later than that, they won't be able to get the asphalt and the paving will be done next year. The City bonded to do this flooding remediation project and they are hoping to finish this year. There is a question about the pond of water in front of the Cortland Care Center and that catch basin will be redone as part of this project. She continued with some of the other questions that were answered in the mailing. She also thanked Stefanie Perez for coordinating and working to clean up the creeks. She asked that the City reimburse Stefanie for postage she spent notifying people of this project. She spoke about further work being done on the flooding issue. She noted that trash pick up has been a problem recently and that is been taken care of.

Her next Neighborhood Watch meeting will be on September 25 at 6:30 PM at the East End Community Center and Sgt. Carpenter will be there. New Block Captains will be chosen. She also received a call from a resident on Charles Street regarding NYSEG purchasing two (2) homes that will be demolished. She gave the history of the process of converting coal into gas in that area noting that a holding tank for gas had been removed many years ago, but those two (2) properties have now been added to the State's hazardous waste sites. She spoke with the DEC and there is no immediate concern for the neighbors, but there is contamination ten (10) to twelve (12) feet down and they want to get that out. NYSEG has agreed to provide information to the neighbors and a meeting will be held at St. Mary's to answer their questions.

#### Ward 7 - Alderman Partigianoni

He noted that the ice cream social had some horrendous weather, but the Sweet Adelines were terrific. The Annual Bean Pickers Reunion was also held and it was the best one yet. Their guest was Arnald Gabriel highly renowned U.S. Air Force band conductor. He received a call from a female crime victim and he researched where she could receive help locally at the YWCA. He also received a call from a resident on East Avenue. Motorcycle traffic in the area has been causing the resident a lot of concern.

Alderman Partigianoni attended the College President's brunch. He worked the college football game afterwards in the rain. Small Fry Football starts Friday with a double header. He noted that a piece of property on Excelsior Street is being turned over to the City and will be up for sealed bid. He received a call of concern regarding tree branches blocking a walk light and that has been taken care of. He also noted that tomorrow night at the East End Community Center, Jeremy Boylin will be holding a

meeting. He also went to the I Live New York festivities on Main Street. Saturday night he attended the meeting at the VFW to discuss the wall in question there. Chief Glover informed him that the engineers would be there in the morning to evaluate the situation and what action will be taken. It was noted that the wall partially collapsed Saturday afternoon.

#### Ward 8 - Alderman Michales

He received a call from a constituent noting that too much time was being spent on the exotic pet permit review and there were more pressing issues the City could be working on. He told the constituent that the pet process had been resolved and they were moving on with other issues. He attended the update meeting on the situation with the Buckbee Mears facility. This meeting was attended by the IDA/BDC as well as the EPA and other representatives. One million dollars has been spent so far and there is a request for another four million dollars to clean up that site. There are also indications that this may be a building that needs to come down as the result of their findings. He noted that there are plans to hold a meeting sometime in mid-October to update the residents in the area and that will be announced next week. He went to Invigorations on Port Watson Street to assess the parking situation in that area and he wrote a letter to the DOT asking them to free up some spaces in the area. The letter came back indicating that they did not want to impede the traffic in that area, so there will be no parking along that section of Port Watson Street.

He attended the 40 Below New York festivities last night. It was very interesting for a Monday night and quite nice.

Alderman Partigianoni made a quick statement regarding the exotic pet permit situation. He noted that the Council is going to proceed with this and they will be making some hard, fast rules with this.

Alderman Quail and the other Council members thanked Linda Hartsock for all her hard work as Director of the IDA/BDC.

Alderman Partigianoni congratulated Eric Mulvihill on his recent marriage.

**RESOLUTION #92 OF 2007** - Consideration of a Resolution authorizing the submission of a grant application to the Restore NY-2 Program and further authorizing the Mayor to execute any documents to effectuate such financial assistance.

This is the second time that this money has been applied for. The plan is for demolition of the Cabako building. It was noted that the property probably would be more marketable if the building was demolished. It was also noted that this would be the best use of these grant funds if received.

By: Alderman Terwilliger  
Seconded: Alderman Michales

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #93** OF 2007 - Consideration of a Resolution authorizing the Director of Administration and Finance to accept sealed bids for the sale of a City-owned parcel located at 19 Excelsior Street; with a minimum acceptable price of \$7,500.

It was noted that the assessed value/fair market value figure was received from the City Assessor. The City has the right to reject any and all bids and also ask for the bidders to provide their plans for the property with their bids.

By: Alderman Partigianoni  
Seconded: Alderman Michales

Approved: Ayes - 7  
Nays - 0

Item No. 3 - Discussion regarding a Waiver of the Conflict of Interest requirements for David Ferro to participate in the City's 2006 Income Property Rehab Program.

A letter from Thoma Development regarding David Ferro was read to the Council. Thoma had pre-approved Mr. Ferro for participation in this project, but noted that he worked for the City Department of Public Works. They also noted that Mr. Ferro did not participate in any decision making functions, that a waiver from OSC may not be necessary and Thoma recommended that the City openly discuss Mr. Ferro's participation in this program at an open Common Council meeting and note it in their minutes of this meeting. It was noted that Mr. Ferro had no decision making functions.

**RESOLUTION #94** OF 2007 - Consideration of a Resolution regarding a waiver of the conflict of interest requirements for David Ferro to participate in the City's 2006 Income Property Rehab Program.

By: Alderman Partigianoni  
Seconded: Alderman DeCarlo

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #95** OF 2007 - Consideration of a Resolution recognizing a donation to the Youth Bureau of \$200 to assist in repairs of Wickwire Pool; and appropriating said funds to Account No. A7180-206 (Beach & Pool Operating Equipment).

It was noted that the donation was from Tim Herman from Natrium Products.

By: Alderman Terwilliger  
Seconded: Alderman Cobb

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #96** OF 2007 - Consideration of a Resolution accepting a grant in the amount of \$16,800 from the NYS Division of Criminal Justice to purchase a license plate reader; and appropriating said funds to Account No. A3120-206 (Police Operational Equipment).

By: Alderman DeCarlo  
Seconded: Alderman Quail

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #97** OF 2007 - Consideration of a Resolution accepting a grant in the amount of \$3,889 from the Local Government Records Management Improvement Fund to be used to preserve Police Records; and appropriating said funds to Account Numbers A3120-104 (\$3,301 - Police Overtime) and A9060-800 (\$588 - Social Security).

By: Alderman Quail  
Seconded: Alderman Michales

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #98** OF 2007 - Consideration of a Resolution accepting a grant in the amount of \$25,500 from the Local Government Records Management Fund to be used to develop an Electronic Records Disaster Plan; and appropriating said funds to Account No. A1325-415 (Admin. & Finance - Professional Services).

Director of Admin. & Finance Andrew Damiano outlined what this grant was for and what the current back up plan was.

By: Alderman Terwilliger  
Seconded: Alderman DeCarlo

Approved: Ayes - 7  
Nays - 0

### **Adjournment**

By: Alderman DeCarlo  
Seconded: Alderman Terwilliger

Approved: Ayes - 7  
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 18th DAY OF SEPTEMBER 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**