



City Council Minutes The City of Cortland

October 16, 2007

Council Meeting #19
October 16, 2007
Regular Business Session
City Hall
7:00 PM

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

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

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mike Dexter was present to report from the Landscape and Design Commission regarding the problems with tree plantings done in the South Main Street Project and the process the Commission had gone through to try to get tree plantings replaced. He wants this taken care of while the trees are still covered under a warranty. The Mayor indicated that he would call Don Chambers.

Bill Wood was present to discuss the upcoming election for Mayor and two (2) Constables. He asked that these positions be eliminated because there is very little to do, no one is currently running and only one (1) position is currently filled. He thought it would be a money savings. Constables serve papers, but it is not a paid position. The person who hires them pays them to serve the papers. It would not be a cost savings to the City, because it is not a budget line item.

Minutes of October 2, 2007

RESOLUTION #106 OF 2007 - Approve the minutes of October 2, 2007.

By: Alderman DeCarlo
Seconded: Alderman Partigianoni

Approved: Ayes - 7
 Nays - 0

Bills were reviewed and received.

MAYOR'S REPORT

Tonight's work session was cancelled because of lack of information from Cheney & Blair. The information did not arrive in time for a thorough review prior to discussion. The November 6 Common Council meeting will be cancelled because it is Election Day. The next meeting will be November 20, 2007.

A budget work session was scheduled for November 13, 2007 and one (1) prior to the November 20, 2007 meeting, both to begin at 5:30 pm.

Corporation Counsel Knickerbocker asked that the Common Council review the rental housing information that was distributed and to contact him with any questions.

He attended the Parker School Children's Walk around Wickwire Pool. He read a proclamation and attended the Disabled Employees Recognition Dinner. He attended the First Night Meeting to discuss the New Year's Eve plans. He attended the ribbon cutting ceremony for the newly renovated Sperry Learning Center at SUNY Cortland.

He also attended the annual dinner for the Cortland County Farm Bureau. National Grid presented the City with a check for nearly \$2,500 for the tree beautification program. He attended the reception at the Library for Bob Thompson and his presentation at the County Office Building. He attended the first hearing last night for the City Comprehensive Plan.

Ward 1 - Alderman VanGorder

She received a couple of complaints regarding overgrowth along Rt. 281. She contacted Chris Bistocchi and the DPW took care of it right away. She also is working on a couple other Code issues.

She attended the first meeting of the Steering Committee for the Comprehensive Plan with Thoma Development. There were nineteen (19) people in attendance and it was a good introductory meeting. It is a good diverse group of people from the community. This was an introductory meeting and it will probably be about a fourteen (14) month process with a lot of opportunity for public input. There will be at least four (4) visionary meetings as well as public meetings. The Mayor noted that these are public meetings and they will be advertised.

Ward 2 - Alderman Terwilliger

Her Ward has been quiet. She did receive a couple of complaints about cats in the neighborhood. She has been speaking with Bill Carr of the SPCA.

Ward 3 - Alderman Cobb

Her Ward has been quiet.

Ward 4 - Alderman DeCarlo

His Ward has also been quiet.

Ward 6 - Alderman Feiszli

She received two (2) calls about the wear and tear on vehicles using roads that have been scraped. She contacted Chris Bistocchi and asked him if he would look into the cost of coordinating the street repaving with the scraping and utility work, so that there is not such a long period of time between it, so the wear isn't so great on vehicles.

She noted that the residents all received a fact sheet from the DEC. The next step for Charles Street is for the DEC to finish their data evaluation and they will do an evaluation of remedial alternatives for NYSEG to take on the property and perhaps after that the house will possibly be demolished. She met with the DEC, Soil & Water and the DPW last week about those raised gravel beds in the Tioghnioiga River and last week they removed most of them. More will be done. There was a skunk in the Morningside Drive area and she called the trapper and the skunk was removed. She noted that she did have an extra trap if anyone needed one.

She noted that the gas line replacement along Harmon, Grant and East Main Streets is just about finished. The new storm water pipe going along from the hospital to Dry Creek will hopefully alleviate most of the flooding that has been going on for years. Kennedy Parkway work is almost finished. The Mayor just informed her that the blacktopping will be done this Thursday. She also noted that she would check into a missing check valve at the end of a pipe going into the Tioghnioiga. She also received a question regarding a piece of property that has been vacant for quite some time and what the process was for the City to foreclose on a property. Corporation Counsel Knickerbocker noted that those properties wouldn't be available until October 2009 or later. He asked that she try to find out some information on this property and he would follow up on this. There might be a potential of having the heirs turning the property over to the City in lieu of paying the back taxes and then the City could bid it out.

She attended the Housing Confab meeting at the Ramada. President Bidderbaum spoke about the involvement the college has with the community and students in looking for alternate housing for the SUNY students. Shawn Smith gave a good presentation. She also asked if more notice could be given on Council agenda items, perhaps in the newspaper, so that the public could attend meetings that interested them. She also asked for public notification for the Zoning Ordinance revision meetings. She also was looking for solutions regarding parking and perhaps a committee could be formed to share their ideas on this problem and develop a solution.

She also noted a thank you letter that was received regarding the work that was done on Kennedy Parkway.

Ward 7 - Alderman Partigianoni

He was on vacation. He expressed his displeasure that the gas prices in the Virginia and Tennessee areas are \$.52 a gallon cheaper than gas prices here in Cortland. He received a call from Carol Tytler, who is the Chairman for the search committee for a new Department of Motor Vehicles building. She indicated that the two (2) sites under consideration are in the 7th Ward and she wanted to meet with the East Enders and get their input. A meeting has been scheduled for October 30, 2007 at 6:30 pm at the East End Community Center and Alderman Michales from Ward 8 will also be attending. He attended the Housing Confab last night. He noted that some of the ideas presented at the Confab might not work in the Cortland area. He was impressed by the presentation. He announced to the public that the property on 19 Excelsior Street is now open for bid with a starting price of \$7,500 for ¾ of an acre. From October 23 to 31, 2007 is Red Ribbon Week to take a stand against drugs. The Seven Valley Council on Alcoholism and Substance Abuse announces on October 23 at noon at the Youth Center that they will hold a Brain Drain luncheon featuring Billy Jean Goff from the SUNY Cortland Counseling Center. Everyone is welcome. He also noted that the Seven Valley Council will hold their annual dinner event on Wednesday, October 24 at 6:00 pm at Tinelli's Hathaway House. Tickets may be purchased by calling (607) 756-8970.

Ward 8 - Alderman Michales

He attended the Disabled Awareness Luncheon recognizing employees and employers. He assisted in judging pumpkins at the Pumpkin Festival, again this year. There were many creative entries submitted. He followed up on a complaint about motorcycle noise and racing on one of the side streets and he referred that to the City Police. He also spoke with the Mayor on this. He also attended the Housing Confab meeting last night. He noted that items were pointed out during the presentation that he was not aware of. He noted that there were approximately 400 to 500 students working in the community and that there were approximately 2,100 student cars that are parked throughout the college as well as the city. There are approximately 1,500 faculty cars. The college brings approximately one hundred twenty million dollars into the community. They do have a three strike and you're out program for students. He also noted that the college recycles approximately 80-85% of their waste and students pay for their own parking.

He noted there will be a Ward meeting at the BOCES Career Center, October 17, 2007 at 7:00 pm to introduce the new Neighborhood Watch Captains and present updates on various issues.

RESOLUTION #107 OF 2007 - Consideration of a Resolution recognizing \$3,910.00 in auction proceeds revenue and appropriating said funds to Account No. A3120-206 (Police - Operational Equipment).

By: Alderman Michales
Seconded: Alderman VanGorder

Approved: Ayes - 7

Nays - 0

RESOLUTION #108 OF 2007 - Consideration of a Resolution designating the Mayor's Tentative 2008 General Fund Budget as the Proposed 2008 General Fund Budget (Charter formality which does not imply the budget has actually been adopted.)

By: Alderman Partigianoni
Seconded: Alderman Feiszli

Approved: Ayes - 7
Nays - 0

RESOLUTION #109 OF 2007 - Consideration of a Resolution authorizing the use of Courthouse Park for the Cortland Arts & Wine Festival on August 2, 2008 from 10:00 A.M. to 6:00 P. M.; and further authorizing the use of the grounds for wine tasting.

By: Alderman DeCarlo
Seconded: Alderman VanGorder

Approved: Ayes - 7
Nays - 0

Agenda Item No. 4 - Discussion regarding the number of animals that may be housed at a residence and other related matters.

Corporation Counsel Knickerbocker reported that he had begun drafting revisions to Section 74 of the Code that deals with animals. He recommended that they consider revision of the penalty structure and he would get the revisions to the Council by the end of the week for their review. He also directed them to two (2) sections of the Code under zoning that dealt with animal harboring, Sections 300-2 and 300-67. He recommended that the Council be consistent with this and do everything at the same time. He also asked them to give thought to exceptions and how to word them. He asked the Council members to contact him with any ideas they might have.

He also gave an update on the Purrfect World situation. Judge Rumsey denied Purrfect World's petition for the City to inspect their premises. The Appellate Division denied Purrfect World's request to reverse Judge Rumsey's interim decision where he struck the relief to open up that place again for use. So at this point their civil remedies have been shot down. This would leave them administrative remedies where they would have to apply to the Zoning Board of Appeals to use their building and there would be a public notice and neighbors would know of their attempts to reopen. His understanding relative to the criminal charges towards the corporation, he was notified today, that they brought an order to show cause, which is returnable on Thursday seeking a stay of the Judge's sentence. Judge Meldrim sentenced them to pay the City a sum certain within forty-five (45) days and also to not operate for a one (1) year time frame without getting the City's permission. That is returnable on Thursday. He hasn't seen the documents yet, but he plans to be there to offer the City's opinion.

Alderman Michales inquired if Liverpool was holding off to see what the judge rules on our case. Corporation Counsel Knickerbocker indicated that he hadn't spoken with anyone from Liverpool.

The Mayor also noted that they needed to do something about animals being brought to events at Court House Park. Apparently there were a couple of dog fights at this year's Pumpkin Fest even though attendees weren't supposed to be bringing in dogs to the event.

RESOLVED TO GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE.

By: Alderman DeCarlo
Seconded: Alderman Cobb

Approved: Ayes - 7
Nays - 0

RESOLVED TO COME OUT OF EXECUTIVE SESSION AND INTO THE REGULARLY SCHEDULED MEETING.

By: Alderman Terwilliger
Seconded: Alderman Cobb

Approved: Ayes - 7
Nays - 0

Adjournment

By: Alderman VanGorder
Seconded: Alderman DeCarlo

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 16th DAY OF OCTOBER 2007. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN - CITY CLERK

MAYOR THOMAS GALLAGHER