



City Council Minutes The City of Cortland

November 20, 2007

Council Meeting #20
November 20, 2007
Regular Business Session
City Hall
7:00 PM

Present: Alderman VanGorder, Cobb, DeCarlo, Quail, Feiszli,
and Michales

Staff Present: Director of Admin. & Finance Andrew Damiano and Corporation
Counsel Lawrence Knickerbocker

Acting Mayor Feiszli calls the twentieth Common Council meeting of the year to order at
7:00 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mike Dexter was present to comment on the South Main Street tree project. He has walked up and down South Main to Huntington and he has noticed that one single tree has been replanted. He has not seen any other work that has been done. Representing the Landscape and Design Commission, he expressed their extreme disappointment in the tree stock that's on South Main. Trees are in the wrong place, they've not been watered and they were supposed to be street trees. The year warranty is up for the trees that they were responsible for and he is sure he can get Jim Maloney to go down there next summer to prune those trees properly, but some are going to be tough to prune. He noted that we didn't get the best trees. He felt that those trees would struggle. They weren't the best trees for the area.

Minutes of October 16, 2007

RESOLUTION #110 OF 2007 - Approve the minutes of October 16, 2007.

By: Alderman DeCarlo
Seconded: Alderman Quail

Approved: Ayes - 6
Nays - 0

Bills were reviewed and received.

MAYOR'S REPORT

The Mayor's report was read by Acting Mayor Feiszli for Mayor Gallagher.

He attended the Works Career Center breakfast at the high school as well as attending Tom Michales Ward meeting. He also attended Cortland Cable Commission meeting. He was a table guest at SUNY Cortland's Goofs and Goblets dinner. He was the guest speaker at 20th Century Club. He attended the Downtown Partnership Board meeting as well as the first Little League baseball start-up program. He attended the presentation by Congressman Arcuri at the Cortland Care Center. He also attended the City Comprehensive Plan Steering Committee meeting and the SUNY Cortland interview session on the performance evaluation of President Bitterbaum.

He met with Supervisor Tupper, Thoma Development, Town Engineer Smith regarding possibility of supplying water to the Polkville area. He attended BDC Executive Director search committee meeting. He participated in US Conference of Mayors teleconference. He also attended the Chamber of Commerce Annual Dinner. He met with Pam Kopiel, Executive Directors of Manufacturer's Association of Central New York. He also met with John Beaudoin of National Grid to discuss proposed franchise agreement. He was a guest speaker at the Annual Youth Bureau Small Fry banquet.

He attended a very moving ceremony and program at the annual Marine Corps League dinner. He attended Key Leaders breakfast at CRMC and he also attended the CRMC Higgins' Society reception. He attended the 35 year reception of the Jacobus Center. He did a walk-through of Tioughnioga River with the DEC, Army Corps of Engineers and DPW to inspect the work completed on the brush and debris removal in the flood project channel. He also attended the United Way Community Restaurant Day.

Just a reminder that Saturday, December 1 at 6:00 PM is the annual Christmas tree lighting ceremony at City Hall. St. Mary's chorus will be performing.

Acting Mayor Feiszli read an e-mail from Wes Pettee who is a program manager for Thoma Development. There are three (3) City of Cortland Comprehensive Plan Visioning sessions. November 28 at 7:00 PM at Barry School Auditorium, December 3 at 7:00 PM at the Smith School Auditorium and December 6 at 4:00 PM at the East End Community Center on Elm Street. Thomas Development will facilitate these public participation meetings and these meetings will be similar, so there is no need to attend all three (3).

Ward 1 - Alderman VanGorder

She thanked all of her constituents for re-electing her. She appreciated everyone who got out and voted. She will continue to work hard for all. She attended a Steering Committee meeting. She thanked Rob Avery for taking care of some street lights that were out. He went out at 6:30 AM and got the numbers off of the poles and turned them

into NIMO and got those taken care of. She spoke with Mike Preston regarding that there was not a No Outlet sign on Glenwood Avenue and he went out and took care of that. She is trying to set up a meeting with John Laubscher of the Cortland Regional Medical Center. She has a couple of people who would like to go with her when she meets with him. She attended the Chamber of Commerce Dinner. They had about 180 people there at the Country Club. It was very nice. She congratulated the Cortland High School girls' soccer team for winning the Section III title this year. She has a couple of daughters on the team and has been a long time since any Cortland High team has won a Section III championship.

Ward 3 - Alderman Cobb

Her Ward has been quiet. She learned that the Mayor and Andy Damiano did receive a call from a woman on Adkins Avenue stating that there are no street lights working on her street. She called NIMO and Mike Preston had indicated that he had contacted them a number of times, also. NIMO told her that they had no work order issued to look at those lights. She went out and took down the pole numbers and gave them to NIMO. She doesn't know if they have been out there to take care of them.

Ward 4 - Alderman DeCarlo

He has received many calls regarding the crows moving back into the City. People are up in arms. He also has received complaints about the blue bags from a neighbor. The side seams were not sealed. Rob Avery came over and installed a street light in an area that was lacking a light. They were able to use an existing pole. He thanked Rob for his quick response.

Alderman Quail noted that the cost of street lighting has gone up significantly in the past eight (8) years. The cost is about \$330,000 per year. This is a lot of money. He asked if street lights were ever pulled off. Director of Administration & Finance Andrew Damiano indicated that they have never pulled any off.

Ward 5 - Alderman Quail

He attended the Chamber of Commerce dinner. Several local businesses were recognized. One was the Daily Grind. He received a complaint about Ivan's Place. They play loud music down there until 1:30 AM. He asked if there was a noise ordinance in place. He was told by Andy Damiano that there was and the constituent should contact the police regarding this. He also has been hearing about the crows.

Ward 6 - Alderman Feiszli

There was some concern on Kennedy Parkway with the lack of a flap gate valve on the new storm water pipe leading from Kennedy Parkway to the Tioghnoga River. She spoke with the engineers and they said that they designed the system so that the valve could be placed, if necessary. The cost is about \$8,000 to \$9,000 for this thirty (30) inch valve, so we are going to wait and see if it's required before making that investment, but if it's needed it will be installed. On Hickory Park Road, she had a street

light out and it was replaced. There is also currently no system on Hickory Park Road for storm water run-off. There are no curbs and no catch basins. She has asked the DPW to look at the elevations to see if they could feasibly put in some dry wells. They are relatively inexpensive. She knows the budget is tight. On Morningside Drive a street light was out and she had it replaced. On Clinton Avenue she had a request to lower the speed limit to thirty (30) miles per hour and she wasn't quite sure if this should be referred to the City or the State. She was told that needed to be referred to the State DOT. On Grant Street she received questions regarding the hump in the road left by the gas company. She felt that it was not acceptable and that the gas company should leave the road the way it should be. On Grant Avenue and Arthur Avenue regarding the intersection onto North Main Street, there was a concern about traffic turning left from Grant and traffic turning right on red from Arthur. She contacted the Police Chief and the Mayor spoke with Public Safety and it was decided to wait and see how things went at that intersection, now that the bridge was replaced. There was also the new video store at that location. It was decided that if there was a problem, it would be taken to Public Safety and get their recommendation. Alderman VanGorder noted that that intersection has always been a problem and she was surprised that the concern had not been brought up before. Alderman Feiszli noted that there had been two (2) accidents there in May, but none since.

She noted that two (2) street lights were out on Willow Avenue and they continue to be out. She noted that the process with National Grid is that they have a service representative for the City. There's a FAX sheet that typically Public Safety faxes to them. She will send that FAX sheet to each of the other Aldermen to use. She noted that National Grid told her that they want the Aldermen to wait ten (10) days after sending that FAX and if the lights are not fixed by then, they are to contact the City representative by phone and they will be taken care of.

She noted that trash pick up has been irregular. Some areas are picked up the day after a holiday, but there have been times that some streets have been missed. She noted that there is a 1-800 number to call if trash has not been picked up on schedule. She spoke with Superior and they gave permission for her to make public that 1-800 number. It is 1-800 273-1567. It was noted that there are some pick up time problems and garbage should be put out the night before to insure that it's not missed.

She also received a concern from Harmon Avenue regarding idling trains. This was resolved a few years ago, but has started up again. She contacted the railroad and so far, there have been no further problems. She asked that constituents contact her if the problem arises again.

Access to Independence is looking to see if there is public interest in a tenants' rights informational meeting. She asked that they contact Sue Lewis at 753-7363 if you are interested. She also was asked to look into a 50-50 curb replacement program like they do with the sidewalks. Alderman VanGorder noted that type of program was very expensive. Alderman Feiszli noted that there were a lot of curbs that needed replacement and it's now the homeowners' responsibility. Andy Damiano noted that the funding for this type of program came from miscellaneous revenues and if money was taken from there other programs could not be covered.

Alderman Feiszli asked Director of Administration & Finance Damiano to report on the County Finance and Budget meeting. He noted that Ron VanDee, Chairman of the County Budget and Finance Committee recommended that the County open up negotiations with the City for an amendment to the sales tax sharing agreement in response to the letter that Mr. Damiano had written to the editor of the Cortland Standard. He felt that Mr. VanDee got the support of the Committee and that a resolution was adopted to go to the overall County Legislature for their consideration. If approved, this would open up discussions on the sales tax sharing agreement which the City couldn't be happier about. This won't solve all problems, but it could possibly be a potential to increase the City's revenue by \$100,000. It is a positive development. He felt that negotiations would not be concluded by the end of the year, but it was a positive step.

Ward 8 - Alderman Michales

He attended the Veteran's Day ceremonies at SUNY Cortland. He attended the Chamber of Commerce Awards Dinner recognizing area businesses. He compiled a letter to the State DOT Office regarding the Walk and Don't Walk traffic light at the corner of Pomeroy and Port Watson. He received a reply and he was not happy with it. He will compile another letter and see how that goes.

Ward 7 - Alderman DeCarlo read Alderman Partigianoni's Ward report

Alderman Partigianoni is visiting family in Michigan for the Thanksgiving holiday. He attended the Seven Valley's Council annual banquet at the Hathaway House. Sgt. Guerrarra received the Folmer Memorial Award for service to the Cortland Substance and Abuse Chapter. About three dozen residents listened to a Power Point presentation by Chairman Carol Tytler at the East End Community Center regarding the possible location of the DMV building in the Seventh Ward. He attended the breakfast meeting for the civic leaders at Cortland Regional Medical Center. He received some calls regarding the 2008 budget and plans import and business on Clinton Street. He attended the Small Fry Awards Banquet at Cortland High School. A family game night will be held on Friday, November 30 from 6:00 PM to 9:00 PM at the East End Community Center. Refreshments will be served. The East End Community Center is partnering with SUNY Cortland NYPIRG to canvas part of the City to register residents to vote. This begins on December 1 at 10:00 AM at the Community Center. The East End Center and Thoma Development has scheduled a City of Cortland Comprehensive Visioning Session at the Center on December 6 at 4:00 PM. The public is invited to attend to discuss community values, concerns and share feelings regarding the City's development. For information, contact Thoma Development at 753-1433.

It was noted that more property would be coming off of the City tax rolls and if the City could impose some sort of a fee to offset those losses in tax revenues. It was felt that more discussion was needed on this and that Corporation Counsel should be included in those discussions. Director of Administration and Finance Damiano noted that the Council members should contact the County and urge them to look for locations outside

of the City rather than removing properties from the City tax rolls. This might be better than trying to ask the County and other companies for fees.

RESOLUTION #111 OF 2007 - Consideration of a Resolution authorizing the acceptance of the Draft Local Waterfront Revitalization Program as “complete and ready for public review”. (Does not authorize adoption of the program.)

Linda Armstrong of Thoma Development was present to answer questions. She answers questions regarding money for a boat launch at Yaman Park. Linda Armstrong was not able to answer all of the questions. Director of Administration & Finance Damiano noted that a previous grant of \$53,000 for the boat launch was being matched in-kind by the City from Public Works and that the reference to the \$106,000 program was for a project that was previously approved. There will be no additional commitment of City funds.

By: Alderman VanGorder
Seconded: Alderman Michales

Approved: Ayes - 6
Nays - 0

RESOLUTION #112 OF 2007 - Consideration of a Resolution authorizing the Mayor to enter into contract with Thoma Development for program delivery and administrative services for the FY2007 Community Development Block Grant Program.

Andrew Damiano noted that Thoma Development responded to the RFP. Several other companies were contacted, but none of them responded.

By: Alderman DeCarlo
Seconded: Alderman Quail

Approved: Ayes - 6
Nays - 0

RESOLUTION #113 OF 2007 - Consideration of a Resolution authorizing the submission of a Shared Municipal Services Initiative Grant Application to the NYS Department of State , in conjunction with Cortland County, for assistance in funding the cost of a mobile shelving unit at the Records Center.

It was noted that County Clerk Betsy Larkin had taken the lead on this grant submission. Acting Mayor Feiszli stated that the cost to the City was about \$750. Linda Armstrong noted that this grant also went through State Archives and Thoma was doing a Shared Services Application. Andy Damiano noted that he and Lori Crompton, City Records Management Officer, had met with the County and had agreed to make parallel applications. Two applications were made; one to State Archives and one to this program, hoping to get money from at least one. The reality is that there is a better chance of getting State Archives money than there is of getting Department of State money. It was asked what the out of pocket costs to the City would be and Andy

Damiano noted that the City's cost would be \$7,500 not \$750. He also noted that the project was needed, as the Records Storage area was running out of space. This would open up some dead space in that storage area and give easier access. He noted that some records need to be kept forever and others have a destruction schedule. He also noted that if they were approved for this grant, he would have to find the money to fund the City's cost portion. Acting Mayor Feiszli asked if we could use in kind services of the Youth Bureau staff to offset the City's portion of the cost. Andy Damiano noted that there was some possibility of that, since records would have to be moved out of the area in order to install the new shelving.

By: Alderman Cobb
Seconded: Alderman VanGorder

Approved: Ayes - 5
Nays - 1 (Feiszli)

RESOLUTION #114 OF 2007 - Consideration of the confirmation of the Mayor's appointment of Keith VanGorder to the DPW Board, to complete the unexpired term of Charles "Chip" Wood.

By: Alderman Quail
Seconded: Alderman Michales

Approved: Ayes - 5
Nays - 0
Abstained - 1 (VanGorder)

RESOLUTION #115 OF 2007 - Consideration of a Resolution accepting a bid in the amount of \$8,025 for the purchase of the property located at 19 Excelsior Street, which was submitted by Christopher S. Bishop (18 Excelsior Street).

It was noted that no other bids were received on the property. Andy Damiano noted that he spoke with Mr. Bishop on the phone and was told that Mr. Bishop planned to build a garage in the future on the property and a play area for his children.

By: Alderman DeCarlo
Seconded: Alderman Michales

Approved: Ayes - 6
Nays - 0

RESOLUTION #116 OF 2007 - Consideration of a Resolution authorizing the Mayor to enter into agreement with the Cortland School Crossings Guards Association covering the period January 1, 2008 through December 31, 2009.

By: Alderman Quail
Seconded: Alderman Cobb

Approved: Ayes - 6
Nays - 0

Agenda Item No. 7 - Continuation of the discussion regarding the number of animals that may be housed at a residence and other related matters.

Corporation Counsel Lawrence Knickerbocker asked if the Council would agree to put this on the agenda for the next meeting. He cited that the Mayor would like to be present for this discussion. It was agreed.

Acting Mayor Feiszli asked for an update on the Rental Housing Permit program and when it would be on the agenda again. After some discussion, it was felt that the 2008 Budget should be handled first and then Cheney and Blair would be contacted to come to the meeting after that. It would be a work session and would take some time. Andy Damiano recommended that the Budget Review be completed first, at 5:30 on December 4 and have December 11 if available. It was also noted that the Cheney and Blair work session wouldn't necessarily have to be done on a Tuesday. It was expressed that a work session should be done in December on the Rental Housing Permit program. Corporation Counsel Knickerbocker noted that Cheney and Blair have met with the City Subcommittee working on the Zoning change. Mr. Cheney wants to review these changes with the Council and get their thoughts. Information will be distributed to the Council members by Corporation Counsel.

Adjournment

By: Alderman Quail
Seconded: Alderman Michales

Approved: Ayes - 6
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 20th DAY OF NOVEMBER 2007. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN - CITY CLERK

MAYOR THOMAS GALLAGHER