



City Council Minutes
The City of Cortland
February 19, 2008

Council Meeting #3
February 19, 2008
Regular Business Session
City Hall
7:00 PM

Present: Alderman VanGorder, Benedict, Dye, Tobin,
Quail, Feiszli, Partigianoni and Michales

Staff Present: Director of Administration and Finance Andrew Damiano and
Corporation Counsel Lawrence Knickerbocker

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

James Place was there to comment about the children living at the Conifer project and their cost impact on attending local schools. He felt this was going to be a negative impact on the community member's taxes. He suggested that the City speak with the School Board and determine what the impact will be to the school district. He noted that the City failed to collect taxes and there was also a lien on the property and that's why it failed to sell. The Mayor noted that the City had spoken with the school district.

Joanne Dukalow is a realtor and a landlord in the City. She gets many contacts from people looking for affordable housing. She has a need that cannot be met. She noted that the City needed to bring higher wage earning people into the community to live. She cited employees at Welch Allyn and others who are commuting in to work and would like to live in nice looking affordable housing. She noted that unfortunately the City was trying to put all low income earners into one area and New York State did not look at that favorably. She asked that the City bring up the median income up, but they can't do it with minimum wage income earners. The City needed to recruit people who make good incomes.

Ward Dukalow spoke about free market and the local housing market. He felt that if the City wanted decent housing, you have to put the return back into the houses. He did not agree with subsidized housing competing against private landlords.

Jim Rosengata is opposed to the Conifer project and the tax impact to the City, County and the School District. He spoke about the tax cost for all of the extra costs for services required for the people. He also understood that the PILOT program grant was defeated, so that there will only be the revolving loan program for the project. He felt that if this project went through, there would be a deterioration to the community and that the local taxpayers would be paying for the tax credit program

Paul Gallo is a local landlord and he was opposed to this project. He noted that the sale of vacant multiple housing units brought in less for the owners and he also noted that if he wasn't making money on his properties, he wasn't going to sink money back into them. He is currently fixing up houses around town and has more planned, but won't be able to continue if he doesn't make money.

Al Barberry is a local landlord opposed to this project. He asked if Conifer was going to pay sales tax on building. The Conifer representative noted that they had requested a PILOT and a sales tax reduction. Mr. Barberry noted that was not going to help this community. He asked if this project and Conifer were good for Cortland. He noted that the City is having a nice facelift, but this project will be unfortunate for the community. Landlords can't make a profit if they're vacant.

Mike Dexter congratulated the Council and the City for working to enact a process for collecting back taxes. He addressed negotiation regarding the purchase price of the property by Conifer. He felt that the City could have negotiated more. He felt that the person who owns the property now stands to benefit, probably the most on this project. He noted that the City had been paying the back taxes to the County and the school and the owner of the property who had not been paying the taxes, stood to make \$220,000 on this property. Mr. Dexter feels that the property owner should reimburse all the taxes that other law abiding taxpayers had covered for him. Mr. Dexter noted that if this project did not go through, he hoped that when the City obtained this property in three years that this project will go through then and the City will make \$350,000 on this project, instead of one individual.

Scott Steve brought some real numbers. He noted that he had a twenty-five unit project and he paid in 2005 \$24,000 and change in taxes. In 2006 he paid \$25,000 and change and in 2007 he paid \$26,000 and change. You can see the increases. That averaged out to \$88.33 per unit per month. He noted that he does his own driveway and his own trash and his own maintenance. His average rent for a one bedroom was \$475 and \$550 for a two bedroom. He noted that this was difficult situation, if you didn't take advantage of federal grants, they dried up; but private landlords who are unable to make a profit, can't fix up their properties.

Helen Whitney lives at 115 Pendleton. She wondered how they were going to get housing numbers for that field when the housing numbers indicated in the paper were 111 to 115. She also noted that last Tuesday when we had all that rain, there was

another flood on the street and houses on Jefferson got water in their cellars and her sewer backed up this week.

Ann Gebhart is a taxpayer, a landlord and a citizen. She feels that there is a challenging need for affordable housing. The landlords have a good point. Taxes are so high and for many families; so high, they can't afford home ownership, therefore they need to look for affordable rental housing. The landlord who has the twenty-five units seemed to indicate that his units were all filled. She felt that good affordable housing is pretty much taken up and there is a great need as demonstrated by many studies done of the community. She asked that we seriously consider this project. She admired Alderman Partigianoni for his efforts to inform the citizens about this project. She supports this project.

Ed Bennedy can see where the City benefits with the short term gain of funds. He asked if Conifer was going to pay the special assessment charged to all the other landlords. Director of Administration and Finance Andrew Damiano noted that they were. Mr. Bennedy noted there would be no sales tax collected, they were getting a government loan at very low interest and the benefit seemed to be to Conifer. He has spoken to the school superintendents. The high school wouldn't be impacted so much, but the elementary schools would be. He discussed the local tax base and the impact on the taxpayers by allowing a subsidized project like this one. He asked that the Council consider the long term implications for the citizens and homeowners. He noted that they needed to bring in higher above median income homes and apartments, not lower income. There is currently a 3% vacancy rate in Cortland and they didn't need to have more vacant apartments. He didn't feel that there was all that much substandard housing in Cortland.

Steve Muka spoke of fairness. It's not fair for profit entities not to have to pay the same property taxes that other people in the exact same business are paying. He noted that there would be about \$300,000 a year in gross rents for the Conifer project. Most of that will simply be taken from other community landlords and that will be a loss. The tax base will be harmed because rental properties will not be bringing in as much income and won't be fixed up and the burden will be picked up by the local taxpayers and property values will also decrease. He noted that the property was probably not developed because there was a lien on it and it wasn't offered for sale. Six point nine acres, he noted, could have over forty (4) single houses on that based on R1 zoning. Even if you put five (5) houses there at \$100,000 each, which would be way too low, would raise \$25,000 in property taxes. So the City is not maximizing their future tax revenue to the City by going with an offer that's going to be \$21,000 a year. The value of that property in tax revenue will be greater. It's a great piece of property for all kinds of things. He's concerned about the future, with a large student housing project; so there will be problems with keeping the rental housing market strong even without this project. He thought things were on the upswing now, but when you decrease the profitability and increase vacancies, that'll stop this growth as investors go elsewhere.

Minutes of February 5, 2008

RESOLUTION #17 OF 2008 – Approve the minutes of February 5, 2008.

By: Alderman Partigianoni
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Bills were reviewed and received.

Mayor's Report

He did an interview with WHCU radio. He attended the Cortland Business Network Meeting and also attended a reception at our new restaurant in town, The Vine. He attended a Roundtable meeting at SUNY Cortland regarding the agricultural impact on our community. He met with the Attorney General's Office Consumer Protection (fraud). He attended the Girl Scout's Sweet Sensations. He went on a tour of the ARCO facilities on Crawford Street and had discussions with the clients. He met with Jim Seward to discuss the on-going financial situation of the City. He was advised that we will be receiving a \$25,000 earmark for the generator project at the Armory. He and Alderman Michales traveled to Ithaca to tour the Conifer project site. He attended the Lawman of the Year dinner. Congratulations to Cortland County Sheriff's Department Officer Kelly Ryan and Sgt. Karl Altmann. He met with Dan Young, Governor's representative, to discuss the upstate economy program. He did an interview with News10Now on the Conifer project.

Ward 1 – Alderman VanGorder

She has been looking at Community Clean Up Day on April 19th, a Saturday. She outlined what had been done in the past for the new Council members. She will work with the Chamber of Commerce and the Young Leaders of Cortland. She asked that people check their calendars. She also asked the hospital regarding the parking garage questions brought up at the last meeting. The hospital did a study and it was roughly about \$4,000 per parking space in a lot compared to \$22,000 a space for a parking garage. That was without upkeep and maintenance to a garage.

She also received a lot of calls and emails and personal contact from people not in support of the Conifer project.

Ward 2 – Alderman Benedict

He also had received calls from people concerned about the litter on Lincoln and Groton Avenues. Part of this has been the wind, but this should be looked into. The Clean Up may be too late for that. He held a Ward meeting on February 12 at the Library. Aldermen Partigianoni, Feiszli, Tobin and Michales attended. He thanked everyone for

showing up on such a snowy night. Two County legislators also attended. Kay Zaharis spoke about the great programs at the library and the President of the library Board of trustees also did an excellent job of telling about their funding and their progress in setting up a library taxing district. Nick Esposito told about the endowment and their proper use for charitable organizations. He mentioned a 4% usage that would enable the library to have a strong endowment fund for generations to come. This is used to buy books and make needed repairs. He has studied a lot of information on the Conifer project and he also received many e mails and phone calls on this project. He is concerned about low income and handicapped accessibility, but he is also concerned about our neighborhoods. He's not only concerned about the Pendleton Street area, but also in his Ward. He feels that many people from his neighborhood will be moving into student housing on Rt. 281 and the South Main Street, New Visions project and then the Conifer project. He feels that there could be many vacancies and defaults on loans. Walking through his Ward, he has noticed many vacant houses and empty apartments. He's afraid that this problem will only grow if the Conifer loan is approved. He recently handed out five hundred (500) surveys and the number one concern was the appearance of rental properties. The least popular was giving out low cost loans and tax breaks to private companies for low income housing. He will share more of the results of this survey with the Council.

Ward 3 – Alderman Dye

He thanked the Police Chief for looking in to the tractor trailer traffic on Groton Avenue. He has received a few phone calls about potholes on Groton Avenue. They're getting very big and nasty. He received two calls on water issues at the bottom of Stevenson Street and Graham Avenue after the big rain last week.

Ward 4 – Alderman Tobin

He had similar issues with potholes on Port Watson Street and he had contacted Andy Damiano about one (1) on Port Watson, which is outside of his Ward. He also attended Alderman Benedict's Ward meeting at the library and that was very informative. He also has been placing and receiving phone calls and e mails with officials in other counties regarding projects which Conifer has done and he's is happy to share that information when we get to that item on the agenda.

Ward 5 – Alderman Quail

It's been quiet in his Ward. He has received numerous calls and e mails regarding the Conifer project. It's definitely has everyone's attention. He has information to share when they get to that part of the agenda. He's concerned also.

Ward 6 – Alderman Feiszli

She has been asked about the hospital because many people know she has been working on that issue since November. She is going to continue working on this and will

continue to do research. She attended Alderman VanGorder's Ward meeting and sat back and listened. She asked that this topic be placed on the Council agenda for discussion after the Conifer issue is settled. She is continuing to work on the vacant gas station in front of the Ramada Inn. She will report on that at the next Council meeting.

Ward 7 – Alderman Partigianoni

He noted that it's been a hectic two weeks.

Ward 8 – Alderman Michales

He has received calls regarding the Conifer project. He also attended Alderman Benedict's Ward meeting. He also forwarded a call to Alderman Benedict about the possibility of an apartment building having too many residents. Alderman Benedict will follow up on that. He also forwarded a courtesy call to Alderman Quail regarding icy sidewalks between an apartment building and the Youth Bureau on Port Watson Street. Alderman Quail followed up on that. He also had a concern that the City may want to provide three (3) hour parking in some areas, where patrons may require more than two (2) hours to do some City business. He would like to discuss this at a later date. Director of Administration and Finance Damiano noted that this would have to go to the Public Safety Commission for their recommendation. He attended the Lawman of the Year Banquet. He thanked the two officers who received the award for their fine work. He also spoke with the Code Office regarding two (2) unlicensed vehicles and will follow up with that. This is the second time they've looked into this problem. He also noted that the Youth Bureau will be sponsoring a fundraiser for the Volunteer Incentive Program for Teens. Tickets will be on sale until March 14. The dinner tickets will be \$10 for the Dinosaur BBQ dinner.

RESOLUTION # 18 OF 2008 – Consideration of a Resolution authorizing the approval of a Community Development Loan to Conifer Realty, LLC.

Bernie Thoma of Thoma Development outlined his January 10, 2008 memo information. He was looking for \$150,000 to come out of the Program Income Fund, which is not funded by the local tax base, but by local Community Development Grants that have been received, loans made from those funds to businesses and landlords and repaid to the City. The initial request was \$250,000. The Loan Committee is recommending \$150,000 with two percent (2%) interest over a thirty (30) year period. This is very similar to the loan that was given to Housing Visions, which was \$300,000 at zero percent and very similar to the loan that was given to Port Watson Commons, when that project started. Alderman Tobin asked for more information on that loan and Mr. Thoma noted that it was \$100,000 for zero percent interest. Right now there is close to \$150,000 as a balance in that fund, with a closing in the fall.

Alderman Partigianoni spoke to the question regarding what the revolving loan fund was meant for. Bernie Thoma described how the fund grew. They came from the

Community Block Fund grants that got started in 1976 and when those monies are repaid to the City, they can then be reloaned to City businesses to help create jobs or to help create or rehabilitate housing for lower to moderate income people. That has certainly been done enough times. It can be used for more public activities such as improvements to sidewalks and parks. Alderman Feiszli asked him about the Conifer project and the current housing stock in the City and that instead of fixing up what we already have we are increasing the number of units. Can this money be used for local landlords and homeowners to rehab their own homes? Mr. Thoma indicated that it certainly could. He noted that there are two (2) programs going on right now to fix up rental property. Obviously \$150,000 will not fix up fifty-six (56) units of rental property. Typically they are spending \$12,000 to \$18,000 per unit when they do a rehab. One of the problems here in the City is that the houses are old. That's a concern. What Housing Visions is doing is great. They are taking existing units, but we are losing units. They acquired thirty-six (36) units of housing, but are only putting thirty (30) back. At some time, you need new housing to be built. There isn't enough money out there to rehab every substandard house. He explained an inspection of rental housing in the south end produced 91% substandard units. It's lower in other parts of the City. They can't get enough money to rehab every substandard property in the City.

Alderman Michales asked why Cortland has failed to recognize this problem. Bernie Thoma noted that they have not failed, but that there are only so many resources. They have a very long waiting list of landlords who would like to participate in their program, but they won't have enough money to take care of all of the need. Our housing stock is old. Alderman VanGorder asked if the \$150,000 if loaned to Conifer would take away from the local landlords. Mr. Thoma stated that it would not. Mr. Thoma also explained a definition of substandard as outlined by the State of New York. Alderman Feiszli noted that Thoma Development did the survey for Conifer, they manage the revolving loan fund and they are also handling the Community Development fund. She asked how they came about the need determination which resulted from their survey. Mr. Thoma noted that they looked at the rents being charged and the income levels needed to pay those rents and then the demographic information on the City, of the households that are renter households and assuming that most of the people moving into that housing are currently renters, not individuals who will be selling their homes to live in rental housing. They just look at renters and they come up with the number of potential people who have these characteristics.

Alderman Partigianoni asked him to describe the Community Block Grant money. Mr. Thoma noted that it's a competitive process that the City has an opportunity to apply for annually. About 90% of the money received by the City since 1980 has gone into some type of housing such as rehab or new construction. It's a limited pool of about \$400,000 annually and there's a lot of need and only about eleven (11) or twelve (12) different structures with about twenty-five (25) to thirty (30) units in those structures were done in 2006. Alderman Michales stated that he had heard that County Social Services paid about \$690 a month for people who live in substandard housing. He felt that they would be moving into Conifer and he asked what would happen to the vacant properties. Mr. Thoma stated that the City would have to address that. He felt that there would be

some fallout, both in the student housing units and in the substandard housing units. There is the possibility that those houses could become refurbished and returned to single family houses. He also noted that student housing rentals were much more lucrative income wise as compared to regular housing units. He felt that competition in the student housing market by certain landlords who had updated refurbished housing commanded the highest rental dollars. He noted that because there was a shortage of student housing, other lesser quality units were also in demand.

Alderman Tobin asked if Conifer hired Thoma to do the study. Bernie Thoma indicated that they had and the study was just completed in January. It was started in December. He asked if there was a demonstrated demand shown before Conifer hired them to do the study. Bernie Thoma noted that the study that was done for Housing Visions in 2006 clearly showed a demand for this type of housing relief. Their tenants are in the same range and have the same characteristics. Alderman Tobin noted that the college had a larger freshman class this year by about two hundred (200) students. He wanted to know how that had affected the local community by the number of students moving off of campus this year. Mr. Thoma said he couldn't answer that specifically. Alderman Dye asked if anyone realized that Conifer would not be paying sales tax on the construction of these units. Alderman Feiszli noted that she did not realize that. The Conifer representative noted that they had applied to the IDA for that. Alderman Quail asked if other developers were exempt when they were building homes until they sold their property. Mr. Thoma believed that they paid sales tax on their materials. It was noted that Housing Visions was sales tax exempt. Alderman Feiszli asked about revitalizing the neighborhoods. She wondered if there could be a program in place for revitalization of multiple family units being transformed back to single family homes. Mr. Thoma felt that there was a lot of property they would love to fix up, but its private property. He also noted that student housing didn't qualify for their program. He noted that if people wanted to get out of the business of student housing, then maybe some of those properties could be picked up by a program like the one that's just started near St. Joseph's Hospital in Syracuse. He has spoken with the college on some of these ideas. He feels that the City should begin to plan for this. Director of Finance and Administration Andrew Damiano asked Mr. Thoma if a program geared to converting rental housing to single family homes for low to moderate income families, be a competitive application. Mr. Thoma felt that it would be a very competitive application. Alderman Quail asked to go back to the South End Strategic Plan, citing that housing conditions were the number one item people identified as a problem in their neighborhood. He asked Mr. Thoma to outline the options in the South End to upgrade the housing if the City and the Council did not choose to go down the path of trying to get grants and giving incentives. Mr. Thoma felt that there wasn't much that could be done otherwise. Alderman Michales compared the community outcry between the two projects. He noted that when Housing Visions came before the Council only about three (3) people were in the audience and the Conifer project has filled the Council Chamber. He felt that the people of the community would prefer rehabbing housing as opposed to building new. Mr. Thoma felt that that strategy of rehabbing could be the only strategy to address the housing needs in the community.

Alderman VanGorder noted that she had received a lot of feedback from community members. This project seemed like a good idea, but the decision was going to be difficult and the decision will be made on what the Aldermen feel is best for Cortland in the long run. She stated that she did own a single rental unit, which is a single family home. She noted that there were a lot of good points made on both sides. She felt that she would make her decision based on the opinions of the people of Cortland rather than with some company from outside of Cortland.

Alderman Tobin asked for more information about how this came as a proposal from the IDA/BDC, an agency that is more business oriented rather than for housing. The Mayor noted that Mr. Slowey, Chairman of the IDA/BDC was present to answer questions. Mr. Slowey stated that this proposal was not before the IDA/BDC presently. It came before them and it was referred back to the City because they are the governing agency. They wanted to know the City's position on this project. Mr. Slowey noted that there was an interim vote and it was voted not to take this proposal before their board for consideration until they knew the City's approval or recommendation. There was concern about the PILOT program and it was noted by the Councilor that there was less concern regarding the loan because the PILOT program affected the tax base. Mr. Slowey was looking for the City's input. Just because Conifer asked for a fifteen (15) year PILOT or the loan, nothing has been approved. Mr. Slowey came this evening to get input from the City and to get an idea of how they felt about this project. Alderman Michales asked if there had been discussion regarding this project. Mr. Slowey noted that there had been some discussion by the IDA/BDC, but they were waiting to get the City's recommendations and opinions. Alderman Feiszli noted that there was a mention of a \$75,000 issuance fee if the IDA approved this. Mr. Slowey noted that nothing would be done until the City gave their opinion. Director of Administration and Finance Andrew Damiano noted that with all respect, the IDA/BDC had never asked the City's opinion before regarding a PILOT. Mr. Slowey stated that the City was part of discussions on all PILOT programs. Mr. Damiano stated that was not so. He had opposed some PILOT programs in the past because he felt they were detrimental to the City, expressed his opposition and the IDA/BDC had gone ahead with them anyway. Mr. Slowey felt that he could not comment about things in the past. Alderman Partigianoni stated to Mr. Slowey that the decision on the PILOT was still the IDA/BDC's and he wondered if they weren't just passing the buck on this. Mr. Slowey felt that if the City was not in favor of this then the IDA/BDC wasn't going to get involved. Alderman Partigianoni noted that the IDA/BDC could still approve this, even if the City said no. Mr. Slowey agreed that they could. Alderman Feiszli noted that a letter had been written by five (5) members of the City Council and dropped off at the IDA/BDC and she wanted to know if Mr. Slowey had received that letter. Mr. Slowey indicated that he had been out of the office and had not received the letter personally. Alderman VanGorder asked Mr. Slowey if there was another type of housing program proposed for that area, would that be eligible for a PILOT program. Mr. Slowey indicated that it would not. He noted that the IDA didn't have any business in this unless the City wanted it. Alderman Quail did a recap for those who had expressed various concerns. He noted that sixty-seven (67) percent of the housing units in the South End were rental units and ninety-one (91) percent of those were substandard. These are not really being fixed up.

Some landlords are putting siding on the homes, but they are not really fixing them, improving the parking or the aesthetics or the density and all of these are issues. He doesn't see the cycle changing and he asked Mr. Thoma what could be done to break that cycle. He also noted that he had recently spoken with a developer and that developer had not heard of the Pendleton Street site coming on as a developmental opportunity. Many had asked that manufacturing jobs should be a priority, but he felt that manufacturing development was not happening in Central New York. He felt that jobs growth was in the service sector. He noted that Wal Mart employees would be eligible to live in this housing development. If this didn't happen, what other opportunities were there for this seven (7) acre lot. He noted that if the Council walked away from this opportunity now, they would have to wait three (3) years for their tax money, they would receive no revenues from water and wastewater and if it goes up for auction, it may only bring in \$50,000 to \$100,000. The new assessed value would result in only \$1,000 in taxes. Alderman Partigianoni noted that everyone who has looked at that property has walked away because it was not desirable. Alderman Feiszli didn't understand, she noted the property was zoned Industrial and it was also contaminated and that had made it undesirable. She asked what the agreement was with the current owner and noted that the Council members didn't know what had transpired with this. She noted that since this was zoned an Industrial site, to her knowledge, this site had not been marketed as such and she would rather recommend to the IDA approval for industrial development that would create jobs rather than for a housing development. Director of Administration and Finance Damiano noted that the reason the site had not been marketed, was that the City did not own the site. The City could not market someone else's property. Alderman Feiszli noted that the City needed good standard quality market rate housing. Mr. Damiano noted that that type of housing probably wouldn't be built at that site. The Mayor noted that Conifer had looked at three (3) locations in the City and had decided on this one. He also stated that the City would continue to pay \$7,500 a year on this property for County and school taxes until it went on the auction block.

Alderman Tobin asked to discuss the state of the current housing in the City. He noted that he hadn't seen the South End Strategic Plan until recently and he asked if there were any recommendations made in 1989 in the initial City Master Plan and a subsequent update. Mr. Thoma stated that in the Comprehensive Plan they are going through now, housing is a big issue, just like it is in the South End Plan. There certainly will be recommendations and information about housing in the Plan that will be presented to the Council. Andrew Damiano asked him if the existing Master Plan made references to construction of new rental housing. Mr. Thoma couldn't answer that and noted that the current Plan they have is sixteen (16) years old. Alderman Tobin felt that they needed more information and more input into the plan for this development. He has spoken to a number of contractors who have said nothing but good things about Conifer as a company. His feeling is that this plan may not be right for Cortland and they are being given something that they are not sure that they want. Alderman Feiszli asked all City Department heads two (2) weeks ago for a report on how this development would impact their departments and she received one (1) reply from the Code Officer and a opinion letter that was signed on the back by a number of individuals

and only one (1) signature was from a department head. She wanted to know who had written the letter. Andrew Damiano noted that he had written the letter. Alderman Feiszli asked why the department heads hadn't responded to her request. Andrew Damiano noted that the signatures of the individuals who signed the letter represented a total of two hundred and fifty (250) years of municipal experience and they say that there is no impact on the City budget. Alderman VanGorder noted that there would definitely be an impact on the school budget.

Alderman Partigianoni noted that he and others had contacted school officials and that those officials had told him that they saw no problems with up to forty (40) students. There would be no need to hire more faculty or staff. There was the hope expressed that something would be done about the illegal overcrowding in some of the rental housing units in parts of the City. Alderman Feiszli noted that there had been some flooding noted in the development area during the last heavy rains and she wondered if grading or drainage had been discussed for storm water runoff. The developer noted that they would be doing that in the site plan and would be dealt with. Alderman Partigianoni wanted everyone to know that even though the Council approved this, the developer would still have to go before the Planning Commission and their plans would be thoroughly reviewed. The Planning Commission would do a long form SEQR and if anything was found, this project would not be approved. Alderman Feiszli noted that if this project went through, they would have to have a traffic light installed at Huntington Street and that would cost about \$5,000. Mayor Gallagher noted that this would come under the Safe School Routes program. Mr. Thoma noted that the City would put in an application and there would be new sidewalks and grading in the area. Alderman Feiszli asked why that hadn't been brought up before. Mr. Thoma noted it hadn't been applied for yet and the applications weren't due until April 1, 2008. He also noted that this program targeted schools that had kids younger than eighth grade. Chief Nichols noted that there were school crossing guards already in the area and patrol car speed monitoring as speed in the area was already a problem. An upgrade in sidewalks in the area was good and they were also looking into an upgrading of the crosswalk situation.

By: Alderman Partigianoni
Seconded: Alderman Tobin

Roll Call Vote: Alderman VanGorder – Nay
Alderman Benedict – Nay
Alderman Dye – Nay
Alderman Tobin – Nay
Alderman Quail – Aye
Alderman Feiszli – Nay
Alderman Partigianoni – Aye
Alderman Michales – Nay

RESOLUTION #19 of 2008 – Consideration of a Resolution endorsing the Cortland Downtown Partnership's application for funding from the New York Main Street Program to fund façade and building improvements in historic downtown Cortland.

By: Alderman Benedict
Seconded: Alderman VanGorder

Approved: Ayes – 8
Nays – 0

RESOLUTION #20 OF 2008 – Consideration of a request from the Central New York Mustang and Ford Club to close Main Street, from Central Avenue to Tompkins Street on May 18, 2008 from 2:00 P.M. to 6:00 P.M. to hold their “Cruise Nite” event.

Alderman Feiszli asked if there was an application fee paid by these groups when they asked to hold an event since we had to pay to do clean up, etc. Mayor Gallagher thought that if the groups had to pay a fee, that perhaps they wouldn't hold the event. Mr. O’Gorman was present to answer questions regarding the club’s request. He told them that they were a not for profit organization and for twenty-five (25) years they have done this. Alderman Feiszli felt that this was a question for the Council rather than for Mr. O’Gorman. Mr. O’Gorman has never filled out an application or paid a fee. They do provide a certificate of insurance.

By: Alderman Dye
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

RESOLUTION #21 OF 2008 – Consideration of a Resolution authorizing the adoption of the 2008 Community Development Miscellaneous Revenue Budget.

Alderman Tobin asked what location the Regional Sports Council typically held their events. The Mayor indicated that they were held all over the County, i.e. the McDonald Center, the college, downtown, etc. Alderman Tobin asked how they were funded. The Mayor stated that they received funding from the City, the County and SUNY Cortland. Alderman Feiszli asked what Cortlandville paid. The Mayor didn't know. Their events filled hotels and brought in lots of people. Alderman Feiszli asked the Mayor if he would find out what Cortlandville’s contribution was. Alderman Tobin asked about the \$9,000 earmarked for landscaping. Director of Administration and Finance Andrew Damiano indicated that was for City Hall, various pocket parks, municipal parking lots and the Court House Park.

By: Alderman Quail
Seconded: Alderman VanGorder

Approved: Ayes – 8
Nays – 0

RESOLUTION #22 OF 2008 – Consideration of a Resolution to appoint Russ Teeter to the position of Constable (there was a five-way tie in the last general election.)

Alderman Benedict asked that Item No. 5 on the agenda be postponed until the next meeting. He noted that it was getting late and he wanted to know exactly what the Constable duties were. The Mayor stated that the Constable served warrants or delivered court documents. The lawyer hires the Constable and pays them; the City does not pay the Constable. It was noted that it was not a paid position. Russ Teeter was written in and he was the only one that showed interest. It was noted that these positions were listed in the charter and Mark Teeter was voted in during the regular election, the others were write ins.

By: Alderman Partigianoni
Seconded: Alderman VanGorder

Roll Call Vote: Alderman VanGorder - Aye
Alderman Benedict – Nay
Alderman Dye – Aye
Alderman Tobin - Aye
Alderman Quail – Aye
Alderman Feiszli – Nay
Alderman Partigianoni – Aye
Alderman Michales – Aye

RESOLUTION #23 OF 2008 – Consideration of a Resolution to waive the noise ordinance fee for the Chill-abration.

Alderman Michales asked that the hours of this event be placed in the Cortland Standard so that residents knew when the noise would be occurring from the snow making machines.

By: Alderman Quail
Seconded: Alderman Benedict

Approved: Ayes – 8
Nays – 0

Alderman Benedict would like to schedule a work session for the Code Revision for the next meeting. Corporation Counsel Knickerbocker noted that they were only mid-way through the process. The Mayor asked that Alderman Benedict speak with Corporation Counsel regarding the process.

Adjournment

By: Alderman VanGorder
Seconded: Alderman Dye

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 19TH DAY OF FEBRUARY 2008. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER