



City Council Minutes
The City of Cortland
March 4, 2008

Council Meeting #4
March 4, 2008
Regular Business Session
City Hall
7:00 PM

Present: Alderman Benedict, Tobin, Quail, Feiszli and Michales

Staff Present: Corporation Counsel Lawrence Knickerbocker and
City Clerk John O. Reagan

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

There was no one present to speak.

Minutes of February 19, 2008

RESOLUTION #24 OF 2008 – Approved the minutes of February 19, 2008 as amended.

By: Alderman Benedict

Seconded: Alderman Quail

Approved: Ayes – 5

Nays – 0

Bills were reviewed and received.

Mayor's Report

He attended the CBN Meeting with the new director of the IDA/BDC, Mr. Jensen. He also gave a presentation to Leadership Cortland. He attended Congressman Michael Arcuri's presentation as well as attending the CAPCO tribute to Sharon Johnson and

presented them with a Proclamation. He also attended the Public Auction for the Riverside Plaza.

Ward 2 – Alderman Benedict

He was away and he did not get too many calls. He received a call from a resident who could not get a hold of their landlord. He suggested she look on the City tax rolls to get the address. He also noticed while out walking that a number of Yellow Pages phone books were not properly delivered and were just thrown down on the sidewalks in front of houses. He contacted the Yellow Book people and they said that they would have someone come to pick up the improperly delivered phonebooks and redeliver books to the proper places. He received more surveys back. The main concern was the looks of the rental properties. He feels it's time to move ahead on improving the Code. He has copies of the proposed rental housing law and the nuisance party ordinance and he hoped that the Council could move forward on these, soon. Blair and Cheney, the land use attorneys may not be ready to move forward on the Code, but the residents of the City are ready for some changes now. The people of his Ward have made it clear through calls and the survey responses that it is time to clean up the neighborhood. A number of people indicated that they want the three (3) unrelated ordinance enforced. They noted that this has been enforced in a number of areas and they would like it enforced here in Cortland. He felt that if the rental housing law enactment was needed to get the unrelated ordinance enforced, then let's go ahead and do it.

Flooding was another big concern on his survey. Alderman Feiszli was able to attend a conference on flooding put on by the Governor and he hoped to hear more about that.

Ward 4 – Alderman Tobin

He had one (1) phone call regarding the fact that the agenda for tonight's Council meeting was not on line. He also passed out a paper with issues that he wished to have committees formed so that these issues could be discussed and resolved.

Ward 5 – Alderman Quail

He is planning a Ward meeting the week of March 24 through March 28 it probably will be March 26 at either the Randall School or the Youth Bureau. He received a few calls on Kent Drive yesterday. The street was sheer ice and there had been no salt put down in the area of the stop sign. He wondered how the City was doing with the salt shortage. He asked Chris Bistocchi of the DPW how the City was doing. Chris Bistocchi indicated that the City was short.

Ward 6 – Alderman Feiszli

It's been pretty quiet in her Ward. She has received calls about the crows and the potholes. She asked Chris Bistocchi to explain at a later date, the difference between cold patching and hot patching and the longevity of the two methods. She did attend

the flooding summit with Legislator Tytler in Binghamton last week. She found out about it in a round about way and she wondered if the City had been notified about this summit. The Mayor indicated he did not receive anything. Legislator Tytler indicated that she would like to follow up by having a meeting with the public, the DEC and others to share concerns. There were some questions regarding dredging and clearing in the Tioghnoga River and Alderman Feiszli contacted Brenda DeRusso from Emergency Management and Soil and Water and they will get back to her about the process and their plans for this spring and summer regarding maintenance. Another issue is the Otter Creek flooding. As you know, C & S Engineers prepared a study for the City. A preliminary report has been received, but a report regarding options and costs is in the process of being finalized. Assemblywoman Barbara Lifton was at the summit and asked if there was anything that she could do to help Cortland. Alderman Feiszli believes that this is what Assemblywoman Lifton needs to go to State leaders to look for additional funding for us. Legislator Tytler and Alderman Feiszli are in the process of organizing an evening meeting. They will be inviting the Council members, County Officials, the City DPW, C & S Engineers and the County Legislators. They will be discussing the three (3) options that C & S will be presenting and perhaps deciding which way to go, so that they can begin to move forward on this.

She did receive some calls about the Conifer Project. It doesn't seem that this is something that the Council can just put aside. It could be that this was not a win situation for a lot of people, herself included. There are still a lot of questions that remain unanswered and the process by which this whole project went about. She would like to ask the City to examine that process and improve the communication in the future. She thinks that Thoma and Conifer were wonderful in responding to her questions. It was a struggle with the City to get questions answered and based on that she had a hard time making her decision. She didn't want to rubber stamp a project that she didn't feel she was prepared to make a decision on. One of the questions that she had asked was about the assessment and how that assessment had come about. She did not receive an answer to this question until after the Council meeting. It is her understanding that Mr. Briggs sent this assessment in a letter that was not received by the Council. She asked the Mayor why the Council had not received a copy of that letter. The Mayor indicated that it was because it was based on how Mr. Briggs assesses all the rest of the properties and not based on the Governor's assessment process put out three years ago. Alderman Feiszli stated that Mr. Briggs had told her, that he had calculated it both ways. The Mayor indicated that he had received only the one calculation. Alderman Feiszli noted that the letter was addressed to both the Mayor and the Council and that the Council had not received a copy of that correspondence from Mr. Briggs. Alderman Quail noted that the assessment had been based on approximate assessed value based on the average selling price for apartment unit. That's not in section 5-A. Alderman Feiszli stated that regardless of how it was assessed, it was her understanding that this number could be negotiated and the Council didn't get that opportunity. The Mayor stated that the number that they had to work with was based on Housing Law Assessment that came through BDC/IDA and everyone had a copy of that. The Mayor felt that it didn't pertain to this because the City had asked for the retrieved bill assessment price.

Ward 8 – Alderman Michales

He attended the Chill-a-bration in Court House Park last weekend. He also recognized and welcomed home US Marine Corp Corporal Scott Lovley from his tour of duty.

RESOLUTION #25 OF 2008 – Consideration of the approval of two Community Development loans pursuant to the recommendation of the Loan Committee (information to be sent under separate cover).

By: Alderman Benedict
Seconded: Alderman Tobin

Approved: Ayes – 5
Nays - 0

It was asked if the Council could go into Executive Session to discuss this.

RESOLUTION #26 OF 2008 – Consideration of a Resolution to go into Executive Session.

By: Alderman Benedict
Seconded: Alderman Tobin

Approved: Ayes – 5
Nays – 0

RESOLUTION #27 OF 2008 – Consideration of a Resolution to come out of Executive Session.

By: Alderman Benedict
Seconded: Alderman Michales

Approved: Ayes – 5
Nays – 0

RESOLUTION #28 OF 2008 – Consideration of a Resolution accepting the lowest bid (D & L Landscaping) for the purchase of trees for the City’s tree replacement program.

Alderman Michales asked if the same amount of trees would be available. It was noted that it was. Alderman Tobin asked if they were still working with Landscape and Design or National Grid as to trees that are friendly to the lines. Ann Hotchkin noted that Thoma did 50/50. Fifty percent will be larger trees where overhead lines weren’t a factor and fifty percent were smaller trees that were line friendly because they stayed smaller or could be trimmed appropriately.

By: Alderman Benedict
Seconded: Alderman Michales

Approved: Ayes – 5
Nays – 0

RESOLUTION #29 OF 2008 – Consideration of a Resolution authorizing the Mayor to file an application for funding from the New York State Department of Transportation from their Safe Routes to Schools Program.

Alderman Tobin asked Ann Hotchkin what the chances were of the City obtaining this grant for first year funding. She didn't have a record, but each DOT region got their own funding allotment and we're in the Syracuse Region with seven (7) other counties with 1.1 million. But it was noted that because of a low turnout at the state workshop, there might not be a lot of applicants for those funds.

By: Alderman Quail
Seconded: Alderman Feiszli

Approved: Ayes – 5
Nays – 0

RESOLUTION #30 OF 2008 – Consideration of the confirmation of the appointment of John Phillips (28 Melvin Ave.) to the Cortland Housing Authority Board to complete the unexpired term of Sarah Dayton.

It was noted that perhaps Mr. Phillips went to Florida in the winter and that the Housing Authority should check to see if he will be able to attend meetings. The Mayor will contact the Housing Authority.

By: Alderman Quail
Seconded: Alderman Tobin

Approved: Ayes – 5
Nays – 0

Item No. 5 – Discussion regarding the proposal to adopt a Local Law which would impose a fee for property owners who have sprinkler systems installed for which the Water Department currently provides unreimbursed services.

Alderman Michales asked Chris Bistocchi of the DPW to explain. Mr. Bistocchi indicated that he has been thinking about this and has checked online to see if any other cities charge fees. The City currently provided unrestricted water pressure to fire sprinkler systems in the City. As an example, last Thanksgiving, we had a broken sprinkler system at SUNY Cortland that flooded their basement. Thousands of gallons of water were lost and manpower was called in to determine where the leak was. Until

water began to pour out of the building, they didn't know where it was coming from. This was all overtime for his department, especially over the Thanksgiving weekend, as well as the cost of thousands of gallons of water. They couldn't recoup the expense. They provide these services to several properties in the City that are getting a service that isn't being paid for. He contacted NYCOM and found that this was a fee free utility that the City was providing. Some cities charge for it and others don't. He thinks that the City should consider this as a revenue source. It was noted that they already had three (3) customers paying a fee. They included Cortland Line, Intertek and Grace Christian Fellowship Church. He is thinking of charging \$100 per diameter of feed, starting at an inch and a half. The fees would be by the feeds to the building, not by the company or the sprinkler because his department has good records on the number of feeds. Small housing sprinkler systems, who were already metered, would not be affected by this fee as they were already paying through a meter.

Alderman Feiszli noted that the information provided indicated that most lines were six (6) or eight (8) inches in diameter, which results in charges of \$600 to \$800 per line. Chris Bistocchi noted that SUNY had sprinklers in all of the dormitories and Marietta had sprinkler systems in both of their plants, as well as the hospital. Restaurants normally had four (4) inch lines.

Alderman Tobin asked Chris Bistocchi if he had spoken with any of the prospective customers. He indicated that he had not spoken with anyone. Alderman Feiszli asked if he would be reviewing this fee with any other municipalities after it had been in effect for awhile. Alderman Michales noted that right now the City wasn't being reimbursed for anything and it was noted that this was a good idea. They Mayor noted that he would ask Corporation Counsel Knickerbocker to draw up a Local Law and it would be placed on the agenda at the earliest possible meeting and the Council would have to discuss an effective date. This would allow time for notification and a public hearing.

Item No. 6 – Discussion of the creation of a temporary Payroll Clerk position pursuant to Civil Service Law.

The Mayor explained the situation about the current clerk leaving and the need to have her train the new person. Alderman Feiszli noted that she had spoken with Corporation Counsel and Director of Administration & Finance Andrew Damiano about this. She learned that it was perhaps not legal and time consuming and the position would be abolished soon, this was the best way to handle this. Alderman Benedict wanted to set a date or length of time that this position would be abolished. Council members felt more comfortable doing that.

RESOLUTION #31 OF 2008 – Consideration of a Resolution authorizing the creation of a temporary second Payroll Clerk Position in the Finance Department with the position being abolished as of March 28, 2008.

By: Alderman Quail
Seconded: Alderman Benedict

perhaps the possible abolishment of the positions. Alderman Michales asked if someone could be appointed to the position until the next election. It was thought that the Charter governed that and Corporation Counsel wanted time to look the charter over to make a recommendation. Alderman Tobin asked if he could receive a copy of the City Charter. The Mayor told him that previous Aldermen should have passed them along and that would be taken care of.

Adjournment

By: Alderman Michales
Seconded: Alderman Feiszli

Approved: Ayes – 5
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 4TH DAY OF MARCH 2008. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER