



City Council Minutes
The City of Cortland
May 6, 2008

Council Meeting #8
May 6, 2008
Regular Session
City Hall
7:00 PM

Present: Alderman Dye, Tobin, Quail, Feiszli, Hamilton and Michales

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

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Kari Krypel of Delaware Avenue told of her opposition to the Grey Hound bus location on Squires Street. She indicated that the big busses can't make it to the new bus station location. The bus station should not be in a residential neighborhood.

Mike Dexter thanked National Grid, Jim Maloney and Landscape and Design members for tree trimming work done on Main Street. New lights will be put on some of those trees. He also reminded everyone of the tree lottery.

Rosalee Burt spoke about the serious feral cat situation. She lives at the Squires Apartment complex and she noted that there are many feral cats in this area. They are a danger to children and cause damage to property. She wants something done about the cat problem. She wants a control put in place to address this problem.

Chris Bistocchi gave an update on the street paving. The City will be paving Broadway, Groton and possibly N. Church Street and then Elm Street. They will be doing some water main projects this summer on Grant Street, West Main Street and Pierce and Winter Streets. Those last two streets will be funded with Thoma grant money. Dente Way will be surveyed and then probably a curbing project will be done in that area to corral some of the water coming down that hill. He will be working with Thoma Development and combine the slope cutting and sidewalk program that he developed last year and combine it with The Safe Walk to Schools Program. It was a little bit more

high profile when they were combined in order to get the funding. It will benefit the whole neighborhood. The NYS DOT has a project going through the Water Works out on Rt. 281. Right now they are on the clearing and grubbing stage to widen the road. They will be relocating a City water main and the foot bridge will be moved. They won't be open for business for the College to use that area until next year. The fence will be replaced and will belong to the City. There has also been a problem with the theft of eight (8) grates from the storm sewers. The police are working on some leads.

West Main and Grant need water work and he can't pave until that work is done. He ground off those streets because the City rents the grinder from Suit-Kote and he does everything while that piece of equipment is rented. Madison Street has a problem with some willow trees down near the beehive and it will be done soon. Potholes will be patched in an ongoing process. Asphalt prices are going up, so he plans to get everything done as quickly as possible to try in an effort to save some money.

Minutes of April 14, 2008

RESOLUTION #48 OF 2008 – Approve the minutes of April 14, 2008 as amended.

By: Alderman Feiszli
Seconded: Alderman Hamilton

Approved: Ayes – 6
Nays – 0

Minutes of April 15, 2008

RESOLUTION #49 OF 2008 – Approve the minutes of April 15, 2008.

By: Alderman Dye
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays - 0

Bills were reviewed and received.

Mayor's Report

He read a thank you card from Carol Partigianoni. He attended the ARC Sports Banquet at the Ramada Inn. This was a very touching event that included 80 clients of ARC receiving awards. He attended a deliberative polling program at SUNY Cortland. The topic was "Is Wal-Mart Good for Your Community?" This program was carried out in 16 other universities at the same time with varied topics. He met with Barber and Deline, Harvey Davis and Andy Damiano to discuss the possibility a revenue-producing program at the Wastewater Treatment Plant. He attended Chuck Hamilton's Ward

meeting and the Business Showcase sponsored by the Chamber of Commerce. He attended the Cortland County Youth Leadership graduation celebration. This was a program started by graduates of the Cortland Leadership Program. This program included over 30 participants from the seven schools in the County. He also attended the Corn Ducky Derby at Suggett Park. He attended the grand opening of the Starr Road Park and Recreation Center. It was very well organized ceremony and thanks to John McNerney and his staff for pulling it together. Congratulations to Ted Testa and all his hard work in bringing this program together. It was a wonderful tribute to Ted having the park named after him. He attended the ribbon cutting for the new CNY Power Sports location at Port Watson Street as well as the Cortland Regional Medical Center Physician's Recognition Dinner. Congratulations to Sandra Holland for receiving the Physician of the Year Award. He attended the public hearing on the Clock Tower project. He received several comments regarding the professional manner that the Cortland Police Department handled the annual spring fling events over the past weekend.

Ward 3 – Alderman Dye

He received three (3) emails in regards to paving and he will be contacting them. He also spoke with two individuals on Helen and Groton Avenues regarding the creek behind their houses starting to erode and there may be a problem with a garage that might wash into the creek if there is a good storm. He will contact someone to see what can be done; perhaps bales of rocks could be placed there.

Ward 4 – Alderman Tobin

He attended the Friends of the River Trail meeting. Three (3) members of the County Legislature were also in attendance and there was good discussion. Concerns expressed about locating funding sources other than taxpayer dollars, such as grants. He attended the Cortlandville Planning Commission meeting last week. One of the topics was the new student housing unit proposed to be built along Rt. 281. One of the concerns was the impact on the City of Cortland's watershed and how it might impact Otter Creek.

The Housing Committee met last week and has begun to identify some of the issues that people are talking about. He felt that the County consolidation plan was going to be a very good resource of information and recommendations. More research will be done. He also received another call regarding concerns the location of the Grey Hound bus station on Squires Street.

The Mayor inquired if anyone from the Housing Confab had attended the Housing Committee meeting. Alderman Tobin noted that they were aware of the meeting and the representative could not make that particular meeting.

Ward 5 – Alderman Quail

He thanked everyone involved in the tree trimming project on Main Street and noted that it looked very nice. He attended the Starr Road athletic facility grand opening and felt it will be a fine addition to the community. He attended the grand opening of CNY Power Equipment on Pt. Watson Street. He reminded everyone about flooding issues and asked that it be continued to be looked at for further solutions. The Community Clean Up Day was a nice success. He attended the Business Showcase. He also noted that the Grey Hound bus station should be discussed later on this agenda.

Ward 6 – Alderman Feiszli

She met with some members of CAPE. They asked her to attend their monthly meeting so that they could discuss doing some green projects. They would like to have some Council input. She asked if a work session could be scheduled between the Council and CAPE to discuss some ideas. She asked that it be scheduled for July 15, 2008 at 5:30 p.m.

She had been asked about the status of the City Code revision Section 300 with Cheney and Blair. Corporation Counsel Knickerbocker stated that he spoke with Cheney and Blair today about it and they indicated that they were hopeful that it would possibly be available for the next Council meeting. She asked about why the municipal code was not on-line. Corporation Counsel Knickerbocker noted that a lot of the Code sections have not been updated into the Code Book for fifteen (15) years and the cost is so prohibitive to do this. Last time it was looked into it was about \$18,000 to \$20,000 and that was some time ago.

She has placed requests for pot hole repairs and that will begin soon. She spoke about the Public Meeting for the Clock Tower project that was held earlier in the day. She had received notification that it was scheduled for May 12 and asked about that. The confusion was resolved when it was noted that May 6 was the Restore New York Funding public hearing and May 12 would be the PILOT public hearing at 37 Church Street and 12:00 p.m.

She spoke to WHCU about the bus station. She noted that it was also under discussion with the County regarding the bus shelter they received. She has asked that it be returned back to the City and the County agreed. The Charles Street remedial investigation will be started this month and will take about three (3) days to complete. The residents in that area have received copies of the letter explaining that it isn't a health hazard, but some digging would be taking place in the area.

She received an invitation request from Jo Schaffer to invite the Council to the fortieth (40) anniversary of the Temple Brith Sholom on Sunday, May 18 from noon to 2:00 p.m.

She noted that the updated flood plain maps of the City had been submitted to the City by FEMA. There is a ninety (90) day comment period for these maps. She would like to get some copies made. She also requested a copy of the architects' proposal for the fire station. The Mayor indicated that he had not received it as yet. She also noted that

the presentation by C & S Engineers had been postponed and noted that it was rescheduled for June 17, 2008.

Ward 7 – Alderman Hamilton

He was excited that there was an excellent turnout for his first Ward meeting. A task force was formed to address traffic problems and other issues facing the Ward. The Mayor spoke.

He received complaints regarding softballs being hit over the fence over at Dexter Park and he has spoken with John McNerney and they've come up with a few ideas to possibly resolve the problem. He has also received complaints about feral cats on Excelsior and Central Aves. He attended the Business Showcase and learned quite a bit. He also attended the opening ceremony of the new Starr Road Testa Park.

He noted on Sunday, May 18, there will be a program called "200 Years of Fire Fighting History" at the East End Community Center. He reminded everyone that schedules for the walking program and computer classes are available on the web at eastendcenter.org. His next Ward meeting will be at the East End Community Center on May 28 at 7:00 p.m. He noted that a letter was received from Paul Yaman requesting a road closure on Pomeroy Street between Central Avenue and Elm Street for the St. Anthony's festival to be held on June 8 from 6:00 a.m. to 9:00 p.m. and asked that it be placed on the agenda tonight.

Ward 8 – Alderman Michales

He had a couch removed on Hyatt Street. The Community Clean Up was a success and he thanked all those who participated from and for his Ward. He attended the Business Showcase and the Paid Firemen's Dinner. He attended the SPCA Wine Tasting at the Country Club and noted there was a very large turnout this year. He attended the Starr Road Park dedication ceremony. There was also a large turnout for that ceremony, as well. He and Alderman Hamilton have also scheduled a joint Ward meeting for May 21 at the East End Community Center. He is working with the Police Department to see if Officer Nelson will do another home security program. He reminded everyone to lock their cars at night now that the good weather is here.

RESOLUTION #50 OF 2008 – Consideration of a Resolution authorizing the Cortland County SPCA to use the Water Works facility on Saturday, May 10, 2008 for various events and activities in conjunction with their Bright Lights display and fundraiser.

By: Alderman Quail

Seconded: Alderman Dye

Approved: Ayes – 6

Nays - 0

RESOLUTION #51 OF 2008 – Consideration of a Resolution authorizing the Mayor to enter into contract with Jack M. Lyon, DBA Stub’s Tree Service for the removal of trees and stumps.

By: Alderman Feiszli
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays – 0

RESOLUTION #52 OF 2008 – Consideration of a Resolution banning the sale and promotion of toy and candy tobacco products at all City of Cortland sponsored events.

By: Alderman Quail
Seconded: Alderman Hamilton

Approved: Ayes – 6
Nays – 0

RESOLUTION #53 OF 2008 – Consideration of the appointment of the following persons to the Landscape & Design Commission:

Meghan Pressley, 55 Church Street
Nick DeCarlo, 28 Park Street

By: Alderman Dye
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays – 0

Item No. 5 – Discussion regarding the issue of the harboring of animals (Alderman Michales).

Alderman Michales noted that this was a recurring discussion before this Council. He felt that something should be done so that it could be incorporated into the City Code Book so something could be done about cats and dogs. Bill Carr from Animal Control was present to give information.

Bill Carr spoke about the history of the animal harboring ordinances for the City. He wanted an enforceable definition placed in the ordinance. He also submitted a proposal to the Council for this enforceable ordinance. This was the revision reviewed by Corporation Counsel Knickerbocker back in December. Corporation Counsel Knickerbocker indicated that he will have some further information to present on this subject from a meeting he had earlier with Dr. Cadwalder. He noted that feral cats were a problem. He noted that the SPCA and SNAP both offered low cost spay/neuter

programs available. Alderman Tobin wondered if other communities had a cat registration program. Corporation Counsel Knickerbocker believed that there were some, but it was the feral cats that presented a large issue throughout New York State. Alderman Michales noted that he had been looking into this problem for quite sometime. He outlined a feral cat spay/neuter program, but noted that it cost money to run. The cost could be offset by a licensing program for housecats and fines for penalties. Bill Carr felt that the Animal Control could enforce the ordinance for an increase in the contract fee. Pros and cons of enforcement options were discussed as well as controls for domestic housecats versus feral cats. Alderman Feiszli asked if the SPCA provided a report to the City on their monthly enforcement activities. Bill Carr indicated that this was provided on a monthly basis. Alderman Michales noted that perhaps a finding fee could be paid for these animals. It was suggested that the City find out what other municipalities are doing about feral cats in their city. It was felt that the spay/neuter program catch and release program would be a good solution for a start. Corporation Counsel Knickerbocker felt that spay/neutering could not be forced on pet owners, but licensure fees differences would offer a better solution. It will be put on the agenda for the next meeting.

RESOLUTION #54 OF 2008 – Consideration of request from St. Anthony’s Parish to close Pomeroy Street between Elm and Central Avenues on June 8, 2008 from 6:00 a.m. to 9:00 p.m. to hold the 94th Annual St. Anthony’s festival contingent upon City Police Department approval.

By: Alderman Hamilton
Seconded: Alderman Feiszli

Approved: Ayes – 6
Nays – 0

Item No. 7 – Discussion regarding the bus shelter.

The Mayor noted that the City had received notification that the bus station on Grant Street would be closing. He provided details regarding that closing and subsequent relocation of the bus station to Squires Street. Alderman Tobin noted that there was a safety issue in that passengers are being let off in a residential neighborhood with no access to a phone or shelter. Alderman Feiszli noted that they were only give a few days notice to find another location. She had gone around to many locations trying to find an alternative solution. She is hoping that an alternative solution could be worked out with P & C to have busses come into there. The City is continuing to work on this issue to find a more suitable solution. There are currently nine (9) busses a day stopping in the City. Alderman Tobin noted that there is no lighting in the area and limited facilities. He noted other problems that residents have brought to his attention regarding this issue.

Mr. Compagni was present and he noted that the bus station was a private enterprise and not a City service. He also noted that Grey Hound had a contract that they were

supposed to stop in Cortland to transport people. He and his brother own the Squire's Street property and they gave them a list of things Cortland Transit could and could not do with that property. He noted that the use agreement did not include Grey Hound busses on that property. That property is not suitable for those big busses. He feels that it is not the right place for those busses, but there is no business person in this community that wants to pick up this service; probably, because there is no money in it. He really doesn't want it on Squires Street unless First Transit pays for property improvements so that the busses can turn into the property. That will cost a lot of money. Alderman Michales suggested that perhaps it could go to Polkville. The Mayor made note that it was not the City's job to find a place to put a bus station. Mr. Compagni noted that the bus shelter can not be placed on his property because he would want to be absolved of liability.

RESOLVED TO GO INTO EXECUTIVE SESSION TO DISCUSS POSSIBLE LITIGATION.

By: Alderman Quail
Seconded: Alderman Dye

Approved: Ayes – 6
Nays – 0

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

By: Alderman Dye
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays - 0

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 6th DAY OF MAY 2008. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER

