



City Council Minutes  
The City of Cortland  
September 16, 2008

Council Meeting #16  
September 16, 2008  
Regular Session  
City Hall  
7:00 PM

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

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

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mike Dexter was present. He talked about the bicentennial parade and activities and thanked Jeremy Boylan and all those involved for organizing all of the celebration events. He also spoke about the Landscape and Design Committee and their efforts to assist homeowners and the City with tree and tree trimming management. He asked that anyone who needed assistance should contact City Hall. He also announced that the East End Community Center would be hosting a program on how to trim and prune trees.

Minutes of September 2, 2008

**RESOLUTION #101** OF 2008 – Approve the minutes of September 2, 2008.

By: Alderman Dye  
Seconded: Alderman Tobin

Approved: Ayes – 6  
Nays – 0

Bills were reviewed and received.

## Mayor's Report

He read a proclamation about how to prevent addiction and substance abuse and proclaimed September 22, 2008 as Family Day, a day to eat with your children to prevent addiction and substance abuse.

He interviewed with WHCU radio. He participated in the DEC and DPW for a critique of Tioughnioga River from Port Watson Street bridge to Casey Fields. He attended the ribbon cutting ceremony for the new addition to the YWCA's childcare building at Cortland Regional Medical Center with Barbara Lifton and he also participated in the ribbon cutting ceremony at the Blue Frog café. He attended the Distinguished Citizens Award ceremony honoring Carl Haynes as well as the Comprehensive Plan meeting at the BDC. He also attended the ribbon cutting ceremony for Housing Visions on South Main Street. He spoke to the Cortland High School football team. He attended the College Council meeting at SUNY Cortland. He participated in the Bicentennial Parade on Saturday and thanked those involved for all of their hard work.

### REMINDERS:

The Bicentennial Ball will be held on Saturday, September 20, 2008 at Court House Park at 6:00 PM. There is a Work Session at 6:00 PM in City Court Chambers on September 23, 2008. He will be out of the office from September 29 through October 3, 2008.

### Ward 2 – Alderman Benedict

He attended the Bicentennial Parade and noted that he was impressed with it and enjoyed himself. He received a call concerning the Pleasant Street house that had a fire. He contacted the owner and noted that things are moving along and hopefully progress will be seen soon. He received some calls concerning parties on Lincoln Avenue and he noted that the police were responding and hopefully taking care of these and that participants are getting the message that these parties will not be tolerated.

### Ward 3 – Alderman Dye

He noted that it has been a quiet couple of weeks in his Ward. He spoke again with a couple of people concerning a two-family house for sale on his street. He spoke with the real estate agent and the supposed purchaser has said that they hoped to convert it to student housing. He assured the concerned people that the new purchaser must abide by the zoning laws and because it is across the street, he will be aware of what goes on there.

He spoke with a person on Floral Avenue who is concerned about the number of houses for sale in our Ward. We have four (4) houses for sale on our street, but he doesn't think this is something to be concerned about. Most are single family houses and the families are probably just moving on.

Mayor Gallagher noted that he spoke with all six (6) of those people and the circumstances involving these sales were normal.

#### Ward 4 – Alderman Tobin

He had a Ward meeting last week co-hosted with Tom Hartnett. There were approximately thirty (30) people in attendance and he was pleased with the turnout. Neighborhood issues were discussed including litter, vandalism items and questions about the city budget and housing. He felt that those were probably ongoing topics of discussion. There was also a discussion about forming Neighborhood Watch groups within his Ward. He is currently trying to organize residents into what makes sense, such as neighbors from one Ward, organizing with another Ward on the same street.

He met with Bernie Thoma and two (2) other Thoma employees yesterday to discuss the feasibility of a housing committee from their perspective. Mr. Thoma provided some very good feedback on housing and where a committee might be able to assist.

He passed along a couple of concerns from some residents to Director of Administration and Finance Damiano. He will get some more information today about the entrance to the Park Center on Tompkins Street. He received a call from an employee at the college, and will talk with Director of Administration and Finance Damiano more about this situation later.

Alderman Quail, Alderman Hamilton and I are scheduling a meeting with a couple of people on the county level, regarding the topic of consolidation and shared services. This is ongoing in terms of trying to reach out to other municipalities and to better serve the taxpayers. He thanked Mr. Knickerbocker for the version of the Housing Permit Proposal and he asked that it be placed on the October 7, 2008 agenda for discussion. He noted that there will be another Housing Committee meeting before then.

Corporation Counsel Lawrence Knickerbocker noted that they should discuss which Council meeting Attorney Cheney should be asked to attend, so that they could have his input. Alderman Michales noted that a workshop on this topic should be scheduled on October 7, before the Council meeting. One was scheduled and it will begin at 5:30 PM. Alderman Benedict asked Alderman Tobin if a Housing Meeting would also be scheduled to be held before that Council meeting and Alderman Tobin felt it would be helpful. Alderman Tobin would notify participants by e-mail. He also felt that members of that committee should be invited to the October 7 work session, as well.

#### Ward 6 – Alderman Feiszli

She worked on a letter of appeal to FEMA for the City, which went out on September 12, 2008. Copies of the assessment and letter of appeal were also sent to Congressman Arcuri and Assemblywoman Barbara Lifton. She noted that Bill Nechamen, Head of Floodplain Management for NYSDEC was unable to attend this

evening's meeting to explain the appeal/protest process, but he has told her that when FEMA received the letter of appeal from the City the ninety (90) day clock stopped ticking. The DEC has reviewed Cortland County Soil and Water's assessment of FEMA's maps and stated that it fits the requirements for an appeal to FEMA and that no additional data is required. She noted that FEMA's full review of our assessment will begin after the ninety (90) day appeal period, which ends October 31, 2008. This review will take three (3) to six (6) months. Any changes to the Flood Insurance Rate Maps should be completed by next spring.

A meeting with the County sub-committee that addresses flooding and storm water management is scheduled for Thursday, September 18, 2008 at 7:30 AM at the County Office Building. Brenda DeRusso will give us an update on the County's Hazard Mitigation Plan. According to Assemblywoman Barbara Lifton's office, this plan has to be completed before the City or County can be eligible to receive any financial assistance from the government to address storm water management, which would include the proposed retention pond at the water works.

She has spoken with Larry Lepak from the DEC about scheduling a walk along Otter and Dry Creeks. This is similar to last year's walk with Cortland County Soil and Water, County and State DEC engineers and the DPW. The purpose for this meeting is to outline areas of concern and to receive approval to address issues such as removal of Japanese Knotweed, raised sandbars and permission to dredge areas that can trap debris. A tentative date is scheduled for October 14, 2008.

Last year Stephanie Perez from the 3<sup>rd</sup> Ward and Alderman Feiszli organized an Otter and Dry Creek Clean-up Day. There was a good turnout and a lot of debris was removed from the creeks. This year Cortland County soil and Water have offered to combine Otter and Dry Creeks with their annual Tioungnioga River Clean Up and have sent out notices to residents whose properties border the creeks. Many people have once again volunteered and more are welcome. Participants will meet at the Pontillo's Pizza parking lot on Groton Avenue on Saturday, September 27, 2008 at 9:45 AM.

Ward 7 – Alderman Hamilton

He attended the Landscape and Design Commission meeting on September 10, 2008. He applauded the enthusiasm of this all-volunteer group. He noted that the City is fortunate that this dedicated group exists to faithfully protect our dwindling tree population and is stepping up to make sure that trees are replenished and cared for in the City. He noted that we all need to make this a priority in the community. He thanked them for sharing their information and ideas and he will do his best to assist this group.

He thanked Lt. Gesin and the Police Department for their efforts in addressing an issue of cars speeding in a neighborhood with many young children, in his Ward. This is an ongoing problem in his Ward and the police are working to change the trend of careless drivers who speed. He attended the Bicentennial Parade on Saturday. He was

impressed by the efforts, ingenuity, the number of floats and participants in the parade. It made him proud to be a part of the Cortland Community.

He noted that Mike Dexter, Chairman of the Landscape and Design Commission and Jim Maloney, Forestry Supervisor for National Grid, will be at the East End Community Center on September 25, 2008 at 7:00 PM to present a program on tree care.

He will also be holding a short Ward meeting after this presentation. He stressed the point that this program is for the entire community and that it will be very informative. He asked that attendees bring any questions they had about trees to the session. Mr. Maloney is an expert in his field.

Ward 8 – Alderman Michales

He participated in the Bicentennial Parade. He also has been working with the Executive Director of the Cortland Housing Authority regarding the re-facing of the senior housing building on Port Watson Street. He is still gathering information to see if any other vehicles are reported with paint overspray on them. He noted that they have narrowed it down to the two (2) closest rows near Port Watson Street located in the County parking lot. These rows may have consisted of visitor cars and that is why they are having difficulty in locating these people.

He attended the ribbon cutting for Housing Visions on South Main Street. He also toured one of the apartment buildings and was very impressed with the appearance and the change made.

Mayor Gallagher noted that he wrote a letter on September 2, 2008 to the Susquehanna and Western Railway about the railroad crossings, particularly the one at Clinton Avenue and asked them to give it some attention. He did get a call back and he contacted Alderman Feiszli and another individual. The Railway noted that they will be working on the Clinton Avenue crossing at the same time the State will be working there and that will begin shortly. He noted that the work on the Port Watson Street will be done next May and then between now and November they will send a crew out to evaluate all of the crossings. They will contact the Mayor's office with exact dates. Alderman Hamilton asked if this was going to be the scheduling of trains or the scheduling of pavement work. The Mayor noted that it would be the pavement work.

**RESOLUTION #102 OF 2008** – Consideration of a Resolution authorizing the Mayor to enter into contract with Thoma Development to perform program delivery and administration services for the City's "CDBG Income Property Program".

Bernie Thoma was present to answer any questions.

By: Alderman Tobin  
Seconded: Alderman Benedict



forward and the Code Department would not issue the permit until the cost of the third party review of projects were paid in full by the project sponsors. Corporation Counsel Knickerbocker noted that there was a provision in the local law that indicates that either the project sponsor and/or the landowner will end up being responsible for payment of that review amount and if there is non-payment, despite all of these efforts, the cost will be added to the tax bill, as we do will some of our other problematic situations. This will also attach to the land, so if the landowner and the developer are two (2) separate people and the developer isn't paying, the landowner will ultimately be responsible. It will give some incentive for the landowner to have checks and balances against each other as well as the City's Code Office oversight.

This local law is being put on the table tonight for the Council's consideration, thinking that it would come up at the next meeting for a Public Hearing. However, if there are changes the Council feels are appropriate, then the Council will have to amend the local law at the next meeting and the vote would be at the meeting after that. He asked that the Council review this local law closely.

Director of Administration and Finance Damiano noted that they could also schedule the Public Hearing for the Local Law for the October 7, 2008, open the Public Hearing and if the Council is not ready to act on it that night, they need to make sure that the Mayor does not close the Public Hearing and that it will remain open through the October 21 meeting, where it can then be closed after comment and then acted upon by the Council.

Item No. 5 – Discussion regarding the Cortland High School Baseball Team, and various City departments, to stage a Haunted Hayride on the Water Works property on October 25, 2008.

It was noted that this was agreed upon in a previous year to let the Cortland High School Baseball Team do this every year until they chose not to do it anymore and this was for the Council's information.

Item No. 6 – Continuation of discussion of the proposed Rental Housing Permit Program (Alderman Tobin).

The Mayor noted that this item will be tabled because of the work session scheduled earlier in tonight's meeting and which will be held on October 7 at 5:30 PM.

Item No. 7 – Discussion regarding the concept of creating a permanent committee to oversee housing issues being addressed by various other committees, both formal and informal (Alderman Tobin).

The Mayor noted that Joanne Wickman was present and that she and her committee had done a lot of work on housing issues in the community. Alderman Tobin noted that he had spoken with Mr. Thoma and had also read Director of Administration and Finance Damiano's letter and the subject has come up within the committee as to what

type of housing is out there and how do we encourage single family home ownership. He noted that while this has been discussed, the rental permit program has been a big priority for the committee. He felt that there has been a lot of discussion going on in various committees about housing within the City, but there is no lead person or committee keeping tabs on what is going on with all of these committees. He was hoping to get some feedback.

Mayor Gallagher liked the idea and felt that a formal committee could get into a lot of issues, possibly with some other City Commissions. Director of Administration and Finance Damiano noted that the difference between a formal and an informal committee was whether or not it was in the City Charter as a Commission and listed in there with certain powers and authority to deny a project. He noted that in his letter to the Council, he had asked them to take a good, hard look at offering incentives for owner occupied housing. He would be willing to work with the Council on that.

Joanne Wickman spoke. She convened the organizing committee for the Housing Confab because she knew about being a chairperson not because she knew a lot about housing. She noted that what had occurred to her was an idea to have a housing confab linked with the participants of these various commissions and committees with regularly scheduled meetings. She also would like to see links with the youth of the community. She felt that it would be worth discussing how to organize a committee that could gather input and information without becoming a formal commission.

Alderman Tobin noted that he felt that the housing confabs shouldn't just stop and should be an ongoing process. Joanne Wickman noted that there is a blessing and a curse to being informal. If the committee was informal, they would meet haphazardly and if they wanted to tighten the reins on it a little bit, they could say that they wanted to meet to discuss housing, let's say, four (4) times a year. The amount of meetings doesn't matter, but it shows you are committed to doing something. That kind of formality wouldn't become an issue, but wouldn't make it into a City Commission with authority. If the Council is looking for the gathering and sharing of information, then she felt it wouldn't be very hard to accomplish.

Alderman Tobin noted that perhaps the committee should continue on an informal basis until April 2009 and recommendations that the committee might make would come back to the Council for discussion. The Mayor felt that it would be an ongoing project and he noted that there was a lot of interest out there on the housing issues in the City.

Joanne Wickman noted that the Housing Confab first convened three and a half (3 ½) years ago and she felt that a lot was accomplished in a relatively short amount of time by this group.

It was noted that the paving on Grant Street was finished and was nicely done and the new light on Groton Avenue was also done.

The Mayor noted that all department heads should be present for the September 23, 2008 work session on the bond issue.

**Adjournment**

By: Alderman Dye  
Seconded: Alderman Benedict

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 16th DAY OF SEPTEMBER 2008. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

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**JOHN O. REAGAN – CITY CLERK**

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**MAYOR THOMAS GALLAGHER**