



City Council Minutes  
The City of Cortland  
December 2, 2008

Council Meeting #21  
December 2, 2008  
Regular Session  
City Hall  
7:00 PM

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

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

**Public Hearing: Proposed 2009 Wastewater Fund Budget**

There was no one to speak.

The public hearing was closed.

**Public Hearing: Proposed 2009 Water Fund Budget**

There was no one to speak.

The public hearing was closed.

**Public Hearing: Proposed 2009 General Fund Budget**

There was no one to speak.

The public hearing was closed.

Mayor Gallagher calls the twenty-first Common Council meeting of the year to order at 7:10 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Sharon Stevans was present to speak about the rental permit program. She noted that it was decided that a rental permit program should be in place by 2007 and now it's

2008 and we've suffered further deterioration of the housing stock in Cortland with more conversions. She would appreciate some action and the City needs some enforcement and the political will to act. She asked the Council to take some action on this for the whole city.

Mickey Pace, a landlord, attended the last housing committee meeting. The property owners asked if they could attend these meetings and they were given a cold shoulder. He feels that the make up of this committee shows that the committee has an agenda against landlords and he thinks that the proposal that this committee is putting forward proves that. He feels that this is taxation without representation, because the attorney, Mr. Cheney, is being paid with taxpayer dollars. He asked who authorized that Mr. Cheney be the attorney for this committee, how much he is being paid per hour and how much he has been paid to date. He noted that the City Council is to represent the whole city not just a choice few members of an association. He believes that the Council should disband this committee until fair representation is given to all interested parties. He noted that the Housing Committee has shot down ideas from all other interested parties so that they could follow their own agenda. On another note, Thoma Development contacted him in the mid 1990's because they had development funds for the Lincoln and Maple Avenue housing rehab. College enrollment was down, sophomore students were required to live on campus and many student housing units were vacant. He borrowed \$35,000 to do upgrades on his house on Lincoln Avenue. When that money was used up, he borrowed an additional \$10,000 from them and he also had to use matching funds from his own pocket. To this day, he is still paying on this loan and he noted that at that time, he was the only one who applied for those funds and that the City knew that this was student housing. He noted that if the three (3) unrelated law goes into effect, should he suspend making loan repayments until this issue is resolved.

Phyllis McGinley was present and noted that she is tired of the Council doing nothing. She noted that the only people who are complaining about what the City is trying to do are the landlords, who are making a fortune off of these students. She was amazed at what they charge a semester. She noted students are living on third floors with no fire escapes, unlisted people living in houses and she feels that the College and the Fire Department have a responsibility to see that student housing is safe.

JoAnn Dukelow is a landlord. She noted that she has good properties and many landlords have upgraded their properties. If you're a good business person, you keep your properties up. To do this inspection process the City will need more staff and equipment, there will be pension costs, insurance and this will cost a lot of money to get started when the City can't have their First Night and school crossing guards. She wanted to know where the money was going to come from to operate this inspection program. She felt more thought should be given before continuing with this process.

John Hoeschele noted that he is a resident and a landlord. He felt that his family has seen the density increase in the College area where he lives. He wanted to be placed on the record as in support of rental density controls, a reasonable rental permit

program and a rental inspection program. It is this City's responsibility to preserve the character of the City for future residents, renters and landlords.

Abigail Cleary was present. She is a homeowner on Stevenson Street since 2002. This week she is reminded of the best this community can be as she shuttles her children to practice each day for the upcoming Nutcracker performance at the College. This embodies the true spirit of community. College students and children enjoy working together to produce this wonderful performance. She noted that in a vital community, members of the community have roles and responsibilities to which they are held accountable. A rental permit program, which includes inspection and registration of all rental properties, is a much needed first step in holding investors accountable in terms of safety, appearance and neighborliness in our community. In a healthy community, there is respect for all members of the community. She urges all investors and residents to respect our local government which we elected and to respect all in the community.

Steve Terwilliger was present. He is a businessman who has rental property. He noted that the three (3) unrelated would benefit him. He was there to point out that the individuals who created the housing commission had only one (1) token landlord. He felt that this would affect many people's livelihood and in all fairness, we want to be good landlords and he felt that the commission should allow more input from the landlord's point of view. That's just being fair. He felt that there were some on the Common Council who were trying to shove this through, but he felt that when it comes to legal matters, things that are done in a hurry are done incorrectly and it will take more time to get really effective laws. He noted that the landlords had done their research and they had found some real disparities in the proposed rental permit program. He asked that they disband the housing commission, and get one that is fair. Landlords, neighbors and Common Council members should all be represented on a new commission. He felt that would be fair.

Emmanual Pothos is a landlord, he has one property that is student housing. He owns 70 Groton Avenue and he feels that landlords are trying hard to have good properties. He asked for representation on the housing commission.

Dirk Van Patten doesn't own student housing. He does have a few properties in the City and he has put tens of thousands of dollars into his properties and none of that was City money. Code Enforcement came to his Color Me Red location and his wife was told by the Code Office that they needed to get their priorities straight and to upgrade the appearance of their building. His biggest concern is where the tax dollars are going. He asked that a plan was set forth on how this rental permit program and inspections were going to be paid for.

Jo Schaffer was present. She noted that there was a public call for concerned residents to serve on a commission or committee on the housing issue. Many people came out and continued coming out. She thanked Brian Tobin for having chaired this committee and also Tom Michales and Clay Benedict. They made sure that the committee met, they kept public minutes that were available, the meetings were open and landlords had

been invited to previous meetings. She noted that they had legal counsel that assured them that their plan was on solid legal ground. A neighborhood, a community, and a city elected Common Council members to represent them. Her son visited with his son over Thanksgiving and they toured the city. This committee was formed to preserve an active community and neighborhood of families and students and homeowners, landlords, absentee landlords, etc. One of the things this rental permit program will do is see that a local agent is here to represent absentee landlords and that agent will be responsible for the property and the safety of the building. She felt that a specific lobbying group of landlords had been sending out a series of letters and she felt that many of their items had been addressed. She also noted that there were always start up costs involved in a program that would make the City better and the reason the committee had looked at a three (3) year program was to spread those costs to make it as agreeable and less painful as possible. She noted that what bothered her the most were the scofflaws, the people who deliberately ignore the laws of the City by deliberately putting in more than the law allows into specific properties, creating a density and safety issue. She appreciated the landlords who had taken care of their property and had invested something that will eventually have a return. She felt that when a local government didn't regulate its business interests, it caused many to suffer. She asked the Council to regulate this business to protect the community.

#### Minutes of November 18, 2008

**RESOLUTION #126** OF 2008 – Approve the minutes of November 18, 2008 as amended.

By: Alderman Quail  
Seconded: Alderman Tobin

Approved: Ayes – 8  
Nays – 0

Bills were reviewed and received.

#### Mayor's Report

He attended United Way meeting. He met with the Director of the Cortland County Historical Society. He also met with TLC to discuss relocation options. He attended Leave A Legacy luncheon and he also attended the reception at the SUNY Alumni House.

Ward 1 – Alderman VanGorder

Her Ward has been quiet, but she has received many calls and e-mails regarding the rental permit program. She has spoken with Alderman Tobin and she commended all those who have put so much effort into this. Personally, she feels that something must be done. She felt that registration was a good idea, but she favors the idea of inspecting properties that have complaints, but not every property. She feels that they

have devoted a lot of time and effort on this project and that something needs to be done.

Ward 2 – Alderman Benedict

He attended a Housing Committee Meeting and landlords have been invited to these meetings and at the most recent meeting were given an opportunity to speak. He knows that they are concerned with making a living and that the rent money they put into the economy.

He reviewed why the City needed a Rental Permit Program.

He noted that the Rental Permit Program requires property owners to register their rental units, not their own living space. This gives the City a way to know exactly how many units are out there and if the units are in compliance with City codes. This program would allow for proper planning and enforcement of residential zones. Since 1988 there has been a code that restricted the number of unrelated people living in a housing unit to three (3). This has been hard to enforce because the City Enforcement Office is required to have sufficient evidence in court that there are more than three (3) unrelated people in a unit. If the landlord or the occupants deny entry, there was nothing City officials could do. The rental permit program will allow City Code Enforcement Officers into rental houses. It will allow them to check for safety violations as well as over occupancy of rental units. If the rental permit program passes it will allow the code officer to enter the apartment by an administrative warrant to check on safety violations and over occupancy.

Although most landlords have good conditions in their apartments, the housing committee has learned about deplorable conditions from students on the committee and a representative from the College. The rental permit program will allow the code officers into the apartments to make sure the students and other occupants are living in a healthy, safe environment. The college would be able to list apartments that have been inspected for health and safety violations.

The City is not trying to raise money with this program. The City will try to keep the cost of permits as low as possible so that it will not be a burden to the landlords. It is now estimated that cost will be under fifty (50) dollars for a three (3) year permit. This does not add very much to the cost of housing per month.

The Housing Committee unanimously decided that using square feet to restrict density would actually have the opposite effect and increase the density. The big family homes would put more students in the neighborhoods than by using the three (3) unrelated rule.

People that bought houses in an R1 zone expected that they would not have to have large numbers of students housed next to them. Now landlords are buying houses in any residential zone and placing large numbers of students in all areas. The single family homes are being replaced with multiple apartment student housing. The rental

permit program will put landlords on notice that the City Code Office will be enforcing density restrictions such as the three (3) unrelated rule. It will provide a mechanism to register multiple housing units and inspect them for safety and density restrictions in neighborhoods.

#### Ward 3 – Alderman Dye

He received many phone calls and e-mails asking that the City budget be kept as reasonable as possible since the article in the paper about the County's proposed tax increase of fifteen (15) percent. He received some calls about the Rental Permit Program. Some people said it was long overdue and something needed to be done about it. He spoke with two (2) people on Glenn Street concerning the proposed berm in the Water Works. Their concerns are: the possible contamination of the water supply for the City and the possible flooding of the area around Glenn and Atkins Streets because of the water held in the berm. They felt that the more water held in the berm, the greater the possibility that would erode the walls and overflow and that the Town of Cortlandville has not taken the necessary precautions, in their zeal to increase their tax rolls, to allow for the elimination of land and trees that would prevent flooding, but instead has given their approval for more buildings that would consist of virtual paved lots causing more run off.

#### Ward 4 – Alderman Tobin

There was a Housing Committee Meeting with members of the community, landlords and students. He has been working hard to keep up with this and the bond proposal and the budget.

#### Ward 5 – Alderman Quail

There was a combination Ward 5 and Ward 8 meeting last night at the Randall School Library. The County Representatives were there. It was primarily their meeting. They presented the Department of Motor Vehicle drawings and the scaled down version of it. Not many people attended and he was disappointed. He has received some e-mails about the tax increase and the rental permit program. He also attended the reception at the SUNY Cortland Alumni House.

#### Ward 6 – Alderman Feiszli

She noted that at the last Council meeting they talked about allocating money from the proposed bond to construct the berm. It was asked by the Mayor and the Council agreed that they needed to have a number to do the transfer. They needed to get an estimate from the DPW and at the last work session for the bond the majority of the Council had agreed to not increase the amount of the bond, but to transfer from infrastructure to go towards construction. There will be another sub-planning committee meeting with the County soon and the next step will be the SEQR process and that's something that the Council will be working on. They are taking it step by step this winter so that they can start construction in the spring.

She asked that an item be placed on the December 16, 2008 Council agenda, so that Dan Dineen from County Planning and Pat Reidy from County Soil and Water to speak to the Council about the adoption of a storm water management plan for the City of Cortland. She noted that Cortlandville and Homer have adopted one. The real impact of this is that it has the means for the Planning Commission to formalize the approval of storm water designs and to have someone review the plans. In the case of Cortlandville, County Soil and Water reviews those plans. It is a belief of County Soil and Water that the City could benefit from an ordinance if they are interested in taking an active role in reviewing storm water plans. Another benefit would be if they made the ordinance more stringent than the State Ordinance. Cortlandville's ordinance has provided for a review for projects that have an acre or more of disturbed land. This is the same as the State, but Cortlandville also requires a plan for ten thousand (10,000) or more square feet of impervious surface, requiring more review than the State. Tim Horton's would've had to go through that process had they built in Cortlandville. She would like them to come and have this for a discussion item. She also noted that rates for flood insurance could possibly be reduced if they had a storm water management plan in place.

She noted that there will be discussion regarding the rental housing permit program later in the meeting and that there had been a series of budget work sessions and more will be discussed regarding that.

Ward 7 – Alderman Hamilton

He has used the crow deterrent machine recently and it seems to work with great success. He located the crows in Dexter Park, used the machine there and the crows moved away from the area. He had an e-mail on Sunday that the crows were on Dunsmore Street and he took the machine there with the same results. He has checked those areas since and the crows have not returned. He returned the machine to Jim Sponaugle Monday evening. It's available for anyone who now wants to use it.

Jim Sponaugle has offered to give us a tour of the Armory Building, possibly some evening before our Council meeting. He again reminded everyone that is decorating this year that they needed to sign up for the Christmas/Holiday Lighting Contest at the East End Community center, their website or at the Youth Bureau.

Ward 8 – Alderman Michales

He received a call from a constituent over the holiday weekend regarding a dead crow. The homeowner had called City Police, the SPCA and the County Health Department. He retrieved the bird and turned it over to the County Health Officials for testing on Monday.

He attended last night's combined Ward 5 and Ward 8 meeting. Legislators Chad Loomis and Kathi Wilcox fielded County budget concerns while he and Ward 5 Alderman Quail fielded questions regarding City issues and our proposed budget.

He attended the SUNY Alumni House event. He has also received several e-mails today regarding the rental permit program.

**RESOLUTION #127** OF 2008 – Consideration of a Resolution adopting the proposed Wastewater Treatment Operating Budget with a domestic rate of \$2.35/unit.

By: Alderman Quail  
Seconded: Alderman Tobin

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

Approved: Ayes – 8  
Nays – 0

**RESOLUTION #128** OF 2008 – Consideration of a Resolution adopting the proposed Water Fund Budget with a domestic rate starting at \$2.10/unit.

By: Alderman VanGorder  
Seconded: Alderman Tobin

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

Approved: Ayes – 8  
Nays – 0

**RESOLUTION #129** OF 2008 – Consideration of a Resolution adopting the Mayor's proposed 2009 General Fund Budget, as amended be tabled.

By: Alderman Tobin  
Seconded: Alderman Quail

It was noted that the amended portion had not been established. Director of Administration and Finance Andrew J. Damiano stated that a whole new budget would need to be done, which would be based upon the elimination of all of the items in the initial bond proposal for the General Fund that the Common Council had recommended be removed. He will draft a new budget with all of those deletions and present that to the Council prior to December 16, 2008. He noted that would get the budget to a four point nine (4.9) percent tax increase. Alderman Tobin noted that would include the total of the items removed and the interest. Director of Administration and Finance Andrew J. Damiano noted that was without the interest removed and that he had not done the calculations as of yet. A motion was then passed to table this item.

By: Alderman Quail  
Seconded: Alderman Dye

Approved: Ayes – 8  
Nays – 0

**RESOLUTION #130** OF 2008 – Consideration of the confirmation of the appointment of Ann Doyle (70 Lincoln Avenue) to the Landscape & Design Commission to complete the unexpired term of Theresa Quail.

By: Alderman Quail  
Seconded: Alderman Benedict

Approved: Ayes – 8  
Nays – 0

Item No. 5 - Discussion regarding a resolution requiring property owners of habitually vacant and dangerous properties to post a sign identifying the owner. (Alderman Feiszli)

Alderman Feiszli noted that there were many properties in the City which remain boarded up and are unsightly and unsafe. They have a bad effect on their surroundings. This is particularly troublesome in residential and commercial neighborhoods. The purpose of this ordinance would be to establish a program to identify and register vacant buildings, determine the responsibility of owners of those buildings and structures and to speed rehabilitation of those properties. She had forwarded copies of local laws from other communities to the Mayor, Corporation Counsel, the Director of Administration and Finance, the Code Office and Thoma Development and most recently to the Council. She asked if the Council was agreeable, they could have Corporation Counsel Knickerbocker draft up a similar ordinance for our City. It was noted that some of them had an annual fee and they ranged from \$250 to \$700 per year. Alderman Feiszli asked the Council what they wished to do. Those communities that attached a fee had that as an annual registration fee that the owner had to pay if they did not show any interest in improving the structure to market it and it remained vacant.

Mayor Gallagher noted that if they hadn't paid their taxes in three (3) years that they probably wouldn't pay the registration fee. Alderman Feiszli gave an example of one where the taxes had been paid. It was noted that if back taxes were not paid, registration fees were tacked on and the property was auctioned off and wasn't sold it would be the City's property. Alderman Feiszli asked that this be placed on the agenda for a Council meeting in January, so that Aldermen could do an inventory of their Wards for vacant buildings. Alderman Benedict noted that there was someone who contacted him about a vacant home in his Ward. Alderman Feiszli noted that she had worked with some owners in her Ward with Block Grant money and they were able to fix their properties up. She noted that working with the people to resolve these issues did work. Alderman Tobin felt that a registration process was a good idea and the City could require the owner to submit a plan on property maintenance, such as shoveling, mowing, etc. Alderman Feiszli will also be getting information from the Code Office.

Item No. 5A – Discussion regarding the work session with reference to the budget.

Alderman Feiszli explained that the Council would like to be more pro-active with the budget. They want to start meeting with the Department Heads early on and to begin talking about lay-offs or cutbacks to look for ways to save money. She went on to explain that they could meet with the County Department Heads to see if there were ways that they could share services. This would be one department at a time. They would like to do this on the off Council weeks.

Item No. 6 – Continuation of discussion on Rental Housing Permit Program

Alderman Tobin stated that the basic goal was to get into one (1) and two (2) family properties. There was already a law on the books regarding three (3) unrelated. He had been hearing a lot of objection to the portion of the law regarding the three (3) unrelated in terms of enforcement. He wasn't sure that by not enforcing a law is not something that they should be doing. He didn't understand why that was the primary argument that the Committee was hearing because of the financial implications or some of the other things that could happen. He felt that if there was a problem with the three (3) unrelated law, then perhaps they should discuss that. He has a hard time finding a rationale for not enforcing this law.

In terms of what the housing permit program is consistent with; the County Consolidated Plan from several years ago and the Housing Confab also identified Code Enforcement as a huge issue. This gets Code Enforcement into the properties. Also two people on the committee are also on the City Planning Commission, so it is tied into the City and Planning. If we had better ideas in terms of solutions, we would like to hear them. This is a good addition to the nuisance party ordinance and will give major improvements to what is going on in the City.

There were a number of questions for Mr. Cheney, but he has yet to respond. Corporation Counsel Knickerbocker will forward Mr. Cheney's answers as soon as they are received. There were some questions regarding differences between the 1988 ordinance and the changes which were made in 2003 and if that would impact

enforcement. These would be forwarded to Mr. Cheney. He noted that Oswego has a similar program and they have one (1) full time person who deals just with rental housing. He's trying to get more information on the cost of their program. They do have mandatory registration and Mayor Gallagher noted that they do about a thousand (1,000) to twelve hundred (1,200) inspections a year with about the same number of units as the City of Cortland. He asked for more ideas and they are waiting to hear more from Mr. Cheney.

Alderman Michales noted that he had received e-mails regarding having a five (5) bedroom home, but the owner was limited to only three (3) unrelated tenants. He asked if these should be looked at again and reassessed. He wanted clarification on this.

Alderman VanGorder noted that many people who e-mailed her didn't realize that the City already had a three (3) unrelated law on the books. Many of them were landlords who didn't realize it had been on the books for over twenty (20) years.

It was asked if the Committee had discussed four (4) unrelated or rezoning. Alderman Benedict stated that both of these had been discussed. Alderman Tobin noted that their first concern was registration, but then there might be an overlay district or a rezoning.

Alderman VanGorder noted that this sounded like a phased in program. Alderman Tobin had asked Mr. Cheney to outline a phased in program and also to field questions regarding what to do if a landlord has more than the three (3) unrelated. Alderman Michales asked about two (2) families sharing a house and noted that one (1) might be displaced. He also noted that the second family shouldn't have been there to begin with. Alderman Benedict noted that not everyone would be grandfathered; only those that had gone before the Zoning Board of Appeals and had gotten a variance.

Mayor Gallagher asked if they were still considering a square footage limitation. Alderman Tobin noted that they no longer were considering that, due to lack of interest. It also would be hard to regulate. Mayor Gallagher asked with the three (3) major student housing projects being built in the area, wouldn't that take care of some of this density. Alderman Tobin noted that student housing will increase giving students more choices, but still some areas will be in high demand. He also noted that a large house which has more than the allowable unrelated residents and the law is unenforced, would lead to a higher density issue. Alderman Benedict noted that there are several large homes on the hill and in his area, which could be turned into over-occupied student housing without this program. Proximity to the College would be an incentive. Alderman Tobin also noted that part of the inspection process was to prevent owners from taking the rental profits and then allowing a building to deteriorate and then walking away from it and leaving it vacant. This program would prevent that. Alderman VanGorder is all for the registration. She did note that they would have to change the zoning book and our laws. She felt that this was complicated. She also noted that maybe the R4 zoning on West Court Street should be changed to an R2 zone. She also asked that they consider taking out the three (3) unrelated, so that they could get the ball rolling on the registration process. Alderman Tobin noted that he has e-mailed Mr. Cheney about that and is waiting for an answer. Corporation Counsel Lawrence

Knickerbocker noted that the first stage would be registrations. Alderman Tobin noted that next would be evaluation and then inspection. There were some concerns regarding that some landlords would not tell how many people were in their units for fear of enforcement and penalties. Alderman Tobin noted that perhaps landlords would tell the truth in an effort to change the zoning in their area to allow for more residents per unit. Alderman Feiszli noted that the current ordinance stated that inspections would occur annually. Corporation Counsel Knickerbocker wanted a chance to review that, he thought it might pertain to buildings with three (3) or more units. Alderman Benedict noted that Chief Glover told him that they inspected a third of all those apartments every year. Alderman Feiszli noted that it was New York State Law. Amy Bertini, Zoning Officer, explained this section of the code. Alderman Feiszli wanted a local manager for a property to be closer, such as a radius around Cortland County. Corporation Counsel Knickerbocker noted that what was currently there about Cortland County or any contiguous county was something that had been approved through case law, but he'll ask Mr. Cheney.

Another issue was the owner occupied two (2) family houses. Those would be self inspected and there would be no fee for the owner's apartment, only the other unit that was rented out. Alderman Benedict wanted Mr. Cheney's responses to these questions as soon as possible, as they wanted this to move along. Alderman Feiszli asked about when a certificate of occupancy was needed for a building. Amy Bertini explained that.

Corporation Counsel Knickerbocker noted that this had to be laid out on the table, there would have to be a public hearing and then it had to be voted on, so that would take it to the first meeting in January 2009. That would be the soonest that this could be voted on and that would be if all the questions were answered to the Council's satisfaction.

Alderman Feiszli noted that there was a provision in the Code that allowed for an outside professional to do the inspections and the owner would pay for the inspections. She asked if that section would be eliminated and that the only inspections that would be done would be done by the Code Office. Alderman Benedict felt that an outside contractor might not do as thorough a job as the City Code Office. Alderman Feiszli noted that Cortlandville had two (2) outside inspectors and they contracted it out. She was concerned that current Code was not being followed and she asked why it wasn't being followed.

**RESOLUTION #131** OF 2008 – Consideration of a Resolution waiving the conflict of interest requirements for Nellie Dimon part time City Court Attendant to participate in the South End HOME Program.

By: Alderman VanGorder  
Seconded: Alderman Dye

Approved: Ayes – 8  
Nays - 0

Corporation Counsel Knickerbocker noted that the employee didn't have any influence over whether or not she was approved for this program, but the fact that she is employed as a part time attendant by the City Court had to be revealed. Mayor Gallagher noted that she just wanted to participate in the program to fix up her house. Corporation Counsel Knickerbocker noted that this happened about once a year.

### **Adjournment**

By: Alderman Dye  
Seconded: Alderman Benedict

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 2nd DAY OF DECEMBER 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**