



City Council Minutes
The City of Cortland
March 3, 2009

Council Meeting #5
March 3, 2009
Regular Session
City Hall
7:00 PM

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

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

Acting Mayor Dye calls the fifth Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Tony Pace was present. He's the owner/occupant of a two (2) family house. He noted that if a family member occupied the other unit or if a unit had not been unoccupied for a period of time that they would not have to be inspected. He wanted that wording included in the Rental Housing Permit Program and if that could not be done, he asked for a letter stating that, be given to the owner of the property. He was also concerned about the loss of property taxes and how many people might be displaced by enacting the three (3) unrelated rule.

Anne Doyle was present to speak about garbage pick up and the blue bags. She noted that she was very unhappy with the issue on Lincoln Avenue. She noted that when the hauler was picking up, if they dropped something they did not pick it up. She stated that there is a lot of garbage left on the streets. She felt that residents are not being instructed on how to correctly put out their trash and recyclables. She suggested that an ad be placed in the paper. She also noted that the blue bags break and rip and that they are not very good quality for the price. She also noted that the landlords are not informing the student tenants on what day trash will be picked up and that they have to buy blue bags. She also noted that different Aldermen are telling constituents different things and she suggested that they also get educated. She also wants more than one day a year of hazardous waste pick up. She doesn't like bringing hazardous waste items to the County recycling center herself.

Ron Powell spoke about taxation. He spoke with Alderman Dye about relief from County taxes. The County increase was eighteen (18) to twenty (20) percent. He also spoke with Carol Tytler, his county representative, regarding the two and a half (2.5) percent penalty for installment payment of taxes. Ms. Tytler told him that was a City matter that the County had no control over. He mentioned this to the County Legislators and asked them to take it up with the City in an effort give the taxpayers some relief. He noted that this was not the case with school taxes. He asked that the Council consider a resolution abolishing the two and a half (2.5%) percent penalty for paying taxes in installments. He stated that he's currently unemployed and this year he can't pay his taxes in a single installment for the first time.

Marc Pace is a student housing landlord. He's been in business for thirty-three years. He noted that they needed to have recycling bins with larger lids. He also noted that the City should have residents place the blue bags in trash containers so that the crows wouldn't rip them apart. He also asked that the City get rid of the crows, which would solve much of the scattered trash problem. He also noted that he loves the architecture on the hill. He felt that if the Hill Association wanted to preserve the residential housing on the hill that they should buy up the houses as they came up on the market. He noted that currently when houses come up for sale on the hill, that they are marketed directly for student housing. He brought up the three (3) unrelated. He noted that some landlords have been allowed to build big housing complexes close to the college. When he got in the business thirty-three years ago, he stayed a half mile away from the college and now his units aren't going to be worth a hoot compared to these new, closer large residential units. He felt he had done a good job over the years, paid the City \$750,000 in taxes during that time and wasn't able to save very much for his own retirement and his son's college education. He noted that the landlords were going to fight the three (3) unrelated law. He also brought up the history of the hospital's expansion. He noted that he hasn't been able to raise his student rents for years. He also explained that hundreds of students would be forced farther out into the City looking for housing if the three (3) unrelated was approved.

Minutes of February 17, 2009

RESOLUTION #23 OF 2009 – Approve the minutes of February 17, 2009.

By: Alderman Michales

Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Bills were reviewed and received.

Mayor's Report

The Mayor was not present.

Ward 1 – Alderman VanGorder

She received a call and a letter from residents regarding the hospital parking lot at the Kleen Corner location. She referred it to the Code Office and contacted the hospital. It does look like the hospital has done some work with the fencing. She also received a copy of a letter sent to Scott Schrader from a constituent, whose taxes went up thirty-six (36) percent just this year. She also received some emails regarding the Rental Permit Program.

She announced that it was time to hold the Community Clean Up Day. It is scheduled for April 18 from 9:00 a.m to 11:00 am. She plans to send out emails to residents, the college and the high school. It is getting bigger and better every year. She asked her fellow Aldermen to help organize teams for their areas. She also asked that the two and a half (2.5) percent fee on tax installment payments be placed on the agenda for discussion this evening.

It was noted that they didn't have much information. Alderman Feiszli wanted to know what the impact would be on revenues and others wanted to understand the process better. Corporation Counsel Lawrence Knickerbocker noted that the City paid the school district the full amount of unpaid school taxes. He noted that there was no financial impact on the school district and that's why the school district doesn't charge a penalty for installments. Connie Sorrells noted that it was the City that was impacted.

Ward 2 – Alderman Benedict

He spoke with several members of the County Planning Board to get their input on the rental permit program. Some felt that the Rental Permit Program does not fall under their jurisdiction. Others were concerned that there was an older piece of City legislation that might conflict with this new City law. He noted that they could state in the new law that the old law is no longer in effect. He had a lengthy meeting at their office and reviewed the Code Enforcement Officer's comments and concerns about the Rental Permit Program. There was a lot of information to analyze. He will speak more about these concerns later.

He attended the Chill-a-bration and noted that people were having a good time in spite of the cold weather. He spoke to some people about the berm in the Water Works.

Ward 4 – Alderman Tobin

He is dealing with a couple of neighborhood issues. One is a parking lot going up on Park Street and the impact the lighting will have on the neighbors who live on Park Street. There were also some concerns regarding yard upkeep. He and Alderman Benedict met with the County Planning Commission and a local lawyer to discuss potential concerns regarding the Rental Permit proposal. He wanted to note that the owner occupied portion would be exempt from inspection and that was in the document. He noted that in terms of an unoccupied unit that is not being rented, then it's not under

the rental permit proposal. This will only impact properties that are rented out. This will be discussed more.

Ward 5 – Alderman Quail

He noted that potholes were everywhere. He thanked Rob Avery for moving the crow wailer around. He's also dealing with a number of code issues. He worked at the Chill-a-bration and he noted that it was cold.

Ward 6 – Alderman Feiszli

She attended the community meeting with Thoma Development to discuss the East End Strategic Plan at the Ramada Inn. The next meeting is scheduled for March 12 at 7:00 pm at the Ramada Inn. The public is invited to attend and contribute.

She received and reported a concern to the Code Office about an unkempt property. She noted that new lights are being installed at the Riverside Plaza entrance and surrounding areas on Route 13. She received a concern regarding congested parking along North Main Street and she plans to work with the police and Public Safety to address the parking issues. She noted that Habitat for Humanity has purchased a lot on Arthur Avenue. She began the preliminary drawings on the project on a voluntary basis. They'll be building a duplex there.

She attended a housing meeting and she also is continuing to receive concerns and comments regarding the Rental Permit Program. She received emails regarding when the new flood insurance rate maps will be ready for review. FEMA has told her that they should be ready towards the end of March. As soon as they arrive, she'll contact the media and set up a meeting so that the public can review them. She worked on the vacant building registry and sent a draft to Corporation Counsel for his review and comments. She worked on the draft for the municipal vehicle policy procedure and she has handed out copies to the Council. She asked that this be placed on the April agenda for discussion. She also gave the Council members the department head's rationale for taking vehicles home. Currently there are twenty-one (21) City vehicles that are being used for travel to and from work on a daily basis. This can be something to discuss with the department heads when we do the budget reviews. She also noted that she spoke with Don Chambers to have the Legislature contact her when they approved an amnesty day so that the Council can talk about coordinating an amnesty day with them.

Ward 7 – Alderman Hamilton

He received several emails regarding the Rental Permit Program from owner occupied two family houses. There were concerns expressed about the cost for the owners regarding the permits and the cost of the upgrades.

He received a letter from Main Street business owner with concerns about the deterioration of the Main Street business district. He would like to find a way to fill some

of the sixteen (16) vacant stores and require the owners of the burned buildings to fix them or sell them within a specific time period.

He received a call this afternoon concerning the waste and recycling collection. The resident told him that every time he has seen the pick up being made, the employee was on a cell phone while trying to do his job. This has not worked very well, as the recycling falls from the bin and is left on the ground. In the last two (2) weeks the person's blue bin has been broken and the waste that falls from the blue bins is left to blow around the neighborhoods and this seems to be a problem all over the city.

Ward 8 – Alderman Michales

He received a call regarding snow removal by a neighbor and he referred it to the Code Office for comment and interpretation. He was informed that this was possibly a civil matter if the homeowner cares to pursue it. He had a garbage related issue, recyclables were picked up one week and the next week they received an orange tag indicating that no blue bag, no pick up. He hoped that all of these questions would be answered tonight.

He announced that he would be performing a home inspection visit regarding an exotic pet permit for a ferret. He received a call regarding ruts and mud generated from the Chill-a-bration celebration caused by large trucks during the set up for the event. He asked if there was some sort of fee received by the City for such an event so repairs could be attended to. Chris Bistocchi noted that there was no fee. Alderman Michales noted that topic could be placed on the agenda for discussion. Chris Bistocchi noted that the DPW and the Youth Bureau usually performed the maintenance work at the Court House Park. Alderman Michales noted that the area probably would look worse once the snow was melted.

Acting Mayor Dye asked Chris Bistocchi if there was insurance for these events. Chris Bistocchi stated that the City was self-insured and there was insurance for the events provided by the event sponsors, but that it didn't cover property damages. Alderman Michales noted that he attended the Chill-a-bration and that it was a bit cold, but it didn't seem to matter much to those in attendance.

He received an email regarding the condition of Kellogg Road and Brooke Drive. He felt that it would be worse as we got more into spring. That area does receive a lot of traffic. He asked if money was set aside for some work in this area. Chris Bistocchi noted that there was. Alderman Michales asked that a Dead End sign be placed at the front of Brooke Drive. He would check with Mike Preston. Alderman Michales noted that there were new street lights in Court House Park, but there weren't any bulbs in them. He wondered why, but noted that they did look nice.

Ward 3 – Alderman Dye

He received a couple of emails concerning the taxes and he'll talk with the Mayor and get back on that. Another issue was the Monday morning trash pick up and recycling.

He noted that the person picking up the recycling at his neighbors house, was talking on the cell phone, dumped the recycling bin in the street and then drove over it destroying it.

RESOLUTION #24 OF 2009 – Consideration of a Resolution designating the Common Council as Lead Agency for the Yaman Boat Launch Project – SEQRA Process – (Ken Teter).

Engineer/Advisor Ken Teter was present and distributed an excerpt from the design drawings and he explained the grant, the scope of the project and the SEQRA process. He noted that the Department of State is funding half of it and the other half was the local share. He indicated that the Council would have to complete Part II of the SEQRA form. He noted that an archeological study had been done for this project and he had negotiated a reduction in cost for this study. The study had been approved by SHIPO, so the project can begin soon. It probably won't actually begin until late summer though, but now is the time to go out to bid.

By: Alderman Feiszli
Seconded: Alderman Michales

Approved: Ayes – 8
Nays – 0

RESOLUTION #25 OF 2009 – Consideration of a Resolution to issue a negative impact declaration in the SEQRA process for the Yaman Boat Launch Project and authorizes the signing of the assessment form so indicating.

The SEQRA review was done.

By: Alderman Benedict
Seconded: Alderman Feiszli

Approved: Ayes – 8
Nays – 0

Item No. 2 – John Gayle-Casella – Update on garbage and recycling complaints.

Mr. Gayle-Casella was present. Acting Mayor Dye noted that there had been many complaints and he hoped to get this cleared up. Alderman Michales noted that he had been the one who asked to have this placed on the agenda and he therefore asked the questions.

Alderman Michales noted that he was quoted in the paper regarding the increases in operating costs were due to the increase costs of wages and gas. He also realized insurance and the cost of equipment maintenance were also responsible for the fee increase each year. Mr. Gayle-Casella noted that there was an increase in the bid two and a half (2 ½) years ago, and agreed that the three (3) percent increase was to cover

the increases in operating costs mentioned by Alderman Michales. He noted that they had to absorb the large increase in the price of gasoline.

Alderman Michales noted that concerns had been expressed about blue bags and bins. He asked if a blue bag had to be placed at the curb in order for a bin to be picked up. He did not see anything in the contract regarding that arrangement. Mr. Gayle-Casella noted that the blue bag program supported the cost of recycling. He noted that without the purchase of blue bags they couldn't pick up the recycling. He specifically noted that in multi-unit housing situations that utilized a dumpster and an outside private firm for pick-up, they did not pick up the recycling for those properties even if the residents put it at the curb. He also noted that the City's blue bag program was the most equitable plan to cover the costs of recycling. He noted it was a great concept. He noted that he had a list of residents who were not supporting that program by participating in the purchase of blue bags. He noted that they received very few calls regarding the houses on the list.

Alderman Michales asked how they could get the word out to the public about the system that is in place. He questioned selective pick ups that had been brought to his attention. Mr. Gayle-Casella asked Alderman Michales if he was suggesting that his company should pick up recycling for free for residents who did not put out blue bags. Alderman Michales noted that according to the contract it was for all residents of Cortland. Mr. Gayle-Casella noted that this program was not paid by taxes, it is paid by blue bag fees only, so the people who pay for blue bags would pay for every one else's recyclables to be taken care of. Alderman Michales noted that he was only looking for answers. Acting Mayor Dye noted that the Council should communicate to the public what the rules of the game were and do a better job of putting out information.

Alderman Michales also brought up pizza boxes versus cardboard. He noted that some weeks that they were picked up and other weeks, they were not picked up. Mr. Gayle-Casella noted that clean pizza boxes should go as recyclable and dirty ones should be garbage. His drivers are instructed on this and it was subject to their interpretation. If the recycle truck comes first and they determined that the box was too dirty for recycling, they would leave the box for the garbage truck. Alderman Michales noted that the square boxes didn't fit very well into the garbage bags and that was why many were not placed in garbage bags. Alderman VanGorder noted that she didn't know that was the case; that if they were dirty, that they should be considered as trash. There was discussion regarding the difficulty of the determination process on this.

Alderman Michales expressed concerns that when the haulers spilled things while dumping trash into the back of the truck, that they did not pick those items up. Mr. Gayle-Casella noted that he will talk with his employees regarding this. It was also noted that the size of the recycling containers had remained the same over the years, but the amount of recycling materials had increased. He noted that all that a resident could do, was to put out a second bin. He noted that over-filled bins led to items being blown around. He noted that Tompkins Street was the worse street for this due to the heavy traffic flow. He thought they should look at the size of the current bins, that

perhaps they should have covers on them and to look at ways to contain the material better. He thought perhaps an increase in size would be the answer.

Alderman Feiszli asked if residents could purchase their own container with a lid and put an "R" on it to signify recycling materials. Perhaps this would alleviate the wind blowing. Mr. Gayle-Casella noted that was a good idea if they could find a bin that would meet the weight criteria and put an "R" on it. Tompkins County is looking at something like that. Chris Bistocchi noted that he had purchased a large quantity of bins in 2008. Alderman Feiszli noted that perhaps the Council could look at and approve a hinged cover bin for those who wanted or needed larger bins. It was noted that the residents could purchase a galvanized trash can and obtain a recycling sticker from the DPW so that the haulers would know that the contents were recyclables and not trash. Mr. Gayle-Casella noted that they had to be careful regarding co-mingling of recyclables as he had to deliver recyclables sorted. Alderman Feiszli noted that residents could use the blue bins for newspaper, card board and cereal boxes and glass and tin cans could go into the larger containers.

Alderman Quail noted that he put out two (2) bins of recycling and they picked it up just fine. He also agreed with a lid, but felt that lids could go flying. It was noted that in Ithaca residents purchased their own containers from a list of those authorized for use. Mr. Gayle-Casella noted that the City recyclables went to the County. When they had a backlog they went to Tompkins County. Alderman Feiszli asked if Mr. Gayle-Casella if the County had ever made a profit on the recyclables and reimbursed the City as per the contract. Mr. Gayle-Casella noted that they had never made a profit. Right now there was no money in recyclables. He noted that the market may come back and that there could be a possible rebate in the future. Alderman Feiszli asked how many tons of garbage currently went to the landfill. Mr. Bistocchi noted it was approximately thirty-six hundred tons per year.

Alderman Michales asked about the chain of command regarding trash pick up complaints. Mr. Gayle-Casella stated that the Aldermen could contact him and he handed out his card. Alderman Michales outlined a scenario that occurred to a resident on Tompkins Street. Alderman Feiszli noted that complaints had also been received regarding pick up of trash from receptacles on Main Street. Mr. Gayle-Casella noted that he picked that up three (3) times a week. She wondered if they should have more receptacles. Chris Bistocchi noted that trash put out by businesses and residents on Main Street had to be in blue bags. He felt that individuals had put residential garbage not only in the cans, but into the metal receptacles holding the cans. He also noted another problem was that he could only obtain round trash cans and the metal containers were square, therefore allowing trash to accumulate between the trash can and the metal containers. The hauler was responsible for picking up that loose trash, but that loose trash was being blown around on Main Street. Mr. Bistocchi noted that a flyer was sent out annually telling about the pizza boxes and what can be recycled and how to recycle. These were already in print. He also noted that come July residents would be able to purchase stronger and larger blue bags. Alderman Benedict asked Chris Bistocchi who was responsible for the trash bins in the rear of the municipal parking lot behind the Hollywood Restaurant. Chris Bistocchi noted that it was the

responsibility of private haulers and belonged to Main Street businesses and restaurants. Alderman Michales asked that the word be gotten out that if residents hadn't put out a blue bag in five (5) weeks in a row, then their blue bin wouldn't be picked up. Chris Bistocchi noted that if the Common Council wanted him to do that, he would advertise it. Anne Doyle asked that something be published in the paper and that they also put something on the website, so that residents would know what the rules were regarding trash and recyclable pick up. She felt that the DPW did a great job. Corporation Counsel Knickerbocker and Chris Bistocchi noted that the rules were already on the website and they were also printed on the blue bags. Alderman Benedict asked for an informational press release. Chris Bistocchi noted that it was annually put on Channel 2. Alderman Michales noted that he would be satisfied if they got the word out to the public.

Item No. 3 – Discussion of a Resolution designating the Common Council as Lead Agency for the Cortland County Water Works Berm Construction – SEQRA Process (Amanda Barber, Chris Bistocchi).

Chris Bistocchi noted that this was somewhat different that the previous SEQRA agenda item. A County flood sub-committee discussed that someone had to do a SEQRA form so that the berm construction project could move forward. A sub-sub-committee was established to fill out the SEQRA form. This committee consisted of Chris Bistocchi, Amanda Barber, Pat Reidy and Dan Dineen. They filled out the form already and a copy of this has been distributed to each Alderman for their approval to become the lead agency.

RESOLUTION #26 OF 2009 – Consideration of a Resolution designating the Common Council as Lead Agency for the Cortland County Water Works Berm Construction – SEQRA Process.

Corporation Counsel Lawrence Knickerbocker expressed his concern that this was a Type I action and as a Type I action, we have to give the DEC official notice and perhaps the Department of Transportation and perhaps the Town of Cortlandville. This can't be completed tonight until they are officially notified and given the opportunity to comment on whether or nor the City of Cortland should be Lead Agency and then if the Council wants, they can go through the EAF and if they decide they need an environmental impact statement, they have to have a public hearing. A public hearing can be scheduled anyways to get comment on the EAF. The project involves more than ten (10) acres which meets one of the criteria for a Type I action. This should be put on for one (1) month from now and complete it then. In the meantime, we can put out the notices to the various agencies to determine if the City Council is appropriate to be declared Lead Agency. The public hearing can be scheduled at the next meeting for the first meeting in April. Copies of Part II will be sent to the other agencies for their comments and nothing more can be done tonight. The Yaman Boat Launch was an unlisted project.

By: Alderman Benedict
Seconded: Alderman Quail

Approved: Ayes – 8
 Nays – 0

Item No. 4 – Department Head meetings – Budget Discussion

Alderman Quail has been receiving questions to determine what the Council will be asking the Department Heads. He distributed what he had received and asked for feedback. After comments, he would distribute them to the Department Heads. He noted that they were looking for the priorities for the department, the department goals and objectives, how department employee success was measured and were there employee performance reviews prepared and how was customer satisfaction determined, how are things changing seasonally regarding demand of services, what ideas did department heads have for shared services or consolidation of services with the County or other municipal bodies, what do employees get paid overtime for, who are the biggest overtime earners of 2008 and why and what are some of the ideas to reduce overtime, what would be the impact of a hiring freeze on your department, how can each department figure out how to cut five (5) percent from their budget, what process will the department take to cut costs, what programs will be impacted, what revenues will be impacted by those cuts, what ideas do you have to make some of these things work, when contracts get renegotiated employees should contribute more toward health insurance and should employees receive payments for not using City health insurance, how many cars do departments have and their mileage and how many people are reimbursed for mileage and how is it determined if an employee should have a car. Alderman Michales asked that how an emergency call is handled be added to the list. Acting Mayor Dye went through the department head meeting list. It was noted that Nick Mazza was going to be in Cortland and he gave the dates. The list of questions would be emailed to him for his review.

Item No. 5 – Discussion regarding the Rental Housing Permit Program.

Alderman Tobin noted that he had sent out an email outlining where they were and what yet needed to be covered. He noted that there were three (3) concerns expressed by County Planning. Mr. Cheney had addressed those in his response. He summarized Mr. Cheney's comments in his email to the Council. He asked for Corporation Counsel's opinion. Corporation Counsel asked for more time to review the comments and then he will meet with Mr. Cheney and bring this back to the Council. He realizes that everyone is anxious, but he felt it was important to review everything that is being raised regarding this program so that they can come up with the best document to address all of the issues raised. If the Council decides that the revised document is the final draft, then they could proceed with the process. Alderman Benedict asked if the Council could receive the revised version in their packets. Corporation Counsel Knickerbocker indicated that the concerns would cause significant changes and he will try to get it done in time to include in the packets, but he was not sure. He will include Alderman Benedict's comments, Mr. Cheney's comments and the final copy. Alderman Michales asked that dates be placed on the final copy because there have been so many revisions, that it's confusing.

Alderman Feiszli asked Chief Glover if he had reviewed the latest version of the Rental Housing Permit Program to see if his significant concerns were addressed. Chief Glover had not seen the latest version to determine if those concerns had been addressed. Alderman Tobin noted that he had forwarded them on to Mr. Cheney. Chief Glover noted that nomenclature and he needed further direction and clarification as expressed in that letter. Alderman Michales asked if a fee schedule had been developed. Chief Glover indicated that he needed more direction from the Council. Alderman Michales indicated that he needed something more concrete to make his decision on. Alderman Tobin noted that he liked the idea of a split Public Hearing to take comments over two (2) separate Council meetings. Chief Glover noted that the idea was not to make money, but just to cover costs. Alderman Michales is looking for continuity on the criteria. Chief Glover noted that was why he had stressed that the same inspector should re-inspect, so inspector B didn't interpret something different from inspector A. He also noted that he would have to hire someone per the contract, which states that the inspector must be from the Fire Department, not a civilian. Chief Glover noted that he had suggested a registration fee of \$50 but was unsure if that would cover the costs. He also wondered if large multiple unit dwellings should be at a different rate, as they would require much more work to inspect. Chief Glover noted that perhaps he had also misunderstood the Council. He thought that there would be a registration fee for every unit and then a separate inspection fee or was it one flat fee for everything. Alderman Tobin noted that he agreed with that confusion as terms had been used interchangeably; i.e., registration versus inspection. Chief Glover noted that currently the inspection fee for a single family and a two-family was twenty-five (\$25) dollars and a three (3) family was forty-five (\$45) dollars. There was some question as to what private inspections cost. Alderman Tobin asked the Council if they wanted to establish the fee schedule or if they wanted the Housing Committee to establish a fee schedule and to recommend it to the Council for their approval. Alderman Tobin felt that they needed to evaluate the cost of the program, how many inspectors would be needed and if every rental unit was covered. Chief Glover noted that one third (1/3) of the units were currently being inspected each year, but they were not inspecting duplexes and single family units. Alderman Tobin noted that they were talking about increasing that by eighty (80) percent. He also noted a couple of other suggestions were to allow the owner/occupieds to have the owner self-certify his unit. Alderman VanGorder noted that if there were one thousand six hundred fifty (1,650) individual units and we take out two hundred fifty (250) units that are owner/occupied and will self-certify, that leaves about fourteen hundred (1,400) additional units. So that will add nine (9) additional units to inspect, a week to what you are already doing.

Alderman Tobin asked about Section 8 housing which is currently inspected by the Cortland Housing Authority. Chief Glover noted that his department still would inspect those units. Alderman VanGorder felt that perhaps they could coordinate with the Housing Authority, thereby reducing the number of units that had to be inspected. Chief Glover was unsure as to what the Housing Authority's inspection criteria were. Alderman VanGorder felt that if the two groups were to speak, perhaps they could come to an agreement on the inspection criteria, then the Code Department won't have as many new units to inspect.

Alderman Tobin asked if he could designate April 7 and April 21, 2009 as potential Public Hearing dates. He felt that as to fees, they could revisit that and also some new equipment that might be necessary to perform inspections. The Council will make the final decision, but the Housing Committee will develop a fee schedule to recommend. The fee schedule can be voted on after the permit program has been enacted.

Alderman Tobin noted that County Planning had recommended that the Council should do a short form SEQRA. Corporation Counsel Knickerbocker agreed. Alderman Benedict felt that an owner/occupied could self-inspect. Alderman Quail felt that if this was a question of safety, the owner/occupied should be inspected, but at a reduced rate. He was concerned about safety. Alderman Benedict still felt that an owner would do a good job on his own unit. There was further discussion regarding tenant rights if the owner didn't do a good job on his inspection of his own unit. There was discussion that some people did not use good judgment regarding what was safe and what wasn't safe. Tenants might need to be protected from the owner's.

Alderman Benedict asked for a straw poll on this. He asked that the owner/occupied apartment be self-certified. The Council voted five (5) yes for self-certification and three (3) no for self-certification. Now they can move on. There was some discussion regarding ideas for the fee schedule. Alderman Tobin noted he was looking for a compromise between the proponents and the opponents of the Rental Housing Permit Program.

Adjournment

By: Alderman Quail
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 3rd DAY OF MARCH 2009. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

JOHN O. REAGAN – CITY CLERK

MAYOR THOMAS GALLAGHER