



City Council Minutes  
The City of Cortland  
April 21, 2009

Council Meeting #8  
April 21, 2009  
Regular Session  
City Hall  
7:00 PM

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

Staff Present: Interim Director of Administration and Finance Nick Mazza

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mickey Pace was present. He has a website and people are getting in touch with him regarding apartment rentals and the coming of the Jets. He had to explain to those who called that there might be a possibility of a three (3) unrelated law being enforced and those that called felt that if they came it wouldn't just be three (3) people renting an apartment. This may be a business opportunity for landlords and the whole community. He hopes that the three (3) unrelated thing can be reconsidered or perhaps dropped for this event.

Marc Pace was present. He noted that student housing would push out into other neighborhoods if the three (3) unrelated is pursued. He has heard that another student complex may be coming in off of Pendleton Street. He wonders about that and wants to hear more about that. He feels that three (3) unrelated isn't going to work. He feels that some local landlords can't fix up their properties because they can't afford it. Contrary to what some people think, the landlords aren't just sitting there with money in their pockets.

John Carroll chose not to speak.

Mike Dexter was present. As a parishioner of St. Mary's parish he thanked the fire department for stopping the fire at the rectory. Their fast response saved the building. Secondly, the tree lottery is coming up and it's on the City's website. There are two tree varieties available. There are fifty-five (55) trees available to plant. As an employee of

the Cortland Water Board, he can't imagine a worse place to build a TOPS gas station so close to the water works and City wells. They also look like they might expand their grocery store. He hopes the City Council opposes the gas station location. He is concerned about contamination. He asked that the Council let Cortlandville know that they are against this location.

Minutes of April 7, 2009

**RESOLUTION #39** OF 2009 – Approve the minutes of April 7, 2009 as amended.

By: Alderman Tobin  
Seconded: Alderman Hamilton

Approved: Ayes – 7  
Nays – 0

Bills were reviewed and received.

Mayor's Report

He attended the Community College meeting. He met with representatives from the American Red Cross. He attended the Congressman Arcuri program at the Beard Building. He attended the on-going meetings about the Jets coming to Cortland. He also attended a press conference regarding the New York Jets. He attended the MDA annual meeting. He met with representatives from CGI to discuss logistics of the video for the Cortland website.

Ward 1 – Alderman VanGorder

Community Clean-Up Day was once again a big success. We had close to two hundred (200) volunteers from all eight (8) wards. There were college students, a brownie troop, boy scouts, volunteers from the high school, the hospital and the girls' JV and varsity lacrosse teams and the weather cooperated, too. She thanked her husband, Garry VanGorder and the Chamber, who did most of the organizing and who paid for the shirts and most of the refreshments. She also thanked Mike Spollen and Dave Basile from Central City for donating the coffee, as they have every year. She also thanked Rich Corrigan and Price Chopper for giving them a special price on the bagels, a thank you to Ernie Dodge and the Murray Center for donating the garbage bags and a thank you to Jim Sponaugle for his help. She went on to thank Cory Gehr from Cory's Call and Haul who donated his time and truck to pick up all of the full bags and to take them to the Armory. It was a great community effort!

She also had several complaints about the recycling from yesterday. She had a phone message from a very upset constituent and she also received an e-mail from an irate resident that the recycling was thrown all over the street and the lawn and that there was a broken bottle in the road. She had already had a call in to John Gale because after all of the hard work for Community Clean-up Day, on her ride home from work, she

saw the mess, also. She noted that it was a windy day and that there was recycling everywhere yesterday. She did talk to John today and he did try to follow up on some of the complaints, but this continues to be unacceptable. She also had a couple of code issues and DPW issues that she is working on.

She also continues to get e-mails and calls regarding the Rental Permit Program and has had several people ask her how they can vote on this if the Council doesn't know how much it is going to cost the City or the landlords.

She also wanted to congratulate Cortland State, the Mayor, the City of Cortland, Cortland County, the Chamber of Commerce and all of the other local folks who worked so hard to bring the Jets here. This is a great shot in the arm for Cortland and for all of Central New York.

#### Ward 3 – Alderman Dye

He is still receiving e-mails concerning the Rental Permit Program. He received one (1) from a former resident that now resides in Lima, Ohio. He stated that we need to be sure that what we are trying to do is both right and economically sound for the City of Cortland before we finalize any program. He has seen a nearby city try the same thing and it cost that city a lot of time in court and money by having to hire additional people to enforce the program. He has had four (4) or five (5) residents praise the efforts of all those who participated in last Saturday's Community Clean-up. He extended many thanks to Val and Gary VanGorder.

#### Ward 4 – Alderman Tobin

He attended Congressman Arcuri's meeting at the Beard Building. He asked to have added to the agenda to have the opportunity to go to public comment on the Rental Permit Program at both Council meetings in May. He noted Mr. Cheney was here to answer questions and the Council could decide whether the program was worthwhile or not.

#### Ward 5 – Alderman Quail

He thanked Val and all those who worked on the Community Clean-up Day. He thanked the DPW for filling so many potholes in the past few weeks. There are many more to go. He attended the press conference announcing the Jets training camp coming to Cortland on July 31 for three (3) weeks and he feels it will be a great shot in the arm for Cortland. He's been receiving many e-mails on the Rental Housing Permit Program, both for and against.

#### Ward 6 – Alderman Feiszli

Thank you to Val VanGorder and the Chamber of Commerce for organizing the Community Clean-up Day along with all of the people who helped clean up the 6<sup>th</sup> Ward.

She contacted FEMA engineers to find out about the status of the Flood Insurance Rate Maps. The hydraulic analysis has been completed. She was told that it was a complex floodplain that took two engineers four (4) weeks to complete. They are now finalizing the report and maps. FEMA is behind not only with the City of Cortland but other municipalities as well because of all the appeals. On a positive note, they said that we would be pleased with the revised maps.

In regards to the berm to be located at the water works to slow the flow of water into the City, I would like to request that the SEQR review be placed on the May 5<sup>th</sup> Agenda.

Received a question about the small flags that were placed on every property in the Morningside/Colony/Parkwood Drive neighborhood and concern about lawns and gardens being torn up. I was told by DPW that they are where the gas companies are showing where the gas service to each house is located. The Water Main Replacement project does not go on private property and stays between the curbs except for tying into the curb boxes.

She spoke to the Deputy Finance Director regarding the financial status of the City. She would like to request an agenda item for the May 5<sup>th</sup> Council meeting to discuss auditing the financial details of departmental operations so that the Council and incoming Director of Finance and Administration have a better understanding of those operations. If an annual audit has already been performed, I would like to request a copy of their report for each department. She attended a preliminary budget meeting with the Fire Department and Code Office.

She made follow up calls on a few requests from constituents that were forwarded to the appropriate department heads. She also noted that Samson Street will be milled next week for new paving, weather permitting. She noted that Colony, Parkwood and Morningside Drive will be milled this week.

Request that Resolution #36 of April 7<sup>th</sup> 2009 be placed back on the agenda for May 5<sup>th</sup>. This was Consideration of a resolution to table the granting of a noise permit to Ultimate Music. I have spoken to one of the applicants and they will be at the next meeting to answer any questions. She has been working on the proposed vehicle use policy and letter to Cortlandville regarding the proposed Gas Station over the City of Cortland's water supply, which are both on tonight's agenda.

With the Council's approval she would like an additional item placed on the agenda, which is: Resolution for the City of Cortland to participate in amnesty day with Cortland County from May 11<sup>th</sup> to May 15<sup>th</sup>.

Ward 7 – Alderman Hamilton

Mike Preston of Public Safety has put up a second “No Truck” sign on the corner of Elm and Hubbard Streets to discourage the tractor trailer traffic from using Hubbard Street. He would like to thank Police Chief Nichols for his help in this matter, but he is

continuing to receive complaints regarding the Marietta Corporation. He noted that the dust in the trailer parking lot is getting bad again although the recent rain has helped, the tractor trailers are starting to come up East Court Street from Pomeroy Street again. He thought that last year solutions had been found for a lot of the problems, and that the Marietta Corporation would follow through on its efforts to be good neighbors. He noted that the City would just have to keep after them, like they do with any other problem neighbors on our streets.

He has also received calls concerning problems with cars, trucks and even four wheelers racing up and down the City streets. He realizes that the City Police officers can't be everywhere all of the time to catch these people in the act, but in one case, a resident actually has a video and still pictures of the four wheelers racing up the street, but has been told they cannot be used as evidence to ticket these individuals. It seems that there is at least one problem house on every street; what with late night parties, loud music, noisy engines being warmed up for the races, vulgar language and garbage just thrown everywhere. The residents that call are at their wits end. The frustration they feel at not being able to have these problems taken care of once and for all is evident in their conversations with him. He noted that taxes may be one reason people are moving out of Cortland, but he also feels that situations like this are driving far more people to leave the City than the taxes do. He advised the people who have called him to keep calling the police. A residence that gets enough complaints against it will be monitored by the police who have said they will issue a "zero tolerance" alert. He feels that the Rental Permit Law will help solve some of these situations.

#### Ward 8 – Alderman Michales

He received a call from a resident regarding the trap and release program for nuisance animals. They noted that there was no funding available for this program in the 2009 budget and if they wanted to rid themselves of a nuisance wild animal, they would have to hire a trapper and pay for it themselves. He received a call regarding a crosswalk on Main Street at HSBC to Mando Books. The marking used to be there and will be re-stripped as soon as the machine becomes available. He also thanked all who participated in the Community Clean-up Day. He thanked Alderman VanGorder for a job well done. A special thanks to Terry Natoli and Chris Gregory for assisting the Eighth Ward with their clean up. He also noted that Ultimate Music was on his list.

**RESOLUTION #40** OF 2009 – Consideration of a Resolution authorizing Thoma Development to submit a RESTORE grant not to exceed \$2.5M.

Rich Cunningham of Thoma Development was present to outline the grant. He noted it was a funding source that provided \$2.5M. It was recommended as a good grant to pursue by the Economic Development Office. It will help to renovate vacant buildings downtown for housing and retail space. Alderman Tobin questioned whether there would be funding for parking. The Mayor stated that there was money in the stimulus package for parking. Rich Cunningham noted that one or two of the projects would include some on-site parking. He also noted that it probably won't be the full \$2.5M

awarded. He also noted that this would also generate private investment money, which is nice to see. He noted that there were four (4) projects they were looking to fund.

By: Alderman VanGorder  
Seconded: Alderman Michales

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #41** OF 2009 – Award of construction contract for Yaman Park boat launch. (Ken Teter)

Alderman Feiszli asked if a municipality could request that business be awarded to a local company over an outside company that was the lowest bidder. Ken Teter couldn't answer that. The Mayor noted that this project would begin in mid-summer to late summer based on the water height.

By: Alderman Feiszli  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #42** OF 2009 – Consideration of a Resolution authorizing the Mayor to enter into contract with Stub's Tree Service for tree removal services for the City of Cortland for 2009.

By: Alderman Dye  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #43** OF 2009 – Consideration of a Resolution authorizing the Cortland County Department of Motor Vehicle Office to move the DMV road test from the current location on East Court Street to River Street.

There was a question regarding waiving the five (5) ton weight limit for trucks that will be participating in the road tests and it was noted that they could probably leave the "No Trucks" sign up, or perhaps put it below the road test sign. It was requested that they consider building a shelter at the DMV for parents/people who are waiting outside. Alderman Tobin asked if Chief Nichols had been asked about this. The Mayor stated that he had spoken with him in that regard and also Mike Preston. Both had no issues with this.

By: Alderman Hamilton  
Seconded: Alderman VanGorder

Approved:           Ayes – 7  
                      Nays – 0

**RESOLUTION #44** OF 2009 – Consideration of a request by the American Cancer Society’s Relay for Life team to place purple ribbons at the Water Works in recognition of Paint the Town Purple the week May 1 through May 8, 2009.

By:                   Alderman Michales  
Seconded:           Alderman VanGorder

Approved:           Ayes – 7  
                      Nays – 0

**RESOLUTION #45** OF 2009 – Consideration of a Resolution confirming the appointment of Phillips Lytle LLP to proceed with foreclosure requirements under the in rem process on delinquent property taxes.

Interim Director of Administration and Finance Nick Mazza gave handouts with a listing of the top ten properties with taxes outstanding and interest. He noted that Phillips Lytle has a statewide reputation for setting up the in rem process for Article 11. This is a very detailed legal process, but with them in place, it should make the process move quickly if it is kept up. He outlined some of Phillips Lytle LLP’s qualifications. He noted that the charge was \$300 per parcel which includes title searches and review and title. The City couldn’t do it on their own. Once Phillips Lytle LLP is hired, they will go to work and get authorization to get that added to the closing costs. Once the property owners pay the back taxes, they will also pay us the \$300. In most cases, it will be recovered. It was noted that if taxes were paid prior to foreclosure, the property owner would not be charged the \$300. Once a petition was filed in the court, the property owner would owe the \$300. Our goal is not to foreclosure property, our goal is to collect the back taxes that are owed and put the money in the City’s coffers. The process will begin when registered letters will be sent to all of the property owners who owe back taxes to the City. They will be signed by Interim Director of Administration and Finance Nick Mazza outlining that we have hired Phillips Lytle LLP to begin the in rem process and we encourage them to come in and pay their back taxes. Shortly thereafter, they will receive a letter from Phillips Lytle LLP saying that they have been hired by the City to begin the foreclosure process and re-encouraging them to come in and pay their back taxes. Our goal is to get the taxes paid and not have to go forward with these procedures.

Alderman Michales asked what kind of timeframe he was looking at. Interim Director of Administration and Finance Nick Mazza thought it would be about sixty (60) days between the two (2) letters. He noted that the City’s financial situation was serious. He noted that the report after audit after adjustment will show a negative fund balance in the General Fund. He feels that the 2009 Budget is not in balance. There is a serious shortage in employee health insurance of about \$400,000. He also noted that statewide, sales tax is down about ten (10) percent. He noted that we have not

received our first quarter payment from the County. He thinks that Cortland County may be down eight (8) or nine (9) percent. He also noted that interest income is short. He also noted that in these uncollected back taxes, were funds that the City had already paid over to the school district and the county. He recommended to the Council that there was no time to wait on enacting this in rem process. He also noted that it would be impossible for this foreclosure process to be done in house. He feels that the Council should send the message that these taxes are to be paid or else these properties will be sold. In two (2) years, this could significantly change the City's financial situation to the better. It also would improve the City's credit rating. He also did not recommend getting into partial payments or entertaining becoming a bank for those who owe back taxes. It was noted that there were some properties on the list that needed to be "sanitized". These were vacant lots or properties that people had walked away from. There were about twelve (12) of these properties and he outlined what they were and what they might do. It was noted that Page 3 of the list had all bad properties and that these should be taken off of the tax rolls. These will be processed as they come up and the City wasn't going to pick and choose. He also noted that a serious effort had to be made to notify and contact people and their survivors, not just by mail. They have to be served properly. He recommends that we push forward with every property in a systematic process that's reliable and not pick and choose one over another. The goal is to encourage people to come in and to get caught up on their taxes. It was also noted that bankruptcy did not save someone from paying their back taxes; it just took longer to collect the taxes. We just would need to have regular contact with the bankruptcy court. Miscellaneous charges incurred would be for the mailings, registered mail, etc.

By: Alderman Dye  
Seconded: Alderman Quail

Approved: Ayes – 7  
Nays – 0

Item No. 7 – Discussion regarding the proposed gas station in Cortlandville to be located over the City's drinking water supply. (Alderman Feiszli)

Alderman Feiszli noted that she had drafted a letter to Cortlandville, but it had not been sent. She also offered to meet with the Department of Health and the public health engineer for Cortland County and the Div. Of Environmental Health and also Stuart Gillam, MD, the president of the Cortland County Board of Health to get more information about the proposed TOPS gas station and its impact on the City of Cortland water. They had recommended that the town of Cortlandville reject the TOPS application as it represented a significant threat to the City of Cortland's municipal water supply. She read the letter that she had drafted to Cortlandville expressing the concerns. She had e-mailed a copy of this letter to Council members for their suggestions and recommendations. The Mayor suggested that the Council also listen to the proposal from the TOPS engineers regarding the proposed gas station before they made their decision on sending this letter. He thought that the engineer should be invited to the Council meeting to outline the TOPS proposal and to answer questions

from the Council. Alderman Feiszli noted that she would call Cortlandville and organize a work session with them and representatives from the Board of Health and Environmental Health. Council members felt that they should express the concerns of the Council and the constituents. Alderman Feiszli noted that Cortlandville had asked the Dept. of Health how the City felt about this project and to her knowledge, no one had responded.

**RESOLUTION #46** OF 2009 – Consideration of a Resolution to accept the letter as written, expressing the Common Council’s objections to the TOPS proposed gas station project in Cortlandville, to be submitted to the Cortlandville Planning Board Chair.

By: Alderman Feiszli  
Seconded: Alderman Dye

Approved: Ayes – 7  
Nays – 0

Item No. 8 – Discussion regarding a proposed Vehicle Use Policy. (Alderman Feiszli)

Alderman Feiszli stated that she had sent a draft to the Common Council of a policy in February. It’s a boiler plate policy taken from other municipalities. The purpose for such a policy is to provide guidelines and rules covering City vehicles, which include take-home status. Alderman Quail had brought up some good ideas in regards to suggestions as to limiting the number of cars. Right now there are twenty-two (22) that go home on a daily basis. They are all saying that these are emergency vehicles and she feels that the Council needs to examine that further and review the necessity of these vehicles going home. Perhaps they could reimburse those employees who only need to have emergency use once in awhile rather than provide them with a vehicle. She noted that this was a draft, but it could be placed on the next agenda for further discussion. Alderman Tobin liked the draft policy that was put together and noted that it made a lot of sense to keep better track of mileage and to do something that will greatly reduce this expense for the City.

Alderman Quail noted that he would like the City to get out of the car business in some situations and go to a monthly car allowance to reduce costs from a long term perspective. Alderman Feiszli stated that in talking with our insurance agent that the current vehicle insurance billing cost is the largest that he ever remembers. It’s time to look at the necessity of this. Interim Director of Administration and Finance Nick Mazza felt it was a good idea to have a policy. He did wonder why the Fire and Police Chief’s were excluded from this policy. Alderman Feiszli stated that in looking at other municipalities, she had found out that this was done in their personnel contracts, but she would look into that some more. Alderman Michales asked if any of this proposed policy infringes on any of the existing contracts. Alderman Quail noted that he would have Corporation Counsel Lawrence Knickerbocker look this over. Interim Director of Administration and Finance Nick Mazza felt that the Fire and Police Chiefs should not be excluded from this policy. He noted that he didn’t see a clause in this policy regarding signage on vehicles. Alderman Feiszli noted that there were very few of

them. Interim Director of Administration and Finance Nick Mazza felt that every City vehicle should have a sign indicating that it was a City vehicle. Alderman Feiszli agreed with him. There was discussion regarding the section about cell phone usage being included or not included. Interim Director of Administration and Finance Nick Mazza felt that there should be a separate cell phone policy. Alderman Feiszli asked Mr. Mazza to send her further information. The Council was reviewing the draft vehicle use policy of February 2, 2009. It was noted that this will be placed on the agenda for the May 5, 2009 Council Meeting.

Item No. 9 – Discussion regarding the Rental Housing Permit Program.

**RESOLVED TO GO INTO EXECUTIVE SESSION TO DISCUSS PROPOSED UPCOMING LITIGATION.**

By: Alderman Feiszli  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays – 0

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

By: Alderman Tobin  
Seconded: Alderman Quail

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #47** OF 2009 – Consideration of a Resolution to hold a Public Hearing for the Rental Housing Permit Program on May 5, 2009 and May 19, 2009.

By: Alderman Tobin  
Seconded: Alderman Quail

Approved: Ayes – 7  
Nays – 0

The Council asked for questions for Mr. Cheney, so that everyone was clear about going forward on this program.

Alderman VanGorder stated that the question that is asked of her is what is the cost of this program. Chief Glover indicated that he needed more direction, whether this was just the registration or if there was more and he would need to buy new software. He felt that there were a lot of variables. He did not know where they were at with this. Alderman Tobin asked if Chief Glover could put together for the Council a time line of steps that would need to be implemented if we were to go forward with this program.

This would give the Council members information that would help them to cast a vote. Chief Glover said that he would do that. There was some discussion regarding the current software his department used and what it was used for and what it would cost to do one type of upgrade, but without knowing what would be involved in instituting this program, he couldn't give an accurate estimate. He noted that the annual licensing fee was quite expensive. He noted that they applied for a grant for an upgrade from State Archives that would be decided on in a few months. Chief Glover noted that sending notices certified mail would run about \$8,000. There was discussion regarding certified mail not being received and scheduling inspections.

It was asked if questions could be addressed to Mr. Cheney. Alderman Feiszli asked if on Page 7, section #2, about the Zoning Board section, which seemed rather relaxed. Mr. Cheney noted that the Code Office would give someone a penalty, but they could stay that penalty for a period of time, by applying to the Zoning Board and/or by complying. Alderman Feiszli asked about Page #11, section G. Noting that the Code Officer shall inspect and that the tenant should consent, she asked if it should read owner and/or tenant. Mr. Cheney stated that if a tenant is in an apartment they have certain Constitutional rights, such as inviting someone in, but the owner can't necessarily invite someone in to a tenant's property. He went on to discuss that in the event of an absentee landlord, that there had to be someone local to contact or serve as the owner's representative. He also explained that there were instances where a landlord or their representative could authorize an inspection with consent and if not, the Code Office could obtain an administrative warrant to conduct the inspection.

There were questions about definitions of dwelling units and rented single family homes not owner occupied. There were questions regarding violations and that tenants were responsible for maintaining fire and carbon monoxide detectors and in a later section it stated that the owner was responsible for installing and maintaining those detectors. Mr. Cheney stated that would be changed to make it more consistent. He noted that the owners should be responsible for installing them on the property and that the tenants should be responsible for their maintenance and upkeep. He felt it wasn't fair to make owners responsible for actions of tenants that they didn't know about and couldn't possibly prevent. He noted that before a permit could be issued, an inspection had to determine that the detectors were installed and in working order and tenants encouraged to keep them in working order. Alderman Michales noted that was usually built into the lease agreement. Alderman Feiszli asked about the section dealing with the aggrieved person and who that was. Mr. Cheney stated that typically it would be the owner and without proper notification. Alderman Feiszli also asked about the exceptions and definitions regarding owner occupied units. Mr. Cheney noted that those had been those units had been exempted. It was felt that the unit occupied by the owner, they could self-certify their unit rather than have the Code Office do it and that had been added. Alderman Feiszli was concerned if Chief Glover's questions had been answered. He had some questions regarding parking and asked for some guidelines regarding the minimum and maximum number of parking spots. He asked for some criteria regarding parking spots. It was noted that would probably be better to be put into the Code rather than in this Permit Program. It was asked if Mr. Cheney could review the local Zoning Ordinance in this regard and make some recommendations. It

was thought the wording should just be “minimum” with reference to this. The section in question was on Page 12, letter J. It was questioned whether it should just be stricken from the permit program wording. Mr. Cheney felt that “minimum” and “maximum” could be determined by the Code Officer. He was then asked to take it out because it was addressed by Code. Alderman Tobin asked if it could be left in. Mr. Cheney felt that it could go into the Zoning Ordinance or be made part of the site plan process, but you’d need to establish some standards. He felt the best idea would be to strike it from this document and leave it up to Zoning for now. Alderman Tobin asked the Mayor if the proposed Rental Housing Permit Program document could be placed on the City’s website so that there would be open access to anybody who would like to review it. The Mayor asked him to make the changes and then to send it to him and he would have it placed on the website.

Item No. 11 – Discussion regarding a resolution on Amnesty Day with Cortland County.

Alderman Feiszli noted that the County has scheduled an Amnesty Day for a long time. This year it is scheduled from May 11 through May 15, 2009. She asked Don Chambers from the County Highway Department when this was going to the Legislature and it will be up for a vote on Thursday night. They provide a monitored container for residents to dispose of large items. The City hasn’t participated since the 1980’s. She spoke with Chris Bistocchi of the City DPW to ask what the impact would be on his department and he stated that he would have to skip brush pick up that week. There are two (2) things we could do, we could contract with Contento or whoever and it would be \$265 for each thirty (30) yard container and the drop off would be at the DPW and we would have two (2) containers for resident use and it will be monitored. We can try it out this year. There is also a per ton cost to the City, but we also want to ask the County to waive the landfill permit fee (as the City doesn’t have a permit) if we wanted to do it ourselves or Contento could charge us the \$60 per ton rate. That would be \$265 for each container plus \$60 per ton.

Alderman Quail noted that he wasn’t here for the last Amnesty Day in 1980, but he was told by Andrew Damiano that it was a disaster and took weeks to clean up. He also felt it would be taken advantage of. Alderman Feiszli noted that it could be monitored and that it could just be for a couple of days on a weekend and we would pay the monitors time and a half. It was wondered if landlords would be excluded. It was also noted that the last Amnesty Day involved pick up in front of homes and that was what led to the mess. Alderman Michales noted that the City did an Amnesty Day at Contento’s about six (6) or so years ago. The Mayor noted that they had done one after the flood. It was noted that the City of Cortland was in Cortland County and why should the residents be excluded from participating in the County-wide Amnesty Day. Alderman Feiszli stated that she would ask them if the County would write the City of Cortland into their legislation. There was concerns regarding how this was going to be paid for and that not enough information was available on this. It was noted that the County approved for the towns to participate, so that the towns didn’t have to pay for a dumping fee on that day when they brought their items to the landfill. It was felt that more information was needed and perhaps the City would be better off participating in it next year.

## **Adjournment**

By: Alderman Tobin  
Seconded: Alderman Dye

Approved: Ayes – 7  
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 21<sup>ST</sup> DAY OF APRIL 2009. 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**