



City Council Minutes  
The City of Cortland  
April 20, 2010

Council Meeting #12  
April 20, 2010  
Regular Session  
City Hall  
7:00 PM

Present: Mayor Feiszli, Aldermen Craig, Hayes, Dye, Tobin, Quail, Leonard, Ferguson and Michales

Staff Present: Director of Administration and Finance Bryan Gazda, Corporation Counsel Ronald Walsh and City Clerk Carol Tytler

PUBLIC HEARING TO ADOPT LOCAL LAW #2 OF 2010 – Tax Exemption Schedule for Senior Citizens and Persons with Disabilities and Limited Income.

No one was present to speak.

Therefore the Public Hearing was closed.

Mayor Feiszli called the twelfth Common Council meeting of the year to order at 7:08 pm

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

David Compagni spoke against the resolution to revert Main Street to two way traffic for a ninety (90) day trial period. He proposed a variety of issues he would prefer to spend the money on, including a possible tax reduction.

Abi Cleary spoke in support of the rental permit program and asked that the Council bring the resolution back and revote in favor of the penalty structure for the rental program.

Tony Pace spoke about the number of agenda items being added to the Council meetings at the last minute. He stated that these additions prevent citizens from having an opportunity for public input since they may be unaware of the agenda item. Mr. Pace also stated that the fines for not registering under the rental permit program were excessive and he suggested adopting a graduated fee structure that is proportional to the violation.

Katie Silliman spoke against the two way Main Street because it would be too costly. She spoke in support of the fine structure for the rental permit program stating that she feels the registration program will not be enforced unless there is a stiff fine

Charles Sheridan, downtown business owner, stated that a good way to explore the two way Main Street is to do the trial period. He stated that the parking space issue is a bigger problem to him and he feels that the kiosks for paid parking are an unwelcome sign to visitors. He recommended finding a way to get owners of vacant stores to get them rented or charge them a tax for sales tax lost if they are vacant.

Randi Storch stated that she has been involved in the rental permit discussions for two years and was upset that the Council and Mayor failed to vote in support of the fee structure. She stated that landlords can avoid paying harsh penalties by following the rules and asked the Council to reconsider their vote on the penalties.

Adam Megivern expressed his appreciation for the increased visibility of Main Street issues. He wants a more attractive, vibrant and welcoming downtown and is interested in being part of the process to discuss further options for parking and traffic.

Mike Dexter stated that he agrees with both sides of the issue for Main Street. He expressed concern about decreased parking and is also concerned about the costs. He felt that the parking fees would discourage people from shopping downtown. Mr. Dexter also expressed concerns about any trees that may be taken down for the project.

Rosemary Taylor spoke in support of the rental permit fines and would like to see that passed.

Anne Doyle spoke in support of the administrative assistant and extra officer for the fire and police departments. She felt the money for the two way Main Street could be used more wisely in other places. She spoke in support of a substantial fine for landlords who do not register their property. She thanked those individuals who volunteered their time to clean-up the city on Saturday and stated that her street looked great.

Minutes of March 16, 2010, April 5, 2010 and April 6, 2010

**RESOLUTION #78** OF 2010 – Approve the minutes of March 16, 2010, April 5, 2010 and April 6, 2010.

By: Alderman Quail  
Seconded: Alderman Leonard

Approved: Ayes – 8  
Nays - 0

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Dye stated that next week the personnel committee would be in full swing and they would be meeting with people in the City starting on Tuesday. He stated that he has not had anyone speak to him in support of the two way Main Street.

Alderman Craig stated that he has received a lot of phone calls and email and they were all against the two way Main Street.

Alderman Leonard stated that he has heard no support for the two way Main Street and no support for the parking kiosks.

Alderman Quail stated that he has heard no support for the two way Main Street. He also recognized people and groups who had helped with the community wide clean-up.

Alderman Hayes thanked the fire fighters and their families who participated in cleaning up the Hill neighborhood during the community wide clean-up.

Alderman Ferguson stated that she has been bombarded with phone calls against the two way Main Street.

Alderman Michales stated that he heard from one person in favor of the two way Main Street, but all the rest were opposed. He also thanked people for participating in the Saturday clean up, especially given the weather.

Alderman Leonard stated that he and other volunteers found a problem area at the end of a dead end street and had contacted Captain Knickerbocker to find out who owns the property so they could see about getting it cleaned up.

Mayor Feiszli asked Mike Dexter to come forward as she read from a proclamation proclaiming April 30<sup>th</sup> as National Arbor Day in Cortland and in support of efforts to protect our trees and plant more trees for future generations.

Mayor Feiszli added an item to the agenda to provide a letter of support for the Downtown Partnership to establish the historic Cortland Repertory Theatre in downtown. The letter supports their application to the New York State Office of Community Renewal for funding of the project.

**RESOLUTION #79** OF 2010 – Resolution to provide a letter to the Downtown Partnership in support of their application to the New York State Office of Community Renewal for funding of the historic Cortland Repertory Theatre project in downtown.

By: Alderman Tobin  
Seconded: Alderman Leonard

Approved: Ayes – 8  
Nays - 0

UNFINISHED BUSINESS

**RESOLUTION #80 OF 2010 – Consideration of a Resolution to lift the hiring freeze to fill vacant Administrative Assistant position at the Fire Department. (Chief Glover)  
Denied**

Chief Glover presented additional information on the duties of the proposed position. He has worked with Bryan Gazda to evaluate the budget and savings with unanticipated revenues that could be used to fund the position. He anticipates that three firefighters will retire between now and August and the City will hire new people at the base salary.

Alderman Michales asked if there were any other lower paying positions that this would fit under. Mr. Gazda stated that based on the duties, the confidential secretary was the best match to those duties.

Alderman Michales stated that the list of duties had grown since the last meeting. Chief Glover stated that he had not listed all the duties in his first memo. Mr. Gazda stated that the City is currently pulling together several different individuals to cover the work within the department. Alderman Michales noted the list of duties for this position has grown since the last meeting beyond someone to file and ask for records.

Alderman Michales asked if the City had looked at rotating personnel in City Hall, in particular within the City Clerk's office. Mr. Gazda stated that he would need to talk with the City Clerk, but it has not been working well by pulling people from different departments. Chief Glover stated that the duties are similar, but not the same and the individual needs to be trained to the specific needs of the fire department, Alderman Dye asked about the salary. Mr. Gazda stated it would be \$30,000 plus benefits, which is the average of what other positions are getting.

Alderman Hayes asked how can we expect someone to move a department forward and run it well without an administrative assistant? She further stated that if the Chief or Assistant Chief has to take care of these duties, it takes away from trying to make things more efficient.

Alderman Quail stated that the Council needs to focus on where we are going long term. He referenced the high tax rate in the community, the budget and expected increases in benefits. He stated that the work has to be done, but we have to find a way around it without just hiring people or we will be looking at double digit tax increases and we will be looking to the department heads to make cuts.

Alderman Tobin stated that the Council has some questions about items that they are considering revenue, such as will sales tax be up or down. He further stated that he didn't know if the City has the income we are projecting. He expressed concern about hiring an additional full time administrative person when the Council has voted down wastewater operators and police officers.

Alderman Ferguson stated that it seems like the Council is adding things back into the budget from where the Council took it out and she doesn't think that will help at all.

Alderman Michales stated that the Council probably shouldn't have removed the secretary from the fire department. He felt the Council had received bad advice last year.

Alderman Tobin asked about the hourly work week and Chief Glover stated it would be 8:30 to 4:30 most likely. Alderman Tobin stated that since this would be a competitive position, it could be provisional for up to fifty-two (52) weeks. At any time, the Council could decide not to keep the position.

Alderman Michales stated that he has heard the City was not making its quota on licensing fees. Alderman Dye asked what it was related to. Alderman Michales stated that he understood that if a municipality was not making its quota, the State would pull that status from the City. The City Clerk indicated she would discuss the issue with the Deputy Clerk. Director of Administration and Finance Gazda stated that he had never heard of a quota being established by the State and he asked to know more about the source of that information. There was no further discussion.

By: Alderman Leonard  
Seconded: Alderman Craig

**Denied:** Ayes – 3  
Nays – 5 (Craig, Tobin, Quail, Ferguson, Michales)

Alderman Michales stated that he would like to research if further and put the topic back on the agenda in May.

Item No. 2 - Presentation of proposed amendment to Chapter 60 (Adult Entertainment) of the Code of the City of Cortland. (Ron Walsh)

Mayor Feiszli stated that the proposed amendment needs to go to County Planning before the City Council votes on it. Mr. Walsh stated that the resolution involves the regulation of land use and needs to be referred to County Planning for their review. Mr. Walsh stated that the resolution includes definitions for adult novelty stores, narrows the permissible distance from 1,000 feet to 600 feet for those types of businesses operating within the vicinity of defined areas or defined use buildings (churches, schools, day care, etc.), reduces gross revenues derived from those types of activities or sales and reduces their allowed floor space dedicated to those activities from 40% to 25%. He further stated that the amendment removes some of the current ambiguities about measuring the percentages of store content and makes the law more enforceable.

**RESOLUTION #81** OF 2010 – Consideration of a Resolution to refer the draft amendment to Chapter 60 (Adult Entertainment) of the Code of the City of Cortland to County Planning Commission for comment and recommendation.

Alderman Dye asked how the adult boutique store was rated. Mr. Walsh stated it was an adult novelty store. Alderman Michales stated that some municipalities have their

Police or Code Enforcement make certain that these businesses stay on the up and up. Mr. Walsh stated that these businesses are open to the public and there is nothing that stops Code from inspecting them at any time to make certain they are in compliance

Alderman Hayes asked about the distinctions for a massage establishment. Mr. Walsh stated individuals need to be licensed as a masseuse pursuant to the State Education Law Article 155 and there are distinctions provided for in that law for licensed masseuses.

By: Alderman Leonard  
Seconded: Alderman Tobin

Approved: Ayes – 8  
Nays - 0

#### AGENDA:

##### Item No. 1 - Presentation of solar parking kiosks by Parkeon.

Dan Kupferman, Business Development Manager, spoke with the Council about multi-space pay stations, which are essentially a kiosk. He stated that they serve two purposes, to control parking turnover and generate revenue. He reviewed the advantages of their program, which included the ability to pay by credit card. He stated that there would be one (1) meter for every 8-10 parking spaces to limit how far a person would have to walk to the meter. Meters are self monitoring and send out a signal if they need repair. The City has the option to lease the equipment.

Mayor Feiszli stated that the company would be making a presentation to the Downtown Business Partnership the following day. She thanked Chief Catalano for researching the program. Chief Catalano stated that he has a map of areas that currently have limited time parking downtown and around the college neighborhood. He stated that the City could use different rates in different areas and it was a great opportunity to generate money.

Alderman Dye asked how many kiosks would be used in the college area. Chief Catalano stated that it would be based on the number of spaces. He further stated that James Street and Prospect Terrace are packed every day to the point that people are parking illegally.

##### Item No. 2 – Presentation of the quarterly financial reports for the City of Cortland (B. Gazda).

Mayor Feiszli stated that after tonight, the Financial Advisory Committee will be complete and they will start going over these reports.

Mr. Gazda stated that he had done a quick chart for the Council showing where things are going for 2010 with an overview of percentages for revenue and expenses. It is the

first quarterly report and there are already some negative lines due to the new procedure for getting transfers done. He further stated that he does not see things that are jumping out to concern him right now.

Alderman Quail asked about sales tax revenue for the first quarter. Mr. Gazda stated that the City would be getting that from the County soon. He further stated that we took in more revenue than budgeted last year and had increased it a little bit for this year, especially with the Jets coming back.

Alderman Quail stated his concern was that he doesn't see the City coming in significantly under budget. He further stated it was tough because we have already paid out all of our workers' comp, have not made payment on NYS Retirement and we haven't started road maintenance and repairs. He also expressed concerns about medical insurance.

Mr. Gazda stated that adjustments to the retirement reports are on the State's fiscal year, not the City's. He stated that he has a good spreadsheet and we should be fairly close.

Alderman Tobin asked if there were any concerns about state aid not coming in as expected. Mr. Gazda stated that we are still waiting to hear for certain, but they are talking about it coming in \$100,000 less than we expected, but it was a little too early to know for certain. We asked that the Council lobby our elected officials to have them put the money back in.

Mayor Feiszli stated that she has spoken with Accounting to get a detailed report on overtime over the past seven (7) years that is itemized by employee and the Council will be receiving that on a monthly basis. Mr. Gazda encouraged the Council to contact him with any questions.

**RESOLUTION #82 OF 2010** – Consideration of a Resolution to enter into contract to lease portions of City property to C&D Waste Recycling Project.

Mr. Patriarco and Mr. Contento were present to speak with the Council. They emphasized that they were asking for the time to study truck traffic and other variables and until they had all the facts from the study, they would not be able to provide details. Ultimately they may decide that the project does not have merit and decide to not go forward.

Alderman Michales stated that the public was not clear about buildings and other things that might be at the site. Mr. Patriarco stated that what they want is an access agreement with rights to have the land use if they decide to go forward. You (City) have nothing invested to that point. The City will still own the land. All they are asking for is permission to study it.

Alderman Michales expressed concerns about neighbors being choked on sheet rock dust and the traffic. Mr. Patriarco stated that they would have community sessions all in

proper time, but first they need to study it. He stated that the DEC and EPA would both be involved. There will be traffic studies that will have to be done. If they can't do the study, they can't give any further answers. He stated that they have given a draft agreement to Corporation Council Walsh, and are willing to sit down and talk about it further. They are willing to come back to the Council and provide monthly or quarterly updates as they are going along. He noted that their information has been the same, and they have consistently said the same things.

Alderman Michales asked if they were locked in for the full parcel. Mr. Patriarco stated that there are about four (4) acres which are untouchable for them and the EPA and DEC have told them it is off limits based on how it is capped.....we are only talking about fourteen (14) acres. A large portion of the design piece in this package is attributable to how much the City brings to us for compostables.

Alderman Quail stated that people are concerned about what they will be looking at. Mr. Patriarco stated that only small portions of the site can be seen because of buildings along Huntington Street as well as the vegetation on the hillside and the trees.

Alderman Quail asked if everything was essentially inside a building. Mr. Patriarco stated that the forty thousand (40,000) square foot building is the separation building. When trucks come in, they'll dump the materials and they are separated inside.

Mayor Feiszli asked for a vote to enter into a contract.

By: Alderman Leonard  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays – 1 (Quail)

Mr. Walsh stated that this provides them with the right to access the parcel for two (2) years and study it and know that it will not be used by another company. He stated that the Council was already provided with a draft copy of the agreement.

Alderman Quail stated that he had asked the solar project people for information and did not receive any response from Mr. Skodzinsky. Alderman Leonard also stated that several Council members and Mr. Gazda had submitted questions, but Mr. Skodzinsky never responded.

Alderman Leonard excused himself from the meeting.

Item No. 4 - Discussion to revert Main Street to two-way traffic for a 90 day trial period.

Based on earlier feedback from the Council members, Mayor Feiszli changed the resolution to read a discussion instead of a resolution.

Mayor Feiszli stated that she had met with Mr. Megivern and downtown business owners. During that conversation, a two way Main Street came up. Mayor Feiszli checked with the City Clerk's office to find old documentation on past discussions. There was strong support from the downtown businesses about changing it back to a two way Main Street. She also obtained information from Thoma Development on past studies that had been conducted.

Mayor Feiszli stated that the Capital Reserve cash we have from old bonds (per Bryan Gazda) could potentially be used for this project so it would not come out of our General Fund. She stated that were still a lot of questions to be answered and she expressed concern about parking and the loss of parking spaces.

Mayor Feiszli stated that she would be meeting again tomorrow with the Downtown Business Partnership. She shared an article with Council members about why many cities had made decisions in the past to go one way and the impact of that decision as well as information from cities that made a decision to go back to two way traffic.

Chris Bistocchi presented financial information to the Council on the costs of converting to a two way Main Street for a 90 day trial period. He has contacted the New York State Department of Transportation to obtain their input and requirements. The DOT will require a letter from the Mayor stating the City's intentions.

Mr. Bistocchi stated that the cost estimate in the old report was based on contracts with prevailing wage prices. If the City did the work, the only cost incurred would be materials itself for the first dozen items. For the 90 day trial, he estimated a cost of \$105,000. He identified the following issues to be addressed: traffic islands (bump outs) would need to be removed to allow for a right hand turn, including the curbing, brick pavers and lowering the manholes; one (1) light pole would have to be moved and (2) two trees would have to be removed.

Mr. Bistocchi proposed paving Main Street no matter what the Council decided because the street is in poor condition with many patches. Estimated costs included \$20,000 to hang four (4) new signals at the intersections, \$24,000 to remove the three (3) bump outs (curbing, sidewalk and manhole covers), \$6,000 to do hydrants if necessary, \$8,000 to put new stripes on the street, \$10,000 for miscellaneous costs and \$4,000 for landscaping.

He stated a total cost of \$72,000 for the 90 day trial of the two way Main Street. Traffic counts would be needed on the turning lanes. DOT would need to be involved and they will give the City specific information on what needs to be done for the 90 day temporary basis or for a long term basis.

He stated they would be paving Main Street this year and can stripe it for one or two way. Council members thanked Mr. Bistocchi for the information.

Mayor Feiszli stated that she has spoken with Garry VanGorder and he felt comfortable supporting it. She stated that the Downtown Business Partnership supports it. If it helps bring business back to life, it would be worth it to generate a healthy downtown.

Alderman Michales stated that he doesn't want to gamble with the livelihood of Main Street businesses. Alderman Dye stated that he had a downtown business and parking was atrocious and it was not going to improve.

Mr. Bistocchi stated that the City would lose (6) six parking spaces at each bump out and two (2) dozen parking spots will be lost by the three (3) turning lanes and flipping to the diagonal parking on the east side.

Council members expressed concern about the loss of parking spaces and the need to spend the money on other projects.

Mr. Gazda stated that with bonding, you can use the left over money to pay down existing debt. The City would need to look at each individual bond to see what it was intended for and see if it is applicable for other things. He stated that the City cannot just take the money and spend it anywhere we choose.

Alderman Michales suggested placing benches and new trash receptacles downtown. Alderman Hayes stated that it is the money that is the issue of concern to her constituents; how much is there and where does it need to go.

Mayor Feiszli stated that she sees it as an investment which would allow people to go shopping and eliminate the confusion.

Alderman Dye stated that people have to let their aldermen know what they want. Alderman Michales stated that his calls were against the issue because of the money. Alderman Ferguson stated that for many of the calls she received, the two way Main Street issue is getting combined with having to pay to park and they are two separate issues.

Alderman Michales stated that putting parking meters back on Main Street was the second item they raised with him. Some people raised concerns about the competition from Super Wal-Mart.

Mayor Feiszli stated that it has been one way for forty-three (43) years and we need to focus on drawing a different scope of people with different types of stores.

Alderman Quail asked where the Council goes from here. He stated that he hates to spend the money just to come back and say we're not going to do that. He would like more information and more input from the community.

Mayor Feiszli stated that they would have the meeting tomorrow and there would be letters, either pro or con, from the business leaders. She also asked Alderman Quail to

clarify what additional information he wanted. Alderman Quail asked for Mr. Bistocchi's information in writing.

Mayor Feiszli stated that it would be important to get the different viewpoints.

Item No. 5 – Resolution to approve a loan request for a business to relocate to the City's Central Business District. (Thoma Development – any sensitive, financial discussion to be held in Executive Session)

**MOTION TO GO INTO EXECUTIVE SESSION (TO DISCUSS THE DETAILS OF THE LOAN REQUEST)**

By: Alderman Dye  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays - 0

**MOTION TO COME OUT OF EXECUTIVE SESSION**

By: Alderman Tobin  
Seconded: Alderman Craig

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #83** OF 2010 – Consideration of a Resolution to approve a loan request for a business to relocate to the City's Central Business District.

There was no further discussion.

By: Alderman Quail  
Seconded: Alderman Michales

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #84** OF 2010 – Consideration of a Resolution to authorize the Mayor to enter into a two year contract with Thoma Development for community and economic development services.

Alderman Michales asked how many grants they write per year for the City. Ms. Armstrong stated that the CDBG and Home Program grants were on a yearly cycle. Other applications under this agreement do not get written every year. Other grants are subject to an hourly rate. She stated that the focus of this contract is that all of the grants that are written, once closed, require continual monitoring to repay the loans and that money goes into economic development to make future loans.

Alderman Michales asked if Thoma has looked into the NYSERDA grants that are out there. Ms. Armstrong stated that Thoma has looked into them, but timing issues prevented them from being submitted. Some of the stimulus money is gone now, but NYSERDA may get additional dollars from other resources and provide other opportunities.

Alderman Michales asked for more details on the \$24 million in clean energy stimulus dollars for small communities and where that money went. Ms. Armstrong stated that she would check on that information for him.

By: Alderman Michales  
Seconded: Alderman Quail

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #85** OF 2010 – Consideration of a Resolution to authorize the Mayor to sign an Agreement with the Cortland Volunteer Fire Department.

Alderman Hayes asked why this was not part of the budget process. Corporation Counsel Walsh stated that it is an agreement, a contract for services, not a budget item. Mayor Feiszli stated that it is in the budget, but she doesn't know why they have a contract every year.

Mr. Gazda stated that it probably goes back to the City Charter and how people decided to do it historically. Corporation Counsel Walsh stated that in the past, independent fire companies made up the City fire department, as he understands it, so the City would contract with them to provide fire protection services for the City. Over time, the City developed its own paid fire force supplemented by volunteers.

Alderman Craig asked if they have always been located next door in the fire department. Corporation Counsel Walsh stated that they were on the third floor in the past, but now they are at the Armory. Alderman Hayes asked if they had the same agreement last year. Director of Administration and Finance Gazda stated that they consolidated the agreements into one agreement to make it simple. On the back of the agreement is a distribution of where the funds go. They (volunteer companies) will be providing the Council with a report of where this money went to.

Alderman Dye asked where the equipment is stored. Mr. Gazda stated some was at the Armory. Alderman Michales noted that turnout gear was kept in their vehicles.

Alderman Hayes asked who keeps the books. Alderman Quail stated that each company has their own treasurer. Mr. Gazda stated that once we give them the money, the money goes to them. He further stated that the Council is basically giving a contract to a not-for-profit company, which is why he asked them for a report at the end of the year.

Alderman Craig asked if there is room for the volunteers at the fire department now. Chief Glover stated that there is room for certain things, but not others.

Alderman Hayes stated that the ending date on the contract has already expired and it lists the address as 21 Court Street. Mr. Gazda stated that it should say the expiration is March 2011. Mr. Walsh stated that Court Street may still be their principle place of business, but we should get the correct information.

Alderman Quail stated that the City has struggled to get this information in the past and Mr. Damiano had written many letters. He stated that there is not a lot of information available at this moment. He noted money goes to turn out gear, an awards ceremony, etc.

By: Alderman Dye  
Seconded: Alderman Michales

Approved: Ayes – 5  
Nays – 2 (Craig & Hayes)

**RESOLUTION #86** OF 2010 - Consideration of a Resolution to authorize the Mayor to enter into a contract with Stub's Tree Service for tree removal services for the City of Cortland for 2010. (Community Development Miscellaneous Revenue Operating Budget)

Ms. Armstrong stated that money is already allotted to this program.

By: Alderman Dye  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #87** OF 2010 – Consideration of a Resolution to approve additional encumbrance request from the Finance Department.

Mr. Gazda stated that the money comes from fees collected last year from the in rem process legal fees.

By: Alderman Quail  
Seconded: Alderman Ferguson

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #88** OF 2010- Consideration of a Resolution to approve the modified Youth Bureau budget.

Mr. Gazda stated that he had spoken with Mr. McNerney and it is a transfer of funds within their budget to cover a shortage.

By: Alderman Quail  
Seconded: Alderman Ferguson

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #89** OF 2010 – Consideration of a Resolution to approve extending the Rental Registration period to May 31, 2010. (Alderman Tobin)

Alderman Tobin stated that the intent is since letters have not gone out to property owners, this resolution gives them more time to pay the lower fee for the registration. The prior resolution said May 1<sup>st</sup>, but due to unforeseen delays, we decided to push it back to allow people ample opportunity per a recommendation from Captain Knickerbocker. The mailing will go out this week or next week to notify property owners about the registration process.

Alderman Hayes asked that all the letters get mailed on the same day so everyone is provided with the same time frame to complete their registration.

By: Alderman Tobin  
Seconded: Alderman Ferguson

Approved: Ayes – 7  
Nays - 0

Item No. 12 - Discussion regarding a penalty for not complying with the Rental Permit Registry. (Alderman Tobin)

Alderman Ferguson stated that Ward 7 is different than other wards. She was concerned about older people with two family homes who also live in those homes. Alderman Dye indicated that his vote will change, now that the letters are being sent out with proper notification.

Corporation Counsel Walsh called for a clarification. He stated that the question is if there will be a fine for people who refuse to register. He explained to the Council how the law was drafted as passed by the Council last year. (Mr. Walsh read from the law).

He stated that the law allows for a maximum penalty of up to \$1,000 per day. No one is subject to the fine before being found guilty before a court of law. It is up to the judge to impose that fine. He further stated that the law also required notification by certified

return receipt requested mail. The law as enacted provides for penalties for people who do not comply with the law. No action is required by the Council at this point.

Alderman Tobin stated that the original intent was that a mass mailing would go out to all property owners. If the Code Office finds a property that is rented but not registered, the property owner still has a ten (10) day time frame to register without penalty. He further stated that Code can be proactive with informing the property owner, then move forward with scheduled inspections.

Alderman Michales stated that if we have a long list of people who have not registered, we can always revisit it. Mr. Walsh stated that if the Code Office knows of a lot that are not registered, they would notify them and prosecute them under the proper procedure.

Mayor Feiszli stated that there would be no resolution as the law is already in the books.

**RESOLUTION #90** OF 2010 – Consideration of a Resolution to approve the Mayor’s appointment of Dolores Heller (23 Charles Street) to the Loan Committee.

Mayor Feiszli stated that Alderman Quail is also on the committee. Ms. Heller will be filling a vacancy. The length of the term was unknown.

By: Alderman Quail  
Seconded: Alderman Dye

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #91** OF 2010 – Consideration of a Resolution to approve the Mayor’s appointment of Amy Buggs (71 Van Hoesen Street), Jim French (124 Port Watson Street, Apt. 216) and Denise Bushnell (11 Oswego Street) to the Ethics Committee.

Mayor Feiszli stated that the Council would still need to fill two (2) more positions on the committee and they would do that at the next meeting. Alderman Quail asked if the city attorney could fill one of the positions. Mayor Feiszli indicated he could.

By: Alderman Ferguson  
Seconded: Alderman Quail

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #92** OF 2010 – Consideration of a Resolution to approve the Mayor’s appointment of Alderman Brian Tobin to the Finance Advisory Committee.

By: Alderman Tobin  
Seconded: Alderman Quail

Approved:           Ayes – 7  
                          Nays – 0

Item No. 16 - Approval of PERB settlement (approval of Wastewater Treatment Plant Operator contract and recognition of Wastewater Treatment Operators Association. (Ron Walsh)

Corporation Counsel Walsh stated that if the Council was inclined to settle this matter, it would first require approval of the contract for the chief operator then recognition of the collective bargaining unit.

**RESOLUTION #93** OF 2010 – Consideration of a Resolution to approve the contract for the Wastewater Treatment Chief Plant Operator.

By:                    Alderman Dye  
Seconded:           Alderman Craig

Approved:           Ayes – 7  
                          Nays – 0

**RESOLUTION #94** OF 2010 – Consideration of a Resolution to approve the recognition of the Wastewater Treatment Operators Association.

By;                   Alderman Dye  
Seconded:           Alderman Craig

Approved:           Ayes – 7  
                          Nays – 0

Corporation Counsel Walsh stated that the City will need to publish notice and complete public advertising that the City has recognized the union.

**Adjournment**

Hearing no other business, the Mayor adjourned the meeting at 10:20pm.

By:                    Alderman Craig  
Seconded:           Alderman Hayes

Approved:           Ayes – 7  
                          Nays - 0

**I, CAROL TYTLER, 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 20th DAY OF APRIL 2010. I FURTHER CERTIFY THE FOREGOING  
RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

\_\_\_\_\_  
**CAROL TYTLER – CITY CLERK**

\_\_\_\_\_  
**MAYOR SUSAN FEISZLI**