



City Council Minutes
The City of Cortland
May 18, 2010

Council Meeting #14
May 18, 2010
Regular Session
City Hall
7:00 PM

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

Staff Present: Corporation Counsel Ronald Walsh and City Clerk Carol Tytler

Excused: Director of Administration and Finance Bryan Gazda

Mayor Feiszli called the fourteenth Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mark Keith, Union Representative for SCIU Local 200 United, read a statement agreeing with the need for clerical assistance in the fire department. He stated that the union does not agree that it needs to be filled with a confidential secretary and further stated that a non-confidential employee would be less costly to the City due to the lower salary.

Mike Dexter stated that trees are still available through the free tree lottery. He stated that members of the Landscape and Design Commission planted a garden on South Church Street. He expressed his opposition to dissolving the City.

Gary VanGorder, Director of the BDC/IDA stated that he is strongly in support of the vacant building registry and encouraged the City to become more aggressive on this issue. He also asked for the Council's support for a business loan request that would come before them later in the agenda.

Katie Silliman spoke in support of the fire department clerical position and the vacant building registry. She stated that she has mixed feelings about the parking kiosks in the hill area and residents would like more information about the plans before making a decision. She thanked the police department for their recent efforts to round up drug dealers.

Adam Megivern, Director of the Downtown Business Partnership, spoke in support of the vacant building registry. He further stated that the proposal is not necessarily strong enough and should include fines for individual infractions which should be strictly enforced.

Minutes of May 4, 2010

RESOLUTION #116 OF 2010 – Approve the minutes of May 4, 2010.

By: Alderman Leonard
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Hearing no additions or corrections, the minutes were approved.

Reports of Officers, Boards, and Standing Committees

Alderman Leonard stated that he had received a call from Dave Kingsley who expressed concern about recent news coverage about Tops buying the two P&C grocery stores. He further stated that the Federal Trade Commission is looking at closing one of the two stores (Tops on 281 and P&C at Riverside Plaza) because the stores are too close together, however the two P&C stores were even closer together. Mr. Kingsley has started making phone calls about the issues. Alderman Leonard expressed concern about the risk of losing the only full sized grocery store in the City should the Riverside Plaza store be forced to close.

Mayor Feiszli stated that the Council could write a letter of support on behalf of Tops.

Alderman Michales stated that he has received phone calls regarding the kiosks. He stated if the kiosks are placed on the designated streets, it may shift the parking to other locations that would create havoc for residents on those streets. Alderman Hayes stated that she has also received calls on the parking kiosk issue.

Alderman Hayes stated that the Environmental Advisory Committee had requested to be on the agenda for this evening but they are not. She requested that a representative from the committee have an opportunity for a brief presentation to the Council at the end of the meeting and they be added to the agenda in June as well.

Alderman Tobin stated that he has been working with Code Enforcement on the rental permit program and enforcement. They have put together an information sheet to distribute to the Council and the Mayor and also post on the City website. He further stated that they are interested in holding an open meeting to help make certain everybody understands the new rules. He stated that there has been some confusion for two-family properties and clarified that two-family properties that are receiving rent need to be registered. He further stated that a two-family unit that is not receiving rental income, perhaps when occupied by other family members, would not need to register. They are working to smooth out the process and the Code Office has been getting information out through mass mailings.

Alderman Tobin stated that he has received calls and concerns about dissolution.

UNFINISHED BUSINESS:

RESOLUTION #117 OF 2010 – **(Defeated)** Consideration of a Resolution to lift the hiring freeze to fill vacant Administrative Assistant position at the Fire Department. (Chief Glover)

Chief Glover stated that there is work that needs to be done in the fire department that is not getting done or he and the Assistant Chief are doing the work, which is not the best use of their time. Alderman Michales stated that he likes that the title of the position has changed. Chief Glover stated that they had looked at various job descriptions and felt a confidential secretary best fit the needs of the fire department based on the duties to be performed.

Mayor Feiszli clarified that the resolution was for an administrative assistant, not a confidential secretary.

Alderman Quail stated that it would require \$55,000 to cover the salary and benefits (of the confidential secretary) and identified additional revenue or tax increases that would be needed to cover this person. He also listed other expenses that are expected to increase, such as the pension costs.

Alderman Dye asked if the position was already being filled through over time. Chief Glover stated, yes. He further stated that the department has tried to implement with shared staff, but it just wasn't working.

Alderman Quail stated that it would still require \$45,000 to cover the position if it is a \$22,000 salary for an administrative assistant as it would take \$25,000 for health insurance, pension costs plus taxes.

Chief Glover stated that he understands, but it doesn't mean that the business of the fire department still doesn't need to be done.

Alderman Quail asked if they had evaluated all their processes to include the tasks in the process so an administrative assistant is not needed. Chief Glover stated that they are still years away from that possibility.

Alderman Craig asked if a part time position would help. Chief Glover stated that it would help, but not solve the problem. He further stated that they have Shelly Knickerbocker for two (2) hours per day, three days a week plus another ten (10) hours to clean up other tasks.

Alderman Quail asked how many hours of overtime are being accumulated to cover this. Mayor Feiszli stated that some Council members have suggested pulling a secretary from another department, but with Civil Service rules, we can't always do that.

Chief Glover stated that personnel records and other information are sensitive. Alderman Quail stated that he believes personnel should be centralized and he would rather fill it with overtime than add a position with benefits.

Alderman Hayes asked about the ramifications without having someone in the department. Chief Glover stated that he and Assistant Chief Friedman are not writing policy, filing reports, personnel records, and other tasks that need to be taken. He stated that he is spending time answering phones instead of the work he needs to be doing as Fire Chief. He further stated that he cannot do that work if he is mired in these tasks. They are trying to keep afloat and can't without this support.

Alderman Hayes stated that at the last meeting, Alderman Tobin stated the position could be provisional.

Chief Glover stated that he has selected a confidential secretary, but will take what he can get at this point. Mayor Feiszli re-read the resolution.

By: Alderman Leonard
Seconded: Alderman Dye

Defeated: Ayes – 4 (Leonard, Ferguson, Dye and Hayes)
Nays – 4 (Craig, Tobin, Quail, Michales)
Nay - 1 (Mayor Feiszli)

Mayor Feiszli broke the tie with a “no” vote stating it was her intention to put it back on the table to lift the hiring freeze to fill the vacant account clerk at the fire department.

RESOLUTION #118 OF 2010 – To Table Consideration of a Resolution to lift the hiring freeze to fill the vacant account clerk position at the fire department.

Alderman Craig asked if the Council could table the resolution until Mr. Gazda returned and was able to provide more information on the overtime.

Motion to Discuss:

By: Alderman Ferguson
Seconded: Alderman Leonard

Motion to Table:

By: Alderman Craig
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays - 0

RESOLUTION #119 OF 2010 – Consideration of a Resolution to authorize the Director of Administration & Finance to move forward with exploring the feasibility of parking kiosks on certain streets in the City of Cortland. (Bryan Gazda)

Alderman Dye stated that people have contacted him and stated that the projected income is over rated because the college is closed for five (5) months of the year. He has also received complaints that the kiosks in front of their houses would be gaudy.

Mayor Feiszli stated that there would only be one (1) or two (2) kiosks per area. Alderman Dye stated that two (2) people will have a kiosk in their front yard then.

Alderman Leonard stated that no one is in favor of it. He has heard concerns about college students going elsewhere to park and cluttering up those streets.

Mayor Feiszli stated that the kiosks are on a concrete slab that can be relocated and there would be no cost to relocate them or remove them and they can be placed on a trial basis.

Mayor Feiszli stated that the parking rate can be increased during events. She further stated that the five (5) year net of \$653,000 dollars is a modest estimate.

Alderman Quail asked who pays for it if they are damaged. Chief Catalano stated if damaged, the City is responsible, or our insurance, or the person who did the damage. He further stated that the figures and details have been given to the Council to look at as a means to raise revenue. Many municipalities are doing it and continue once they realize the revenue sources.

Alderman Craig asked if a problem develops on surrounding streets, could the City limit the amount of time people can park in these areas to 15 minutes. He also asked if they were a problem with people on the hill.

Chief Catalano stated that you can change the rates or shut them down whenever you want. Alderman Craig stated that he is concerned about people shifting where they park. Chief Catalano stated that most adjacent streets do not have parking and it would push them too far away to park.

Alderman Quail asked about people who have family coming to visit and if their family would have to pay for parking.

Mayor Feiszli stated that there has been discussion that residents would have a sticker to give to guests so they didn't have to pay. She further stated that another option is to have the first hour of parking free.

Aldermen Hayes stated that she has received lots of calls and emails on this issue. She stated that the kiosks were put forth as a revenue generating idea, not something to address parking issues. She stated that students have said they will not pay. They'll just park elsewhere and they will not pay to park.

Mayor Feiszli stated that the City could work with the college to see about an alternative for the college to take responsibility by giving students tokens for good grades.

Alderman Hayes stated that with the residents, it is impacting their area and they haven't been a part of the process. She suggested a public hearing with residents from the hill area. Alderman Hayes also asked about the probability for damage, if they break down and need to be fixed and if they present an opportunity for identity theft.

Chief Catalano stated that the kiosks have the highest possible security that the banks have.

Alderman Leonard stated that people parking at the kiosks who don't pay get ticketed. He further stated that the college is not excited about the City police department scanning registrations in college parking lots and putting a boot on the vehicle. We have not been given the blessing by SUNY Cortland to cruise and scan registration stickers in their parking lots.

Chief Catalano stated that the City can scoff their license. He noted that if someone accumulated so many tickets within a given period, we can scoff their registration so they cannot re-register the vehicle.

Mayor Feiszli clarified that it is just a resolution to allow Mr. Gazda to move forward and to go out to RFP to explore options. This is not a commitment to purchase the kiosks, just research it further.

Alderman Hayes stated that the resolution says "to move forward and implement."

Chief Catalano stated that Mr. Gazda wants to know that he has the support of the Common Council before moving forward to look for financing options and there is a lot of work that has to be done in preparation. He further added that he has spoken with the auditors from the Comptroller's Office and the Council will need to explain to them why they don't want this money. He stated that the highlighted figure in the handout is the one he and Mr. Gazda thought was a fair price for an hourly rate.

Alderman Michales stated that it would make it more user feasible for students with a lower fee. Chief Catalano stated it was based on one (1) dollar per hour. Alderman Ferguson asked how much the college charges for parking. Chief Catalano indicated that he did not know what the college charged for parking. Alderman Hayes stated that one of the lots charged fifteen (15) dollars. Mayor Feiszli stated that a City parking permit is \$14 per month, less if you buy for multiple months.

Mayor Feiszli amended the resolution to read authorize the Director of Administration & Finance to move forward with exploring the feasibility of parking kiosks on certain streets in the City of Cortland.

By: Alderman Quail
Seconded: Alderman Leonard

Approved: Ayes – 6
Nays – 2 (Dye, Quail)

RESOLUTION #120 OF 2010 – Consideration of a Resolution to amend Downtown Partnership's request to close Market Place Mall parking lot from 6:30 P.M. to 9:30 P.M. on July 17th to 12:00 A.M. to 9:30 P.M. for a concert during the Taste of Downtown. (Adam Megivern)

Mr. Megivern stated that they would need access to the sound system set up for the entire day following the previous night's performance, so it is just extending the hours of closure from the event the night before until 9:30 PM on July 17th. Alderman Michales asked if they would watch over the equipment during the night hours. Mr. Megivern stated, yes.

By: Alderman Tobin
Seconded: Alderman Quail

Approved: Ayes – 8
Nays - 0

RESOLUTION #121 OF 2010 - Consideration of a Resolution to approve Community Development Miscellaneous Revenue Operating Budget for 2010. (Bryan Gazda)

Howard Lieberman was present to represent the Downtown Music Series. Mr. Lieberman asked if the Council was asking that they provide an additional show for \$4,000. Mayor Feiszli stated that the idea was to get the most music downtown while the Jets are here and to have more going on, on a regular basis, but once she found out about the cost, she wondered if we should be looking at using local musicians at a lower cost.

Alderman Leonard stated that he understands they often fly in the bands and put them up in hotel rooms and further stated that we have a lot of local talent.

Mayor Feiszli stated that the City is looking at having street musicians on the corners during lunch time and in the evenings every day.

Alderman Craig asked Mr. Lieberman where the money had previously come from to pay expenses for the music series. Mr. Lieberman stated that they have donations as well as sales of beer and wine. Alderman Craig asked how many years they have offered the Music Series and Mr. Lieberman responded, seven (7) years.

Alderman Craig asked how many have included local talent. Mr. Lieberman stated that every year has included local talent and two (2) of the headliners are from Cortland. He further stated that their mission is to bring in talent that local people don't get to see on a regular basis and that has been tied into the grant they had received. He further stated that they have never paid for airfare, but they do pay for hotels. He also noted these costs have been very reasonable and they do negotiate with the bands.

Alderman Dye asked what amount we are looking for. Mr. Lieberman stated that he had tried to get this down as low as possible and they had figured \$5,500 for a night.

Alderman Craig asked who the local bands were. Mr. Lieberman stated that The Rods and Digger Jones are the two local bands. He further stated that they have criteria for the bands that they must have a CD out and a website. They have had local bands offer to play for free, but they did not meet this requirement. Mr. Lieberman also stated that timeliness is an issue making it difficult for them to restructure at this point. He stated they probably could do a fifth show by using local talent for free.

Mayor Feiszli stated that she wants the public to know this is not tax payer money and that the funds come from an old grant that will be available only for the next couple of years. She is hoping to draw people in, especially with the Jets here and the concerts do pack them in.

Mr. Lieberman stated that they are an all volunteer group. Cheryl Michales, a Music Series volunteer, appealed for help to setup and tear down for the concerts. Mr. Lieberman stated that they have a Facebook page and hope to get more volunteers through that network.

Alderman Hayes stated that it was the \$18,000 cost last time that she objected to and expressed support for getting a fifth show into the Music Series now that it is down to a reasonable amount.

Mr. Lieberman stated that the Music Series volunteers were just fatigued and there was a lack of funds so they made a conscious decision to shrink and stay with the types of bands with national prominence. He added that Blue Monday is opening up for the Rods.

Alderman Leonard asked if the grant money was available for other things such as the efforts to rid the City of crows. Mayor Feiszli stated that the City could open it to other items for consideration and suggested fireworks as a possibility for coming out of the grant funds. Linda Armstrong from Thoma Development clarified that the grant funds are not really available to use for crows.

Adam Megivern spoke to the Council about the 2010 Jets Downtown where activities would be provided between training sessions and after the afternoon session of the Jets training camp. They plan to provide street musicians to encourage people to see that there is quite a bit

happening downtown and encourage them to have lunch downtown and to listen to the musicians. Their request also includes a small figure for mulch for the flower beds.

Alderman Michales asked what the total price tag was for all the requested items. Mayor Feiszli stated that there was \$40,800 being voted on this evening.

Alderman Quail suggested that the Council vote on all encumbrances that are covered through previous minutes and include \$5,500 in additional funding to the Downtown Music Series for an extra concert evening and \$4,300 for the 2010 Jets Downtown.

By: Alderman Michales
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays - 0

AGENDA:

Item No. 1 - Presentation of Wickwire pool condition and recommended remedial actions. (John McNerney)

John McNerney and engineer, Ken Teter, presented the findings from the evaluation of the condition of Wickwire pool. Mr. Teter stated that the pool was constructed in 1946, and upgraded in 1972, 1979 and 1986. The shell is sixty (60) plus years old and has deteriorated. The pool experienced additional water loss through the winter which appeared to be more significant than in the past; raising questions about health and safety.

Mr. Teter presented short and long term approaches for the facility. The engineering study focused on the leaks and the shell, but also looked at the main drain and the relationship of adjacent Dry Creek to the pool bottom. During the study they excavated behind the walls, completed concrete cores of the walls and used a camera to inspect the drainage system.

Specific findings included: pool bottom is lower than the creek, the alignment of the walls is very good, many areas of the tile surface need to be repaired, steel pipes are old, but visual examination indicated no significant issues. Behind the walls, the excavations were positive and the pool is in very good shape behind the walls.

Core samples from the shallow end did not reveal any problems, but upper core samples from the deep end showed evidence of problems with cracking and rubble. Mr. Teter stated there was greater penetration of the chlorinated water in the areas where there are surface problems.

He stated that the City can get the pool in shape for operating this summer through patching; locating loose material and removing it. However, he stated that the pool is getting to the end of the road. The two locations where the cores are cracked will need more work. The City can continue to do these repairs, but he expressed concern if they will be able to do this next year. He stated that at some point, you are essentially at the end of the useful life of this facility.

Mr. Teter stated that the City could choose to replace the pool, renovate it, or close it and fill it in. He stated that he was getting the estimated costs for full replacement versus renovations. He stated that full replacement would be well over \$1 million dollars, probably \$1.5 million dollars. He stated that the cores reveal that the upper portions of the pool walls are the worst.

Typical renovation is to remove the upper portions and replace with a new stainless steel perimeter gutter system. Piping is fully contained within the perimeter gutter system and a vinyl liner is attached to the pool. He noted that this appears to be the most economical solution and can also be effective, but this will still cost half a million to three quarters of a million dollars.

He hasn't explored all the options such as reducing the size or depth of the pool. He stated that Department of Health classifications change at the five foot depth of a pool.

Mr. Teter stated that he has spoken with Bernie Thoma and the City will need to take a hard look at this for fund raising so they can put the wheels in motion for next spring.

Mayor Feiszli asked if his short term recommendation is to repair the pool. Mr. Teter responded, yes, but we don't have the costs yet.

Mr. McNerney stated that he has seen the report and there would be a lot of work for Chris Bistocchi and the DPW crew and they have a high work demand right now. He expressed concern about when they can get in to do the repairs so they can open on time. He noted that June 26 is the scheduled opening date. He further stated that in the past, the City has done these repairs for four to five thousand dollars and he can get some quotes from local masons.

Mr. McNerney stated that he would try to stay within the beaches and pools operating budget, but if not, he will come back to the Council to discuss it further.

Alderman Craig asked when the City would typically start fixing the pool. Mr. McNerney stated at this time of the year, usually. He further stated that in 2008 they had extensive repairs that delayed the opening, but they will try to stay on schedule this year.

Alderman Michales stated that he would like to see the cost estimate for an all stainless steel pool, scaled down from what we have now. He stated he knows it will be costly, but a trade off between swapping out the vinyl lining vs going with stainless.

Ken Teter stated that another long term option is a gunnite pool approach vs a stainless approach and he would get that information for Mr. McNerney, Mr. Bistocchi and the Council.

Mr. McNerney stated that the City also needs to address the filtration system, which is not covered in Ken's report.

Mayor Feiszli stated that she would like to look at other communities to see if they have a fee structure with a summer pass for kids. Alderman Leonard asked if there was no charge right now and Mayor Feiszli confirmed that there is no charge.

Mr. McNerney stated that the City has a member item to replace the filtration system. He further stated that the pool currently has one drain, but with current codes, the City may need to upgrade that. He stated that there were eighteen thousand (18,000) swimmers at Wickwire pool last swimming season and the "Learn to Swim" program is very popular. He stated that EPF funds are coming available and Thoma said it is a \$400,000 grant; the City could take on a fundraising campaign or consider future bonding.

Mr. Teter thanked the DPW staff for all their assistance with the project and praised their efforts to help him complete the work for the engineering study.

RESOLUTION #122 OF 2010 - Consideration of a request from St. Anthony's to close a portion of Pomeroy Street from Central Avenue on the South to Elm Street on the North end for the annual St. Anthony's Festival celebration on Sunday, June 13, 2010 from 6:30 A.M. to 9:00 P.M. (Paul Yaman)

By: Alderman Hayes
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

RESOLUTION #123 OF 2010 - Consideration of a Resolution authorizing the CPFFA (Cortland Professional Fire Fighters Association) to hold the "Fill the Boot" campaign for Muscular Dystrophy on Saturday, May 22, 2010 at the corner of Tompkins Street and Broadway. (Derek Reynolds)

Alderman Hayes stated that Mr. Reynolds had told her that all the money raised stays in Cortland County. Last year, fifteen (15) families were served in the City and thirty (30) more within the County.

By: Alderman Hayes
Seconded: Alderman Michales

Approved: Ayes – 8
Nays – 0

RESOLUTION #124 OF 2010 – Consideration of a Resolution to set a date for the public hearing for the Vacant Building Registry. (Mayor Feiszli)

Mayor Feiszli clarified that the Vacant Building Registry will be a local law, thus the Council needs to set a date for a public hearing before adoption. The resolution was changed to read, "A resolution to set a date for the public hearing for the Vacant Building Registry."

Alderman Quail asked if it needs to go before the Planning Commission. Mr. Walsh stated that this was not a zoning issue, per say, but the Council can always refer it to County Planning for their advice. Mr. Walsh stated that the document the Council has is not the last iteration, but a prior draft. He read the changes to the Council.

Mr. Walsh stated that the law empowers the City to act in dangerous situations. Alderman Michales stated that he would like to have the Housing Committee look at this as well as the blighted property documents.

Mayor Feiszli stated that the Housing Committee has not met in some time and she wants to push forward to address the situation with blighted buildings downtown. She further stated that it would be helpful to have this document in place before the property auction.

Alderman Michales stated that he would still like these committees to look at it. Mayor Feiszli stated that the issue has been on the table since 2009, and the Council can always revise it if there are issues. Alderman Michales stated that the two need to be rolled together to work as both of these conditions exist in Cortland (blighted and vacant).

Mayor Feiszli stated that this is a vacant building registry and the City has had the document since 2009. Alderman Michales acknowledged that the document was brought out in 2009, but at that time the City did not have a Housing Committee to focus on it. Now that the rental permit program is adopted, he felt the City has time to look at this issue. He stated that the next meeting is scheduled in a couple of weeks and after waiting five (5) years, what is another month or so to have something we can sink our teeth into.

Mayor Feiszli stated that this law sets standards and guidelines for the appearance of property. It gives directive to the owners to register the property and to show a plan for the building. She further stated that this resolution is just setting the date for the public hearing on June 15. She stated that if Alderman Michales has recommendations from the Housing Committee, the Council can consider it at that time.

Alderman Hayes asked if there would be enough time before the public auction. Mayor Feiszli stated that there are twenty-eight (28) properties going up for auction this summer. If not sold and deemed unsellable, the City can set a standard for the properties during the time that they are vacant.

Alderman Hayes expressed concerns about Section F which talks about having vacant building secured or boarded up. She stated that she is having a hard time with the details for how you secure the building and feels the document needs a little bit more to it so it is tighter.

Mayor Feiszli stated that this was a boiler plate that she received from NYCOM. Alderman Dye asked if the City could have a public hearing on a draft document. Mr. Walsh stated that the City can have a public hearing on a proposed law when the intent is to get input from the public and then if amended, another public hearing would be scheduled on the amended law.

Alderman Leonard stated that he appreciated that intent is to improve downtown buildings. Mayor Feiszli stated that it gives the owner an incentive to fix it up or sell it.

Alderman Michales stated that the blighted property proposal would put a plan in place where the property owner would have to submit a detailed project plan as to how they will move forward with that property. Mayor Feiszli stated that this document has that. Alderman Tobin stated that getting more feedback will help, not hurt and suggested putting it on for a second public hearing in July and upgrading the document before then.

Mr. Walsh stated that County Planning meets on May 19, and they are probably not able to address it at that meeting, but the next meeting. Alderman Tobin stated that it could go to the City Planning Commission as well for input, since it is just draft form, the Council could get unofficial feedback.

Mayor Feiszli stated that the document is on the website, as all documents are, unless they are confidential. Alderman Michales stated that he still needs to send one (1) document to Mr. Walsh, as there are actually two (2) documents.

Alderman Tobin suggested having a hearing in the middle of June, and the Council will look at it, make changes after that hearing, come up with final version, schedule the second public hearing and vote on this in July. Alderman Michales noted that he would like to see vacant and blighted combined; vacant being the upper end of commercial/industrial and blighted is residential/commercial. Mr. Walsh wants to look at the blighted area of the law more closely

as he feels that they might be addressed already. Alderman Michales expressed the concern that the law isn't being enforced.

Mayor Feiszli set a date of June 15 for the public hearing on Local Law #4, the vacant building registry.

By: Alderman Quail
Seconded: Alderman Leonard

Approved: Ayes – 8
Nays - 0

RESOLUTION #125 OF 2010 - Consideration of a Resolution to approve a loan of \$168,000 to Ithaca Technologies, LLC d/b/a/ Glyph Technologies from the Miscellaneous Revenue Fund. (Thoma Development – any sensitive financial discussion to be held in Executive Session)

Alderman Michales asked how many employees the business would plan on hiring. Linda Armstrong stated that they will transfer in sixteen (16) employees, hire nine (9) more in Phase I and approximately eleven (11) more in Phase II. They are looking at the possibility of writing a grant to generate new money into the City for those additional employees.

Motion to go into Executive Session

By: Alderman Hayes
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Motion to come out of Executive Session

By: Alderman Craig
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Mayor Feiszli modified the resolution to read “**A resolution to approve a loan of \$168,000 to Ithaca Technology d/b/a Glyph Technologies.**”

By: Alderman Leonard
Seconded: Alderman Quail

Approved: Ayes – 7
Nays – 1 (Ferguson)

RESOLUTION #126 OF 2010 – **To Table** Consideration of a Resolution to contract Barton & Loguidice for professional services to study and recommend staffing levels for Waste Water Treatment Plant. (Common Council)

Mayor Feiszli stated that she has asked for Barton & Loguidice as a third party opinion on a staffing level study, but the City has just received the information.

By: Alderman Hayes
Seconded: Alderman Craig

Approved: Ayes - 8
Nays - 0

RESOLUTION #127 OF 2010 – Consideration of a Resolution to concur with the findings of the SEQR Part I as presented and review of Part II and to issue a negative declaration finding that there will be no significant adverse impact on the waterworks property through the proposed project. (Mayor Feiszli)

Pat Reidy from Cortland County Soil and Water and Chris Bistocchi were present to speak. Mayor Feiszli stated that the Council had done Part I and Part II before and Part II of the SEQR has been modified due to completion of an additional study. Corporation Council has recommended that the Council run through the Part II determinations and also ratify the findings from Part I.

Corporation Council Walsh stepped to the podium and read from the document. He reviewed all the Part I findings for the Council members to reaffirm the investigative findings and allow the Council to make a determination. At the conclusion of Part I, Mr. Walsh asked for a vote of the Council approving the findings as presented.

By: Alderman Tobin
Seconded: Alderman Hayes

Approved: Ayes – 8
Nays – 0

Review Part II of the SEQR and to declare a negative declaration finding that there will be no significant adverse impact on the waterworks property through the proposed project.
(Corporation Counsel Walsh)

Mr. Walsh read the Part II questions and responded to them as applicable. He stated that if the Council concurs, they can make a negative declaration that there will be no significant adverse environmental impact of this project.

At the conclusion of Mr. Walsh's review of the SEQR Part II, Mayor Feiszli read the resolution to approve Part II of the SEQR as presented and a make a negative declaration that there will be no significant adverse impact on the waterworks property through the proposed project.

Mayor Feiszli called for a vote on Part II and to issue a negative declaration.

Approved: Ayes – 8
Nays – 0

RESOLUTION #128 OF 2010 – Consideration of a Resolution to approve a Health Advisory Insurance firm for the City of Cortland. (Bryan Gazda)

Alderman Dye met Monday with two groups that act as consultants/brokers for finding better health insurance to decrease payments for health insurance...Benefit Consulting Group and Bay Ridge. He stated that Benefit Consulting Group gave the better presentation and they have some better educational facilities that will facilitate the City. He further stated that they will be the broker of record to go out and get the insurance quotes for the City.

Alderman Quail asked if there was a cost to the City for the service. Alderman Dye stated that it was no cost to the City as the brokers are paid for by Excellus. He further stated that their fee is included in what is charged to the City.

Alderman Quail asked if both companies had the same percentage. Alderman Dye stated, yes, they did but Benefit Consulting Group gave a better presentation on what they could do for the City, the employees and on the retirement package.

Alderman Quail stated that he was trying to understand the difference monetarily. Alderman Dye stated that from what they were told, the fee goes into the premium; most insurance companies do that and right now it was being paid by Excellus.

By: Alderman Tobin
Seconded: Alderman Leonard

Approved: Ayes – 8
Nays - 0

RESOLUTION #129 OF 2010 – Consideration of a Resolution to accept the Mayor's appointment of Rafael Alfonso Felix to the City of Cortland Planning Commission. (Mayor Feiszli)

Alderman Quail asked for clarification about the Planning Commission or Planning Board. Mayor Feiszli stated that it should be the Planning Commission. She stated that Mr. Felix was recommended for the Commission and has degrees in engineering and architectural construction.

By: Alderman Leonard
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Item No. 10 - Council identification of major tasks and delegation of responsibilities. (Alderman Tobin)

Alderman Tobin stated that he sent a list to the Council members by email which included items from the comprehensive plan. He asked that Council members identify projects that they are currently working on or are interested in working on so they are all not simultaneously working on something (without others realizing). Council members agreed to respond by email or hard copy to Alderman Tobin and share their responses with the other Council members.

RESOLUTION #130 OF 2010 – To Table Consideration of a Resolution to adopt a Strategic Planning Committee. (Alderman Quail)

Alderman Quail stated that he does not have the full information at this point and apologized to the Council. He stated that he has been looking at the dissolution plan, but was unable to get everything together as he wanted and asked that the resolution be tabled until the next meeting to allow him to focus on the project.

Mayor Feiszli stated that she has received a lot of calls from successful businessmen in the community and would like to waive the residency requirement as several do not live in the City.

Alderman Quail stated that he has reached out to many business people and it is important not to limit it. He further stated that he wants people who have been in the community for thirty to forty (30-40) years and wants a balance on the committee, not just people who are in favor of it. He feels that people need to see both sides of the picture.

Mayor Feiszli stated that people have various ideas and suggestions. Alderman Dye stated that ultimately the citizens decide. They have to vote. Alderman Quail stated that it looks like we need a petition to put it on the ballot with ten percent (10%) of the qualified voters in the City.

Alderman Dye emphasized that it is not the Council deciding this; it is the citizens who will be voting on this and making the decision. Alderman Quail stated that before that happens that they really need to inform the people and obtain their input. He further stated that it is important to look at all our infrastructure and he would like to include a Town of Cortlandville board member and one representative from the County Legislature.

Alderman Quail stated that the Council would encourage the committee to look at benefits and detriments to dissolution. Alderman Hayes stated that she wants to make certain the committee is not just looking at dissolution as she is not ready to quit. Alderman Quail stated that it was not just one direction that would be looked at.

Motion to Discuss

By: Alderman Quail
Seconded: Alderman Craig

Motion to Table

By: Alderman Quail
Seconded: Alderman Craig

Approved: Ayes – 8
Nays - 0

RESOLUTION #131 OF 2010 – Consideration of a Resolution to authorize the Mayor to enter into an agreement with Michael Pichel to allow the City to use the vacant gas station as a Welcome Center during the summer months. (Mayor Feiszli)

Alderman Quail asked for the details of the agreement.

Mayor Feiszli stated that Corporation Council is drafting the agreement now. She further stated that she met with the Jets steering committee two weeks ago and talked about having more visibility to reach visitors coming into town for the Jets. The current Welcome Center is somewhat out of the way and she agreed to talk with Michael Pichel about using his property (on the corner of River Street and Route 13).

She further stated that there will be no charge to the City and Linda Kline has volunteered her time to help improve the property by priming and painting at her own expense. The Mayor stated that Jim Dempsey will provide materials and volunteers to staff the Welcome Center. They are also considering having a flea market, selling hotdogs and other attractions to draw people in.

Alderman Hayes asked about the cost. Mayor Feiszli stated there would be no cost to the City.

Alderman Hayes asked about liability issues. Mr. Walsh stated that he would talk with Place Insurance about adding anything that is needed to cover the City.

By: Alderman Craig
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays - 0

ITEM #13 - Presentation by Anna Bennett from the Environmental Advisory Committee.

Anna Bennett presented draft resolutions to the Council for their consideration including a moratorium on hydrofracking drilling. At the next Council meeting, she would like to speak with the Council in more detail and answer any questions.

Alderman Hayes expressed concerns about hydrofracking and stressed the importance of keeping our water clean and putting protections in place. There are concerns about the ability of wastewater treatment facilities to actually clean the contaminants from the water as the result of the hydrofracking. Ms. Bennett stated that they want the State to take their time to address the concerns.

Mayor Feiszli will add a thirty (30) minute presentation from the Environmental Advisory Committee prior to the next Council meeting in June.

Alderman Leonard asked for clarification on who should be emailed when a Council member would like to add an item to the agenda. Mayor Feiszli stated that the agenda has been coming from her office, but she is open to other options, such as the City Clerk's office. Mr. Walsh stated that historically, the requests have been filtered through the Mayor's office. Alderman Leonard expressed concern about requested topics that did not make it to the agenda. Alderman Tobin suggested that the Director of Finance could be a logical choice as he needs to know the topics on the agenda.

Mayor Feiszli asked that at this time, the Council members email her directly at her personal email address, not the Mayor at Cortland address when they have an agenda item. She will direct the information to the person who does the agenda.

Motion to go into Executive Session (to discuss a personnel matter)

By: Alderman Dye
Seconded: Alderman Hayes

Approved: Ayes – 8
Nays – 0

Motion to come out of Executive Session.

By: Alderman Craig
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Adjournment

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes - 8
Nays - 0

Hearing no other business, the Mayor adjourned the meeting at 10:50 PM

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 18th DAY OF MAY 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

CAROL TYTLER – CITY CLERK

MAYOR SUSAN FEISZLI