



City Council Minutes
The City of Cortland
August 3, 2010

Council Meeting #19
August 3, 2010
Regular Session
City Hall
7:00 PM

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

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

PUBLIC HEARING – ABANDONMENT OF PUBLIC PROPERTY

Mayor Feiszli opened the Public Hearing at 7:05pm regarding the abandonment of public property contiguous to and behind the Moose property on South Main Street running between Randall Street and William Street

Joe Armideo stated that he owns the properties at 3 and 5 William Street and would like to see the driveway and the road closed. He stated that there are people with disabilities who live in these adjacent properties and he is concerned for their safety. He would like to have the City split the property between the property owners who have adjacent parcels.

Joe Abdulla, Executive Director for the Cortland Community Re-Entry Program, asked that the property be blocked off for safety issues. He stated that it would be in the best interest of the City and his clients to see it approved by the Council.

Bob Ross and Randy Marcus, representing Tompkins Cortland Community College (TC3) and the TC3 Foundation shared information and architectural drawings of the new facility that the college will be constructing on South Main Street. They stated that the plans have been approved by the City Planning Board subject to the abandonment of the alleyway and requested that the Council move forward with abandoning the property. They stated that Kellogg Auto desires that the back of their property remain open to allow access to their loading dock and dumpsters.

Mayor Feiszli closed the public hearing at 7:15 pm.

Mayor Feiszli called the nineteenth Common Council meeting of the year to order at 7:15 pm.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Clay Benedict, a member of the Save Our Neighborhoods Group (SONG), stated that the Council has the support of the group and they are asking the Council to stand up to the lawsuits

from the landlords. He stated that they are pro-family neighborhoods and recognize that there are many responsible landlords who comply with the laws and rules.

Brenda Clark and Joanne Brown, representing the Celtic Fest, had expected to be on the agenda to request use of Court House Park for their August event and asked that they be added to the agenda or provide them with a verbal straw vote to allow them to move forward with their advertising for the Celtic Fest. The Mayor and Council members expressed their support for adding them to the agenda.

David Spaulding spoke about the proposed water installation on Randall Street. Because the City employees are already paid, he stated that he feels residents are being charged again for something they are already paying for. He stated that the water lines are being replaced because the City is planning to repave the street next year. He asked why the City was replacing the street if it is in such dire straits. He reviewed the proposed charges from the estimate he had received and questioned the assigned value and amount of time the DPW staff and heavy equipment would actually spend in his yard and the costs for related materials.

The Mayor and Council members stated that they would look into the issue further.

Minutes of July 20, 2010

RESOLUTION #167 OF 2010 – Approve the minutes of July 20, 2010.

By: Alderman Ferrer
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

Mayor Feiszli stated that Resolution #164 needs a correction for the tax years stated in the minutes and should be 2009 and 2010 for when the taxes were due.

Minutes approved with the correction.

REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

Alderman Dye stated that he, Alderman Ferguson and Alderman Ferrer met with the Save Our Neighborhoods Group and had a good meeting. He stated it was very encouraging and the group emphasized three issues including: a family friendly place to live, moving forward with the Comprehensive Plan and getting it adopted, and enforcing all current codes and laws on the books by the Code and Police Departments.

Alderman Ferguson has received many calls about small animals such as skunks and woodchucks and asked if there were still grant funds available to address this issue. Alderman Quail stated that the service had been part of the general budget, but funding was removed. Alderman Ferguson stated that she will be purchasing a “live” trap so if anyone has a problem with these animals, they can contact the Mayor’s Office or their Council person to arrange to borrow the trap.

Alderman Tobin attended the recent NYCOM presentation and took offense at statements made by a lawyer in attendance, Mr. Ryan, who stated that the City is dead and root bound. Mr. Tobin

stated that the City is the backbone of the County and though it has definite challenges, it is very vibrant. He further stated that Council members are working diligently to resolve those issues.

Alderman Tobin discussed the temporary restraining order that has been issued by the judge on the rental permit program until August 20. He emphasized that the action did nothing to impact the three unrelated law that is on the books. He further stated that they have found some very positive cases that will support the City if that does go to court. As we go forward, we will have to see if those around us want to be involved in the decision making process.

Alderman Michales expressed concern about information that had been printed in the paper about the arrival of the New York Jets football team. Because of the misinformation, many people arrived too late to greet them. He suggested that in the future, people be given more time to get there and they might also spend more time downtown.

UNFINISHED BUSINESS:

Item No. 1 - Presentation of draft Storm Water Utility Fee. (Gazda / Walsh)

Corporation Counsel Walsh and Director of Administration and Finance Gazda spoke to the Council members about the draft storm water utility fee. There is a revenue line in the 2010 budget for the fee and they have drafted a proposed local law that would establish a fee for management of our storm water in the community. Cortland would not be the first community to have a storm water utility fee. Mr. Walsh stated that in order for the law to hold up in court, revenues generated need to be allocated to storm water management costs. The proposed law looks at property units. The smallest unit subject to a fee is a piece of property one acre in size. There would be exceptions for large areas with pervious materials, such as a cemetery. Chris Bistocchi had provided an estimated total cost of storm water management at about three hundred sixty thousand (\$360,000) dollars which would be divided into the Residential Equivalent Units (REU)...suggested as 3,000 square feet. Based on that figure, most City residents would not typically be subject to the law. The fee would provide a revenue source for items such as curbing and storm water management.

Mayor Feiszli asked what were the largest entities participating in the storm water utility fee other than the cemeteries. Mr. Walsh stated that it would be the larger property holders. Mr. Walsh stated that SUNY Cortland is an example of a property that is tax exempt, but would need to pay the fee.

Alderman Michales asked if it would pertain to the City schools. Mr. Walsh stated that it would. Mayor Feiszli stated that it would be just like paying water and sewer fees; they would be paying storm water too. Alderman Hayes asked about churches, charities and nonprofits. Mr. Walsh stated that those that meet the criteria would need to pay the fee, but many would not.

Mayor Feiszli asked if they could provide an example of a particular parcel and what the cost would be. Mr. Walsh stated that this information sets up the structure and the City would have to back into the number. It would be based on the total cost of storm water management and then broken down by the number of units that would be subject to the fee. The City would need to have the total areas subject to the fee and divide those units into the total cost.

Alderman Quail asked if we have the details on how Mr. Bistocchi came up with his estimate. Mr. Walsh stated that Mr. Gazda has that information and asked him to provide it to the Council.

Alderman Quail stated that he assumed they would provide a draft document with definitions. Mr. Walsh stated that this hasn't been done in the State of New York and he still needs to go over some details with Mr. Gazda, then he will get the information to the Council.

Mayor Feiszli asked about the process for a local law. Mr. Walsh stated that it needs to sit for ten (10) days before the Council acts on it. Aldermen Quail and Hayes stated that they would at least like to see the draft before setting a date for the public hearing.

Mr. Gazda stated that the reason this was looked at last year was because MS4 communities, especially those in Onondaga County have been approached by the DEC with regards to storm water management costs. They haven't come down here yet, but Cortland needs to be proactive. He will provide numbers to the Council.

Item No. 2 - Vacant Building Registry. (Mayor Feiszli)

Mayor Feiszli asked that the Council move forward and set a date for a local law. She stated that the fee structure needs to be eliminated from the legislation so it can be done by resolution, not local law. She further stated that the City still needs to find and incorporate the recommendations from the Housing Committee and move forward with review by the City Planning Commissioners.

Alderman Michales asked if the recommendations have been put into the final draft documents. Mayor Feiszli stated that the recommendations have not been put into the draft, but there was still time to make changes to the local law after it goes to the City Planning Commission. Alderman Michales stated that some changes from the Housing Committee were extensive. Alderman Quail asked that the recommendations be passed along to all the members of the Council.

Alderman Michales stated that the City had talked about forming one large ordinance that combines the blighted property with the vacant building ordinance but the committee has not had time and opportunity to go through both.

Mayor Feiszli asked the Council for permission to move forward with the Planning Commission with the recommendations from the Housing Committee that are available. She further stated that it has been on the agenda since February 2009 and many residents and businesses are asking for this to move forward.

Alderman Michales stated that both documents are complete; they just need to be married by an attorney. He further stated that if Mr. Walsh cannot, he suggests subbing it out to another law firm. Mayor Feiszli stated that these are recommendations from an ad hoc committee and she would like them to go to the Council and the Planning Commission. Alderman Michales asked that they be given both documents.

Alderman Hayes stated that she had not seen a new draft with the recommendations from the Housing Committee. Mr. Walsh stated that he could not locate the proposed recommendations. Alderman Michales stated that they had been forwarded.

Mr. Walsh stated that it would be helpful to have them. He further stated that the Planning Commission may have things they would like to add, and then he could put together something for the Council's consideration.

Alderman Quail stated that he would like the Council to receive a copy of whatever gets passed along to Planning. Mayor Feiszli reviewed the items that Alderman Michales should see get passed along to the members of the Planning Commission and the Council.

RESOLUTION #168 OF 2010 – Consideration of a Resolution to ask that all of the proposed Vacant Building Registry law along with the recommendations from the Code Office and the Housing Committee be forwarded to the Planning Commission.

By: Alderman Quail
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

AGENDA:

RESOLUTION #169 OF 2010 - Consideration of a Resolution to authorize the Common Council for the City of Cortland to abandon and relinquish all right, title and interest it has in and to the public alleyway running from William Street and running in a southerly direction toward Randall Street.

Alderman Quail stated that Kellogg Auto had an objection, but as he understands it, the abandoned property will be divided up among the property owners from the City line to the TC3 line, so they will have access to the back of their property.

By: Alderman Ferrer
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Agenda Item No. 2 - Presentation by Ken Teter on the architectural design of the new Beaudry Park community building. (John McNerney)

Ken Teter and John McNerney presented information to the Council on the architectural design for the new community building at Beaudry Park. Mr. McNerney stated that the project has been in the works for the past decade and on April 6, the Council had committed to apply for a grant from the Dormitory Authority.

Mr. Teter stated that the current building is in great disrepair and in need of replacement. Renovation is probably not worthwhile. The plan addresses more than replacement and also looks at where it is located and how it functions for the community. Funding from the Dormitory Authority, donations and in-kind service donations will cover the costs with a \$272,000 grand total budget. There is a \$230,000 to \$235,000 construction budget once the donated items are taken out.

Mr. Teter stated that they looked at a variety of needs including bathrooms, office, and park use as well as the potential to rent out the facility to the community. It includes a kitchenette space for serving lunches out of the building. He stated that the site plan of the facility went to the Planning Commission and was approved. Currently the building is at the far west end of the

park. The new plan increases functionality by siting it in the core of the park, closer to the baseball field and the playground. It will be easily accessible from the main parking lot and serve in conjunction with the pavilion. The location provides an opportunity for better supervision of the sledding field. He stated that the pavilion roof is shot, so they will use the same materials for replacing that roof with the DPW staff doing the work.

Alderman Dye asked if the location will eliminate a soccer field. Mr. McNerney stated that the field near there is used for first and second grade soccer and the new building should not eliminate that field. Also more green space would be created on the west side of the park once the existing building is torn down.

Alderman Quail stated that the wading pool is not in use and asked if that location had been considered. Mr. McNerney stated that the wading pool is not being used because of budgetary issues and they hope to use it in the future. He stated that they had talked about removing it and the associated costs, but they were pretty costly.

Mr. Teter stated that all the utilities for the present building are served from Owego Street. He further stated that DPW, NYSEG and National Grid have it all designed for the extension and upgrading of those utilities for the new building.

Alderman Michales asked about the concession stand. Mr. McNerney stated that the small kitchenette could serve the public and there was a service window on the outside of the building.

Alderman Craig asked about the foundation and impact on nearby trees. Mr. McNerney stated that the two thousand four hundred (2,400) square foot building would be on a concrete pad with a steel roof. Mr. Teter stated that two (2) trees would need to be removed, but they would be adding four (4) new trees.

Alderman Hayes asked about the energy efficiency of the building. Mr. Teter stated that energy efficiencies had been incorporated into the design of the building, but the architect would be needed to provide specifics. Mayor Feiszli asked that the architect contact the Council and provide information about energy efficiency. Mr. Teter stated that he would ask, but added that it was a very tight budget.

Alderman Tobin brought up the repairs needed for Wickwire Pool and asked about the possibility of transferring this money to that project. Mr. McNerney stated that the Dormitory Authority money could be redirected to Wickwire Pool, but there are two (2) projects that need to be addressed, both the pool and the Beaudry Park building. He stated that he had contacted the Dormitory Authority and it would take legislative approval and the City would have to go back to Assemblywoman Barbara Lifton, who was the sponsor for the funding request. He stated that Assemblywoman Lifton had questioned going that route given the funding delays at the State level.

Mr. McNerney stated that he believed the City could accomplish the goal for funding for Wickwire Pool through creative grant writing, fundraising and possibly bonding. In his opinion, it was not in the best interest to redirect the money.

RESOLUTION #170 OF 2010 - Consideration of a Resolution to lift the hiring freeze to fill vacant firefighter position. (Chief Glover)

Chief Glover stated that with this retirement, he will be short one (1) firefighter for the contracted level of twenty-two (22) firefighters.

Alderman Hayes asked when the position would enter training. Chief Glover stated though it was not his optimal choice, Utica basic training starts in August. He would like to hire the individual one (1) week early to address the orientation process.

Alderman Quail asked if the City had already identified a candidate. Chief Glover stated that he had the civil service list, interviewed all ten (10) candidates, and this individual would be the fourth person on his list of choices, noting that two others were already hired with previous retirements.

Alderman Ferguson asked if the Chief had interviewed anyone from the volunteer fire department. Chief Glover stated that at the time the process began in March and April, he had received a civil service list, but did not realize he could request a local list. Alderman Ferguson asked if he was implying that a volunteer firefighter may not be desirable.

Chief Glover stated, no, he was implying that they may not be reachable. If he had requested a local list, it would just get people who live in the City at the time the list was requested. He further stated that it depends on where they are living currently and who resides in the parameters of the list you are requesting. The City never had a local list in the past, which is why he didn't know he could request it. He added that the City has a number of volunteers who have been hired over the years, including himself.

By: Alderman Hayes
Seconded: Alderman Quail

Approved: Ayes – 5
Nays – 3 (Craig, Tobin, Ferguson)

Mayor Feiszli, with the Council's permission, added the next item onto the agenda.

RESOLUTION #171 OF 2010 – Consideration of the following action relating to the Celtic Fest:
(Brenda Clark/Joanne Brown)

- A. Permission to use the City's portion of Court House Park on Friday through Sunday, August 27, 28 and 29, 2010.
- B. Permission to waive the open container law as discussed on Friday, August 27, 2010, from 7:00 pm until 10:00 pm, Saturday, August 28, 2010 from noon until 6:00 pm and Sunday, August 29, 2010 from noon until 3:00 pm.
- C. Permission to waive the noise ordinance to allow for a band performance on Friday, August 27, 2010 as discussed, contingent upon the Police Chief's approval and receipt of the liability insurance.
- D. Permission to place promotional signs near the City's entrances.

Brenda Clark and Joanne Brown were present to answer questions. Organizers are adding additional activities for this year. There will be a band on Friday night and alcohol will be served. The Presbyterian Church will be doing an open air service on Sunday.

Alderman Quail asked if the area serving alcohol will be fenced off. Ms. Clark confirmed that it would be. They plan to serve alcohol until 10:30 pm on Friday night; the band will finish at 10:00 pm.

Alderman Michales suggested that a portion of the money be set aside to repair damage to Court House Park as in past years the lawn needed to be reseeded from the damage.

Alderman Quail asked if they could limit the sale of alcohol to 10:00pm to end at the same time the band is finished. Alderman Ferrer stated that many events end the serving of alcohol earlier than when the band finishes.

Alderman Dye asked if they were serving alcohol and having a band on only one (1) night. Organizers stated that they will serve alcohol from 7:00 pm until 10:00 pm on Friday. They also stated that there would be music on Saturday during the day with alcohol served from noon to 6:00 pm, the same as last year. Alcohol will be served from noon to 3:00 pm on Sunday.

Alderman Hayes asked if there were any other events going on in Cortland for those same three (3) days. Mayor Feiszli stated that was move-in for SUNY Cortland students.

Ms. Clark stated that they have talked with the Police Department and they will have patrols going through. Chief Catalano stated that the organizers would need to obtain a certificate of insurance.

Mayor Feiszli asked the organizers to forward a written request to her office outlining all the details of the event. Mayor Feiszli called for a vote contingent on the Celtic Fest organizers providing a certificate of insurance to the Police Department and final approval by Chief Catalano.

By: Alderman Quail
Seconded: Alderman Craig

Approved: Ayes - 8
Nays – 0

RESOLUTION #172 OF 2010 - Consideration of the following action relating to the 15th Annual Great Cortland Pumpkinfest: (James Dempsey)

- A. Permission to use the City's portion of Court House Park on Saturday, October 2 and Sunday, October 3, 2010.
- B. Permission to place promotional signs near the City's entrance signs from September 13 until October 4, 2010.
- C. Permission to use a portion of Court House Park for a Microbrew sampling on Saturday, October 2, 2010, from 1:00 P.M. to 5:00 P.M.

Chief Catalano stated that the Pumpkinfest usually hires a security detail to watch the tents at night. Mayor Feiszli stated that there was no additional expense to the City.

By: Alderman Michales
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

RESOLUTION #173 OF 2010 - Consideration of a Resolution to enter into an agreement with Troy & Banks for the purpose of auditing utility and communications bills. (Bryan Gazda)

Alderman Quail stated that he thought the estimate was a little steep. Mr. Gazda stated that the City actually got them to lower what they initially offered for percentage rates.

Mr. Gazda stated that the City is still waiting for National Grid to pay us some money that they still owe us.

Mayor Feiszli asked if Corporation Council had reviewed the contract. Mr. Walsh confirmed that he had.

Alderman Hayes agreed that she thought the price was pretty steep. Mr. Gazda stated that it was at 39% before and they wanted 40%, but the City was able to get them to knock it back to what we did in 2005 so all the percentages went back to the 2005 levels.

Alderman Quail asked what years would be covered. Mr. Gazda stated it was going back twelve months. Mayor Feiszli asked when the City did this in the past. Mr. Gazda stated 2005.

Alderman Hayes asked if there was any other way to go back without entering into a contract with them. Mr. Gazda stated that they wouldn't do it without a contract and we don't have the expertise to do it ourselves. Mr. Walsh stated that the Public Service Commission will do it, but it takes a very long time. Alderman Dye stated that would take years.

Alderman Tobin asked for Mr. Walsh's perspective. Mr. Walsh stated that he had suggested to Mr. Gazda to get them down a bit and he did. He further stated that he didn't know if there are other purveyors who would do it for less. Mr. Gazda stated that the City would probably see the same range from anyone. Alderman Quail stated that the City would get a check from them and they take a cut. Alderman Hayes stated that she would like to see if the City can do better.

By: Alderman Dye
Seconded: Alderman Ferguson

Approved: Ayes – 6
Nays – 2 (Craig, Hayes)

Item No. 7 - Discussion regarding City estimates received by homeowners for water service replacement. (Alderman Michales)

Alderman Michales stated that the Council had heard concerns earlier from people in his Ward regarding the estimates for water lateral replacement costs. Alderman Michales shared some history about the Cortland Water Board, which was drafted in 1910, and read from the original

document. In reviewing that document, he did not find any information that says residents would be charged for labor or equipment.

Alderman Quail stated that the real issue is the dollars and the large bills these homeowners are getting. He would like to understand the basis for the charges as the amount of material sounds like pretty big holes they are filling in.

Alderman Michales stated that he met with Chris Bistocchi last week. He stated that for houses with existing iron pipe, that some of the estimates ran from \$2,100 up to almost \$2,800. He's done some research and found that the cost of materials is high, but pretty much in line with what Chris estimated. He further stated that the estimates of labor and machinery were very high. He didn't think a lot of thought went into these estimates and would like to see them redone and would like to see the labor charges dropped as well as the equipment charges.

Alderman Quail stated that he thinks those labor costs are already in the water rates; it's not like we are hiring additional manpower. He thought that those labor and vehicle costs are already in the budget. He asked if the fuel costs were also included in the budget.

Alderman Michales stated that the same work had been done on his street approximately six (6) or seven (7) years ago as well as work done on Cedar Street which was not part of this. Those estimates back then ranged from \$850 to just under \$1,200. This covered everything, as well.

Mayor Feiszli stated that Mr. Bistocchi had said that costs have gone up significantly, but they still seem high.

Alderman Quail stated that he thinks the City is charging people twice. Alderman Hayes agreed, stating that she thinks we are charging people twice, too and would like to talk with Chris Bistocchi.

Mayor Feiszli stated that it is a consideration for all tax payers and eighty (80%) percent of the City has already converted from iron to copper pipes and she asked the Council to consider that they might be setting a precedent for the remaining twenty (20%) percent as their costs may be incurred by the other tax payers. She has received calls from those tax payers who didn't want to incur additional taxes to cover the cost of replacing the lines at no charge.

Alderman Michales stated that the City could cap the costs, just look at materials or redo the estimates more fairly. Alderman Dye stated that he thinks the Council needs to meet with Chris. Mayor Feiszli added that this would typically go to the Water Commission and she would like to ask the DPW Commission and Mr. Bistocchi to work on this and make a recommendation to the Council.

Alderman Michales asked if the people should put this off and wait. Mayor Feiszli stated that the work would be done in 2011 and the City will not have any work or decision made on the street until the Council has found an acceptable solution. She further stated that she would place it back on the agenda and notify the public.

RESOLUTION #174 OF 2010 - Request Council approval for several budget modifications.
(Bryan Gazda)

The Water Fund is requesting the following transfers:

	<u>Transfer to</u>	<u>Transfer from</u>
F1990-400000 Contingencies		\$9,015.80
F8340-40220 Transm. & Distrib.-Repair Parts	\$8,909.30	
F8340-40230 Transm. & Distrib.-Repair Labor	\$ 60.00	
F8340-40680 Transm. & Distrib.-Equip. Rental	\$ 46.50	

City Youth Bureau receipt of check from Town of Cortlandville to assist with repairs to open Wickwire Pool and to recognize that revenue and appropriate it as follows::

A510 Estimated Revenues	\$14,400.00	
A960 Appropriations		\$14,000.00
A7180-40700 Beach & Pool-Equip. Repair	\$14,400.00	
A2350 Youth 7 Recr. Serv. – Other Gov't.		\$14,000.00

City Fire Dept. awarded Federal Grant from Dept. of Homeland Security for purchase of hydraulic rescue tools for new fire pumper and to recognize that revenue and appropriate it as follows:

A510 Estimated Revenues	\$37,697.00	
A960 Appropriations		\$37,697.00
A3410-40501 Fire Dept.-Tools & Equip.	\$37,697.00	
A4389-Federal Grant – Fire		\$37,697.00

Mr. Gazda reviewed the proposed budget modifications.

Alderman Hayes asked for additional information about the Water Fund. Mr. Gazda stated that it was an emergency for a leak detecting machine that needed a software upgrade and hardware component.

Alderman Quail stated that he is still under budget. Mr. Gazda stated that this purchase will bring his budget to zero.

Alderman Hayes asked how much was left in the contingency fund. Mr. Gazda stated approximately \$43,000 dollars.

Alderman Craig asked if it was necessary to obtain bids. Mr. Gazda stated no, because it was not the whole machine, just a portion broke.

Alderman Hayes asked if it was an emergency. Mr. Gazda stated that Chris deemed it as an emergency. He further stated that if the Council wants him to tell department heads they cannot have the emergency funds without Council approval, he will.

Mr. Gazda explained the other budget modifications. The Town of Cortlandville gave money to the City for repairs to Wickwire pool. The modification recognizes the revenue and the expense. For the last one, the Fire Department is just realizing the money that was talked about last year. The City is doing the budget amendment so we can expense the money. Alderman Michales asked if the City has already purchased the equipment. Mr. Gazda stated that he believes it is in.

By: Alderman Craig

Seconded: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

New Business

Alderman Tobin requested an update on the properties that went to auction. Alderman Quail asked to see information on the properties that were pulled from this auction. Mr. Gazda stated that most were pulled due to bankruptcy filings. He asked which ones the Council wanted to see. Alderman Quail asked about the ones pulled from the 2008 list that just went to auction. He inquired about a property on Pendleton Street.

Mr. Walsh stated there was an answer filed in connection with the initial tax certiorari and that was pulled as well.

Alderman Michales asked if the City could do a special law to put these properties on the block sooner. Mr. Walsh said he would look in to that, but stated that Philips Lytle had handled it. Mr. Gazda stated that he had spoken about that on Saturday because the County had six (6) properties taken off of the list. He noted that once the bankruptcy hearings are held and decisions are made, if it's available at that time and we got the judgment, we can move, but it may be less costly to roll it into next year's process.

Mr. Walsh stated that the City's tax liens are not going to be discharged by the bankruptcy court. Mr. Gazda stated that the City would move forward as soon as we can, as soon as we have a response from the courts.

MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AND ENTERING INTO A CONTRACT.

By: Alderman Hayes
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

MOTION TO COME OUT OF EXECUTIVE SESSION:

By: Alderman Quail
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Following the executive session, Mayor Feiszli made an addition to the agenda.

RESOLUTION #175 OF 2010 – Consideration of a Resolution to enter into a lease agreement with 4545 LLC with the purpose of leasing 15 Court Street not to exceed \$3,400 annually.

By: Alderman Quail
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Adjournment

By: Alderman Craig
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

Meeting adjourned at 9:32 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 3rd DAY OF AUGUST 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

CAROL TYTLER – CITY CLERK

MAYOR SUSAN FEISZLI