



City Council Minutes
The City of Cortland
August 2, 2011

Council Meeting #17
August 2, 2011
Regular Session
City Hall
7:00 PM

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

Absent: Alderman Hayes and Alderman Michales

Staff Present: Interim Director of Administration and Finance John O. Reagan, City Clerk Judi Chamberlin and Corporation Counsel Patrick Perfetti

Mayor Feiszli called the seventeenth Common Council meeting of the year to order at 7:04 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Jo Schaffer spoke to clarify her comments that appeared in the newspaper regarding the SUNY Cortland purchase of the house on 29 Broadway. She asked if it was a permissible use of the property and she asked the City Code and Zoning Officers, who were present at the last Planning Commission meeting, if they had been contacted by SUNY Cortland in that regard. She had asked them to contact the City Law Department for their decision.

Mike Dexter gave a brief history on the house at 29 Broadway. He also spoke about the Landscape and Design Committee and how they had written their own grant application and had been awarded a grant in the amount of approximately fifteen thousand (\$15,000) dollars. He expressed hope that this grant amount would be matched. He explained that Urban Forestry received over one hundred sixty (160) applicants for this grant.

He also questioned how two (2) landlords could be running for Council seats when they live outside the City.

Corporation Counsel Patrick Perfetti explained that they can run, but in order to hold office, they would need to establish residency prior to taking the oath of office.

Atty. Francis Casullo who represents Chris Calabro stated that they are moving along on the house on Monroe Heights. He explained that they were meeting with Corporation Counsel on 15 Pleasant Street and he believes that will be resolved. He further noted that

they had an inspection on the James Street property and it was his understanding that everything will be okay.

John DeIVechhio, Sr. addressed Mike Dexter's question regarding his running for Alderman. He stated that he is running for Alderman to improve the City and he feels that he is better qualified to run a nineteen million (\$19,000,000) dollar budget. He explained that his interest was to get the City going in the right direction and that he would donate any salary he receives.

AGENDA:

Minutes for July 19, 2011 Regular Session

Alderman Quail wanted to make a clarification regarding appointments of new members of the Ad Hoc Strategic Planning committee. He noted that the normal process should be followed on this issue. He also noted that these appointments were not on tonight's agenda, and asked that they be placed on the August 16 agenda.

Bruce Adams asked that corrections be made on Resolution #114 and Resolution #118 of the June 13, 2011 minutes. That it was to lift the hiring freeze to hire the Deputy Chief Operator. He also added the legal term that he did not see in one resolution.

Mayor Feiszli asked that the minutes be filed as modified.

The bills were presented and approved.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Ferguson reported that Ward 7 was up in arms about the seven hundred thousand dollars (\$700,000) to repair the Wickwire Pool. Constituents feel the need to upgrade, but maybe at a much lower cost. She also noted that the sprinkler at Dexter Park has not worked for years. She also spoke to the landlord situation and she is glad to see it close to resolution and she wants the landlords to keep working as well as their work crews.

Mayor Feiszli welcomed Julie Gorman, executive assistant to the Law Department and Mayor's Office. She's a parliamentarian to the Student Council and has been asked to intervene to facilitate with Council meetings.

Mayor Feiszli was appointed by the Governor to serve two (2) years on the Regional Economic Council. The first meeting is this Thursday to begin development of our strategic plan. Local businesses are excited about this opportunity for grants and creating new jobs.

Mayor Feiszli is still continuing to work on the No Parking for Pearl Street. She noted that the Wellhead Protection Plan is currently being reviewed and the process for making it a Local Law hopefully will begin at the next Council meeting. She noted the complaint regarding the building on 29 Broadway has been brought to the Law Department and they

are reviewing Ms. Schaffer's complaint. She is continuing discussions with Marietta Corp. regarding the design of their pre-treatment facility that will enable our Waste Water Treatment Plant to accept their processed water.

She noted that last week she welcomed more than six hundred sixty (660) cyclists at the Fairgrounds. The event is growing every year. She met with the Loan Committee to discuss potential loans and a couple are on the agenda this evening. She met with Cortland Plastics and congratulated them on their new addition. She interviewed on FOX TV regarding the economic impact of the Jets not being in Cortland this year. She met with Cortland County Environmental Health and Code Department about a problem with roaches in a few areas of the Ward 8. She noted that Environmental Health, the Police Department and the Code Department are working together to resolve the problem.

She met with Mary Belde and Sheila Cohen regarding fracking in Cortland County. They will be meeting with the City Environmental Advisory Committee to work on drafting resolutions for the Council to prohibit the acceptance of processed water at the Waste Water Treatment Plant from fracking. She met with Adam Megivern regarding downtown issues. She performed one of the first same sex marriages in Cortland County at the Cortland Standard. She held another one at City Hall and she congratulated the couples. She reminded everyone that the Ward 2 Neighborhood Watch Group is meeting August 17, 2011 at 7:30 PM at the Parkside Christian Academy on Homer Avenue. Guest speaker will discuss fraud and scams and ways to protect ourselves. She encouraged all interested persons to attend.

She reminded everyone of the Cortland Arts and Wine Festival being held this weekend at the Court House Park and urged everyone to attend.

Alderman Dye noted that the Fire Department had received a grant for citywide CPR training. He also noted that information on City property assessments on rental property should be ready by the end of the week. He asked that this item be placed on the August 16, 2011 Council agenda for discussion.

Alderman Craig stated that his constituents expressed concerns about the repairs of the Wickwire Pool noting that the amount of money is alarming, but they also expressed that they don't want to see the pool close.

Alderman Quail spoke about the Dexter Park sprinkler, noting that there are health concerns as well as bad plumbing involved.

Alderman Ferrer stated that the quote that was given was necessary for the Wickwire Pool vote for authorization to apply for a grant and that expenditure sum is not locked in.

Alderman Quail asked Alderman Ferguson if she wanted the Mayor to get a quote on the Dexter Park sprinkler. Alderman Ferguson stated that was what she wanted.

Alderman Tobin stated that there was a letter to the Cortland Standard editor with questions about Code and Zoning. He thinks it behooves the City to have City government let the community know that if a permit is granted, it will be upheld by the City. He noted

that the landlord issue has been going on for about two (2) months and that was too long. He noted that people may have reservations about applying to renovate if permits are not upheld.

RESOLUTION #160 OF 2011 – Resolution to approve grant funding in the amount of \$35,000 to a business located in the central business district under the City’s fiscal year 2010 Micro Enterprise Program.

Motion to Discuss

By: Alderman Ferrer
Seconded: Alderman Tobin

Motion to Go Into Executive Session

By: Alderman Tobin
Seconded: Alderman Quail

Approved: Ayes – 6
Nays – 0

Linda Armstrong was asked to attend the Executive Session.

Motion to Come Out of Executive Session

By: Alderman Ferrer
Seconded: Alderman Quail

Approved: Ayes – 6
Nays – 0

Resolution #160 - Approved:

Approved: Ayes – 6
Nays – 0

Mayor Feiszli stated that the grant recipient was the Cortland Beer Company.

Resolution #160 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #161 OF 2011 – Resolution authorizing the adoption of the Cortland County Multi-Jurisdictional All-hazard Mitigation Plan. (Amanda Barber)

Alderman Quail asked what does this plan commit the City to.

Amanda Barber stated that it didn’t commit the City to anything other than to keep the plan updated. Chris Bistocchi noted that approval of this would assist the City in obtaining grant funding.

By: Alderman Tobin
Seconded: Alderman Ferrer

Approved: Ayes – 6
Nays – 0

Resolution #161 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #162 OF 2011 – Resolution to approve the issuance of a sound device permit for use in the Court House Park on Saturday, August 13, 2011 from Noon to 5:00 PM for the Cortland County Stop the Hurt, a local non-profit group, pending receipt of Certificate of Insurance.

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 6
Nays – 0

Resolution #162 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #163 OF 2011 – Resolution to approve contract with Phillips Lytle, LLP for 2010 INREM process. (John Reagan)

By: Alderman Dye
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays – 0

Resolution #163 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #164 OF 2011 – Resolution to adopt and follow the IRS Standard Mileage Rate for reimbursement for the use of personal vehicles for City business. (John Reagan)

Alderman Tobin requested that Department Heads be asked to determine which is the best mode of transportation, ie., personal vehicle or City owned vehicle. Alderman Quail noted that if an employee used their personal vehicle and had an accident, their insurance would have to cover the damage.

By: Alderman Ferrer
Seconded: Alderman Tobin

Approved: Ayes – 6
Nays – 0

Resolution #164 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #165 OF 2011 – A. Resolution to approve the transfer of funds from the General Fund Contingency account for contractual salary increases honoring the new terms of the Collective Bargaining agreements.

Alderman Quail asked that the wording of the original resolution be changed to “comply or honoring the new terms”.

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 6
Nays – 0

Resolution #165 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #166 OF 2011 – Resolution to group B through H budget transfers as follows:

B. Resolution to approve the transfer of funds from the Water Fund Transmission & Distribution account for contractual salary increases pursuant to the Collective Bargaining agreements.

C. Resolution to approve the transfer of funds from the Water Fund Contingency for expenses.

D. Resolution to approve the transfer of funds from General Fund Contingency for contractual benefit increases pursuant to the PBA’s new contract.

E. Resolution to approve the recognition and appropriation of funds for reimbursement that the Police Department will receive for the DNA Grant and Safe Routes to School Grant.

F. Resolution to approve the transfer of funds from General Fund Contingency to the Code budget for fuel.

G. Resolution to approve the transfer of funds, within the Code budget, from the Office Equipment line to cover Grass and Snow removal.

H. Resolution to approve the transfer of funds, within the DPW budget, from the Motor Equipment Repair to Street Cleaning.

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes - 6
Nays – 0

Resolution #166 Adopted by Mayor _____ Vetoed by Mayor _____

RESOLUTION #167 OF 2011 – Resolution to approve changing the language in B and D from pursuant to honor as follows:

B. Resolution to approve the transfer of funds from the Water Fund Transmission & Distribution account for contractual salary increases to honor the Collective Bargaining agreements.

C. Resolution to approve the transfer of funds from the Water Fund Contingency for expenses.

D. Resolution to approve the transfer of funds from General Fund Contingency for contractual benefit increases to honor the PBA's new contract.

E. Resolution to approve the recognition and appropriation of funds for reimbursement that the Police Department will receive for the DNA Grant and Safe Routes to School Grant.

F. Resolution to approve the transfer of funds from General Fund Contingency to the Code budget for fuel.

G. Resolution to approve the transfer of funds, within the Code budget, from the Office Equipment line to cover Grass and Snow removal.

H. Resolution to approve the transfer of funds, within the DPW budget, from the Motor Equipment Repair to Street Cleaning.

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes – 6
Nays – 0

Resolution #167 Adopted by Mayor _____ Vetoed by Mayor _____

Motion to go into Executive Session:

To discuss personnel matters relative to the Code Office and Waste Water Treatment Plant.

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes – 6
Nays - 0

Motion to come out of Executive Session:

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes – 6
Nays – 0

Adjournment

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes – 6
Nays – 0

I, JUDI CHAMBERLIN, CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 2ND DAY OF AUGUST 2011. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HER CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.

JUDI CHAMBERLIN, CITY CLERK

MAYOR FEISZLI