



City Council Minutes
The City of Cortland
November 1, 2011

Council Meeting #23
November 1, 2011
Regular Session
City Hall
7:00 PM

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

Absent: Alderman Hayes

Staff Present: Director of Administration and Finance Mack Cook, City Clerk Judi Chamberlin, Corporation Counsel Patrick Perfetti

Mayor Feiszli called the twenty-third Common Council meeting of the year to order at 7:06 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Anne Doyle noted that Mike Holland passed away suddenly on Saturday. She thanked the Council members for serving the City and for the good job they've done. She noted that they educated themselves about City government, learned to work together and she was pleased with the progress made. She thanked Mayor Feiszli for the good job she had done and to all the people who worked for the City. She asked city residents to watch what is going on in their neighborhoods, to get involved and to contact someone if something doesn't look right. She asked that residents become active in Neighborhood Watch and she urged all of them to vote next Tuesday.

Jo Schaffer spoke about the passing of Mike Holland. She noted that she had known and worked with him for many years. She stated that he passed away very suddenly while bringing relief items to people in the Southern Tier. She noted that he continually worked to improve "Town and Gown" relationships here in the City and that as part of that commitment; he had also worked on the Rental Permit Committee. She wanted to ask for a moment of silence or reflection to remember him.

Mike Dexter thanked all who serve the City. He noted that his parents also served the City and it wasn't an easy job. He spoke about Veteran's Day on November 11. He asked that residents take the time to attend some type of ceremony to thank and honor veterans. He listed a number of events taking place around the community. He also acknowledged and

thanked the work done by Diane and Barry Batzing and Jim Maloney of National Grid for their work on Pendleton Street on October 11, pruning and trimming trees.

AGENDA:

RESOLUTION #225 OF 2011 - Minutes for the October 18, 2011 Meeting.

By: Alderman Quail
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

Resolution #225 Adopted by Mayor _____ Vetoed by Mayor _____

Bills were reviewed, approved and filed.

Alderman Michales noted that they were reaching the end of the year and he didn't want a large spend down at the end of the year. He asked Director of Administration and Finance Cook to monitor that.

Director of Administration and Finance Cook stated that they were purchasing items as needed and he did not observe purchases of excessive office supplies. He noted that he would pass that message along to the Department Heads.

Alderman Michales spoke about his memories of Mike Holland.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Michales noted that he had also fielded some garbage issues in his Ward. He thanked Alderman Quail for his work in weed clean up. He alerted residents to lock their cars as there has been a rash of incidents citywide.

Alderman Ferrer thanked the DPW and the Code Office for handling some garbage issues on Charles Street that he had referred to them. He will work with Alderman Craig and Chris Bistocchi and the Police Department regarding a parking issue on Stockton by Hyde's Diner. He noted the problem was most noted first thing in the morning.

Alderman Quail expressed his condolences to Mike Holland's family. He noted some memories of working with Mr. Holland. He has also been working with the Code Office on some issues. He received a thank you regarding the resolution to Pendleton Street flooding.

Alderman Craig expressed his condolences to Mike Holland's family noting his commitment to youth sports.

Alderman Tobin noted that cars are being broken into in his Ward as well. He reminded everyone that November 12 is the Cortland/Ithaca football game. He stated that he would

spearhead a volunteer clean up committee to clean up on Sunday morning. He urged being pro-active with student residents about being more responsible on the Saturday night of the event. He noted that it was an away game, but that many out of town visitors were expected in town. He asked for donations of bags and volunteers. Alderman Quail volunteered as well. He also expressed his condolences to Mike Holland's family.

Mayor Feiszli announced that to save money, the DPW will not be sending out a mailing regarding leaf pick-up schedules. She asked that residents watch Channel 2 and to refer to the Cortland Standard for schedules and information. She noted that brush pick-up was now suspended.

Mayor Feiszli expressed condolences to Mike Holland's family and noted that she would like to have a moment of silence later in the meeting and to read a memorial to him.

AGENDA:

Item No. 1 – Discussion regarding Gary Thomas, Cortland Housing Authority, to appeal to the Common Council seeking exemption from City Building Permit Application Fees for Pomeroy Apartments.

Mayor Feiszli noted that Mr. Thomas had asked her about a month ago to waive the five thousand (\$5,000) dollar building permit fee for Pomeroy Apartments. She noted that prior administrators had waived the fees, but that they had been paying property taxes at that point. She explained that this year they had filed for a 501 (c) 3. She noted that in 1998 the Council had waived inspection fees for the Cortland Housing Authority.

Gary Thomas spoke for the Cortland Housing Assistance Council not CHAC. He gave the history of the Pomeroy Apartments. He noted that they are tax exempt, but have not utilized that not-for-profit exemption and gave the amount paid over the years. He outlined the work that needed to be done at this property to make it a quality residence for people who are less fortunate. He explained that they are now losing money and need to cut expenses and he had come to the Mayor to discuss this. He explained that they had applied for a State grant for a new roof and had to do more work than planned for. He explained the severe monetary shortfall and asked for some assistance from the City. He noted that the State asked them to claim their exemption status because they were running in the red and starting August 2012, they will stop paying taxes on this property to try to establish Repair and Operating Reserves.

Mayor Feiszli noted that CHAC has other not-for-profit properties in the City and Mr. Thomas agreed. She referred to the Council resolution waiving the inspection fees. Mr. Thomas noted that may have been given to the Cortland Housing Authority, but the Cortland Housing Assistance Council has never come to the Common Council to ask for any inspection fee waivers.

Mayor Feiszli noted that the total project was one hundred forty-two thousand (\$142,000) dollars and the request is for a waiver of the building permit fees. Mayor Feiszli noted that the YWCA had paid for their permit. She asked Chief Glover if there had been any past practice with any other not-for-profit.

Chief Glover noted that the fire inspection fees had been waived and Corporation Counsel Perfetti agreed. Corporation Counsel Perfetti noted that this was a policy decision that needed to be made by the Common Council.

Mr. Thomas noted that this job could encounter unseen problems and additional expenses. Alderman Ferguson sympathized, but felt that if the Council approved the waiver request that they would be opening the door to something that would affect the City in the future and personally, she did not feel that it was in the best interest of the City.

Alderman Michales asked Mr. Thomas how long they had been operating in the red. Mr. Thomas stated that it was the last two (2) years. He explained that tenant resources were restricted and also the tenant population was hard on those apartments as well. Alderman Michales asked if they received other subsidies to offset some of the costs for these tenants. Mr. Thomas stated that they did not, but noted that the tenants received the subsidies. He explained that if they accepted the State's money, they would have to enter into a fifteen (15) year agreement with the State to keep the rents to residents at a low income level. Mr. Thomas noted that the apartment building had opened in 1993.

Mr. Thomas explained how they had gotten into the red and he gave some examples. He noted that twenty-eight (28) out of thirty-three (33) apartments are currently filled and they had run a one (1) percent vacancy rate in the past, but not currently, due to much newer units coming into the market for the same price.

Alderman Ferguson asked how much the State roof grant was for. Mr. Thomas noted that it was for one hundred eighty thousand (\$180,000) dollars and he gave a brief breakdown of what that covered besides the roof. Alderman Ferguson noted that the grant funds had been received some time ago and she asked Mr. Thomas to explain the hold-up in the project. Mr. Thomas explained that the grant was received over two (2) years ago and he explained the environmental testing that had to be done before this project could even begin and other items that the State required before roof work and repairs could be done.

Mayor Feiszli asked for a motion or if the Council would like more information. The Council asked for more information regarding the waiving of fees in the past. Mayor Feiszli asked Chief Glover if building permit fee waivers had been granted to not-for-profits. Chief Glover noted that he had thought it was a waiver for building permit fees.

Alderman Michales asked for more clarity on what and what hasn't been paid for in the past. Council members agreed and asked that this be researched by the Director of Administration and Finance and that this request be tabled until that information was provided.

Alderman Tobin asked about some past Council minutes included in the packets and why they were included.

Alderman Michales asked about the use of assigned parking spaces at Pomeroy Apartments. Mr. Thomas explained the use of a portion of the property leased as a

daycare center and the impact on the parking situation. He also explained the process used to allow Pomeroy Apartments residents to park their cars.

Mayor Feiszli asked if they had a tenant representative to help residents. Mr. Thomas noted that there was such a representative and he explained the processes used by tenants to report issues. He noted that there was a twenty-four (24) hour on-call telephone person to address emergency issues.

Item No. 2 – Review of Financial and Budgetary Financial Policy.

Director of Administration and Finance Cook asked that other agenda items be moved up.

Item No. 3 – Presentation of contribution to CNY Snap, a Spay and Neuter Clinic in the City of Cortland

Mayor Feiszli gave a background on this organization and the service they performed for the City. She asked Mr. Uhlir and Ms. Noble to accept a check from the City in the amount of two thousand (\$2,000) to assist in their spay/neuter program of feral cats.

Mr. Uhlir gave the history of how the Council's concern for animal problems in the City had created the formation of the Animal Committee which led to the evolution of the CNY Snap Program. He explained that the spay/neutering clinic had been in existence for eight (8) years and they've treated eighteen thousand five hundred (18,500) cats and dogs. He noted that concentration has been placed on offering this service to low income people and in some cases even provide transportation to and from the clinic free of charge. He explained that they have successfully applied for grants and described other ways they raise funds through donations. He noted that clinics take place on most Saturdays and described work done by volunteers.

Mayor Feiszli asked people to consider making donations of old sheets, bleach and laundry detergent for these clinics or to volunteer to work with the cats. She presented a check to SNAP.

Ms. Margaret Noble, a SNAP volunteer, thanked the Council for their donation to the program and invited them to come to a Saturday clinic. She explained that they process about forty-five (45) animals on any given day.

Item No. 2 – Review of Financial and Budgetary Financial Policy.

Director of Administration and Finance Mack Cook gave an update on the Corrective Action Plan. He explained that the IT requirements have been narrowed down and that an RFP had been advertised to centralize payroll and human resources and proposals are due in November 9. An advisory committee is being organized to review those proposals and he invited Council members to join the committee and to be part of the process.

Director Cook explained that an RFP will be going out for accounting software soon. He explained what needs must be met by a new system. He stressed that he was talking about policies, not about accounting procedures, i.e., who does what, when do they do it

and how do they do it. He explained that policies are why we are doing it, what do we want to accomplish, etc.

He explained that in the revenue policy and an expenditures policy. The revenue side talks about investments and how we operate the grants and our debt policy. He noted there was a section to deal with if things didn't go as planned, what were the City's options.

He began with the General Fund Balance and explained where we wanted to be five (5) to ten (10) years from now. He noted that modern governmental financing mission is not to produce a profit, but unless we do and operate efficiently, we can have no other mission. We need to build sound financial practices for the future. He noted that December 2010 there was a fund balance of one million seven hundred eighty-seven (\$1,000,787) dollars. He explained that under GASB-54, that fund balance gets broken down and he gave an explanation of those breakdowns.

He gave an explanation of a committed reserve and how that was achieved by enacting a local law and is used to maintain core services during times of recession. He noted that was something new. He then explained assigned reserves and how these were established by Council resolution and then how these funds could be accessed when necessary. He noted the rest was unassigned fund balance. He explained that unassigned fund balance could be used to set aside funds to finance capital equipment purchases based on a replacement schedule so there is no need to borrow. He gave examples, such as money being set aside yearly to renovate or maintain City parks or redevelopment or land acquisition for public good.

He reviewed items distributed to the Council showing how reserves can build.

Alderman Tobin asked him to explain what is outstanding that yet needs to be done from the Corrective Action Plan.

Director Cook stated that the City needed a receipts procedure, which is the development of a flow chart on the handling of cash receipts. He noted that was the only thing that was not yet being addressed. Everything else has been dealt with. He gave an overview on what was being worked on, where we were with the work and what had already been accomplished.

Alderman Dye was called out of the meeting.

Mayor Feiszli read an article which she felt described Mike Holland best and then requested a moment of silence in his remembrance.

RESOLUTION #226 OF 2011 - Consideration of a resolution to approve a donation from James Yaman for monument renovations and landscaping improvements at Yaman Park.

John McNerney announced the donation of twenty-one thousand one hundred fifty-seven (\$21,157) dollars from James Yaman to Yaman Park. He gave a presentation regarding the history of Yaman Park and outlined how this donation was used throughout the park.

He explained that a donation must be recognized and accepted by the Council. Although not present, Mr. Yaman was recognized by everyone at the meeting for his generosity.

By: Alderman Ferrer
Seconded: Alderman Quail

Approved: Ayes – 6
Nays – 0

Resolution #226 Adopted by Mayor _____ Vetoed by Mayor _____

Motion to go into executive session to discuss matters concerning directives regarding litigation and litigation that has been commenced against the City by one of our bargaining units:

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 6
Nays – 0

Alderman Dye returned to the Council Meeting and entered the executive session.

Motion to come out of executive session:

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

Motion to go into executive session to discuss a labor issue:

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 7
Nays – 0

Motion to come out of executive session:

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 7
Nays - 0

Adjournment

By: Alderman Ferrer
Seconded: Alderman Craig

Approved: Ayes – 7
Nays – 0

I, JUDITH 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 1st DAY OF NOVEMBER 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.

JUDITH CHAMBERLIN, CITY CLERK

MAYOR FEISZLI