



City Council Minutes  
The City of Cortland  
January 3, 2012

Council Meeting #1  
January 3, 2012  
Regular Session  
City Hall  
7:00 PM

Present: Mayor Tobin, Aldermen Bird, Silliman, Dye, Bennett, Quail, Ferrer, Ferguson and Michales

Staff Present: Director of Administration and Finance Mack Cook and City Clerk Judith Chamberlin

Mayor Tobin called the first Common Council meeting of the year to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Public Comment

Ruth Grunberg spoke regarding the sign issue and the Cable Commission. She also noted that there was also the issue of a parade or march issue within the City which should be dealt with. She stated that Time Warner has violated the cable franchise agreement with the City regarding the public access station. She indicated that Channel 2 would not be running in the month of January. She has spoken with the Public Service Commission, who has indicated that this is a violation of the City contract. She felt that they should be fined for this violation or a protest be filed with the PSC. She noted that the consumer couldn't file a notice; the City has to file the notice. She noted that Mack Cook became involved. She asked that the Common Council become involved and become pro-active in this situation.

Mayor Tobin thanked Director of Administration and Finance Mack Cook for following up on this.

**RESOLUTION #1** OF 2012 – Approve the minutes of December 20, 2011.

By: Alderman Ferrer  
Seconded: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

Resolution #1 Adopted by Mayor \_\_\_\_\_ Vetoed by Mayor \_\_\_\_\_

Bills were reviewed

## REPORT OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Quail spoke regarding a garbage problem, reminding constituents that the City is on a regular pick up schedule. He noted that this would be a topic of discussion at this weekend's retreat as he felt that there were many problems, especially with crows.

Alderman Ferrer wished everyone a Happy New Year and he welcomed new Council members.

Alderman Ferguson welcomed all of the new Council members and wished them the best. She also thanked all of the Mayor's choices for accepting positions within his administration and is looking forward to the next two years.

Alderman Silliman noted concerns regarding empty college housing on the hill getting robbed over the break. She stated that 10 Hill Street was robbed. She noted that the caretaker of that building had contacted her and she spoke with both the City and College Police Chiefs regarding this. She noted that they are working to keep their eye on things, but she asked that citizens be vigilant and if they noticed anything to contact the police.

Alderman Bennett wished everyone a Happy New Year. He noted the possibility that in his ward the Food Bag on the corner of Tompkins and Delaware could have a camera installed angling to the rear of the store. He noted that the residents on Park Street had noticed a number of things going on at night in that area and had contacted the police, but the problem persists. He noted that the manager of the Food Bag is open to discussing this matter with the City. He would like to talk with Julie Bird about setting up a Neighborhood Watch. He felt that it was very effective if they were able to set up a program with good participation.

Alderman Bird wished everyone a Happy New Year. She is looking forward to the next two years and doing great things for the City.

Alderman Michales spoke about the garbage issue noting much confusion regarding the pick up schedule around the holidays. He asked that the Mayor or the DPW take the lead on posting the holiday schedule in the newspaper or on the radio to avoid confusion in the future.

Alderman Dye wished everyone a Happy New Year. He stated that he had received some calls indicating disappointment in not having a New Year's celebration in the City this year. He explained that plans were already beginning for a December 31, 2012 celebration.

Mayor Tobin congratulated all of the Aldermen on their election noting that he is looking forward to working with all of them in this term.

### Mayor's Report

Mayor Tobin stated that he has been very busy searching for administrative team members. He reported that he has been working with Mack Cook, Bruce Adams and Gary VanGorder to talk about the Waste Water Treatment Plant regarding EPA standards and issues.

He noted that he has met with Rob Avery and a company representative talking about potential grant opportunities for making the City more green. He also met with Adam Megivern, Downtown Partnership, noting that there are some very civic minded business owners in town and he felt that they were going to be able to pull together a strong New Year's event for next year as well as a couple of other events to come before the Council in the next few months.

Mayor Tobin stated that he, Mack Cook, Alderman Quail, Gary VanGorder and representatives from the rail company met with one of the businesses that received grant money recently awarded by Gov. Cuomo to discuss some of the increased business that will soon be coming into the City.

Mayor Tobin also noted that he met with Gary VanGorder and Thoma Development to discuss different grant opportunities. He wants the Council to know what the project ideas are and to support aggressively pursuing the funds that are necessary so that these programs can be afforded.

Mayor Tobin stated that Director of Administration and Finance Cook has set up a retreat for the Council this weekend. He noted that they will be staying in the City and presenters will be coming in. Discussions will be had regarding the Council's vision for the City and how best to work towards that goal over the next two years.

**AGENDA:**

**RESOLUTION #2** OF 2012 – Consideration of the confirmation of the Mayor's appointment of Alderman Dye to the position of Deputy Mayor for the City of Cortland. (Mayor Tobin)

By: Alderman Quail  
Seconded: Alderman Ferrer

Approved: Ayes – 8  
Nays – 0

Resolution #2      Adopted by Mayor \_\_\_\_\_      Vetoed by Mayor \_\_\_\_\_

**RESOLUTION #3** OF 2012 – Consideration of the confirmation of the Mayor's appointment of Mack Cook to the position of the Director of Administration and Finance for the City of Cortland. (Mayor Tobin)

By: Alderman Ferrer  
Seconded: Alderman Silliman

Approved:                      Ayes – 8  
   Nays – 0

Resolution #3              Adopted by Mayor \_\_\_\_\_      Vetoed by Mayor \_\_\_\_\_

**RESOLUTION #4** OF 2012 – Consideration of the confirmation of the Mayor’s appointment of Kelly M. Colasurdo, Esq. to the position of Corporation Counsel for the City of Cortland. (Mayor Tobin)

Alderman Bennett asked about a possible conflict of interest regarding Ms. Colasurdo and current litigation with employees of the Waste Water Treatment Plant.

Ms. Colasurdo noted that to the best of her knowledge, her firm of Riehlman, Shafer and Shafer does not currently represent any of the litigants, but she will check with the firm partners tomorrow.

Director of Administration and Finance Cook noted that there was a single pending issue with Mr. McCall of the Waste Water Treatment Plant. He noted that Riehlman, Shafer and Shafer is representing Mr. McCall and Atty. Alan Peterman is representing the City.

Alderman Bennett asked Atty. Colasurdo if she had heard anything regarding this case. Atty. Colasurdo stated that she had not. Alderman Ferguson asked that Atty. Colasurdo to clear up an issue which was published regarding her experience.

Atty. Colasurdo stated that she had worked in Ohio for ten (10) years in-house for engineering companies. She noted that those companies did a great deal of work for municipalities all over the Midwest and she is familiar with liability issues, contracts, etc. She also has a background in HR and employment law. She noted that since moving back to New York and working with Riehlman, Shafer and Shafer, she has gained experience with working with townships, fire districts in Cortland, Onondaga and Madison Counties. She has worked on a couple of projects involving local financing law and general municipal law. She has spoken with three (3) former Corporation Counsels for the City of Cortland regarding her background and the requirements for the position and they all have supported her and have offered to serve as resources for some of the issues if asked.

Alderman Ferguson noted that she has spoken with Atty. Colasurdo and several others. Those persons she has spoken with had nothing but praise for Atty. Colasurdo, but she is concerned regarding Riehlman, Shafer and Shafer and thought that perhaps the firm should sign something regarding confidentiality. Atty. Colasurdo agreed to do that.

Alderman Michales noted that the Council would be hard pressed to find any attorney that assumed this position to not be involved with something along the lines that we may come across. Alderman Ferguson agreed and she noted that she had received some calls.

Mayor Tobin noted that some of the comments in the newspaper may have been made by him. He explained that her experience was working with municipalities and not for municipalities and he will make every effort to be clearer in the future about his statements.

By: Alderman Bird  
Seconded: Alderman Michales

Approved: Ayes – 8  
Nays – 0

Resolution #4 Adopted by Mayor \_\_\_\_\_ Vetoed by Mayor \_\_\_\_\_

**RESOLUTION #5** OF 2012 – Consideration of the confirmation of the Mayor’s appointment of Judith Chamberlin to the position of City Clerk for the City of Cortland. (Mayor Tobin)

By: Alderman Ferguson  
Seconded: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

Resolution #5 Adopted by Mayor \_\_\_\_\_ Vetoed by Mayor \_\_\_\_\_

**RESOLUTION #6** OF 2012 – Consideration of the confirmation of the Mayor’s appointment of Kenneth J. Teter, P.E. to the position of City Engineer for the City of Cortland. (Mayor Tobin)

By: Alderman Ferrer  
Seconded: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

Resolution #6 Adopted by Mayor \_\_\_\_\_ Vetoed by Mayor \_\_\_\_\_

**RESOLUTION #7** OF 2012 – Consideration of the confirmation of the Mayor’s employment of Steven Rhea to the position of Administrative Assistant to the Law Department. (Mayor Tobin)

Alderman Dye asked if Mr. Rhea would act as go-between to the Law Department. Mayor Tobin stated that the intention was for Mr. Rhea to assist the Mayor and the Law Department. Mayor Tobin has discussed the responsibilities of this position with Director of Administration and Finance Cook and he felt that Mr. Rhea will be a tremendous asset to the City in a number of ways. Mayor Tobin noted that this position was budgeted for in the Law Department and he worded the resolution to reflect that.

By: Alderman Ferrer  
Seconded: Alderman Silliman

Approved: Ayes – 8  
Nays – 0





**FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME  
REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO  
POWER.**

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**JUDITH CHAMBERLIN, CITY CLERK**

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**MAYOR TOBIN**