



## City Council Minutes The City of Cortland

May 3, 2005

**Council Meeting #9  
May 3, 2005  
Regular Business Meeting  
City Hall  
7:00 PM**

Present: Alderman Faraoni, Terwilliger, Guido, Quail,  
Feiszli, Partigianoni and Michales

Staff Present: Director of Admin. & Finance Andrew Damiano &  
Corporation Counsel Lawrence Knickerbocker

Mayor Gallagher calls the ninth Common Council meeting of the year to order at 7:00 PM.

### PLEDGE OF ALLEGIANCE TO THE FLAG

### PUBLIC COMMENT

Judy Chamberlain of 84 Maple Avenue was there to address the flood issues. Their area was hard hit and it's the third flood that's hit that area since she has lived in the area. It's disheartening that nothing has been done about the storm water and the deterioration of the infrastructure and the creeks. Residents were assured that when the Maple Avenue bridge was redone that this would not happen again. Something needs to be done. She understands that there is FEMA money available and programs that can be applied for by both homeowners and the City and County. This might take care of the infrastructure, the creeks, etc., and other problems. The City needs to do something to address this.

Mike Dexter, a local resident, was there to discuss the quarter million dollars spent on the new parking area on Groton Ave. He walked the street on Sunday and noticed that of the twelve (12) trees planted on the side hill; one is missing, four are alive and seven are on their way out. The

dumpsters were overflowing and do not add to the appearance of the lot and the trash was quite visible. The trees should be replanted after the City evaluates what their recourse should be.

MINUTES of April 19, 2005

**RESOLUTION #48** OF 2005 – Approve the minutes of April 19, 2005 as amended.

By: Alderman Michales  
Seconded: Alderman Faraoni

Approved: Ayes – 7  
Nays – 0

Bills were reviewed and received.

MAYOR'S REPORT

He participated in the selection of a Senior Citizen of the Year with the Office of the Aging and attended the Cortlandville Town Meeting on the zoning proposals in reference to Wal Mart. He attended the retirement ceremony for Officer Tom Brady and met with Leadership Cortland to further discuss the Little League ball fields. He did a radio interview with Eric Haesche of WDRX Christian Radio.

He met with four business owners on Kennedy Parkway to further discuss mitigation of the drainage situation from the flooding. He attended the House Confab and participated in a lengthy discussion and presentations for refurbishing rundown housing properties in the City. He spoke at the SUNY Cortland student recognition awards ceremony, as well as attended the 1890 House Annual Reception and the Firemen's Annual Dinner. Congratulations to Duane Pierce who was given the Terry Bulger Memorial Award for dedication to service and family. Also, congratulations to John Shevalier, Kevin Bradley and Gene Egan on their retirement from the Cortland Fire Department.

He attended the FEMA public assistance meeting at Cortlandville Town Hall. He attended the Cortland Memorial Hospital Physician of the Year Awards. He offered his congratulations to Dr. Dean Mitchell on his being named Physician of the Year. He attended the ribbon cutting ceremony at

the new recycling center. A reminder that the Business Showcase is this Saturday, May 7 at the McDonald Sports Complex and on May 19 the Family Health Dental Clinic on Groton Ave. will hold their grand opening at 3:00 pm. The Senior Games are at SUNY Cortland from June 7-12 and the Cancer Relay for Life Walk is on June 17 in the evening.

The Council proceeded to go through the meeting agenda prior to the Ward reports.

**RESOLUTION #49** OF 2005 – Approve a resolution recognizing CSEA Local 1000, AFSCME, AFLCIO as the exclusive representative for the employees currently covered by the same organization with two separate agreements (combines the two units).

Discussion ensued inquiring whether the new group would use the same Union negotiator and what would the new unit do for a president. Mr. Damiano indicated that the combined units would have only one president and the CSEA negotiator that worked on both units' behalf would be representing the new unit. Both units have agreed on this merger and now that must be recognized by the Council before they can proceed further.

By: Alderman Faraoni  
Seconded: Alderman Guido

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #50** OF 2005 – Approve a resolution amending Chapter 300 of the Code of Ordinances by adding Section 300-68 relating to “Clear View and Vision”.

Discussion ensued regarding the language. The language was pre-existing, but was inadvertently omitted and now must be approved to be added back in. It now gives the tree ordinance a little more teeth and the Landscape and Design Committee could amend their distance to coincide with this Code Section.

By: Alderman Guido  
Seconded: Alderman Feiszli

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #51** OF 2005 - Approve a resolution amending Chapter 300 of the Code of Ordinances by adding Section 300-104(E), (F) and (G) relating to obstruction of light, air and vision by signs.

There was a brief question regarding the prior status of the language. It was the same situation as Section 300-68, inadvertently omitted.

By: Alderman Guido  
Seconded: Alderman Faraoni

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #52** OF 2005 - Approve a resolution authorizing the temporary closure of a number of streets on June 19, 2005, to hold the annual St. Anthony's Parade.

By: Alderman Partigianoni  
Seconded: Alderman Quail

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #53** OF 2005 - Approve the appointment on Don Hay to fill the unexpired term of Diann Potter on the Waste Water Treatment Board.

By: Alderman Guido  
Seconded: Alderman Faraoni

Approved: Ayes - 7  
Nays - 0

**RESOLUTION #54** OF 2005 - Approve the re-appointment of Scott Snyder and Francis Quinlan to the Cortland Housing Authority Board.

There was some discussion as to how individuals were chosen for re-appointment and it was indicated that it was by recommendation of the Housing Authority and the Council confirms them.

By: Alderman Partigianoni  
Seconded: Alderman Quail

Approved: Ayes - 6  
Nays - 1

The Mayor referred the Council to a memo regarding Amnesty Week. The Mayor is proposing that the City participate on May 13 & 14 at Contento's on Pendleton St. It will be manned and sorted. The County has put it in the paper and the City will put it in also and acceptable items will be listed.

Alderman Feiszli indicated that she would be posting her Ward report on the website and she was excused early.

Alderman Partigianoni asked if there could be an update from the Mayor on the Little League ball fields. He indicated that more work was needed on them. All groups involved with this were there to answer and ask questions. One of the questions was regarding soccer team use of the fields, i.e., scheduling, fencing, etc. There was also some discussion regarding parking which will be available at the fairground, the P & C and the fair people and the sports complex people are in negotiations with the church. This was in regard to parking on the field. It was asked if there was extra space for parking at the Armory and it was indicated that there won't be any parking there.

Ward 1 - Alderman Faraoni

There will be a meeting of the 1<sup>st</sup> Ward being sponsored by Dr. Paul Giovanni and Alderman Faraoni on Weds., May 4 at 7 PM at the Cortland Memorial Nursing Facility in the Assembly Room. CMH CEO Brian Mitter will be the guest speaker and Paul Allen who will discuss the recycling program at the County. There will also be a discussion of the erosion of Dry Creek and refreshments will be served. He also feels that the Council should be talking about a possible future Department Head for the Water Department to relieve Mr. Damiano of some of the workload that he has.

Ward 2 - Alderman Terwilliger

She will be drafting a letter to do with the aquifer as Cortlandville will be voting on the aquifer on May 18 and many people in her ward have been asking her about where she stands on the issue. She wants to do anything

to protect the water source to the City and to let everyone know that if they wished to attach their name to her letter that it would be available at the end of the week. Her constituents that were at the Council meeting to speak about Otter Creek issue had been in contact with her earlier and she has been talking with Scott Steve about that. She also wanted to know if there was any progress on Andrew Pierce's request (Drew's Dogs) regarding the awning. Corporation Counsel Knickerbocker replied that because it was public property, that would have to be put up for bid before any type of lease arrangement could be done with full insurance, etc. Also that piece of property was listed on the Historical Site when the Chinese restaurant was torn down and SHIPO gave the City a lot of grief about the demolition without their approval, even though the building was condemned. They indicated that anything that was going to be placed in that area had to receive their approval. Maybe that can be waived at this point in time, but that has to be checked on. It also will have to go before the Planning Commission for a Site Plan Review and there is the possibility that because an awning would have to be bolted to the building that that portion would come under the façade grant. So there are issues that need to be dealt with. Mr. Damiano has met with Mr. Pierce and he understands that the City supports his idea, but there are issues and that it would take some time. If work is done without SHIPO's approval, there could be some problem with the \$900,000 grant program. Alderman Terwilliger apologized to all Department Heads who were offended by the article in the newspaper. She, by no means, meant to imply that Department Heads have not been dedicated to the City in regard to the local law that has been under discussion by the Council regarding residency. Corporation Counsel Knickerbocker is still researching some residency policies of other cities. His hope is to have some information out before the next Council meeting.

#### Ward 4 - Alderman Guido

He offered congratulations to Officer Brady on his retirement and thanked him for his many years of service. He had a call regarding speeding cars coming off of Tompkins onto Pearl. He contacted Lt. Geaslin who lives in the neighborhood and the Sheriff's Department has put up the radar unit there for a few days and will be putting it on York St. so that people are aware of that. He submitted a letter to the NYSDOT regarding a clear sight issue because of parking along Tompkins St. near the College entrance. He contacted the Records Dept. and got data on accidents and other information and submitted that also. He hopes that the issue can be resolved by the summer before students come back. He also had a

reminder to adults that ride bicycles, that riders over twelve (12) must not ride on the sidewalk. He noticed that adults were riding on the sidewalk near the Waterworks.

#### Ward 5 - Alderman Quail

He held a Ward meeting in conjunction with the 8<sup>th</sup> Ward at the East End Community Center on April 27. Sgt. Carpenter gave everyone a good review of the Neighborhood Watch program and updated them on the latest arrests and the large number of crimes committed by the individuals that were apprehended. They discussed recycling and he received a positive response. He thanked everyone for appointing Diane Batzing and Mary Leary, 5<sup>th</sup> Ward residents, to the Landscape and Design Commission. He thanked Alderman Faraoni for bringing up the topic of a future Department Head for the Water Board. He would like to get that on Mr. Knickerbocker's agenda. He would like to congratulate the retirees for all of their years of service, Officer Brady, Carol Sonnacchio, as well as John Shevalier, Gene Egan, Roy Maney, Mike Giamichael and Kevin Bradley from the fire department. He attended the Firemens' Annual Dinner and the SUNY Cortland Welcoming Weekend, greeting the incoming freshman who will be attending the school next fall. He left them with the theme that they bring energy and vitality and economic prosperity to the community, but not to forget to be a good neighbor. He spoke at the 10<sup>th</sup> Anniversary at the Youth Bureau. He gave a brief history of the Youth Bureau and the Recreation Commission. He attended the 1890 House gathering. He named all of the retirees and thanked them for their dedication.

#### Ward 7 - Alderman Partigianoni

The news in his Ward is the road paving, so he gave an update on which streets were done and what was to be expected on River Street. Next week they will be picking up brush, weather permitting and that will interrupt the paving progress a bit. He attended the ribbon cutting ceremonies at the Recycling Center. He was impressed and understands that operations begin on Wednesday. The Community Center Advisory Committee met last night finalizing plans for their June 5 Opening Celebration. More will be forthcoming. He announced that May is Senior Citizens' Month and wanted to remind them they needed to renew their applications by June 1 if they wished to receive their STAR discount. The new East End Bakery opened last week and the response was overwhelming. They sold out almost every day. He attended the Annual Firemens' Dinner at the Elks Club and

it was an enjoyable event. He congratulated Duane Pierce on his award and wished the retirees good luck.

#### Ward 8 - Alderman Michales

The joint 8<sup>th</sup> & 5<sup>th</sup> Ward meeting went well. The 8<sup>th</sup> Ward is also in the process of getting signs placed within the Ward within the next few weeks. He attended the 10<sup>th</sup> Anniversary of the Youth Center and the Annual Firemens' Dinner. There have been several calls referred to the Code Office in the past several weeks. Anyone using Huntington and Randall Streets as a shortcut from the South Main construction, please abide by the 15 MPH speed zone posted for the school district. Police are in the area. He also wanted to make a special note that last year on Memorial Day there weren't many flags showing on Main Street and he was hoping that those would be added to this year in show of support for our veterans. The Mayor mentioned that the DBA should be contacted.

Alderman Quail wished to thank the SUNY Cortland students for helping to clean up the streets a few weeks ago.

The Mayor updated the Council on the FEMA meeting at the Cortlandville Town Hall. They received three hours of information on public assistance. It looks like maybe 67% (if he did the math right) of possibly being reimbursed to the City for whatever happened. There is a lot of mitigation that needs to be done in the City. He walked up Dry Creek from Helen and it's in bad shape where Otter Creek is. They will have a Kick Off meeting with FEMA and bring a very detailed report on the projects and costs. That will be done shortly after a meeting with the staff in regards costs for equipment, overtime, etc., used in the flooding. It was very informational. FEMA is here to help. There are many problems and there are problems with storm sewers and the Kennedy Parkway situation. All of these areas will be addressed.

#### **Adjournment**

By: Alderman Quail  
Seconded: Alderman Michales

Approved: Ayes - 6  
Nays - 0



**I, JOHN O. REAGAN, 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 3<sup>RD</sup> DAY OF MAY 2005. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

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**JOHN O. REAGAN - CITY CLERK**

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**MAYOR THOMAS GALLAGHER**