

## COMMON COUNCIL AGENDA May 21, 2019

- 7:00 PM
- Call Meeting to Order
  - Salute to the Flag of the United States
  - Public Comments
  - Mayor's Report – DC Knickerbocker 25 years
  - Minutes
  - Proclamation – Little Free Library week (May 26-31, 2019)
    - National Aphasia Awareness Month (June)

### **AGENDA:**

**Item #1** – Consideration of a Resolution to approve the special event application and all other required applications for SUNY Cortland Sesquicentennial Closing on July 11-14, 2019 in Courthouse Park. (Erin Boylan)

**Item #2** – Consideration of a Resolution to approve and waive fees for the special event application and all other required applications for .5k un-Run on September 14, 2019 from 10AM-2PM. (Jean Rightmire)

**Item #3** – Consideration of a Resolution to approve the special event application and all other required applications for the Lunar Landing Celebration on July 18-19, 2019. (Bonnie Quackenbush)

**Item #4** – Consideration of a Resolution to approve the special event application and all other required applications for Cortland Corsets to Cogs Steampunk Festival on September 27-29, 2019. (Bonnie Quackenbush)

**Item #5** – Consideration of a Resolution to subordinate the City's mortgage on 176 Main Street, Cortland, owned by Mark Skodzinsky to the interest of Tompkins Trust Company to facilitate a first mortgage on the property per the attached memo (Thoma Development)

**Item #6** – Consideration of a Resolution to submit comments to NYSDEC on the Draft Watershed Implementation Plan Phase III document. (Bruce Adams)

**Item #7** – Consideration of a Resolution to create a part time Account Clerk position not exceeding 17 hours per week at the Public Works Department. (Chris Bistocchi)

**Item #8** – Consideration of a Resolution to lift the hiring freeze and fill the newly created Account Clerk position at the Department of Public Works. (Chris Bistocchi)

**Item #9** – Consideration of a Resolution Authorizing the Director of Administration and Finance to Apply for and Execute an Agreement with NBT Bank, N.A. for an Irrevocable Letter of Credit in the Amount of \$610,200 in Favor on National Grid, Inc. (Mack Cook)

***Whereas,** City of Cortland entered into an agreement for an investment grade audit with SmartWatt Energy, Inc. for energy conservation and management services AND*

***Whereas,** projects have been identified as part of the investment grade audit to improve energy efficiency at City of Cortland, and*

***Whereas,** areas are in need of upgrades, energy usage can be reduced and City of Cortland desires to implement energy savings, and*

***Whereas,** the savings will be used to fund the expense of the improvements, and*

***Whereas,** the Common Council has reviewed and approved of this project, and*

***Whereas,** to proceed with these projects it is necessary to accept the National Grid street lighting infrastructure sales proposal, and*

**Whereas**, the State of New York Public Utilities Commission authorizes the itemized pricing proposal to include a firm security, transaction and transition costs. The security represents the National Grid’s estimated cost to install all required disconnect devices, and it must be in a form acceptable to the National Grid. If the City fails to install the required disconnect devices within 24 months of the sale, the National Grid will perform such work and retain the security. The transaction costs consist of: transfer taxes; recording fees; and mortgage indenture release fees. Likewise, the transition costs consist of: costs related to internal system inventory updates; billing data changes; and data updates associated with the sale, and

**Whereas**, National Grid has established the disconnect device security deposit to be \$610,200 refundable upon successful installation of the required disconnect devices and

**Whereas**, the required security deposit can be cash or an irrevocable letter of credit.

**Therefore Be It Resolved**, that the Director of Administration and Finance is authorized to apply for and execute an agreement with NBT Bank N.A 52 S. Broad Street, Norwich, NY 13815 for an irrevocable letter in the amount of \$610,200 in favor of National Grid, Inc. to be established by U.S. Bank National Association, Global Documentary Services, 555 SW Oak Street, Portland OR, 97204.

**Item #10** – Consideration of a Resolution Authorizing the Execution and Delivery of National Grid Street Lighting Purchase and Street Lighting Infrastructure Upgrade and a Tax Free Equipment Lease Agreement and Related Documents and Measurement and Verification Services Agreement. (Mack Cook)

**Whereas**, City of Cortland entered into an agreement for an investment grade audit with SmartWatt Energy, Inc. for energy conservation and management services AND

**Whereas**, projects have been identified as part of the investment grade audit to improve energy efficiency at City of Cortland, and

**Whereas**, areas are in need of upgrades, energy usage can be reduced and City of Cortland desires to implement energy savings, and

**Whereas**, the savings will be used to fund the expense of the improvements, and

**Whereas**, the Common Council has reviewed and approved of this project, and

**Whereas**, to proceed with these projects it is necessary to accept the National Grid street lighting infrastructure sales proposal, and

**Whereas**, to proceed with these projects it is necessary to accept the SmartWatt Energy, Inc. street lighting infrastructure upgrade proposal, and

**Whereas**, per the agreement with SmartWatt Energy, Inc. there should be no net city cost, it is now desired to approve the financing of this Project, at a maximum estimated cost of \$2,400,000 and to authorize various actions with the best financing option available.

**Whereas**, it is necessary to enter into a Measurement & Verification, and Support Services Agreement with SmartWatt Energy, Inc., to delineate the terms of the agreement and document the guaranteed energy savings.

**Therefore Be It Resolved** the Mayor of the City is hereby authorized to enter into an Implementation Agreement with SmartWatt Energy, Inc., in substantially the form as is on file with the Clerk of the City, and

**Be It Further Resolved** that upon the review and approval of the Corporate Council, the Mayor of the City, is hereby authorized to execute the Lease and related escrow contract in order to finance the Project described in the preambles hereof, and

**Be It Further Resolved** that the Mayor of the City is hereby authorized to enter into a Measurement & Verification, and Support Services Agreement(s) with SmartWatt Energy, Inc., in substantially the form as is on file with the Clerk of the City, and

**Be It Further Resolved** that the mayor of the City is hereby authorized to execute the National Grid street lighting infrastructure sales purchase proposal.

**Be It Further Resolved** that the City’s Director of Administration and Finance and other officers of the City are hereby authorized to take all action necessary or reasonably required in order to effectuate the intent of this resolution, and  
**Be It Further Resolved** that this resolution shall take effect immediately.

**Item #11** – Consideration of a Resolution Authorizing Application for a Local Government Efficiency Grant to Fund Operation and Maintenance Costs Associated With the Gutches Lumber Sports Complex. (Mack Cook)

**Whereas**, The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Local Government Efficiency Program, and

**Whereas**, the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and

**Whereas**, the LGE program is designed to promote and support the State’s Shared Services Initiative, and

**Whereas**, The City of Cortland and the Town of Cortlandville are engaged in the joint management, planning, promotion, operations and maintenance of the Gutches Sports Complex, and

**Whereas**, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$200,000 for each local government involved in the project, not to exceed \$1,000,000, and

**Whereas**, the local match requirement for implementation of a plan is 10 percent of the plan’s total costs.

**Therefore be it Resolved**, that the City is authorized to participate in the submission of a Local Government Efficiency Grant application to fund the management, planning, promotion, operations and maintenance of the Gutches Sports Complex.

**Item #12** – Consideration of a Resolution Authorizing a Contract Between the City of Cortland and the Town of Cortlandville for the Provision of Recreation, Youth Services/Counseling and Parks Services. (John McNerney)

**Whereas**, the City of Cortland (City) maintains through its Youth Bureau facilities and personnel for recreation, youth services and Parks, and

**Whereas**, the Town of Cortlandville (Town) desires to retain the services from the City necessary to provide its residents facilities and personnel for Recreation Programs, Youth Services/Counseling and Parks, and

**Whereas**, the City and the Town mutually desire to enter into a contract for the provision of such services from the period commencing January 1, 2019 and ending December 31, 2019 for the sum of \$86,700.00.

**Be It Resolved that**, the City of Cortland is authorized to entered into a Contract with the Town of Cortlandville for the period of one year commencing on January 1, 2019 for the amount of \$86,700.00 for the provision of recreational programs, youth services/counseling and parks.

**Item #13** – Consideration of a Resolution Authorizing Application for a Local Government Efficiency Grant to Fund an Engineering Evaluation and Cost Estimate to interconnect the City of Cortland’s and Town of Cortlandville’ s Water Supply and Distribution System. (Mack Cook)

**Whereas**, *The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Local Government Efficiency Program, and*

**Whereas**, *the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and*

**Whereas**, *the LGE program is designed to promote and support the State’s Shared Services Initiative, and*

**Whereas**, *the City of Cortland and the Town of Cortlandville operate and maintain independent water supply and distribution systems, and*

**Whereas**, *there may be opportunities to demonstrate potential financial savings through new and modernized operations and service delivery upon completion of the planning process, and*

**Whereas**, *the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$12,500 for each local government involved in the project, not to exceed \$100,000, and*

**Whereas**, *the local match requirement for implementation of a plan is 50 percent of the plan’s total planning costs.*

**Therefore Be It Resolved**, *which the City is authorized to participate in the submission of a Local Government Efficiency Grant application to evaluate the feasibility and potential cost of interconnecting the City of Cortland’s and Town of Cortlandville Water Supply and Distribution Systems.*

**Item #14** – Consideration of a Resolution Authorizing Application for a Local Government Efficiency Grant to Fund Phase 4 of the Smart Water Meter Upgrade Project. (Mack Cook)

**Whereas**, *The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Local Government Efficiency Program, and*

**Whereas**, *the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and*

**Whereas**, *the LGE program is designed to promote and support the State’s Shared Services Initiative, and*

**Whereas**, *The City of Cortland and the Village of Homer are engaged in a joint water meter upgrade project funded by previously awarded LGE grants, and*

**Whereas**, *approximately 50 percent of the residential water meters in both municipalities have been replaced, and*

**Whereas**, *both municipalities desire to jointly continue the project till completion, and*

**Whereas**, *the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$200,000 for each local government involved in the project, not to exceed \$1,000,000, and*

**Whereas**, *the local match requirement for implementation of a plan is 10 percent of the plan’s total costs.*

**Therefore Be It Resolved**, *that the City is authorized to participate in the submission of a Local Government Efficiency Grant application to fund Phase 4 of the Smart Water Meter Upgrade Project.*

**Item #15** – Consideration of a Resolution to Authorize the Submission of a Brownfield Area Opportunity Grant. (Mack Cook)

**Whereas**, *the State of New York has allocated \$2 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Brownfield Area Opportunity Program, and*

**Whereas**, *the purpose of said program is to fund predevelopment activities within a designated Brownfield Opportunity Area (BOA), and*

Whereas, included among the enumerated eligible pre-development activities is the development of plans and specifications, and **Whereas**, the BOA grant program will give priority consideration to proposals which demonstrate they will advance downtown revitalization and strategic place making through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family, and

**Whereas**, there are two sites, (1) Noss Park and (2) Wickwire Factory, on South Main Street that are both in the City's designated BOA and adjacent to the defined geographical area encompassing the City's Downtown Revitalization award, and

**Whereas**, the BOA grant program will provide funding for 90% of the cost of pre-development activities up to \$300,000, and **Therefore, Be It Resolved**, that the Common Council of the City of Cortland authorizes the submission of Brownfield Area Opportunity Grant and so designates Mack Cook, Director of Administration and Finance, as the City's authorize representative for purposes of such submission, and

**Be It Further Resolved**, that the identified study areas are Noss Park and the former Wickwire Factory site on South Main, and

**Be It Further Resolved**, that the predevelopment project is the design and specifications of a joint Police Department Headquarters and Youth Bureau/Community facility, and

**Be It Further Resolved**, that the City is requesting \$300,000 to fund the above reference project, The City acknowledges that the requested amount may not exceed 90% of the total costs, and

**Be it Further Resolved**, the City is committing to funding 10% of the total project costs.

**Item #16** – Consideration of a Resolution to authorize the Mayor to execute an amendment to the Firefighters CBA changing language at Article X “Retirement Benefits”. (Ric VanDonsel)

**Item #17** – Consideration of a Resolution to authorize the Mayor to execute the agreement with the NYS Department of State pertaining to the DRI Public Projects. (Mack Cook)

**Item #18** – SEQRA – Consideration of a Resolution determining that action to upgrade and improve the energy efficiency of the City's street lights will not have a significant effect on the environment. (Ric/Mack)

**Item #19** – Consideration of a Resolution to abolish medical and prescription drugs insurance for members of the City of Cortland Common Council. (Aldermen Beckwith, Silliman, Carpenter)

**WHEREAS**, the City of Cortland Common Council members have been eligible for and receive if desired Medical and Prescription Drug Insurance through the City of Cortland Health Insurance Benefit Plans, and

**WHEREAS**, this Common Council does not wish to take medical and prescription drug insurance benefits away from Alderpersons who are currently enrolled or eligible to enroll in the plans , **NOW THEREFORE BE IT**

**RESOLVED**, that 2020 Common Council members will not be eligible to receive medical and prescription drugs insurance benefits through the City of Cortland Health Insurance Benefit Plans, excepting those members who currently receive such benefits or are eligible to receive such benefits are reelected in 2019, and continue to be reelected, **AND BE IT FURTHER**

**RESOLVED**, that any current members of Common Council wishing to enroll must enroll during open enrollment in November 2019 or enroll as a result of a qualifying event must do so on or before December 31, 2019.

**Item #20** – Discussion on Councils Expectations and duties. (Aldermen Bennett McCarthy, Silliman)

**Item #21** – DRI update

**Item #22** – Task Force update

**Item #23** – Review of City Budget

**Adjournment**