

**21 Court St – Fire Hall truck bay**

**PUBLIC HEARING-** A Public Hearing Regarding Proposed Changes in Zoning for Solar Farms

**Call to Order – Roll Call**

<b>Attendee Name</b>	<b>Present</b>	<b>Absent</b>	<b>Late</b>	<b>Arrived</b>
Scott Steve - Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wayne Schutt – First Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kathryn Silliman – Second Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mary Clare Pennello – Third Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Lane – Fourth Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Seth Thompson - Fifth Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
William Carpenter – Sixth Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Troy Beckwith – Seventh Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Thomas Michales – Eighth Ward Alderperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Salute to the Flag**

**Moment of Silence/Reflection**

**Proclamations/Presentations** – 1.) Swearing in of City Fire Police & Board of Engineers Officers  
2.) Recognize former City Officials for years of service

**Privilege of the Floor**

**Mayor’s Report**

**Ward Reports**

**Finance Report**

**Approval of the Minutes** – Minutes of December 21, 2021

**Resolutions**

**ON MOTION OF**

**AGENDA ITEM NO. 1**

**Appoint City Clerk**

WHEREAS, in accordance with the Cortland City Charter the Article VIII §C8-1, there shall be a City Clerk who shall be appointed by the Mayor, subject to confirmation by the Common Council. They shall serve at the pleasure of the Mayor and be directly responsible to the Mayor, AND

WHEREAS, according to Article VIII §C8-2 (A- I), the City Clerk Shall The City Clerk shall:  
Attend all meetings of the Common Council and record the proceedings as required in Article II, shall Serve as ex officio clerk to the various boards and commissions and maintain a record of their proceedings, have custody of the City Seal, transmit to the Mayor in duplicate within three calendar days of any Council meeting certified copies of all resolutions, ordinances and local laws adopted at the Council meetings, have the powers of a commissioner of deeds, hire staff as may be provided for in the budget, maintain an official depository of all City records, including but not limited to all proceedings,

laws, ordinances, resolutions, rules, regulations, contracts and agreements, shall have all powers and duties assigned to city clerks by state law and such powers and duties assigned to town clerks which are not inconsistent with other provisions of this Charter or the Administrative Code and may perform such other duties as may, from time to time, be assigned by the Council or the Mayor or authorized by law, this Charter or the Administrative Code, AND

WHEREAS, Andrew Jewett of 23 Floral Ave. Cortland New York 13045 has been nominated by the Mayor to serve as City Clerk, NOW THEREFORE BE IT

RESOLVED, that the Cortland Common Council does hereby affirm the Mayor's appointment of Andrew Jewett to serve as City Clerk.

**ON MOTION OF**

**AGENDA ITEM NO. 2**

**Appoint Corporation Counsel**

WHEREAS, in accordance with the Cortland City Charter Article IX §C9-1 There shall be a Department of Law headed by a Corporation Counsel who shall be appointed by the Mayor, subject to confirmation by the Common Council. They shall be qualified on the basis of being admitted to practice as an attorney and counselor before the courts of the State of New York. They shall serve at the pleasure of the Mayor, be directly responsible to the Mayor and be the chief legal officer of the City, AND

WHEREAS, in accordance with the Cortland City Charter Article IX §C9-2 the Corporation Counsel shall have the following powers and duties: To enter into any agreement and to compromise and settle any claim against the City, with the approval of the Mayor and the Council, to commence any action or proceeding in the name of the City or the necessary and proper department, board, bureau or officer when directed either by the Mayor or by the Council, to prepare for execution and approve as to form any contract or instrument to which the City is a party when required by the Council or by any City officer, to approve as to form all bonds required to be submitted to the City, to represent and protect the rights and interests of the people of the State of New York and the City of Cortland in the conduct, prosecution and trial of all criminal actions, suits and proceedings and for violations of all ordinances and local laws of the City of Cortland and in the City Court of Cortland except such criminal actions and proceedings as shall be prosecuted by the District Attorney of Cortland County, to hire such assistants, as provided for in the budget, with the written approval of the Mayor, and to provide legal assistance, including legislative drafting assistance, to the Council upon request,

WHEREAS, Arthur John Meldrim of 74 Madison Street Cortland New York 13045 has been nominated by the Mayor to serve as Corporation Counsel, NOW THEREFORE BE IT

RESOLVED, that the Cortland Common Council does hereby affirm the Mayor's appointment of Arthur John Meldrim to serve as Corporation Counsel.

**ON MOTION OF**

**AGENDA ITEM NO. 3**

**Appoint Acting Mayor**

WHEREAS, in accordance with the Cortland City Charter Article IV §C4-4 There shall be a Acting Mayor, AND

WHEREAS, At the first meeting of the Common Council in each year or as soon thereafter as practicable, the Mayor shall appoint a Councilperson to be the Acting Mayor during the Mayor's absence from the City or inability to perform the duties of office as determined by the Mayor or medical certification. Medical certification shall take precedence, AND

WHEREAS, The Acting Mayor shall have all powers and duties of the Mayor, but shall not

lose their right to vote as a Councilperson, and shall have no vote on a tie when they have voted as Councilperson, AND

WHEREAS, the Mayor has nominated Thomas Michales Alderperson for the Eighth Ward to Serve as Acting Mayor, NOW THEREFORE BE IT

RESOLVED, that Thomas Michales is hereby affirmed as Acting Mayor for the City of Cortland.

**ON MOTION OF**

**AGENDA ITEM NO. 4**

**Designate Bank Depositories for 2022**

WHEREAS, the Cortland City Council must designate banks and trust companies for the deposit of public funds received by the City, NOW THERFORE BE IT

RESOLVED the following financial institutions are authorized for said purpose:

BANK NAME

NBT Bank

J. P Morgan Chase Bank N.A

M&T Bank

Tompkins Trust Company

, AND BE IT FURTHER

RESOLVED, that collateral agreements, municipal funds protection and bank acknowledgements of the understanding of New York State Municipal and Finance Law be established with said banks during the term of this agreement which will be for a period not to exceed December 31st, 2024.

**ON MOTION OF**

**AGENDA ITEM NO. 5**

**Designate Signatories**

WHEREAS, Cortland City Council is determined to grant signing and authority to certain person(s) described hereunder.

<b>Name(s):</b>	<b>Position/Title:</b>
Scott Steve	Mayor
Thomas Michales	Acting Mayor

NOW THEREFORE BE IT.

RESOLVED, that the Cortland City Council does hereby authorize and approve the above-named individual(s) to serve as signatories for the City of Cortland subject to applicable Charter and New York State laws.

**ON MOTION OF**

**AGENDA ITEM NO. 6**

**Designate Official Newspaper(S)**

WHEREAS, in accordance with the Cortland City Charter Article III §C3-13, Official notices and other legal notices which may be required by law shall be published in such newspaper(s) as may be from time to time designated by the Common Council as official newspaper(s) of the City of Cortland, NOW THEREFORE BE IT

RESOLVED, that the Cortland Standard, published by the Cortland Standard Newspaper, 110 Main Street, Cortland, New York 13045, and The Cortland Area Tribune, PO Box 67, Dryden, NY 13053, be and hereby are designated as the official newspaper fairly representing the Cortland Common Council, for the period of January 1, 2022, through December 31, 2024.

**ON MOTION OF**

**AGENDA ITEM NO. 7**

**Reappoint Zoning Officer**

WHEREAS, in accordance with the Cortland City Charter Article XXVII §C27-1, There shall be a Department of Zoning headed by a Zoning Officer who shall be appointed by the Mayor subject to confirmation by the Common Council, AND

WHEREAS the Zoning Officer shall serve at the pleasure of the Mayor and/or the Mayor's designee, and be directly responsible to the Mayor and/or their designee, AND

WHEREAS, in accordance with the Cortland City Charter Article XXVII §C27-2, The Zoning Officer shall have the following powers and duties: to enforce the zoning laws of the City of Cortland, to serve as Floodplain Administrator and for the City of Cortland, to attend all Historic, Zoning Board, Planning Commission meetings and to assist their members in them, to prepare and distribute agendas for each meeting of the Historic, Zoning and Planning Board, to assist citizens in preparing accurate variance applications, or requests of interpretation regarding zoning issues, and site plans to be presented to the Historic, Zoning and Planning Boards, to assist the Fire Department Code Enforcement Office and Department of Law in the enforcement of zoning and floodplain laws, to make recommendation for amendments to the Zoning Map of the City of Cortland, to enforce, monitor and make recommendation for changes to Chapter 250 of the City Code, Subdivision of Land, to answer complaints of the Zoning Ordinance and issue order to remedy as required by law, to maintain minimum training as required, issue flood development, fence, sign and dumpster permits, Issue certificates of zoning according to Chapter 300 , and to make records according to law, maintain and keep record with property file, AND

WHEREAS, Robert Rhea currently serves as the City Zoning Officer and the Mayor has nominated Mr. Rhea for reappointment, NOWTHEREFORE BE IT

RESOLVED, that that the Cortland Common Council does hereby affirm the Mayor's appointment of Robert Rhea as the Zoning Officer.

**ON MOTION OF**

**AGENDA ITEM NO. 7**

**Appoint Members Zoning Board of Appeals**

WHEREAS, in accordance with the Cortland City Code Part II Article XIV §300-140 in accordance with the provisions of New York State General City Law § 81 there shall be a Zoning Board of Appeals, AND

WHEREAS, the board shall consist of seven members appointed by the Mayor subject to confirmation by the Common Council, AND

WHEREAS, All appointments shall be made for a term of three years. No person shall be appointed to more than three consecutive full three-year terms, AND

WHEREAS, Council there are currently two vacant seats on the Cortland Zoning Board of Appeals, AND

WHEREAS, the Mayor has nominated Kyle Davis of 39 Morningside Drive, Cortland New York 13045 and Raymond Parker of 18 Hamlin Street, Cortland New York 13045, NOW THEREFORE BE

IT

RESOLVED, that the Common Council doe hereby affirm the appointments of Kyle Davis of 39 Morning Side Drive, Cortland New York 13045 and Raymond Parker of 18 Hamlin Street, Cortland New York 13045 to the Zoning Board of Appeals for a term expiring December 31, 2025.

**ON MOTION OF**

**AGENDA ITEM NO. 8**

**Amend 2022 Budget & Authorize the Encumbrance of funds from the 2021 Budget for Demolition of City Owned Property**

WHEREAS, there are currently unsafe surplus buildings located at the Cortland City Water works, AND

WHEREAS, it is in the City's best interest to remediate and remove the surplus structures, AND

WHEREAS, there are unspent funds in the 2021 Department of Public Works budget, and

WHEREAS, the Superintendent of Public Works recommends utilizing said funds to remediate and remove theses buildings, NOW THEREFORE BE IT

RESOLVED the 2022 Cortland City Budget is hereby amended and \$14,000.00 from account # FX8340.540.00 is hereby encumbered and shall be transferred to account #FX8340.540.00.

**ON MOTION OF**

**AGENDA ITEM NO. 9**

**MOU By and between the City of Cortland and the Cortland Police Benevolent Association**

WHEREAS, the Officers of the Cortland City Police Department (PBA) are covetous in changing from a rotating shift schedule to a permanent fixed schedule and the Chief of Police is open to a change in schedule for the health, safety and morale of the officers, it is agreed that:

WHEREAS, it is important to the safety of all officers of the uniform division to increase the number of officers available to respond to calls for service and provide support to others;

WHEREAS, there are numerous studies documenting the ill effects of continual rotating shift schedules on the physical and mental wellbeing of officers;

WHEREAS there are unquestionable benefits to officers and their families with a permanent fixed schedule;

WHEREAS, the Chief of Police has been presented with an overwhelming majority of the uniform division members wishing to make these schedule changes;

THEREFORE it is agreed that the following permanent fixed schedule will be implemented on January \_\_\_\_, 2022 at \_\_\_\_\_ hours, consistent with the shift bid presented to the Chief of Police and eliminate the position of mandatory desk officer:

DUTY SCHEDULE

Article V, Section 2:

Patrolman (Paragraph 2)

- Three Permanent Shifts
  - 7AM-3PM, 3PM-11PM, 11PM-7AM
  - Five 8 hour days with 2 consecutive days off
- Shifts bid annually based on seniority within the division
  - Days off bid on shift based on seniority
    - 1-S/S                      1-M/T
    - 1-F/S                      2-T/W
    - 1-TH/F      1-W/TH      2-S/M

Chief Authority (Paragraph 6)

The implementation and assignment of the permanent shift schedules shall be the duty of the Chief of Police or his designee, whose decision is final and binding.

Minimum Staffing (Changes)

Shall remain the same, with the exception that whenever possible, the officer routinely assigned to desk duty, shall be assigned to outside duty, unless circumstances exist which require an officer assigned to the desk.

WHEREAS the intent of this Memorandum of Understanding is intended to address the critical need for the above noted language, while collective bargaining is being conducted on the contract between the two entities.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed on the date shown by each of their signatures below.

**Discussion Items-**

- i. Future of Apex Industrial Site, 43-45-47, Cleveland Street
- ii. Search for Finance Director
- iii. Setting a Public Hearing to establish zoning for cannabis dispensaries
- iv. Soliciting applicants & Filling vacancies for various Boards and Commissions