

**75 Broadway-Cortland Waterworks**

**PUBLIC HEARING-** A Public Hearing Regarding “Cannabis Dispensary Act” and City regulation of dispensary locations.

**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"/>	
Katy 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 –**

**Privilege of the Floor**

**Mayor’s Report**

**Ward Reports**

**Finance Report**

**Approval of the Minutes – Minutes of January 4, 2022**

**Resolutions**

**ON MOTION OF**

**AGENDA ITEM NO. 1**

**Appointment of Tracey Hatfield as Commissioner of Deeds for the City of Cortland**

WHEREAS, Resolution #301 of 2021 appointed Tracey Hatfield as Commissioner of Deed for the City of Cortland at Council meeting December 21, 2021, AND

WHEREAS, The Appointment Resolution must be revised to state for a 2 year appointment from the date of appointment and include appointee’s address in accordance to, NOW, THERE, BE IT.

RESOLVED, The Common Council appoints Tracey Hatfield, residing at, 4384 McCloy Road, Cortland, NY 13045, as Commissioner of Deeds for a two year term from date of appointment, December 21, 2021 until December 21, 2023.

**ON MOTION OF**

**AGENDA ITEM NO. 2**

**Appointment of Nicole Bennett as Commissioner of Deeds for the City of Cortland**

WHEREAS, New York State Executive Law Article 6 section 139 provides that Commissioners of Deeds in the cities of this state shall be appointed by the Common Councils of such cities and shall hold office for the term of 2 years from the date of their appointment, and until others are appointed in their places, AND

WHEREAS, there is a vacancy in the Office of Commissioner of Deeds, NOW, THEREFORE, BE IT

RESOLVED, The Common Council appoints Nicole Bennett, residing at 5346 East Homer Crossing Rd, Cortland, NY 13045 as Commissioner of Deeds for a two year terms from date of appointment, January 18, 2022 until January 18, 2024.

**ON MOTION OF**

**AGENDA ITEM NO. 3**

**Retention and Disposition Schedule for New York Local Government Records**

WHEREAS, to keep accreditation, the Common Council must adopt the Retention and Disposition Schedule for New York Local Government Records (LGS-1 ) issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government record, NOW, THEREFORE, BE IT

RESOLVED, that the Retention and Disposition Schedule for New York Local Government Records is hereby adopted for use by all officers in legally disposing of valueless records listed there in, AND BE IT FURTHER,

RESOLVED, that in accordance with Article 57-A;

- (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**ON MOTION OF**

**AGENDA ITEM NO. 4**

**Authorize Mortgage Subordination & Agreement**

WHEREAS, the City of Cortland (the "City") provided assistance to a City resident (the "resident") to replace a sewer lateral at her residence in the City under the City's fiscal year 2019 water and sewer lateral replacement program, AND

WHEREAS, said resident gave a mortgage to the City in the amount of the assistance provided for the lateral replacement, AND

WHEREAS, said resident applied for funds from First National Bank (the "Bank") of Dryden to pay off an existing mortgage in part, AND

WHEREAS, the Bank approved the resident's request for a new mortgage with the understanding that the Bank's mortgage would be first mortgage on her residential property, AND

WHEREAS, the timing of the recording of the City's mortgage for the sewer lateral assistance resulted in the City's mortgage being a superior lien to the Bank's mortgage, AND

WHEREAS, when it was discovered that the City's mortgage would be a superior lien to the Bank's mortgage, the resident requested that the City subordinate its mortgage to the Bank's mortgage, AND

WHEREAS, the City's Loan Committee reviewed the facts of this subordination request and has made a recommendation to the City's Common Council that the Council approve the request, NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland subordinates its mortgage recorded as instrument #2012-07451 on December 20, 2021 with the Cortland County Clerk to a mortgage given to First National Bank of Dryden by the resident for \$62,000, and further authorizes Mayor Scott Steve to sign a subordination agreement for the same.

**ON MOTION OF**

**AGENDA ITEM NO. 5**

**Participation in County Mutual Aid Plan**

WHEREAS, The City of Cortland strives to protect its citizens from the dangers of fire and other calamities through the services provided by the City of Cortland Fire Department, AND

WHEREAS, The Cortland Fire Department may be summoned for a response that overtaxes its resources including but not limited to apparatus, equipment and personnel, AND

WHEREAS, Mutual Aid is organized, supervised, coordinated, cooperative, reciprocal assistance in which personnel, equipment and physical facilities of all participating fire departments, regardless of type or size, are utilized for fire or other emergencies in which the services of firefighters would be used throughout the County of Cortland and adjacent areas, AND

WHEREAS, any duly established fire department or fire company existing in the County of Cortland may participate in the Cortland County Fire Service Mutual Aid Plan, (hereafter, the Plan), by filing a resolution with the Cortland County Department of Emergency Response and Communications. Such resolution shall state that the fire department or Fire Company elects to participate in the Plan and will comply with the provisions of the Plan. The resolution shall also state that the fire department or fire company shall recognize a call for assistance from another fire department through the Cortland County Communications Center under the direction of the Cortland County Fire Coordinator, NOW THEREFORE BE IT

RESOLVED, that the City of Cortland Common Council affirms the participation of the City of Cortland Fire Department in the Cortland County Fire Service Mutual Aid Plan for a two year term beginning on January 1, 2022 and ending December 31, 2023 and authorizes the Mayor to sign the agreement.

**ON MOTION OF**

**AGENDA ITEM NO. 6**

**Appoint Members to Fire Commission**

WHEREAS, in accordance with the Cortland City Charter the Article XIII §C13-3, There shall be a

Fire Commission consisting of five members, all of whom shall be appointed by the Mayor with confirmation by the Common Council and shall be qualified electors of the City of Cortland, one shall receive the concurrence of the Board of Engineers of the Fire Department prior to confirmation by the Common Council, and shall be a volunteer fire fighter, AND

WHEREAS, one, not a City employee, shall receive concurrence of the Paid Fire Fighters Association prior to confirmation of the Common Council. The Commissioners shall serve three-year terms with no compensation, except the Common Council may authorize compensation for expenses. The Fire Commission shall, at the beginning of each year, elect one of its members as Chair, AND

WHEREAS, there are currently two seats on said commission that will expire January 31, 2022, AND

WHEREAS, the Mayor has nominated Bonnie Heath of 18 Follow Hollow Road, Cortland, New York 13045 and William Starr of 9 Ridgeview Avenue, Cortland New York, 13045 to the Fire Commission for a term expiring January 31, 2025, NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby affirm the appointments of Bonnie Heath of 18 Follow Hollow Road, Cortland, New York 13045 and William Starr of 9 Ridgeview Avenue, Cortland New York, 13045 to the Fire Commission for a term expiring January 31, 2025.

## **ON MOTION OF**

## **AGENDA ITEM NO. 7**

### **Emergency Repair to Fire Engine**

WHEREAS, the City of Cortland strives to protect its citizens from the dangers of fire and other calamities through the services provided by the City of Cortland Fire Department, AND

WHEREAS, the Cortland Fire Department has acquired the necessary equipment and apparatus to provide fire protection services to the citizens of Cortland, AND

WHEREAS, the Cortland Fire Department maintains said equipment and apparatus in a constant state of readiness through regular maintenance, upkeep and repair, AND

WHEREAS, unforeseen and unplanned issues occur which are significant and are considered major repairs to apparatus operated by the Cortland Fire Department and due to the unpredictable timeline and significant cost cannot be planned for and budgeted within the Fire Department Budget AND,

WHEREAS, repair to said apparatus is necessary and in the best interest of the Department and City to continue to provide the exceptional service to the citizens of Cortland and maintain the fleet within the apparatus service life plan, NOW THEREFORE BE IT

RESOLVED, that the City of Cortland Common Council authorizes the expenditure of funds payable to Cummins Northeast, Syracuse, NY Branch, 6193 Eastern Avenue, Syracuse, NY 13211 from the Department Budget Line A3410-540200 Cont Motor Equipment in the amount of \$44,560.93 to pay the cost of replacement of a motor and components for the 2010 KME Fire Engine (#201) used by the Cortland Fire Department.

**ON MOTION OF**

**AGENDA ITEM NO. 8**

**To Accept and Recognize Donations to Cortland Youth Bureau**

WHEREAS, donations have been given to the Cortland Youth Bureau, AND

WHEREAS, the Common Council must accept and allocate such funds, AND

WHEREAS, the Mayor, Common Council and Court Youth Bureau wish to publicly recognize these donations and the generosity of the donors, NOW, THEREFORE, BE IT,

RESOLVED, that the Common Council accepts the donations listed below, and appropriates these funds to the Cortland Youth Bureau operating budget accounts outlined below.

Pat & Bev Ryan	\$10,00.00	Suggest Park Amenities	A-7110.5405.02
Todd & Michelle Funk	\$500.00	Youth Center	A-7330.5405
Community Foundation (Mary & Alber Beilby)	\$300.00	Athletic Equipment	A-7140.5405
Beverly Ellefson	\$150.00	Youth Center	A-73305.405
Randy & Susan Weatherby	\$ 50.00	Music Trust Fund	Trust & Agency

**ON MOTION OF**

**AGENDA ITEM NO. 9**

**Adoption of Local Law #1 of 2022 Amending Article §300 Relating to Solar Farms**

WHEREAS, a public hearing was held January 4, 2022 regarding proposed changes in zoning for solar farms at which no one was present to speak, AND

WHEREAS, Article §300-42 Industrial Permitted and Special Permitted Uses allows for solar, ground mounted units to be permitted in GI district with a special use permit, AND

WHEREAS, Article §300-1663 M Solar Photovoltaic Systems provides that ground mounted solar photovoltaic systems are prohibited except in GI districts and with a special use permit, NOW, THEREFORW, BE IT

RESOLVED, The Common Council approves Adoption of Local Law #1 of 2022 Amending Article §300 to allow solar farms in GI districts.

**ON MOTION OF**

**AGENDA ITEM NO. 10**

**AGENDA ITEM NO. 10**

**Rescind Resolution #273 of 2021 & Authorize Zoning Change from R-1 to GB-2 for Tax Map Parcel #87.53-03-16.200**

WHEREAS, The Common Council Held a Public Hearing on October 5<sup>th</sup> and 19<sup>th</sup>, 2021 for the purpose of consideration of a zoning change on tax map parcel #87.53-03-16.200, AND

WHEREAS, The Common Council voted on October 19, 2021 in favor of Resolution #273 of 2021, AND

WHEREAS, Resolution #273 of 2021 states “Resolution of a local law changing the Zone of property located on River Street in the City of Cortland from R-1 to **GB-1** known as tax map #87.53-03-16.200, AND

WHEREAS, The resolution should have read, “Resolution of a local law changing the Zone of property located on River Street in the City of Cortland from R-1 to **GB-2** known as tax map #87.53-03-16.200, NOW, THEREFORE, IT BE

RESOLVED, RESOLUTION # 273 of 2021, is hereby rescinded, AND BE IT FURTHER

RESOLVED that the Common Council hereby authorizes the rezoning of tax map parcel #87.53-03-16.200 located on River Street in the City of Cortland from R-1 to **GB-2**.

### **Discussion Items-**

- i. Code Department
- ii. Pace Law Suit
- iii. Civil Service Classifications
- iv. RFP Randall Park
- v. Parker School Update
- vi. Draft of Ethics