



Cortland Common Council
March 15, 2022 – 6:00 PM
City Hall, 25 Cortland Street, Cortland NY 13045

Public Hearings: Public Hearing on Local Law Rescinding Local Law No. 8 of 2021 and Adopting a New Local Law Relating to Authorizing Zoning Change from R-2 to GB-2 for Tax Map Parcel #87.53-03-16.200

Call to Order – Roll Call

Attendee Name	Present	Absent	Late	Arrived
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 February 15, 2022

Resolutions

ON MOTION OF

AGENDA ITEM NO. 1

Authorize Wage Adjustment for SEIU Employees

WHEREAS, the City of Cortland's contract with the Wastewater Treatment Department's Pipeline Workers of America (PWOA) collective bargaining unit provides for a 2.1% wage increase effective January 1, 2022; AND

WHEREAS, the city's contract with Service Employees International Union (SEIU) Local 200United provides that in the event the city and either the Wastewater Treatment union or CSEA collective bargaining units agree to a wage increase for a percentage higher than 2%, the city will automatically increase SEIU employee wages to match an increase above 2% for a period ending December 31, 2024; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby authorize necessary payroll allocations for the purpose of a 0.1% wage increase for employees that are part of the Service Employees International Union (SEIU) Local 200United collective bargaining unit retrospective to January 1, 2022.

ON MOTION OF

AGENDA ITEM NO. 2

Authorize Agreement to Transition Medicare Eligible Retirees to a City-Sponsored Group Medicare Advantage Plan

WHEREAS, it is common practice for public entities in New York State and the nation to sponsor a Group Medicare Advantage Plan for their Medicare eligible retirees; AND

WHEREAS, Medicare pays into Group Medicare Advantage Plans an amount that covers Part A & B costs of beneficiaries, and pays a separate amount if prescription drug coverage is provided as part of the Group Medicare Advantage Plan, allowing premiums for Group Medicare Advantage Plans to be substantially lower compared to commercial health insurance plans; AND

WHEREAS, the currently provided commercial health insurance plan includes a deductible and co-insurance arrangement, and Medicare eligible retirees can save on their out-of-pocket costs by participating in a Group Medicare Advantage Plan whereby no cost-sharing exists for Part A & B services; AND

WHEREAS, eligible retirees can save on their monthly contribution paid to the city toward their premium as Group Medicare Advantage Plan premiums would be approximately 70% lower than the current commercial health insurance plan; AND

WHEREAS, retirees can gain benefits such as hearing exams, hearing aids, eye exams, eyewear allowance, gym/fitness membership, acupuncture, non-emergency transportation, meals after in-patient hospital stays, etc., whereby those benefits are not enjoyed with the current health insurance plan; AND

WHEREAS, prescription drug co-pays are \$10/\$25/\$40 under the current health insurance plan and would be \$9/\$25/\$40 under proposed plan; AND

WHEREAS, the city currently has nine retirees who are reimbursed differences between \$2/\$5 co-pays and \$10/\$25/\$40 co-pays, and the city would no longer need to provide reimbursements as the Group Medicare Advantage Plans can match the co-pay structure required for this specific group of

Medicare eligible retirees; AND

WHEREAS, the city can achieve approximately \$1.4 million in savings and also increase savings to eligible retirees by eliminating deductible and co-insurance cost-sharing on Part A & B services and by lowering the Medicare eligible retirees' monthly contribution to the city; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council wishes to provide quality and affordable health insurance to city retirees while doing so in a manner that saves costs to the city and its retirees by transitioning Medicare eligible city retirees to a city-sponsored Group Medicare Advantage Plan; AND BE IT FURTHER

RESOLVED, that the Mayor is hereby authorized to enter into an agreement with Haylor, Freyer & Coon Inc. for the purpose of transitioning Medicare eligible city retirees to a city-sponsored Group Medicare Advantage Plan.

ON MOTION OF

AGENDA ITEM NO. 3

Authorize Agreement Relating to Collection of Delinquent Real Property Taxes

WHEREAS, the City of Cortland is required by statute to commence a proceeding for the collection of delinquent real property taxes pursuant to New York Real Property Tax Law Article 11; AND

WHEREAS, the City of Cortland wishes to undertake efforts and procedures intended to identify and notify relevant parties in interest above and beyond the statutory efforts and procedures mandated by Article 11; AND

WHEREAS, the City of Cortland desires representation, counsel and assistance in conducting the tax enforcement proceedings; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is authorized to sign an agreement with Phillips Lytle LLP for representation, counsel and assistance in conducting tax enforcement proceedings for the sum of \$458.00 for each parcel referred for foreclosure, along with miscellaneous charges for legal filings, publication of public notices, and mailings.

ON MOTION OF

AGENDA ITEM NO. 4

Authorize Contract Amendment for Clinton Avenue Phase III Streetscape Project

WHEREAS, the City of Cortland desires to continue and complete the ongoing Clinton Avenue Phase III Streetscape Project; AND

WHEREAS, there is a need for additional services to be provided through Contract Amendment No. 4 to the city's Engineering Services Agreement with Bernier, Carr & Associates, Engineers, Architects & Land Surveyors, PC; AND

WHEREAS, the additional services and expenses include providing an additional onsite Resident

Project Representative, additional general expenses, Storm Water Pollution Prevention Plan (SWPPP) preparation and compliance, and adding the Washington Street water main for a total of \$249,500.00 as outlined in the proposed amendment; AND

WHEREAS, there are unspent funds from the Environmental Facility Corporation (EFC) grant which are available to cover the costs of the contract amendment, which will result in no additional cost to the city: NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to sign Amendment #4 to the Engineering Services Agreement with Bernier, Carr & Associates, Engineers, Architects & Land Surveyors, PC in the amount of \$249,500.00 for the Clinton Avenue Phase III Streetscape Project;

RESOLVED, that the City of Cortland is authorized to accept and reallocate unspent Environmental Facility Corporation (EFC) grant funds to cover costs of contract Amendment #4 in the amount of \$249,500.00 which will result in no additional cost to the city.

ON MOTION OF

AGENDA ITEM NO. 5

Authorize Indemnification Agreement with Cortland County Industrial Development Agency for Cleanup Activity at the Apex Site

WHEREAS, Cortland County Industrial Development Agency (CCIDA) has entered into an agreement of purchase and sale dated March 3, 2022 ("Purchase Contract") with Cort Holdings, LLC, a dissolved Wyoming limited liability company with an address of 720 Eagle View Court, Suite R, Mason, Ohio 45040 ("Owner"), to purchase real property containing approximately 7.8 acres of land located in the City of Cortland, County of Cortland, State of New York, being current City Tax Parcel No. 87.37-02-06.000 and commonly known as 43-45-47 Cleveland Street ("Property"); AND

WHEREAS, the Purchase Contract provides for CCIDA to have access to the Property for the purpose of conducting cleanup activity, as defined in the Purchase Contract; AND

WHEREAS, the City has agreed to provide certain equipment and services in support of the cleanup activity, including trucks and drivers, for the purpose of hauling construction and demolition debris presently on the surface of the Property to a disposal facility approved to handle such waste (collectively "Services"); NOW, THEREFORE, BE IT

RESOLVED, the Common Council does hereby agree that the City of Cortland will hold CCIDA harmless and defend and indemnify Cortland County Industrial Development Agency (CCIDA) for any and all claims which may arise out of the City's performance of cleanup activity, including providing trucks and drivers, for the purpose of hauling construction and demolition debris presently on the surface of the property, located at 43-45-47 Cleveland Street, to a disposal facility; AND BE IT FURTHER

RESOLVED, the Common Council does hereby authorize the Mayor to execute an indemnification agreement, which has been provided to the Common Council and public, with CCIDA.

ON MOTION OF

AGENDA ITEM NO. 6

Appoint Members to the City Personnel Committee

WHEREAS, the Personnel Committee of the City of Cortland shall be responsible for advisement to the Common Council on matters relating to personnel policies and procedures, collective bargaining, compensation and benefits, staffing, organizational structure, employee relations and other matters pertaining to personnel which are charged to the Committee by the Common Council; AND

WHEREAS, the Personnel Committee shall be comprised of three Alderpersons appointed by the Mayor at the beginning of each term with confirmation by the Common Council; AND

WHEREAS, the Personnel Committee shall meet at least monthly with the meeting dates and times set by the Common Council; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby appoint Alderpersons Troy Beckwith, Thomas Michales and Mary Clare Pennello to the Personnel Committee for a term ending December 31, 2023; AND BE IT FURTHER

RESOLVED, that the Personnel Committee shall meet during the 2022-2023 term of office at 6:15 p.m. on the fourth Thursday of each month, or as otherwise scheduled and agreed to by each of the three members.

ON MOTION OF

AGENDA ITEM NO. 7

Appoint Members to the City Ethics Committee

WHEREAS, the City of Cortland Board of Ethics shall render advisory opinions to the officers and employees of the City of Cortland with respect to Article 18 of the General Municipal Law and the Code of Ethics adopted by the Common Council on February 15, 2022; AND

WHEREAS, the Board of Ethics shall consist of five (5) members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee; AND

WHEREAS, the members of the Board of Ethics shall be appointed by the Mayor, serve at the pleasure of the Mayor, and receive no salary or compensation for their services as members of the Board of Ethics; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby acknowledge the following appointments made by the Mayor to the Board of Ethics for a term ending December 31, 2022:

Michael Bersani, 76 1/2 Hamlin Street, Cortland NY 13045

Donald Colongeli, 18 Pomeroy Street, Cortland NY 13045

Karen Leahy, 12 William Street Cortland, NY 13045

Arthur John Meldrim, 74 Madison Street, Cortland NY 13045

Garry L. VanGorder, 1 Harmony Circle Cortland, NY 13045

ON MOTION OF

AGENDA ITEM NO. 8

Appoint Members to the City Environmental Advisory Committee

WHEREAS, the City of Cortland Environmental Advisory Committee was established by

resolution of the Common Council on December 1, 2009; AND

WHEREAS, the Committee shall consist of no fewer than five nor more than seven regular members; AND

WHEREAS, Committee members shall be City residents, and every effort shall be made to ensure representation of a broad cross-section of the community; AND

WHEREAS, vacancies shall be filled by appointment upon nomination by any member of the Common Council or the Environmental Advisory Committee and may be subject to confirmation by the Common Council; NOW, THEREFORE, BE IT

RESOLVED, that the following nominated persons are hereby confirmed by the Common Council as members of the City of Cortland Environmental Advisory Committee:

Diane S. Chu, 41 Morningside Drive Cortland NY 13045

Donald Chu, 41 Morningside Drive Cortland NY 13045

Dr. Jeremy Jimenez, 19 Yong Street Cortland NY 13045

Margaret Starr, 9 Ridgeview Drive Cortland NY 13045

ON MOTION OF

AGENDA ITEM NO. 9

**Authorize Contract Amendment with NYS Department of Environmental Conservation
for Cortland Food Project Rescue & Waste Prevention**

WHEREAS, the City of Cortland has a contract, number DEC01-C00994GG-3350000, with New York State Department of Environmental Conservation (NYSDEC) to fund a project designed to identify, rescue and reuse wholesome food to alleviate food insecurity in the greater Cortland area; AND

WHEREAS, the city has partnered with Seven Valleys Health Coalition to execute this project as a subcontractor; AND

WHEREAS, Seven Valleys Health Coalition has identified property that can be leased to improve the services rendered under the contract; AND

WHEREAS, leasing said property constitutes a material change in the budget and work plan terms of the contract with NYSDEC; AND

WHEREAS, NYSDEC has considered the requested contract changes and amended the contract to include said changes; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby authorize the Mayor to sign an amended contract with New York State Department of Environmental Conservation for a project designed to identify, rescue and reuse wholesome food to alleviate food insecurity in the greater Cortland area.

ON MOTION OF

AGENDA ITEM NO. 10

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 Cortland 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 funds to the Cortland Youth Bureau operating budget accounts outlined below:

<u>Donor</u>	<u>Amount</u>	<u>Project/Event</u>	<u>Budget Line</u>
Cortland Firefighters Association IAFF Local 2737	\$400	Movie Under the Stars	A-7550.5406
King's Daughters	\$1000	Youth Center Kitchen	A-7330.5400

ON MOTION OF

AGENDA ITEM NO. 11

Landscape Architecture and Engineering Design Services for Randall Park

WHEREAS, in February of 2022, Saratoga Associates prepared a proposal per a Request for Proposal for Landscape Architect, Engineering and Design Services for the renovation of Randall Park; AND

WHEREAS, the Cortland Youth Bureau staff, Commission Members and City Council members from 8th & 5th Wards reviewed the submitted proposals and performed in person interviews with three qualified firms; AND

WHEREAS, the firm Saratoga Associates, Landscape Architects, Architects, Engineers and planners, of 21 Congress Street, Saratoga Springs, NY 12866 was selected by city representatives to conduct design work for phase I planning in an amount not to exceed \$35,598.00; NOW, THEREFORE, BE IT

RESOLVED that the Common Council does hereby authorize the Mayor to enter into an agreement with Saratoga Associates to complete Randall Park Renovation design work for phase I planning in an amount not to exceed \$35,598.00 as budgeted through federal COVID-19 relief funds.

ON MOTION OF

AGENDA ITEM NO. 12

Rescind Local Law No. 8 of 2021 and Adopt Local Law Relating to Authorizing Zoning Change

WHEREAS, Local Law No. 8 of 2021, passed by the City of Cortland Common Council pursuant to Resolution No. 273 on October 19, 2021, zoned and designated the following property GB-1:

<u>Tax Map No.</u>	<u>Property Address</u>	<u>Reputed Owner</u>
87.53-03-16.200	River Street	T&E Law Properties, LLC

WHEREAS, Local Law No. 8 should have read that the property was being zoned to GB-2, AND

WHEREAS, the Common Council approved Resolution No. 20 of 2022 titled “Rescind Resolution #273 of 2021 & Authorize Zoning Change from R-1 to GB-2 for Tax Map Parcel #87.53-03-16.200”; AND

WHEREAS, a public hearing was held on March 15, 2022 on a proposed local law which would rescind Local Law No. 8 of 2021 and adopt a local law authorizing the rezoning of tax map parcel #87.53-03-16.200 located on River Street in the City of Cortland to GB-2; NOW, THEREFORE, IT BE

RESOLVED, that Local Law No. 8 of 2021 is hereby rescinded, AND, BE IT FURTHER

RESOLVED that the Common Council hereby adopts a Local Law authorizing the rezoning of tax map parcel #87.53-03-16.200 located on River Street in the City of Cortland to GB-2 subject to all regulations created and established relative to said district.

ON MOTION OF

AGENDA ITEM NO. 13

Authorize and Deem 72-74 Floral Avenue as a Two-Family Dwelling

WHEREAS, Section 300-4 of the Code of the City of Cortland defines a two-family dwelling as “A building of two dwelling units, with common walls and/or floors. It may or may not have a direct entrance from the outside to each dwelling unit”; AND

WHEREAS, 72-74 Floral Avenue in the City of Cortland is a side-by side- duplex which meets this definition; AND

WHEREAS, this property was constructed as a two-family dwelling, is indicated on sale agreements as a two-family home, classified on the real property tax website as a two-family home, indicated on an abstract of title as a two-family home; AND

WHEREAS, neighboring residents have signed a petition indicating their support for changing the status of 72-74 Floral Avenue to a two-family home; AND

WHEREAS; changing the designation of 72-74 Floral Avenue from a one-family to a two-family dwelling does not alter or effect the character of the neighborhood; NOW, THEREFORE, BE IT

RESOLVED, that 72-74 Floral Avenue in the City of Cortland is hereby authorized as and deemed to be a two-family dwelling.

Discussion Items