



## City of Cortland Common Council

September 20, 2022 – 6:00 PM

City Hall, 25 Court Street, Cortland NY 13045

Join Zoom Meeting - <https://us02web.zoom.us/j/9235664700>

Meeting Room: 923 566 4700

### AGENDA

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CALL TO ORDER – ROLL CALL

SALUTE TO THE FLAG

MOMENT OF SILENCE/REFLECTION

PROCLAMATIONS/PRESENTATIONS

#### **Proclamation No. 1**

#### **Declaring October 9-15, 2022 Fire Prevention Week**

WHEREAS, the City of Cortland is committed to ensuring the safety and security of all those living in and visiting our municipality; AND

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; AND

WHEREAS, home fires caused 2,580 civilian deaths in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; AND

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; AND

WHEREAS, Cortland residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; AND

WHEREAS, the City of Cortland Fire Department first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; AND

WHEREAS, the 2022 Fire Prevention Week™ theme, “Fire won’t wait. Plan your escape.™,” effectively serves to remind City of Cortland residents that it is important to have a home fire escape plan; NOW, THEREFORE, BE IT

RESOLVED, I, Scott Steve, Mayor of the City of Cortland, do hereby proclaim October 9-15, 2022, as Fire Prevention Week throughout this City, and I urge all the people of Cortland to plan and practice a home fire escape for Fire Prevention Week 2022 and to support the many public safety activities and efforts of the Cortland Fire Department.

PRIVILEGE OF THE FLOOR

MAYOR’S REPORT



(a) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Toro Tractor with Mower and Attachments. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement the cost of which is \$30,000 or over, including one (1) Toro Groundsmaster tractor with mower and attachments, at an estimated maximum cost not to exceed \$131,000;

(b) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – 2023 International Construction Dump Truck. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement the cost of which is \$30,000 or over, including one (1) 2023 International construction dump truck at an estimated maximum cost not to exceed \$190,000;

(c) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – 2024 International Truck with Plow. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement the cost of which is \$30,000 or over, including one (1) 2024 International truck with plow at an estimated maximum cost not to exceed \$200,000;

(d) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Fire Fighting Vehicle and Apparatus. The purchase of a fire-fighting vehicle and apparatus, including the acquisition of original furnishings, equipment, machinery or apparatus at an estimated maximum cost not to exceed \$650,000;

(e) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Vacuum Street Sweeper. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement the cost of which is \$30,000 or over, including one (1) vacuum street sweeper and attachments, at an estimated maximum cost not to exceed \$300,000;

Section 2. The plan for financing such estimated maximum cost shall be by the issuance of \$1,171,000 in serial bonds (the “Bonds”) of the City, which are hereby authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes or classes of objects or purposes pursuant to Section 11.00(a) of the Local Finance Law are as follows:

<u>Section 1 Subparagraph</u>	Period of Probable Usefulness (Years)	Local Finance Law Section 11.00(a) Paragraph
(a) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Ventrac Tractor with Mower and Attachments	15	28
(c) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – 2024 International Truck with Plow	15	28

Period of Probable Usefulness (Years)	Local Finance Law Section 11.00(a) Paragraph
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Section 1 Subparagraph

(d) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Fire Fighting Vehicle and Apparatus	20	27
(e) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Vacuum Street Sweeper	15	28

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Director of Administration and Finance, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City’s General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the City’s “official intent” to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to

be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the City's Director of Administration and Finance, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or heretofore adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Director of Administration and Finance, the Chief Fiscal Officer of the City.

Section 10. The City may receive certain federal and New York State grant funds for the capital purposes described in Section 1 of this resolution. Any such grant funds shall be applied to pay the principal or interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds or to the extent obligations shall not have been issued under this resolution, to reduce the maximum amount to be borrowed for such capital purposes.

Section 11. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 12. The City Director of Administration and Finance, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 13. This resolution, or a summary of this resolution, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is not subject to a mandatory or permissive referendum.

Section 15. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 16. This resolution shall take effect immediately upon its adoption.

**Agenda Item No. 4 Authorize Issuance of a Request for Proposals for City Facilities Study**

WHEREAS, the City of Cortland owns a number of facility which house the administration and operations of city departments; AND

WHEREAS, the Mayor and Common Council believe there are several issues which should be addressed including



RESOLVED, that the Common Council accepts the donation listed below, and appropriates funds to the Cortland Fire Department Donation Account earmarked for AED replacement:

<u>Donor</u>	<u>Amount</u>	<u>Account</u>
Friendly Activity Association (Friendship House, 13 Leon Ave.)	\$250.00	TE-00-2044

**Agenda Item No. 8    Authorize Emergency Repair of Apron of Fire Department Station Headquarters**

WHEREAS, the City of Cortland has housed apparatus and personnel at its Headquarters Fire Station on Court Street since 1914 with continuous operation for over 100 years; AND

WHEREAS, routine maintenance and upkeep has occurred over this time with other significant investments by the City to keep the building functional and safe not only for the firefighters but also the visitors that frequently enter the building; AND

WHEREAS, foundation concerns specific to the front apron area of the apparatus bays have caused unforeseen damage that pose a potential danger to apparatus and personnel if not remedied; AND

WHEREAS, evaluation and inspection of the foundation has indicated that repair is limited to certain processes due to the design and extent of damage; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council authorizes the Mayor to enter into an agreement with Midstate Basement Authorities for repairs to the front apron of headquarters for the total amount of \$4,320.00 with funding coming from Fire Department Budget Line A3410- 540500 which will be reimbursed from Contingency Account A1325-41120.

**Agenda Item No. 9    Authorize Repair of Armory Floor**

WHEREAS, the City of Cortland Fire Department utilizes the former City-owned NYS Armory building on Wheeler Avenue for storage, training, and meetings of the volunteers and Fire Commission; AND

WHEREAS, the Volunteer Firefighters contingent has invested time and financial resources into completely rehabilitating what is commonly known as the “Volunteer Meeting Room,” to promote a positive environment for meeting and display as well as for the public meetings of the monthly Fire Commission; AND

WHEREAS, the concrete flooring has been lifting over many years and has now progressed to a point of a trip hazard which is a safety concern; AND

WHEREAS, investigation into a repair to the floor that is fiscally responsible for the age and use of the building, and also eliminates the safety concern has occurred and resulted in a favorable resolve; NOW, THEREFORE, BE IT

RESOLVED, the Common Council authorizes the Mayor to enter into an agreement with Midstate Basement Authorities for repairs to the Volunteer Firefighter’s Meeting Room floor for the total amount of \$528.75 with funding coming from Fire Department Budget Line A3410-540500 which will be reimbursed from Contingency Account A1325-41120.

DISCUSSION ITEMS

- Discussion Item No. 1    Parker School Ad Hoc Planning Committee**
- Discussion Item No. 2    Town and Gown Ad Hoc Planning Committee**
- Discussion Item No. 3    Rental Housing Zoning Update Ad Hoc Committee**