



## City of Cortland Common Council Meeting

September 20, 2022

25 Court Street, Cortland NY 13045  
and Streamed via Zoom

### MINUTES

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#### CALL TO ORDER AND ROLL CALL

Mayor Steve called the meeting to order at 6:03 p.m., and the City Clerk called the roll. The following Common Council members were in attendance:

Wayne Schutt – First Ward Alderperson  
Katy Silliman – Second Ward Alderperson  
Mary Clare Pennello – Third Ward Alderperson  
Patricia Lane – Fourth Ward Alderperson  
William Carpenter – Sixth Ward Alderperson  
Troy Beckwith – Seventh Ward Alderperson  
Thomas Michales – Eighth Ward Alderperson

The following Council Member was recorded absent:

Seth Thompson - Fifth Ward Alderperson

SALUTE TO THE FLAG

MOMENT OF SILENCE/REFLECTION

PROCLAMATIONS/PRESENTATIONS

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

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

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.

Motioned by: Council Member Carpenter

Seconded by: Council Member Beckwith

Approved: Ayes – 7  
Nays – 0

## PRIVILEGE OF THE FLOOR

No one was present to speak.

## MAYOR'S REPORT

Mayor Steve commended the performance of three recently sworn in Police Officers and said that another new officer is in training and will be placed on duty in February. He commented on the positive direction undertaken by the Police Department and Fire Department towards improved relations with the college community. He attended a New York Conference of Mayors (NYCOM) conference which provided information on American Rescue Plan (ARP) funding and financial oversight.

The Mayor noted an upcoming Fire Department open house coinciding with the Great Cortland PumpkinFest. A job fair has been scheduled for employees being displaced by the announced ALPA and Voyant closures.

The Mayor provided an update on Main St. and Clinton Ave. construction projects, noting that the location of utilities under the streets and a contractor staffing shortage is causing delays. Corrective action plans are being implemented.

## WARD REPORTS

- Ward 1: Council Member Schutt said that he has notified the Police Department about speeding. He has had calls expressing both concern and support for the proposed changes in trash handling. Mr. Schutt said that residents appreciate the additional paving work that is being done this year. He thanked the Mayor for the recent installment of flashing stop signs.
- Ward 2: Council Member Silliman said the Police Department has been helpful in addressing noise issues. She thanked two residents for their efforts cleaning up trash. Ms. Silliman said the 9-11 memorial event which she attended was moving. She said that residents on Jewett Ave. are appreciative that the street will be paved ahead of schedule. She said she is working with the Department of Public Works (DPW) in dealing with a vault under the sidewalk in front of the Elks Lodge as part of the gateway project construction. She suggested adding to the next Council meeting agenda discussion about the recently completed sidewalk survey. At the request of Ms. Silliman, DPW Superintendent Nic Dovi provided an update on W. Court St. lighting, saying that the National Grid is scheduled to rectify a power feed problem.
- Ward 3: Council Member Pennello said that the beaver near the Broadway footbridge has been addressed. She said that DPW quickly addressed flooding caused by a recent storm. She has received calls from senior citizens expressing concerns about the proposed use of trash bins.
- Ward 4: Council Member Lane said she received concerns about parking on the wrong side of Pearl St., more than three unrelated persons living in a unit, and a drop off from the Speeding exit to the street. Ms. Lane noted that she attended the 9-11 memorial ceremony. She thanked Bruce Adams for providing the monthly Waste Water Treatment Facility report.

- Ward 6: Council Member Carpenter thanked the Mayor for his public report about the wildflowers planted along Clinton Ave. and the City’s efforts to work with the U.S. Environmental Protection Agency (EPA) to allow for alternative groundcover.
- Ward 7: Council Member Beckwith commented about Fire Safety Week and urged residents to learn more about fire safety by attending the Fire Department’s Open House on October 1<sup>st</sup>. He said he wants residents to protect themselves and families against loss of life due to fire.
- Ward 8: Council Member Michales thanked the Cortland Youth Bureau (CYB) for installing the lending library. He meet with Bruce Adams about the source of odors. He said the removal of a tree on East Ave. will serve as an opportunity for National Grid arborists to train in tree trimming.

APPROVAL OF THE MINUTES

The minutes of September 6, 2022 were approved.

- Motioned by: Council Member Beckwith
- Seconded by: Council Member Carpenter
- Approved: Ayes – 7  
Nays – 0

RESOLUTIONS

**Resolution No. 159 of 2022      Approve Public Hearing for Proposed Local Law Relating to Changing the City Charter to Create the Position of City Manager**

RESOLVED, that the Common Council directs the City Clerk to publish public notice of a public hearing to be held at 6:00 p.m. October 4, 2022 on the matter of adoption of a local law to amend the City Charter for the purpose of creating the position of City Manager.

- Motioned by: Council Member Pennello
- Seconded by: Council Member Beckwith
- Discussion: Council Member Carpenter said that the informational session held on September 15<sup>th</sup> was helpful. Ms. Silliman asked what will be done with the existing Director of Administration & Finance position, saying that the City won’t always have a Mayor that puts as much time in as Mayor Steve does. She also asked about whose responsibility grant writing will be. Mayor Steve replied by saying that the Director of Administration & Finance has not been responsible for grants; that the City outsources this work to Thoma Development and others, and that it will not be part of a city manager’s job duties. Mr. Steve said that the position of Mayor would remain a part-time position. The Mayor said that the City has a good accounting staff and that the priority of a city manager would be governmental management and activities such as contract negotiation, managing day-to-day operations, and implementing administrative and operational improvements. He added that a city manager may want to restructure finance staffing.
- Approved: Ayes – 7  
Nays – 0

**Resolution No. 160 of 2022                      Determining that Proposed Actions are Type II Actions for Purposes of the New York State Environmental Quality Review Act**

RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, NEW YORK AS FOLLOWS:

1. Each of the Type II Projects constitutes a "Type II Action" (as defined in the Regulations) and no further action under the SEQR Act and the Regulations is required.
2. This resolution shall take effect immediately.

Motioned by: Council Member Beckwith

Seconded by: Council Member Schutt

Discussion:

Approved:        Ayes – 7  
                       Nays – 0

**Resolution No. 161 of 2022                      Bond Resolution of the City Of Cortland, New York, Authorizing the Issuance Of \$1,171,000 Serial Bonds to Finance the Cost of Various Projects**

BE IT RESOLVED by the Common Council of the City of Cortland, New York as follows:

Section 1. The City of Cortland, New York (the "City") is hereby authorized to undertake the various capital projects described below (each, a "Project") at an aggregate estimated maximum cost of \$1,171,000, the estimated maximum cost of each Project being as follows:

- (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:

	Period of Probable Usefulness (Years)	Local Finance Law Section 11.00(a) Paragraph
<u>Section 1 Subparagraph</u>		
(a) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – Toro Groundsmaster Tractor with Mower and Attachments	15	28
(b) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – 2023 International Construction Dump Truck	15	28
(c) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More – 2024 International Truck with Plow	15	28
(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.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution No. 162 of 2022                      Authorize Issuance of a Request for Proposals for City Facilities Study**

RESOLVED, that the Common Council authorizes Mayor Steve to issue a Request for Proposals to inventory and review city owned facilities, provide an assessment of facility conditions, the need for repair, renovation or replacement of facilities, and recommendations for more efficient and effective use of City-owned facilities.

Motioned by: Council Member Pennello

Seconded by: Council Member Beckwith

Discussion: The Mayor commented that he is reluctant to pay for studies but that these assessments are needed for 1-year, 5-year and 15-year planning and cost reductions.

Approved: Ayes – 7  
Nays – 0

**Resolution No. 163 of 2022                      Authorize Letter to NYS Department of Transportation Requesting a Study of Traffic Safety on Route 281 Between W. Main St. and Hillcrest Dr.**

RESOLVED, that the Common Council authorizes Mayor Steve to write a letter to NYS Department of Transportation requesting the Department conduct a study of traffic safety on Route 281 between W. Main St. and Hillcrest Dr.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 7  
Nays – 0

**Resolution No. 164 of 2022                      Authorize Contract with Syracuse Signal Systems, Inc. for Traffic Signal Upgrade Project Additions in the Intersection of Grant St. and N. Main St.**

RESOLVED, that the Common Council authorizes Mayor Steve to execute a contract with Syracuse Signal Systems, Inc. for replacement of the traffic signal, and associated work and equipment including pedestrian crosswalks and Americans with Disabilities Act (ADA) compliant crosswalk ramps in the amount of \$110,183.84 with work commencing in the next 60 days.

Motioned by: Council Member Beckwith

Seconded by: Council Member Lane

Discussion: It was noted that the current traffic light configuration near 7-Eleven will not change. Mr. Beckwith expressed concern about this configuration and traffic flow in and out of 7-Eleven.

Approved: Ayes – 6  
Nays – 1     Mr. Beckwith voting nay.

**Resolution No. 165 of 2022                      Accept and Recognize Donations to the Cortland Fire Department**

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

Motioned by: Council Member Schutt



Seconded by: Council Member Carpenter

Approved: Ayes – 7

Nays – 0

**Resolution No. 166 of 2022                      Authorize Emergency Repair of Apron of Fire Department Station Headquarters**

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.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 7

Nays – 0

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

Motioned by: Council Member Beckwith

Seconded by: Council Member Silliman

Motion to table to the next meeting.

Motioned by: Council Member Beckwith

Seconded by: Council Member Carpenter

Approved: Ayes – 7

Nays – 0

Agenda Item No. 9 was tabled to the next meeting.

DISCUSSION ITEMS

**Discussion Item No. 1                                      Parker School Ad Hoc Planning Committee**

Mayor Steve said there is an upcoming meeting.

**Discussion Item No. 2                                      Town and Gown Ad Hoc Planning Committee**

Mayor Steve said he recently met with the SUNY Cortland student government association and had a good dialogue.

**Discussion Item No. 3                                      Rental Housing Zoning Update Ad Hoc Committee**

Several meetings have taken place and legal issues are being examined. Ms. Silliman inquired about the makeup of the committee and asked for a list of members. The Mayor replied that the membership had been provided to Council Members and that he would resend it.

ADJOURNMENT

The meeting was adjourned at 7:02 p.m. on motion of Council Member Beckwith, seconded by Council Member Silliman, and approved by a vote of 7-0.

**I, ANDREW T. JEWETT, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 20<sup>TH</sup> DAY IN SEPTEMBER, 2022. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.**

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**ANDREW T. JEWETT, CITY CLERK**

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**SCOTT STEVE, MAYOR**