



## CITY OF CORTLAND COMMON COUNCIL

**NOVEMBER 15, 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

PRIVILEGE OF THE FLOOR

MAYOR'S REPORT

WARD REPORTS

APPROVAL OF THE MINUTES FOR NOVEMBER 1, 2022

RESOLUTIONS

#### **Agenda Item No. 1**

#### **Set Public Hearing on Proposed Local Law to Reserve Property Tax Levy Authority Established in General Municipal Law §3-c**

WHEREAS, the New York State Legislature enacted General Municipal Law §3-c which establishes a limit upon real property tax levies by local governments; AND

WHEREAS, pursuant to General Municipal Law §3-c (5), a local government may adopt a budget in excess of the tax levy limit only if the governing body of such local government first enacts a local law to override the tax levy limit for the coming fiscal year only; AND

WHEREAS, the Mayor submitted a tentative 2023 City budget which is below the tax levy limit, and the Common Council has filed a proposed 2023 City budget which is below the tax levy limit; AND

WHEREAS, the City of Cortland is waiting for a financial audit to be completed; AND

WHEREAS, the findings of such audit or unforeseen changes in projected revenue or expenditures may require the Common Council to amend the adopted City budget during the course of the 2023 fiscal year; AND

WHEREAS, the Common Council wishes to reserve the authority to exceed the tax levy limit in 2023 if deemed necessary; NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 3-c (5) of the General Municipal Law and Section 20 of the Municipal Home Rule Law of the State of New York, a public hearing on a proposed local law to authorize the override of the tax levy limit for fiscal year 2023 if deemed necessary shall be held on the 6<sup>th</sup> day of December, 2022 at 6:00 p.m. at City Hall, 25 Court Street, Cortland NY and that the City Clerk shall publish notice of such hearing in the official newspaper of the City of Cortland.

**Agenda Item No. 2 File Proposed 2023 Budget and Set Public Hearing**

WHEREAS, the Mayor submitted the tentative City budget and an accompanying budget message to the Common Council and in accordance with Article XXI Section C21-6 of the City Charter filed the same with the City Clerk; AND

WHEREAS, in accordance with Article XXI Section C21-7 of the City Charter the City Clerk made the tentative City budget available to the public in the office of the City Clerk and submitted for publication notice of filing of the tentative City budget in the official newspaper of the City; AND

WHEREAS, Article XXI Section C21-8 of the City Charter provides that the Common Council shall review and may modify the tentative City budget as submitted by the Mayor and shall, not later than the 15th day of November, approve the resultant document, which shall be the proposed City budget, and file the same with the City Clerk who shall make such document available to the public and publish notice of filing of the proposed City budget in the official newspaper of the City; AND

WHEREAS, Article XXI Section C21-9 of the City Charter provides that not later than the first day of December, the City Clerk shall cause to be published in the official newspaper of the City an itemized abstract of the proposed City budget and a notice of the place and time, not later than the 15th of December, at which the Common Council shall hold a public hearing on the proposed City budget during which any persons may be heard for or against the proposed City budget, or any item thereof; AND

WHEREAS, the Common Council has meet to review the tentative budget and has made modifications to the tentative budget; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby file the proposed 2023 City budget with the City Clerk; AND BE IT FURTHER

RESOLVED, that on the 6<sup>th</sup> day of December, 2022 at 6:00 p.m. prior to its scheduled regular meeting, the Common Council shall hold a public hearing on the proposed City budget and that the City Clerk shall publish notice of such hearing in the official newspaper of the City of Cortland.

**Agenda Item No. 3 Set Public Hearing on Proposed Local Law to Amend Chapter 241 of the City Code Relative to Solid Waste and the Collection Thereof**

WHEREAS, the City of Cortland created a Trash and Recycling Ad Hoc Committee to evaluate the City's solid waste collection procedure, and concluded with a recommendation to the Mayor and the Common Council that a new collection system be implemented to better serve the community as a whole; AND

WHEREAS, the City's current agreement for this service expires at the end of the 2022 fiscal year; AND

WHEREAS, a Request for Proposals was issued and Blue Moose Sanitation, Inc. was awarded the bid; AND

WHEREAS, as a result, on November 1, 2022, the Common Council passed Resolution No. 191, entitled

“Authorize Agreement for the Collection of Trash and Recycling within the City of Cortland with Blue Moose Sanitation Services” authorizing the Mayor to execute an agreement with Blue Moose Sanitation, Inc.; AND

WHEREAS, the Chapter 241 of the City Code outlines the solid waste collection process, but is inconsistent with the approved program moving forward; AND

WHEREAS, this new benefit for the City and its residents, will requires a the Council to approve a local law in order to effectively revise Chapter 241 of the Code; AND

WHEREAS, a public hearing must be held prior to consideration of a local law; NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, a public hearing on said proposed local law to amend Chapter 241 of the City Code relative to solid waste and the collection thereof shall be held on the 6<sup>th</sup> day of December, 2022 at 6:00 p.m. at City Hall, 25 Court Street, Cortland NY and that the City Clerk shall publish notice of such hearing in the official newspaper of the City of Cortland.

#### **Agenda Item No. 4                                Reappoint Kathie Wilcox to the Board of Assessment Review**

WHEREAS, the purpose of the Board of Assessment Review (BAR) is to guarantee taxpayers’ rights by hearing real property assessment grievances and arriving at fair and impartial determinations regarding those complaints; AND

WHEREAS, Section 523 of the Real Property Tax Law prescribes BAR appointments which shall be made by the City Council; AND

WHEREAS, Section 523 of the Real Property Tax Law prescribes that BAR appointments shall be for a five-year term of office to begin on October 1 and end on September 30, five years later, with terms staggered so that only one term expires each year; AND

WHEREAS, persons appointed on a date other than October 1 to fill an unexpired term serve until September 30 of the year that term ends; AND

WHEREAS, the term of Kathie Wilcox expired September 30, 2022; AND

WHEREAS, communication was received by the City Clerk on November 2, 2022 recommending Ms. Wilcox’s reappointment; NOW, THEREFORE, BE IT

RESOLVED, that Kathie Wilcox is hereby reappointed to the City of Cortland Board of Assessment Review for a term to begin November 15, 2022 and to expire September 30, 2027.

#### **Agenda Item No. 5                                Authorize Agreement to Supersede Previously Approved Option Agreement to Evaluate Feasibility of a Solar Energy Production Facility at 136 South Pendleton Street**

WHEREAS, on May 17, 2022, the Common Council of the City of Cortland authorized the Mayor to enter into an Option Agreement on behalf of the City of Cortland with Davis Hill Development, LLC for a period of six (6) months in exchange for an extension fee in the amount of \$250.00 to allow for the continuation of evaluating the feasibility of a solar energy production site at 136 South Pendleton Street; AND

WHEREAS, said agreement did not constitute a lease agreement between the parties, and also required the City of Cortland and Davis Hill Development, LLC, to execute an agreement for any future extension as outlined therein; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to enter into an agreement on behalf of the City of Cortland with Davis Hill Development, LLC for a period of six (6) months, in exchange for an extension fee in the amount of \$250.00 to allow Davis Hill. LLC to continue its solar feasibility process.

**Agenda Item No. 6                                  Authorize City Fire Department to Hire Two Firefighters in Contemplation of Retirements**

WHEREAS, the Cortland City Fire Department has an authorized force of 35 firefighters; AND

WHEREAS, staffing shortages require mandatory staffing levels to be filled with overtime, which is an increased cost to the City and often requires firefighters to work long hours above and beyond their normal scheduled shifts; AND

WHEREAS, the excessive overtime and longer shifts negatively impact firefighter safety and morale; AND

WHEREAS, the Fire Chief has received letters from three firefighters of their intent to retire in March of 2023, which would create two vacancies within the agency; AND

WHEREAS, there are scheduled Recruit Firefighter Training Academies to commence in February and August of 2023 which would allow replacement firefighters to be hired and commence their training prior to these vacancies; AND

WHEREAS, keeping staffing levels full reduces overtime, saves money, and increases firefighter safety and morale; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council grants authority to the Fire Chief to hire three additional firefighters above authorized staffing levels and commence their training to lessen the impact of the anticipated staffing shortage resulting from the stated intent of two firefighters to retire in the first half of 2023.

**Agenda Item No. 7                                  Authorize Agreement for Electronic Parking System**

WHEREAS, parking in the City of Cortland has historically been an issue due to a lack of parking space in the business district, varied time allowances for streets and parking lots, odd/even parking; AND

WHEREAS, parking over the past several years has been complicated even more with the introduction of permit parking, both general permits and residential permits; AND

WHEREAS, over the past few years there has been a movement to increase residential living in the business district area, which creates further demands on the limited parking available; AND

WHEREAS, complex and confusing parking regulations, along with insufficient parking spaces, often leads to persons not paying their citations or appealing them; AND

WHEREAS, issuing parking citations, managing the payments or lack thereof, mailing letters and handling appeals is both labor intensive and costly; AND

WHEREAS, the City of Cortland administration, in conjunction with the Cortland City Police have been researching Electronic Parking Solutions for the past several years as a means of simplifying all facets of the parking dilemma in order to save labor and taxpayer dollars; AND

WHEREAS, various systems have been reviewed and it has been determined that Passport Parking Enforcement Software/United Public Safety Inc. can address all the parking dilemmas and needs faced by the City of Cortland, including reducing costs and manpower; AND



officers to be hired and commence their training prior to these vacancies; AND

WHEREAS, keeping staffing levels full reduces overtime and saves money, increases officer safety and morale, and provides more opportunity for proactive policing of the community; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council grants authority to the Chief of Police to hire two additional police officers above authorized staffing levels and commence their training to lessen the impact of the anticipated staffing shortage resulting from the stated intent of two senior officers to retire in the first half of 2023.

**Agenda Item No. 10 Authorize Wastewater Department Equipment to be Declared Surplus**

WHEREAS, the City of Cortland has partnered with Seven Valleys Health Coalition in their creation of a Scrap Food Rescue and Reuse project; AND

WHEREAS, said project has been highly successful in both helping meet local food insecurity issues and diverting organics from landfill disposal; AND

WHEREAS, Seven Valleys has been using a standard doctor’s office scale for weighing in rescued food, an inadequate tool for the task; AND

WHEREAS, the Wastewater Department has a 1,000 lb. capacity platform scale it has not utilized for many years; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council authorizes a Fairbanks Model 41-3132 Platform Scale currently in the possession of the Wastewater Department to be declared as surplus and authorizes the Superintendent of Wastewater to donate said scale to Seven Valley Health Coalition for use in the Seven Valleys Health Coalition’s Food Rescue program.

DISCUSSION ITEMS

**Discussion Item No. 1 Retiree Health Insurance**

ADJOURNMENT