

1. Agenda.

Documents:

[AGENDA.08.07.2018.PDF](#)

2. Supporting Documents

Documents:

[CC SUPPORTING DOC. 2018.08.07.PDF](#)

## COMMON COUNCIL AGENDA August 7, 2018

7:00 PM Public Hearing on Local Law to amend 300-11 R-1 Residential District.

- Call Meeting to Order
- Salute to the Flag of the United States
- Public Comments
- Ward Reports
- Mayor’s Report – Recognize Tom Tobin for 25 years.
- Minutes – Approval of minutes

**AGENDA:**

**Item #1** – Consideration of a Resolution to approve the Special Event Application including all permits for the Cortland Elks Lodge Cruise In, held on August 26, 2018 from 11AM – 4PM at Groton Ave Parking Lot. (Mayor Tobin)

**Item #2** – Consideration of a Resolution to waive the application fees for Cortland Elks Lodge Cruise In. (Mayor Tobin)

**Item #3** – Consideration of a Resolution to approve the Special Event Application including all permits for the A Wedding Reception, held on September 2, 2018 from 1PM – 7PM at Groton Ave Parking Lot. (Mayor Tobin)

**Item #4** – Consideration of a Resolution to accept, recognize and appropriate the following donations to the Youth Bureau. (John McNerney)

<b>Donation</b>	<b>Amount</b>	<b>Event/Project</b>	<b>Budget Line</b>
Reagan Land Surveying	\$100.00	Porchfest	A-7550.5405
Cortland Regional Medical	\$500.00	Porchfest	A-7550.5405
Lime Hollow	\$100.00	Porchfest	A-7550.5405
Sharon Braman	\$100.00	Porchfest	A-7550.5405
Catherine Bertini	\$1,200.00	Rocket Ship Slide Repairs	A-7140.5405
Stephen Valentine	\$1,000.00	Rocket Ship Slide Repairs	A-7140.5405
Larry & Linda Jones	\$100.00	Rocket Ship Slide Repairs	A-7140.5405
Doreen Stacy	\$500.00	Rocket Ship Slide Repairs	A-7140.5405
Robert Gregory/K Starr	\$500.00	Rocket Ship Slide Repairs	A-7140.5405
Mary Leary	\$500.00	Rocket Ship Slide Repairs	A-7140.5405
Siegle Foundation	\$100.00	Rocket Ship Slide Repairs	A-7140.5405
Kathleen Oconnell	\$100.00	Rocket Ship Slide Repairs	A-7140.5405
Diane Tennant	\$100.00	Rocket Ship Slide Repairs	A-7140.5405
Mike Browngardt	\$50.00	Rocket Ship Slide Repairs	A-7140.5405
<b>Total</b>	<b>\$4,950.00</b>		

**Item #5** – Consideration of a Resolution to authorize the Mayor to execute an agreement between the City of Cortland and the Town of Cortlandville for services rendered by the Cortland Youth Bureau from January 1, 2018 – December 31, 2018. (John McNerney)

**Item #6** – Consideration of a Resolution to recognize and appropriate proceeds from the sale of Membrane BioReactor equipment from the Wastewater facility declared surplus by the Common Council on 2/6/18, in the amount of \$50,000.00, to the budget line G8130-540500 CONTR FUNCT OP EQUIP. (Bruce Adams)

**Item #7** – Consideration of a Resolution to appropriate \$300.00 from used tire sale by Cortland City Police to budget line Motor Equipment Repair (A3120-402.00) to be used for the purchase of new tires. (DC Sandy)

**Item #8** – Consideration of a Resolution to approve the Local Law for Sidewalk Regulations. (Ric Vandonsel)

**Item #9** – Consideration of a Resolution to approve the Local Law to amend 300-11 R-1 Residential District. (Alderman Silliman)

**Item #10** – Consideration of a Resolution authorizing the Issuance of \$955,000 in Serial Bonds to Finance the Cost of Purchase of Fire-Fighting Vehicles and Apparatus: (Mack Cook)

**Whereas;** Common Council by Resolution 201 of 2017 authorized the acquisition of a Rescue Truck at a cost not to exceed \$400,000 and an Engine at a cost not to exceed \$600,000.

**Therefore Be It Resolved;** that Common Council hereby authorizes the Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$955,000 serial bonds to finance the cost of purchase of fire-fighting vehicles and apparatus.

**Item #11** – Consideration of a Resolution to authorizes the publication of the Estopple Notice pertaining to the Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$955,000 serial bonds to finance the cost of purchase of fire-fighting Vehicles and apparatus. (Mack Cook)

**Item #12** – Consideration of a Resolution suspending the payment of vacant house fees for 62 Lincoln Avenue. Such approval conditioned upon sale of the house to a permanent owner and completion of repairs to eliminate code deficiencies. (Ric VanDonsel)

**Item #13** – Consideration of a Resolution to authorize the Issuance of Bonds in the aggregate of \$500,000 to Fund the Reconstruction of the City Hall Roof, Replacement of the HVAC Chiller System thereon, and Repairs and Repaving to the City Hall Parking Lot. (Mack Cook)

**Whereas;** on July 17, 2018, Common Council adopted by resolution approval of the Reconstruction of the City Hall Roof, Replacement of the HVAC Chiller System thereon, and Repairs and Repaving to the City Hall Parking Lot, and

**Whereas;** on July 17, 2018, the adopted resolution set forth the estimated pre-RFP cost of replacing the Roof to be \$175,000, and

**Whereas;** on July 17, 2018, the adopted resolution set forth the estimated pre-RFP cost of replacing the HVAC chiller to be \$125,000, and

**Whereas;** on July 17, 2018, the adopted resolution set forth the estimated pre-RFP cost of repaving the parking lot to be \$200,000.

**Therefore Be It Resolved;** that Common Council hereby authorizes the Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$300,000 serial bonds to finance the cost of the reconstruction and renovation of City Hall, and

**Be It Further Resolved;** that Common Council hereby authorizes the Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$200,000 serial bonds to finance the cost of resurfacing of the City Hall parking lot, and

**Be It Further Resolved;** that Common Council hereby authorizes the publication of the Estopple Notice pertaining to the Bond Resolution authorizing the issuance of \$300,000 serial bonds to finance the cost of the reconstruction and renovation of City Hall, and

**Be it Further Resolved;** that Common Council hereby authorizes the publication of the Estopple Notice pertaining to the Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$200,000 serial bonds to finance the cost of resurfacing of the City Hall parking lot.

**Item #14** – Consideration of a Resolution to Amended the 2018 Adopted General Fund Budget by Transferring \$44,500 Dollars for the Contingent Account to the Department of Public Works' Storm and Sanitary Accounts to Fund Repairs of the Pendleton Street Sanitary/Stormwater System in the Vicinity of Fox Hollow Drive. (Mack Cook)

**Whereas;** conditions exist in the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive that presents a continuing risk to the structural integrity of public streets, and

**Whereas;** conditions exist in the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive that presents a risk to safe passage on public streets in time of winter conditions, and

**Whereas;** conditions exist in the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive that create marshland conditions that promote the infestation of insects that pose a risk to public health, and

**Whereas;** conditions exist in the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive that create marshland conditions that promote the growth in invasive vegetation, and

**Whereas;** it is estimated that \$40,000 is required for materials to rehabilitate the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive, and

**Whereas;** it is estimated that \$ 4,500 is required to rent equipment to rehabilitate the Pendleton Street/Stormwater system in the vicinity of Fox Hollow Drive.

**Therefore be it Resolved,** that conditions exist in the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive that presents a continuing risk to the public health, safety and welfare, and

**Be it Further Resolved,** that the 2018 Adopted General Fund Budget be amended as follows:

Account	Department	Description	Action	Amount	Current Available Balance as of July 19, 2018	Revised Available Balance
A8140-540100	Storm & Sanitary Sewers	Motor Equip Op	Increase	\$ 4,500	\$ 2,230	\$ 6,730
A8140-540500	Storm & Sanitary Sewers	Funct of Equip	Increase	\$ 40,000	\$ 793	\$ 40,793
A1990-540000	Contingent	Cogeneral	Decrease	\$ 44,500	\$ 140,938	\$ 96,438
Net Affect				\$ -		

**Be it Further Resolved,** which the Mayor is to discuss with the Cortland City School District regarding its financial participation in the rehabilitation of the Pendleton Street Sanitary/Stormwater system in the vicinity of Fox Hollow Drive.

**Item #15** – Consideration of a Resolution to authorize the Mayor to execute a Sales Tax agreement with the County of Cortland with the terms set forth in the attached proposed agreement. (Ric VanDonsel)

**Item #16** – Consideration of Resolution determining that the Proposed Actions of Reconstruction of the City Hall Roof and HVAC Chiller System thereon are Type II Actions for Purposes of the New York State Environmental Quality Review Act (SEQR). (Ric VanDonsel)

**Item #17** – Consideration of Resolution determining that the Proposed Action of Resurfacing the City Hall Parking Lot is a Type II Actions for Purposes of the New York State Environmental Quality Review Act (SEQR). (Ric VanDonsel)

**Item #18** – Consideration of Resolution Determining that the Proposed Action of purchasing fire-fighting vehicles and apparatus, including the acquisition of original furnishings, equipment, machinery and apparatus required is a Type II Actions for Purposes of the New York State Environmental Quality Review Act (SEQR). (Ric VanDonsel)

**Item #19** – Update on DRI. (Mayor Tobin)

**Item #20** – Update on Parker School Task Force. (Mayor Tobin)

**Adjournment**



# Certificate of Longevity

This certificate has been awarded to

Thomas Tobin

In Appreciation of Service

For 25 Years of Public Service for the City of Cortland

Given this 7<sup>th</sup> day of August, 2018

\_\_\_\_\_

# City of Cortland Special Event Application

**Event Name:** Cortland Elks Lodge Cruise In **Today's Date:** 7/19/18  
**Event Contact:** Carrie Kane or Butch Garvey **CDP Member?** Yes  No   
**Address:** 9 Groton Avenue  New Event  Existing Event  
**Email:** CortlandElksLodge748@gmail.com **Phone:** 607 756 9748  
**Will proceeds of your event benefit a charitable cause that provides service to Cortland residents?** Yes  No   
**If yes, name the charitable causes:** Veterans Program, Youth Program, ENF **Non-profit Tax ID:** We are a Not-for-profit

## Event Information

**NAME OF EVENT:** Cortland Elks Lodge Cruise In  
**TYPE OF EVENT** (i.e., walkathon, street fair, festival, etc.): Car Show  
**EVENT LAYOUT** if the event is a walkathon, run, etc., attach a map of route and/or street closures. If the event is a festival or street fair, attach a map to indicate location of street blockages requested, booth alignment and type of merchandise vended from each booth:

<b>DATE DAY 1:</b> <u>8/26/18</u> <input type="checkbox"/> <b>STREET CLOSURE:</b> Start Time: _____ End Time: _____ Street: _____ <input checked="" type="checkbox"/> <b>LOT CLOSURE:</b> Start Time: <u>11 AM</u> End Time: <u>4 pm</u> Lot: <u>Groton Ave between Elks + Hollywood</u> <input checked="" type="checkbox"/> <b>AMPLIFIED MUSIC:</b> Start Time: <u>1 PM</u> End Time: <u>4 PM</u>	<b>DATE DAY 2:</b> _____ <input type="checkbox"/> <b>STREET CLOSURE:</b> Start Time: _____ End Time: _____ Street: _____ <input type="checkbox"/> <b>LOT CLOSURE:</b> Start Time: _____ End Time: _____ Lot: _____ <input type="checkbox"/> <b>AMPLIFIED MUSIC:</b> Start Time: _____ End Time: _____
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**START LOCATION:** 9 Groton Ave **END LOCATION:** 9 Groton Ave  
**EXPECTED # OF PARTICIPANTS:** 50-75 **# OF SPECTATORS:** 200 **# OF VEHICLES:** 50-75 **HOTELS:** Is this event expected to generate area overnight stays? If so, estimated # of rooms: \_\_\_\_\_

## Event Components

- |  |  |   |
|--|--|---|
| <b>Location/Safety</b><br><input type="checkbox"/> City park use<br><input type="checkbox"/> City streets blocked<br><input type="checkbox"/> City sidewalks blocked<br><input checked="" type="checkbox"/> City parking lots closed<br><input checked="" type="checkbox"/> City barricades<br><input type="checkbox"/> City cones<br><input type="checkbox"/> Animal ban<br><input type="checkbox"/> Animals are part of the event<br><input type="checkbox"/> EMTs needed on site<br><input type="checkbox"/> Police escort requested<br><b>Waste Management</b><br><input type="checkbox"/> City litter pickup<br><input type="checkbox"/> City street sweeping | <b>Structures</b><br><input type="checkbox"/> Temporary structures<br><input checked="" type="checkbox"/> Canopies up to 10' x 10'<br><input type="checkbox"/> Grounded tents over 10' x 10'<br><input type="checkbox"/> Beer and/or wine garden<br><input type="checkbox"/> Street banner requested<br><input type="checkbox"/> Rides or amusements<br><input type="checkbox"/> Showmobile rental requested<br><input type="checkbox"/> Portable restrooms<br><input type="checkbox"/> Seating area<br><b>Sound</b><br><input type="checkbox"/> Fireworks<br><input checked="" type="checkbox"/> Amplified sound or music<br><input type="checkbox"/> Ceremonial Gun Salute | <b>Food</b><br><input checked="" type="checkbox"/> Food cooked on-site<br><b>Alcohol</b><br><input checked="" type="checkbox"/> Alcohol sold on-site<br><input type="checkbox"/> Alcohol served<br><b>Vending</b><br><input type="checkbox"/> Vending of goods<br><input type="checkbox"/> Vending of food<br><b>Power Source</b><br><input type="checkbox"/> City electricity use<br><input type="checkbox"/> Generator use<br><b>Insurance</b><br><input type="checkbox"/> General Liability Insurance certificate<br><input type="checkbox"/> Liquor Liability Insurance certificate |
|--|--|---|

**Other components not listed:** we carry liability insurance and have 5 members trained in crowd management through the City  
**Marketing budget:** \$0 **Admission Fee:** \$0

**Fire Approval:** \_\_\_\_\_  
**CPD Approval:** \_\_\_\_\_  
**Council Approval:** \_\_\_\_\_

**SOUND DEVICE PERMIT APPLICATION**

DATE REQUESTED: 8/26/18

ISSUANCE DATE: \_\_\_\_\_

NAME: Cortland Elks Lodge #748

EXPIRATION DATE: \_\_\_\_\_

ADDRESS: 9 Groton Avenue  
Cortland, NY 13045

TELEPHONE: 607 756 9748

TYPE OF SOUND DEVICE: Bard Times: 1-4 pm

NON-PROFIT: X - Not-for-profit organization

*(\*Please check if you are a non-profit group therefore no licensing fee applies)*

LICENSE FEE: Fixed Location-\$250 Mounting upon Motor Vehicle-\$500

FOR BUSINESS: \$100

**Fixed Location:** For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place from any one fixed location and not in, or mounted upon a motor vehicle, the sum of \$250 for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

**Mounting upon motor vehicle:** For the use or operation of any radio, phonograph, microphone or other device by which sounds are magnified and caused to be heard over any public street or public place to be used in, or mounted upon, a motor vehicle, the sum of \$500 for any day or part of a day for which the applicant desires permission hereunder. (Code of Ordinances 193-5 Noise Article II Sound Devices [adopted 8-5-1969 as Ch. 12, Art. VI, of the 1969 Code of Ordinances])

**Business permit fee:** For the use or operation of any radio, phonograph, microphone or other device by which sound is magnified and caused to be heard over any public street or public place from any one fixed location and not mounted on a motor vehicle, the sum of \$100 for up to 6 events, as approved by Common Council in 2015.

Shane Exalted Ruler  
Signature of Applicant

7/19/18  
Date

**APPLICATION MUST BE FILED WITH APPLICATION FEE AT LEAST TWO (2) WEEKS BEFORE FUNCTION AND ONE (1) WEEK PRIOR TO COMMON COUNCIL MEETING TO ALLOW TIME FOR APPROVAL.**

**IF APPROVED, YOUR PERMIT WILL BE MAILED TO YOU.**

**IF NOT APPROVED, YOUR APPLICATION FEE WILL BE RETURNED TO YOU.**

To whom it may concern,

I am writing to request a waiver of application fee for the special event application and sound device permit application. This has been waived in years past, and we are hoping it may continue. The waiver of this fee helps our Not-For-Profit Fraternal Organization to run a Free community event and continue to have it available to the public at no cost. The Cortland Elks Lodge #748 provides numerous charitable branches to the community including the pancake breakfast program for youth – which helps fund equipment for sports and school groups; the veterans program, which provides care packages to veterans in local nursing facilities; and the Drug Awareness Program – which funded and co-founded the Hidden Mischief Program with Cortland Prevention Resources this past year.

This event has been ongoing for the past 5 years, including last year in 2017 when not a single vehicle was towed from the lot. We have a system in place to notify all whom park in the lot with ample notice, and a partnership with Hollywood Restaurant across the lot from us, who report a spike in business with this event. Our crowds have been managed safely historically and we expect our high standards to continue.

In order to continue to give back and make our community what we all aspire it to be, we are requesting this waiver of fees.

I appreciate your time and consideration in this request.

A handwritten signature in blue ink that reads "Carrie Kane, ER". The signature is written in a cursive, flowing style.

Carrie Kane, Exalted Ruler

Cortland Elks Lodge #748

9 Groton Avenue

Cortland, NY 13045

607.756.9748



# City of Cortland Special Event Application

Event Name: Cusson/Toomey Wedding Today's Date: 7/24/18  
 Event Contact: Jenni Toomey CDP Member? Yes  No   
 Address: Jenniteer 19 Pearne Ave  New Event  Existing Event  
 Email: jennitoomey@gmail.com Phone: 607-591-9461  
 Will proceeds of your event benefit a charitable cause that provides service to Cortland residents? Yes  No  If yes, name the charitable causes: \_\_\_\_\_ Non-profit Tax ID: \_\_\_\_\_

## Event Information

NAME OF EVENT: Cusson/Toomey Wedding  
 TYPE OF EVENT (i.e., walkathon, street fair, festival, etc.): Wedding reception  
 EVENT LAYOUT If the event is a walkathon, run, etc., attach a map of route and/or street closures. If the event is a festival or street fair, attach a map to indicate location of street blockages requested, booth alignment and type of merchandise vended from each booth.

DATE DAY 1:	DATE DAY 2:
<u>September 2, 2018</u>	
<input type="checkbox"/> STREET CLOSURE: Start Time: _____ End Time: _____ Street: <u>Groton Ave</u>	<input type="checkbox"/> STREET CLOSURE: Start Time: _____ End Time: _____ Street: _____
<input checked="" type="checkbox"/> LOT CLOSURE: Start Time: <u>1 00 pm</u> End Time: <u>7 pm</u> Lot: <u>Behind Cortland Elks</u>	<input type="checkbox"/> LOT CLOSURE: Start Time: _____ End Time: _____ Lot: _____
<input type="checkbox"/> AMPLIFIED MUSIC: Start Time: _____ End Time: _____	<input type="checkbox"/> AMPLIFIED MUSIC: Start Time: _____ End Time: _____

START LOCATION: \_\_\_\_\_ END LOCATION: \_\_\_\_\_  
 EXPECTED # OF PARTICIPANTS: 200 # OF SPECTATORS: \_\_\_\_\_ # OF VEHICLES: \_\_\_\_\_  
 HOTELS: Is this event expected to generate area overnight stays? If so, estimated # of rooms: \_\_\_\_\_

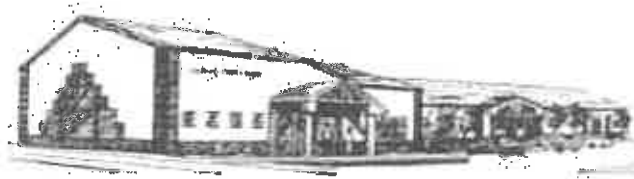
## Event Components

<b>Location/Safety</b> <input type="checkbox"/> City park use <input type="checkbox"/> City streets blocked <input type="checkbox"/> City sidewalks blocked <input checked="" type="checkbox"/> City parking lots closed <input type="checkbox"/> City barricades <input type="checkbox"/> City cones <input type="checkbox"/> Animal ban <input type="checkbox"/> Animals are part of the event <input type="checkbox"/> EMTs needed on site <input type="checkbox"/> Police escort requested <b>Waste Management</b> <input type="checkbox"/> City litter pickup <input type="checkbox"/> City street sweeping	<b>Structures</b> <input type="checkbox"/> Temporary structures <input type="checkbox"/> Canopies up to 10' x 10' <input checked="" type="checkbox"/> Grounded tents over 10' x 10' <input type="checkbox"/> Beer and/or wine garden <input type="checkbox"/> Street banner requested <input type="checkbox"/> Rides or amusements <input type="checkbox"/> Showmobile rental requested <input type="checkbox"/> Portable restrooms <input checked="" type="checkbox"/> Seating area <b>Sound</b> <input type="checkbox"/> Fireworks <input type="checkbox"/> Amplified sound or music <input type="checkbox"/> Ceremonial Gun Salute	<b>Food</b> <input checked="" type="checkbox"/> Food cooked on-site <b>Alcohol</b> <input type="checkbox"/> Alcohol sold on-site <input type="checkbox"/> Alcohol served <b>Vending</b> <input type="checkbox"/> Vending of goods <input type="checkbox"/> Vending of food <b>Power Source</b> <input type="checkbox"/> City electricity use <input type="checkbox"/> Generator use <b>Insurance</b> <input type="checkbox"/> General Liability insurance certificate <input type="checkbox"/> Liquor Liability insurance certificate
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Other components not listed: small area lot behind Cortland Elks Lodge for a small tent (80 people)

Fire Approval: \_\_\_\_\_  
 CPD Approval: \_\_\_\_\_  
 Council Approval: \_\_\_\_\_

Marketing budget: \_\_\_\_\_ Admission Fee: \_\_\_\_\_



# CORTLAND YOUTH BUREAU

35 Port Watson Street • Cortland, NY 13045 • (607) 753-3021 • Fax: (607) 753-3023 • [www.cortland.org](http://www.cortland.org)

**TO: Mayor Brian Tobin**  
**Members of the City Council**  
**Mack Cook, Director of Administration and Finance**  
**Lori Crompton, Finance Department**

**FROM: John McNerney, Youth Bureau Director**

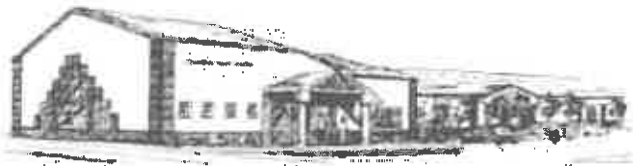
**RE: CYB Donations**

**DATE: July 30<sup>th</sup>, 2018**

I would like to ask the common council to accept and recognize the following donations. The donation should be appropriated to the Youth Bureau operating budget.

<b>Donation</b>	<b>Amount</b>	<b>Event/Project</b>	<b>Budget Line</b>
Reagan Land Surveying	\$100.00	Porchfest	A-7550.5405
Cortland Regional Medical	\$500.00	Porchfest	A-7550.5405
Lime Hollow	\$100.00	Porchfest	A-7550.5405
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Diane Tennant	\$100.00	Rocket Ship Slide Repairs	A-7140.5405
Mike Browngardt	\$50.00	Rocket Ship Slide Repairs	A-7140.5405
<b>Total =</b>	<b>\$4,650.00</b>		





# CORTLAND YOUTH BUREAU

35 Port Watson Street • Cortland, NY 13048 • (607) 753-3021 • Fax (607) 753-3023 • [www.cortland.org](http://www.cortland.org)

**TO:** Mayor Brian Tobin  
Mack Cook, Director of Finance and Administration  
Richard VanDonsel, Law Department  
Devon Rainbow, Mayor Secretary

**FROM:** John McNerney, Youth Bureau Director

**RE:** Town of Cortlandville Contract

**DATE:** July 26, 2018

The Cortlandville Town Board has approved funding the 2018 contract agreement between the City of Cortland in the amount of \$71,700.00 to provide Youth Bureau Services. Enclosed is a copy of the 2018 contract and 2018 approval letter from the Town of Cortlandville for your review.

The following language should be used for the common council meeting:

*Consideration of a resolution to authorize the Mayor to execute agreement between the City of Cortland and the Town of Cortlandville for services rendered by the Cortland Youth Bureau from January 1<sup>st</sup>, 2018 – December 31<sup>st</sup>, 2018.*

Please sign two copies of the 2018 contract agreement and submit to the Town of Cortlandville. Feel free to call me with any questions or concerns at 753-3021 ext. 423 or [mcnerney@cortland.org](mailto:mcnerney@cortland.org).



## AGREEMENT

This agreement made the \_\_\_\_ day of \_\_\_\_\_ by and between the City of Cortland, a Municipal Corporation with a principal place of business located at 25 Court Street, Cortland, New York, hereafter referred to as the "City," and the Town of Cortlandville, a municipal corporation with a principal place of business located at 15 Terrace Road, in the Town of Cortlandville, County of Cortland, and State of New York, hereafter referred to as the "Town:"

**WHEREAS**, the City maintains, through its Cortland Youth Bureau, facilities and personnel for Recreation, Youth Services/Counseling and parks; and

**WHEREAS**, the Town desires to provide for its residents facilities and personnel for Recreation, Youth Services/Counseling and parks.

In consideration of the mutual covenants herein expressed, the parties agree as follows:

**I. Use of Facilities, Services and Personnel**

The City will make available, at such time and for such duration as determined by the Cortland Youth Bureau, facilities, Youth Services/Counseling, recreation programs and parks for use by the residents of the Town.

**II. Payment**

In consideration of the use of said facilities, Youth Services/Counseling and parks, the Town agrees to pay the City the amount of Seventy One Thousand and Seven Hundred Dollars and 00/100 (\$71,700.00) for use of said facilities, Youth Services/Counseling, Recreation Programs and Parks, during the 2018 calendar year.

**III. Indemnification**

The Town agrees to indemnify and save harmless the City from any liability or damages the City may suffer as a result of claims, demands, costs, or judgments against the City arising out of an intentional or negligent act committed by the Town and/or the Town residents during the use of said facilities, Youth Services/Counseling and parks.

**IV. Duration of Agreement**

This agreement will commence January 1, 2018, and terminate as of December 31, 2018.

**V. Facility Management**

The City shall provide, through its Youth Bureau, management services for the daily operation of the facilities. The City shall provide the following services:

- Maintain a written reservation and scheduling system.
- Require and maintain Certificates of Insurance from groups using facilities.
- Report all maintenance issues to the Town Highway Superintendent.
- Promote use of the Ted Testa Citizens Park, and Blodgett Mills Park hereinafter collectively the "Cortlandville Parks," and provide program information in the Cortland Youth Bureau brochure.
- Provide staff to manage field reservation and inquiries.
- Provide Park Patrol service and patrol car from May 1<sup>st</sup> – September 1<sup>st</sup> from 6:00 PM seven days a week at all three of the Cortlandville parks.
- Provide participation data in CYB Recreation Programs.

**XII. Entire Agreement**

This agreement constitutes the complete understanding between the parties as to the matters contained herein. This agreement shall not be modified except by written agreement signed by the parties.

**IN WITNESS WHEREOF**, the parties have executed this agreement at the date first noted above.

City of Cortland

By: \_\_\_\_\_  
Brian Tobin, Mayor

Town of Cortlandville

By: \_\_\_\_\_  
Richard C. Tupper, Supervisor

STATE OF NEW YORK )  
COUNTY OF CORTLAND) ss:

On this \_\_\_\_ day of \_\_\_\_\_, before me, the undersigned Notary Public in and for said State, personally appeared Brian Tobin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Mayor of the City of Cortland and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )  
COUNTY OF CORTLAND) ss:

On this \_\_\_\_ day of \_\_\_\_\_, before me, the undersigned Notary Public in and for said State, personally appeared Richard C. Tupper, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public



**TOWN OF CORTLANDVILLE**  
**THE RAYMOND G. THORPE MUNICIPAL BUILDING**  
3577 Terrace Rd.  
Cortland, New York 13045  
Phone (607) 756-6091  
Fax (607) 758-7922  
TDD 1-800-662-1220

Supervisor  
Richard C. Tupper

Attorney  
John Folmer

Town Board Members  
Ted Testa, Deputy Supervisor  
Greg Leach  
John Proud  
Walt Kasperak

Confidential Secretary  
Patty O'Mara

November 28, 2016

Mr. John McNerney, Director  
Cortland County Youth Bureau  
25 Court Street  
Cortland, New York 13045

Dear Mr. McNerney:

The Cortlandville Town Board has approved your 2017 contract in the amount of \$86,700.00, to be paid annually.

Please prepare, with signatures, two (2) copies of the 2017 contract and submit to me no later than December 16, 2016 to allow the Town Board time to review. If we do not receive your contract by the deadline, no payments will be made.

Thank you for your cooperation.

Sincerely,



Patty O'Mara

*The Town of Cortlandville is an equal opportunity provider and employer.*  
*If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ezra.usda.gov/complaint\\_filing\\_cust.html](http://www.ezra.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form or letter in the form. Send your complete complaint form or letter to us by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, by fax (202)696-7462 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).*





# **CORTLAND POLICE DEPARTMENT**

## **2016 REQUEST FOR SALE PROCEEDS**

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**August 2, 2018**

**TO: Mack Cook, Director of Administration & Finance**  
**FROM: Deputy Chief Paul A. Sandy**  
**RE: Request for Proceeds from Sale of Used Tires**

**Motor Equipment Repair:(A3120.5402.00)**

I am requesting the Common Council appropriate proceeds from the recent sale of used police tires to the above noted budget line. These items were no longer usable by the police department (repaired) and sold in "as is" condition.

If appropriated to this agency, the funds will be directly applied toward the purchase of new tires for the police vehicles

**\$300.00**

# CITY OF CORTLAND

Finance Office  
25 Court Street  
CORTLAND, NY 13045  
807-756-7312  
RECEIPT

NAME *Police*  
ADDRESS

PH. NO. DATE *8/2/18*

*MD* PAID BY CASH G.O.D. CHARGE ON ACCT. MOSE. RETD.

QTY.	DESCRIPTION	PRICE	AMOUNT
	<i>A2655</i>		<i>300.00</i>
	<i>Tire Sales</i>		

RECEIVED BY TAX TOTAL *300.00*

No. 049463

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.

*Thank You*

**CITY OF CORTLAND, NEW YORK  
LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2018  
SIDEWALK § 245**

**Section 1. Enactment and Title.**

This Local Law shall be entitled "Sidewalk Amendment to §245 Streets, Sidewalks & Public Places". This local law shall amend as follows: § 245-7, 245-8

**Section 2. Authorization, Purpose and Intent.**

The City has determined that the sidewalks need to be kept clean of snow, ice or any other obstructions. The local law should be amended to provide authority to the Department of Public Works.

**Section 3. Amendment of §245-7, 245-8**

§245-7 shall be amended by adding the following: It shall be the duty and responsibility of the owner of any lot fronting upon any public street, alley, park or place within the City to maintain the entire width of the sidewalk in front of the premises and street crossing access on corner lots free and clear from snow, ice and other obstructions including but not limited to cracks, uneven slabs or tree roots.

In the event of snow, ice or other obstruction; Such removal shall be completed by 6:00 p.m. the following day. In the event of a continuous long-term snowfall or blowing and drifting of snow, removal shall occur on a minimum of twenty-four-hour intervals. A sidewalk deemed by the Superintendent to be a hazard or injurious to the general public, and the expense thereof shall be assessed and collected in the same manner as described above.

In the event of cracks, uneven cracks, or tree roots such removal and/or replacement shall be removed within 30 days or upon such reasonable schedule as the Superintendent may approve.

§245-8 shall be amended by adding the following:

A. Authority. Upon the failure of an owner or occupant of property to remove snow, ice and obstructions including but not limited to cracks, uneven slabs or tree roots as prescribed in §247-7, the Superintendent of Public Works shall have the power to remove the same and charge the cost thereof to the owner of said property. Such charge shall be in addition to any penalties for violation.

B. Collection of cost. Thereupon, the Department of Administration and Finance shall mail a statement to said owner or occupant to pay such cost, plus an administrative fee of \$25, which shall become due and payable within 30 days from the mailing thereof. If such cost is not paid within such time, interest shall be charged thereon at the same rate as delinquent property taxes, per annum, and,

if such cost with interest and administrative fee is not paid by December 31 of the year in which it is incurred, such cost and interest shall be added to the real property City tax rolls chargeable to said property and shall be collected in the same manner as any unpaid real property City tax.

**Effective Date.**

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_ of 2018 of the City of Cortland was duly passed by the City Council on \_\_\_\_\_, 2018, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

(Seal) Date: \_\_\_\_\_

STATE OF NEW YORK  
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

\_\_\_\_\_ City Attorney

## **Chapter 300-11 R-1 Residential District**

### **A. The purpose of the R-1 District is to enhance and protect stable developing single-family neighborhoods.**

#### **Resolution 1:**

Be it resolved that the operation of a rental business in an R-1 District in the City of Cortland is not now nor ever has been a "Use by Right", regardless of the character of the tenant, as there is no business use "By Right" in an R-1 District.

Furthermore, be it resolved that the unregulated operation of such business can/may result in the erosion of a "traditional family" neighborhood, a "traditional family" home owner's "peaceful and quiet enjoyment" of their property, a general loss of the "quality of life", contradict the concept of an R-1 District, and the Intentions of the City's Comprehensive Plan. It is critical, for the success of any city, to protect R-1 Districts as areas where "traditional families" can confidently live and prosper.

Henceforth, be it resolved that all current and future rental of a property, to any degree, in an R-1 District in the City of Cortland must obtain a "Special Use Permit".

Be it also resolved that Article II, 300-11. C. of "Chapter 300 Zoning City of Cortland" be amended to add **5. "Single-Family Rental"**

#### **Minimum Criteria:**

- a. Tenancy must conform to this chapter's definition of "Traditional Family".**
- b. Tenancy must conform to all Federal, State, & Local laws, codes, and ordinances as they may pertain.**

**Notes: All current and proposed definitions of "single-family dwelling", "family", and "traditional family" support all of the above. "Rental Property" is not addressed anywhere in Chapter 300, so therefore should not be assumed.**

**Revised 6/13/18**



# Property Description Report For: 62 Lincoln Ave, Municipality of City of Cortland



**Status:** Active  
**Roll Section:** Taxable  
**Swls:** 110200  
**Tax Map ID #:** 86,49-03-32.000  
**Property Class:** 220 - 2 Family Res  
**Site:** RES 1  
**In Ag. District:** No  
**Site Property Class:** 220 - 2 Family Res  
**Zoning Code:** 03  
**Neighborhood Code:** 01500 - Student Housing  
**School District:** Cortland City  
**Total Assessment:** 2018 - \$94,200  
**Property Desc:**  
**Deed Page:** 691  
**Grid North:** 948347

**Total Acreage/Size:** 59.96 x 134.73  
**Land Assessment:** 2018 - \$11,100  
**Full Market Value:** 2018 - \$101,290  
**Equalization Rate:** 2018 - 94.00%  
**Deed Book:** 2018  
**Grid East:** 927048

## Area

<b>Living Area:</b>	2,460 sq. ft.	<b>First Story Area:</b>	1,260 sq. ft.
<b>Second Story Area:</b>	1,200 sq. ft.	<b>Half Story Area:</b>	0 sq. ft.
<b>Additional Story Area:</b>	0 sq. ft.	<b>3/4 Story Area:</b>	0 sq. ft.
<b>Finished Basement:</b>	0 sq. ft.	<b>Number of Stories:</b>	2
<b>Finished Rec Room</b>	0 sq. ft.	<b>Finished Area Over Garage</b>	0 sq. ft.

## Structure

<b>Building Style:</b>	Old style	<b>Bathrooms (Full - Half):</b>	2 - 0
<b>Bedrooms:</b>	5	<b>Kitchens:</b>	2
<b>Fireplaces:</b>	0	<b>Basement Type:</b>	Full
<b>Porch Type:</b>	Porch-covered	<b>Porch Area:</b>	16.00
<b>Basement Garage Cap:</b>	0	<b>Attached Garage Cap:</b>	0.00 sq. ft.
<b>Overall Condition:</b>	Normal	<b>Overall Grade:</b>	Average
<b>Year Built:</b>	1890		

## Owners

Federal Home Loan Mortgage  
 Corporation  
 8200 Jones Branch Dr  
 McClean VA 22102

## Sales

<b>Property</b>	<b>Value</b>	<b>Arms</b>	<b>Addl.</b>	<b>Deed Book and</b>
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Sale Date	Price	Class	Sale Type	Prior Owner	Usable	Length	Parcels	Page
11/30/2017	\$52,177	220 - 2 Family Res	Land & Building	Gahnapetyan, Hakob	No	No	No	2018/691
8/10/2007	\$94,400	220 - 2 Family Res	Land & Building	Malkhasyan, Edward	Yes	Yes	No	10640/13002
7/10/2003	\$34,000	220 - 2 Family Res	Land & Building	State of NY Mtg, Agency	No	No	No	10138/2001
2/5/2003	\$80,715	220 - 2 Family Res	Land & Building	Kohne, Michael J	No	No	No	2003/1012

**Utilities**

<b>Sewer Type:</b>	Comm/public	<b>Water Supply:</b>	Comm/public
<b>Utilities:</b>	Gas & elec	<b>Heat Type:</b>	Hot air
<b>Fuel Type:</b>	Natural Gas	<b>Central Air:</b>	No

**Improvements**

Structure	Size	Grade	Condition	Year	Replacement Cost
Porch-covered	8 x 2	Average	Normal	1890	\$671
Gar-1.5 det	22 x 20	Average	Normal	1890	\$19,166
Shed-machine	8 x 16	Average	Normal	1890	\$2,374
Porch-covered	22 x 8	Average	Normal	1890	\$4,247

**Land Types**

Type	Size
Primary	59.96 x 134.73

**Special Districts for 2018**

Description	Units	Percent	Type	Value
TR001-Trash removal	2	0%		0

**Exemptions**

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
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**Taxes**

Year	Description	Amount
2018	County	\$3,361.57
2017	County	\$3,194.63
2017	School	\$1,785.27

# NOTICE OF VIOLATION/ORDER TO REMEDY

City of Cortland Code Enforcement Office

Violation Notice #: 2015-1226

7/30/2018 12:18:57 PM

Hakob Gahnapetyan  
2523 Ocean Ave #4-C  
Brooklyn NY 11229

Dear Property Owner,

According to our records, you are the owner of the property located at:

62 Lincoln Ave

Tax Map #: 86.49-03-32.000

On 09/23/2015, we observed (an) apparent violation(s) of the Uniform Code or Code of Ordinance, on your property, specifically:

Entire property located at 62 Lincoln Ave city of Cortland

Bring all Co and smoke alarms back to working condition

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 1 GENERAL REQUIREMENTS\SECTION 107 UNSAFE STRUCTURES AND EQUIPMENT\107.1.3 Structure unfit for human occupancy, which states:

A structure is unfit for human occupancy whenever such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Entire property at 62 Lincoln Ave city of Portland

Secure openings in building. Eliminate animal infestation in basement. Protective treatment needed on exterior home. Repair or replace all non functioning smoke and CO alarms.

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 3 GENERAL REQUIREMENTS\SECTION 301\301.3 Vacant structures and land. which states:

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Entire Property located at 62 Lincoln Ave City of Cortland

Secure all openings, repair CO & smoke alarms, eliminate vermin in basement, paint or side house. Clean front porch of debris.

Repair front stairs. Paint or side garage

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 3 GENERAL REQUIREMENTS\SECTION 302 EXTERIOR PROPERTY AREAS\302.5 Rodent harborage. which states:

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Entire Property located at 62 Lincoln Ave City of Cortland

Secure all openings, repair CO & smoke alarms, eliminate vermin in basement, paint or side house. Clean front porch of debris.

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 3 GENERAL REQUIREMENTS\SECTION 302 EXTERIOR PROPERTY AREAS\302.7 Accessory structures. which states:

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Entire Property located at 62 Lincoln Ave City of Cortland

Secure all openings, repair CO & smoke alarms, eliminate vermin in basement, paint or side house. Clean front porch of debris.

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 3 GENERAL REQUIREMENTS\SECTION 304 EXTERIOR STRUCTURE\304.10 Stairways, decks, porches and balconies. which states:

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Entire Property located at 62 Lincoln Ave City of Cortland

Secure all openings, repair CO & smoke alarms, eliminate vermin in basement, paint or side house. Clean front porch of debris.

**You are hereby notified that the above is in Violation of:**

Old Code\NYS Uniform Fire Prevention and Building Code\Property Maintenance Code of NYS\Chapter 3 GENERAL REQUIREMENTS\SECTION 304 EXTERIOR STRUCTURE\304.2 Protective treatment. which states:

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 10/23/2015.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

Code of the City of Cortland\Chapter 100\ City Code 100-4. Building permits. which states:

**100-4. Building permits.**

A. Building permits required. Except as otherwise provided in Subsection B of this section, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. Additionally, paving, repaving, striping and the alteration/enlargement of any driveway or parking area shall require a permit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer. No permits shall be issued for the installation of solid-fuel-burning outdoor boiler units, nor any buildings or structures erected for the purpose of housing such units, since the use of such outdoor boiler units is prohibited.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\PM301.2 Responsibility which states:

**§PM301.2 Responsibility.**

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 302 EXTERIOR PROPERTY AREAS\PM302.5 Rodent harborage which states:

**§PM302.5 Rodent harborage.**

Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 302 EXTERIOR PROPERTY AREAS\PM302.7 Accessory structures which states:

§PM302.7 Accessory structures.

Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 304 EXTERIOR STRUCTURE\PM304.1.1 Unsafe conditions which states:

§PM304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guard s and handrails, are not

structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 304 EXTERIOR STRUCTURE\PM304.10 Stairways, decks, porches and balconies which states:

§PM304.10 Stairways, decks, porches and balconies.

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 304 EXTERIOR STRUCTURE\PM304.12 Handrails and guards which states:

§PM304.12 Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

2015 NYS CODES (International)\2015 International Property Maint. Code\Chapter 3 General Requirements\SECTION 304 EXTERIOR STRUCTURE\PM304.2 Protective treatment which states:

§PM304.2 Protective treatment.

Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting

or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight.

Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall



be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Property Known as 62 Lincoln Ave. City of Cortland NY

Bring Interior and exterior of house back to a safe and sanitary condition.

**You are hereby notified that the above is in Violation of:**

Code of the City of Cortland\Chapter 220\Section 220-23 Exterior Maintenance which states:

The exterior of all buildings and structures shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. The provisions in the article are not intended to supplant the provisions of the New York State Property Maintenance Code, but rather are merely intended to provide an additional enforcement procedure by the Zoning Officer, who is not authorized to enforce the New York State Property Maintenance Code

**I hereby request that you either eliminate the violation(s) or file plans with this office for corrective action by 02/17/2017.**

Violations of the 2015 International Property Maintenance Code(2015 IPMC), 2015 International Fire Code(2015 IFC), 2015 International Building Code(2015 IBC), 2015 International Mechanical Code(2015 IMC), 2015 International Fuel Gas Code(2015 IFGC), 2015 International Energy Conservation Code(2015 IECC), 2015 International Plumbing Code(2015 IPC), 2015 International Existing Building Code(2015 IEBC), International Residential Code(2015 IRC) being incorporated by reference in 19 NYCRR Section 1226.1 and being part of the State Uniform Fire Prevention and Building Code (the Uniform Code) adopted pursuant to Article 18 of the Executive Law, and the Code of Ordinance of the City of Cortland. Correct health & safety violations immediately!

If you believe you are not in violation of the above, please contact this office to review the situation. If you intend to bring your property into compliance with the law, but if you cannot meet the stated deadline, please contact this office to discuss a timetable for compliance.

If you do not take corrective action or make other arrangements with this office by the above date, formal action will begin against you. Permits may be revoked or suspended. You will not receive an additional warning before we begin formal enforcement action.

**THIS IS THE ONLY LETTER YOU WILL RECEIVE.**

For Rental Permit and Zoning laws; Right to appeal for local interpretation (\$50) within 15 days, have counsel and witnesses. Your next communication from us may involve commencement of a court action. If you wish to discuss any aspect of your case, please contact this office at (607) 753-1741. City Hall, located at 25 Court street, is open for business weekdays 8:30AM to 4:00PM pm.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a class A misdemeanor (PL.SEC 210.45)

Code Enforcement Officer

## **AGREEMENT**

**THIS AGREEMENT**, entered into this            day of            , 2018, by and between the **COUNTY OF CORTLAND**, New York, (the "COUNTY"), a municipal corporation organized and existing under the laws of the State of New York with offices at 60 Central Avenue, Cortland, New York 13045, and the **CITY OF CORTLAND**, (the "CITY") a municipal corporation, having its principal place of business at City Hall, 25 Court Street, Cortland.

### **WITNESSETH**

**WHEREAS**, the County currently imposes a sales tax on retail sales and other similar transactions and compensatory use taxes in Cortland County, all as authorized by Section 1202 of the Tax Law of the State of New York, **AND**

**WHEREAS**, the Cortland County Legislature adopted Resolution No.183-12 which provided for the terms and conditions of the disbursement of Sales Tax Revenues collected by New York State, **AND**

**WHEREAS**, the Cortland County Legislature adopted Resolution No.193-12 which amended resolution 183-12 per the New York State Comptroller's request, **AND**

**WHEREAS** the current Sales Tax Sharing agreement expired June 1<sup>st</sup>, 2018, **AND**

**WHEREAS**, it is the desire of the County and the City of Cortland to deduct directly from the gross sales tax distribution received from the State of New York fixed sums for County, purposes, with the remaining balance of the revenues to be distributed for use by the County, City of Cortland, and the various municipalities within Cortland County, **AND**

**WHEREAS**, it is the decision of the County to continue to impose all of the sales tax as described in Articles 28 and 29 of the Tax Law of the State of New York and pursuant to the provisions of § 1210(a) of said law and shall not set aside any part thereof for County purposes or educational purposes except as provided, **AND**

**WHEREAS**, it is the desire of the City not to exercise its right of preemption pursuant to § 1224(b) of aforementioned law, **NOW THEREFORE BE IT**

**RESOLVED**, in consideration of the mutual covenants and agreements contained herein, the parties mutually agree as follows:

(1) Term: This agreement shall commence on January 1, 2019 and shall continue until December 31 2028. Either party may cancel this contract at any time after June 1st, 2023 upon giving the other party a six month notice to terminate so authorized by a two-thirds majority vote of the terminating party's total governing board.

(2) Deduction of the Fixed Sum Certain Annual Amounts: There shall be deducted from the annual gross distribution of sales tax received from the State of New York the following fixed sum in annual amounts: \$1.5 Million for County purposes;

**Beginning January 1st 2019 - December 31st, 2023:**

For County Purposes- 54%

For City Purposes - 17.75%

For Towns and Village Purposes - 28.25%

**Beginning January 1st, 2024 - December 31st, 2028:**

For County Purposes- 55%

For City Purposes - 17.38%

For Towns and Village Purposes - 27.62%

**IN WITNESS WHEREOF**, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate (2 copies) each of which shall be deemed an original on the date written.

COUNTY OF CORTLAND

DATE: 7-24-18

BY:



Charles Sudbrink, Chair  
Cortland County Legislature

Acknowledgement

STATE OF NEW YORK )

COUNTY OF CORTLAND ) ss.:

On this 24<sup>th</sup> day of July, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Charles Sudbrink**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

MARIA ADSIT  
Notary Public State of New York  
Registration No.4971024  
Qualified in Cortland County  
Commission Expires August 20, 2022



Notary Public

CITY OF CORTLAND

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

\_\_\_\_\_  
(NAME OF SIGNATORY)

\_\_\_\_\_  
(CORP. OFFICER/POSITION)

Acknowledgement

STATE OF NEW YORK )

COUNTY OF \_\_\_\_\_ ) ss.:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public