



City Council **Minutes**
The City of Cortland
May 21, 2019

Council Meeting #9
May 21, 2019
25 Court Street
7:00 PM

Present: Aldermen Kat McCarthy, Katy Silliman, Thomas Michales, Gary Thomas, Alderman William Carpenter, Troy Beckwith, and John Bennett

Excused: Carlos Ferrer

Staff Present: Corporation Counsel Ric VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, City Clerk Raymond A. Parker, and Confidential Secretary Devon Rainbow, Superintendent WWJP Bruce Adams

Regular Session:

Mayor Tobin called the ninth Common Council meeting of the year to order at 7:00 PM.

Pledge of Allegiance

Public Comments:

Tom Gobel – Questioned when the two way Main St. project going to start, what is going on with the 77 Club on Main St, and the laundromat on Clinton Ave.

Derek Reynolds & Drew Hill – Thanked everybody for their support for the yearly Muscular Dystrophy Event on Saturday from 8-2:30pm out on Tompkins St. The donations of food and drinks from local businesses were appreciated. The new total raised this year was \$6,328.05, a new record.

Mayor's report:

DC Knickerbocker recognized for 25 years of service.

Proclamations:

Mayor Tobin read proclamation -Little Free Library Week (May 26-31, 2019)

Amy Buggs explained it was started by a Cortland Leadership group. These houses are outside and located throughout the City in walking areas so that they are easily accessible. There are 21 within the County and 8 within the City that are registered on the online app. The houses typically have books for children, teenagers and young adults.

Mayor Tobin read proclamation - National Aphasia Awareness Month (June)

SUNY Cortland students that are studying to be Speech Language Pathologists came to speak about this disorder. It is a language disorder and not a loss of intelligence as they are able to make decisions, however this disorder does cause difficulties in speaking in everyday situations. Individuals have had a hard time understanding what is spoken and may need things written or read to them. There is a community group called “Friends of Aphasia” that meets at the Cortland YWCA the 1st Monday of every month.

Mayor Tobin read proclamation - Urban Agriculture Weekend (June 8-9)

Marissa Phelps, a conservation aid with the district. This is new within the district. They have done some workshops including raised beds in partnership with the Youth Bureau and are looking to do a free plant give away at Beaudry Park during the weekend of the event. Please call 607-756-5991 with questions.

Mayor Tobin asked go into executive session for a contract matter with potential action at end of meeting.

Resolution #115 of 2019 – Motion to approve the minutes from the meeting of May 7, 2019 as amended.

Motioned by: Alderman Bennett

Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Resolution #116 of 2019 – Resolution to approve the special event application and all other required applications for SUNY Cortland Sesquicentennial Closing on July 11-14, 2019 in Courthouse Park.

Fireworks location has not been determined yet. The Fire Department will make sure the location is appropriate.

Motioned by: Alderman Carpenter

Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Resolution #117 of 2019 – Resolution to approve and waive fees for the special event application and all other required applications for .5k un-Run on September 14, 2019 from 10AM-2PM.

Motioned by: Alderman Bennett

Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Resolution #118 of 2019 – Resolution to approve the special event application and all other required applications for the Lunar Landing Celebration on July 16-20, 2019.

Bonnie Quackenbush spoke about the 50th year celebration of landing on the moon. She was hoping to find an event that would bring people together. Lots of flying objects will be on display along with a registered drone. There will be some workshops setup for the kids like, kite and rocket making (not to be set off).

Motioned by: Alderman Thomas
Seconded by: Alderman McCarthy

Approved: Ayes – 7
Nays – 0

Resolution #119 of 2019 – Resolution to approve the special event application and all other required applications for Gears to Corsets | Cortland County Steampunk Festival on September 27-29, 2019.

Bonnie Quackenbush explained there are a lot of older buildings in the City that were built during the late 1800 and early 1900 (firehouse, corset building). A unique group of people who are participating in this event, will be going building to building, from town to town.

Motioned by: Alderman Silliman
Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Resolution #120 of 2019 – Resolution to subordinate the City’s mortgage on 176 Main Street, Cortland, owned by Mark Skodzinsky to the interest of Tompkins Trust Company to facilitate a first mortgage on the property per the attached memo.

Motioned by: Alderman Bennett
Seconded by: Alderman Michales

Approved: Ayes – 7
Nays – 0

Resolution #121 of 2019 – Resolution to submit comments to NYSDEC on the Draft Watershed Implementation Plan Phase III document.

Bruce Adams commented on the fact that Numerical Phosphorus is a concern and the aluminum base to get the phosphorus controlled is quite costly. The City is already regulated.

Motioned by: Alderman Bennett
Seconded by: Alderman McCarthy

Approved: Ayes – 7
Nays – 0

Resolution #122 of 2019 – Resolution to create a part time Account Clerk position not exceeding 17 hours per week at the Public Works Department.

A person in the Clerk’s office will now work between Clerk’s Office and Mayor’s Office. New position is 17hrs a week and will only work at the DPW.

Motioned by: Alderman Carpenter
Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Resolution #123 of 2019 – Resolution to lift the hiring freeze and fill the newly created Account Clerk position at the Department of Public Works.

Motioned by: Alderman Bennett
Seconded by: Alderman McCarthy

Approved: Ayes – 7
Nays – 0

Resolution #124 of 2019 – Resolution Authorizing the Director of Administration and Finance to Apply for and Execute an Agreement with NBT Bank, N.A. for an Irrevocable Letter of Credit in the Amount of \$610,200 in Favor on National Grid, Inc.

***Whereas**, City of Cortland entered into an agreement for an investment grade audit with SmartWatt Energy, Inc. for energy conservation and management services AND*

***Whereas**, projects have been identified as part of the investment grade audit to improve energy efficiency at City of Cortland, and*

***Whereas**, areas are in need of upgrades, energy usage can be reduced and City of Cortland desires to implement energy savings, and*

***Whereas**, the savings will be used to fund the expense of the improvements, and*

***Whereas**, the Common Council has reviewed and approved of this project, and*

***Whereas**, to proceed with these projects it is necessary to accept the National Grid street lighting infrastructure sales proposal, and*

***Whereas**, the State of New York Public Utilities Commission authorizes the itemized pricing proposal to include a firm security, transaction and transition costs. The security represents the National Grid’s estimated cost to install all required disconnect devices, and it must be in a form acceptable to the National Grid. If the City fails to install the required disconnect devices within 24 months of the sale, the National Grid will perform such work and retain the security. The transaction costs consist of: transfer taxes; recording fees; and mortgage indenture release fees. Likewise, the transition costs consist of: costs related to internal system inventory updates; billing data changes; and data updates associated with the sale, and*

***Whereas**, National Grid has established the disconnect device security deposit to be \$610,200 refundable upon successful installation of the required disconnect devices and*

***Whereas**, the required security deposit can be cash or an irrevocable letter of credit.*

***Therefore Be It Resolved**, that the Director of Administration and Finance is authorized to apply for and execute an agreement with NBT Bank N.A 52 S. Broad Street, Norwich, NY 13815 for an irrevocable letter in the amount of \$610,200 in favor of National Grid, Inc. to be established by U.S. Bank National Association, Global Documentary Services, 555 SW Oak Street, Portland OR, 97204.*

Nic Dovi explained that this is the LED Upgrade project and the City needs to move forward. National Grid would do inline disconnects. This is a 2 year contract and looking to start soon. He hopes to be done this summer.

Motioned by: Alderman Bennett

Seconded by: Alderman Carpenter

Approved: Ayes – 7
Nays – 0

Resolution #125 of 2019 – Resolution Authorizing the Execution and Delivery of National Grid Street Lighting Purchase and Street Lighting Infrastructure Upgrade and a Tax Free Equipment Lease Agreement and Related Documents and Measurement and Verification Services Agreement.

***Whereas**, City of Cortland entered into an agreement for an investment grade audit with SmartWatt Energy, Inc. for energy conservation and management services AND*

***Whereas**, projects have been identified as part of the investment grade audit to improve energy efficiency at City of Cortland, and*

***Whereas**, areas are in need of upgrades, energy usage can be reduced and City of Cortland desires to implement energy savings, and*

***Whereas**, the savings will be used to fund the expense of the improvements, and*

***Whereas**, the Common Council has reviewed and approved of this project, and*

***Whereas**, to proceed with these projects it is necessary to accept the National Grid street lighting infrastructure sales proposal, and*

***Whereas**, to proceed with these projects it is necessary to accept the SmartWatt Energy, Inc. street lighting infrastructure upgrade proposal, and*

***Whereas**, per the agreement with SmartWatt Energy, Inc. there should be no net city cost, it is now desired to approve the financing of this Project, at a maximum estimated cost of \$2,400,000 and to authorize various actions with the best financing option available.*

***Whereas**, it is necessary to enter into a Measurement & Verification, and Support Services Agreement with SmartWatt Energy, Inc., to delineate the terms of the agreement and document the guaranteed energy savings.*

***Therefore Be It Resolved** the Mayor of the City is hereby authorized to enter into an Implementation Agreement with SmartWatt Energy, Inc., in substantially the form as is on file with the Clerk of the City, and*

***Be It Further Resolved** that upon the review and approval of the Corporate Council, the Mayor of the City, is hereby authorized to execute the Lease and related escrow contract in order to finance the Project described in the preambles hereof, and*

***Be It Further Resolved** that the Mayor of the City is hereby authorized to enter into a Measurement & Verification, and Support Services Agreement(s) with SmartWatt Energy, inc., in substantially the form as is on file with the Clerk of the City, and*

***Be It Further Resolved** that the mayor of the City is hereby authorized to execute the National Grid street lighting infrastructure sales purchase proposal.*

***Be It Further Resolved** that the City's Director of Administration and Finance and other officers of the City are hereby authorized to take all action necessary or reasonably required in order to effectuate the intent of this resolution, and
Be It Further Resolved that this resolution shall take effect immediately.*

Motioned by: Alderman Carpenter

Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Resolution #126 of 2019 – Resolution Authorizing Application for a Local Government Efficiency Grant to Fund Operation and Maintenance Costs Associated With the Gutches Lumber Sports Complex.

***Whereas**, The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State's Local Government Efficiency Program, and*

***Whereas**, the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and*

***Whereas**, the LGE program is designed to promote and support the State's Shared Services Initiative, and*

***Whereas**, The City of Cortland and the Town of Cortlandville are engaged in the joint management, planning, promotion, operations and maintenance of the Gutches Sports Complex, and*

Whereas, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$200,000 for each local government involved in the project, not to exceed \$1,000,000, and

Whereas, the local match requirement for implementation of a plan is 10 percent of the plan's total costs.

Therefore be it Resolved, that the City is authorized to participate in the submission of a Local Government Efficiency Grant application to fund the management, planning, promotion, operations and maintenance of the Gutches Sports Complex.

Motioned by: Alderman Bennett
Seconded by: Alderman Carpenter

Approved: Ayes – 7
Nays – 0

Resolution #127 of 2019 – Resolution Authorizing a Contract between the City of Cortland and the Town of Cortlandville for the Provision of Recreation, Youth Services/Counseling and Parks Services. (John McNerney)

Whereas, the City of Cortland (City) maintains through its Youth Bureau facilities and personnel for recreation, youth services and Parks, and

Whereas, the Town of Cortlandville (Town) desires to retain the services from the City necessary to provide its residents facilities and personnel for Recreation Programs, Youth Services/Counseling and Parks, and

Whereas, the City and the Town mutually desire to enter into a contract for the provision of such services from the period commencing January 1, 2019 and ending December 31, 2019 for the sum of \$86,700.00.

Be It Resolved that, the City of Cortland is authorized to entered into a Contract with the Town of Cortlandville for the period of one year commencing on January 1, 2019 for the amount of \$86,700.00 for the provision of recreational programs, youth services/counseling and parks.

Motioned by: Alderman Carpenter
Seconded by: Alderman McCarthy

Approved: Ayes – 7
Nays – 0

Resolution #128 of 2019 – Resolution Authorizing Application for a Local Government Efficiency Grant to Fund an Engineering Evaluation and Cost Estimate to interconnect the City of Cortland's and Town of Cortlandville' s Water Supply and Distribution System.

Whereas, The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State's Local Government Efficiency Program, and

Whereas, the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and

Whereas, the LGE program is designed to promote and support the State's Shared Services Initiative, and

Whereas, the City of Cortland and the Town of Cortlandville operate and maintain independent water supply and distribution systems, and

Whereas, there may be opportunities to demonstrate potential financial savings through new and modernized operations and service delivery upon completion of the planning process, and

Whereas, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$12,500 for each local government involved in the project, not to exceed \$100,000, and

Whereas, the local match requirement for implementation of a plan is 50 percent of the plan's total planning costs.

Therefore Be It Resolved, which the City is authorized to participate in the submission of a Local Government Efficiency Grant application to evaluate the feasibility and potential cost of interconnecting the City of Cortland's and Town of Cortlandville Water Supply and Distribution Systems.

Motioned by: Alderman Bennett
Seconded by: Alderman Carpenter

Approved: Ayes – 7
 Nays – 0

Resolution #129 of 2019 – Resolution Authorizing Application for a Local Government Efficiency Grant to Fund Phase 4 of the Smart Water Meter Upgrade Project. (Mack Cook)

Whereas, The State of New York has allocated \$4 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Local Government Efficiency Program, and
Whereas, the Local Government Efficiency (LGE) Grant program provides funding to local governments to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and
Whereas, the LGE program is designed to promote and support the State’s Shared Services Initiative, and
Whereas. The City of Cortland and the Village of Homer are engaged in a joint water meter upgrade project funded by previously awarded LGE grants, and
Whereas, approximately 50 percent of the residential water meters in both municipalities have been replaced, and
Whereas, both municipalities desire to jointly continue the project till completion, and
Whereas, the maximum annual funding under the LGE for the implementation of a Shared Service Plan is \$200,000 for each local government involved in the project, not to exceed \$1,000,000, and
Whereas, the local match requirement for implementation of a plan is 10 percent of the plan’s total costs.
Therefore Be It Resolved, that the City is authorized to participate in the submission of a Local Government Efficiency Grant application to fund Phase 4 of the Smart Water Meter Upgrade Project.

Motioned by: Alderman Carpenter
Seconded by: Alderman Silliman

Approved: Ayes – 7
 Nays – 0

Resolution #130 of 2019 – Resolution to Authorize the Submission of a Brownfield Area Opportunity Grant. (Mack Cook)

Whereas, the State of New York has allocated \$2 million dollars in the 2019 Consolidated Funding Application (CFA) process for the Department of State’s Brownfield Area Opportunity Program, and
Whereas, the purpose of said program is to fund predevelopment activities within a designated Brownfield Opportunity Area (BOA), and
Whereas, included among the enumerated eligible pre-development activities is the development of plans and specifications, and
Whereas, the BOA grant program will give priority consideration to proposals which demonstrate they will advance downtown revitalization and strategic place making through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow’s workforce will want to live, work, and raise a family, and
Whereas, there are two sites, (1) Noss Park and (2) Wickwire Factory, on South Main Street that are both in the City’s designated BOA and adjacent to the defined geographical area encompassing the City’s Downtown Revitalization award, and
Whereas, the BOA grant program will provide funding for 90% of the cost of pre-development activities up to \$300,000, and
Therefore, Be It Resolved, that the Common Council of the City of Cortland authorizes the submission of Brownfield Area Opportunity Grant and so designates Mack Cook, Director of Administration and Finance, as the City’s authorize representative for purposes of such submission, and
Be It Further Resolved, that the identified study areas are Noss Park and the former Wickwire Factory site on South Main, and
Be It Further Resolved, that the predevelopment project is the design and specifications of a joint Police Department Headquarters and Youth Bureau/Community facility, and
Be It Further Resolved, that the City is requesting \$300,000 to fund the above reference project, The City acknowledges that the requested amount may not exceed 90% of the total costs, and
Be it Further Resolved, the City is committing to funding 10% of the total project costs.

This is brand new in this year’s CFA Grant and it must be submitted by July and will not be announced until end of year. If awarded we wouldn’t get the money until 2020. Total amount of grant is 2 million but each Town/City could get \$300,000. This would cover engineering and architecture cost.

Motioned by: Alderman Bennett
Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Resolution #131 of 2019 – Resolution to authorize the Mayor to execute an amendment to the Firefighters CBA changing language at Article X “Retirement Benefits”.

Retirement will include resignation in good standings after 20 years.

Motioned by: Alderman Carpenter
Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Resolution #132 of 2019 – Resolution to authorize the Mayor to execute the agreement with the NYS Department of State pertaining to the DRI Public Projects.

Motioned by: Alderman Thomas
Seconded by: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Resolution #133 of 2019 – Resolution determining that action to upgrade and improve the energy efficiency of the City’s street lights will not have a significant effect on the environment.

Motioned by: Alderman Thomas
Seconded by: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Resolution #134 of 2019 – Resolution to abolish medical and prescription drugs insurance for members of the City of Cortland Common Council. (Aldermen Beckwith, Silliman, Carpenter)

WHEREAS, the City of Cortland Common Council members have been eligible for and receive if desired Medical and Prescription Drug Insurance through the City of Cortland Health Insurance Benefit Plans, and

WHEREAS, this Common Council does not wish to take medical and prescription drug insurance benefits away from Alderpersons who are currently enrolled or eligible to enroll in the plans , **NOW THEREFORE BE IT**

RESOLVED, that 2020 Common Council members will not be eligible to receive medical and prescription drugs insurance benefits through the City of Cortland Health Insurance Benefit Plans, excepting those members who currently receive such benefits or are eligible to receive such benefits are reelected in 2019, and continue to be reelected, **AND BE IT FURTHER**

RESOLVED, that any current members of Common Council wishing to enroll must enroll during open enrollment in November 2019 or enroll as a result of a qualifying event must do so on or before December 31, 2019.

The City will continue coverage for current members as long as they are re-elected. No insurance will be offered to new elected Aldermen. This can be revisited in the future if need be.

A roll call was done.

Ward 1- no, Ward 2- yes, Ward 3- yes, Ward 4- no, Ward 5- yes, Ward 7- yes, Ward 8- No

Motioned by: Alderman Beckwith

Seconded by: Alderman Thomas

Approved: Ayes – 4

Nays – 3 (Alderman McCarthy, Bennett and Michales)

Item #20 – Discussion on Councils Expectations and duties.

Alderman Bennett, Alderman McCarthy and Alderman Silliman expressed concern with Chapter 3 of the City Charter having very little in it regarding the expectations of City Council members. The responsibility, attendance, participation, and readiness of the Aldermen at the meetings should be addressed with in the Charter. This is being reviewed with the possibility of a rewrite. If an Alderman is unable to attend a meeting, it's suggested that they should forward their concerns or questions to the Mayor, so that it can be addressed at the meeting. Alderman McCarthy, Alderman Silliman and Alderman Bennett asked that any concerns be forwarded to them.

A final draft will be reviewed by Corporation Counsel Ric VanDonsel.

Item #21 – DRI update.

RFPs went out and many were due back today. A small group will be reviewing results from RFP. There will be a possible recommendation of an engineering firm by next meeting.

Item #22 – Task Force update.

The Task Force had a public meeting on Wednesday, May 22nd 6:30-7:30 @ Parker School. Presentation should be ready by next council meeting.

Item #23 – Review of City Budget.

Motion to enter into executive session for a contractual matter:

Motioned by: Alderman Silliman

Seconded by: Alderman Bennett

Approved: Ayes – 7

Nays – 0

Motion to exit out of executive session:

Motioned by: Alderman Silliman
Seconded by: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Resolution #135 of 2019 – Resolution to authorize the execution of a tax exemption agreement (“pilot”) agreement by and between the City of Cortland and Friendship House Development Fund Company, Inc.

Motioned by: Alderman Bennett
Seconded by: Alderman Thomas

Approved: Ayes – 7
Nays – 0

Motion to adjourn:

Motioned by: Alderman McCarthy
Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

I, RAYMOND A. PARKER, 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 21 DAY IN MAY 2019. 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.

RAYMOND A. PARKER, CITY CLERK

MAYOR BRIAN TOBIN