

COMMON COUNCIL MEETING

February 7, 2012

7:00 P.M. Call Meeting to Order
Salute to the Flag of the United States
Public Comments
Minutes of January 17, 2012
Executive Session Minutes of January 17, 2012
Bills
Reports of Committees
Ward Reports
Mayor's Report
PINK SHEET Sign off

AGENDA:

1. Consideration of a Resolution to approve the request by Gary Thomas to waive the \$6,242 in permit fees for the renovations to the Pomeroy School Apartments.
2. Consideration of a Resolution to approve the attached listing of the Mayor's appointments to fill vacancies on the City Boards and Commissions for the terms indicated. (Mayor Tobin)
3. Consideration of a Resolution to approve the bid award for the construction of the Beaudry Park Recreation Building to Finger Lakes Construction, Homer, N.Y., in an amount not to exceed \$205,000 and authorize the Mayor to enter into and sign the contract subject to review by Corporation Counsel. (John McNerney)
4. Consideration of a Resolution to enter into a contract with the Town of Cortlandville for the provision of 2012 recreational services and authorizing the Mayor to sign the contract subject to review by Corporation Counsel. (John McNerney)
5. Consideration of a Resolution to enter into an easement agreement with Time Warner Cable, Inc. to allow for a cable line extension to carry service from Port Watson Street to the Leroy R. Summerson Waste Water Treatment Facility and authorizing the Mayor to sign the agreement subject to review by Corporation Counsel. (Mack Cook)
6. Consideration of a Resolution to adopt an internal, formal grievance procedure under Section 504 of the Rehabilitation Act of 1973 of the U.S. Dept. of Health and Human Services regulations as required of recipients of certain federal funding and designating the City's Director of Administration and Finance as the Grievance Coordinator. (Thoma Development)

7. Consideration of a Resolution to adopt the revised City of Cortland Procurement Policy. (Thoma Development)
8. Consideration of a Resolution to authorize the upgrade, repair and refit of the two boilers at the Leroy R. Summerson Waste Water Treatment Plant not to exceed \$62,209 based upon the lowest and best quote received. (Bruce Adams)
9. Consideration of a Resolution to recognize and appropriate \$20,915.00 from the proceeds of the sale of the surplus Cortland Fire Department vehicles into the CFD budget line A3410-206 to facilitate the purchase of an additional staff vehicle for the Volunteer Chiefs. Additionally requesting proceeds from the sale of surplus vehicles being replaced be returned to the Fire Department lines as needed to help offset these costs for both the Fire Department proper and the Board of Engineers. (Chief Glover)
10. Consideration of a Resolution to recognize and appropriate \$10,252.50 from NYMIR Capital Investment reimbursement and appropriate it to A1990-400. (Mack Cook)



City Council Minutes The City of Cortland January 17, 2012

Council Meeting #2
January 17, 2012
Regular Session
City Hall
7:00 PM

Present: Mayor Tobin, Aldermen Bird, Silliman, Bennett, Quail, Ferrer,
Ferguson and Michales

Staff Present: Director of Administration and Finance Mack Cook, Corporation
Counsel Kelly Colasurdo and City Clerk Judith Chamberlin

Mayor Tobin called the second Common Council meeting of the year to order at 7:05 P.M.

PLEDGE OF ALLEGIANCE

Public Comment

Anne Doyle announced that there would be a Second Ward meeting to be held on Wednesday, January 18, 2012 at the Parkside Church, 78 Homer Avenue at 6:30 PM. Neighborhood Watch will be discussed and all are invited to attend.

Mike Dexter spoke about vacant houses recently torn down on Maple Avenue and Groton Avenue. He noted that there is a house on Lincoln Avenue that may also be targeted to be taken down. He would like to see alternatives to this as this erodes the tax base. He felt that the houses could have been rehabbed or perhaps Habitat for Humanity could have been contacted to see if there was any interest.

Mike Dexter, as Chairman of the Tree Commission, spoke about tree trimming in the City. He felt that City employees should take advantage of training seminars on tree trimming and tree care and Chris Bistocchi agrees with the idea. He is working with the DPW to get pruning and trimming done that is acceptable to both the City and the homeowner. He wants to manage and protect the trees in our urban forest.

Minutes of January 3, 2012

Minutes of January 3, 2012 were approved as amended.

Bills were reviewed.

Ward Reports

Ward 1 - Alderman Bird did not have anything to report.

Ward 2 - Alderman Silliman stated that Ward 2 will have a Neighborhood Watch meeting on January 18 at 6:30 PM at 78 Homer Avenue, Parkside Church. She thanked Anne Doyle for organizing this. She noted that Legislator Parker will not be able to attend, but will attend in the future. She also reported that one neighbor was not happy that their recycling was not picked up and she has learned from the DPW that residents must use the blue bags, even if only once a month, and this will pay for their recyclable pick up.

Ward 4 – Alderman Bennett noted that he has constituents who are very interested in Neighborhood Watch and he will let them know about tomorrow's meeting and provide them with materials. He noted that college students have returned, increasing traffic. He welcomed them back.

Mayor Tobin stated that Steven Rhea is compiling a calendar of meetings and to please contact him to add your meeting to that calendar.

Ward 6 – Alderman Ferrer did not have anything to report.

Ward 7 – Alderman Ferguson noted that she and Alderman Michales attended the Public Safety meeting where they expressed safety concerns regarding lights on some streets and some changes were discussed. She received a snow plowing complaint, which she addressed.

Ward 8 – Alderman Michales attended the Public Safety meeting which was called due to two (2) students being injured on their way to their bus stop a few months ago. He noted that it was concluded that traffic should be slowed down in the area of Greenbush, Elm and Central and it has been proposed that on a trial basis, that all of these intersections will be turned into four (4) way stops. He noted that if this works well, other areas of the City will be looked at around other bus pick up areas. He hoped that this would begin in about a month when some signage could be installed and the traffic signals would become flashing red lights. He hoped an article would be put in the paper to alert the public to the change.

Alderman Michales announced that he will be hosting a Ward meeting on January 18, 2012 at 7:00 PM at the County Office Building. He noted that his legislative counterpart will be hosting as well and guest speakers will be Mack Cook and Martin Murphy. He noted that they will be discussing City and County issues and is looking forward to getting people back together again in Ward 8.

Alderman Quail noted that in several areas of the City as well as in his Ward, a number of street lights are out or are flickering. He asked that it be announced so that residents can contact the City so this can be addressed.

Mayor's Report

Mayor Tobin noted that they will be moving on a number of topics; houses, trash, trees and later in this meeting, there will be a discussion regarding what the Council has developed as far as a committee structure to address some of these topics and concerns.

He stated that he attended the Governor's State of the State address and had the opportunity to meet with Marty Mack who is currently working in the Attorney General's Office. They discussed Council Rules of Order and Codes of Ethics. He learned that the Attorney General's Office is reviewing all city, town and village Code of Ethics trying to make sure that they are consistent statewide.

He hosted a community forum here on the Governor's State of the State address last week presented by Matt Driscoll. He and Matt Cook met with Thoma Development and a Department of State representative about brown field opportunities and he would like to meet with Aldermen Michales, Quail and Ferguson about some ideas for their wards.

He explained that there was a Common Council retreat over the past weekend. He noted that the total cost was twenty-three dollars and ninety-five cents (\$23.95) for the two day event, which was very successful. He explained that the Council was able to establish a mission statement, goals, objectives and they were able to come up with a plan on where they would like to proceed. He would like to hold two (2) open houses at 8:00 AM and a second at 10:00 AM on January 20, 2012 if the public would like to learn more about the Council's long-range plan and ask questions. He asked that the public please contact his office to register so he could plan for a room to accommodate all those who would like to attend.

Mayor Tobin explained that Channel 2 has not had a broadcast schedule up on their website and he informed everyone that the City Council meeting will be broadcast on Wednesday, January 18, 2012 at 8:00 PM and also on Friday, January 20, 2012 at 10:30 AM and next Monday, January 23, 2012 at 7:00 PM.

Mayor Tobin stated that he met with Mack Cook and Corporation Counsel Colasurdo met to discuss the needs of Law Department and what cases the City is currently facing and he hopes to present a proposal or an overview of these needs and what further staffing maybe needed.

Mayor Tobin asked that an item be added to tonight's agenda regarding the appointment of Kellie Green as a Commissioner of Deeds for the County.

Director of Administration and Finance Report

Director of Administration and Finance Mack Cook gave updates on the Corrective Action Plan, the Buckbee Mears property, Waste Water Plant update, tentative 2011 Financial results, the Marietta Corporation waste water issue and the sale of fire trucks and the bonding for fire trucks.

Mack Cook spoke about the bond letter which noted that there was an anticipated surplus increase by at least five hundred fifty thousand dollars (\$550,000). He explained that

revenues had increased and that all but one (1) department had come in under budget in 2011, but that some funds were still owed for health insurance.

Mack Cook gave an update on what the City has done to date to address items noted in the Corrective Action plan.

Mack Cook noted that there was still contamination on the Buckbee Mears property, but it was not migrating, noting it was in the sub-soil which had not been taken out. He explained that if the City took the property over, there would be costs to maintain and market the property. He noted that this could be done and that additional funding could be obtained to do the remediation. He spoke about the availability of brown field funds and the City's aggressive pursuit of these grant funds. He noted that if the funds were received it would allow the City to put funding back into the contiguous neighborhoods which amounted to about forty (40) percent of the City, including Main Street.

Mack Cook noted that Bruce Adams has been looking at co-generation facility capabilities down at the Waste Water Plant and will continue to work on this.

Mack Cook explained that work is continuing with Marietta and the New York State and the EPA regarding the standards and testing procedures and the impact they have on the City's ability to accept their waste water at our facility. Our requirements are very stringent to develop a solution.

Mack Cook explained that there has already been a meeting with Adam Megivern of the Downtown Partnership to develop a family friendly First Night celebration for the end of this year.

Mack Cook reported on the purchase of the City fire engines and explained the Council authorized bonding, the need for the short term borrowing to fund these purchases and the Bond Anticipation Note that was sold today. He also explained the goal of retiring some old debt that has been carried on the books.

AGENDA:

RESOLUTION #12 OF 2012 –Consideration of a Resolution to re-appoint Kellie Green as Commissioner of Deeds for a term of January 1, 2012 to December 31, 2013.

By: Alderman Quail
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

Item No. 1 – Presentation on \$425,000 in financing of two (2) fire engines and repayment of \$900,000 bond Anticipation Note. (Chief Glover and Mack Cook)

Mayor Tobin noted that this had been well covered in Mack Cook's report and Chief Glover spoke briefly.

RESOLUTION #13 OF 2012 – Consideration of a Resolution to approve the appointment of non-chartered Financial Advisory Committee members. (Mayor Tobin)

James L. Buttino
Eugene A. Palmer
John A. Poli
John O. Reagan
Alderman Carlos Ferrer
Alderman John Bennett

By: Alderman Silliman
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

RESOLUTION #14 OF 2012 – Consideration of a Resolution to approve the attached listing of the Mayor’s appointments to fill vacancies on the City Boards and Commissions for the terms indicated.

Mayor Tobin read the updated listing.

By: Alderman Ferrer
Seconded: Alderman Bennett

Approved: Ayes – 7
Nays – 0

RESOLUTION #15 OF 2012 – Consideration of a Resolution to recognize and appropriate Youth Bureau donations:

A correction was made to the original agenda from Mental Health to First Niagara Bank.

a. Kings Daughters	\$ 300.00
b. First Niagara Bank	\$1,000.00

By: Alderman Ferrer
Seconded: Alderman Bird

Approved: Ayes – 7
Nays – 0

Item No. 5 – Discussion regarding Common Council assignments. (Mayor Tobin)

Mayor Tobin wanted the public to realize what had been discussed by the Council and what their priorities were so they could receive feedback. He explained that there are

about nine (9) committees and he wanted to explain four (4) or five (5) of them to begin with.

Mayor Tobin noted that there was a Personnel Committee, a Housing Committee, a Committee for Government Efficiency and the Image Committee to deal with trash, crows, etc. These committees had been formed based on the Council's priorities and meeting times were being scheduled.

Alderman Quail explained the need to establish a mission statement for each committee to define its goals and boundaries. He outlined what should be included in a mission statement.

Alderman Ferguson asked members of the Ethics Committee and the Planning Committee.

Mayor Tobin explained the following:

Development Committee

Alderman Ferrer
Alderman Michales
Alderman Ferguson

Shift in Population Committee

Alderman Bird
Alderman Silliman

Housing Committee

Alderman Bird
Alderman Michales

Communication and Coordinating of Objectives

Alderman Silliman
Alderman Bird
Alderman Dye

Image

Alderman Quail
Alderman Bird
Alderman Ferguson

Efficient Government Objectives

Alderman Quail

Alderman Ferrer
Alderman Bennett

Mayor Tobin explained that there would be an Audit Committee under Efficient Government Objectives to review the audit at the end of the year. He urged the public to come in on Friday where he would explain these committees in depth. It was asked that the meeting times of these committees be placed on the monthly calendar and it was noted that the Council wanted balance on these committees and would be looking to include members of the public to participate.

Item No. 6 – Discussion regarding cleanliness of downtown and weekend downtown trash removal. (Alderman Michales)

Alderman Michales explained that this was brought up during the Council retreat. He would like to improve the image on Main Street. He would like to see weekend trash pick-up done on Main Street. Currently Casella is picking up Main Street trash three (3) times a week during the week.

Anne Doyle asked that banks of snow be removed from Main Street so people could access the sidewalk directly from their cars without having to climb over snow banks. She noted that the DPW used to do that on Main Street and she has heard many complaints from older citizens and store owners.

Discussion ensued regarding when the DPW removed snow from Main Street and a schedule of removal would be obtained. Alderman Silliman noted that perhaps some paths could be cleared. Mayor Tobin recommended that this be referred to committee.

Alderman Michales stated that he would like to meet with Mr. Casella and Chris Bistocchi regarding trash removal to see if something could be worked out for a possible weekend pick up. Mayor Tobin felt that would be a good meeting to have.

Alderman Michales and Alderman Bennett indicated an interest in following up on the weekend trash removal idea. Alderman Ferguson also expressed interest in participating.

Executive Session

Litigation
Proposed Litigation
Personnel Issues
Contractual Concerns

Motion to go into Executive Session.

By: Alderman Bird
Seconded: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Motion to come out of Executive Session.

By: Alderman Bird
Seconded: Alderman Bennett

Approved: Ayes – 7
Nays – 0

RESOLUTION #16 OF 2012 – Consideration of a Resolution to allow the Mayor to adjust the salaries of his reportees.

By: Alderman Ferrer
Seconded: Alderman Silliman

Approved: Ayes – 7
Nays - 0

Adjournment

By: Alderman Silliman
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

I, JUDITH CHAMBERLIN, CITY CLERK OF 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 17th DAY OF JANUARY 2012. 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.



JUDITH CHAMBERLIN, CITY CLERK

MAYOR TOBIN



City of Cortland
City Hall – Mayor’s Office
Mayor Brian Tobin

25 Court Street, Cortland, New York 13045
Website: www.cortland.org

Phone: 607-758-8374

Fax: 607-753-0385

To: Common Council
From: Mayor Brian Tobin
January 12, 2012

Re: Renewal of Commissioners in 2012

Dear Mrs. Massman:

Mayor Brian Tobin has selected the following individuals as candidates for renewal of terms or as new appointees to serve the city of Cortland as Commissioners:

Financial Advisory Board – James L. Buttino
Eugene Al. Palmer
John A. Poli
John O. Reagan
John Bennett
Carlos Ferrer

Board of Assessment Review – Marianne Betini

Historic District Commission – Pam Abbot
Shawn Smith
Dan Dineen

Fire Board – Paul Quinlan

Landscape & Design – Anne Doyle
Jeff Davidson

Planning Commission – Robert Spitzer

Public Safety – Patrick O’Mara
Ken Morey

Department of Public Works - Joe Reagan

Youth Bureau – Robert Sanjule
Cynthia Eberhart
Allison Orr



Andrea Tobin
Mary Wright

Wastewater Treatment Board – Todd Morris
William Starr
John Troy
Paul Lorenzo

Zoning Board of Appeals - David Funk

The Mayor believes these individuals have all performed admirably in the past, and would be a great asset in moving forward into the new administration.



CITY OF CORTLAND
City Council
EXECUTIVE SESSION
January 17, 2012

Council Meeting #2
January 17, 2012
Executive Session
City Hall
8:00 PM

Present: Mayor Tobin, Aldermen Bird, Silliman, Bennett, Quail, Ferrer, Ferguson and Michales

Absent: Alderman Dye

Staff Present: Director of Finance and Administration Mack Cook,
Corporation Counsel Kelly Colasurdo

RESOLUTION #17 OF 2012 – Authorizing the Mayor to sign the settlement agreement as proposed to settle outstanding litigation and related charges with the Wastewater Treatment Plant employees.

By: Alderman Ferrer
Seconded: Alderman Silliman

Roll Call Vote: Alderman Bird – Aye
Alderman Silliman – Aye
Alderman Bennett – Aye
Alderman Quail – Aye
Alderman Ferrer – Aye
Alderman Ferguson – Aye
Alderman Michales - Aye

Approved: Ayes – 7
Nays – 0

I, KELLY COLASURDO, CORPORATION COUNSEL FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTION WAS ADOPTED BY THE COMMON COUNCIL AT AN EXECUTIVE SESSION HELD DURING A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 17TH DAY OF JANUARY 2012. I FURTHER CERTIFY THE FOREGOING RESOLUTION WAS PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.



KELLY COLASURDO
CORPORATION COUNSEL



MAYOR TOBIN

ABSTRACT OF AUDITED VOUCHERS, TO BE PAID FEBRUARY 15, 2012

CLAIMANT	DESCRIPTION	CODE NUMBER	VENDOR #	AMOUNT	TOTAL
MAYOR					
DAVELLE	CONTRACT - 2012	A-1210-407-00	9890	\$72.00	\$72.00
FINANCE					
STAPLES	LABEL TAPE	A-1325-403-00	58475	\$28.70	
STAPLES	TONERS	A-1325-403-00	58475	\$75.52	
STAPLES	FOLDERS,DUST OFF,HANGING FILE	A-1325-403-00	58475	\$40.13	
STAPLES	LABEL TAPE	A-1325-403-00	58475	\$33.50	
COMMISSIONER OF MOTOR VEH.	SCOFFLAW LAW OCT. - NOV.	A-1325-415-00	42480	\$16.00	
DAVELLE	CONTRACT - 2012	A-1325-415-00	9890	\$72.00	
FISCAL ADVISORS & MARKETING INC.	PROFESSIONAL SERVICES	A-1325-415-00	22705	\$500.00	\$765.85
CITY CLERK					
QUICK PRINT	LETTERHEAD	A-1410-403-00	51100	\$59.00	
XPEDX STRORES	SAFETY PAPER	A-1410-403-00	68205	\$149.50	
DAVELLE	CONTRACT - 2012	A-1410-407-00	9890	\$144.00	\$352.50
LAW					
KATHLEEN BOYLE - DECARLO	COURT REPORTING (W/WT)	A-1420-415-00	34238	\$576.50	\$576.50
BUILDING AND GROUNDS					
FRADON LOCK CO. INC.	MULT-LOCK KEYS	A-1620-405-00	22299	\$31.50	
STAPLES INC.	EXPANDABLE WALL PK,	A-1620-405-00	58475	\$30.99	
J J KELLER	PRE-TRIP CHECK LIST	A-1620-405-02	34305	\$497.88	
NORTHERN SAFETY	EXAM GLOVES	A-1620-405-02	45120	\$901.23	
NORTHERN SAFETY	WIPERS,SFTY EYEWEAR , GLOVES	A-1620-405-02	45120	\$472.61	
CINTAS DOCUMENT MANAGEMENT	ONSITE SHREDDING	A-1620-415-00	45182	\$48.67	
D&t COMMUNICATIONS	MOVE PHONE AND ANS. MACHINE	A-1620-415-00	17060	\$55.00	
ICLEI	DUES	A-1620-415-00	29880	\$600.00	
BUILDERS BEST	SCREWS, BITS	A-1620-415-01	5300	\$18.56	
JTS LUMBER	1/2 X 4 X 8 CDX	A-1620-415-01	33700	\$34.19	
NORTHERN CONCRETE BLOCK	TYPE S MASON MIX	A-1620-415-01	44500	\$29.34	
4545 PROPERTIES LLC	LEASE AGREEMENT FOR AMES LOT	A-1620-415-01	45	\$3,400.00	\$6,119.97
CENTRAL SERVICE					
COMDOC	COPIER LEASE - CITY HALL	A-1670-415-00	11452	\$159.00	
COMDOC	COPIER LEASE - MAYOR	A-1670-415-00	11452	\$90.00	
STAPLES INC.	3 HOLE PAPER	A-1670-415-00	58475	\$375.80	\$624.80
DATA PROCESSING					
CDW-G	TONER	A-1680-403-00	10631	\$57.67	
CDW-G	NETORK PATCH CABLES	A-1680-403-00	10631	\$44.57	
STAPLES	TONER	A-1680-403-00	58475	\$436.57	
CITRIX ONLINE	GOTOASSIST EXPRESS	A-1680-415-00	10780	\$69.00	
PROGRESSIVE TECHNOLOGY GROUP	HARDWARE MAINT.	A-1680-415-00	50602	\$329.14	\$936.95

ABSTRACT OF AUDITED VOUCHERS, TO BE PAID FEBRUARY 15, 2012

CLAIMANT	DESCRIPTION	CODE NUMBER	VENDOR #	AMOUNT	TOTAL
UNALLOCATED INSURANCE					
MCNEIL & CO.	01/01/12 - 01/01/13 #1	A-1910-400-00	40007	\$3,934.00	
MCNEIL & CO.	01/01/12 - 01/01/13 #1	A-1910-400-00	40007	\$376.00	
MCNEIL & CO.	01/01/12 - 01/01/13 #1	A-1910-400-00	40007	\$8,008.51	
PLACE INS. AGENCY	CERTIFICATE HANDLING & REVIEW	A-1910-400-00	49500	\$2,500.00	
THE PARTNERS	RENEW POLICY	A-1910-400-00	62633	\$7,854.05	
THE PARTNERS	RENEW POLICY	A-1910-400-00	62633	\$2,751.10	
THE PARTNERS	RENEW POLICY	A-1910-400-00	62633	\$11,864.81	
THE PARTNERS	RENEW POLICY	A-1910-400-00	62633	\$1,151.43	
THE PARTNERS	RENEW POLICY	A-1910-400-00	62633	\$2,647.70	
					\$41,087.60
VOLUNTEER FIREFIGHTERS AWARDS					
AXA EQUITABLE	ADMIN . FEES	A-3420-415-00	20600	\$913.50	
					\$913.50
CODE					
DAVELLE	CONTRACT - 2012	A-3621-407-00	9890	\$72.00	
					\$72.00
DPW					
DAVELLE	CONTRACT - 2012	A-5010-415-00	9890	\$72.00	
					\$72.00
YOUTH					
DAVELLE	CONTRACT - 2012	A-7010-405-02	9890	\$192.00	
					\$192.00
				TOTAL	\$51,785.67



City of Cortland
City Hall – Mayor’s Office
Mayor Brian Tobin

25 Court Street, Cortland, New York 13045
Website: www.cortland.org

Phone: 607-758-8374

Fax: 607-753-0385

To: Common Council
From: Mayor Brian Tobin
February 2, 2012

Re: Renewal of Commissioners in 2012 Part II

I have selected the following individuals as candidates for renewal of terms or as new appointees to serve the City of Cortland as Commissioners:

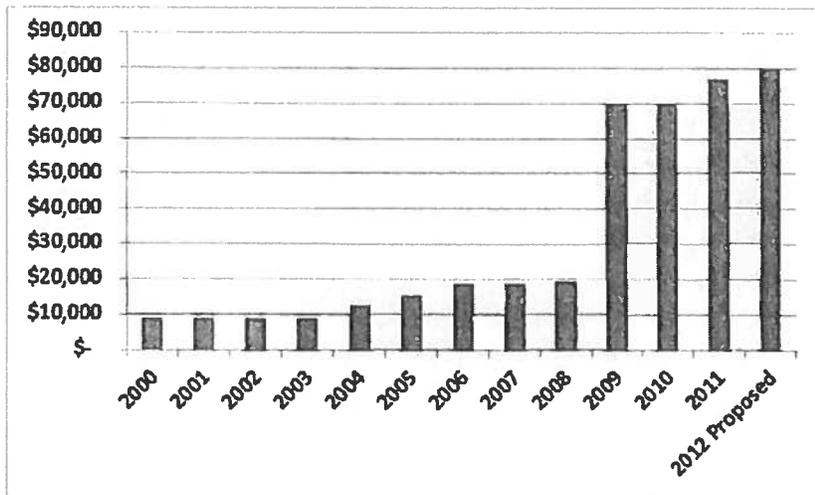
City Historian -	Mary Ann Kane	2 Year Term
Landscape and Design -	Michael Dexter	3 Year Term
Youth Bureau -	Aaron Bairer	3 Year Term
	Megan Pudney	3 Year Term

I believe all of these individuals to be the optimal choice for their respective boards, and will serve admirably as contributors to the well-being and development of the City.

TO: Mayor and Members of Common Council
FROM: Mack Cook, John McNerney
RE: City of Cortland/Town of Cortlandville Recreation Agreement
DATE: January 18, 2012

This memorandum is tendered to provide Common Council with background information that is useful to evaluate the attached agreement to provide recreational services to the residents of Cortlandville during 2012 for a fee of \$80,000.

The origin for the City's relationship with the Town of Cortlandville dates back to 1969 when then Youth Bureau Director Fran Tokar appeared before the Town Board and invited them to join in the City's recreation program and contribute financially to its welfare. The Town eventually responded in the early 80's with a contribution of \$5000. In 2011, Cortlandville contributed \$77,000 towards the operation of the Youth Bureau.

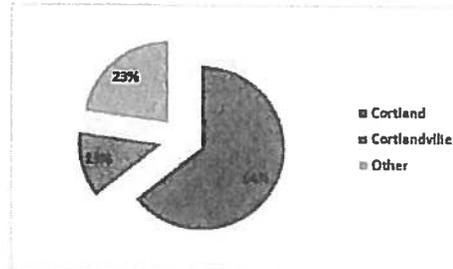


Since the initial contribution in 1969 the Town's annual financial contribution has steadily grown including a \$14,400 contribution in 2010 towards the operating costs of Wickwire Pool. The Town's contribution to community recreation programs has not been limited to monetary contributions. In 2008 the Town opened the \$2 million Ted Testa Parks complete with state of the art ball diamonds and athletic fields. Testa Park, in addition to Citizens Park and Blodgett Mills Parks, are currently used by the

¹ In 2010, Cortlandville contributed \$14,400 towards the operations of Wickwire Pool which is not included in the above chart.

Youth Bureau for its popular adult softball league and youth baseball program. Cortlandville maintains these parks at an annual cost of \$277,000 and makes them available for City programs at no cost to the City or its residents. The City provides staff to manage field reservations and evening hours Patrol Services from May 1st through September 1st.

The following is a table detailing participation in the Youth Bureau's youth oriented programs in 2011. This table sorts participation by the City, Cortlandville, and other municipalities. In summary 1,710 people participate in the various programs of which 64 percent were residents of Cortland and 13 percent were residents of Cortlandville.



PROGRAM	City of Cortland	%	Cortlandville	%	Other	%	Total Participants
Small Fry Football	123	66%	27	14%	37	20%	187
Cheering	67	74%	8	9%	16	18%	91
Youth Soccer	59	59%	21	21%	20	20%	100
Boy's Basketball	67	68%	12	12%	20	20%	99
Girl's Basketball	53	78%	10	15%	5	7%	68
Youth Softball	59	71%	14	17%	10	12%	83
Crown City Little League	162	64%	40	16%	53	21%	255
Babe Ruth Baseball	27	79%	1	3%	6	18%	34
Tennis Lessons	14	78%	3	17%	1	6%	18
Summer Playground	180	85%	17	8%	14	7%	211
Boys ULA Lacrosse	42	37%	15	13%	58	50%	115
GIRLS ULA Lacrosse	18	34%	7	13%	28	53%	53
Wrestling	27	66%	8	20%	6	15%	41
Fun for Tots	12	44%	8	30%	7	26%	27
GED	22	55%	5	13%	13	33%	40
TAP	73	84%	11	13%	3	3%	87
Spelling Bee	21	48%	3	7%	20	45%	44
Indoor Lacrosse	28	37%	12	16%	36	47%	76
Ski Club	16	80%	0	0%	4	20%	20
Fishing Derby	28	46%	0	0%	33	54%	61
TOTAL	1098	64%	222	13%	390	23%	1710

For 2012 the City has budgeted revenue of \$25,000 from registration and \$204,008 for direct operational costs youth oriented programs and \$179,000 is budgeted for administration of the Youth Bureau of which 60% is devoted to the above youth programs. Of this net cost of \$290,000 (\$204,008 - \$25,000 + (\$179,000 * 60%)) Cortlandville's contribution amounts to 27 percent. Residents of municipalities other than Cortlandville pay a participate fee.

AGREEMENT

This agreement made the ___ day of February, 2012, 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 and parks for the residents of the Town.

II. Payment

In consideration of said facilities, Youth Services/Counseling and parks, the Town agrees to pay the City the amount of Eighty Thousand Dollars and 00/100 (\$80,000.00) for use of said facilities, Youth Services/Counseling and parks, during the 2011 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 February 1, 2012, and terminate as of December 31, 2012.

V. Facility Management

The City shall provide, through its Youth Bureau, management services for the daily operation on behalf of the Town and City. 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 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 1st – September 1st from 6:00 P.M. seven days a week at all three Cortlandville parks.
- Provide certified pesticide applicator to spray as needed at Cortlandville parks.

V. Entire Agreement

This agreement contains the entire agreement between the parties representing the matters involved in this agreement. 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 February, 2012, before me, the undersigned Notary Public in and for said State, personally appeared Susan D. Feiszli, 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 she executed the same in her capacity, and that by her 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 February, 2012, 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

City Clerk

From: "Mack Cook" <mcook@cutland.org>
To: "Brian Tobin" <btobin@cutland.org>; "ward1" <ward1@cutland.org>; "ward2" <ward2@cutland.org>; "ward3" <ward3@cutland.org>; "ward4" <ward4@cutland.org>; "ward5" <ward5@cutland.org>; "ward6" <ward6@cutland.org>; "ward7" <ward7@cutland.org>; "ward8" <ward8@cutland.org>
Cc: "David Stathis" <dstathis@cutland.org>; "Bruce Adams" <badams@cutlandwastewater.org>; "Sherrie Massmann" <cityclerk@cutland.org>; "Kelly Colasurdo" <kcolasurdo@hotmail.com>
Sent: Wednesday, January 25, 2012 8:56 AM
Attach: Time-Warner Easment Agreement.pdf
Subject: Time-Warner Easement Agreement-Waste Water Plant
To: Mayor and Members of Common Council

From: Mack Cook

Re: Easement Agreement with Time Warner to extend line to carry service from Portzline Road to Waste Water offices

Date: January 25, 2012

Pursuant to Article IV, Section C4-3(H) of the City's Charter a resolution will be presented to Common Council at the meeting of February 7th seeking authorization for the Mayor to grant an easement to Time-Warner Cable to bury a cable line on City property necessary to extend internet and data sharing capacity to the Waste Water Treatment plan. This work is necessary as part of the Corrective Action plan to transfer all City facilities to a single provider and make possible the sharing of financial data between City offices. The cost of the installing the cable line and supporting hardware is being borne by Time-Warner.

Bruce Adams has worked with representatives of Time-Warner in laying out cable path as diagram in the attached exhibits. In his opinion, as expressed in the attached e-mail, the selected path will not interfere with existing or future operations of the plant. David Stathis has review the technical specifications and is satisfied that the cable being install will be adequate to service the City's needs.

Should you have questions please contact me.

Respectfully submitted,

Mack

Mack Cook

From: Bruce Adams <badams@cortlandwastewater.org>
Sent: Friday, December 30, 2011 2:15 PM
To: Mack Cook; David Stathis
Subject: RE: Easement Needed to place pole- City of Cortland Build

Hi Mack,

The rep from Time Warner had talked of bringing it down the West side of the drive. That will not be an issue. My only concern had been clearance for moving equipment into and out of the plant, but going over the administrative parking lot will not interfere with that. If the location has changed to the East side of the drive and crossing over to the administrative building then that may be a problem, though in a pinch we could move equipment in via the rear gate.

Bruce

From: Mack Cook [<mailto:mcook@cortland.org>]
Sent: Friday, December 30, 2011 2:06 PM
To: Bruce Adams; David Stathis
Subject: FW: Easement Needed to place pole- City of Cortland Build

Bruce

Attached is an Easement Agreement granting Time-Warner access to install a line to carry internet traffic. Please read paragraph pertaining to limitation on constructing buildings and such in the area of the easement. Does this proposed restriction hinder any plans you might have. See Dave for the exact location of the proposed line.

Thanks

From: David Stathis
Sent: Wednesday, December 28, 2011 8:43 AM
To: Mack Cook
Cc: badams@cortlandwastewater.org
Subject: FW: Easement Needed to place pole- City of Cortland Build

Mack,

To get Time Warner broadband internet installed at the Waste Water plant they need to run a line from the street in and need the following easement signed. Can you take care of this? They are absorbing the cost of 4K to do the construction work needed.

Thanks,

David Stathis
Systems Administrator/IT Director
City of Cortland
25 Court St
Cortland NY 13045
Phone 607-758-8350

From: Davern, Jolene [<mailto:jolene.davern@twcable.com>]
Sent: Tuesday, December 27, 2011 3:35 PM

To: David Stathis
Subject: Easement Needed to place pole- City of Cortland Build

Dear Bruce:

As you may know, Time Warner Cable Services have been requested in your building located at 251 Port Watson Street in Cortland. Before we are able to provide these services to this property we must enter into a Right of Entry Agreement that allows Time Warner to place cable facilities on your property for provisionary of services.

Attached you will find Time Warner's standard Right of Entry Agreement. We ask that a legally authorized agent for the **owner of the property** sign the documents. Please date the front of the agreement. The signature area is on the second page of this form. Please notice the signature must be notarized by a public notary. It is important that you complete all information indicated. When you have completely executed all documents please fax or scan a copy to my attention and kindly mail the original signed documents to my attention at the address below. If you would like a final copy for your records please provide the preferred address to send them at the bottom of the second page.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Jolene Davern

Contract Administrator/Paralegal

Time Warner Cable Business Class - Charlotte

13840 Ballantyne Corporate Place, Suite 500

Charlotte, NC 28277

Office 704-206-4209

Cell 704-572-0760

Fax 704-697-4765

jolene.davern@twcable.com



Sending you the Warmest Wishes for the Holiday Season!!

Go Green! Print this email only when necessary. Thank you for helping Time Warner Cable be environmentally responsible.

The sender and any of its attachments may contain Time Warner Cable proprietary information, which is privileged, confidential, or subject to copyright belonging to Time Warner Cable. This E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited and may be unlawful. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any protocol.

EASEMENT AGREEMENT

In consideration of good and valuable consideration, receipt and adequacy whereof is hereby acknowledged, CITY OF CORTLAND ("Grantor"), hereby grants, conveys and warrants unto TIME WARNER CABLE INC. THROUGH ITS EAST REGION - CENTRAL NEW YORK, BY ITSELF AND ON BEHALF OF ITS AFFILIATES, its successors and assigns ("Grantee"), a perpetual, exclusive right-of-way and easement to install, construct, lay, reconstruct, operate, maintain, repair, replace, enlarge, relocate, inspect, supplement and remove (collectively, "Service"), at any time or times hereafter, its communication systems and related components, lines and equipment, together with all such communication facilities, including, without limitation, conduits, cables, wires, fibers, poles, pedestals, pipes, antennas fixtures, handholes, apparatus and appurtenances, as it may from time to time require or deem proper therefore (collectively, the "Equipment"), in, under, over and upon a strip of real property as more particularly described as having an address of 251 Port Watson Street, situated in the City of Cortland, County of Cortland, State of NY, Section: 87.62, Block: 01, Lot: 11.000 (the "Property").

The Equipment shall be constructed within the boundaries of a strip of real property as shown and delineated upon the attached legal description or drawing marked on Exhibit A (the "Premises") attached hereto and incorporated herein. In addition, Grantor does hereby grant, convey and warrant to Grantee a temporary construction easement in, under, over and upon the real property shown and delineated upon the attached legal description or drawing marked on Exhibit A attached hereto and incorporated herein. The duration of the construction easement shall be until the completion of construction of the Equipment.

This Easement Agreement grant includes Grantee's right of ingress to and egress from the Premises to Service the Equipment, the right to use the Premises parallel to and adjoining the boundaries of the Premises for the operation and maintenance of the Equipment and for any of the purposes herein specified, and the right to carry in the Equipment the communication facilities Grantee deems proper. Grantee at its expense shall restore all disturbed areas to as reasonable a condition as possible to the condition prior to any construction. Grantee shall also have the right to cut, trim, remove, destroy, or otherwise control any trees, brush or other vegetation now standing or hereafter growing upon the Premises. The Equipment placed or installed on the Premises by Grantee, whether permanent or temporary and replacements thereof, shall be and remain the property of Grantee, and may be removed by Grantee at Grantee's discretion.

Grantor may use the Property for all purposes not inconsistent with, or in interference with, the full enjoyment of this Easement Agreement and the Premises by Grantee. Grantor will not, without the prior written consent of the Grantee, do or suffer or permit to be done, any of the following: place any building or structures on or so as to interfere with or obscure the Grantee's access to and use of the Premises; raise or lower the ground level of the Property; or stockpile or store objects on or as to interfere with or obstruct the Grantee's access to or use of the Premises or Grantee's ability to Service the Equipment. Grantor shall not grant, suffer or permit easements, licenses or other rights to use the Premises to or by any party other than Grantee without Grantee's prior written consent.

Grantor hereby covenants with Grantee that Grantor is the true and lawful fee simple owner of the Premises and has full power and right to execute and grant this Easement Agreement.

This Easement Agreement is freely alienable and transferable by Grantee. Grantee may hereafter transfer, assign and convey this Easement Agreement in whole or in part and/or grant, convey or permit sub-easements or the use thereof by other parties, so long as such sub-easements or users do not exceed or violate the limitations, restrictions and reservations contained in this Easement Agreement.

This Easement Agreement shall bind and inure to the benefit of, and serve as an obligation of, Grantor, Grantee, and their respective heirs, legal representatives, licensees, lessees, successors and assigns. Any right, title, interest or privilege granted to Grantee hereunder shall be held and may be exercised by Grantee and its legal representatives, successors and assigns whether or not so expressed herein. This Easement Agreement is a covenant running with the Property. This Easement Agreement constitutes the entire agreement between Grantor and Grantee, there being no oral agreements or representations of any kind made between Grantor and Grantee.

WITNESS, Grantor and Grantee signed this Easement Agreement effective as of _____, 20__.

→ GRANTOR: CITY OF CORTLAND
251 Port Watson St., Cortland, NY 13045

GRANTEE: TIME WARNER CABLE, INC. THROUGH ITS
EAST REGION - CENTRAL NEW YORK
6005 Fair Lakes Road, East Syracuse, NY 13057

Printed Name: _____

Printed Name: Frederic Ferrell - VP

→ Grantor's Signature Notarized by:
State of _____
County of _____

On the ____ day of _____ in the year _____ 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 their capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

My Commission Expires: _____

Notary Public

Printed name of Notary

Grantee's Signature Notarized by:
State of _____
County of _____

On the ____ day of _____ in the year _____ 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 their capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

My Commission Expires: _____

Notary Public

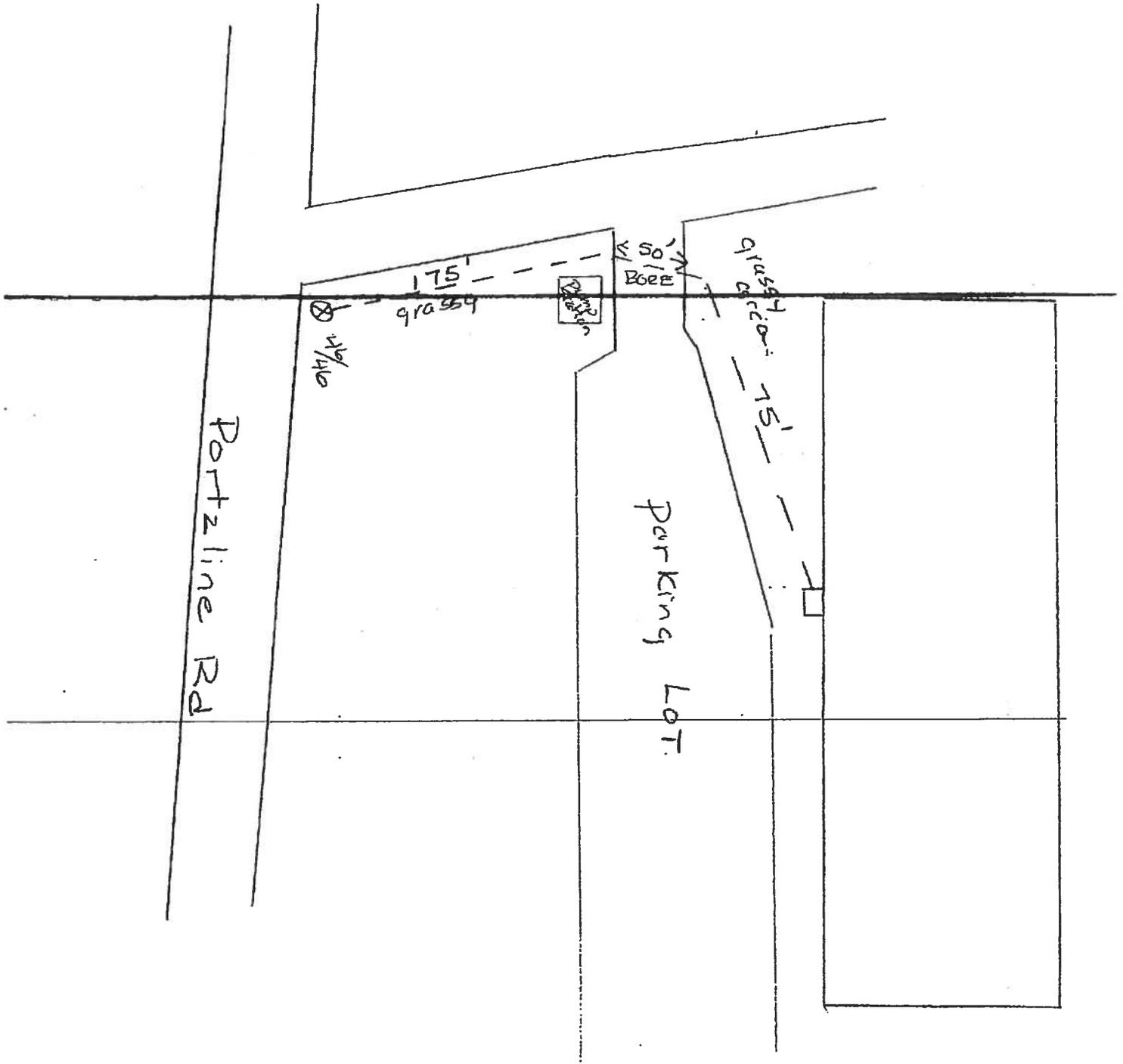
Printed name of Notary

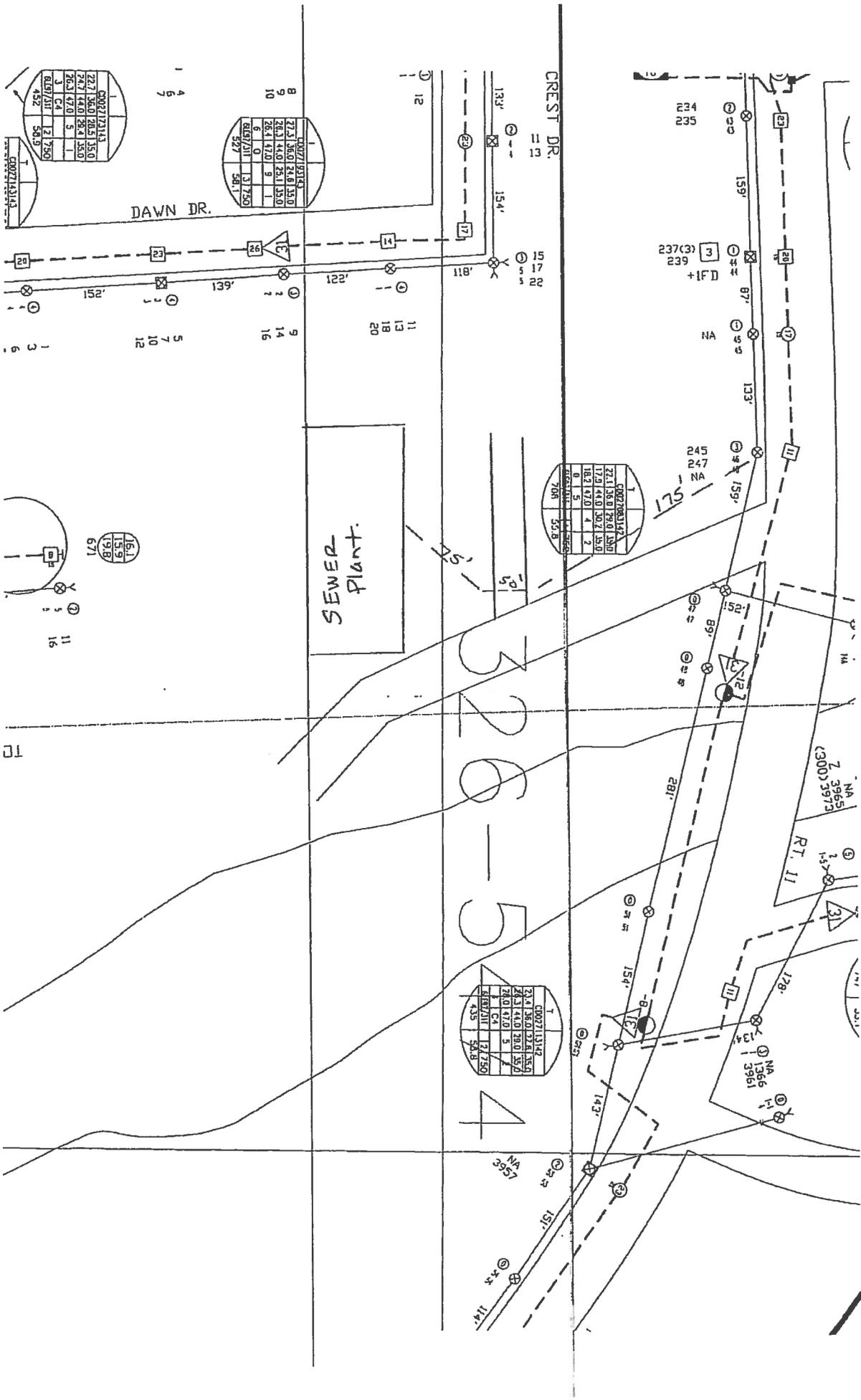
EXHIBIT A

Legal Description or Diagram of the Premises

251 Port Watson St.
Cortland, NY 13045
Section: 87.62
Block: 01
Lot: 11.000

City of Cortland.
Sewer Treatment Plant.





CREST DR.
= CI

DAWN DR.

SEWER Plant.

RT. 11

326-5

17

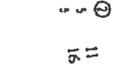
1	000715014	22.1	136.0	34.8	13.0
9		28.1	14.0	25.1	13.0
10		28.4	17.0	9	
6		0			
0		61.9	11	31.7	50
527					58.1

1	000208142	22.1	136.0	39.6	13.0
17		17.1	14.0	10.7	13.0
4		18.1	17.0	4	2
0		0			
5		66.9	11	31.7	50
708					55.8

1	000211142	21.1	140.0	38.0	13.0
13		28.0	17.0	5	7
7		0			
0		43.5	12	17	50
435					58.8

1	000212143	22.1	136.0	28.5	13.0
3		26.3	17.0	5	1
0		61.9	11	31.7	50
432					58.1

15.1	15.9	19.87
671		



NA 1366

NA 3965
(300) 3973

NA 1366

NA 1366

NA 1366



Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Recording office time stamp

See Form TP-584-1, Instructions for Form TP-584, before completing this form. Please print or type.

Schedule A -- Information relating to conveyance

Form with fields for Grantor/Transferor and Grantee/Transferee, including Name, Mailing address, City, State, ZIP code, and Social security number.

Location and description of property conveyed

Table with columns: Tax map designation (Section, Block, Lot), Address, City/village, Town, County.

Type of property conveyed (check applicable box)

Form with checkboxes for property types (One-to three-family house, Residential cooperative, etc.) and a date of conveyance field.

Condition of conveyance (check all that apply)

Form with multiple checkboxes (a-r) for conditions of conveyance such as 'Conveyance of fee interest', 'Leasehold assignment or surrender', etc.

Table for recording officer's use with columns: Amount received, Date received, Transaction number.

Schedule B — Real estate transfer tax return (Tax Law, Article 31)

Part I — Computation of tax due

1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) <input type="checkbox"/> Exemption claimed	1.	\$1.00
2 Continuing lien deduction (see Instructions if property is taken subject to mortgage or lien)	2.	
3 Taxable consideration (subtract line 2 from line 1)	3.	
4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3.....	4.	
5 Amount of credit claimed (see Instructions and attach Form TP-584.1, Schedule G)	5.	
6 Total tax due* (subtract line 5 from line 4)	6.	

Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more

1 Enter amount of consideration for conveyance (from Part I, line 1)	1.	\$1.00
2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...	2.	
3 Total additional transfer tax due* (multiply line 2 by 1% (.01))	3.	

Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada)..... a
- b. Conveyance is to secure a debt or other obligation b
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance c
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d
- e. Conveyance is given in connection with a tax sale..... e
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F f
- g. Conveyance consists of deed of partition g
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) k
- l. Other (attach explanation) l

*Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in New York City, make check(s) payable to the NYC Department of Finance. If a recording is not required, send this return and your check(s) made payable to the NYS Department of Taxation and Finance, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

1. The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Please note: for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

Other (attach detailed explanation).

3. The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the NYC Department of Finance.)

Signature (both the grantor(s) and grantee(s) must sign)

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

Grantor signature	Title	Grantee signature	Title
Grantor signature	Title	Grantee signature	Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

Part I - New York State residents

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

Part II - Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584-I.

Exemption for nonresident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ to _____ (see instructions).
Date Date
- The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date



CITY OF CORTLAND
OFFICE OF COMMUNITY DEVELOPMENT
THOMA DEVELOPMENT CONSULTANTS

25 Court Street, Cortland, New York 13045 Ph. 607.753.1433 Fx. 607.753.6818
www.cortland.org

MEMORANDUM

TO: Mayor Brian Tobin and Members of the Common Council,

FROM: Thoma Development Consultants

RE: Adoption of a Section 504 Grievance Policy/Procedures and publication requirements

DATE: January 25, 2012

Linda Armstrong of my staff met with Mack Cook to discuss a number of policies that the City should consider adopting as the recipient of federal funding, in order to comply with certain federal rules and regulations. One of the policies we discussed, and which Mack agreed should be adopted, is a grievance procedure for complaints related to disability as required under Section 504 of the Rehabilitation Act of 1973, as amended.

Section 504 of the Rehabilitation Act of 1973 (hereinafter referred to as Section 504) prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees of HUD financial assistance. The Programs covered by Section 504 include the New York State Community Development Block Grant Program (CDBG) and the HOME Program, both of which the City has received and utilized on a relatively consistent basis.

Sections 53 and 54 of Part 8, Title 24 of the Code of Federal Regulations (24 CFR) require federal funding recipients to adopt an internal "Section 504 grievance procedure" if they have 15 or more employees, which, according to the NYS CDBG includes all paid full-time, part-time, seasonal employees, and paid Board members. It does not include elected officials or elected Board members.

The New York State Office of Community Renewal, which administers the CDBG Program (OCR) recently starting requesting documentation of compliance with the federal Section 504 requirements and issued "findings letters" to those communities that did not have one in place. Accordingly, we suggest the City take a proactive step to adopt a grievance procedure. The law requires that you (1) adopt a policy or procedure by resolution, (2) designate a Grievance Coordinator as part of the grievance procedure, and (3) notify employees and the public of the grievance procedure on an initial and continuing basis. The amount of detail required in the notification process depends on whether you have 15-49 employees, or 50+ employees. Information with respect to that is provided below.

Proposed Grievance Procedure for Section 504 (ADA) Compliance: We've prepared and attached a Section 504 grievance procedure for your adoption. Mack Cook has agreed to act as Grievance Coordinator (GC) assuming approval by the Council. The attached grievance procedure reflects the position of Director of Administration and Finance as the GC so it does not have to be changed as personnel changes are made. We've also attached a proposed resolution for your use. Please send us a copy of the certified resolution and the signed grievance procedure so we can make sure it goes in your CDBG files. The City should also keep copies of the procedure with other adopted policies and procedures.

Public Notice Requirements for grievance procedures: Section 504 notification requirements are more extensive for employers with 50 or more employees. The Americans With Disabilities Act of 1990 (ADA) grievance actions are implemented by 24 CFR, Part 8 for HUD purposes. However, 28 CFR Part 35 implements ADA grievance actions for the Justice Department. The difference in the two statutes is the extent to which an employer must go notify its employees, the public, and potential beneficiaries of CDBG and/or HOME Programs about the adoption of a grievance procedure under Section 504.

Section 54(a) of 24 CFR, Part 3 states in part, " A recipient that employs fifteen or more persons shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of handicap in violation of this part. The notification shall state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs and activities. The notification shall also include an identification of the responsible employee designated pursuant to §8.53. A recipient shall make the initial notification required by this paragraph within 90 days of July 11, 1988. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in recipients' publications, and distribution of memoranda or other written communications."

Based on our conversations with the State's CDBG offices, it appears employers with 15-49 employees can meet notification requirements by publishing a general statement of adoption of a grievance procedure and prohibition of discrimination based on disability. However, employers with 50 or more employees are required to **publish the entire procedure verbatim** to meet the U.S. Department of Justice's requirements at 28 CFR Part 35.

Based on Linda's meeting with Mack, the following activities will be undertaken to comply with the notification requirements: (1) A copy of the procedures will be sent to all City employees or heads of the bargaining units; keep a copy of the transmittal letter(s) in City file; (2) Publish the adopted grievance procedure verbatim on the City's website; (3) Place copies of the written Procedure in the Clerk's Office for the public to pick up. Keep copies of letters, newspaper ads, and other means of notice in the Section 504 file in your CDBG files that you decide to publish. We will add a notification of the City's adoption of the grievance procedure to any and all program brochures for CDBG and/or HOME Programs so "potential beneficiaries" of the covered programs are notified. Other activities are encouraged at your discretion.

Please contact Linda Armstrong of my staff if you have any questions. She can be reached at 607-753-1433 or via email at Linda@thomadevelopment.com

Attachments: Section 504 grievance procedure and proposed resolution

SECTION 504 RESOLUTION/CITY OF CORTLAND

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of the City of Cortland not to discriminate against any individual, person or group on the basis of disability and the intent of the City to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the City of Cortland does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the City of Cortland does hereby designate the City's Director of Administration and Finance as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the City of Cortland will place its employees, the public and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) placing the grievance procedure on the City's website subsequent to adoption, (3) placing copies of the Procedure in the City Clerk's Office located in City Hall, 25 Court Street, Cortland, NY for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the City's adopted grievance procedure.

CITY OF CORTLAND
SECTION 504 GRIEVANCE POLICY

Procedure for Filing Complaints

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended, prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant Program (CDBG) funded by HUD, and under which the City of Cortland has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) establishes provisions for assuring equality of opportunity, full participation, independent living and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the City of Cortland not to discriminate on the basis of disability. Towards that end, the City has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined in the City Clerk's Office located in City Hall, 25 Court Street, Cortland, NY. The City's Director of Administration and Finance has been designated to coordinate the efforts of the City of Cortland with respect to Section 504 compliance. This information can also be accessed on the World-wide Web at the following address: <http://www.ada.gov/taman2.html#II-8.2000>. The City of Cortland's Director of Administration and Finance's Office is also located in City Hall, 25 Court Street, Cortland, New York. The Section 504 Coordinator can be reached at 607-756-7312.

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the City of Cortland outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the City of Cortland relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the City's Common Council within 15 days of receiving the Section 504 Coordinator's decision. The City's Common Council shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The City of Cortland will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for City of Cortland to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

DATE ADOPTED: _____

SIGNED: _____

TITLE: _____

CITY OF CORTLAND
PROCUREMENT POLICY

WHEREAS, Section 104-B of the General Municipal Law requires the governing body of every Municipality to adopt a Procurement Policy for all goods and services which are not required by law to be publicly bid.

WHEREAS, comments have been solicited from all officers in the City of Cortland involved in the procurement process.

NOW, THEREFORE, BE IT RESOLVED, THAT The City of Cortland does hereby adopt the following Procurement Policy, which is intended to apply to all goods, and services, which are not required by law to be publicly bid.

PROCUREMENT POLICY

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can be reasonably expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: Purchase contracts involving expenditures of \$20,000.00 or less, and Public Works contracts involving expenditures of \$35,000.00 or less; emergency goods purchased from correctional institutions; purchases under State and County Contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchases. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source, which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: Purchase contracts over \$20,000.00 and Public Works contracts over \$35,000.00; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to the Section 186 General Municipal Law; purchases under County Contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3. Whether the services require a personal relationship between the individual and Municipal Officials.

Professional or technical services shall include but not be limited to the following: Services of an Attorney; services of a Physician; technical services of an Engineer engaged to prepare plans, maps and estimate; securing insurance coverage and/or services of an insurance broker; services of a Certified Public Accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of a pre-packaged software.

- B. Emergency purchase pursuant to Section 103(4) of the General Municipal Law, due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the City of Cortland is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and lower price may indicate an older product.
- D. Goods or services under \$1000.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. Minority- and Women-Owned Business Enterprise (M/WBE) Participation in Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned businesses, the City will solicit up to three MBEs and/or WBEs as part of its procurement process, when appropriate. The above purchase/contracting thresholds will apply.

For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The City will keep documentation of the M/WBE solicitation in its records and any response(s) thereto.

8. This revised Procurement Policy shall be effective as of February 7, 2012 as adopted by the City's Common Council at a regular meeting held February 7, 2012 and shall remain in effect until further action by the City. The Policy shall be reviewed on an annual basis.

City Clerk

From: "Mack Cook" <mcook@cutland.org>
To: "Brian Tobin" <btobin@cutland.org>; "ward1" <ward1@cutland.org>; "ward2" <ward2@cutland.org>; "ward3" <ward3@cutland.org>; "ward4" <ward4@cutland.org>; "ward5" <ward5@cutland.org>; "ward6" <ward6@cutland.org>; "ward7" <ward7@cutland.org>; "ward8" <ward8@cutland.org>
Cc: "Bruce Adams" <badams@cutlandwastewater.org>; "Sherrie Massmann" <cityclerk@cutland.org>; "Chief F. Michael Catalano" <fcatalano@cutland.org>; "Charles Glover" <cglover@cutland.org>; "Chris Bistocchi" <cbistocchi@cutland.org>; "Lori Crompton" <lcrompton@cutland.org>; "Kelly Colasurdo" <kcolasurdo@hotmail.com>; "John McNerney" <mcnerney@cutland.org>; "Rob Avery" <ravery@cutland.org>; "William Knickerbocker" <knick@cutland.org>; "Wayne Friedman" <wfriedman@cutland.org>; "Paul Sandy" <psandy@cutland.org>
Sent: Monday, January 30, 2012 10:39 AM
Attach: Waste Water Bolier refit.pdf
Subject: Council agenda: Waste Water Boiler Refit and Repair Project
 Mayor and Members of Common Council

On Council's agenda for the meeting of February 7th will be a resolution authorizing expenditures for the upgrade, repair and re-fit of two boilers at the Waste Water plant. A staff memorandum discussing the need, scope and financing of this project is attached to this e-mail as a PDF. Also attached is the draft recommendation of the Wastewater Advisory Board to pursue this project. The signed letter will be included in the Council packet.

The total cost of this project will not exceed \$59,209 based upon the lowest and best quote received as of this e-mail. We continue to seek quotes from the limited number of companies in Central New York capable of doing the work needed to be done.

Because of the cost and technical scope of this project our intention to get this information out to all well before the Council packets so should there be questions they can be addressed fully. I encourage you to contract either myself or Bruce Adams at 756-7227 should you require information beyond that contained in the memorandum.

Sincerely
 Mack

TO: Mayor and Members of Common Council
From: Bruce Adams, Lori Crompton and Mack Cook
Re: Waste Water Boiler retrofit and repair project
Date: January 27, 2012

PROPOSAL:

Convert the currently sole operational boiler in the Waste Water Treatment plant from fuel oil/digester gas to natural gas/digester gas. Restore a currently inoperable second boiler to functional status and convert from fuel oil/digester gas to natural gas.

CURRENT OPERATIONS:

The Plant currently relies on a single Hurst fire tube boiler. This boiler is the sole source of heat for maintaining the anaerobic digesters at operational temperature and heating the plant buildings in cold weather. A failure of this boiler that could not be corrected in a timely manner would result in a failure of the anaerobic digestion process. In winter months, it could also result in freeze damage to piping in the buildings. This boiler is overdue for an insurance inspection. Such an inspection will necessitate shutting down the boiler for two days to allow it to cool down so it can be closely inspected. This is not possible while it is the sole source of heat. Fuel oil is currently being stored in an 8,000 gallon double walled steel tank. This tank is buried and does not have leak detection equipment. The tank is located 18 feet from the Tioughnioga River. This represents a considerable environmental liability for the City.

OPERATIONS AFTER SHOULD THIS PROPOSAL BE APPROVED:

The plant would have two operational boilers. The Hurst would be capable of using natural gas or digester gas. The now inoperable Cleaver Brooks boiler would be made operational and configured to burn natural gas. The Cleaver Brooks boiler would operate as the backup and be used when the principal boiler is off-line for inspection, preventative maintenance, cleaning and repairs.

Natural gas is now a less expensive heat source than fuel oil. Discontinuing use of fuel oil in favor of natural gas will also result in cost savings, though the potential savings are unknown at this time.

COSTS:

The lowest quoted cost received to date to retrofit the Hurst boiler is \$33,808. The lowest quoted cost received to date to retro-fit, repair and bring the Cleaver Brooks boiler to operational status is \$25,401. The quoted cost to remove left-over oil equipment, controls and oil line drops (but not the in-ground tank) is \$3,000.

SOURCE OF FUNDING:

There remains in the 2006 Waste Water Improvement Bond is \$662,000. The annual debt service on this bond is based upon the face amount of the debt. Therefore the use of the unspent bond proceeds would not have an impact on the annual debt service.

WASTE WATER COMMISSION

On January 25 the Waste Water Commission discussed this topic. In a unanimous vote the commission approved the plan to retrofit both boilers. A statement expressing their support is attached hereto.



**CITY OF CORTLAND
WASTEWATER TREATMENT
FACILITY ADVISORY BOARD**



John Troy, Chairman
William Starr, Vice Chairman

Sally Horak, Commissioner
Paul Lorenzo, Commissioner
Todd Morris, Commissioner

January 27, 2012

City of Cortland
Common Council
25 Court Street
Cortland, NY 13045

Attn: Common Council Members:

The Wastewater Advisory Board has reviewed the proposal for a Natural Gas Conversion of the Hurst Boiler and Rehabilitation and Natural Gas Conversion of the Cleaver Brooks Boiler. This proposal will permit mitigation of an environmental liability, enable a mandatory insurance inspection, increase reliability of anaerobic digester and plant building heating, and reduce the cost of producing that heat. The project cost is 25% less than the previously considered option of purchasing a new boiler which would only enable the inspection and increase reliability of heat production. This board recommends to the Common Council that it approve the project.

Sincerely,

John Troy, Chairman
Wastewater Advisory Board

BA/mb

cc: WWAB



**CITY OF CORTLAND
WASTEWATER TREATMENT
FACILITY ADVISORY BOARD**



John Troy, Chairman
William Starr, Vice Chairman

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Sincerely,

John Troy, Chairman
Wastewater Advisory Board

BA/mb

cc: WWAB

**City of Cortland
Fire Department**



Charles S. Glover
Fire Chief

21 Court Street
Cortland, New York 13045

Phone: 607.756.5613
Fax: 607.758.8585
Email: cglover@cortland.org

TO: Mack Cook
FROM: Chief Glover
DATE: January 30, 2012
RE: Vehicle Purchase Update

This is a follow up to my memo dated January 12, 2012 which I include here for your convenience.

We approached the Cortland Fire Department Board of Engineers as was indicated in the former memorandum.

The BOE has graciously offered and committed by vote to add \$12,000.00 towards the outfitting of both vehicles we wish to purchase as requested in the former memo.

Therefore, I am respectfully requesting that the matter of transferring the \$20,915.00 from the proceeds of the surplus CFD vehicles into the CFD budget line A3410-206 be placed before the Common Council at the February 7, 2012. Additionally, I would like to request that the proceeds from the surplus of the vehicles being replaced be returned to the Fire Dept. lines as needed to help offset these costs for both the Fire Dept. proper and Board of Engineers.

Thank you for your consideration. Please let me know if you have questions or need any clarification or assistance in bringing this.

City of Cortland
Fire Department



Charles S. Glover
Fire Chief

21 Court Street
Cortland, New York 13045

Phone: 607.756.5613

Fax: 607.758.8585

Email: cglover@cortland.org

TO: Mack Cook, Dir Admin & Finance
FROM: Chief Glover
DATE: January 12, 2012
RE: Funds from Sale of Surplus Vehicles

At your request I have formulated and detailed a specific plan for my request to appropriate the \$20,915.00 from the vehicles sold at auction as surplus into the A3410.206 Vehicle Purchase budget line.

Therefore, it would be my desire to purchase two 2011 Chevy Tahoe's at state bid pricing that currently sit on the lot at Hoselton Chevrolet in Rochester, NY. This would replace the Deputy Fire Chief's 1999 Ford Expedition as well as the 1998 Chevy Astro Van that is assigned to the volunteer chiefs. Both of these vehicles are in poor condition due to age and need replacing.

The base price for these vehicles which have the police package wiring would be \$26,467.69. I have attached a copy of pricing. (NOTE: we deducted the \$265.00 delivery charge as we would go there and pick them up) Therefore two would cost 52,935.38.

Utilizing the \$30,000.00 in the 2012 budget with the addition of the \$20,915.00 from the auctions I would have \$50,915.00. I would request a transfer of \$2,100.00 from A3410.402 Apparatus Repair line into the A3410.206 line to purchase the two vehicles.

We would fund outfitting the vehicles for emergency service with proceeds from the sale of the two vehicles being replaced at auction. We have informally polled the Board of Engineers and they appear willing to help with the approximately \$4,000.00 cost of outfitting for the vehicle that will be assigned to the Volunteer Chiefs. Additionally, we would use existing budget lines to cover any shortfalls that are not covered by either of the aforementioned methods with minimal impact on operating lines of the budget.

Thank you for your consideration, and if at all possible I would like to move on this as quickly as practical in order to secure the vehicles before they are sold elsewhere.

Please let me know if you have any questions.

Memo

To: Mayor Tobin, Mack Cook, Common Council

From: Lori Crompton

CC: Chief Glover

Date: 2/1/2012

Re: Budget Modification

The City Fire Dept. recently received \$20,915.00 in auction proceeds from the sale of surplus vehicles. Chief Glover is requesting to recognize and appropriate the funds as follows:

A510 Estimated Revenues	\$20,915.00	
A960 Appropriations		\$20,915.00
A3410-20600 Equipment	\$20,915.00	
A2655 Minor Sales		\$20,915.00

Memo

To: Mayor Tobin, Mack Cook, Common Council

From: Lori Crompton

CC:

Date: 2/1/2012

Re: Budget Modification

The City has received its' third Capital Investment Reimbursement of \$10,252.50 from NYMIR and is requesting to recognize and appropriate the funds as follows:

A510 Estimated Revenues	\$10,252.50
A960 Appropriations	\$10,252.50
A1990-40000 Contingencies	\$10,252.50
A2680 Insurance Recoveries	\$10,252.50