

COMMON COUNCIL MEETING

May 1, 2012

7:00 P.M. Call Meeting to Order
Salute to the Flag of the United States
Public Comments
Minutes of April 17, 2012
Bills
Ward Reports
Mayor's Report
Reports of Boards & Commissions
Proclamations
PINK SHEET Sign off

AGENDA:

1. Receive the City of Cortland's Comprehensive Plan document from the Planning Commission and schedule a Public Hearing for 6:30 PM on May 15, 2012. (Rich Cunningham)
2. Consideration of a Resolution to approve the attached item 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 a budget modification to appropriate proceeds from the sale of four (4) vehicles from the City of Cortland Police Impound Lot, for a total of \$919.50, toward the purchase of new police vehicles in 2013 as follows: (Deputy Chief Sandy)

A3120.206.00	Operational Equipment	\$919.50
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4. Consideration of a Resolution to approve the following budget modifications to recognize three (3) Youth Bureau donations and appropriate as follows: (John McNerney)

A7550.405	Marietta Corp.	\$250.00
A7550.405	SUNY Inter-Greek Council	\$ 55.00
A7310.405	Elaine Norris	\$ 30.00
5. Consideration of a Resolution to close Main Street from North Main Street and Arthur Avenue to Huntington Street from 5:00 PM to 9:00 PM on June 5, 2012 for the Dairy Parade. (Chief Catalano)
6. Consideration of a Resolution to create the position of part time Paralegal in the Law Department. (Corporation Counsel Colasurdo)
7. Consideration of a Resolution to approve the Main Street Music Series Committee to:

- a. Close the Market Place Mall parking lot at Noon until 10:30 P.M. on Fridays from July 13, 2012 through August 3, 2012 for the 2012 concert series. (Amy Bertini)
- b. Waive the open container alcohol regulation for a contained area with appropriate permits for the event. (Amy Bertini)
8. Discussion to provide updates on the May 12, 2012 Stone Lounge Concert to be held in the Market Place Mall parking lot.
9. Consideration of a Resolution to approve a noise permit request for the Cortland County Relay for Life activities to be held on June 1, 2012 from 7:00 PM to 8:00 AM, June 2, 2012 at Davis Field. (American Cancer Society)
10. Consideration of a Resolution to approve an Exotic Pet Permit for Lauren Lawrence, 17 Scammel Street to keep chickens (no roosters) not to exceed five (5). (Alderman Michales)
11. Consideration of a Resolution to close Otter Creek Place from Broadway/Townley to Groton Avenue on May 5, 2012 for the Comducky Derby, if needed, due to low water levels in Dry Creek. (Mayor Tobin)
12. Consideration of a Resolution to approve a noise permit request for Gators, 83 Owego Street for May 26, 2012 for a live band outside.

EXECUTIVE SESSION

Settlement Offer

City Loan Committee recommendation for Loan

Community Development Economic Development Loan repayment revision

13. Consideration of a Resolution to approve a loan of four thousand one hundred dollars (\$4,100) to a local not-for-profit per a recommendation by the City's Loan Committee. (Thoma Development)
14. Consideration of a Resolution to approve a request from a Community Development Economic Development Loan recipient to revise repayment terms per a recommendation by the City's Loan Committee. (Thoma Development)

Adjournment

WORKSESSION

Code Office presentation regarding vacant buildings at 26 Fox Hollow and 117 Pendleton Street.



City Council Minutes
The City of Cortland
April 17, 2012

Council Meeting #8
April 17, 2012
Regular Session
City Hall
7:00 PM

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

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

Mayor Tobin called the eighth Common Council meeting of the year to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Public Comment

Elsie Ferro stated that she's assuming the City is low on funds, but she wants her street fixed. She asked if the City had received the back taxes that are due from the Brown property. She also asked if the City was continuing to pay the back taxes on that property to the County and the school.

Director of Administration and Finance Cook stated that the City is aggressively pursuing those back taxes and has filed suit. He noted that the City is no longer paying over on those back taxes.

Ms. Ferro noted that she is a very good taxpayer who keeps her property clean and she will pursue this issue. She wanted the Mayor and Council to know that as of tonight the City was liable for any damages or injuries caused because her street was in such disrepair and she put them on notice as of tonight's newspaper article that they were liable. She stated that once this is written, the City is liable.

Mayor Tobin noted that it was not unusual, especially at this time of year, for there to be concerns regarding neighborhood streets. He has spoken with DPW Director Bistocchi and noted that every year a priority list is developed and every year it's based upon streets that are in the worst condition and also other work that needs to be done, such as sewer work, water lines, electric, etc. and they try to coordinate work with the municipal power companies. He hopes to have a list to make public in a few weeks so everyone will know what streets are due to be paved this year. He reminded everyone that if there are specific

potholes, to please call or email the Council or his office and the DPW will respond to these repairs as quickly as possible. He thanked her for bringing this to his attention.

Elsie Ferro noted that she has been after this for many years and that six (6) water main repairs have been done on her street in the past six (6) months, so her street does need to be repaired.

Sharon Stevans spoke about the blue bags. She noted that the blue bags work because users pay for what they throw away and there is an incentive to recycle. She noted that this program breaks even and there aren't too many garbage collection efforts that break even. She asked the Council to move on and to talk about something that really needs addressing. She did note that crows getting into the bags was an issue, so if the Council wanted to talk about a receptacle to put the blue bags in, that was fine, but don't revisit the issue of the blue bags.

Mike Dexter spoke about Tree City USA. He put on his Tree City hat to announce that for the fifth consecutive year the City of Cortland has been designated a Tree City USA and they have gotten their flag and will be flying it in front of City Hall. He noted that they also received two (2) reflectors to be placed on the Tree City signs at Clayton Avenue and Tompkins Street. He also spoke about the tree lottery DEC grant. He reported that it was pursued heavily this year and he asked Diane Batzing to come forward and be recognized for her hard work on this. He noted that about seventy (70) people have applied for trees and after checking, some may not be able to be given trees due to certain situations. He hopes to plant sixty (60) trees within the next few months. He noted that also in connection with Tree City USA, he asked Diane Batzing to present an award to the Mayor. He noted that the City has received a special award and he hoped that the Mayor would display it on his desk. He reminded individuals that there was a law against posting signs on telephone poles and especially, not to post signs on trees. He stated that it damages trees. He noted that the telephone poles in his Ward have been plastered with signs and once again, reminded everyone that it was against the law and asked those who placed those signs to remove them as they were an eyesore.

RESOLUTION #75 OF 2012 - Minutes of April 3, 2012 as amended.

By: Alderman Bennett
Seconded: Alderman Michales

Approved: Ayes – 8
Nays - 0

Bills were reviewed.

A Citizen Recognition Presentation was made by Chief Catalano to Samantha A. Noll. Chief Catalano gave the background noting that there had been a robbery on Main Street in January at Jody's Hallmark. He noted that officers working with the citizen were able to apprehend the robbery suspect and the robbery proceeds. He noted that he was proud of the information provided by the SUNY Cortland student and he had written her a letter of commendation and appreciation and then thought that she should be publicly recognized

for what she did. Samantha was present with her father to receive the award. Chief Catalano explained that the City and the Police Department are appreciative and proud of what Samantha did that day. He also noted that she is studying criminology.

Mayor Tobin read a Proclamation declaring April 2012 as Alcohol Awareness Month in the City of Cortland. Kimberly McCrae Friedman from Cortland Prevention Resources accepted the proclamation and outlined the problems caused by alcohol consumption and dependence.

Kimberly McCrae Friedman made Award of Excellence presentations to members of the City of Cortland Police Department. She is proud to have been able to work with a group of outstanding individuals to educate and enforce underage drinking laws. She recognized three (3) individuals for their outstanding efforts to reduce underage alcohol use in the City of Cortland. Sgt. Penny Guerrero, Deputy Chief Paul Sandy and Chief Mike Catalano received the Awards of Excellence. Kimberly McCrae Friedman thanked them and noted the wonderful working relationship she had with the Police Department.

Mayor Tobin read a Proclamation declaring April 27, 2012 as Arbor Day in the City of Cortland and presented the Proclamation to Mike Dexter. Mr. Dexter noted that the City will celebrate it on April 27 at 8:00 AM with a dedication of a tree that will be planted in the Court House Park entrance at 2:00 PM on April 26th.

PINK SHEET Sign Off

AGENDA:

RESOLUTION #76 OF 2012 – Resolution by which the City of Cortland establishes standard work days for elected and appointed officials, will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body and that the Standard Work Day and Reporting Resolution will be posted and available to the public for a minimum of thirty (30) days.

Mayor Brian Tobin	17.25 Days
Alderman Julie Bird	6.58 Days
Corp. Counsel Kelly Colasurdo	17.15 Days

By: Alderman Ferrer
Seconded: Alderman Quail

Approved: Ayes – 7
Nays – 0
Abstain – 1 (Bird)

RESOLUTION #77 OF 2012 – Resolution to approve the attached item of the Mayor's appointments to fill vacancies on the City Boards and Commissions for the terms indicated. (Mayor Tobin)

Mayor Tobin noted that Cliff Kostuk was being appointed to the Public Works Board and Gary Howe being reappointed to the Plumbing Board.

By: Alderman Bird
Seconded: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #78 OF 2012 – Resolution to terminate the agreement with Cortland County, at the County Clerk’s request, authorizing the Cortland City Clerk’s Office to transfer the animal population control fees collected as part of dog licensing to the Cortland County Clerk and beginning May, 2012 to again transfer those funds to the NYS Department of Agriculture and Markets. (County Clerk Larkin)

Alderman Michales asked when this change had been done. County Clerk Larkin explained that in 2010, New York State no longer was issuing dog licenses and turned that over to the municipalities. She explained that municipalities were given two (2) options for the spay/neuter fees. The State could get them or the counties could get them and direct the funds to their own local facilities. County Clerk Larkin explained that the funds had been going to the State, but at the request of the local spay/neuter facilities, who were receiving no funding from the State, Cortland County requested that the municipalities in Cortland County send their fees to the Cortland County Clerk beginning January 2012 and they would be disbursed by the County Treasurer every three (3) months. She explained that both spay/neuter facilities, unbeknown to her, then applied for State grants. They received more from those State grants than they would receive from the County Treasurer and that is why she is now asking the City to dissolve the agreement.

Alderman Silliman noted that she had used the ABC Program at the local SPCA for a stray cat and her kittens.

By: Alderman Ferrer
Seconded: Alderman Bennett

Approved: Ayes – 8
Nays – 0

RESOLUTION #79 OF 2012 – Resolution to approve the Miscellaneous Revenue Budget for 2012-13. (Lori Crompton & Linda Armstrong)

Mayor Tobin noted that many worthwhile projects are funded through the Miscellaneous Revenue Budget, but the budget is being reduced and this will need to be addressed within the next year or two.

By: Alderman Silliman
Seconded: Alderman Ferrer

Approved: Ayes – 8

RESOLUTION #80 OF 2012 - Resolution to approve the Stone Lounge to hold a music concert provided that a certificate of liability insurance indemnifying the City for \$1,000,000 is provided and to:

- a. Close the Market Place mall parking lot at Noon until 10:30 P.M. on Saturday, May 12, 2012 for the event. (Joey Hage)
- b. Waive the open container alcohol regulation for a contained area with appropriate permits for the event. (Joey Hage)

Mayor Tobin explained that Mr. Hage was unable to attend tonight's meeting, but he had spoken with Mr. Hage a number of times. Mayor Tobin stated that he had spoken with Chief Catalano noting that the intent for this event is that it will be run similarly to the Main Street Music Series and the time frame would allow for set up and take down. He noted that at this point, one (1) band is tentatively scheduled, pending approval, and this event will coincide with the conclusion of the College's graduation ceremonies. He noted that it will be a community event on Main Street and open to all. He noted that any and all alcohol sale or consumption would be confined within the Marketplace Mall parking lot.

Alderman Michales asked if the City would be applying any overtime for the Police Department to patrol the event. Chief Catalano noted that he had very restrictive time off allowed on that weekend because of graduation and he didn't anticipate that his department would require any more. He noted that if it was similar to the Main Street Music Series, he didn't see an issue and he has spoken with the Mayor noting that his department would keep an eye on the event to make sure that it goes alright. Chief Catalano noted that he would also like to get with the Fire Department Chief regarding the parking lot capacity. He noted that because it was an early evening event that it would probably work.

Alderman Michales asked if the area would be fenced off. Chief Catalano noted that the rear of the area had been cleaned up and a fence could be put up. Alderman Bennett asked if the Police Department would handle this as they would the evenings of the Downtown Music series. Chief Catalano agreed noting that they'd handle the closure of the lot, getting vehicles out of the parking lot on time and monitoring it.

Alderman Silliman asked if Mr. Hage had spoken with Chief Catalano. Chief Catalano stated that he had not spoken with him. Alderman Silliman asked if he had any concerns. Chief Catalano noted that they have to obtain an off premises permit from the ABC Board first and then there has to be some assurance of being able to check ID's and appropriately mark people that are either underage or of age. Alderman Bird noted that if the Council approved this, the responsibility for the event would rest with the promoters. Chief Catalano stated that any violations of the ABC laws would rest on the promoters, the Stone Lounge.

Mayor Tobin noted that there was still another Council meeting between now and the scheduled date of the event. He noted that in order to get the permit, they needed to get

Council approval. Chief Catalano noted that the promoter had to get Council approval to close the parking lot and to waive the open container ordinance for that event.

Alderman Bennett asked for confirmation that this was graduation weekend. Mayor Tobin noted that it was the day of SUNY Cortland's graduation. Alderman Bennett asked about people leaving town after the second ceremony. Chief Catalano noted that this was all new and they would have to see. Alderman Quail noted that his only concern was the number of attendees. Mayor Tobin stated that was also the City's concern and that is why they were going to determine the number of people the parking lot actually can hold and making sure that they are limiting it to that number. He stated that these are all concerns that will be brought forward and to make sure that they are all addressed and discussed at the first meeting in May.

Chief Catalano also noted that at that time, the majority of the college population has gone home and generally, all that remains are the seniors and their parents. He noted that it wasn't like the whole college would be coming down, but he noted that it remains to be seen what happens.

By: Alderman Silliman
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Executive Session

Loan Settlement Agreement

Consideration of revised request for subordination from a Community Development Program participant.

Motion to go into:

By: Alderman Ferrer
Seconded: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Motion to come out of:

By: Alderman Bennett
Seconded: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #81 OF 2012 – Resolution to approve a Loan Settlement Agreement.

By: Alderman Quail
Seconded: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #82 OF 2012 – DENIED – Resolution to approve a subordination request contingent upon Program participants meeting certain conditions.

By: Alderman Quail
Seconded: Alderman Ferguson

Denied: Ayes – 0, Nays - 8

Mayor Tobin noted that the motion fails.

Executive Session

Contract Negotiations

Motion to go into:

By: Alderman Silliman
Seconded: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Motion to come out of:

By: Alderman Silliman
Seconded: Alderman Ferrer

Approved: Ayes – 8
Nays - 0

Adjournment

By: Alderman Quail
Seconded: Alderman Ferrer

Approved: Ayes – 8
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 APRIL 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

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

CLAIMANT	DESCRIPTION	CODE NUMBER	VENDOR #	AMOUNT	TOTAL
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MAYORS

STAPLES	HANGING FOLDERS,PADS,MESSAGE	A-1210-403-00	58475	\$46.49	\$46.49
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FINANCE

STAPLES		A-1325-403-00	58475	\$25.78	\$55.78
COMMISSIONER OF MOTOR VEH.		A-1325-415-00	42480	\$30.00	

LAW

STAPLES	COMPUTER SUPPLIES	A-1420-403-00	58475	\$73.91	\$73.91
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BUILDING AND GROUNDS

MULLEN OFFICE OUTFITTERS	AIR DUSTER, POW MIA FLAG	A-1620-405-00	42000	\$97.87	\$4,326.98
JOHNSTON PAPER	DISPENSER,LINERS,ROLL TOWELS	A-1620-405-01	33147	\$811.60	
AIR TEMP.	MAINT CONTRACT - CITY HALL	A-1620-415-00	1822	\$587.00	
AIR TEMP.	MAINT CONTRACT - YOUTH B.	A-1620-415-00	1822	\$497.00	
D&T COMMUNICATIONS	NEW VIDEO MONITOR TESTING	A-1620-415-00	17060	\$1,108.81	
D&T COMMUNICATIONS	WIRING& TESTING CONF. ROOM	A-1620-415-00	17060	\$1,090.70	
FRADON LOCK CO. INC.	REPAIRS - ARMORY	A-1620-415-01	22299	\$134.00	

CENTRAL SERVICE

COMDOC INC.	COPIER LEASE - MAYOR	A-1670-415-00	11452	\$90.00	\$249.00
COMDOC INC.	COPIER LEASE - FINANCE	A-1670-415-00	11452	\$159.00	

DATA PROCESSING

CDW GOVERNMENT	CLEAN CARTG.	A-1680-403-00	10631	\$52.01	\$1,007.90
CDW GOVERNMENT	MOBILE MONITOR	A-1680-403-00	10631	\$149.39	
CITRIX ONLINE	GOTOASSIST EXPRESS SERVICE	A-1680-415-00	10780	\$69.00	
THE CORTLAND CONNECTION	CITY WEBSITE	A-1680-415-00	60055	\$600.00	
THE CORTLAND CONNECTION	CODE REVISED	A-1680-415-00	60055	\$137.50	

TOTAL \$5,760.06



**City of Cortland,
New York**

PROCLAMATION

WHEREAS,

On May 4, 1970 the Ohio National Guard opened fire into a busy college campus during a school day. A total of 67 shots were fired in 13 seconds. Four students, Allison Krause, Jeffrey Miller, William Schroeder, and Sandra Scheuer were killed. Nine students were wounded.

SUNY Cortland was one of the campuses that did not explode in violence as a result of this tragedy. Students and faculty protested peacefully, with cooperation from city officials and local police. We honor the tradition of peaceful protest for many causes in Cortland over the years. We honor the role of free speech in a democracy, and debates that educate the public on important issues of every kind. We remember the young lives lost on that sad day, and urge everyone to participate in non-violent solutions to the many challenges that confront us.

THEREFORE,

on the date of its 42nd anniversary, I, Brian Tobin, Mayor of the City of Cortland, , by virtue of the authority vested in me, do hereby proclaim May 4th, 2012 as

Kent State Remembrance Day

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Cortland, New York this 4th day of May.

Brian Tobin
Mayor of Cortland, New York



**City of Cortland,
New York
PROCLAMATION**

- WHEREAS,** mental health is essential to everyone's overall health and well-being; and
- WHEREAS,** all Americans experience times of difficulty and stress in their lives; and
- WHEREAS,** prevention is an effective way to reduce the burden of mental health conditions; and
- WHEREAS,** there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and
- WHEREAS,** mental health conditions are real and prevalent in our nation; and
- WHEREAS,** with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and
- WHEREAS,** each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

THEREFORE, I **BRIAN TOBIN**, do hereby proclaim May 2012 as Mental Health Month in **THE CITY OF CORTLAND**. As the **MAYOR**, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in **THE CITY OF CORTLAND** to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Cortland, New York, this 1st day of May, 2012.

**Brian Tobin
Mayor of Cortland, New York**



**City of Cortland,
New York**

PROCLAMATION

WHEREAS, the Muscular Dystrophy Association/Cortland Professional Fire Fighters IAFF Local 2737 is promoting a Boot Drive Day on May 12, 2012; and

WHEREAS, the Muscular Dystrophy Association has requested that May 12, 2012 be proclaimed as "MDA/ IAFF Local 2737 Boot Drive Day"; and

WHEREAS, the International Association of Fire Fighters has been the Muscular Dystrophy Association's largest sponsor for over fifty years raising more than 27 million dollars in the year two thousand and eleven; and

WHEREAS, the Muscular Dystrophy Association is the leading health agency providing scientific, medical and emotional support for individuals and families affected by neuromuscular disease.

THEREFORE, I, Brian Tobin, Mayor of Cortland, by virtue of the authority vested in me by the Constitution and laws of the City of Cortland in New York State do hereby proclaim the day May 12th, 2012, as

MDA/IAFF LOCAL 2737 BOOT DRIVE DAY

in the City of Cortland, and I urge citizens to learn more about Muscular Dystrophy through news media coverage or by calling their local MDA office for more information.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Cortland, New York this 1st day of May.

Brian Tobin
Mayor of Cortland, New York

CITY OF CORTLAND

**PLANNING BOARD RESOLUTION ISSUING THE NEGATIVE DECLARATION
OF ENVIRONMENTAL SIGNIFICANCE FOR THE PROPOSED
CITY OF CORTLAND COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission of the City of Cortland (hereinafter known as the Planning Commission) has reviewed the Environmental Assessment form and created the Environmental Record established for the adoption of the proposed Comprehensive Plan for the City of Cortland; and

WHEREAS, the Planning Commission has considered the draft Environmental Record;

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Cortland that the action to adopt the proposed Comprehensive Plan for the City of Cortland will not have a significant adverse effect on the environment; and

BE IT FURTHER RESOLVED that the reasons supporting this negative declaration include:

1. Compared with the criteria listed in Section 617.11 of the SEQRA regulations, all indications are that the proposed action will not cause substantial adverse change in the community character, aesthetics, design, and natural features; and,

2. Review of the proposed Comprehensive Plan and the Environmental Record by individuals and interested agencies has indicated that the action to adopt the Comprehensive Plan will not have a significant adverse impact on the environment of the City of Cortland; and

BE IT FURTHER RESOLVED that the Chair of the Cortland Planning Commission be and is hereby directed to file a notice of such Negative Declaration in the City's official newspaper and accept comments thereon until May 28th, 2012.



Chairperson Rafael Felix

April 23, 2012



CORTLAND POLICE DEPARTMENT

2012 Impound Car Money Request



April 5, 2012

TO: Mack Cook, Director of administration & Finance
FROM: Deputy Chief Paul A. Sandy
RE: Request for Proceeds for Impound Scrap Money

POLICE VEHICLES:(A3120.206.00 account – Operational Equipment > \$5,000.00)

We are requesting the Common Council appropriate proceeds from the sale of four (4) vehicles from the City of Cortland Police Impound Lot, which had been classified as abandoned in accordance to Section 1224 (3)(a)of the New York State Vehicle & Traffic Law. These vehicles included a 1999 Chrysler 300, a 1997 Ford Taurus, a 1994 Nissan truck, and a 1987 Dodge Omni. The total proceeds from the sale of these vehicles for scrap was \$919.50, which if appropriated will be directly applied toward the purchase of new police vehicles in 2013.

\$919.50

City of Cortland Police Dept.

	Date	tonnage	price per ton	Total
1999 Chrysler model 300 color tan	3/31/2012	1.18	\$ 150.00	\$ 177.00
1997 Ford model Taurus color red	3/31/2012	1.46	\$ 150.00	\$ 219.00
1994 Nissan model pick up color white	3/31/2012	1.81	\$ 150.00	\$ 271.50
1987 Dodge model Omni color grey	3/31/2012	1.68	\$ 150.00	\$ 252.00
				\$ 919.50

Impound lot - Scraped vehicles

TINY

COPY OF Cortland

Contento's
119 1/2 Pendelton St.
Cortland, NY 13045
(607) 753-8136

Contento's
119 1/2 Pendelton St.
Cortland, NY 13045
(607) 753-8136

ID: 110
Gross Wgt: 18240 lb
Tare Wgt: 15320 lb
Net Wgt: 2920 lb
Net Wgt: 1.46 ton

ID: 094
Gross Wgt: 18960 lb
Tare Wgt: 15340 lb
Net Wgt: 3620 lb
Net Wgt: 1.81 ton

Ticket: 1

Ticket: 1

30 Mar 2012 13:01:38

30 Mar 2012 12:20:52

* Outbound *

* Outbound *
* 03/30/2012 *

City of Cortland

City of Cortland

Contento's
119 1/2 Pendelton St.
Cortland, NY 13045
(607) 753-8136

Contento's
119 1/2 Pendelton St.
Cortland, NY 13045
(607) 753-8136

ID: 040
Gross Wet: 17700 lb
Ticket: 1
30 Mar 2012 10:10:25

ID: 058
Gross Wet: 18700 lb
Tare Wet: 15340 lb
Net Wet: 3360 lb
Net Wet: 1.68 ton
Ticket: 1

30 Mar 2012 11:10:10

* Inbound *

2,360 lbs
1.18 tons

* Outbound *

7TL 1224 Abandoned Vehicles

224. Abandoned vehicles. 1. A motor vehicle shall be deemed to be an abandoned vehicle if left unattended

(a) with no number plates affixed thereto, for more than six hours on any highway or other public place;

(b) for more than twenty-four hours on any highway or other public place, except a portion of a highway or public place on which parking is legally permitted;

(c) for more than forty-eight hours, after the parking of such vehicle shall have become illegal, if left on a portion of a highway or public place on which parking is legally permitted;

(d) for more than ninety-six hours on property of another if left without permission of the owner.

2. If an abandoned vehicle, at the time of abandonment, has no number plates affixed and is of a wholesale value, taking into consideration the condition of the vehicle, of one thousand two hundred fifty dollars or less, ownership shall immediately vest in the local authority having jurisdiction thereof and title to the vehicle shall vest in accordance with applicable law and regulations of the commissioner, provided however that a local authority shall not be required to obtain title to an abandoned vehicle that is subject to the provisions of this subdivision if the vehicle will be sold or otherwise disposed of as junk or salvage, dismantled for use other than as a motor vehicle, or otherwise destroyed.

3. (a) Except for vehicles governed by subdivision two, a local authority having custody of an abandoned vehicle shall make an inquiry concerning the last owner of such vehicle as follows:

(i) abandoned vehicle with number plates affixed--to the jurisdiction which issued such number plates;

(ii) abandoned vehicle with no number plates affixed--the department of motor vehicles.

(b) Such local authority shall notify the last owner, if known, that the vehicle in question has been recovered as an abandoned vehicle and that, if unclaimed, it will be sold at public auction or by bid after ten days from the date such notice was given. If the agency described in paragraph (a) also notifies such local authority that a lien or mortgage exists such notice shall also be sent to the lienholder or mortgagee. The commissioner shall prescribe the methods of giving notice. Any person claiming such vehicle shall be required to pay the costs of removal and storage of such vehicle.

(c) Ownership of such abandoned vehicles, if unclaimed, shall vest in such local authority ten days from the date such notice is given; or if the last owner cannot be ascertained, when notice of such fact is received.

4. For the purposes of this section, a local authority entitled to custody of an abandoned vehicle shall be the town in which the vehicle was abandoned, or if abandoned in a city or village, the city or village in which the vehicle was abandoned, except that if a vehicle is abandoned on property of the New York state thruway authority or property under the jurisdiction of the office of parks, recreation and historic preservation, the department of transportation, or a public authority or commission, such authority, office, department or commission shall be entitled to the custody of such vehicle. Notwithstanding any provision of this section to the contrary, the office of general services shall be entitled to the custody of any

vehicle abandoned on state property subsequent to its sale by such office. The commissioner may, by regulation, provide that a county may act as the agent for a local authority for the purpose of removing and disposing of abandoned vehicles.

5. (a) Such local authority shall determine if an abandoned vehicle is suitable for operation on the public highways. If so, the vehicle shall be sold at public auction to the highest bidder or converted pursuant to subdivision six of this section.

(b) If such local authority determines that an abandoned vehicle is not suitable for operation on the public highways, it shall sell the vehicle to a vehicle dismantler or scrap processor registered or certified pursuant to section four hundred fifteen-a of this chapter or to a vehicle dismantler or scrap processor who does not have a place of business in this state but who conforms to the laws and regulations of the state in which he has a place of business.

(c) An abandoned vehicle without a vehicle identification number plate must be sold only to a vehicle dismantler or a scrap processor registered or certified pursuant to section four hundred fifteen-a of this chapter or to a vehicle dismantler or scrap processor who does not have a place of business in this state but who conforms to the laws and regulations of the state in which he has a place of business. Nothing contained herein shall be construed as preventing a local authority from applying for a replacement vehicle identification number plate.

6. (a) A local authority, if authorized by local law, may convert to its own use those abandoned vehicles not affected by subdivision two of this section or may, by sale or gift, transfer title to any of such vehicles to any other municipal corporation for use by its law enforcement agency, provided however, the total number of vehicles converted and/or transferred in any calendar year may not exceed one percent of the local authority's unclaimed abandoned vehicles not affected by subdivision two of this section or two such vehicles, whichever is greater.

(b) Any proceeds from the sale of an abandoned vehicle less any expenses incurred by such local authority shall be held by the local authority without interest, for the benefit of the owner of such vehicle for a period of one year. If not claimed within such one year period, such proceeds shall be paid into the general fund of such local authority.

7. (a) No person shall cause any vehicle to be an abandoned vehicle. There shall be a rebuttable presumption that the owner of an abandoned vehicle caused such vehicle to be abandoned. A violation of this subdivision shall be punishable by a fine of not less than two hundred fifty dollars nor more than one thousand dollars. In a city having a population of one million or more, a violation of this subdivision shall in addition be punishable by a civil penalty of not less than two hundred fifty dollars nor more than one thousand dollars.

(b) Notwithstanding any other provision of law, in addition to those persons otherwise authorized to enforce this subdivision and adjudicate violations thereof, this subdivision shall also be enforceable in a city having a population of one million or more by an agency or agencies designated for such purpose by the mayor of such city, and notices of violation may be returnable to the environmental control board of such city, which shall have the power to impose the civil penalties herein provided. Notwithstanding any other provision of law, service of a notice of violation for a violation of this subdivision committed in such city may be made upon an owner by first class mail, postage prepaid, and any such notice served by mail shall be returnable only to

such environmental control board. Such service by first class mail shall be deemed complete upon mailing of the notice of violation, unless the notice of violation is returned to the sender by the United States postal service for any reason other than refusal of delivery. In addition, any notice of violation for a violation of this subdivision may be served by a means prescribed in article three of the civil practice law and rules or article three of the business corporation law. Notwithstanding any other provision of law, such civil penalties imposed by such environmental control board shall be paid into the general fund of such city. Notwithstanding section one hundred fifty-five of this chapter or any other provision of law, where a person has been adjudicated by such environmental control board to be in violation of this subdivision, such adjudication shall not have the force and effect of a conviction of a traffic infraction or of a violation of any provision of this chapter for any purpose not specified in this subdivision.

(c) Any final order issued pursuant to this subdivision by an environmental control board of a city having a population of one million or more shall constitute a judgment which may be entered in any place provided for the entry of civil judgments within the state, and may be enforced without court proceedings in the same manner as the enforcement of money judgments entered in civil actions; provided, however, that no such judgment shall be entered that exceeds the sum of ten thousand dollars for each respondent. Notwithstanding the preceding sentence, before a judgment based upon a default may be so entered, such environmental control board must have notified the respondent by first class mail in such form as such environmental control board may direct: (1) of the default decision and order and the penalty imposed; (2) that a judgment will be entered in any place provided for the entry of civil judgments in the state; and (3) that entry of such judgment may be avoided by requesting a stay of default for good cause shown and either requesting a hearing or entering a plea pursuant to the rules of such environmental control board within thirty days of the mailing of such notice. No judgment based upon a default may be so entered by the environmental control board within less than sixty days from the completion of service by mail of the notice of violation as provided in paragraph (b) of this subdivision. Any requirement of any provision of law other than this subdivision that relates to the manner of service of the notice of violation that precedes any final order of such environmental control board shall not apply to a final order issued pursuant to this subdivision. A judgment entered pursuant to this paragraph shall remain in full force and effect for eight years.

(d) Notwithstanding any other provision of this chapter, where the environmental control board of a city having a population of one million or more has adjudicated any person to be in violation of this subdivision and the civil penalty therefor is not paid, such environmental control board shall notify the commissioner of motor vehicles of the judgment, who shall suspend any license of such person to operate a motor vehicle in this state, or, if such person is unlicensed, such person's privilege of obtaining a license issued by the commissioner, or, if such person is a non-resident, such person's privilege of operating a motor vehicle in this state, pending payment of such civil penalty. The procedures set forth in the first paragraph of subdivision seven of section five hundred ten of this chapter shall be applicable to a suspension pursuant to this paragraph.

(e) For purposes of this subdivision only, the term "owner" means any person, corporation, partnership, firm, agency, association, lessor or

organization who at the time of the issuance of a notice of violation for a violation of this subdivision:

(i) is the beneficial or equitable owner of the abandoned vehicle; or

(ii) has title to such vehicle; or

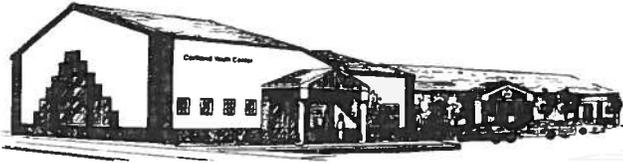
(iii) is the registrant or co-registrant of such vehicle registered with the department of motor vehicles of this state or any other state, territory, district, province, nation or other jurisdiction; or

(iv) uses such vehicle in its renting and/or leasing business; or

(v) is an owner of such vehicle as defined by section one hundred twenty-eight of this chapter or subdivision (a) of section twenty-one hundred one of this chapter.

9. The last owner of an abandoned vehicle shall be liable to such local authority for the costs of removal and storage of such vehicle.

10. The commissioner shall prescribe by regulation such forms and procedures necessary or desirable to effectuate the provisions of this section. Such regulations may include procedures for the removal and disposition of vehicle identification numbers of abandoned vehicles and forms for local records for abandoned vehicles and inquiries relating to ownership of such vehicles.



CORTLAND YOUTH BUREAU

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

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

FROM: John McNerney, Youth Bureau Director

RE: April donations

DATE: April 17, 2012

I would like to ask the common council to pass the following resolution on May 1, 2012.

Consideration of a resolution to approve two donations and deposit funds into the Cortland Youth Bureau operating budget. Donated funds will be added to the following budget lines:

<i>Donation</i>	<i>Amount</i>	<i>Budget Line</i>
<i>Marietta Corp.</i>	<i>\$250.00</i>	<i>7550.405</i>
<i>Elaine Norris</i>	<i>\$30.00</i>	<i>7310.405</i>

See the attached copies of checks and notes from staff who secured the donations. Feel free to contact me with any questions at 753-3021.





CORTLAND YOUTH BUREAU

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

April 16, 2012

To: Whom it may concern

From: Andrea Piedigrossi

Re: Marietta Donation

Marietta Corporation has donated \$250.00 to be used for the Cortland Youth Bureau's Arts in the Parks Summer Series. This money will be used to cover costs of the performers for the 2012 series.

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

MARIETTA

37 Huntington Street, P.O. Box 5250
Cortland, NY 13045

Date
04/04/12

62-22
311

PAY TWO HUNDRED FIFTY DOLLARS ONLY

\$ *****250.00

TO
THE
ORDER
OF

CITY OF CORTLAND YOUTH BUREAU
~~SUNNY CORTLAND ATTN: M O'LOUGHLIN~~
~~PO BOX 2000~~ 35 Port Watson St.
CORTLAND
NY USA 13045

Wachovia Bank of Delaware, National Association

AUTHORIZED SIGNATURE

⑈006383⑈ ⑆031100225⑆ 2079951068900⑈



April 16, 2012

John,

Attached is a \$30.00 donation from a family who recently received a dress from our Cortland Prom Closet. I'm requesting that this donation be deposited into 7310.405 for use towards our Cortland Prom Closet program. Please let me know if you have any questions.

Thank you,

Erica Danega
Erica Danega

1434
50-7044/2223
203

**JAMES ULRICH
ELAINE NORRIS**
8 ELM AVE 807-749-3423
HOMER, NY 13077-1108

4-9-12 Date

Pay to the Order of Cortland Youth Bureau \$30.00
Thirty and 00/100 Dollars

FIRST NIAGARA

For Donation Elaine Norris MP

⑆ 222370440⑆ 7801365961 ⑈ 1434

GUARDIAN SAFETY® BLUE

Harland Clarke

April 18, 2012

Cortland Youth Bureau
 35 Port Watson Street
 Cortland, NY 13045

To Whom It May Concern:

Enclosed please find a check for fifty-five dollars (\$55.00) from the SUNY Cortland InterGreek Council. While the Council realizes that this is not a large sum of money, it did want to make this donation out of recognition for the services you provide to our community. Some of our member organizations have volunteered their hours at the Youth Bureau in the past and hope to be able to continue to do so in the future.

We applaud all that you do and truly hope that you can put this money to good use.

Sincerely,

Sandra Wohlleber

Sandra Wohlleber
 SUNY Cortland
 Assistant Director, Campus Activities and Greek Affairs
 P.O. Box 2000
 Cortland, NY 13045

*Lori -
 Please add to our
 celebration line
 7550.405.
 gm*

ASC-AGENCY ACCOUNTS
 AUXILIARY SERVICES CORPORATION
 SUNY CORTLAND
 CORTLAND, NEW YORK 13045

ALLIANCE BANK, N.A.
 66 MAIN STREET
 CORTLAND, NY 13048
 50-361
 213

397693

CHECK NO. 397693

Fifty-Five and 00/100 Dollars

DATE
Apr 18, 2012

AMOUNT
55.00

PAY TO THE ORDER OF
 CORTLAND YOUTH BUREAU
 35 PORT WATSON ST,
 CORTLAND, NY 13045
 USA

[Signature]
 AUTHORIZED SIGNATURE

April 14, 2012

Mayor Brian Tobin
Common Council Members

The Main Street Music Series is embarking on it's ninth annual summer series. The Cortland Main Street Music Series board is again requesting to be placed on the Common Council agenda for approval for the closure of the Main Street Parking lot next to the Market Place Mall and for an open container waiver to serve alcoholic beverages for our 2012 summer series.

Our venue dates are the same this year, the last three friday's in July and the first Friday in August specifically, July 13th, July 20th July 27th and August 3rd. (2012)

Our parking lot closure request times are from Noon until 10:30 pm to allow our professional stage vendor ample time for set up. After approvals are granted from the city, we will be able to apply for our beer and wine license from the State.

Thank you for your consideration. If you have any questions, please contact me at 607-423-4111

Sincerely,



Amy Bertini, Treasurer
Cortland Main Street Music Series
POBox 174
Cortland, New York 13045

April 23, 2012



Mr. Brian Tobin, Mayor
25 Court Street
Cortland, NY 13045

Dear Mayor Tobin,

Relay For Life of Cortland County is coming up quickly! I am again asking for the assistance of your office with logistical needs. Please let me explain a bit about Relay. The events occur nationwide and is a major fund raising event for the American Cancer Society. During Relay, teams of 10 – 15 individuals will collect pledges from individuals and conduct fundraising activities in the period of time leading up to the relay. One member from each team walks during the length of the event to 'earn' pledges. We anticipate over 50 teams involved in this year's relay.

The event is scheduled to run from 6pm on June 1st until 6am on June 2nd at Davis Field on the Cortland College campus. During the evening, music will be played and announcements made using a sound system set up on the city's show mobile. During the overnight, quieter music to motivate overnight walkers and only emergency announcements are planned. There is a brief program planned in the morning that will begin at approximately 5:30 am. We are very aware of the neighbors adjacent to the college property. In previous years, the event has not seemed to disturb the neighborhood adjacent to the college; there were no complaints received from the neighbors and many attended the event. We again desire to plan an event that will be positive for the community.

In an effort to do the appropriate preparation, I am contacting you regarding the need for a Noise Permit Request for the hours of 5pm, June 1, 2012 through 8am, June 2, 2012. The extended hours, beyond the actual event, is to cover the logistical set-up and tear-down timeframe.

Please feel free to contact me with any questions or concerns at tammy.macmyne@cancer.org or my cell at 607.427.4813.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tammy MacMyne".

Tammy MacMyne
Director, Special Events
American Cancer Society

CC: Mike Whitlock, SUNY Cortland
RFL of Cortland County Planning Committee

stay well | get well | find cures | fight back | cancer.org | 1.800.227.2345

Eastern Division

13 Beech Street, Johnson City, NY 13790



City of Cortland

25 Court Street
Cortland, New York 13045
(607) 756-6521

SOUND DEVICE PERMIT

DATE REQUESTED: May 26, 2012

ISSUANCE DATE: _____

NAME: GATOR, LLC

EXPIRATION DATE: _____

ADDRESS: 83 Omega Street
Cortland, NY 13045

TELEPHONE: 607-756-2501 (from Cortland)

TYPE OF SOUND DEVICE: Live Band - 3 PM to 8:30 PM

NON-PROFIT: _____

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

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

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

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

RESTRICTIONS, IF ANY:



Signature of Applicant

5/26/12

Date

APPLICATION MUST BE FILED AT LEAST TWO (2) WEEKS BEFORE FUNCTION TO ALLOW TIME FOR PROCESSING.

City Clerk

From: "William Knickerbocker" <knick@cortland.org>
To: "William Knickerbocker" <knick@cortland.org>; "Sherrie Massmann" <cityclerk@cortland.org>
Sent: Wednesday, April 25, 2012 3:37 PM

Sent from my Verizon Wireless 4G LTE DROID

William Knickerbocker <knick@cortland.org> wrote:

<!-- .EmailQuote { margin-left: 1pt; padding-left: 4pt; border-left: #800000 2px solid; } -->

Sherrie,

Could you please add the following to the counsel's agenda for May 1st.

26 Fox Hollow, vacant single family dwelling. Has been cited as unsafe and dangerous under code of ordinance.

To complete the process, the code enforcement office is seeking the funding for asbestos abatement & eventual demolition of building.

117 Pendleton street, vacant single family dwelling with garage. Garage building has collapsed in and has been cited as dangerous. Seeking funding for asbestos abatement and demolition of garage only.

Sent from my Verizon Wireless 4G LTE DROID

4/25/2012