

COMMON COUNCIL MEETING

August 7, 2012

6:30 P.M. Public Hearing

 Local Law No. 1 of 2012 – Rental Registry Permit Law Amendment

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

AGENDA:

1. Presentation of the 2011 Audited Financial Statements by the City Auditors, the Bonadio Group.
2. Consideration of a Resolution to adopt a City of Cortland Policy Regarding Use of City-issued Credit Cards as recommended by the Bonadio Group, City Auditors. (Mack Cook)
3. Discussion regarding rental of office and training facilities at the Armory to Madison/Cortland ARC. (Mack Cook)
4. Consideration of a Resolution to authorize and direct the Mayor to file an application for funds from the New York State Office for Community Renewal under the U.S. Dept. of Housing and Urban Development's Small Cities Community Development Block Grant (CDGB) for fiscal year 2012, in an amount not to exceed four hundred thousand (\$400,000) dollars and to authorize the Mayor to sign said application on behalf of the City and upon approval of said request, to enter into and execute a grant agreement for such financial assistance with the State subject to review by Corporation Counsel. (Thoma Development)
5. Consideration of a Resolution to authorize an expenditure of three thousand five hundred (\$3,500) dollars by the Cable Commission for the purchase of telecast equipment to be used to record programs to be aired on public access television Channel 2 (i.e. Common Council meetings, etc.). (Dick Menapace)
6. Consideration of a Resolution to approve a request to close Pearl Street from 4 Pearl Street to 12 Pearl Street for the Annual Pearl Street Picnic to be held on September 3, 2012 from 8:00 AM to 5:00 PM. (Mayor Tobin)

7. Consideration of a Resolution to approve a request to close Euclid Avenue from the medical center driveway to the end of the street for the Annual Euclid Avenue Picnic to be held on August 18, 2012 from 11:00 AM to 8:00 PM. (Alderman Ferrer)
8. Consideration of a Resolution to approve a request to close Brown Avenue from 4 Brown Avenue to 20 Brown Avenue for the Brown Avenue Block Party to be held on August 26, 2012 from 1:00 PM to 5:00 PM. (Alderman Silliman)
9. Consideration of a Resolution to authorize the Mayor to enter into a contract with Phillips Lytle, LLP for the 2011 *IN REM* process and authorize Mayor Tobin to sign the contract subject to review by Corporation Counsel. (Mack Cook)
10. Discussion regarding the purchase of high speed turbo blowers and air distribution equipment for an upgrade to the Wastewater Treatment Plant. (Bruce Adams)
11. Consideration of a Resolution to approve the Mayor's appointment of Jaroslava Prihodova to the Landscape and Design Commission to fill a current vacancy for a term ending January 31, 2013. (Mayor Tobin)
12. Consideration of a Resolution to amend the City Code of Ordinance Section Article XVII – Section 11-165 – (B)(1)(b) – to omit: (Tom Tobin)

Port Watson Street – North - 160± feet east from the east curbline of Pendleton Street

Port Watson Street – South - 50± feet east of the east curbline of Pendleton St. as recommended by the Public Safety Commission.

13. Consideration of a Resolution to amend the City Code of Ordinance Section Article XVII – Section 11-165 – (B)(1)(b) – to add: (Tom Tobin)

Clinton Avenue – Southeast - 100± feet; from 50± feet northeast of the east curbline of Church Street to 150± feet northeast of the east curbline of Church Street

Clinton Avenue – East - 110± feet; from 40± feet south of the south curbline of Sheridan Drive extended to 35± north of the north curbline of Sheridan Drive extended

Clinton Avenue – West - 100± feet; from 45± feet north of the north curbline of Morningside Drive extended to 25± feet south of the south curbline of Morningside Drive extended

Port Watson Street – North - 182± feet east of the east curbline of Pendleton St

Port Watson Street – North - 133± feet; from 182± feet east of the east curbline of Pendleton Street to 315± east of the east curbline of Pendleton St

Port Watson Street – South - 133± feet east of the east curblineline of Pendleton Street to the east curblineline of Pendleton Street

Port Watson Street – South - 265± feet; from 133 ±east from the east curblineline of Pendleton Street to 398± feet east of the east curblineline of Pendleton Street

Port Watson Street – South - 340± feet; from 40± feet east of the east curblineline of Hyatt Street to 380± feet east of the east curblineline of Hyatt Street

Port Watson Street – North - 435± feet; from 50± feet east of the east curblineline of East Avenue to 70± feet west of the west curblineline of River Street

Port Watson Street – South - 125± feet; from 40± feet west of the west curblineline extended of River St to 50± feet east of the east curblineline of River St

Clinton Avenue – Northwest - 90± feet; from 40± feet southwest of the west curblineline of Washington Street to 50± feet northeast of the east curblineline of Washington Street

Clinton Avenue – Northwest - 225± feet; from 145± feet northeast of the east curblineline of Grange Place to 40± feet southwest of the west curblineline of Grange Place

14. Consideration of a Resolution to amend the City Code of Ordinance Section Article XVII – Section 11-166 – (A)(1) – to add: (Tom Tobin)

Tompkins Street – North – 85 ± feet from 45 ± feet east of the east curblineline of Reynolds Avenue extended to 130 ± feet east of the east curblineline of Reynolds Avenue.



City Council Minutes The City of Cortland July 17, 2012

Council Meeting #13
July 17, 2012
Public Hearing and Regular Session
City Hall
6:30 PM

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

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

Public Hearing

Mayor Tobin opened the Public Hearing at 6:32 PM on the City of Cortland's Local Law No. 1 of 2012 – City of Cortland Rental Registry Permit Law Amendment

Erich DeMunn spoke about his opposition to the accountability clause in this law where landlords will be denied the ability to rent properties because of tenants' actions or for the landlords' inability to pay City water or sewer bills on time. He feels that this law violates someone's right to make a living because of the actions of their tenants. He feels that there is the potential for this clause to be abused and he feels that isn't right.

Joanne Dukalow asked to yield her time to Steve Muka.

The Common Council agreed to allow individuals to yield their time.

Ward Dukelow asked to yield time to Steve Muka.

Jamie Sweeten asked to yield time to Steve Muka.

Steve Muka spoke about the opposition to this permit law and outlined some of the things in this law that could be used to take away the right of the landlord to rent his building. He noted that under this law a landlord with multiple properties could lose his right to rent at all of his properties for violations that occur at a single building. He noted that a problem with cash flow could cause a landlord to get behind on his taxes or the water bill and with this law, they could lose the right to rent all of their units, even if there were no violations, the tenants are happy and the buildings are up to code. He felt that this would discourage investment in city property. He also noted that most landlords do not get involved with the three (3) unrelated issue, but rent to families. He stated that he has a lot of single bedroom apartments and he doesn't get into that issue at all, but this law would dramatically impact him and take away his rights. He felt that some rental property owners

would sell to minimize their risk if this law goes into effect. He also feels that there would be fewer buyers or investors. He noted that the City should want the private investors to come in. He felt that once there are fewer sales, the property values would begin to drop and other landlords will use that to fight their assessments based on those new comps. This would affect the City's tax base. He noted that then landlords would not put money into rehabbing their buildings because they wouldn't be able to justify their investment. He felt that banks would also notice and it would be harder to get financing. He outlined the possible tax impact for all City homeowners. He felt that the lawsuit regarding this law will continue. He also noted that the cost to the City for this law has probably exceeded two hundred fifty thousand (\$250,000) dollars. He felt that a significant amount of time and money had been spent by the Law Department that could have been used to work on other things. He and others feel that this law will not achieve the goals of the City and is counterproductive. He and others would like to speak with the City to avoid a possible class action suit. He feels that landlords and the City should work together.

There was no one further to speak and therefore Mayor Tobin closed the Public Hearing.

Regular Session

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

PLEDGE OF ALLEGIANCE

Public Comment

Joanne Dukalow spoke about gangs and drug activity going on in the City. She stated that a meth lab was dismantled on Lincoln Avenue last Friday and no one has been arrested. She noted that the lab was found in a non-student house subject to inspection under all kinds of current laws. She noted that these drug operations target local kids as the student population is gone. She asked what the Council was going to do about this and when. She asked for protection for the kids in her neighborhood.

Tom Gobel expressed his appreciation for what the City is doing. He sees some positive signs throughout the City in spite of the issues the last speaker brought up.

Ann Doyle spoke about the accidental discovery of a meth lab at 76 Lincoln Avenue. She noted that a child was living at that address. She is here tonight to alert people in the City that they have to pay attention to what is going on in their neighborhood. She spoke about the hours spent and work done by City Police, Fire Department, State Police and the HazMat team to deal with this situation and she thanked them. She explained that there could've been an explosion at that lab and noted that the building was owned by an absentee landlord, who lives on Long Island. She asked that if anyone sees anything they are concerned about, to contact the City Police. She stated if anyone was afraid to contact the police directly, they can contact her and she'll contact the police. She asked who screens the tenants who go into these buildings. She noted that residents need to be aware of what is going on in their neighborhoods and to pay attention. She asked

residents to take care of their neighborhoods and noted that Neighborhood Watch is starting up again.

Mayor Tobin stated that there is a lot that cannot be discussed regarding this or any case the Police Department is engaged in, but noted that the Police Department is doing their job.

Katie Hall spoke about the trees in Suggett Park. She enjoys all of the City parks. She heard that a row of trees were taken out in Suggett Park by the Wickwire Pool and it looks terrible. She is very upset about it. She is proud of our parks.

Mike Dexter reminded everyone to water their new trees on a regular basis, once or twice a week.

He noted that concerning the trees in Suggett Park, he's been in touch with John McNerney of the Youth Bureau. Mr. McNerney told him that a tree had come down a few weeks ago damaging three (3) cars and took out a telephone pole. He discussed this with Mr. McNerney after a visit to the site and told him that he would contact Jim Maloney, the National Grid Tree Advisor to the City Tree Commission. Mr. Dexter was disappointed that he did not know that a number of trees were coming down at the park. He has since found that Mr. Maloney had been in touch with the City and that National Grid took down those trees at their expense. He explained that the trees that were taken down were cherry trees which were in bad shape. He further explained that due to an alert put out by New York State because a falling tree had killed a park attendee in another part of the State, the State had asked all parks and recreation departments to look at the trees within their parks and determine if there were any hazardous trees. He explained that due to the falling tree a few weeks ago, the City was concerned and after an inspection it was determined that the remaining trees in that location were not in great shape. He explained that Nelson Tree, a sub-contractor for National Grid, did the removal. He noted that the Landscape and Design Commission will continue to monitor this situation in the park and he assured everyone that either the City will buy new trees or the Commission will buy new trees with their funds. He explained that new compatible trees will be planted in the park.

Mr. Dexter explained some of the work that is being done to beautify downtown. He noted that there has already been some damage done to plantings and to the new lights. He expressed his disappointment with this vandalism and asked that if anyone witnesses this being done to contact the Police and to not ignore this.

Mayor Tobin explained that on June 28 a large cherry tree toppled on its own in the park. He noted that no one was injured, but three (3) cars were damaged. He explained that a tree specialist was brought in and Rob Avery saw too it that the tree debris was cleaned up by 8:00 am the next day. He noted that National Grid also inspected the area and also replaced a power line. He explained that after an inspection, it was determined that the trees in that area should be taken down noting that there was a lot of foot traffic in that area and there was concern for both pedestrians and power lines. He stated that it was the right decision. He stated that replacing the trees will be a high priority and the trees will be appropriate for the area.

RESOLUTION #133 OF 2012 – Minutes of July 3, 2012.

By: Alderman Ferrer
Seconded: Alderman Bennett

Approved: Ayes - 8
Nays – 0

Bills were reviewed.

Ward Reports

Ward 4 – Alderman Bennett

Alderman Bennett stated that his Ward has been quiet.

Ward 8 – Alderman Michales

Alderman Michales reported that he's still dealing with some minor code violations which should be resolved soon. He expressed thanks for the assistance he had received in resolving issues at a certain property.

Ward 1 – Alderman Bird

Alderman Bird reported that her Ward has been quiet. She announced that she is heading up a Take Pride in Cortland Clean Up Event before the arrival of the Jets. She explained that the event will take place on Saturday, July 21 starting at 9:00 AM and volunteers should meet at City Hall. She asked that volunteers bring weed eaters, shovels and brooms. She noted that the goal is to clean up Clinton Avenue, Pt. Watson Street and Downtown to make it more appealing to Jets fans coming into the City. She invited participants to a free picnic lunch following the clean up.

Ward 3 – Alderman Dye

Alderman Dye reported that his Ward has been very quiet. He noted that he and Alderman Silliman are planning a joint Ward meeting.

Ward 2 – Alderman Silliman

Alderman Silliman reported that she has been away and has just found out about the issue in her Ward at tonight's meeting. She will be talking with the Police Chief regarding the meth lab situation and will provide information to her constituents.

Alderman Silliman announced that there will be a joint Ward 2, Ward 3 and Ward 1 meeting at the Burch Building in Suggestt Park at 7:00 PM on Thursday, July 26. She noted that a topic of discussion will be the City/County sales tax agreement and where do residents stand regarding an increase in their taxes versus a cutting of some City services.

Alderman Silliman reported that she will be having some trees cut at her house this weekend and they will be replaced with more appropriate trees.

Ward 7 – Alderman Ferguson

Alderman Ferguson reported that she had received a complaint from a River Street resident regarding a tree damaging their sewer system. She is looking into this to see if the City can work with the homeowner to ease the financial burden of their complete sewer system replacement.

Alderman Ferguson noted that there is an ongoing problem with the trucks at Marietta which are continuing to park and idle too long. She has been researching an enacted State law regarding this and has spoken with Director of Administration and Finance Cook who will be working with her to help the people on Elm Street.

Ward 6 – Alderman Ferrer

Alderman Ferrer reported his Ward has been quiet. He stated that he has been talking with an Elm Street resident regarding the shiny container trucks parking across from his house and the bright reflection of sunlight coming off the trucks and into his house.

Alderman Ferguson reported that she was aware of this and thought it had been resolved, but now finds that there are three (3) of those mirrored trucks parked there. She noted that the reflection of the sun from these trucks shines into the second floor windows of peoples' houses and is awful.

Ward 5 – Alderman Quail

Alderman Quail reported that his Ward has been quiet. He noted that there have been some code issues as well as some illegal business taking place. He noted that some neighbors in the Ward are organizing a Ward meeting on August 16 and more information will be provided.

Alderman Quail reported that a Owego Street neighbor is scheduling his annual Pig Roast this Saturday and that about seven hundred (700) people are expected. The location is down by Beaudry Park near the basketball court, but the location is just outside of the City. He noted that the Police as well as the Town of Cortlandville are aware of the event and will be patrolling.

He stated that he's spoken with the Chief regarding the nuisance property ordinance. He felt that the ordinance should be strengthened.

Alderman Silliman reported that she attended a Wickwire Pool fundraising organizational meeting. She urged residents to be on the lookout for the upcoming scheduled events and to show their support with their attendance and donations.

Mayor's Report

Mayor Tobin reported on his youth activities meetings. He is scheduling a meeting next Friday at Yaman Park at Noon to work with high school kids to try to organize and accomplish some of the projects that they've suggested at previous meetings. He noted that this is an opportunity to work on some of the things that they see as concerns and as a possible way to put on an event for younger kids. Events developed will be up to those attending and the City will try to support their efforts.

Mayor Tobin reported that the Main Street lights are being worked on and that process will continue. Striping on the streets is also in progress, but the major work has been completed.

Alderman Ferrer thanked Director of Administration and Finance Cook and Rob Avery for the work they've done to assist in this process, i.e., placing cones and helping with the painting and wrapping the trees.

Mayor Tobin reported that he also assisted. He thanked Tom Tobin of Public Safety and John McNerney for lending one (1) of his seasonal employees to assist with some of the work. He noted it was a good example of City departments working well together.

Mayor Tobin reported that he would like to organize a meeting to deal with the issue of crows. He felt that now was a good time to plan before they return to the City to roost for the winter. He wants to find a time and date that is mutually agreeable. He asked that anyone interested in finding options to defer the crows from roosting in the City to contact his office by phone or email.

PINK SHEET Sign Off

AGENDA:

Item No. 1 – Presentation by Methane Harvest Co. on the co-generation of electricity using methane gas at the Waste Water Treatment Plant. (Methane Harvest Co./Jeff Meller)

Director of Administration and Finance Cook gave the background to this to connect the Council's activities to their mission statement and goal objectives which were developed six (6) months ago. He noted that one objective was to cooperate with other governmental entities and that has begun. He explained that one option for the type of economic development that might be possible in Cortland is the production of agricultural products. He reported that talks have begun with two (2) manufacturers that might locate out in the Cortlandville Industrial Park. He explained that what the City comes to the table with is water and waste water treatment. He noted that what the City is trying to do is to change the treatment of waste and the pricing of that treatment. He explained that we have the ability to create a significant amount of our own fuel at the wastewater plant, which is also the largest consumer of fuel. He noted that would cut down on the use of electricity, heating and gas. He is trying to put the wastewater treatment plant in play as an economic tool for the City.

Jeff Meller, CEO of Methane Harvest and Dr. Mark Green of O'Brien and Gere, gave the presentation. Mr. Meller explained that the equipment installation was free and the

company made their money by selling the City the electricity generated over a twenty (20) year period at a lower rate than the utility company charges. He noted that was an attractive incentive to municipalities. He explained their equipment, the installation and the process. He explained the installation and operation options available from his company as well as the projected cost benefits to the City. He noted that the savings target was about three hundred eighty-nine thousand (\$389,000) dollars.

Mr. Meller explained that the company has been in business for about a year. He also explained that after the twenty year contract is up, the City would have three (3) choices; the equipment could be removed, the City could buy the equipment from them and become their own operator or the City could extend their contract at a renegotiated rate. He explained that if the company were to go out of business before the twenty (20) year period, they would have to remove the equipment at no cost to the City, they would return the site to original and the City would again be purchasing power from National Grid. He also explained that if the company were sold, the new owners would be buying the existing contracts and the obligation to the City would continue.

The cost and savings projections were discussed. Mr. Meller explained that prior to this business, he was an attorney involved in the building of power plants overseas to customers using this same business model to finance their plants.

RESOLUTION #134 OF 2012 – Resolution to approve the contract with Cedarwood Engineering for seven thousand (\$7,000) dollars to develop a new Industrial Billing Formula for Significant Industrial Users of the City's Wastewater Treatment Facility and to authorize Mayor Tobin to enter into and sign the contract subject to review by Corporation Counsel. (Bruce Adams)

Bruce Adams explained that the current industrial formula was developed in the late 70's in an environment of manufacturing like Brockway and Smith Corona. He noted that two things going against that formula today are that any industry with a high level of organic material in their waste stream would be looking at a prohibitively high rate and that currently; industrial billing is directly tied to quarterly costs making for an unpredictable bill for the users. He explained that the goal is to develop a billing formula that will be friendlier to an Ag business and more budgeting friendly for businesses because it won't be predicated on what happens at the wastewater plant.

Alderman Quail asked if they would be looking at the operating and maintenance formula as well as the debt service formula. Mr. Adams stated that they would. Mr. Adams explained that this company has developed a billing formula for the villages of Walton and Delhi, New York, who each had Ag businesses located there. He noted that Cedarwood is intimately familiar with the City of Cortland's plant, what its future is and what its capabilities are.

Alderman Silliman asked if this new formula would make us more competitive for consideration as a location by the two (2) Ag businesses mentioned. Mr. Adams stated that using the current formula he gave one business a potential billing scenario and they said it wasn't doable. Alderman Silliman asked if we were now going to shape a billing formula around Ag businesses that would not work to the benefit of other businesses that

we might attract. Mr. Adams explained that he had instructed Cedarwood that the billings to existing customers are to be no worse and possibly better than they currently are.

By: Alderman Ferrer
Seconded: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #135 OF 2012 – Resolution to recognize and approve a budget modification to 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. (Deputy Chief Sandy)

Mayor Tobin noted that these vehicles were being sold for scrap.

A3120.206.00	Operational Equipment	\$908.80
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By: Alderman Ferrer
Seconded: Alderman Bird

Approved: Ayes – 8
Nays – 0

RESOLUTION #136 OF 2012 – Resolution to approve a recommendation by the Wastewater Advisory Board and the Chief Operator to make an adjustment in pay rates for two (2) employees (Edward Poole and Brian McCall) of the Wastewater Treatment Department to reflect their promotions last year to positions of greater responsibility. (Bruce Adams)

By: Alderman Silliman
Seconded: Alderman Bird

Approved: Ayes – 8
Nays – 0

RESOLUTION #137 OF 2012 – Resolution to approve the closing of Main Street from Groton/Clinton Avenues to Port Watson/Tompkins Streets from 7:00 AM to 4:00 PM on Saturday, August 11 2012 for the 13th Annual National Brockway Truck Show. (Brockway Truck Preservation Assoc.)

By: Alderman Ferrer
Seconded: Alderman Michales

Approved: Ayes – 8
Nays – 0

RESOLUTION #138 OF 2012 – Resolution to approve the closing of Court Street from Church Street to the Grace Episcopal Church from 4:00 PM to 6:00 PM (or a two (2) hour timeframe to be determined) on July 26, 2012, for the Jets arrival event. (Mayor Tobin)

Mayor Tobin explained that if there was an opportunity for an event and with it being a Thursday, a work day, the general consensus was that it would be problematic to close Main Street, so a section of Court Street seemed more suitable. This idea had been discussed with both Chiefs Catalano and Glover to be sure that this was not an issue and they assured him that it would not be a problem. Mayor Tobin noted that an arrival time for the Jets had not been established, so this resolution would give an approval to allow the opportunity to have a street closing if things can be worked out with the Jets to hold an event.

Alderman Ferrer noted concern for the blocking off of Court Street with regards to the Fire Department. Mayor Tobin noted that it could be blocked off from the Grace Episcopal Church to the Church Street intersection rather than the whole street to Main Street. Alderman Ferrer explained that would allow the Fire Department to park a truck at either end and they would still be able to respond to calls.

By: Alderman Ferrer
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

RESOLUTION #139 OF 2012 – Resolution to approve the confirmation of the Mayor's appointment of Chris Hotchkiss to the City Fire Commission to fill an unexpired term ending 1/31/2014 due to a resignation.

By: Alderman Ferrer
Seconded: Alderman Bennett

Approved: Ayes- 8
Nays – 0

Executive Session

Personnel Issue
Contract Negotiations
Contractual Negotiations

Motion to go into:

By: Alderman Ferrer
Seconded: Alderman Bird

Approved: Ayes – 8
Nays – 0

Motion to come out of:

By: Alderman Ferrer
Seconded: Alderman Bird

Approved: Ayes – 8
Nays - 0

Adjournment

By: Alderman Quail
Seconded: Alderman Bird

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 JULY 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 AUGUST 15, 2012

CLAIMANT	DESCRIPTION	CODE NUMBER	VENDOR #	AMOUNT	TOTAL
FINANCE					
SMITH INGALLS FRENCH	GREEN LASER CHECKS	A-1325-403-00	57925	\$514.76	
STAPLES	DUST OFF	A-1325-403-00	58475	\$11.00	
STAPLES	BINDERS,REPORT COVERS,CLIPS	A-1325-403-00	58475	\$64.74	
COMMISSIONER OF MOTOR VEHICLES	SCOFFLAW - APRIL - JUNE	A-1325-415-00	42480	\$16.00	\$606.50
CITY CLERK					
QUIK PRINT	ENVELOPES	A-1410-403-00	51100	\$142.00	
STAPLES	STAMP,RECEIPT BOOKS	A-1410-403-00	58475	\$254.06	
RICOH	COPIER LEASE - CITY CLERK	A-1410-415-00	30406	\$251.51	\$647.57
LAW					
STAPLES	COPY PAPER,TONER	A-1420-403-00	58475	\$70.43	\$70.43
BUILDING AND GROUNDS					
JOHNSTON PAPER	BLEACH,ROLL TOWELS,KLEENEX	A-1620-405-00	33147	\$947.48	
AIR TEMP	MAINT. CONTRACT - YOUTH	A-1620-415-00	1822	\$497.00	
AIR TEMP	MAINT. CONTRACT - CITY HALL	A-1620-415-00	1822	\$587.00	
BUILDER'S BEST	SIDEWALK	A-1620-415-00	5300	\$27.49	
I D BOOTH	ELEC. SUPPLIES	A-1620-415-00	30100	\$27.41	
NORTHERN CONCRETE	RELOC. MESH	A-1620-415-00	44500	\$265.92	
RMC GROUP	CONCRETE	A-1620-415-00	51200	\$799.50	
SUITE KOTE CORPORATION	SIDEWALK	A-1620-415-00	12700	\$96.28	
VIKING MECHANICAL SYSTEMS INC.	AIR COND. REPAIRS	A-1620-415-00	64746	\$2,742.00	\$5,990.08
CENTRAL SERVICE / COPIERS					
COMDOC INC.	COPIER LEASE - MAYOR	A-1670-415-00	11452	\$90.00	
COMDOC INC.	COPIER LEASE - CITY HALL	A-1670-415-00	11452	\$159.00	
EASTERN COPY PRODUCTS	COPIES - MAYOR	A-1670-415-00	19375	\$8.89	
STAPLES	3 HOLE COPY PAPER	A-1670-415-00	58475	\$386.00	\$643.89
DATA PROCESSING					
STAPLES AND SUBSIDIARIES	ROUTER	A-1680-405-00	58475	\$26.79	
CITRIX	GOTOASSIST SUPPORT	A-1680-415-00	10780	\$69.00	\$95.79
UNALLOCATED INSURANCE					
PLACE INSURANCE	FIDELITY BOND	A-1910-400-00	49500	\$1,620.00	\$1,620.00
DPW					
CASELLA WASTE SYSTEMS	FRONT LOADING	A-8160-415-00	52201	\$665.00	\$665.00
HOSPITAL / MEDICAL INS.					
EMPLOYEE NETWORK INC.	EAP,SAP JULY - SEPT.	A-9060-800-00	20440	\$2,162.00	\$2,162.00
				TOTAL	\$12,501.26

Policy Regarding Use of City-Issued Credit Cards

The City will issue City credit cards to certain employees for use in their jobs; this policy sets out the acceptable and unacceptable uses of such credit cards. Use of City-issued credit cards is a privilege, which the City may withdraw in the event of serious or repeated abuse. Any credit card the City issues to an employee must be used for business purposes only, in conjunction with the employee's job duties. Employees with such credit cards shall not use them for any non-business, non-essential purpose, i.e., for any personal purchase or any other transaction that is not authorized or needed to carry out their duties. Employees must pay for personal purchases (i.e., transactions for the benefit of anyone or anything other than the City) with their own funds or personal credit cards. The City will not regard expenses for one's own business-related use, such as lodging and meals while on City-approved business trips, as personal purchases, as long as such expenses are consistent with the City's travel and expense reimbursement policy. If any employee uses a City credit card for personal purchases in violation of this policy, the cost of such purchase(s) will be considered an advance of future wages payable to that employee, and will be recovered in full from the employee's next paycheck; any balance remaining will be deducted in full from subsequent paychecks until the wage advance is fully repaid. Such deductions may take the employee's pay below minimum wage for the pay period(s) in question. If an employee uses a City credit card for any other type of unauthorized transaction in violation of this policy, i.e., incurs financial liability on the City's part that is not within the scope of the employee's duties or the employee's authorization to make business-related purchases, the cost of such purchase(s) or transaction will be the financial responsibility of that employee, and the employee will be expected to reimburse the City via deductions from pay until the unauthorized amount is fully repaid. Such deductions will be in the amount of the unauthorized purchase(s), but if a deduction for such amount would take the employee below minimum wage for the workweek in question, the deductions will be in two or more equal increments that will not take the employee's pay below minimum wage for any workweek involved. In addition to financial responsibility and liability for wage deductions, any purchases an employee makes with a City credit card in violation of this policy will result in disciplinary action, up to and possibly including termination of employment, depending upon the severity and repeat nature of the offense.

Agreement for Wage Deductions Associated with Improper Use of City-Issued Credit Cards

I, _____ hereby certify that I understand and agree to abide by the City's policy regarding use of City-issued credit cards, a copy of which I have received, and which has been explained to me. I agree that if I make any personal purchases (i.e., transactions for the benefit of anyone or anything other than the City) in violation of that policy, the amount of such purchases is an advance of future wages payable to me, that the City may deduct that amount from my next paycheck, and that if there is a balance remaining after such deduction, the City may deduct the balance of the wage advance from my future paychecks until the amount is repaid in full. I further agree that if I make any non-personal transactions in violation of the policy in question, i.e., incur financial liability on the City's part that is not within the scope of my duties or my authorization to make business-related purchases, I am financially responsible for any such expenses and agree to reimburse the City via wage deductions for such amounts until the unauthorized amounts are fully repaid. Such deductions will be in the amount of the unauthorized purchase(s), but if such amount would take my pay below minimum wage for the workweek in question, the deductions will be in two or more equal increments that will not take my pay below minimum wage for any workweek involved.

Signature of Employee

Date

Employee's Name - Printed



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 Common Council Members

FROM: Thoma Development

DATE: August 1, 2012

SUBJECT: 2012 Community Development Block Grant (CDBG) Application

Attached you will find a resolution that we are asking you to pass at your August 7, 2012 Common Council meeting. This resolution authorizes the Mayor to sign the Community Development Block Grant (CDBG) application and for him to enter into an agreement with the State should the grant be awarded. The application must be submitted by August 17, 2012. The City is requesting \$400,000, which is the maximum request for a housing program.

The focus of this application is a city-wide, owner-occupied housing rehabilitation program for low-to-moderate income persons. The City has requested and received funding for similar programs under the HOME Program on a number of occasions, most recently in 2010. There is a waiting list of qualified applicants that the City is not able to assist due to dwindling funds, so determined its CDBG application would continue this effort.

I hope this memo is adequate for your review. Should you have any additional questions, do not hesitate to contact Ann Hotchkin or Linda Armstrong at 753-1433 or by email at ann@thomadevelopment.com or Linda@thomadevelopment.com, respectively.

Attachments – Draft Resolution
- Section 8 Income Limits for Low/Mod Persons

“The Crown City”

**MAXIMUM INCOME LIMITS FOR PARTICIPATION
(BASED ON HOUSEHOLD SIZE)**

HOUSEHOLD SIZE (NUMBER OF PERSONS)								
	1	2	3	4	5	6	7	8
INCOME	\$33,050	37,800	42,500	47,200	51,000	54,800	58,550	62,350

NOTE: These income limits are valid as of July 13, 2011. They change periodically and will be updated for the program when a change occurs.

City Clerk

From: "Mack Cook" <mcook@cortland.org>
To: "Sherrie Massmann" <cityclerk@cortland.org>
Sent: Thursday, August 02, 2012 11:37 AM
Subject: FW: essential access tv equipment

-----Original Message-----

From: Richard Menapace [mailto:rmenapac@twcny.rr.com]
Sent: Tuesday, July 10, 2012 7:28 PM
To: Mack Cook
Subject: Fw: essential access tv equipment

From: "Richard Menapace" <rmenapac@twcny.rr.com>
Sent: Tuesday, June 05, 2012 1:29 PM
To: "Mack Cook" <mcook@cortland.org>
Cc: "Brian Tobin" <mayor@cortland.org>
Subject: Fw: essential access tv equipment

> Hi:
 >
 > This is the list of equipment we need now. The total is approx. \$7,000.
 >
 > Do you have any idea when we might be able to purchase the equipment?
 >
 > Thanks for all your help.
 >
 > Dick Menapace

> -----
 > **From:** <de2na@twcny.rr.com>
 > **Sent:** Tuesday, June 05, 2012 12:30 PM
 > **To:** "Richard Menapace" <rmenapac@twcny.rr.com>
 > **Subject:** essential access tv equipment

>> Hi Dick: here is the "bare bones"list I did of the equipment we need
 >> to keep ch 2 going. It's based on the list (appendix C) in our
 >> proposed contract. The prices may be a bit lower than listed as they
 >> continue to come down. So the prices are "ball-park" in nature.
 >>
 >> * 1 Panasonic AG-HPX170 Camcorder (flash card) @ \$4000.
 >> * 1 extra 32 GB P2 card (to allow recording of longer length
 >> presentations) @ \$300.
 >> * 1 extra battery @ \$100.
 >> * 1 carry case
 >> * 1 SONY AA10 VGC-JS 450F computer (or comparable) @ \$1500.
 >> * 1 firewire @ \$50.
 >> * editing software (Adobe 6.0) @ \$1000.
 >>
 >> Please note the computer & software is essential as we cannot get
 >> things on the air now without trying to use a "cobbed" together
 >> ancient system that cannot be fixed any longer.
 >> Thanks, Sharon
 >>
 >>

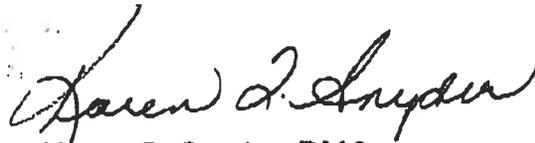
**TOWN OF CORTLANDVILLE
RAYMOND G. THORPE MUNICIPAL BUILDING
3577 TERRACE ROAD
CORTLAND, NEW YORK 13045
TOWN CLERK'S OFFICE
PHONE (607)756-6725 FAX (607)756-4659**

CERTIFICATE OF TOWN CLERK/COLLECTOR

**STATE OF NEW YORK)
COUNTY OF CORTLAND) SS.:
TOWN OF CORTLANDVILLE)**

I, **Karen Q. Snyder, RMC** duly elected and qualified **Town Clerk/Collector** of the **Town of Cortlandville, Cortland County, New York**, do hereby **CERTIFY** that I have compared the attached resolution "**AUTHORIZE SUPERVISOR TO SIGN PURCHASE ORDER #0131**" with the original thereof filed in my office in the Town Hall located at the Raymond G. Thorpe Municipal Building in the Town of Cortlandville, Cortland County, New York, and that the same is a true and correct copy of said original and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Town, this 02ND day of August 2012.



**Karen Q. Snyder, RMC
Town Clerk/Collector
Town of Cortlandville
Cortland County, New York**

(TOWN SEAL)

Town of Cortlandville
Town Board Meeting – July 18, 2012

**RESOLUTION #129 AUTHORIZE SUPERVISOR TO SIGN
PURCHASE ORDER #0131**

Motion by Councilman Leach
Seconded by Councilman Proud
VOTES: ALL AYE ADOPTED

BE IT RESOLVED, the Town Board does hereby authorize and direct the Supervisor to sign Purchase Order #0131 in the amount of \$3,500.00 submitted by Supervisor Tupper to be paid to the Cortland Cable Commission to pay for half of the cost of a new video camera, battery, carrying case, computer and software to be used by the Channel 2, Access TV which videotapes Town meetings.

APPLICATION
For Street Closings
PLEASE PRINT ALL INFORMATION

Today's Date: 7/31/12

Address of Street Closing: 4 Pearl Street → 12 Pearl Street

Describe Event: Pearl Street Picnic

Applicant Tobin Brian PH # 745 3013
Last First MI (Home) (Work)

Address: 8 Pearl St. E-mail Address: _____
Street

Cortland NY 13045
City State Zip Code

Date of Street Closing: 9/3/12 Alternate or Rain Date: _____

Start Time: 8:00 AM or PM Finish Time: 5:00 AM or PM
* (No earlier than 9:00 AM) * (No later than 8:00 PM)

(*Unless altered by Common Council)

Estimated # of persons attending: 30

Will amplified music be provided?: No
(If yes, refer to requirement #8 for compliance)

City Ordinance Sct. 193-5 requires Common Council permission; SCT. 193-7 requires \$250 fee

Will alcohol be available? No
If so, which address(es) will have alcohol? _____

Alcohol is only allowed on private property. All State and City alcohol laws still apply during Street Closings.

A Street Closing permit does not allow the sale of alcohol or the consumption of alcohol on public property or by persons younger than 21 years of age.

Approved
07/31/12 1500
Paul H. Jones

Ward 6

APPLICATION
For Street Closings
PLEASE PRINT ALL INFORMATION

Today's Date: July 19, 2012

Address of Street Closing: Euclid Ave / Med (to Driveway to End)

Describe Event: STREET PICNIC

Applicant WOOD FRANK N PH # 607 756 7309
Last First MI (Home) (Work)

Address: 10 Euclid Ave E-mail Address: ACL.MATTHO@YAHOO.COM
Street

Portland NJ 13045
City State Zip Code

Date of Street Closing: August 18, 2012 Alternate or Rain Date: August 19, 2012

Start Time: 11:00 AM or PM Finish Time: 8:00pm AM or PM
* (No earlier than 9:00 AM) * (No later than 8:00 PM)

(*Unless altered by Common Council)

Estimated # of persons attending: 60

Will amplified music be provided?: NO ✓
(If yes, refer to requirement #8 for compliance)

City Ordinance Sect. 193-5 requires Common Council permission; SCT. 193-7 requires \$250 fee

Will alcohol be available? NO ✓
If so, which address(es) will have alcohol? _____

Alcohol is only allowed on private property. All State and City alcohol laws still apply during Street Closings.

A Street Closing permit does not allow the sale of alcohol or the consumption of alcohol on public property or by persons younger than 21 years of age.

APPROVED - Gen. Cefelani CHIEF OF POLICE
7/28/12

APPLICATION
For Street Closings
PLEASE PRINT ALL INFORMATION

Today's Date: 7/29/12

Address of Street Closing: 4 Brown Avenue - 20 Brown Avenue

Describe Event: Brown Avenue Block Party

Applicant Mead Linda PH # 753 9945
Last First MI (Home) (Work)

Address: 6 Brown Avenue E-mail Address: _____
Street

Cortland NY 13045
City State Zip Code

Date of Street Closing: August 26, 2012 Alternate or Rain Date: _____

Start Time: 1:00 AM or PM Finish Time: 5:00 AM or PM

* (No earlier than 9:00 AM)

* (No later than 8:00 PM)

(*Unless altered by Common Council)

Estimated # of persons attending: 30

Will amplified music be provided?: No

(If yes, refer to requirement #8 for compliance)

City Ordinance Sect. 193-5 requires Common Council permission; SCT. 193-7 requires \$250 fee

Will alcohol be available? No

If so, which address(es) will have alcohol? _____

Alcohol is only allowed on private property. All State and City alcohol laws still apply during Street Closings.

A Street Closing permit does not allow the sale of alcohol or the consumption of alcohol on public property or by persons younger than 21 years of age.

07/30/12 OK w/
Police
[Signature]

AGREEMENT

This Agreement, made this _____ day of August, 2012 by and between the City of Cortland, a municipality with its principal offices at City Office Building, 25 Court Street, Cortland, New York 13045 (the "City"), and Phillips Lytle LLP, a limited liability partnership with offices at 1400 First Federal Plaza, Rochester, New York 14614 ("Counsel").

WITNESSETH:

WHEREAS, the City is required by statute to commence a proceeding for the collection of delinquent real property taxes pursuant to New York Real Property Tax Law Article 11; and

WHEREAS, the City wishes to undertake efforts and procedures intended to identify and notify relevant parties in interest above and beyond the statutory efforts and procedures mandated by said Article 11; and

WHEREAS, the City desires representation, counsel and assistance in duly conducting the tax enforcement proceeding; and

WHEREAS, Counsel is able to offer such representation, counsel and assistance;

NOW, THEREFORE, it is mutually covenanted and agreed by and between parties hereto as follows:

1. Work Scope. Counsel shall carry out and perform all those actions, except those action set forth on Schedule A-1 attached hereto, necessary to complete the foreclosure of each tax account parcel in an in rem tax foreclosure proceeding to be commenced by the City for the collection of delinquent 2011 City/County real property taxes in accordance with Real Property Tax Law Article 11. Specifically, Counsel shall carry out and perform those actions specified on Schedule A-2 attached hereto. The City shall carry out and perform those actions specified on Schedule A-1 attached hereto.

2. Legal Fee. As its legal fee for services rendered hereunder, Counsel shall be paid the sum of Five Hundred Dollars (\$500.00) for each parcel referred to Counsel for foreclosure. City shall provide to Counsel a list of delinquent parcels pursuant to RPTL §1122 and shall indicate to Counsel those parcels Counsel is to include in the in rem tax foreclosure proceeding. Counsel shall thereafter prepare and forward to City an invoice reflecting the total fee as computed above. Such invoice shall be payable at the time Counsel shall obtain the final judgment pursuant to RPTL §1136. City shall collect, upon the redemption of each parcel, such sum as is allowed pursuant to RPTL §1102. Subsequent to the filing of the petition pursuant to RPTL § 1123 Counsel shall make an application to the court for an order, pursuant to RPTL §1102(e), authorizing the tax district to thereafter charge and collect the sum of \$500 per parcel on the grounds that such greater charge reflects the reasonable and necessary cost of searches of the public record and the cost of legal services hereunder. City understands and acknowledges that such application may be a matter of first impression with the court and that the court may deny such application or grant such other relief as the court deems just and proper. City acknowledges and agrees that the invoiced total fee shall be due and payable to Counsel notwithstanding the decision of the court and without regard to whether such fee is fully recovered upon the redemption of parcels. As the application for the order authorizing the City to collect the sum of \$500 upon redemption will not be made until after the petition is filed, which issuance may not occur until the petition is filed, City recognizes that the City might recover from redemptions only a portion of the total fee due and that the balance of such total fee must be paid by the City from sources other than the sums collected upon redemption.

3. Miscellaneous Charges. In addition to the invoiced total fee referenced above, the following charges shall be incurred by Counsel and shall be reimbursed by City as described below:

- A. The cost of mailing or service of notices required or authorized by RPTL §1102(a).
- B. The cost of publication of notices required or authorized by RPTL §1102(b).
- C. The cost of recording or filing legal documents required or authorized by RPTL §1102(d).

- D. The cost of posting required or authorized by RPTL §1125(c).

In accordance with RPTL §1102, the above described charges shall be part of the delinquent tax for purposes of redemption and may be recovered, in whole or in part by the by the City at the time of redemption. Upon the granting of the judgment, Counsel shall provide to City evidence of such costs and City shall thereafter reimburse Counsel for the full amount of the of the same.

4. Work Product. At the end of the tax foreclosure proceeding, Counsel shall, upon the request of City, provide to City a copy of all title searches, correspondence, papers, legal memorandum, opinions, pleadings and other documents which are received or prepared by Counsel in connection with this action, together with a mailing list and affidavit of mailing showing every creditor or party to whom a notice was sent, the address to which each was sent, the date sent and the property identified on the notice.

5. Notices Received by City. City shall provide to Counsel copies of all Declarations of Interest filed pursuant to RPTL Section 1126 and all change of address information received pursuant to RPTL Section 1125(d) and copies of all correspondence, pleadings, notices (including bankruptcy notices) and other documents which are received by City in connection with the action or any parcel subject to the action.

6. Withdrawal of Parcels. City shall withdraw a parcel from the foreclosure action only when such withdrawal is duly authorized pursuant to RPTL §1138.

7. Indemnification. Counsel agrees to indemnify, defend and save harmless the City against any and all loss, damages, costs or charges which the City may be required to pay by reason or in consequence of the carrying out of any provisions or requirements of this Agreement, where such loss and expense is incurred by the City as a result of any misconduct of Counsel or its employees. By way of example, but not limitation, it is understood that this indemnification does not cover losses, damages, costs or charges arising from or relating to the failure of the title search to accurately disclose necessary parties in interest, the failure to provide notice to any party, or errors or omissions in the list of delinquent taxes prepared by the City in accordance with RPTL §1122 or in any reports or other writings or communications provided by

the City to Counsel.

8. Insurance. Counsel shall maintain professional liability insurance covering Counsel's performance under this Agreement. Such policy shall have a claim limit of not less than One Million (\$1,000,000.00) Dollars.

9. Assignment. Counsel agrees it will not assign, transfer, convey, pledge, encumber, hypothecate, sublet or otherwise dispose of this Agreement or its right, title, or interest therein, nor any part thereof, without the prior consent of the City Attorney.

10. Independent Contractor. Counsel, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status and will not claim to be an officer or employee of the City by reason of this Agreement, or claim any privilege applicable to any employee of the City, including but not limited to, Workers Compensation coverage, Unemployment Insurance benefits, Social Security coverage or retirement membership credit.

11. Conflicts of Interest. Counsel will not accept the engagement of, advise, or assist anyone in a defense or challenge to the tax foreclosure proceeding.

12. Non-Discrimination. Counsel agrees that in carrying out its activities under the terms of this Agreement that it shall not discriminate against any person due to such person's race, color, creed, disability, marital status, age, sex or national origin and that at all times it will abide by the applicable provisions of the Human Rights Law of the State of New York as set forth in §290-301 of the Civil Rights Law of the State of New York.

13. Entire Agreement. This Agreement contains the entire Agreement between Counsel and the City and shall not be changed, except by written instrument signed by Counsel and the City.

14. New York Law. This Agreement shall be governed by and construed in accordance with the laws of New York.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

CITY OF CORTLAND

Date:

By:

Brian Tobin, Mayor

PHILLIPS LYTTLE LLP

Date:

By:

Richard M. Beers, Jr., Partner

SCHEDULE "A-1"
Actions to be Performed by the City
2010 Tax Liens

Anticipated Date Action

Prepare Tax Rolls and Tax Warrants - The City shall prepare the annual tax rolls and warrants.

Collect Taxes - The City shall collect all taxes.

Accept Redemption Payments – The City shall receive and accept proper redemptions of the parcels set forth on the list of delinquent taxes and shall notify Counsel of such redemptions.

Prepare Certificates of Redemption - Upon the proper redemption of a parcel, a certificate redemption, or as appropriate, a certificate of partial redemption, shall be prepared, executed and forwarded to the City Clerk for filing. A copy of each certificate shall be provided to Counsel.

08/01/12 Provide List of Delinquent Taxes to Counsel - The City shall prepare and deliver to Counsel a written list of those parcels which have not been redeemed. Such list shall, if feasible, also be provided to Counsel on computer disk in the format suggested by Counsel.

10/01/11 File List of Delinquent Taxes -The City shall prepare file and maintain a list of delinquent taxes in accordance with New York Real Property Tax Law § 1122.

SCHEDULE "A-2"
Services Performed by Counsel
2010 Tax Liens

Anticipated Date Service

08/01/12 Obtain Title Searches - Title searches in accordance with the requirements of Schedule "B" shall be ordered by Counsel. Counsel will provide copies of Schedule "B" to the title companies.

Review Title - As received, the title searches will be reviewed for the purpose of ascertaining the current record owner, the names and addresses of any parties holding an interest relating to open mortgages, judgments or other liens or interests, together with state and federal tax liens or warrants or other similar interests, and to identify any title problem that may legally prevent the City from foreclosing against the property.

Mail Preliminary Notice - A notice of the filing of the list of delinquent taxes and of the impending filing of the petition will be forwarded to all parties in interest. Agencies or instrumentalities of the state or federal government will be provided with sufficient information in the appropriate format so as to comply with the notice requirements of each such entity. Affidavits of mailing will be completed and filed in the City Clerk's Office. In the event notices are returned as undeliverable by the Post Office, further research and efforts will be undertaken in an effort to obtain a valid address.

Research Bankruptcy Filings - In the event the title search indicates that the current owner of the property has filed a petition in bankruptcy, research will be undertaken to determine whether the taxpayer and the debtor are in fact the same person, whether the bankruptcy case has been closed, whether the trustee has abandoned the property, or the automatic stay has been otherwise modified or whether a motion has been made to sell the property. If the property is no longer subject to the automatic stay, the City will be so notified. Those matters for which the current record owner is in fact the debtor, and the automatic stay has not been modified, or the case has not been closed as described above, will be withdrawn from the Action and the City will be notified accordingly.

Prepare Petition and Related Notices - The Petition, Notice of Petition, Notice of Foreclosure and Tax Enforcement Notification shall be prepared in accordance with statutory requirements. Counsel shall obtain and attach all required exhibits thereto.

<u>Anticipated Date</u>	<u>Service</u>
10/01/12	<u>File Petition and Related Notices</u> - The petition Notice of Petition, Notice of Foreclosure and Tax Enforcement Notification shall be duly and timely filed with the County Clerk.
10/02/12	<u>Publish Notice of Foreclosure</u> - A Notice of Foreclosure shall be duly prepared and published in accordance with statutory requirement.
10/02/12	<u>Mail Petition and Related Notices</u> - A copy of the Petition (with attachments), Notice of Petition, Notice of Foreclosure and Tax Enforcement Notification will be mailed to each owner of record and all parties in interest. Agencies or instrumentalities of the state or federal government will be provided with sufficient information in the appropriate format so as to comply with the notice requirements of each such entity. Affidavits of mailing will be completed and filed in the County Clerk's Office. In the event notices are returned as undeliverable by the Post Office, further research and efforts will be undertaken in an effort to obtain a valid address.
	<u>Respond to Answers</u> - If a duly verified answer is served upon the City alleging a defense to the foreclosure proceeding such answer shall be provided to the City. Further proceedings relating to an application for an order or summary judgment or other disposition of such answer, including the taking of evidence and a trial of facts, shall not be performed by Counsel under the terms of this Agreement but shall only be performed pursuant to a separate letter of engagement entered into by City and Counsel. Nothing herein shall require City to engage Counsel for such further proceedings.
01/12/13	<u>Prepare and Submit Final Judgment</u> - The final default judgment shall be prepared and submitted to the Court. Such judgment shall award possession of the parcel to the City and shall direct the Enforcing Officer to convey the parcel by deed to the City.
02/05/13	<u>Prepare Deed and Transfer Documents</u> - Counsel will prepare the deed or deeds conveying unredeemed parcels to the City, together with forms EA-5217 and TP-584 and shall record the deeds in the office of the County Clerk.

SCHEDULE B

TITLE SEARCH SPECIFICATIONS

1. Property information to be provided by Phillips Lytle will include the tax parcel address, tax map number and assessed owner as of the date of the tax lien.
2. Hard copy searches should be in title report format with full address information for all parties (including judgment creditor attorney). The search period is to commence with the most recent full value warranty deed (deeds stamps paid on more than a nominal value) with a minimum search period of 15 years. Searches should be identified by tax map number.
3. Searches should include real estate records, judgments, federal tax liens, bankruptcy, surrogate's court and all other customary indexes. Surrogate's searches should include copies of all petitions and letters.
4. A tax search is to be conducted and included.
5. Provide copies of the first and signature pages of all mortgages, assignments and deeds.
6. Provide copies of all federal tax liens.
7. Provide two hard copies of the completed search.
8. Creditor information is to provided in an electronic file format (text file).



CITY OF CORTLAND

WASTEWATER TREATMENT FACILITY



Bruce Adams, Chief Operator
Industrial Pretreatment Coordinator

Blower project

The Request For Proposals written by Cedarwood Engineering is in reference to a blower project which is part of our overall plan to meet the requirements of the Chesapeake Bay Watershed Implementation Plan.

The blower project will replace the facility's existing multi-stage centrifugal blowers, air distribution valve actuators and system control package. New equipment will include high-efficiency turbo blowers, more durable air distribution valve actuators, and a control system which will enable operating a denitrifying process in our existing aeration basins.

Cedarwood Engineering has estimated an annual energy savings of \$71,885 per year. The cost of the project is estimated by Cedarwood at \$565,000 less NYSERDA and CNYRPDB funding of \$85,793 for a total expenditure of \$479,207. That calculates to a payback period of only 6 years, 8 months. The calculated energy savings are conservative as they take into account only the horsepower old vs horsepower new ratio. One of the issues with our current blowers is an inability to turn them down when oxygen demand is low. The new blowers have a much better turndown ratio and we should see additional energy savings from that. Also, if our actual power reductions turn out to be better than NYSERDA's estimate, our rebate will increase accordingly.

We will also see cost savings from reduced maintenance expenditures. In the 5 most recent calendar years, we have spent over \$6,000 per year on average to our two blower service contractors. Add to that staff costs associated with answering alarms for blower malfunctions and assessing failures and organizing contractor responses and we stand to save quite a bit on ongoing maintenance costs.

In order to get this work done before the onset of bad weather, we have placed the public notice requesting bids on 7/31/12 with a bid opening on 8/15/12. We will ask the Common Council to approve the winning bid for contract at the 8/21/12 Council meeting.

Steven Rhea

From: dbatzing@twcny.rr.com
Sent: Friday, June 08, 2012 8:51 AM
To: mayor
Cc: ajdavidson6@aol.com; dbatzing@twcny.rr.com; PBParadine@nyseg.com; ndecarlo1@twcny.rr.com; mdex14@yahoo.com; etherington1@juno.com; springrate@hotmail.com
Subject: New Landscape and Design New Commissioner

Good morning Brian and Steve,

The Landscape and Design Commission will be pleased to be welcoming Jaroslava Prihodova to our group. She has been a guest at the Commission and is very dedicated to growing the urban forest.

We would appreciate your bringing her name to be recognized at the next Common Council meeting.

Than you,
Diane Batzing

PUBLIC SAFETY COMMISSION

17 South Franklin Street Cortland, New York 13045

(607) 753-1957

To: City Common Council
Mayor Brian Tobin
Director of Administration Mack Cook
Corporation Council Kelly Colasurdo

RE: Additional revisions to the City Code of Ordinances

Article XVII- Section 11-165

Parking, Standing, and Stopping

(B) Standing prohibited in designated locations

(1) The standing of vehicles is hereby prohibited at all times in any of the following locations

(b)- Arterial Highways

Article XVII- Section 11-166-

Parking time limited in designated locations

(A) Fifteen-minute parking zones

(1) The parking of vehicles is hereby prohibited between the hours of 8:00 a.m. to 9:00 p.m., for a period of longer than 15 minutes in any of the following locations

The Public Safety Commission at their July 2012 meeting approved the following changes. These revisions are requested to meet the requirements of the NYSDOT sign replacement project on the State Arterial that runs through the City and are differences from the current code and what is practical in the field as far as sign location and distances. Two distances are asked to be omitted to make way for more accurate locations of signs and one additional 15 minute parking zone is requested to be added to facilitate the safe delivery and pick up of children to the new SUNY children's program located at 60 Tompkins St. which is top start up with the new school year. The Public Safety Commission at their May 2012 meeting approved this request.

Proposed City of Cortland Regulation Changes

Article XVII- Section 11-165 - Parking, Standing, and Stopping

(B) Standing prohibited in designated locations

(1) The standing of vehicles is hereby prohibited at all times in any of the following locations

(b) Arterial Highways

Clinton Avenue	Southeast	100± feet; from 50± feet northeast of the east curbline of Church Street to 150± feet northeast of the east curbline of Church Street
Clinton Avenue	East	110± feet; from 40± feet south of the south curbline of Sheridan Drive extended to 35± north of the north curbline of Sheridan Drive extended
Clinton Avenue	West	100± feet; from 45± feet north of the north curbline of Morningside Drive extended to 25± feet south of the south curbline of Morningside Drive extended
Port Watson Street	North	160± feet east from the east curbline of Pendleton Street-OMIT
Port Watson Street	North	182± feet east of the east curbline of Pendleton St
Port Watson Street	North	133± feet; from 182± feet east of the east curbline of Pendleton Street to 315± east of the east curbline of Pendleton St
Port Watson Street	South	50± feet east of the east curbline of Pendleton St. - OMIT
Port Watson Street	South	133± feet east of the east curbline of Pendleton Street to the east curbline of Pendleton Street
Port Watson Street	South	265± feet; from 133± east from the east curbline of Pendleton Street to 398± feet east of the east curbline of Pendleton Street
Port Watson Street	South	340± feet; from 40± feet east of the east curbline of Hyatt Street to 380± feet east of the east curbline of Hyatt Street
Port Watson Street	North	435± feet; from 50± feet east of the east curbline of East Avenue to 70± feet west of the west curbline of River Street
Port Watson Street	South	125± feet; From 40± feet west of the west curbline extended of River St to 50± feet east of the east curbline of River St
Clinton Avenue	Northwest	90± feet; from 40± feet southwest of the west curbline of Washington Street to 50± feet northeast of the east curbline of Washington Street
Clinton Avenue	Northwest	225± feet; from 145± feet northeast of the east curbline of Grange Place to 40± feet southwest of the west curbline of Grange Place

City Code Article XVII- Section 11-166-

(A) Parking time limited in designated locations

(1) The parking of vehicles is hereby prohibited between the hours of 8:00 a.m. to 9:00 p.m., for a period of longer than 15 minutes in any of the following locations

*Tompkins
Street*

North

*85±; from 45± feet east of the east curbline of Reynolds Avenue
extended to 130± east of the east curbline of Reynolds Avenue
extended*

PUBLIC SAFETY COMMISSION MEETING

DATE 7-12-2012

MEMBERS PRESENT- O'MARA TEETER ABBOTT
PUBLIC SAFETY EMPLOYEE - THOMAS TOBIN

Alderman - none _____ OTHERS- _____ n/a _____

CALLED TO ORDER BY Chairman O'Mara AT 4:03 P.M.

MINUTES MOTION BY Commissioner Teeter SECONDED BY Commissioner Abbott
RESOLVED THAT THE MINUTES OF 5/10/2012 BE Approved AND
BE PLACED ON FILE.

1. **AGENDA ITEM #1** - Discuss additions / changes to the City Code
§11-165 - §11-170 along the State Arterial System to comply
with City Code. (NYS DOT)

MOTION BY Commissioner Abbott SECONDED BY Commissioner Teeter

RESOLVED THAT the proposed additions and revisions of the current City
Code §11-165 - §11-170 be accepted and approved. 3-0 vote in
favor.

Motion by	seconded by	meeting adjourned
<u>Commissioner Teeter</u>	<u>Commissioner Abbott</u>	<u>4:20pm</u>