



City Council Minutes The City of Cortland October 2, 2012

Council Meeting #18
October 2, 2012
Regular Session
City Hall
7:00 PM

Present: Aldermen Bennett, Bird, Dye, Ferguson, and Quail

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

Public Hearing: 6:30 PM – Lease of the Rosen Property

I need to gain access to type this section, as recorder was not working.

Guest Speakers:

Jackie Carlton from the 2-1-1 Cortland Information System
Ruth Grunberg from the Cable Commission

Arriving later during the Public Hearing: Mayor Tobin, Aldermen Ferrer and Silliman.

Regular Session

Mayor Tobin called the seventeenth Common Council meeting of the year to order at 7:15 P.M.

PLEDGE OF ALLEGIANCE

Public Comments

To speak was Jackie Carlton, Executive Director of Seven Valley Health Coalition, a private not for profit, to talk about the new 2-1-1 system. She informed the Council that there is now a 2-1-1 system in place in Cortland created in conjunction with the United Way for Cortland County, Cortland County Mental Health Department and Seven Valleys Health Coalition. The 2-1-1 system will be instrumental in assisting people with finding health care, child care, transportation, recreation programs and other needs. Help is available by calling 2-1-1 or going on line at 211cortland.org.

To speak was Ruth Grunberg about the Cable Commission. She expressed a concern with Time Warner Cable switching over to digital, requiring every cable customer to purchase a digital adapter. The cable company is impossible to reach by phone.

RESOLUTION # 178 Of 2012 – Minutes of September 18, 2012, as amended.

By: Alderman Ferrer
Seconded: Alderman Bird

Approved: Ayes - 8
Nays – 0

Bills were reviewed.

Ward Reports

Ward 4 – Alderman Bennett

Alderman Bennett stated that his ward was quiet.

Ward 1 – Alderman Bird

Alderman Bird stated it was quiet in her ward.

Ward 3 – Alderman Dye

Alderman Dye noted the progress of the retention pond, that they were doing a good job, and he has received lots of good comments.

Ward 2 – Alderman Silliman

Alderman Silliman noted that Ann Doyle had a Neighborhood Watch meeting. Since the Mayor spoke with some of the students about the noise, it's been quieter in the hill area. Residents are happy with the progress on the Berm at the Water Works. The Housing Committee met and is conferring with members of the Downtown Business Association.

Ward 7 – Alderman Ferguson

Alderman Ferguson noted that her ward will hold a meeting on October 15, 2012 in the Beard Building at 7:00 with Police Chief Catalano as guest speaker, to which all are invited.

Ward 6 – Alderman Ferrer

Alderman Ferrer expressed gratitude to the Yaman family for getting the gas station on the corner of River Street and Pomeroy Street torn down and landscaping the property.

Ward 5 – Alderman Quail

Alderman Quail noted that his ward will be having a neighborhood walk on October 11th. Ward 5 will be holding a neighborhood watch meeting on October 18th if anyone wishes to

attend and participate, he can be emailed at ward 5 on the City web site. He said he has received a couple calls about the rail spur with questions and concerns. Alderman Quail stated that he is working on a ward meeting for the last week of October, but has no date set as yet.

Mayor Tobin wished to also thank Jim Yaman for doing a wonderful job of cutting through a lot of red tape in order to get the gas station demolished. He believes the building had been vacant for thirty years. It will be a much more attractive component to our community, and make the entry way to the City look so much better. He stated that a Gateway Committee met, looking at what can be done to improve the entryway and the overall perception and image when people enter the City. A second meeting was held to see what can be done to spruce up the entryway and that building was a big question as far as what could happen and what could be done. A big thank you goes out to Mr. Yaman.

Mayor Tobin stated that the Image Committee held a meeting to discuss an issue that arrives every year and that's the crows that are nesting in the City of Cortland. Mayor Genevieve Suits of the Village of Homer joined us, since the idea was to rid the City of the crows and not just push them from one yard to the next. It was decided to go with the grass roots volunteer effort in making life difficult for the crows to be here. The City is looking for volunteers to note when the crows start to appear, go out and make some noise loud enough to discourage them. The City will follow up with the Department of Environmental Conservation and the Fish and Wildlife Service to make sure that what is done is legal. If the crows appear in a neighborhood, people can log on to crowsatcortland.org, send an email and volunteers will chase the crows from each area until they leave. The hope is that next year the crows will find another place to go.

Mayor Tobin wanted to inform the public that he can enlist college students to assist residents with maintaining their yards if help is needed raking leaves. It is very much appreciated by residents and a good project for the college students.

Proclamation Reading

Mayor Tobin read a proclamation for recognizing October, 2012 as Disability Employment Awareness month.

Aaron Baier invited the public to attend a job fair on Oct 9th.

Mayor Tobin read a proclamation recognizing October, 2012 as Domestic Violence Awareness Month.

Mayor Tobin read a proclamation recognizing October 7-13, 2012 as Fire Prevention Week.

AGENDA:

Mayor Tobin informed the Council that the first item initially listed on the draft agenda as item number 1 regarding parking, is not on the agenda. It was placed there accidentally.

Mayor Tobin stated that the City has a review of the options available to the City pertaining to health insurance.

Mack Cook was there to speak. He met with Mr. Larry Fisher, who has represented us for three years, along with Deputy Chief Paul Sandy, and Beth Miller from Tompkins County Health Coalition to come up with a sustainable health care policy. Of every two dollars collected on a tax lien, one dollar goes to health care.

Mr. Fisher presented a brief overview of as much information as needed in order to make an informed decision. He explained the difference between fully insured and the self funded insured. Mr. Fisher distributed handouts illustrating the details, delivered a lengthy oration, and asked if he could answer any questions. The coverage and benefits would remain the same. The only difference would be on prescriptions: a ten dollar co-pay on generic, a twenty-five dollar co-pay on preferred brand, and a forty dollar co-pay of a non-preferred prescription.

Alderman Ferguson asked for clarification on the prescription co-pay, the difference of out of pocket cost for prescriptions between the policy the City now has and what it would be through Tompkins County.

Alderman Ferrer asked how the coverage of two individuals worked as compared to a family plan of two people.

Alderman Silliman asked for clarification on the length of time that Mr. Fisher has been the City's representative for about 3 ½ years. Her question to be answered was if the Council were to choose one of the two options presented, that Mr. Fisher in no way would benefit from whatever decision is made. Mr. Fisher assured her that she was correct. She thanked him for his expert advice. Alderman Silliman asked for specific clarification of a few points.

Alderman Ferguson expressed further concern about deductibles and co-pays.

To speak to that was Beth Miller. She explained there are two aspects to consider when looking into health care coverage: the cost of the plan and the individual out of pocket cost.

Alderman Quail questioned the six month period and what changes might occur after that period. Mr. Fisher stated that the rates are guaranteed for 12 months, including the stop/loss. One year from now, the entire pool will be evaluated and based on revenues and claim expenses projections will be applied to the individual rate.

Mayor Tobin noted that there were three sets of numbers on the handout that he would like to confirm. The existing premium vs. the consortium, the projected annual premium, and then the differential. Then the power point showed a renewal rate for 2013. If the City stayed with its current plan there would be about a \$700,000 increase, or 17% increase in rates.

Deputy Chief Sandy pointed out the actual numbers presented in the power point to illustrate how joining the consortium would basically save each member about \$800 per year, which would likely cover any co-pay of prescriptions for the year for most people. Anyone on a maintenance prescription plan could offset the co-pay for prescriptions by enrolling in the flexible spending.

Alderman Bennett asked what the number of participants is in Tompkins County, which is about 2400. He noted that if the City stayed with the current policy, a drastic change would need to happen down the road.

Alderman Bird questioned why the single rate went up, yet the family rate went down. Being single, she wondered why a single person would pay more than a family.

Mr. Fisher explained how all the information and demographics is studied and a formula is developed from that information.

Mayor Tobin asked what the intention of the Council was in regards to this agenda item.

EXECUTIVE SESSION:

Motion to go into:

By: Alderman Ferguson
Seconded: Alderman Bennett

Approved: Ayes – 6
Nays – Alderman Dye

Motion to come out of:

By: Alderman Ferguson
Seconded: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Alderman Quail stated additionally that if the City does not consider cost reductions, it will be necessary to either reduce staff by fifteen people or increase taxes by ten percent.

RESOLUTION # 179 Of 2012 – Resolution to authorize the Mayor to proceed with actions necessary for the City to join the Tompkins County Health Care Consortium subject to review by Corporation Counsel. (Mack Cook)

By: Alderman Ferrer
Seconded: Alderman Quail

Approved: Ayes – 7
Nays – 0

RESOLUTION # 180 OF 2012 – Resolution to authorize the Mayor to enter into a lease of the Rosen Superfund Site to the New York Susquehanna and Western Railroad Central New York Railroad for offloading facility. (Mack Cook)

.By: Alderman Silliman
Seconded: Alderman Bird

Approved: Ayes – 6
Nays – Alderman Ferguson

Alderman Ferguson stated her objection on behalf of her ward regarding trains coming and going at all hours and trucks sitting with the engine running all night long. Her suggestion was to table this until a better idea of what would be going on was looked into.

Mack Cook said trains do not generally run at night from 10:00 PM until 6:00 AM.

Mr. Nathan Fenno was present to speak. He noted that the expectation was four trucks a day, and one train to offload.

Mayor Tobin reiterated the fact, as discussed last week, that this is a Superfund Site that has a cap on it, and has very limited possible use. The railroad already has an established line there and this lease involves a couple spurs which could potentially benefit local businesses. With rising gas prices, rail shipping is becoming more attractive.

RESOLUTION # 181 OF 2012 – Resolution to recognize six donations totaling \$825.00 submitted to the Youth Bureau for the Wickwire Pool Trust Fund. (John McNerney)

By: Alderman Ferrer
Seconded: Alderman Silliman

Approved: Ayes – 7
Nays – 0

RESOLUTION # 182 OF 2012 – Resolution to appropriate proceeds received (\$5,265.00) as reimbursement for overtime in conjunction with the Governor's Traffic Safety Program. (Deputy Chief Paul Sandy)

By: Alderman Bird
Seconded: Alderman Silliman

Approved: Ayes – 7
Nays – 0

RESOLUTION # 183 Of 2012 – Resolution to accept the consolidated fee schedule for the Code Department (William Knickerocker)

Mayor Tobin reminded the Council of the discussion that was held regarding fees that currently in City Code, but this compiles fees from different sections of the Code and organizes all fees into one easy to access list. He asked for confirmation from Chief Glover. Chief Glover noted that in trying to ascertain what our specific fees were for various services. When a resolution is passed, we understand that resolutions should be available from the Clerk's Office, which the clerk did not have on file. My idea was to consolidate all the fees in a single resolution so if someone asked why they were being charged a fee, we could pull out the one sheet, show them the fee schedule, and there would be question. On the advice of Corporation Counsel, Shelley Knickerbocker went through compiled different fees from various sections of Code and organized all fees onto one page. The end result is a compilation of resolutions over the past two or three years, which detail increasing some fees, and formalizing fees that were never recoverable from our standpoint, as far as records. There are two items not addressed in previous resolutions, such as fraternity and sorority inspection fees, fees for rooming houses and boarding houses.

Deputy Chief Knickerbocker added that if one were to search for a fee on the website through the City Ordinance, that person would be directed to the City Clerk's office. This process would put everything in one place, and could be posted to the City's web site for easy access.

By: Alderman Quail
Seconded: Alderman Bennett

Approved: Ayes – 7
Nays – 0

Mayor Tobin noted the overview of the City's 2013 Budget Projections (Mack Cook)

The draft budget should be looked over by Common Council and discussed at the next meeting, which will be October 16, 2012. The Mayor suggested soliciting public feedback before that time. A work session may be held to give the public a chance to make comments and express concerns, limiting each comment to 1 ½ to 2 minutes, and plan on starting the meeting at 7:00 and finishing by 9:00.

Mack Cook presented several slides, going beyond the budget and are not proposed items in the budget. The 2013 budget is not predicated by what is talked about. He illustrated issues that will be coming down the pike. Looking to the 2014 budget, to the budget in five years, Mack is concerned about how property tax is being calculated. There is a disconnection between property value and the tax rate. There needs to be an increase in spending of consumers, increasing new consumers, and enlarging the retail opportunities within the City. Sales tax is already starting to flatten out. Waste Water Treatment may become a source of revenue for the City.

Mayor Tobin requested adding one more item to the agenda, which is an employee's retirement package.

RESOLUTION # 184 Of 2012- Resolution to authorize the Mayor to sign a retirement package.

By: Alderman Ferrer
Seconded: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Adjournment

By: Alderman Bennett
Seconded: Alderman Ferrer

Approved: Ayes – 7
Nays - 0

I, JUDITH CHAMBERLIN, CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 18th DAY OF SEPTEMBER, 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 NOVEMBER 01, 2012

CLAIMANT	DESCRIPTION	CODE NUMBER	VENDOR #	AMOUNT	TOTAL
FINANCE					
CDW G	COMPUTER SUPPLIES	A-1325-403-00	10631	\$112.00	\$112.00
ASSESSMENT					
DAVID BRIGGS	CONTRACT - NOVEMBER	A-1355-415-00	6830	\$1,600.00	\$1,600.00
CITY CLERK					
CNY OFFICE PRODUCTS RICOH USA INC. CORTLAND STANDARD	NOTARY PUBLIC BOOK LEASE ZBA MEETING	A-1410-403-01 A-1410-403-01 A-1410-405-00	11018 30406 15400	\$14.19 \$26.77 \$56.53	\$97.49
BUILDING AND GROUNDS					
AMES LINEN SERVICE AIR TEMP AIR TEMP AMES LINEN SERVICE	KWIK WASH MAINT. CONTRACT - YOUTH MAINT. CONTRACT - CITY HALL MAT SERVICE	A-1620-405-02 A-1620-415-00 A-1620-415-00 A-1620-415-00	2500 1822 1822 2500	\$165.00 \$497.00 \$587.00 \$76.90	\$1,325.90
CENTRAL SERVICE					
EASTERN COPY PRODUCTS PTNEY BOWES INC.	COPIES - FINANCE POSTAGE METER	A-1670-415-00 A-1670-415-00	19375 49407	\$79.80 \$162.54	\$242.34
DATA PROCESSING					
STAPLES INC. SYSTEMID WAREHOUSE IV4 INC. THE CORTLAND CONNECTION THE CORTLAND CONNECTION	NETGEAR SWITCH,PARCH CAB. SLR CLEANING CART. WATCHGUARD XTM SECURITY MONTHLY SERVICE FIRE DEPT. PARKING TICKETS ONLINE	A-1680-403-00 A-1680-403-00 A-1680-405-00 A-1680-415-00 A-1680-415-00	58475 60830 31600 60055 60055	\$90.88 \$63.49 \$2,035.00 \$600.00 \$212.50	\$3,001.87
ANIMAL CONTROL					
CORTLAND COUNTY SPCA	CONTRACT - NOVEMBER	A-3510-415-00	13400	\$6,708.33	\$6,708.33
DPW					
CASELLA WASTESYSTEMS INC.	CONTRACT - 09/01-09/30/12	A-8160-415-00	52201	\$21,244.33	\$21,244.33
TOTAL					\$34,332.26

SOUND DEVICE PERMIT

DATE REQUESTED: Nov. 12, 2012 ISSUANCE DATE: _____
NAME: Shota Nishimura EXPIRATION DATE: _____
ADDRESS: 183 Tompkins Street TELEPHONE: (914) 471-2739
Cortland, NY 13045
TYPE OF SOUND DEVICE: Speakers/DJ Times: 2-6 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

10/5/2012
Date

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

2013 Parking Proposal

The Cortland Downtown Partnership is very thankful to the City for its continued financial support through budgeted miscellaneous funding, parking permit revenue sharing and special projects. Through this support, along with grant writing and administration, as well as Central Business District membership contributions and sponsorship, the CDP has continued to increase its impact on revitalization efforts downtown.

Beginning in the fall of 2012, the CDP opened a business incubator. The Executive Director, Adam Megivern, is teaching entrepreneurship classes to SUNY Cortland students to identify and develop start up businesses. In order to continue delivering the high level of grant writing and administration, event planning and organizing, media and outreach the CDP created a part time position. To finance the continuation of the recently funded part time position, the CDP requests that the Common Council consider allocating all parking permit revenue to the CDP and or supporting the following changes to the current parking permit policy to increase revenue. (See attached for current agreement).

Throughout the course of the Cortland Downtown Partnership's six-year management of the City Parking Permit Program the CDP has implemented many improvements such as awareness campaigns, and improved hang tag design. Common Council approval of the following items for implementation January 1st 2013 will further improve the parking permit policy to increase accessibility, decrease vacancy and encourage upper floor residential development.

- I. **Increase the rates** of permits from \$14/mnth to \$20/mnth to correspond with 2011 parking ticket price increases. (Parking ticket fees are now \$25 minimum per violation). The current discount of \$13/mnth if six months are purchased will be increased to \$15/mnth.
- II. Add a **Day Pass** to the permit program at \$5/day. CDP will utilize the current (one punch) monthly pass design with a stamped date on the front of the permit.
- III. Add 55 total **Downtown Resident spaces** among the five lots closest to residential areas. For \$30/mnth the first 55 people who purchase downtown resident spots will have access to reserved sections to park their vehicles 24 hrs/7 days a week, regardless of even/odd rules. These spots will be located close to the street, in well-lit areas. The permit owners will be responsible for some snow removal of spots in the reserved sections during winter months, since they will not abide by the even/odd rules. Space by signage and/or paint designation will be at the discretion of the DPW, Public Safety, and the Common Council. Cost for sign creation and installation will be deducted from the City portion of permit parking revenue, or handled by the CDP if all of the program's proceeds are turned over to the organization.

Downtown Resident space breakdown: Designate 13 spaces along Groton Ave. in that lot as Reserved, relocating the Handicap space; 10 spaces in the Clinton Ave. lot; 6 spaces in the Williams St. lot, 16 spaces in the Marketplace Mall lot, and 10 spaces along the CVS side of the Youth Bureau parking lot. The project is a total of 55 spots

in the lots closest to residential areas. Space designation by signage and/or paint will be at the discretion of the DPW, Public Safety, and the Common Council. Permit holders will be designated by the addition of a sticker to the existing permit.

- IV. Utilize alternating East/West odd/even **overnight parking on Main Street** for regular permit holders. The CDP suggests signs indicating that overnight parking (with set hours) is only allowed for permit holders; others will be ticketed. Space designation by signage and/or paint will be at the discretion of the DPW, Public Safety, and the Common Council.
- V. Add a **CDP Member incentive**. The CDP Member incentive will allow each CDP business five free day passes.
- VI. **Convert all of** the 82 “NO OVERNIGHT PARKING” spaces in Groton/Hollywood lot, excluding the two no overnight handicap spaces, to odd and even – split evenly.
- VII. Change the 21 “ODD ALL NIGHT PARKING” and “NO OVERNIGHT PARKING” spaces in the **Orchard St./HSBC lot** to 10 Odd and 11 Even. Space designation signage and/or paint will be at the discretion of the DPW, Public Safety, and the Common Council.
- VIII. **Convert all of** the 28 “TWO HOUR PARKING” spaces along Haskell Place to 3 hour even/odd parking.
- IX. Add the **Port Watson St./City Youth Bureau public parking lot** to the paid parking permit program*. The addition of 65 total spaces to the program, including 20 residential spaces, will bring more revenue to the program and bridge the gap between odd and even spaces. Space designation signage and/or paint will be at the discretion of the DPW, Public Safety, and the Common Council.

* Additional discussion may be necessary regarding downtown municipal parking lots that are partially or completely designated for municipal employees.
- X. Enforce City’s code regarding dumpster permits on City property (See attached Code).

PROJECTIONS

Permit Rate Increase

2011 parking permit revenue was \$34,576. Honoring the 2009 agreement, 60% (\$20,745.60) was distributed to the CDP and 40% (\$13,830.40) remained with the City. Those figures came from 272 permits at \$13/mnth and 546 permits at \$14/mnth.

Granting the rate increase will boost the revenue from the discounted six months or more permits from about \$17,000 to \$19,500, and revenue from the less than six months permits from about

\$18,000 to about \$26,000. The proposed permit rate increase will generate approximately \$10,500 more in sales.

Day Pass

The creation of a day pass component to the monthly parking permit program will increase the flexibility of the program to increase downtown's accessibility. It is anticipated that a minimum of 100-day passes could be sold at \$5 per permit generating an additional \$500 in sales annually.

Downtown Resident Spaces

The creation of a downtown resident permit will improve the quality of life for downtown residents and encourage investment by developers in downtown's underutilized upper floors for residential development. The 55 year permits sold at a \$360 annually, a ten-dollar a month premium over the regular odd/even requirement permits, will generate an additional \$6,600 in sales. The 75 permit-only overnight parking spots on Main Street target residents and will assist downtown development efforts.

CDP Member Rate

The discounted rate for CDP members is an added benefit to encourage more businesses to become members of the CDP. In 2010 and in 2011, the CDP had an average of 50 annual members. In 2012, through the efforts of the CDP membership increased to 80. The proposed day pass incentive could increase the overall number of members of the CDP and help the organization deliver more impactful services to the downtown.

DUMPSTERS

[HISTORY: Adopted by the Common Council of the City of Cortland 12-16-2003 by L.L. No. 4-2003.

Editor's Note: This chapter was adopted as Ch. 242, but was renumbered to fit into the organizational structure of the Code.

Amendments noted where applicable.]

GENERAL REFERENCES

Littering — See Ch. 181.

Solid waste — See Ch. 241.

Streets, sidewalks and public places — See Ch. 245.

Zoning — See Ch. 300.

General Provisions (§ 118-1 — § 118-2)

Intent.

The intent of this chapter is to promote the health, safety and general welfare of the community by regulating the placement of dumpsters at other than single-family dwelling units.

Regulations.

All dumpsters placed upon private property must comply with the following regulations:

A. No dumpster shall be located in a required front yard as specified in Chapter 300 of this Code.

B. No dumpster shall be located in any required buffer strip as required by Chapter 300 of this Code.

C. All dumpsters shall be screened with a six-foot-high stockade fence or other similar screening deemed appropriate by the Zoning Officer.

D. All dumpsters shall be emptied regularly such that overfilling is avoided and odors from decaying trash do not become offensive to the public.

Dumpsters on Private Property Having No Site Plan Approval (§ 118-3 — § 118-4)

Permit required; fee.

All dumpsters located on private property which have not been the subject of site plan review shall not be allowed to continue unless a permit is first obtained from the Zoning Officer upon the payment of a fee of \$25.

Application for permit.

Application for a permit to locate a dumpster on private property shall be made upon a form to be provided by the Zoning Officer, which shall be accompanied by an accurate survey upon which there shall be shown the proposed location of the dumpster, together with any other details as may be required.

Dumpsters on City Property (§ 118-5 — § 118-8)

Application for permit.

Application for a permit to locate a dumpster on property owned by the City of Cortland shall be made upon a form to be provided by the City Clerk. Such application shall be accompanied by the approval of the Planning Commission, which approval shall not be granted without consultation with the City of Cortland Department of Public Works. The Planning Commission in approving such an application shall take into consideration all of those matters which it must consider when approving a site plan pursuant to Article XIII of Chapter 300.

Issuance of permit; term; fee.

The City Clerk shall issue a one-year permit for the placement of such dumpster upon the approval of the Planning Commission and payment of a fee of \$10.

Renewal of permit; fee.

The City Clerk shall renew any permit previously granted pursuant to § 118-6 upon payment of a renewal fee of \$10, provided that the Zoning Officer certifies that the dumpster is in compliance with the general regulations set forth herein above in § 118-2.

Revocation of permit.

Such a permit may be revoked or not renewed upon a resolution duly adopted by the Common Council which states that there is a public need to use the area where such a dumpster has been located.

City Clerk

From: "Chris Bistocchi" <cbistocchi@cortland.org>
To: "Brian Tobin" <btobin@cortland.org>; "Mack Cook" <mcook@cortland.org>; "ward1" <ward1@cortland.org>; "ward2" <ward2@cortland.org>; "ward3" <ward3@cortland.org>; "ward4" <ward4@cortland.org>; "ward5" <ward5@cortland.org>; "ward6" <ward6@cortland.org>; "ward7" <ward7@cortland.org>; "ward8" <ward8@cortland.org>; "Sherrie Massmann" <cityclerk@cortland.org>
Sent: Thursday, October 11, 2012 12:41 PM
Subject: Abolish/Create resolution AND lift hiring freeze for promotion
Mayor and Council

I am submitting for discussion a resolution to abolish one Laborer position at the Department of Public Works and creating in its place a MEO(Motor Equipment Operator) Light position. The foremost reason is the Laborer position is an entry level position and does not require a CDL license to plow/salt streets or operate any equipment year round. I have four laborer positions at the DPW including two of those positions being vacant. Abolishing one of those still leaves us with three entry level positions to use if/when we decide to hire more employees. Currently there are five vacant positions at the DPW which include the two laborers, one MEO Light, one Engineer Technician and one Supervisor.

My thought is that with a second resolution by the Council to lift the hiring freeze, my two Laborers can be promoted to MEO Light by Dec 1st to assume snow removal responsibilities. Winter shifts start the first week of December and as per CSEA Contract Agreement Article VI Section 1.B "Winter snow removal schedules and Shift assignments in the DPW shall be determined by the parties during the month of October."

The budgetary increase would be \$0.35 per hour per employee which would be \$112 for the month of December 2012 and an increase of \$1,461.60 in the 2013 budget.

I have spoken with both Mack and the Mayor and they agree this needs to be discussed at next weeks Council.

any questions please contact me

ChrisB
=



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

FROM: Thoma Development Consultants

RE: Emergency Housing Repair Program/Revision

DATE: October 10, 2012

As you know from previous correspondence, the City has an Emergency Repair Program that can provide up to \$4,000 to assist low-to-moderate income homeowners with emergency housing repairs. The Program was developed and approved in 2004 to assist with repairs that were a true emergency or could render a home uninhabitable if not addressed. It has been a good tool to assist those that are not in targeted areas, or during times when CDBG funds are not available.

We budget \$25,000 per year from Program Income for this purpose. The guidelines limit the amount of assets you can have and still qualify. In June of this year, we requested and received approval from the Council to increase the asset limit from \$10,000 to \$20,000 for qualification purposes. The Program guidelines, attached, also limit to one the number of times the City can provide assistance to a homeowner.

Recently we received a call from the Area Agency on Aging (AAA) on behalf of Sue Ganoung, an 88 year old widow that resides at 91 East Court Street. Mrs. Ganoung is seeking assistance for a leaking roof. However, in 2004 we provided \$3,600 in assistance to address foundation problems at her home. Accordingly, under the current guidelines she is not eligible for the Program.

The AAA contacted CHAC and CAPCO, both of which are out of funding or have lost funding for this type of assistance. At our request, Mrs. Ganoung also contacted her insurance company to see if they could repair the roof, but it is not covered. Matt Gross of our office looked at the roof. While he feels she needs a whole new roof, the cost to replace it would be about \$9,000. The limit on our

Program (assuming we had not assisted her once already) is \$4,000. She advises she has no savings for the remaining cost. Matt said the immediate problem is coming from a flat roof at the rear of the house that is shingled. Due to the lack of slope, Matt would like to replace it with a rubber roof. That portion could be replaced for the \$4,000 maximum.

The issue, then, is whether the City wants to revise the Program again to allow homeowners a second shot at the Program. We are suggesting that the City consider allowing a two-time, lifetime limit with assistance to be spaced at least 5 years apart.

The assistance provided is considered a "non-amortizing loan" at 0%. We record a mortgage against the property in the City's favor that sits there until the property is sold. Upon sale, the Emergency Repair assistance must be repaid, assuming adequate funds from the sale. We have been paid back on the few that have been sold to-date. I can't tell you that, since we have not had any issues with repayments to-date, we won't ever. However, the Program is established to provide for repayment of the "loan" upon sale.

As discussed, please poll the Council and advise if you want us to revise the Program as discussed above. If you have any questions, please feel free to call or email Linda (753-1433 or Linda @thomadevelopment.com).

Attachment
cc: Mack Cook

City of Cortland

Emergency Home Repair Program Guidelines

Property/Owner Eligibility:

1. Property for assistance must be located in the City of Cortland.
2. Only owner-occupied, **single family or two unit** (if owner-occupied) properties eligible for assistance.
3. All City payments, fees, and/or taxes must be current.
4. There can be no outstanding code issues other than those to be addressed by the repairs.
5. Owners must be low-to-moderate in income based on household size in accordance with the U.S. Department of Housing and Urban Development's definition of "low-to-moderate". Maximum household incomes allowable are provided below.
6. Owners' assets will be taken into consideration when determining eligibility. If owners have more than \$20,000 in available assets, they will not be eligible for assistance. Owners must disclose all assets they have, including property other than their primary residence, which may preclude their participation. The City's Community Development Consultants, Thoma Development Consultants, will make the final determination of eligibility.
7. Owners must have title to the property documented by a deed. Properties under land contract will not be eligible for assistance.
8. A property must require repairs of emergency or immediate nature and must be required in order to make the structure safe and habitable. Thoma Development will determine if repairs qualify. Qualifying repairs may include, but will not be limited to sewer lateral replacement or repair, furnace replacement or repair, water lateral replacement or repair.

Terms and Conditions:

1. Assistance will be in the form of a non-amortizing, no-interest loan that will become permanent liens on the property. The loans will be repaid upon sale or conveyance of the property, or when the property is no longer the permanent residence of the original program applicant. Conveyances or changes of title to the property in which no cash is exchanged (such as an inheritance) will require repayment of the loan.
2. Maximum assistance per property shall be \$4,000.

3. Owners are eligible for assistance on a one-time only basis.
4. The owner agrees to maintain the property in good repair and pay all City, County and school taxes in a timely manner.
5. The owner agrees to comply with Title VIII of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988, which directly prohibits discrimination in the sale or rental of housing on the basis of race, color, religion, national origin, sex, familial status, or handicap.
6. All of the above will be included in a Note and Mortgage to be signed by the program applicant.
7. The loan will be secured by a Mortgage in favor of the City the subordination of which will be subject to the City's existing subordination policy.

Process:

1. Owners should contact the City's Consultants, Thoma Development Consultants to discuss a potential repair. If the repair seems to be of an emergency nature and the owner appears to be income eligible based on the preliminary discussions, a program package, including guidelines, contractor requirements, and an application will be sent to the owner.
2. Owners must complete an application and provide all required documentation to determine income eligibility. Applications and income information must be sent to Thoma Development Consultants, 34 Tompkins Street, Cortland, NY 13045, telephone (607) 753-1433. Owners must also provide a deed documenting ownership.
3. Owners must also provide an estimate for the work to be completed with the application and income information. Contractors to undertake work to be paid for under the Emergency Home Repair Program must be selected from the City's approved contractors list (included herein) or be insured to the same limits as those contractors working under the City's Community Development Housing Rehabilitation Program that is, \$500,000 property damage/bodily injury and workers' compensation, if the contractor has any employees. Proof of insurance must be provided to Thoma Development Consultants prior to Notice to Proceed.
4. If estimate for work exceeds \$4,000 program maximum, owner must provide proof on how additional cost is to be paid. City cannot participate if project cannot be completed and issue satisfactorily addressed.
5. Property will be assessed by Thoma Development Consultants to make a final determination if the repairs are truly emergency in nature. A final recommendation for participation/assistance will be made by Thoma

Development Consultants based on a review of the income documentation and an on-site inspection of the home.

6. If approval for participation is given, the owner will sign a Note and Mortgage for the amount of funds to be provided. The Note and Mortgage will be recorded with the County Clerk. The cost of recording can be paid for from grant funds.
7. Owners and the approved contractor will execute a contract for the amount of the estimate.
8. Owner must provide documentation of hazard insurance with the City listed as mortgagee.
9. Once Note and Mortgage and contract have been executed, and insurance certificate/binder provided, City will issue a Notice to Proceed to contractor. No work can begin until the contractor receives a Notice to Proceed.
10. After work is completed, Thoma Development will inspect the work and, if satisfactory to both the owner and the City, a check(s) will be issued in the name of both the owner and contractor. Checks are issued twice a month, on the 15th and 30th of each month. Bills for payment must be received at least 10 days prior to payment.
11. If the owner is permitted to do any of his/her own work, compensation will be made for the cost of materials. The owner cannot be paid for his/her labor.

Income Chart: (As of 7/11)

FAMILY SIZE (PERSONS)

MAXIMUM	1	2	3	4	5	6	7	8
GROSS INCOME	\$33,500	38,300	43,100	47,850	51,700	55,550	59,350	63,200

Section 504 Grievance Procedure: Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended, prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or that receive financial assistance from HUD. The Act provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Programs covered by Section 504 include the New York State Community Development Block Grant Program (CDBG) and the HOME Program. The assistance provided by the program for which you are applying has been either directly or indirectly provided by HUD and is, therefore, subject to the requirements of Section 504.

It is the policy of the City not to discriminate on the basis of disability. Towards that end, the City has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined in the office of the Director of Administration and Finance for the City. The Director of Administration and Finance for the City has been designated to coordinate the efforts of the City with respect to Section 504 compliance. This information can also be accessed on the World-wide Web at the following address: <http://www.ada.gov/taman2.html#II-8.2000>. The Director of Administration and Finance' office is located in City Hall, 25 Court Street, Cortland, New York. The Section 504 Coordinator can be reached at 607-756-7312.

Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the City by contacting the City's Grievance Coordinator at the number above.

Revised and approve by City Common Council: 06/10/2012