

COMMON COUNCIL MEETING

April 16, 2013

6:00 PM Public Hearing – Proposed Local Law to establish a Real Property Tax Exemption for new construction and major rehabilitation of mixed use property in the Central Business District

7:00 P.M. Call Meeting to Order
Salute to the Flag of the United States
Public Comments
Minutes of April 2, 2013
Proclamation
PINK SHEET Sign off

AGENDA:

1. Consideration of a Resolution to permit the Cultural Council of Cortland County use of the South side of the Courthouse Park on Saturday, August 3, 2013 from 10:00 AM to 5:00 PM for the Annual Arts and Wine Festival. (Mayor Tobin)
2. Consideration of a Resolution to grant the Cultural Council of Cortland County a waiver from the City's Open Container Ordinance during the Annual Arts and Wine Festival within the designated area from 10:00 AM to 5:00 PM on Saturday, August 3, 2013. (Mayor Tobin)
3. Consideration of a Resolution to accept and recognize the following donations from local business and individuals for the Wickwire Pool Trust Fund. (Mayor Tobin)

<u>Donation</u>	<u>Amount</u>
C. Ashley & Beverly Ellefson	\$100.00
Brix Pubaria c/o COM350	100.00
Total Donations -	\$200.00

4. Consideration of a Resolution to authorize the Mayor to execute the agreement with Syracuse Signal, Inc. for repair and maintenance of traffic signals within the City. (Chris Bistocchi)
5. Consideration of a Resolution to authorize the issuance of \$1,400,000.00 Serial Bonds to finance the cost of the 2013-2018 Road Improvement Program. (Mack Cook)

6. Consideration of a Resolution to determine that proposed paving and street reconstruction actions are Type II Actions for purposes of the New York State Environment Quality Review Act. (Mack Cook)
7. Consideration of a Resolution to authorize the City Clerk to publish the Estoppel Notice in connection with the issuance of \$1,400,000.00 Serial Bonds to finance the cost of the 2013-2018 Road Improvement Program. (Mack Cook)
8. Consideration of a Resolution to determine that proposed actions at the City's Waste Water Plant is an Unlisted Action for purposes of the New York State Environment Quality Review Act. (Mack Cook)
9. Discussion of the impact of the second grant for the Interoperable Radio system upon the 2013-2018 County/City Sales Tax sharing agreement. (Mack Cook)
10. Consideration of a Resolution to recognize and appropriate funds reimbursed for the Smoke Detector Grant. Deposit from FEMA in the amount of \$23,344.00 transferred to Account # A3410-415 (Contractual) (Chief Glover)
11. Consideration of a Resolution to close Central Avenue and the parking lot on Central Avenue on Saturday, May 11, 2013 from Noon to 8:00 PM for the Cortland Spring Stage Concert. (Chris Merkley/M & D Deli, Central City and the Red Jug Pub)
12. Consideration of a Resolution to allow alcohol sales and consumption, limited to the parking lot between Central Avenue and the stage for Cortland Spring Stage Concert from 2:00 – 6:00 PM. (Chris Merkley/M & D Deli, Central City and the Red Jug Pub)
13. Consideration of a Resolution to appoint Shelley Knickerbocker as the Records Management Clerk for the City of Cortland. (Mayor Tobin)



CULTURAL COUNCIL of
CORTLAND COUNTY

March 14, 2013

Brian Tobin, Mayor
City Hall
25 Court Street
Cortland NY 13045

Dear Mayor Tobin:

Once again, the Cultural Council is beginning to plan for our annual Arts & Wine Festival. This year, we will hold the festival on Saturday, August 3, 2013 from 10am-5pm.

As in years prior, we will set up tents and other equipment in the park on Friday evening April 3, 2012. After the event, we will tear down and clean up that same evening.

We would like your approval to use the south side of the park and be granted a waiver of the open container law. Once approval of the Common Council is granted, I will reserve the park via the Youth Bureau and contact the director of Buildings and Grounds and submit proof of Cultural Council's insurance coverage to his department.

The Council appreciates your assistance in helping to make this event possible.

Please let me know if there is additional information that you need.

Sincerely,

Sheila Cohen, President
Cultural Council of Cortland County
Chair, Arts & Wine Festival Committee

64 Main St., Suite 207, Cortland, NY 13045

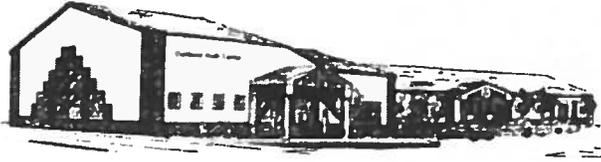
Tel: 607-753-1188 • Fax: 607-753-1296 • www.cortlandarts.com • staff@cortlandarts.com

Board of Directors

Sheila Cohen, *President* • Ann Finamore, *Vice President* • Barbara Pauldine, *Secretary* • Donna Yacavone and Roger Williams, *Treasurers*
Mary Coffey, Lorraine Dougherty, Mary Ann Fadule, Emily Gibbons, Richard Mitchell,
Stephanie Plude, Michael Sheppard, Angela Wilde, Jamie Yurman

Ex Officio: Jim Dempsey, *Dir. Cortland Co. Convention & Visitors Bureau* • Adam Megivern, *Dir. Cortland Downtown Partnership*

Advisors: Gerry Ruggiero, *CPI* • Russ Ruthig, *Esq.*
David Beale, *Executive Director*



CORTLAND YOUTH BUREAU

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

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

FROM: John McNerney, Youth Bureau Director

RE: Wickwire Pool Trust Fund Deposit

DATE: April 3, 2013

As you are fully aware the Wickwire Pool Fundraising committee has been busy seeking donation for the renovation of Wickwire Pool. I would like to ask the common council to accept and recognize the following donations from local business and individuals:

<i>Donation</i>	<i>Amount</i>
<i>Ashley & Bev Ellefson</i>	<i>\$100.00</i>
<i>Brix Pubaria c/o COM350</i>	<i>\$100.00</i>
<i>Total Donations =</i>	<i>\$200.00</i>

Funds should be deposited into the Wickwire Pool Trust Fund. Attached are copies of the checks. Feel free to contact me with any questions at 753-3021 ext.23.



ADOPT YOUR NEXT BEST FRIEND

C. ASHLEY ELLEFSON
BEVERLY B. ELLEFSON
23 CHESTNUT ST. PH. 607-756-6155
CORTLAND, NY 13045



4305

50-7044/2223
201

20 March 2013
Date

Pay to the Order of Wickwire Pool Trust Fund \$ 100.00

One hundred and ⁰⁰/₁₀₀ Dollars



For pool renovation

Beverly B. Ellefson

4305

Humane Circle

HUMANE SOCIETY

1144

60 MAIN, LLC
60 MAIN STREET
CORTLAND, NY 13045

DATE 03/21/13 50-351-213

PAY TO THE ORDER OF Wickwire Pool Trust Fund \$ 100 ⁰⁰/₁₀₀

one hundred ⁰⁰/₁₀₀ DOLLARS



FOR DONATION

[Signature]

**Wakiki for Wickwire
Dine-to-Donate at BRIX Pubaria Event
Donations Receipt**

March 19, 2013

Wickwire Pool Trust Fund
35 Port Watson Street
Cortland, NY 13045

We, the students of Dr. Caroline Kaltefleiter's COM350: New Communication Media course of Spring 2013 and the Cortland Youth Bureau, acknowledge, with many thanks, the receipt of \$100 which you have so generously contributed to the Wickwire Pool Trust Fund in support of raising awareness and funds for the pool's required renovations in order to remain open in the future to the public.

Donor: Brix Pubaria, LLC
60 Main Street
Cortland, NY 13045
607-662-0005

Donor Establishment Owners: Robby Pettrella, Evan Suaza

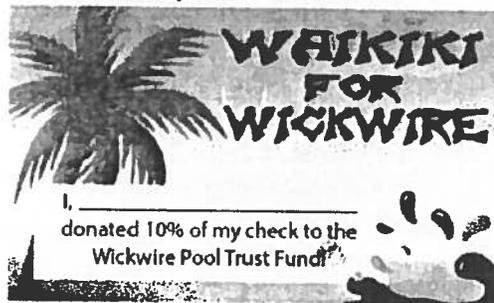
Donation: \$100

(10% of vouchered checks between the hours of 5-10PM on March 19, 2013)

The Wickwire Pool Trust Fund is sponsored by the Cortland Youth Bureau and is recognized as a municipality by the NYS Department of Taxes and Finance.

Federal Tax ID#: 15 6000405

Example Event Voucher:



> Subject: FW: Resolutions for Road Reconstruction Project

>

> Mayor and Members of Common Council,

>

> Attached are the following in connection with the authorization of \$1,400,000 of City obligations to pay the costs of road repair and reconstruction:

>

> 1. Environmental Resolution;

> 2. Bond Resolution; and

> 3. Estoppel Notice.

>

> The attached resolutions will be placed on the April 16th agenda. The resolutions were prepared by the City's Bond Counsel, John Edwin Kelley, Esq. of Bond, Schoeneck & King and reviewed by John Shehadi of Fiscal Advisors & Marketing, Inc. the City's financial advisors.

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> You will recall that Council had previously discussed borrowing for the purpose of street repaving. When discussed, the amount was conceptually in the \$1.25 million dollar range depending upon the level of CHIPS funding in the Governor's Proposed Budget and the anticipated interest rate. Since this discussion the enacted State Budget has increased CHIPS funding 21%. This increase is reflected in the \$1.4 million authorization. The additional funding will permit the DPW to schedule paving into the 4th year of the plan

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> Before considering the Bond Resolution, the Common Council should first adopt the Environmental Resolution determining that the road construction project is a Type II Action for purposes of the New York State Environmental Quality Review Act that does not require any further environmental review.

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> Following adoption of the Environmental Resolution, the Common Council can consider the Bond Resolution. The Bond Resolution authorizes the issuance of up to \$1,400,000 of City bonds or notes to finance the cost of the repair and reconstruction of various City streets.

>

> The Estoppel Notice will be published in the official newspapers of the City following approval of the Bond Resolution.

>

> Sincerely,

> Mack

ESTOPPEL NOTICE

The Bond Resolution, a summary of which is published herewith, has been adopted on the 16th day of April, 2013, and the validity of the obligations authorized by such Bond Resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Cortland, Cortland County, New York, is not authorized to expend money or the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Summary of Bond Resolution

1. Class of Objects or Purposes - The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, and grading or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with single-surface treatment.
2. Period of Probable Usefulness – fifteen (15) years.
3. Maximum Amount of Obligations to be Issued - \$1,400,000.

The Bond Resolution herein summarized shall be available for public inspection during normal business hours for twenty (20) days following the date of publication of this notice at the office of the City Clerk at City Hall, 25 Court Street, Cortland, New York.

Judith Chamberlin, Clerk, City of Cortland,
Cortland County, New York

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Judith Chamberlin, Clerk, City of Cortland,
Cortland County, New York

By: Councilor _____
Seconded: Councilor _____

April 16, 2013

SEQRA RESOLUTION #___ OF 2013

**DETERMINING THAT PROPOSED ACTIONS
ARE TYPE II ACTIONS FOR PURPOSES OF
THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the Common Council of the City of Cortland, New York (the "City") is considering undertaking the reconstruction and resurfacing of the City's existing streets and roads not involving the addition of new travel lanes (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, NEW YORK AS FOLLOWS:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(4) and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

	<u>Ayes</u>	<u>Nays</u>
Alderman Julie E. Bird	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Kathryn Silliman	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Ken Dye	<input type="checkbox"/>	<input type="checkbox"/>
Alderman John G. Bennett, Jr.	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Daniel E. Quail	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Carl Ferrer	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Linda A. Ferguson	<input type="checkbox"/>	<input type="checkbox"/>
Alderman Thomas Michales	<input type="checkbox"/>	<input type="checkbox"/>

Approved: Ayes _____

Nays _____

STATE OF NEW YORK)
) SS.:
COUNTY OF CORTLAND)

I, JUDITH CHAMBERLIN, Clerk of the City of Cortland, Cortland County, New York (the "City"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Common Council of the City, held on the 16th day of April, 2013, including the Resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that the full Common Council of the City consists of eight (8) members; that _____ () members of the Common Council were present at such meeting; and that _____ () of such members voted in favor of the above Resolution.

I FURTHER CERTIFY that (i) all members of the Common Council had due notice of the meeting, (ii) pursuant to Article 7 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public, and due notice of the time and place of such meeting was duly given in accordance with Article 7 of the Public Officers Law, and (iii) the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this ____ day of April, 2013.

Judith Chamberlin, Clerk, City of
Cortland, Cortland County, New York

(SEAL)

CORTLAND FIRE DEPARTMENT

BUDGET MEMORANDUM

DATE: 4/1/13

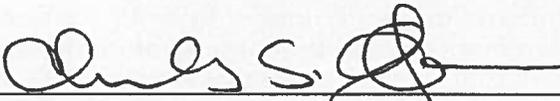
The Cortland Fire Department is in receipt of a deposit from FEMA in the amount of \$23,344 for reimbursement for costs associated with the Smoke Detector Program grant. I am requesting the monies be appropriated as follows:

TRANSFERRED TO

ACCOUNT #: A3410-415 (Contractual)

AMOUNT: \$23,344

APPROVED BY:



Charles S. Glover, Fire Chief