

COMMON COUNCIL AGENDA

May 21, 2013

7:00 p.m. Call Meeting to Order
Salute to the Flag of the United States
Public Comments
Minutes of May 7, 2013
PINK SHEET sign off

1. Consideration of a Resolution to approve a Community Development Loan Request in the amount of \$21,000. (Thoma Development).
2. Consideration of a Resolution to approve Dennis Gallagher's request to participate in the Sidewalk Program. (Ann Hotchkin)
3. Consideration of a Resolution to approve a Sound Device Permit for the Walk For Christ 2013 (Breck Aspinwall)
4. Consideration of a Resolution to approve the "2013 Downtown Parking Improvement Proposal " tendered by the Cortland Downtown Partnership. (Adam McGivern)
5. Consideration of a Resolution to adopt a Local Law to establish a Real Property Tax Exemption for new construction and major rehabilitation of mixed use Property in the Central Business District. (Alderson Silliman)
6. Consideration of a Resolution determining the environmental non-significance of the proposed "Cortland Wastewater Treatment Plant upgrade project"

WHEREAS, the Common Council of the City of Cortland (hereinafter "Council"), has received an application for an upgrade project at the City's Waste Water Treatment Plant; and

WHEREAS, the proposed action constitutes an Unlisted Action pursuant to the regulations of the State Environmental Quality Review Act (SEQRA) (6 NYCRR Part 617); and

WHEREAS, Cedarwood Engineering Services PLLC, the City's consulting engineers have prepared an Environmental Assessment Form, Part I, in connection with the proposed action; and

WHEREAS, the Council is the only permitting agency for this Permit; and

WHEREAS, on February 19, 2013 the Council by resolution declared itself Lead Agency; and

WHEREAS, as lead agency, the Council notified all interested parties of the application and received no comments other than statements of no opposition to the project within the comment period; and

WHEREAS, the Council has found that the Project will be accomplished totally within the current site of the City Waste Water Treatment Plant, and that there will be no disturbance of new land or any other significant environmental impact from either the construction or operation of the upgrade; and

WHEREAS, the Council has further determined that this upgrade will significantly improve the operation of the existing aging systems at the current Waste Water Treatment Plant, and enable the plant to comply with new regulatory requirements and to maximize energy efficiency, including the production of energy from waste which will be used to both heat and operate the facility, thus positively impacting the environment and decreasing the cost of operating the plant; and

WHEREAS, as lead agency, the Council conducted an environmental review in accordance with the requirements of SEQRA and has considered the proposed action, reviewed the Full Environmental Assessment Form Parts 1 and 2 filed with them in connection with the proposed action, reviewed the criteria set forth in the SEQRA Regulations at 6 NYCRR Part 617.7(c), thoroughly analyzed the relevant areas of environmental concern, reviewed supplemental information provided by the applicant, and by these actions taken a “hard look” at the potential adverse environmental impacts of the proposed action on those relevant areas of environmental concern, both on its own and with the aid of its retained engineering firm and legal counsel; and

WHEREAS, based on this review, pursuant to the provisions of 6 NYCRR Part 617.7(c), the Lead Agency has determined that it is unnecessary to prepare or submit any further assessment or comment under Part 3 of the Environmental Assessment Form submitted in this action;

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF CORTLAND
COMMON COUNCIL AS FOLLOWS:**

SECTION 1. Based upon the foregoing, the City of Cortland Common Council hereby declares that the proposed Cortland Waste Water Treatment Plant Upgrade Project will not have any significant adverse environmental impacts; and

SECTION 2. The Council adopts a Negative Declaration as its determination of significance pursuant to SEQRA in connection with the environmental review of the proposed project and adopts the findings, conclusion and reasoning all as set forth herein and in the record of this proceeding including the comments and discussions had at the meeting of the Council held in conjunction with the review of the Environmental Assessment Form submitted for the Project: and

SECTION 3. The Council authorizes the Mayor to sign the Full Environmental Assessment Form in conformance with this determination and that a Negative Declaration be prepared and signed in conformance herewith; and

SECTION 4. The Council authorizes and directs the forwarding of a copy of the Negative Declaration, in appropriate form, to the New York State Department of Environmental Conservation for the purposes of publication of the Negative Declaration in the Environmental Notice Bulletin in accordance with the requirements of Part 617.12 of the SEQRA Regulations; and

SECTION 5. The Council authorizes and directs the filing of a copy of the Negative Declaration in the office of the City Clerk of the City of Cortland, as well as any such other steps as may be necessary to effectuate this decision pursuant to SEQRA or to any other applicable law or regulation; and

SECTION 6. This resolution shall take effect immediately.

WHEREUPON, this Resolution was declared adopted by the Common Council of the City of Cortland:

The motion was moved by: _____.

The motion was seconded by: _____.

Motion approved: _____.

Date of Adoption: _____, 2013.

7. Consideration of a Bond Resolution of the City of Cortland, New York, authorizing the issuance of \$13,500,000 serial bonds to finance the cost of the reconstruction of the City's Waste Water Treatment Plant. (Mack Cook)
8. Consideration of a Resolution to authorize the publication of the Estoppel Notice in connection With the Bond Resolution for \$13,500,000 to finance the construction of the City's Waste Water Treatment Plant. (Mack Cook)
9. Consideration of a Resolution to approve donations and deposit funds into the Cortland Youth Bureau operating budget. Donated funds will be added to the Following budget lines: (John McNerney)

Donation	Amount	Budget Line	Reason
Cortland Rotary Club	\$1,440.00	7110.5206	Shelter Painting
Mike Dexter	250.00	7110.5206	Dexter Fence
Todd & Michelle Funk	500.00	7330.5400	Youth Center Kitchen Program

10. Consideration of a Resolution to appropriate \$14,150.00 from the proceeds from The sale of surplus equipment to account 8120-520600 Operating Equipment – Sanitary Sewers. (Nicholas Dovi)
11. Consideration of a Resolution to approve monies reimbursed from FEMA for For the Smoke Detector Program grant be appropriated to the fire department Budget lines as follows: (Chief Glover)
Account #A3410-415 (Contractual) in the amount of \$5,796.00
12. Consideration of a Resolution to accept and recognize the following donations From local business and individuals: (John McNerney)

Donation	Amount
Crown City Rollerz	\$ 447.00
Jon Finkelstein	25.00
Total	\$ 472.00

13. Consideration of a Resolution to appropriate an \$8,402.42 Insurance Recovery to A7110-5407 line. (John McNerney).
14. Consideration of a Resolution to add the position of Corporation Counsel to the standard workday hours list for this appointed position. (Mayor Tobin)
15. Consideration of a Resolution approving the Memorandum of Understanding Between the City of Cortland and Professional Wastewater Operators Association concerning the 2014-16 collective-bargaining agreement and to authorize the Mayor to sign said agreement. (Bruce Adams)
16. Consideration of a Resolution to appropriate \$27,500 from the General Fund's Contingency account to the Law Department to retain legal counsel to represent the City's interest in the following matters:
 - \$10,000 to defend the City from demands brought by the Civil Service Employees Association, Inc., City of Cortland Unit President Howard Thomas, for compensation for work performed by others in cleaning downtown sidewalks in preparation for the 2012 Jets Welcoming Ceremony.
 - \$10,000 to represent the City in demand by the Civil Service Employees Association, Inc., City of Cortland Unit President Howard Thomas, for Impact Bargaining pertaining to certain duties previously under the auspicious of the Public Safety Department being transferred to the Public Works Department.
 - \$7,500 to represent the City in a demand by the Cortland Professional Firefighters Association, President Derrick Reynolds, for extra compensation to be paid to non-firefighter member of the bargaining unit as "Kelly Time". (Law Department)

17. Consideration of a Resolution to appropriate funds received from the New York Schools Insurance Reciprocal in the amount of \$8,402.42 to budget line 7110.5407 to repair the Fence at Dexter Park.

18. Consideration of a Resolution to acquire the following equipment:

- Two new Holland, Model Backhoes for the Water Department at NYS contract List price of \$177,800 less trade-in allowance for surplus equipment of \$63,552 For a net purchase price of \$114,248
- One Massey Ferguson Model 1660 4 X 4 loader with 72" rotary cutter for Youth Bureau/Parks at NYS contract list price of \$38,278 less trade-in allowance for Surplus equipment of \$8,900 for a net purchase price of \$29,378
- One new Holland Skid Steer Loader Model 230 and Bradco 24" 30 RPM Rock Saw for DPW at NYS contract list price of \$56,852 less trade-in allowance for surplus equipment of \$10,142 for a net purchase price of \$46,710
- One Ferris 5100ZC330 Zero Turn Mower with 61" rear deck for Youth Bureau/Parks at NYS contract list price of \$15,302 less trade-in allowance for surplus equipment of \$5,402 for a net purchase price of \$9,900

Summary

Combined Purchase Price	\$288,232
Less trade-in allowance	<u>87,996</u>
Net expenditure	\$200,236

(Chris Bistocchi)

19. Consideration of a Resolution to authorize the closure of Main Street from 9:00 a.m. until 12:00 noon on Memorial Day (May 27, 2013) for the VFW Ceremony (Chief Catalano)

20. Consideration of a Resolution to designate East Avenue from Port Watson Street To Central Avenue as closed to commercial through trucks. (Aldersperson Ferguson)