



City of Cortland

February 25, 2015

Per discussion at today's department head meeting, here are the important bullet points on the municipal resolution I'm seeking:

- 1) This is grant money from the State which does not need to be paid back
- 2) It is for work which was going to be done anyway as part of the overall facility upgrade
- 3) The City's matching contribution will consist of expenses that were already going to be part of the upgrade
- 4) This is merely a restatement of an authorization already granted in November of 2013 (Resolution #258 of 2013)

Thanks,
Bruce

Bruce Adams
Superintendent of Wastewater
Cortland Wastewater Treatment
251 Port Watson St.
Cortland, NY 13045
Ph: 607-756-7227
Fax: 607-756-6822
Cell: 607-423-2630

**ATTACHMENT B-1 - EXPENDITURE BASED BUDGET
SUMMARY**

PROJECT NAME: City of Cortland-Wastewater Treatment Plant Upgrade Phosphorus Reduction with Chemical Treatment

CONTRACTOR SFS PAYEE NAME: To Be Determined

CONTRACT PERIOD: From: 01/01/2015

To: 12/30/2016

CATEGORY OF EXPENSE	GRANT FUNDS	MATCH FUNDS	MATCH %	OTHER FUNDS	TOTAL
1. Personal Services					
a) Salary		\$42565.67	%		\$42565.67
b) Fringe		\$38309.00	%		\$38309.00
Subtotal	\$0.00	\$80874.67		\$0.00	\$80874.67
2. Non Personal Services					
a) Contractual Services	\$230000.00	\$50000.00	%		\$280000.00
b) Travel			%		\$0.00
c) Equipment	\$70000.00	\$20000.00	%		\$90000.00
d) Space/Property & Utilities			%		\$0.00
e) Operating Expenses			%		\$0.00
f) Other			%		\$0.00
Subtotal	\$300000.00	\$70000.00		\$0.00	\$370000.00
TOTAL	\$300000.00	\$150874.67		\$0.00	\$450874.67

**ATTACHMENT B-1 - EXPENDITURE BASED BUDGET
PERSONAL SERVICES DETAIL**

SALARY						
POSITION TITLE	ANNUALIZED SALARY PER POSITION	STANDARD WORK WEEK (HOURS)	PERCENT OF EFFORT FUNDED	NUMBER OF MONTHS FUNDED	TOTAL	
1. Ed Poole, Operator of Record	\$ 72,996.00	40.00	50.00%	4	\$ 12,166.00	
2. John O'Connell, Assistant Chief Operator	\$60907.00	40.00	50.00%	4	\$10151.17	
3. Phil Tryon, Maintenance	\$43890.00	40.00	75.00%	4	\$10972.50	
4. Jim McCracken, IA Operator	\$37104.00	40.00	75.00%	4	\$9276.00	
5.			0.00%		\$0.00	
6.			0.00%		\$0.00	
7.			0.00%		\$0.00	
8.			0.00%		\$0.00	
9.			0.00%		\$0.00	
10.			0.00%		\$0.00	
11.			0.00%		\$0.00	
12.			0.00%		\$0.00	
13.			0.00%		\$0.00	
14.			0.00%		\$0.00	
15.			0.00%		\$0.00	
				Subtotal	\$ 42565.67	
FRINGE - TYPE/DESCRIPTION						
9 X Direct Salary					\$38309.00	
				PERSONAL SERVICES TOTAL	\$ 80,874.67	

Contract Number: # C305180

**ATTACHMENT B-1 - EXPENDITURE BASED BUDGET
NON-PERSONAL SERVICES DETAIL**

CONTRACTUAL SERVICES - TYPE/DESCRIPTION		TOTAL
1.	Building Construction - General	\$200000.00
2.	Electrical Construction	\$45000.00
3.	HVAC Construction	\$35000.00
4.		
5.		
6.		
7.		
8.		
	TOTAL	\$280000.00

TRAVEL - TYPE/DESCRIPTION		TOTAL
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
	TOTAL	\$0.00

EQUIPMENT - TYPE/DESCRIPTION		TOTAL
1.	Chemical feed system	\$25000.00
2.	Chemical Storage/Secondary Containment Tanks	\$65000.00
3.		
4.		
5.		
6.		
7.		
8.		
TOTAL		\$90000.00

SPACE/PROPERTY EXPENSES: RENT - TYPE/DESCRIPTION		TOTAL
1.		
2.		
3.		
SPACE/PROPERTY EXPENSES: OWN - TYPE/DESCRIPTION		TOTAL
1.		
2.		
3.		
TYPE/DESCRIPTION OF UTILITY EXPENSES		TOTAL
1.		
2.		
3.		
TOTAL		\$0.00

OPERATING EXPENSES - TYPE/DESCRIPTION		TOTAL
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
TOTAL		\$0.00

OTHER - TYPE/DESCRIPTION		TOTAL
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
TOTAL		\$0.00

**ATTACHMENT C – WORK PLAN
SUMMARY**

City of Cortland-Wastewater Treatment Plant Upgrade Phosphorus Reduction
with Chemical Treatment

PROJECT NAME:

CONTRACTOR SFS PAYEE NAME:

To Be Determined

CONTRACT PERIOD:

From: 01/01/2015

To: 12/30/2016

Provide an overview of the project including goals, tasks, desired outcomes and performance measures:

The WWTP is currently a conventional aeration process with activated sludge followed by clarification, and the plant effluent discharges into a water body located in the Chesapeake Bay Watershed. The wastewater plant effluent phosphorus without chemical coagulation is above the allowable limits being mandated by the Chesapeake Bay Watershed Program for both the Phase 1 and Phase 2 implementation requirements. Pilot testing has been done at the facility with PAC and the pilot test has proven that the effluent phosphorus can be reduced to Phase 2 level that will comply with the reduction required for the watershed.

The facility needs to install both temporary and permanent bulk storage and chemical feed pumps for the addition of PAC to the wastewater to comply with phosphorus levels on both Phase 1 and Phase 2 as mandated by the regulatory agencies. The chemical feed pumps will be controlled by a flow signal based on influent flow to the treatment basin.

The reduction in phosphorus from the receiving waters will result in the reduced potential of algae blooms that can reduce oxygen in streams as well as visual impacts. Match shall be provided by a combination of in-kind services and funding.

Contract Number: # C305180

Page 1 of 3, Attachment C – Work Plan

**ATTACHMENT C – WORK PLAN
DETAIL**

OBJECTIVE	BUDGET CATEGORY/ DELIVERABLE (if applicable)	TASKS	PERFORMANCE MEASURES	
I: To meet Phosphorus removal goals required by the Chesapeake Bay Watershed		a. Construction	i. Construction will conform to schedule ii. Construction shall be within Budget iii.	
		b. Operation	i. Operation will reduce phosphorus in effluent	
			ii. Compliance with Phase 1&2 requirements	
	iii.			
			c.	i.
				ii.
				iii.

C-305180

OBJECTIVE	BUDGET CATEGORY/ DELIVERABLE (if applicable)	TASKS	PERFORMANCE MEASURES
2:		a.	i.
			ii.
			iii.
		b.	i.
			ii.
			iii.
		c.	i.
			ii.
			iii.

Contract Number: # C305180

Mack Cook

From: Chris Bistocchi
Sent: Wednesday, February 25, 2015 1:41 PM
To: ward1; ward2; ward3; ward4; ward5; ward6; ward7; ward8
Cc: Brian Tobin; Mack Cook
Subject: Lift hiring freeze to promote/hire at DPW and Water Dept.

Council Members

For your consideration, I have put on the Council's agenda a request to lift the hiring freeze to promote two employees at DPW and Water Dept....These positions were held by two employees who have retired Jan and Feb of 2015.

Their hourly rates were as follows:

Water Dept. Employee \$24.01 plus \$1.54 (35 yrs longevity)=\$25.55
DPW Employee \$23.82 plus \$1.54 (33 yrs longevity)=\$25.36

The existing promoted employees hourly rates for these two positions would be as follows:

Water Dept. Employee \$18.43(employee does not qualify for longevity)
DPW Employee \$18.22(employee does not qualify for longevity)

By promoting the two existing employees, I will have two entry level positions open of which I would also like to fill. Their hourly rates would be as follows:

Both Positions DPW \$17.78(employees do not qualify for longevity)

All positions above were budgeted for in Sept. 2014 under the rates of the retirees and the lower pay scale for the entry level positions. Job duties include snow plowing and snow removal along with construction duties in Spring, Summer and Fall.

Thank you for your attention to this matter,

ChrisB

mayorofc

From: Mack Cook
Sent: Thursday, February 26, 2015 9:00 AM
To: Brian Tobin; ward1; ward2; ward3; ward4; ward5; ward6; ward7; ward8; Chris Bistocchi; Nicholas Dovi
Cc: mayorofc
Subject: Resolution to transfer \$25,000 from the Snow Removal Reserve

Mayor, Members of Common Council. DPW

Please see below the following resolution that will appear on Council's agenda. I trust that the resolution is self-explanatory. The 2015 snow plowing/removal season thus far has been difficult on the City's equipment and the repair budget is showing signs of stress. But this is the very reason why the City has set aside monies in the General Fund's Fund Balance to be able to cope without interruption with CNY winters.

If you would like details of the maintenance requirements on the City's snow removal equipment please ask.

Sincerely,
Mack

RESOLUTION TO TRANSFER FUNDS FROM THE SNOW REMOVAL RESERVE

WHEREAS: The 2015 Winter has seen historic winter conditions and resulting demands upon the Department of Public Works' snow removal equipment;

WHEREAS: The City and the Department of Public Works continue to place the highest priority on the safety of motorists and pedestrians throughout the City and the removal of snow from the Downtown Core;

WHEREAS: The City's Fund Policy sets apart in the General Fund's Fund Balance fiscal reserves to fund financial demands caused by abnormal winter weather without adversely affecting current City services;

WHEREAS: The Snow Removal Reserve is replenished annually from the prior year's operating surplus.

THEREFORE BE IT RESOLVED: That \$25,000 is to be transfer from Snow Removal Reserve in the General Fund's Fund Balance to Account 5110-5402, 'Equipment Repairs-DPW' to provide funds to maintain the City's snow removal fleet and equipment in operating condition.

Bruce Adams noted the Council packet included a long form SEQR, and Corporation Counsel has raised the question if a long form is necessary.

RESOLUTION #28 OF 2013 – Resolution to increase the hourly rate for the Parking Enforcement officers employed in the Police Department to \$10.50/hour.

Motion By: Alderman Quail
Seconded By: Alderman Dye

Approved: Ayes - 7
Nays – 0

Chief Catalano offered explanation for the increase in pay. Recruiting and training for this position is very difficult for various reasons:

- The pay rate
- The abuse they sustain – some people would rather have handcuffs slapped on them than get a parking ticket.
- The weather is a factor

It is a Civil Service position that requires passing an exam, scoring in the top three. The Department has had only one person for several months now. The current pay rate is \$8.75 an hour with no benefits. The Chief is proposing to raise the pay to \$10.50 an hour.

Item #8 - Consideration of a Resolution to allow the Mayor to enter into a contract to have cameras installed on Main Street. (Deputy Chief Paul Sandy)

Mayor Tobin suggested pulling this item from the agenda until he could spend more time with Deputy Chief Sandy and craft out some of the details regarding the potential for cameras on Main Street and all the little things that go along with that. His concern is to put a clear picture of what is being proposed in front of everybody to save some time in discussing what can be done.

Council was in agreement to take more time.

RESOLUTION #29 OF 2013 - Be it resolved, the Common Council of the City of Cortland does hereby release the tax lien on the real property known as 17 Stewart Place, City of Cortland, County of Cortland, New York for all taxes owed through 2013, except the 2013/2014 school taxes, in exchange for payment of all sums received from the mortgage foreclosure action (Cortland County Index No. 09-11) presently pending against said property after payment of attorney fees and disbursements in and related to said foreclosure action; and further authorizes the Mayor to settle and/or sign a settlement agreement and/or any other document(s) necessary to release said tax lien upon these terms and conditions.

Motion By: Alderman Quail
Seconded By: Alderman Bird

Agenda Item # 6

Approved:

Ayes - 7

Nays - 0

Mayor Tobin stated that the City has a "vacant" property on Stewart Place that has some outstanding money, and some legal tie-up as the reason it has not moved forward. In conjunction with outside counsel for another entity we will be able to move on the property. It should bring the property back on the tax roles.

Adjournment

Motion By:

Alderman Silliman

Seconded By:

Alderman Bird

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 19th DAY OF FEBRUARY, 2013. 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

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF CORTLAND

CORTLAND COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Plaintiff,

vs.

MARY HELMER, executrix to the estate of Clifford Lowell and heir to the estates of Clifford Lowell and Verna M. Lowell, JUNE F. HILDEBRAND, heir to the estates of Clifford Lowell and Verna M. Lowell, JEAN LOWELL FOX, heir to the estates of Clifford Lowell and Verna M. Lowell, SANDRA ALOI, People of the State of New York, United States of America acting through the IRS and,

JUDGMENT OF
FORECLOSURE
AND SALE

Index No. 09-011

Premises:
17 Stewart Place
Cortland, NY 13045

JOHN DOE (Said name being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein; and any parties, corporation or entities, if any, having or claiming an interest or lien upon the mortgaged premises.)

Defendant(s).

On the summons and verified complaint and notice of pendency action, duly filed in this action in the Cortland County Clerk's Office on January 6, 2009 and all proceedings thereon, and an Order of the Honorable PHILLIP R. RUMSEY, having been made herein, dated November 13, 2012. appointing a Referee to Compute the amount due to the Plaintiff upon the note and mortgage alleged in the complaint in this action and to report as to whether the mortgaged premises can be sold in one parcel, and on reading the report of PATRICK M. PERFETTI, ESQ., the referee named in said Order of Reference, by which report, dated August 30, 2013, it appears that the sum of \$73,041.96 was due to Plaintiff as of November 13, 2012 upon the mortgage executed the 8th day of August, 2001 and that the real property and premises more fully set forth and described in Schedule "A" hereof should be sold together as one parcel, and on reading and

filing the Affirmation of Regularity in Support of Judgment of Foreclosure and Sale of Lawrence J. Knickerbocker, Esq., dated September 30, 2013, and after due deliberation thereon,

NOW ON MOTION of Lawrence J. Knickerbocker, Esq., attorney for the Plaintiff, it is hereby:

ORDERED, ADJUDGED AND DECREED that the said report of said Referee be, and the same hereby is, in all respects ratified and confirmed; and it is further

ORDERED, ADJUDGED AND DECREED that the amount due Plaintiff, which is secured by the mortgage underlying this action, for principal and interest as of November 13, 2012 is the total sum of \$73,041.96 for the mortgage dated August 8, 2001; and it is further

ORDERED, ADJUDGED AND DECREED that the Plaintiff is hereby awarded the sum of \$3,545.00 as and for their attorney fees and costs and expenses incurred by counsel herein, which said sum is secured by the lien of the mortgage being foreclosed herein; and it is further

ORDERED, ADJUDGED AND DECREED that the mortgaged premises described in the complaint in this action and as hereinafter described in Schedule "A", or such part thereof as may be sufficient to discharge the mortgage debt, the expense of the sale and the costs of this action as provided by the Real Property Actions and Proceedings Law, be sold at public action at the Cortland County Courthouse in the County of Cortland, State of New York, by and under the direction of Patrick A. Perfetti, Esq., of 62 North Main Street, Cortland, NY 13045, who is hereby appointed referee for that purpose and that the said referee give public notice of the time and place of such sale according to law and the practice of this Court in the Cortland Standard newspaper, and

That the Plaintiff or any other parties to this action may become the purchaser at such sale; that in case the Plaintiff shall become the purchaser at the sale it shall not be required to

make any deposit thereon; that said referee execute to the purchaser on such sale a deed of the premises sold; that the premises shall be sold subject to any enforceable covenants, conditions, encumbrances, easements and restrictions of record affecting the subject premises and to the right of redemption by the United States of America, if any, and subject to any tenants or parties in possession, if any, and to any state of facts an accurate survey of the premises would show; and it is further

ORDERED, ADJUDGED AND DECREED that the said referee shall deposit the proceeds of sale in the referee's own name as referee in an appropriate bank account and the said referee shall thereafter make the following payments and the referee's checks drawn for that purpose shall be paid by the said depository:

FIRST: The statutory fees of the referee appointed to conduct the sale, which shall be \$500.00.

SECOND: The expense of the sale and the advertising and posting expenses incurred in connection with such sale as shown on the bills presented and certified by said referee to be correct.

THIRD: Said referee shall also pay to the Plaintiff or its attorney the sum of \$3,545.00, adjudged to be the Plaintiff attorney fees and costs and disbursements in this action.

FOURTH: The balance of the proceeds of the sale for all tax assessments, water rates or sewer rates which are liens on the premises at the time of sale, with such interest or penalties, which may lawfully have accrued thereon to the day of payments;

FIFTH: That the purchaser at the foreclosure sale shall purchase the real property "AS IS" subject to, among other things, the following:

- a) Any state of facts that an inspection of the premises would disclose;

- b) Any state of facts as an accurate and currently dated survey of the subject premises would disclose;
- c) Any state of facts as an accurate and currently dated environmental audit or inspection of the premises might disclose;
- d) Any enforceable covenants, conditions, restrictions, easements and public utility agreements of record;
- e) Any and all environmental, zoning, building, use or other laws rules and regulations or restrictions of any city, town, county, state, federal or other public entity or governmental institution and any violations of the same;
- f) Any rights of tenants or persons in possession of the premises;
- g) Any prior lien or liens of record, if any;
- h) Any and all taxes for local improvements not now due;
- i) The real property and premises will be sold subject also to the redemption rights of the United States of America;
- j) Any and all rights of the public or any other party in and to the bed of and waters of any stream or waterway crossing or running adjacent to the premises, or to the natural and unobstructed flow of such waterways;
- k) Any right, title and interest of any third party(ies) in and to any personal property located on or in said premises;
- l) The rights or claims of title which have been or may be asserted, or record or not, by or on behalf of any Indian or Indian tribes arising out of any treaty or any other transfer of land based in the Indian Non-Intercourse Act of 1790 or any other state or federal law;

m) NO WARRANTIES, WHETHER SUCH ARE EXPRESSED, IMPLIED OR OTHERWISE SHALL BE GIVEN;

It shall be the purchaser's obligation to pay the filing fee for the New York State Board of Equalization and Assessment Real Property Transfer Report.

The real property and premises shall be sold "as is" without warranty or representation whatsoever as to condition or habitability and subject to any zoning, building, public health or environmental laws, rules, regulation, ordinances, orders or judgments of any federal, state or local governmental agency or municipality.

SIXTH: If such referee intends to apply a further allowance for referee's fees, he may leave upon deposit such amount as will cover such additional allowance to await order of the Court thereon after application duly made.

That in case the Plaintiff be the purchaser of said mortgaged premises at said sale, or in the event that the rights of the purchaser at said sale and the terms of sale under this judgment shall be assigned to and be acquired by the Plaintiff, and a valid assignment thereof filed with said referee, said referee shall not require the Plaintiff to pay in cash the entire amount bid at sale, but shall execute and deliver to the Plaintiff a deed of the premises sold upon the payments of the amounts specified in items marked "FIRST" and "SECOND"; that if after so applying the balance of the amount bid, there shall be a surplus over and above said amounts due to the Plaintiff, the Plaintiff shall pay to said referee, upon delivery to Plaintiff of said referee's deed, the amount of such surplus; that said referee on receiving said several amounts from Plaintiff shall deposit the balance.

That said referee take the receipt of the Plaintiff or Plaintiff's attorney for the amounts paid as hereinbefore directed in item marked "THIRD", and file it with the referee's report of sale; that referee shall then deposit surplus monies, if any, with the Clerk of the County

of Cortland within five days after the same shall be received and be ascertainable, to the credit of this action, to be withdrawn only on the order of the Court, signed by a Justice of the Court; that the said referee make the referee's report of such sale and accompanied by the vouchers of the persons to whom payments were made and file it with the Clerk of the County of Cortland within thirty (30) days after completing the sale and executing the proper conveyance to the purchaser; and it is further

ORDERED, ADJUDGED AND DECREED that the purchaser at said sale be let into possession on production of the referee's deed.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each and all defendants in this action and all persons claiming under them, or any or either of them, after the filing of such notice of pendency of this action, be and they are hereby forever barred and foreclosed of all right, claim, lien, title, interest and equity of redemption in or to the said mortgaged premises and each and every part thereof.

A description of the said mortgaged premises commonly known as 17 Stewart Place, City of Cortland, and State of New York, is set forth as Schedule "A" attached hereto and made a part hereof.

DATED:

**HON. PHILLIP R. RUMSEY
SUPREME COURT JUSTICE**

ENTER:

SCHEDULE A - LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Cortland, County of Cortland and State of New York, at a point in the center of Union Street in said City at the southeast corner of a strip of land fifty-five feet wide, heretofore deeded by Lewis Bouton to Riley Champlin; running thence along said Champlin's west line about sixteen rods to lands now or formerly owned by George L. Waters; thence southerly along said Water's easterly line sixteen rods to the center of Union Street; thence easterly along the center of Union Street sixty feet to the place of beginning, containing one-third of an acre of land more or less.

There is excepted from the above described premises all that part and portion thereof mentioned and described in a Deed made by Sylvia E. Holton to Arthur A. Stafford, April 3rd, 1909 and recorded in Cortland County Clerk's Office April 5th, 1909, and reference is here had to said deed for a more particular description of the portion of said first described premises here excepted and excluded.

The premises hereby conveyed being all that part or portion of said premises north of a line running east and west across said land parallel with the south line of Union Street and three feet north of the north sill of the barn situate on said premises.

ALSO, ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Cortland, County of Cortland and State of New York, bounded and described as follows: Commencing at the northwest corner of the lands now or formerly owned by Burr Owens, and running thence northerly to the center of a street known as Stewart Place, sixty-two (62) feet to a point or place of beginning.

It being the intention hereof to convey all that portion of the land lying in front of and adjacent to the above property to the center of Stewart Place, subject, however, to the rights of the public to the use of Stewart Place for highway purposes.

LAWRENCE J. KNICKERBOCKER, ESQ.

PO Box 5561
70 Port Watson Street
Cortland, NY 13045
Ph: (607) 753-8023
Fax: (607) 753-6540

Statement for Services

Re: Cortland County Department of Social Services vs.
Mary Helmer, et al
Cortland County Index No. 09-11
17 Stewart Place, Cortland, NY

Review appraisal, deeds and records in Cortland County Clerk's Office, legal research; prepare index number application, notice of pendency, summons, complaint and necessary attachments and exhibits; serve pleadings on NYS Attorney General's Office, U.S. attorney's Office; arrange for personal service on other defendants; prepare affidavits of service; review Surrogate Court records; prepare affidavits in support of motion seeking order of publication, prepare order of publication, prepare order of reference, affirmation of regularity, affirmation, referee's oath, prepare judgment of foreclosure and sale; telephone conversations and conferences with process server, client, City of Cortland officials; review notices of appearances and waivers; affidavits of publication; telephone conversations with and letters to Cortland Standard, Scotsman Press, Inc. and process server in state of Washington; to be completed - prepare legal notice for publication and attend sale of premises..... (20 hours x Discount rate of \$100.00/hour) = \$2,000.00

Disbursements:

1. Index Number	\$ 210.00	
2. RJJ	\$ 95.00	
3. File Lis Pendens	\$ 35.00	
4. Motion (order of reference, etc.)	\$ 45.00	
5. Cortland Standard (Service by Publication)	\$ 228.01	
6. USPS overnight mail	\$ 17.50	
7. Personal service on June Hildebrand	\$ 45.00	
8. Town and County Pennysaver (Service by Publication)	\$ 758.94	
9. Rebecca Tanner	<u>\$ 113.00</u>	
		<u>\$3,547.45</u>
	Total amount owed	\$3,547.45

Thank you!

§ C17-4. Ex officio members of Wastewater Treatment Board. [Amended 3-5-1991 by L.L. No. 1-1991; 5-7-1991 by L.L. No. 4-1991]

In addition to the membership provided for in § C17-3, the Wastewater Treatment Board shall consist of one ex officio member from each municipality as shall have intermunicipal wastewater treatment agreements with the City of Cortland. Selection procedures and length of terms shall be determined by each municipality who has such agreement with the City. These ex officio members may participate in all discussions concerning the Department of Wastewater Treatment, but they shall not vote in any matters before the Wastewater Treatment Board, and their presence or absence shall not be a factor in determining the existence of a quorum.

§ C17-5. Powers and duties of Wastewater Treatment Board.

The Wastewater Treatment Board shall have the powers and duties to:

- A. Submit to the Mayor the names of at least three qualified candidates, if there are three qualified candidates on the list of names reviewed and evaluated pursuant to § C4-3C for the position of Chief Operator of the Department.
- B. Be advised of all appointments of subordinate personnel made by the Chief Operator and review, at his request or as the Board may deem necessary, disciplinary matters.
- C. Review the estimates of revenues and proposed expenditures and capital program of the Department and make recommendations to the Mayor and Capital Program Committee, respectively.
- D. Adjudicate grievances presented by any user aggrieved by his sewer charge. The Board shall have the power to affirm or modify the sewer charge, must state its reasons for its decisions in writing and shall order that a refund be paid to the grievant if its decision involves modification of the sewer charge.
- E. Review all complaints by citizens and, with the Chief Operator of the Department, devise solutions to valid problems in Department operations.
- F. Counsel the Chief Operator on the administration and operations of the Department as he or the Mayor may request or as the Board deems necessary.

ARTICLE XVIII

Department of Code Enforcement

[Amended 6-15-1982 by L.L. No. 4-1982; 3-20-1990 by L.L. No. 1-1990]

§ C18-1. Establishment; Director; qualifications. [Amended 12-21-1999 by L.L. No. 3-1999]

There shall be a Department of Code Enforcement headed by a Director who shall be appointed by the Mayor pursuant to the procedure as set forth in § C4-3C. The Director shall be qualified on the basis of relevant training and experience. Unless otherwise provided in this Charter, the Director shall be directly responsible to the Mayor.

Agenda Item # 8
*

Agenda Item #8

§ C18-2. Powers and duties of Director. [Amended 3-5-1991 by L.L. No. 1-1991]

The Director shall have the powers and duties to:

- A. Administer and enforce, or cause to be enforced, the Building, Zoning and Electrical Code ordinances of the City,²⁴ as well as applicable state and local laws and ordinances.
- B. Hire and discipline all authorized subordinate personnel, including the Plumbing Inspector, in accordance with applicable law. [Added 12-21-1999 by L.L. No. 3-1999]
- C. Provide for and maintain or cause to be maintained records of the work of the Department.
- D. Provide estimates of revenues and proposed expenditures and any capital program of the Department and make recommendations to the Capital Program Committee. [Amended 12-21-1999 by L.L. No. 3-1999]
- E. Perform such other duties as required by the Common Council, the Mayor, the Charter, and the Administrative Code²⁵ or law. [Amended 12-21-1999 by L.L. No. 3-1999]

ARTICLE XIX
 Department of Water
 [Added 1-21-2003 by L.L. No. 1-2003]

§ C19-1. Establishment.

There shall be a Department of Water supervised by the Director of Administration and Finance.

§ C19-2. Water Department Advisory Board.

There shall be a Water Department Advisory Board consisting of six members who shall be appointed by the Mayor with confirmation by the Common Council. In the first year, two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and two members shall be appointed for three-year terms; thereafter, each year, two members shall be appointed for two-year terms. Board members shall serve with no compensation, except the Common Council may authorize reimbursement of expenses. The Board shall, at the beginning of each year, elect one of its members as Chairman.

§ C19-3. Powers and duties of Water Department Advisory Board.

The Water Department Advisory Board shall have the powers and duties to:

- A. Adjudicate grievances presented by any user aggrieved by his water bill. The Board shall have the power to affirm or modify the water charge, must state its reasons for its

24. Editor's Note: See Ch. 100, Building Construction and Fire Prevention; Ch. 300, Zoning; and Ch. 122, Electrical Standards.

25. Editor's Note: See Ch. 5, Administration of Government.

**RESOLUTION EXPRESSING SUPPORT FOR THE ENACTMENT OF THE ABANDONED PROPERTY
NEIGHBORHOOD RELIEF ACT**

WHEREAS: The State's Attorney General is proposing legislation that addresses the growing statewide problem of so-called "zombie properties" – vacant and abandoned homes that are not maintained during a prolonged foreclosure proceeding.

WHEREAS: Zombie foreclosures increased almost 50 percent in 2014 compared to 2013.

WHEREAS: There is evidence that lenders are actually slowing down the foreclosure process, and in some cases, seeking to discontinue the foreclosure action in the middle of the process, leaving homes in a "zombie" state of being vacant, abandoned, and not maintained.

WHEREAS: The Abandoned Property Neighborhood Relief Act, aims to reduce the number of vacant and abandoned properties falling into disrepair across the state by informing homeowners of their right to stay in their home until a court orders the homeowner to leave, requiring mortgage lenders and servicers to identify, secure and maintain vacant and abandoned properties much earlier in the foreclosure process, and creating a registry of such properties to assist municipalities with enforcement of laws regarding property maintenance.

WHEREAS: Zombie homes also burden municipalities. With no one maintaining these derelict properties, they become vulnerable to crime, decay, vandalism and arson. Furthermore, these zombie homes decrease the property value of neighboring homes and become an enormous burden for local code enforcement and emergency service providers.

WHEREAS: Fines levied against banks and other lenders for noncompliance with the law pursuant to the Abandoned Property Neighborhood Relief Act would be directed to a fund for local governments to hire additional code enforcement officers.

THEREFORE BE IT RESOLVED THAT: The City of Cortland, by resolution of Common Council supports passage of the Abandoned Property Neighborhood Relief Act.

Passed 3rd day of March, 2015.

**COMMUNITY DEVELOPMENT
MISCELLANEOUS REVENUE OPERATING BUDGET
2015**

	2010 Adopted	2010 Modified	2010 Actual	2011 Adopted	2011 Actual	2012 Adopted	2012 Actual	2013 Adopted	2014 Adopted	2015 Proposed
Encumbrances (sidewalks):	\$0.00	\$0.00	\$0.00	\$700.00	\$0.00	\$0.00	\$0.00	\$375.00		
Encumbrances (Tree ads):								\$214.86		
Appropriations from Reserve	\$102,200.00	\$102,200.00	\$102,200.00	\$55,400.00	\$46,960.83	\$46,250.00	\$46,250.00	\$55,250.00	\$61,750.00	\$61,750.00
National Grid	\$0.00	\$6,060.00	\$6,060.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Urban & Community Forestry Grant						\$9,000.00				

Total Funding \$102,200.00 \$108,260.00 \$108,260.00 \$56,100.00 \$46,960.83 \$55,250.00 \$46,250.00 \$55,839.86 \$61,750.00 \$61,750.00

Appropriations and Encumbrances

Thomas Development Consultants	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00
Encumbrances from prior year (sidewalks)	\$0.00	\$0.00	\$0.00	\$700.00	\$700.00	\$0.00	\$0.00	\$375.00		
Encumbrances from prior year (Tree ads)								\$214.86		

Beautification Program

Tree Planting	\$12,000.00	\$18,060.00	\$18,025.00	\$12,000.00	\$11,794.40	\$11,600.00	\$8,367.91	\$11,600.00	\$10,000.00	\$10,000.00
Sidewalk Repairs/Dexter Park Sidewalk	\$11,000.00	\$11,000.00	\$10,210.00	\$11,000.00	\$11,000.00	\$11,000.00	\$10,500.00	\$11,000.00	\$11,000.00	\$11,000.00
Tree & Stump Removal	\$22,000.00	\$22,000.00	\$21,960.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Landscaping (Welcome Signs)	\$9,000.00	\$9,000.00	\$8,263.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$100.00
Beardry Park Landscaping	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$59,000.00	\$65,060.00	\$58,458.40	\$23,000.00	\$22,794.40	\$22,600.00	\$18,867.91	\$22,600.00	\$21,100.00	\$21,100.00

Miscellaneous Expenses

Cortland Regional Sports Council	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00	\$12,500.00
Downtown Music Series	\$5,500.00	\$5,500.00	\$5,500.00	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$5,000.00	\$5,000.00	\$5,000.00
JETS Downtown	\$4,300.00	\$4,300.00	\$4,300.00	\$4,000.00	\$0.00	\$4,000.00	\$0.00	\$4,000.00	\$0.00	\$0.00
Web Site Maintenance	\$10,000.00	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ads & Postage	\$500.00	\$500.00	\$494.32	\$500.00	\$500.00	\$750.00	\$535.14	\$750.00	\$750.00	\$750.00
Downtown Partnerships Dues	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$7,975.00	\$8,000.00	\$8,000.00	\$8,000.00	\$20,000.00	\$20,000.00
Contingency	\$0.00	\$0.00	\$0.00	\$0.00	\$91.43	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$40,800.00	\$40,800.00	\$40,794.32	\$30,000.00	\$21,066.43	\$30,250.00	\$21,035.14	\$30,250.00	\$38,250.00	\$38,250.00

Total appropriations and Encumbrances \$102,200.00 \$108,260.00 \$101,652.72 \$56,100.00 \$46,960.83 \$55,250.00 \$42,303.05 \$55,839.86 \$61,750.00 \$61,750.00

Fund Balance at Start of Year

\$135,425.16 \$73,675.16

Proposed Fund Balance at End of Year

\$73,675.16 \$11,925.16

Discussion – Regarding changes to the Charter on the Noise Permit and the fee for commercial business.

Alderman Michales would like to see the Noise Permit Fee be eliminated or reduced to \$100 or \$150 and to have the time changed from 6pm to 10pm and have it be for everyone-commercial or residential.

Resolution #153 of 2014 – Resolution to reduce the noise permit fee to \$100 per event for July 16, 2014 through August 15, 2014.

Motion By: Alderman Michales
Seconded By: Alderman Ferrer

Approved: Ayes – 6
Nays – 1 (Alderman Bird)

Resolution #154 of 2014 – Resolution to allow commercial businesses to purchase a one-time fee for \$100 for multiple events for July 16, 2014 through October 19, 2014 and they would need to apply for that permit from July 16, 2014 through August 15, 2014. They would still need to apply for each event.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 2 (Alderman Bird, Ferguson)

Resolution #155 of 2014 – Resolution to set the noise permit end time for 10:00 pm during the time period of July 16, 2014 through October 19, 2014.

Motion By: Alderman Michales
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 1 (Alderman Bird)