

Public Hearing - May 5, 2015 6:50 pm

**CITY OF CORTLAND, NEW YORK**  
**LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2015**  
Filed with the NYS Department of State on \_\_\_\_\_, 2015  
**CITY OF CORTLAND COMMERCIAL SOUND DEVICE PERMIT**

**Section 1. Enactment and Title.**

The City Council of the City of Cortland does hereby amend Charter 193-7.

**Section 2. Authorization, Purpose and Intent.**

The City has determined that it is necessary to modify its present Commercial Sound Device Permit.

**Section 3. Commercial/Business**

Fixed locations – Commercial/Business. For the use by which sounds are magnified and caused to be heard over any public street or public place, the sum of \$100.00 for the season January 1 – December 31 or \$25.00 for a single event.

No person granted a permit hereunder shall use or operate or employ any device by which sounds are magnified in public street or public place except between the hours of 10AM and 10PM.

The City shall be notified, on or before the Wednesday prior to a Council Meeting stating the place, date, time and person in charge of the event.

**Section 4. Effective Date.**

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_ of 2015 of the City of Cortland was duly passed by the City Board on \_\_\_\_\_, 2015, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding Local Law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original Local Law, and was finally adopted in the manner indicated in the above paragraph.

(Seal) Date: \_\_\_\_\_

STATE OF NEW YORK  
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

\_\_\_\_\_ City Attorney

**COMMERCIAL**  
**SOUND DEVICE PERMIT**

DATE REQUESTED: \_\_\_\_\_

ISSUANCE DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

EXPIRATION DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TYPE OF SOUND DEVICE: \_\_\_\_\_

DATES/TIMES: \_\_\_\_\_

NON-PROFIT: \_\_\_\_\_

PERSON IN CHARGE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

(\*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, photograph, 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])

ANNUAL \$100.00

SINGLE EVENT \$25.00

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**APPLICATION MUST BE FILED WITH APPLICATION FEE AT LEAST TWO (2) WEEKS BEFORE FUNCTION AND ONE (1) WEEK PRIOR TO COMMON COUNCIL MEETING TO ALLOW TIME FOR APPROVAL.**

LANGUAGE TO BE ADDED TO CHARTER 193-7

ADD – section for Commercial/Business

Fixed locations – Commercial/Business. For the use by which sounds are magnified and caused to be heard over any public street or public place, the sum of \$100.00 for the season January 1 – December 31 or \$25.00 for a single event.

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The City shall be notified, on or before the Wednesday prior to a Council Meeting stating the place, date, time and person in charge of the event.

Leave the residential language and fee the same as in the Charter now.



**City of Cortland**

City Hall – Mayor’s Office

Mayor Brian Tobin

25 Court Street, Cortland, New York 13045

Website: [www.cortland.org](http://www.cortland.org)

Phone: 607-758-8374

Fax: 607-756-4644

**PROCLAMATION**

**National Kids to Parks Day: Saturday, May 16, 2015**

- WHEREAS,** May 16<sup>th</sup>, 2015 is the fourth National Kids to Parks Day organized and launched by the National Park Trust; and
- WHEREAS,** National Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and
- WHEREAS,** It is important to introduce a new generation to our nation’s parks because of the decline in Park attendance over the last decades; and
- WHEREAS,** we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and
- WHEREAS,** National Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and
- WHEREAS,** National Kids to Parks Day will broaden children’s appreciation for nature and the outdoors; and

In the City of Cortland, and I do hereby proclaim to participate in National Kids to Parks Day. I urge residents of Cortland to make time on May 16<sup>th</sup>, 2015 to take the children in their lives to a neighborhood, state or national park.

Dated this 5<sup>th</sup> day of May in the year 2015.

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Brian Tobin  
Mayor of Cortland, New York



City of Cortland  
City Hall  
25 Court Street, Cortland, NY 13045  
Mayor Brian Tobin  
Telephone – (607) 758-8374 Fax – (607) 756-4644  
[Mayor@cortland.org](mailto:Mayor@cortland.org) [www.cortland.org](http://www.cortland.org)

## PROCLAMATION Mental Health Month 2015

- WHEREAS,** mental health is essential to everyone’s overall health and well-being; and
- WHEREAS;** all American’s experience times of difficulty and stress in their lives; and
- WHEREAS;** prevention is an effective way to reduce the burden of mental health conditions; and
- WHEREAS;** there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and
- WHEREAS;** mental health conditions are real and prevalent in our nation; and
- WHEREAS;** with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and
- WHEREAS;** each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.
- THEREFORE,** I Brian Tobin, Mayor of Cortland, do hereby proclaim May 2015 as Mental Health Month in Cortland, New York. As Mayor of the City of Cortland, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in Cortland to recommit our community to increasing awareness and understanding of mental health, the steps our citizens take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

### Mental Health Month 2015 “Mindful Matters”

IN WITNESS WHEREOF, I have hereunto set my hand this 5<sup>th</sup> day of May, in the year of two thousand fifteen, and of Cortland New York.

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Brian Tobin, Mayor of Cortland, New York



City of Cortland  
City Hall  
25 Court Street, Cortland, NY 13045  
Mayor Brian Tobin  
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[Mayor@cortland.org](mailto:Mayor@cortland.org) [www.cortland.org](http://www.cortland.org)

## PROCLAMATION

### 2015 National Arson Awareness Week

- WHEREAS,** the theme for 2015 Arson Awareness Week is Accelerant Detection Canines – Sniffing Out Arson; and
- WHEREAS;** according to the U.S. Fire Administration, from 2010-2012, an estimated 17,400 intentionally set fires in residential buildings were reported to U.S. Fire Departments each year, resulting in 275 civilian deaths, 800 civilian injuries, and \$513 million in property loss. For this same time period, an estimated 9,000 intentionally set fires occurred in nonresidential buildings each year resulting in \$282 million in property loss; and
- WHEREAS;** according to the FBI over the last five years (2009-2013), there has been an average of 53,127 arsons reported with an average dollar loss of \$15,086 per incident; and
- WHEREAS;** we will use the week of May 3-9 to focus on the value and contribution accelerant detection canines make to fire departments, law enforcement agencies, and their communities; and
- WHEREAS;** an accelerant detection canine saves time and money; there are fewer but more accurate evidence samples, which reduces expenditures at the lab, speeding up investigations and providing a higher conviction rate;
- THEREFORE,** BE IT PROCLAIMED, that the International Association of Arson Investigators, Inc. Board of Directors meeting in Executive Session on November 1, 1985, in Atlanta, Georgia, hereby proclaims the week, beginning on May 4, 1986, as National Arson Awareness Week, and the first full week of May shall be so designated each year hereafter.

### 2015 NATIONAL ARSON AWARENESS WEEK

IN WITNESS WHEREOF, I have hereunto set my hand this 6<sup>th</sup> day of May, two thousand fifteen, and of Cortland New York.

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Brian Tobin, Mayor of Cortland, New York



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City Hall  
25 Court Street, Cortland, NY 13045  
Mayor Brian Tobin  
Telephone – (607) 758-8374 Fax – (607) 756-4644  
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## PROCLAMATION

- WHEREAS,** The congress and President of the United States have designated May 15<sup>th</sup> as Peace Officer Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police Week; and
- WHEREAS;** the members of the law enforcement agency of the City of Cortland plan an essential role in safeguarding the rights and freedoms of Cortland; and
- WHEREAS;** it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting their innocent against deception and the weak against oppression; and
- WHEREAS;** the men and women of the law enforcement agency of the City of Cortland unceasingly provide a vital public service; and
- THEREFORE,** I, Mayor Brian Tobin, Mayor of Cortland, call upon all citizens of the City of Cortland and upon all patriotic, civic and educational organizations to observe the week of May 10-16, 2015 as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of the City of Cortland to observe Friday, May 15, 2015 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognized and pay respect to the survivors of our fallen heroes.

### PEACE OFFICERS' MEMORIAL DAY & POLICE WEEK 2015

IN WITNESS WHEREOF, I have hereunto set my hand this 6<sup>th</sup> day of May, in the year of two thousand fifteen, and of Cortland New York.

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Brian Tobin, Mayor of Cortland, New York

# Certificate of Achievement

This certificate has been awarded to

*Vincent Minnella*

In Appreciation of Service For

*your commitment and dedication to  
the City of Cortland and the Common Council  
for your years of service as Videographer*

Given this 5<sup>th</sup> day of May, 2015

\_\_\_\_\_  
Mayor, City of Cortland

EXOTIC PET PERMIT APPLICATION

DATE OF APPLICATION April 27<sup>th</sup> 2015

OWNER'S NAME Johann Gillette

OWNER'S ADDRESS 34 Pomeroy St

Phone Number 607 345-9996

Type of Pet Chickens

Landlord's Name \_\_\_\_\_

Landlord's Address \_\_\_\_\_

Landlord's Phone # \_\_\_\_\_

- \_\_\_\_\_ Complete permit application and return it to the City Clerk's Office along with
  - \_\_\_\_\_ Application fee of \$5.00 per pet or up to 5 chickens
  - \_\_\_\_\_ Letter of permission from the landlord
  - \_\_\_\_\_ Letters from building residents / neighbors indicating knowledge of the exotic pet
- \* Ferrets must have current rabies vaccination certificate to file with the application

Once the application, supporting documents and permit fee are received, a home inspection will be made prior to submitting the application to Common Council.

If Common Council approves the application, the permit will be mailed out to the applicant.

If the application is denied, the application fee will be returned to the applicant.

Permits are issued for a calendar year, and are renewable each January. Renewal notices are sent out a month before.

I am asking for permission to have 2 chickens as pets with the benefit of eggs. I have a 6 foot privacy fence being installed approx. the last week of April. My chicken coop is on its way with a capacity of 2-4 chickens. I have also asked my neighbors if it was ok with them and they have said yes. Thank you,  
*J. Gillette*



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## PROCLAMATION

**WHEREAS,** the Muscular Dystrophy Association/Cortland Professional Fire Fighters IAFF Local 2737 is promoting a Boot Drive Day on May 16, 2015; and

**WHEREAS;** the Muscular Dystrophy Association has requested that May 16, 2015 be proclaimed as “MDA/IAFF Local 2737 Boot Drive Day”; and

**WHEREAS;** the International Association of Fire Fighters has been the Muscular Dystrophy Association’s largest sponsor, and has raised more than 558 million dollars over the last sixty years; and

**WHEREAS;** the Muscular Dystrophy Association is the leading health agency providing scientific, medical and emotional support for individuals and families affected by neuromuscular disease; and

**THEREFORE,** I, Brian Tobin, Mayor of Cortland, by virtue of the authority vested in me by the Constitution and laws of Cortland and New York do hereby proclaim the day May 16, 2015 as

### ***MDA/IAFF LOCAL 2737 BOOT DRIVE DAY***

In the City of Cortland, and I urge citizens to learn more about Muscular Dystrophy through news media coverage or by calling their local MDA office for more information.

IN WITNESS WHEREOF, I have hereunto set my hand this 5<sup>th</sup> day of May, in the year two thousand fifteen, in the Cortland New York.

---

Brian Tobin  
Mayor of Cortland, New York

**CITY OF CORTLAND, NEW YORK**  
**LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2015**  
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I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

\_\_\_\_\_ City Attorney

**COMMERCIAL**  
**SOUND DEVICE PERMIT**

DATE REQUESTED: \_\_\_\_\_ ISSUANCE DATE: \_\_\_\_\_  
NAME: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TYPE OF SOUND DEVICE: \_\_\_\_\_ DATES/TIMES: \_\_\_\_\_  
NON-PROFIT: \_\_\_\_\_ PERSON IN CHARGE: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_

(\*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])

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ANNUAL \$100.00

SINGLE EVENT \$25.00

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**APPLICATION MUST BE FILED WITH APPLICATION FEE AT LEAST TWO (2) WEEKS BEFORE FUNCTION AND ONE (1) WEEK PRIOR TO COMMON COUNCIL MEETING TO ALLOW TIME FOR APPROVAL.**

LANGUAGE TO BE ADDED TO CHARTER 193-7

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Leave the residential language and fee the same as in the Charter now.

# CORTLAND HOUSING AUTHORITY

42 CHURCH STREET  
CORTLAND, NEW YORK 13045

WARREN S. EDDY, Chairman

MARGARET J. LANN, Executive Director  
Telephone: (607) 753-1771  
Fax: (607) 753-7313

April 17, 2015

Mayor Brian Tobin  
25 Court Street  
Cortland, NY 13045

Dear Mayor Tobin:

The Cortland Housing Authority Board of Directors currently has two members whose term expires on May 31, 2015.

In speaking with both Richard Menapace and Paul Quinlan, they have expressed their desire to be reappointed for another term. Please include these re-appointments at the next Common Council meeting.

Thank you for your consideration and have a Happy Spring!

Sincerely,



Margie Lann  
Executive Director



CITY OF CORTLAND  
OFFICE OF COMMUNITY DEVELOPMENT  
THOMA DEVELOPMENT CONSULTANTS

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25 Court Street, Cortland, New York 13045 Ph. 607.753.1433 Fx. 607.753.6818  
[www.cortland.org](http://www.cortland.org)

MEMORANDUM

TO: Mayor Brian Tobin and Common Council Members

FROM: Thoma Development Consultants

Re: Attached Implementation Plan for 2014 Block Grant

DATE: April 21, 2015

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One of the newer requirements of the Community Development Block Grant Program (CDBG) is that each grantee have an Implementation Plan in place that includes specific information stipulated by the State. The Plan provides the public information on the key players in administering the grant, the role of the City, City staff and its consultant, how the Program will be marketed and other information. The Plan has to be officially adopted by the City. You adopted a similar plan for the 2013 Rehabilitation Program funded under the CDBG Program in July of last year.

I'm attaching a proposed plan for the 2014 Microenterprise Assistance Program (MAP) for your review and adoption at your May 5<sup>th</sup> meeting. It is based on a preliminary plan that was included in the City's approved application. No one from our office will be attending the Council meeting May 5<sup>th</sup> unless requested, as this is fairly straightforward. If you have any concerns or questions, please contact Linda Armstrong prior to the meeting. She can be reached at 753-1433 or at her email address of [Linda@thomadevelopment.com](mailto:Linda@thomadevelopment.com)

Microenterprise applications are due May 11, 2015 in our office. Please feel free to refer any potential applicants to us. The can contact Linda at 753-1433.

Attachment

**Final Implementation Plan  
City of Cortland 2014 CDBG  
Microenterprise Assistance Program (MAP)**

I. OVERALL ADMINISTRATION PLAN

The City of Cortland will follow the Implementation Plan to assure integration of grant management with the City's existing organizational structure.

A. Role of Chief Elected Official and Governing Body

The City of Cortland has contracted with Thoma Development Consultants (Thoma) to provide project management services for its fiscal year 2014 Microenterprise Assistance Program, know herein as the MAP or the "Program". The firm has extensive experience managing Community Development Block Grant (CDBG) economic development programs and MAPs for both the City and other small cities customers. Thoma was selected through a competitive procurement process of Request for Proposals (RFP). They will work with the Mayor, City's Common Council, City's Director of Administration and Finance and the financial office staff, and the City's MAP Review Committee, as appropriate, to manage the CDBG program.

It will be the role of the Mayor to develop an informal system of contact and coordination with key Thoma staff during the life of the grant. This will include, but not be limited to email contact with a designated Thoma staff member. A member of Thoma's staff will also attend all City department head meetings to keep the City informed of Community Development issues. Thoma staff will also attend Council meetings, when necessary or requested by the City, or when any Community Development related issue is on the Council's agenda. The Mayor and a City Council member sit on the City's established MAP Review Committee whose duties include, but are not limited to approving program guidelines and approving participation of Program participants. The Mayor will execute agreements with Program participants and will be responsible for the approval of the required environmental review record for the overall CDBG Program and individual environmental reviews of individual approved MAP projects, semi-annual and annual reports, and other reports as required by the CDBG Program. Finally, the Mayor will have oversight of all City staff that is involved in the subject Community Development Program, including the Director of Administration and Finance and City finance staff.

It will be the role of the Mayor to develop an informal system of contact and coordination with the project manager during the grant process. The formal duties of the Mayor and the MAP Review Committee with respect to the CDBG Program will be conducted at Committee meetings and Council meetings. The duties of the municipality will include, but not be limited to: finalizing program guidelines,

approval of agreements with program participants, and approval of the expenditure of funds. The Mayor will also be responsible for the approval of the required environmental reviews and the status reports, annual reports, federal assistance expenditure reports and any other report as required under the CDBG Program by the New York State Office of Community Renewal (NYS OCR).

After the completion of an applicant's intake the Project Manager's staff will provide information with respect to the applicant and the pertinent application information to the MAP Review Committee as detailed further below. The Committee will either approve or deny participation. If the project/applicant is recommended for participation in the MAP, the project will be forwarded to the City's Common Council for final approval. If Council approval is provided, Thoma staff will work with the applicant/participant for project implementation detailed below.

As incurred project costs become due for payment, the project manager' staff will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as City vouchers and checks. Payment documentation will be presented to the City, which will approve all expenditures and the request for funds. Checks will be approved and held until funds are available. The City's Chief Fiscal Officer is the Director of Administration and Finance. This official and/or his staff will review all documentation and approve all Program payments.

B. The City Attorney will prepare and/or review all proposed agreements for the CDBG Program and will be involved in determining the need for conflict of interest waivers issuing legal opinions with respect to conflicts, if necessary.

C. Program Manager

Refer to Section II below.

D. Identification of key CDBG Program Administrators

**Chief Elected Official:**

Name: Brian Tobin

Title: Mayor

E-mail address: [btobin@cortland.org](mailto:btobin@cortland.org)

Telephone: 607-758-8374

Fax: 607-756-4644

Duties: Oversee CDBG program including all expenditures and oversight of project management firm. See also "Role of Chief Elected Official" above for further detail.

**Chief Financial Officer:**

Name: Mack Cook

Title: Director, Administration and Finance

Telephone: 607-756-7312

Fax: 607-753-3295

E-mail address: [mcook@cortland.org](mailto:mcook@cortland.org)

Duties: Incorporate all financial transactions in City accounting system. Review all drawdown requests, sign drawdown requests, approve payments and payment documentation, establish system to incorporate CDBG financial transactions in City accounting system and City budget, oversee financial staff in preparation of all CDBG related financial reports and accounting.

**Authorized Signatures:**

Name: Mack Cook Telephone: 607-756-7312  
Title: Director, Administration and Finance Fax: 607-753-3295  
E-mail address: [mcook@cortland.org](mailto:mcook@cortland.org)

Name: Tracey L. Hatfield Telephone: 607-756-7312  
Title: Administration and Finance Assistant Fax: 607-753-3295  
E-mail address: [thatfield@cortland.org](mailto:thatfield@cortland.org)

Name: Constance M. Sorrells Telephone: 607-756-7312  
Title: Senior Account Clerk Fax: 607-753-3295  
E-mail address: [csorrells@cortland.org](mailto:csorrells@cortland.org)

Name: Kenneth E. Dye Telephone: 607-753-0872  
Title: Deputy Mayor and Common Council Member  
E-mail address: [ward3@cortland.org](mailto:ward3@cortland.org)

Duties: Approve and/or sign request for funds.

**Project Manager:**

Name: Bernie Thoma Telephone: 607-753-1433  
Thoma Development Consultants Fax: 607-753-6818  
Title: President  
E-mail address: [bernie@thomadevelopment.com](mailto:bernie@thomadevelopment.com)

Duties: The Project Manager is Thoma Development Consultants. Thoma will primarily use the services of Program Managers Linda Armstrong and Annette Huskins and Program Assistant Laura Meagley in the administration and delivery of program services and activities. Linda Armstrong and Laura Meagley, collectively, will be referred to as the "MAP Managers". Other Thoma staff will be involved in the overall management and program delivery of this grant including, but not limited to, Program Manager Ann Hotchkin and Bookkeeper Pam LeFever. The Thoma staff will be responsible for overall project management including, but not limited to preparation of the required environmental review of the overall Program or grant and individual project environmental reviews, preparation of program guidelines and applications, marketing and presentations, intake and review of

application submissions, preliminary assessment of applications, summarizing projects for MAP Committee review, presentation of MAP Committee recommendations for final Council approval, submission of necessary paperwork to NYS for project set-up, document preparation for execution between City and Program participants, financial management, and report preparation.

The MAP Managers, Linda Armstrong and Laura Meagley will be responsible for the overall management of this Program. Their responsibilities will include, but not be limited to, preparation of program guidelines and applications, marketing and presentations, meeting with and providing guidance to potential applicants, resource referrals, intake and review of application submissions, preliminary assessment of applications, conflict of interest determinations and preparation of requests for conflict of interest waivers when necessary, summarizing projects for MAP Committee review, presentation of MAP Committee recommendations for final Council approval, preparation of paperwork for NYS set-up for projects once approved, preparation of documents for execution between City and Program participants, working with Program participants to implement projects, review of requests for payment and monitoring disbursements, and employment monitoring where applicable. Ann Hotchkin will prepare the Program environmental review and the individual environmental reviews for specific projects. Annette Huskins and Pam LeFever will be responsible for financial management and submission of OCR forms to NYS for disbursements under the Program.

**City Attorney:**

Name: Richard Van Donsel

Telephone: 607-756-1761

E-mail address: [lawdept@cortland.org](mailto:lawdept@cortland.org)

Fax: 607-756-4644

Duties: Preparation and/or review of agreements and program documentation. Advise Mayor and City Council in other legal matters relating to CDBG project. See also I.B. above

**E. Conflict of Interest Policy**

The City of Cortland will follow federal regulations at 24CFR 85.36 and guidance provided by NYS OCR as outlined in the Grants Administrative Manual with respect to conflicts of interest, to determine possible conflicts of interest and submission of waiver requests. All Program applicants must complete a conflict of interest form (see attached). Any potential participant that has or had a contractual relationship with the City, and/or has or had business or family ties to the City government, and/or is or was an appointed and/or elected official or associate of the City may be deemed to have a potential conflict or perception of a conflict of interest. In some cases, the City Council may decide to seek a waiver of conflict of interest for participants or contractors if such waiver and subsequent participation

does not violate State or local law and if the waiver will serve to further the interests of the CDBG Program. This waiver request must be discussed openly at a Council meeting and the City Attorney must conclude in a written Opinion of Counsel letter that the applicant's participation does not violate State or local law. Requests for waivers will be submitted to the NYS OCR for review and determination. Thoma will seek the input of the City Counsel with respect to issues that must be satisfied with a waiver request.

## II. PROJECT MANAGEMENT

As noted above, the City of Cortland has retained Thoma Development to provide comprehensive management for the above noted CDBG Program. Although the City is ultimately responsible for compliance with all applicable State and federal laws, Thoma will facilitate the City's compliance with applicable laws, regulations, and contractual requirements that relate to the CDBG grant and the CDBG Program, in general. Thoma's duties will include, but will not be limited to the preparation of the environmental review record and guiding the City through the environmental review process; acting as liaison with NYS OCR staff; all activities related to the MAP as described above in I. D. under "Project Manager" and as detailed more fully by heading below; insuring timely completion of the grant; trouble shooting issues; coordination of accounting for the program with the City's financial staff; reporting to the Mayor and Common Council on progress under the Program; and closeout of the grant.

Thoma has a number of staff members that will be involved in the grant administrative process based on their expertise and what is required during the life of the grant, such as preparation of the environmental review record, intake and review of applications for funding, preparation of Program documents, accounting and financial processes, report preparation, etc. Linda Armstrong and Laura Meagley have been designated as the managers for the MAP activity. Their duties are described further in I.D. above.

Linda Armstrong and Laura Meagley will be responsible for designing and carrying out the Program as detailed above, including public presentations, meetings with potential applicants, review of application submissions, preliminary assessment of projects and summarizing projects for the MAP Committee's review, presentation for Council approval, submission of paperwork to NYS for project set-up, preparation of Program documents, overseeing disbursements, employment monitoring and report preparation.

As project costs are incurred and become due for payment, Ms. Huskins and Thoma staff will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as City vouchers. Payment documentation will be presented to the City's financial staff, which will approve all expenditures and the request for funds. The City will audit requests for payments, and the City will prepare checks.

### **MAP Review Committee**

The MAP Review Committee is made up of the members of the City's established Community Development Loan Committee and includes City officials, City residents, bankers, accountants, business owners and businesspersons as follows:

- Brian Tobin, Mayor
- Mack Cook, Director of Administration and Finance
- Daniel Quail, Accountant, Former Councilperson
- Daniel McNeil, Businessperson and Developer
- Kathleen Hennessy, MBA, City resident
- Delores Heller, Banker (Retired)
- John Reagan, CPA and Small Business Owner
- Kellyann O'Mara, Vice President and Commercial Manager, M&T Bank, Ithaca, NY and City resident
- Bernard Thoma, Thoma Development

### **Marketing**

Thoma staff will market the program to potential applicants. After completion of the Program environmental review record, all pre-applicants will be sent a notice of grant award and will be encouraged to complete an application for MAP assistance. Marketing will not, however, be limited to the pre-applicants' list since it is the City's intent to make the Program as inclusive as possible. A public meeting will be held at which the MAP will be explained in detail and resources for assistance will be provided. The public meeting will be advertised through various media outlets including an advertisement in the local newspaper and notices placed in City Hall, on the City's and Thoma's websites, the library, the Cortland Downtown Partnership offices, the offices of the Chamber of Commerce and the Cortland Business Development Corporation, and on the local access channel. City Council members will be encouraged to spread the news of the award by word of mouth to their constituents and will be given applications for their use. After the first marketing notices, future advertisements will be placed in the local media periodically until all funds are committed. The goal of the marketing program will be to assure every potential participant has received notice.

### **Applicant Intake**

The MAP Managers will be responsible for applicant intake and qualification. This will involve receipt and review of application packages to first determine (1) eligibility as a microenterprise (2) whether the owner is low-to-moderate in income(LMI) or can meet the LMI criteria for job creation, and (3) whether the microenterprise is a start-up or existing business. The Managers will make an assessment as to completeness of the application and required submissions during the initial review.

The Managers will be responsible for contacting applicants to request missing documentation. Once the window for receipt of any missing documentation has passed, the Managers will assess applications pursuant to the established scoring criteria, will summarize the projects and applications for the MAP Committee review and forward their recommendations and pertinent back-up to the Committee for review and scoring. The MAP Committee will provide a final review and will rate and rank the projects for recommendation to the City Council.

The City Council is responsible for final approval of MAP funding. Once the Council approves projects for award, a project set-up is sent to NYS, the City issues a commitment letter, and the Manager will work with the approved Program participants to establish schedules for project implementation and execution of a grant agreement with the City.

### **Financial Management**

The MAP Managers will prepare the set-up forms for the individual MAP projects for submission to the State and will review and approve documentation required for disbursements for individual project awards. Ms. Huskins and Pam LeFever will prepare the necessary NYS OCR forms for payment and will provide (1) requests for payment for signatures, (2) drawdown forms, and (3) all back up from contractors and vendors (vouchers and invoices) from the Program participants as project disbursements are requested. The NYS OCR forms and back up will be provided to the City, which will prepare the checks and authorize the payments. Both the City and Thoma maintain accounting of Program costs and coordinate financial management.

### **Program Schedule**

The program schedule was submitted to NYS OCR as required, as part of the grant agreement execution requirements. It is included herein by reference. The grant and all activities will be completed in accordance with the deadline stipulated in the grant agreement with NYS OCR.

### **Program Income**

While MAP awards are considered "grants", they are actually provided as a deferred payment loan or DPL. A DPL is similar to a grant in that no monthly payment is required. There is no recapture of the funds if the participant remains in business or does not move out of the City for a period of five-years. If the Program participant closes the business or its moves from the City before the expiration of the five years, then recapture of all or a portion of the DPL may be triggered. If funds are recaptured, they are paid to the City and can remain in the City for future use.

Program income is defined as income generated from any past or current CDBG funded activity received by a recipient in a fiscal year if said funds exceed \$35,000 in one fiscal year. It is possible that program income (based on HUD definition) may be generated as a result of the recapture of deferred payment loans

or through direct loans based on the number of CDBG Programs the City has completed that also generate repayments to the City. If MAP repayments are triggered and the income received is determined to be "program income", the City will budget its use and or use it pursuant to HUD regulations as promulgated by the NYS OCR. The City has an approved Program Income Plan, which provides direction for the use of program income that may be generated by the MAP.

#### **MAP Design Plan**

The City of Cortland was required to submit to the funding source a Microenterprise Design Plan that includes much of the information noted above, as well as other information with respect to the design and implementation of the MAP in detail. The Design Plan was submitted to NYS OCR prior to execution of the CDB Grant Agreement with the City and is incorporated in the Implementation Plan by reference. The Design Plan is available for viewing upon request by contacting the City's Project Manager, Thoma Development Consultants, at 607-753-1433.

#### **Implementation Plan Adoption**

This CDBG Implementation Plan was adopted by the City of Cortland's City Council on \_\_\_\_\_ 2015.

#9



CITY OF CORTLAND  
OFFICE OF COMMUNITY DEVELOPMENT  
THOMA DEVELOPMENT CONSULTANTS

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25 Court Street, Cortland, New York 13045 Ph. 607.753.1433 Fx. 607.753.6818  
[www.cortland.org](http://www.cortland.org)

**MEMORANDUM**

TO: Mayor Brian Tobin and Common Council Members

FROM: Thoma Development Consultants

RE: Attached Implementation Plan for a 2014 Block Grant – Culvert Replacement (infrastructure grant)

DATE: April 28, 2015

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In addition to the CDBG received by the City for the Microenterprise Program, the City also received \$600,000 in CDBG funds for the replacement of two culverts on Otter Creek. Like the Microenterprise Program grant, the City has to adopt an Implementation Plan for the public infrastructure grant. We are requesting you adopt the Plan by resolution at your May 5<sup>th</sup> meeting. A copy of the proposed plan is attached.

Again, the Plan is pretty straight- forward and is based on a preliminary plan submitted with the application. Therefore, no one from our office will be attending the May 5<sup>th</sup> Council meeting, unless requested. You can also contact Linda at 753-1433 prior to the meeting if you have any questions. You can also reach her by email at [Linda@thomadevelopment.com](mailto:Linda@thomadevelopment.com)

Attachment

**Final Implementation Plan  
City of Cortland 2014 CDBG  
Public Infrastructure Grant – Culvert Replacement**

I. OVERALL ADMINISTRATION PLAN

The City of Cortland will follow the Implementation Plan to assure integration of grant management with the City's existing organizational structure.

A. Role of Chief Elected Official and Governing Body

The City of Cortland has contracted with Thoma Development Consultants (Thoma) to provide project management services for its fiscal year 2014 infrastructure CDBG, which will be used to replace two culverts on Otter Creek in the City of Cortland "the Project". The firm has extensive experience managing Community Development Block Grants (CDBG) for the City and specific experience managing public infrastructure CDB grants for a number of other small cities customers. Thoma was selected through a competitive procurement process of Request for Proposals (RFP). They will work with the Mayor, City's Common Council, City's Director of Administration and Finance and the financial office staff, and the City's Superintendent of Public Works, as appropriate, to manage the CDBG Project.

It will be the role of the Mayor to develop an informal system of contact and coordination with key Thoma staff during the life of the grant. This will include, but not be limited to email contact with a designated Thoma staff member. A member of Thoma's staff will also attend all City department head meetings to keep the City informed of Community Development issues. Thoma staff will also attend Council meetings, when necessary or requested by the City, or when any Community Development related issue is on the Council's agenda.

The Mayor will be responsible for the approval of the required environmental review record and execution of all agreements with other parties involved in the Project, such as an engineer and contractor to perform the work. The Mayor will also be responsible for all reports prepared by the Consultants such as the semi-annual and annual reports, and other reports as required by the CDBG Program. Finally, the Mayor will have oversight of all City staff that is involved in the subject Community Development Program, including the Director of Administration and Finance, City finance staff, and the Superintendent of Public Works

The municipality's governing body will include, but not be limited to: authorizing the Superintendent of Public Works to act on behalf of the City respect to the Project, the project engineer and general contractor for the Project, and

approval of the expenditure of all funds, both CDBG and City funds, for the Project cost. The Mayor will also be responsible for the approval of the required environmental reviews and the status reports, annual reports, federal assistance expenditure reports and any other report as required under the CDBG Program by the New York State Office of Community Renewal (NYS OCR).

Once the Project has been bid and costs are incurred, the project manager's staff will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as City vouchers and checks. Payment documentation will be presented to the City, which will approve all expenditures and the request for funds. Checks will be approved and held until funds are available. The City's Chief Fiscal Officer is the Director of Administration and Finance. This official and/or his staff will review all documentation and approve all Program payments.

- B. The City Attorney will prepare and/or review all proposed agreements for the CDBG Program and will be involved in determining the need for conflict of interest waivers issuing legal opinions with respect to conflicts, if necessary.
- C. The City's DPW Superintendent will work with the Cortland County Soil and Water Conservation District (SWCD) to prepare a Request for Qualifications (RFQ) for a Project Engineer. The DPW Superintendent will also work directly with the Project Engineer to determine the scope of the Project, approve the specifications, answer questions and oversee the Project on behalf of the City.
- D. Program Manager

Refer to Section II below.

- E. Identification of key CDBG Program Administrators

**Chief Elected Official:**

Name: Brian Tobin

Title: Mayor

E-mail address: [btobin@cortland.org](mailto:btobin@cortland.org)

Telephone: 607-758-8374

Fax: 607-756-4644

Duties: Oversee CDBG program including all expenditures and oversight of project management firm. See also "Role of Chief Elected Official" above for further detail.

**Chief Financial Officer:**

Name: Mack Cook

Title: Director, Administration and Finance

E-mail address: [mcook@cortland.org](mailto:mcook@cortland.org)

Telephone: 607-756-7312

Fax: 607-753-3295

Duties: Incorporate all financial transactions in City accounting system. Review all drawdown requests, sign drawdown requests, approve payments and payment documentation, establish system to incorporate CDBG financial transactions in City accounting system and City budget, oversee financial staff in preparation of all CDBG related financial reports and accounting.

**Department Public Works:**

Name: Christopher Bistocchi Telephone: 607-756-6221  
Title: Superintendent Fax: 607-758-8392  
E-mail address: [Cbistocchi@cortland.org](mailto:Cbistocchi@cortland.org)

Duties: Vet and select Project Engineer along with SWCD, Project oversight for RFQ to Project completion on behalf of City. Provide guidance to Project Engineer relative to flooding concerns, work with SWCD, answer questions for bidders.

**Labor Compliance Officer:**

Name: Linda Armstrong Telephone: 607-753-1433  
Title: Program Manger, Thoma Development fax: 607-753-6818  
E-mail address: [Linda@thomadevelopment.com](mailto:Linda@thomadevelopment.com)

Duties: Assist with RFQ, provide federal documents for specifications, liaison with NYS OCR, present at pre-bid meeting, vet bidders, present at preconstruction conference, employee field interviews, review certified payrolls, review certified pay requests, trouble shoot employee and contractor issues relative to federal issues, grant reports.

**Project Engineer:**

TBD pursuant to RFQ

Duties: Preparation of bid package, conduct pre-bid meeting, bidding oversight, recommendations to City on general contractor, conduct preconstruction conference, meetings with City staff (DPW) as required, Project oversight and inspection, review and approved certified pay requests, prepare grant closeout documents.

**Authorized Signatures:**

Name: Mack Cook Telephone: 607-756-7312  
Title: Director, Administration and Finance Fax: 607-753-3295  
E-mail address: [mcook@cortland.org](mailto:mcook@cortland.org)

Name: Tracey L. Hatfield Telephone: 607-756-7312  
Title: Administration and Finance Assistant Fax: 607-753-3295  
E-mail address: [thatfield@cortland.org](mailto:thatfield@cortland.org)

Name: Constance M. Sorrells Telephone: 607-756-7312

Title: Senior Account Clerk  
E-mail address: [csorrells@cortland.org](mailto:csorrells@cortland.org)

Fax: 607-753-3295

Name: Kenneth E. Dye  
Title: Deputy Mayor and Common Council Member  
E-mail address: [ward3@cortland.org](mailto:ward3@cortland.org)

Telephone: 607-753-0872

Duties: Approve and/or sign request for funds.

**Project Manager:**

Name: Bernie Thoma  
Thoma Development Consultants  
Title: President  
E-mail address: [bernie@thomadevelopment.com](mailto:bernie@thomadevelopment.com)

Telephone: 607-753-1433

Fax: 607-753-6818

Duties: The Project Manager is Thoma Development Consultants. Thoma will primarily use the services of Program Managers Linda Armstrong and Annette Huskins in the administration and delivery of program services and activities. Linda Armstrong will act as the Labor Compliance Officer. Other Thoma staff will be involved in the overall management and program delivery of this grant including, but not limited to, Program Manager Ann Hotchkin and Bookkeeper Pam LeFever.

Annette Huskins and Pam LeFever will be responsible for financial management and submission of OCR forms to NYS for disbursements under the Program. Ann Hotchkin will prepare and submit the Environmental review Record under NEPA, which will be prepared in concert with the Project Engineer's SEQRA review.

Linda Armstrong as Labor Compliance Officer will be primarily responsible for Project management including, working with the SWCD and DPW Superintendent in the preparation of an RFQ for the Project Engineer, review of specifications for inclusion of all federal documents, vetting bidders for Project construction, collection and review of required federal documents for the successful bidder, involvement in the preconstruction conference, employee field interviews, review of certified payrolls for prevailing wage rate and Davis Bacon compliance, review of certified pay requests, report preparation, Project closeout documentation and records management for monitoring.

**City Attorney:**

Name: Richard Van Donsel  
E-mail address: [lawdept@cortland.org](mailto:lawdept@cortland.org)

Telephone: 607-756-1761

Fax: 607-756-4644

Duties: Preparation and/or review of agreements and program documentation. Advise Mayor and City Council in other legal matters relating to CDBG project. See also I.B. above

#### F. Conflict of Interest Policy

The City of Cortland will follow federal regulations at 24CFR 85.36 and guidance provided by NYS OCR as outlined in the Grants Administrative Manual with respect to conflicts of interest, to determine possible conflicts of interest and submission of waiver requests. All Program applicants must complete a conflict of interest form (see attached). Any potential participant that has or had a contractual relationship with the City, and/or has or had business or family ties to the City government, and/or is or was an appointed and/or elected official or associate of the City may be deemed to have a potential conflict or perception of a conflict of interest. In some cases, the City Council may decide to seek a waiver of conflict of interest for participants or contractors if such waiver and subsequent participation does not violate State or local law and if the waiver will serve to further the interests of the CDBG Program. This waiver request must be discussed openly at a Council meeting and the City Attorney must conclude in a written Opinion of Counsel letter that the applicant's participation does not violate State or local law. Requests for waivers will be submitted to the NYS OCR for review and determination. Thoma will seek the input of the City Council with respect to issues that must be satisfied with a waiver request.

## II. PROJECT MANAGEMENT

As noted above, the City of Cortland has retained Thoma Development to provide comprehensive management for the above noted CDBG Program. Although the City is ultimately responsible for compliance with all applicable State and federal laws, Thoma will facilitate the City's compliance with applicable laws, regulations, and contractual requirements that relate to the CDB grant and the CDBG Project, in general. Thoma's duties will include, but will not be limited to the preparation of the environmental review record and guiding the City through the environmental review process; acting as liaison with NYS OCR staff; all activities related to infrastructure described above in I. D. under "Project Manager" and as detailed more fully by heading below; insuring timely completion of the grant; trouble shooting issues; coordination of accounting for the program with the City's financial staff; reporting to the Mayor and Common Council on progress under the Project; and closeout of the grant.

Thoma has a number of staff members that will be involved in the grant administrative process based on their expertise and what is required during the life of the grant, such as preparation of the environmental review record, acting as liaison with the Project engineer for CDBG requirement purposes, working with the SWCD and the Superintendent of Public Works with respect to CDBG requirements,

preparation of contract documents that relate to the CDBG, accounting and financial processes, report preparation, etc.

Linda Armstrong will serve as the Labor Compliance Officer for the Project, which is subject to both federal and NYS prevailing wage rate compliance. These duties will include, but not limited to working with the Project Engineer during the preparation of the specifications and bidding phase, vetting bidders, insurance all CDBG related documents are signed and submitted, employee field interviews, review of payrolls and pay requests, and report preparation.

As project costs are incurred and become due for payment, Ms. Huskins and Thoma staff will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as City vouchers. Payment documentation will be presented to the City's financial staff, which will approve all expenditures and the request for funds. The City will audit requests for payments, and the City will prepare checks. The Project Engineer will be responsible for the certification of pay requests for the general contractor.

#### **Financial Management**

The Labor Compliance Officer will review payrolls and certified pay requests for submission with drawdown requests. Ms. Huskins and Pam LeFever will prepare the necessary NYS OCR forms for payment and will provide (1) requests for payment for signatures, (2) drawdown forms, and (3) all back up from contractors and vendors (vouchers and invoices) as disbursements are requested. The NYS OCR forms and back up will be provided to the City, which will prepare the checks and authorize the payments. Both the City and Thoma maintain accounting of Program costs and coordinate financial management.

#### **Program Schedule**

- Issue RFP; April 2015
- Hire Eng; May 2015
- Field work, design Project, prepare specifications and submit for approval to NYS OCR; June – August, 2015
- Bid project; December 2015
- Award project; January 2016
- Pre-construction conference; February 2016
- Construction start; Mobilization March 2016, construction April 2016
- Construction complete; November 1, 2016

### **Program Income**

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Program income is defined as income generated from any past or current CDBG funded activity received by a recipient in a fiscal year if said funds exceed \$35,000 in one fiscal year. It is possible that program income (based on HUD definition) may be generated as a result of the recapture of deferred payment loans or through direct loans based on the number of CDBG Programs the City has completed that also generate repayments to the City. If MAP repayments are triggered and the income received is determined to be “program income”, the City will budget its use and or use it pursuant to HUD regulations as promulgated by the NYS OCR. The City has an approved Program Income Plan, which provides direction for the use of program income that may be generated by the MAP.

### **Implementation Plan Adoption**

This CDBG Implementation Plan was adopted by the City of Cortland’s City Council on May 5, 2015.