



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 www.cortland.org

SMALL BUSINESS SATURDAY PROCLAMATION

- WHEREAS,** the government of Cortland, New York celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 27.9 million small businesses in the United States, they represent 99.7 percent of America employer firms, create more than two-thirds of the net new jobs, and generate 46 percent of private gross domestic product, as well as 54 percent of all US sales; and
- WHEREAS,** small businesses employ over 55 percent of the working population in the United States; and
- WHEREAS,** 89 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and
- WHEREAS,** 87 percent of consumers in the United States agree that small businesses are critical to the overall economic health of the United States; and
- WHEREAS,** 93 percent of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and
- WHEREAS,** the City of Cortland supports local businesses that create jobs, boost our local economy and preserve our neighbors; and
- WHEREAS,** advocacy groups as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.
- NOW, THEREFORE,** I Brian Tobin, Mayor of the City of Cortland, New York do hereby proclaim November 28, 2015 as:

SMALL BUSINESS SATURDAY

AND urge the residents of our community and communities across the country to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of November, in the year of our Lord, two thousand fifteen, and of the Cortland New York.

Final Implementation Plan
City of Cortland 2014 CDBG #285HR303-14

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 Owner-Occupied Housing Rehabilitation Program (the "Program"). The firm has extensive experience managing Community Development Block Grant (CDBG) homeownership and housing rehabilitation programs, specifically with the City of Cortland's various CDBG projects and was selected through a competitive procurement process of Request for Proposals (RFP). Thoma will work with the Mayor, City Common Council, Director of Administration and Finance and the financial office staff, and City Loan 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 a City Loan Committee whose duties include, but are not limited to finalizing program guidelines and approving participation of program participants. The Mayor will provide approval of agreements with program participants and will be responsible for the approval of the required environmental review record, 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. In addition to a Thoma staff member attending all Department Head meetings at the City, Thoma staff will meet with the Mayor at least once a month, if not more often, and will provide updates on the Programs as requested. 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 review 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.

After the completion of an applicant's intake the program manager will provide information with respect to the applicant and the pertinent application information to the Loan Committee. The Loan Committee will either approve or deny participation. If the project/applicant is approved for participation in the Program, the rehabilitation specialist will conduct a housing assessment and prepare a work scope, then assist with the contractor bidding process before a final budget is determined. Once the final budget is in place, the program manager/assistant will prepare the necessary documents for signature by the City.

As incurred project costs become due for payment, the program manager will prepare all payment documentation including Request for Funds Forms 1-4, 1-4a and 1-4b, as well as City vouchers and checks. Payment documentation will be presented to the City Finance, 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

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

Telephone: 607-756-7312

Fax: 607-753-3295

Duties: Incorporate all financial transactions into 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
Title: Director, Administration and Finance
E-mail address: mcook@cortland.org

Telephone: 607-756-7312
Fax: 607-753-3295

Name: Tracey L. Hatfield
Title: Administration and Finance Assistant
E-mail address: thatfield@cortland.org

Telephone: 607-756-7312
Fax: 607-753-3295

Name: Constance M. Sorrells
Title: Senior Account Clerk
E-mail address: csorrells@cortland.org

Telephone: 607-756-7312
Fax: 607-753-3295

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

Telephone: 607-753-0872

Duties: Approve and/or sign request for funds.

Project Manager:

Name: Richard Cunningham
Thoma Development Consultants
Title: Senior Consultant
E-mail address: Rich@thomadevelopment.com

Telephone: 607-753-1433
Fax: 607-753-6818

Duties: The Project Manager is Thoma Development Consultants. Thoma will use the services of Program Manager Annette Huskins and Housing Rehabilitation Specialist (HRS) Phil Connery in the administration and delivery of grant services and activities. Other Thoma staff will be involved in the overall management and program delivery of this grant including, but not limited to Ann Hotchkin and Linda Armstrong, Program Managers, Tina Hall, Administrative Assistant, and Pam LeFever, Bookkeeper. The Thoma staff will be responsible for overall project management including but not limited to financial management, marketing, intake and activity management, documentation preparation, and report preparation.

Annette Huskins, Phil Connery, and Tina Hall will be responsible for the day-to-day overall management of this Program. Duties for the rehabilitation activity will include, but not be limited to intake and applicant assessment/qualification; qualification of contractors and MWBE contractor marketing; conflict of interest determination and preparation of requests for waivers when necessary; scheduling and coordination of the housing assessment and lead risk assessment by the HRS; SHPO and flood plain reviews; coordination of other required testing such as

energy audits and asbestos testing; preparation of drawdowns; preparation of status reports, annual reports and other CDBG required reports; reconciliation of the activity budgets, maintaining status of funds and encumbrance system, and oversight of other Thoma staff involved in the rehabilitation activity of the Program.

City Attorney:

Name: Richard Van Donsel

Telephone: 607-756-1761

E-mail address: 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, as outlined in the contract between Thoma and the City. 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 housing rehabilitation processes 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

pProgram 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, preparation of closing documents, accounting and financial processes, report preparation, housing conditions assessment, etc. Annette Huskins has been designated as the lead manager for the housing rehabilitation activity.

Ms. Huskins major responsibilities are to provide intake and applicant qualification; to coordinate the activities of the HRS as they relate to the assessment of the subject home to insure the participant's house qualifies under the Program; coordinate all testing; and work with the HRS in the bidding and awarding of contracts. She will also oversee all other staff that works with the rehabilitation component of the Program. Her duties are described further in I.D. above.

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, 1-4a, and i-4b, 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.

Housing Rehabilitation Advisory Council

The City of Cortland and its Common Council have not created an advisory board to provide oversight for the CDBG Program. However, the City does have a Housing Committee that provides input into City housing issues and with which Thomas staff meets. Further, the City has an established Loan Committee that reviews all requests for participation.

Marketing

Thoma staff will market the program to potential applicants. After completion of the environmental review record, all pre-applicants on the waiting list will be sent a notice of grant award and will be encouraged to complete a final application. Marketing will not, however, be limited to the waiting list since it is the City's intent to make the Program as inclusive as possible. An advertisement will be placed in the local newspaper and notices will be placed in City Hall, on the City's and Thoma's websites. Further notices are sent to interested agencies and announced at the quarterly meeting of the County's housing consortium of which a Thoma staff is a member. The Program has also been marketed with Access to Independence. 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 and/or posing on facebook pages. The Program is also placed on the City's website. 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 and that a waiting list of future participants is identified.

Applicant Intake

Thoma staff, specifically Annette Huskins, will be responsible for the intake and qualification process. Based upon a verbal or written request from a potential participant, a full application package is sent. The applicant is responsible for completing all required forms and for providing all required information to determine income eligibility. Upon the completion of an eligibility review by the program manger, the City's Loan Committee will make a determination of eligibility. If information is incomplete, the applicant will receive a notice. Every effort will be made to provide technical assistance in completing the application and supplying the needed information, especially with lenders.

Once the applicant has been deemed eligible, a commitment issued, and the house assessed for eligibility, the participants will enter into the work write-up and contractor selection phase of the process. The HRS will work with the participant to determine the work scope to be completed, the selection of contractors to provide bids for the work, and the final selection of the contractors. Once the bidding process is complete, Thoma staff will prepare the necessary contracts and agreements for City, participants' and contractors' signatures. Once all documents are signed, a Notice to Proceed will be sent to the contractors.

The Rehabilitation Specialist will oversee the work in progress, which includes working with the homeowner and overseeing the work of the contractor from project start to completion. As bills for work are submitted for payment, the HRS and participant will review work undertaken thus far. Upon the approval of the participant, an authorization for payment will be made and provided to the City. After all work in a project is complete, the project manager will closeout each participant's file and provide information to the City so the City can tag the property and enter the participant in the City's database-monitoring program.

Financial Management

Financial management is coordinated between Thomas's bookkeeper and the City's financial staff. Thomas 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). 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 Thomas maintain accounting of Program costs. Thoma also maintains a system of encumbrances and expenditures to insure the budget is not over-spent.

Program Schedule

The program schedule, as included in the application for grant funds, will be followed.

Program Income

The City has an adopted and NYS approved Program Income Plan under which it allocates Program Income.

It is possible that program income may be generated as a result of the recapture of deferred payment loans made under this CDBG Program. If program income is received in excess of \$35,000 per year, it will be used in accordance with the City's approved Program income Plan.

Implementation Plan Adoption

This CDBG Implementation Plan was adopted by the City of Cortland's City Council on November 3, 2015.

Jurisdiction: City of Cortland
Jurisdictional Class:
Adopted:
Revised:

WASTEWATER SCADA/INSTRUMENTATION TECHNICIAN

DISTINGUISHING FEATURES OF THE CLASS:

The work involves responsibility for maintaining the Supervisory Control and Data Acquisition (SCADA) and instrumentation infrastructure of a municipal wastewater treatment facility as well as assisting in the technical aspects of administering a computerized maintenance management system. The incumbent also performs general wastewater operations and general maintenance as directed. The work is performed under the direct supervision of the Wastewater Treatment Plant Operator of Record and the general supervision of the Superintendent of Wastewater.

TYPICAL WORK ACTIVITIES:

- Performs maintenance, repairs and installation of SCADA, process instrumentation and all automated equipment as it pertains to a wastewater treatment plant.
- Assists in maintaining and operating a computerized maintenance management system.
- Performs maintenance, repairs and installation of process equipment at the wastewater treatment plant.
- Assists in maintaining parts and supply inventory.
- Performs laboratory and operator duties if required by Operator of Record or the Superintendent of Wastewater including regular scheduled weekends.
- Performs electrical repairs commensurate with training.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

- Working knowledge of Allen Bradley PLC hardware and software.
- Working knowledge of general process instrumentation as used in municipal wastewater treatment plants.

Working knowledge of computerized maintenance management systems.

Good knowledge of the principles and practices involved in the operation and maintenance of a wastewater treatment plant;

Good knowledge of federal, state and local laws and regulations applicable to a wastewater treatment plant;

Working knowledge of the tools, equipment and terminology used in the maintenance and repair of wastewater treatment systems;

Working knowledge of the principles and applications of physics, chemistry and bacteriology as applied to wastewater treatment and disposal;

Skill in the operation and repair of pumps, valves and related mechanical and electrical equipment;

Ability to make routine laboratory and field tests for control of plant operations;

Ability to analyze and organize data and prepare records and reports;

Ability to understand and follow oral and written instructions;

Mechanical aptitude;

Physical condition commensurate with the demands of the job.

MINIMUM QUALIFICATIONS:

Knowledge of industrial SCADA systems and instrumentation as it applies to the operation of a municipal wastewater treatment plant.

Must possess high school diploma or high school equivalency diploma (GED).

Must possess a Grade 1A or higher Wastewater Treatment Plant Operator certificate issued by the New York State Department of Environmental Conservation and retain said license for the duration of employment.

SPECIAL REQUIREMENT: Possession of an operator's license issued by the NYS Department of Motor Vehicles. The incumbent must obtain a CDL Class B license within one year of the date of appointment and retain said license for the duration of employment.

**ON THE MOTION OF Amy Bertini
Ann Swisher**

RESOLUTION NO. 15-22

**GML#96.73-02-37.000
City of Cortland
Area Variance
Barden**

WHEREAS, on September 4, 2015 the Zoning Officer, City of Cortland, pursuant to General Municipal Law 239 M submitted an application for an Area Variance because the property is located within 500 feet of Owego St. (NYS Route 215) and Tompkins St. (NYS Route 13), which has been received by the Cortland County Planning Department, AND

WHEREAS, the Cortland County Planning Department has reviewed this request and submitted a written report dated September 11, 2015, which is on file, AND

WHEREAS, the Cortland County Planning Board on September 16, 2015, held a regular meeting with a quorum and did consider this request, AND

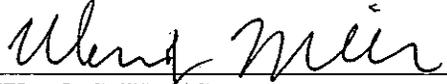
WHEREAS, the Cortland County Planning Board did thoroughly consider the material submitted by the petitioner, Department comments and all other relevant reports on file, NOW THEREFORE BE IT

RESOLVED, that the Board recommends approval of this application for an area variance contingent upon the following:

- 1. the City weighing the benefit of allowing a property with an insufficient lot width and lot size to be used for a two family dwelling vs. the health, safety, and welfare of the community/neighborhood as is required before any area variance may be granted.**
- 2. that the proposed parking spaces conform to the City's minimum requirement of 10 ft. by 18 ft.**
- 3. compliance with SEQR requirements, AND**

BE IT FURTHER RESOLVED, that the Board reminds the City of the requirements of General Municipal Law Section 239 M that a supermajority vote is to be attained by the City in order to approve this application unless every contingency documented in this resolution is followed, **AND**

BE IT FURTHER RESOLVED, that the Planning Department is hereby authorized to convey this action to the Zoning Officer, City of Cortland.



Wendy Miller, Secretary
Cortland County Planning Board
September 16, 2015

Ayes: 10

Nays: 0

Abstain: 1 (Chuck Feiszli)

**ON THE MOTION OF Wendy Miller
Scott Evener**

RESOLUTION NO. 15-23

**GML#86.49-03-28.000
City of Cortland
Area Variance
Shank**

WHEREAS, on September 4, 2015 the Zoning Officer, City of Cortland, pursuant to General Municipal Law 239 M submitted an application for an Area Variance because the property is located within 500 feet of Groton Ave. (NYS Route 222) which has been received by the Cortland County Planning Department, AND

WHEREAS, the Cortland County Planning Department has reviewed this request and submitted a written report dated September 11, 2015, which is on file, AND

WHEREAS, the Cortland County Planning Board on September 16, 2015, held a regular meeting with a quorum and did consider this request, AND

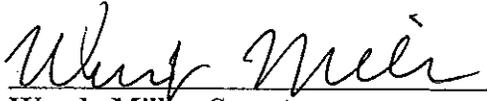
WHEREAS, the Cortland County Planning Board did thoroughly consider the material submitted by the petitioner, Department comments and all other relevant reports on file, NOW THEREFORE BE IT

RESOLVED, that the Board recommends approval of this application for an area variance contingent upon the following:

- 1. the City weighing the benefit of allowing a property with an insufficient lot width to be used for a two family dwelling to the applicant vs. the health, safety, and welfare of the community/neighborhood as is required before any area variance may be granted.**
- 2. The applicant submitting to the City a revised site plan showing individual parking spaces and that the required number of parking spaces (four) would be available on the property. The parking spaces must also conform to the City's minimum requirement of 10 ft. by 18 ft.**
- 3. compliance with SEQR requirements, AND**

BE IT FURTHER RESOLVED, that the Board reminds the City of the requirements of General Municipal Law Section 239 M that a supermajority vote is to be attained by the City in order to approve this application unless every contingency documented in this resolution is followed, **AND**

BE IT FURTHER RESOLVED, that the Planning Department is hereby authorized to convey this action to the Zoning Officer, City of Cortland.



Wendy Miller, Secretary
Cortland County Planning Board
September 16, 2015

Ayes: 11
Nays: 0

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

By Alderman _____

November 17, 2015

WHEREAS, the Common Council of the City of Cortland, New York (the "City") is considering financing the cost of certain repair, replacement, maintenance, equipment purchases, capital improvement projects and public safety projects, as described on Exhibit A to this resolution (the "Type II Projects"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended (the "SEQR Act"), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to each of the Type II Projects;

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

1. Each of the Type II Projects constitute a "Type II Action" (as defined in the Regulations) and no further action under the SEQR Act and the Regulations is required.
2. This resolution shall take effect immediately.

The foregoing resolution was thereupon declared duly adopted.

Seconded by Alderman

| | <u>Ayes</u> | <u>Noes</u> |
|--------------------------|--------------------------|--------------------------|
| Alderman Linda Ferguson | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman John Bennett | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Clifton Dutcher | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Ken Dye | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Tom Michales | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Carlos Ferrer | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Julie Bird | <input type="checkbox"/> | <input type="checkbox"/> |
| Alderman Katy Silliman | <input type="checkbox"/> | <input type="checkbox"/> |

Carried and Adopted

EXHIBIT A

TYPE II PROJECTS

Otter Creek Culvert. The reconstruction of the Otter Creek culvert including lands or rights in lands and original furnishings, equipment, machinery and apparatus required. Type II action under 6 NYCRR 617.5(c)(2).

Pedestrian/Bike Trail System. Preparation of preliminary plans and studies for the construction of a pedestrian/bike recreational trail system within the City, including surveys, plans, maps and estimates in connection therewith. Type II action under 6 NYCRR 617.5(c)(21).

Water System Improvements. The acquisition of replacement, furnishings, equipment, machinery and apparatus for the water system including water meters. Type II action under 6 NYCRR 617.5(c)(25).

Road Improvements. The reconstruction or resurfacing of City roads and streets, including curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement more durable than pavement of sand and gravel, water bound macadam or penetration process with single surface treatment. Type II action under 6 NYCRR 617.5(c)(4).

By _____
Seconded _____

November 17, 2015

BOND RESOLUTION # OF 2015

BOND RESOLUTION OF THE CITY OF CORTLAND, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$1,839,000 SERIAL BONDS
TO FINANCE THE COST OF VARIOUS CAPITAL
IMPROVEMENTS

BE IT RESOLVED by the Common Council of the City of Cortland, New York as follows:

Section 1. The City of Cortland, New York (the "City") is hereby authorized to undertake the various capital projects described below (the "Projects") at an aggregate estimated maximum cost of \$1,839,000, the estimated maximum cost of each Project being as follows:

(a) Otter Creek Culvert Reconstruction. The reconstruction of the Otter Creek culvert including lands or rights in lands and original furnishings, equipment, machinery and apparatus required, at an estimated maximum cost not to exceed \$600,000;

(b) Pedestrian/Bike Trail System. The construction of a pedestrian/bike recreational trail system within the City, including surveys, plans, maps and estimates in connection therewith at a maximum estimated cost not to exceed \$39,000;

(c) Water System Improvements. The acquisition of replacement, furnishings, equipment, machinery and apparatus for the City water system, including water meters at an estimated maximum cost not to exceed \$600,000; and

(d) Road Improvements. The reconstruction or resurfacing of City roads and streets, including curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement more durable than pavement of sand and gravel, water bound macadam or penetration process with single surface treatment, at an estimated maximum cost not to exceed \$600,000.

Section 2. The plan for financing of such maximum authorized cost of \$1,839,000 shall be the issuance of \$1,839,000 in serial bonds (the "Bonds") of the City which are hereby authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law are as follows:

| <u>Section 1 Subparagraph</u> | <u>Period of Probable Usefulness (Years)</u> | <u>Local Finance Law Section 11.00(a) Paragraph</u> |
|----------------------------------|--|---|
| (a) Otter Creek Culvert | 30 | 3 |
| (b) Pedestrian/Bike Trail System | 15 | 19(c) |
| (c) Water System Improvements | 30 | 3 |
| (d) Road Improvements | 10 | 20(b) |

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the Director of Administration and Finance, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds

and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The Director of Administration and Finance, as Chief Fiscal Officer of the City, is further authorized to sell all or a portion of the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, to the New York State Environmental Facilities Corporation (the "EFC") in the form prescribed in one or more loan and/or grant agreements (the "Agreements") between the City and the EFC; to execute and deliver on behalf of the City one or more Agreements, Project Financing Agreements, and Letters of Intent with the EFC and to accept the definitive terms of one or more Agreements from EFC by executing and delivering one or more Terms Certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from the EFC for all or a portion of the costs of the expenditures authorized by this resolution, and perform the City's obligations under its Bonds or bond anticipation notes delivered to the EFC, the Project Financing Agreements and the Agreements.

Section 10. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the City's Director of Administration and Finance, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the Director of Administration and Finance, the Chief Fiscal Officer of the City.

Section 11. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 12. The Director of Administration and Finance, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 13. This resolution, or a summary of this resolution, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is not subject to a mandatory or permissive referendum.

Section 15. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 16. This resolution shall take effect immediately upon its adoption.

Approved as to form, _____, 2015

Richard VanDonsel, Corporation Counsel

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

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

That I have compared the annexed abstract of the minutes of the meeting of the Common Council of the City, held on the 2nd day of November, 2015, including the resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this ____ day of November, 2015.

Ray Parker, Clerk, City of Cortland,
Cortland County, New York

(SEAL)

CITY OF CORTLAND
25 Court Street
Cortland, NY 13045

Request for Proposals

CDBG PROGRAM: Downtown Economic Market Analysis

1. Request and Scope of Work:

This Request for Proposal (RFP) is issued by the City of Cortland (hereinafter referred to as the "City"). The purpose of this RFP is to establish a contract with a qualified consultant to perform an independent economic market analysis for Downtown Cortland and outline a business development strategy for implementation in the City's downtown district.

The market analysis should analyze and quantify downtown Cortland's retail performance and retail potential. Analysis should include:

- ❖ Demographic characteristics and trends
- ❖ Distribution and performance of downtown businesses
- ❖ Sales voids (data driven report of surplus and leakages)
- ❖ Retail buying power of year round residents, student population, regional residents, seasonal visitors and destination tourists.
- ❖ Regional retail context
- ❖ SWOT analysis of the district and its retail composition

The Business Development Strategy should build a comprehensive commercial development strategy for downtown Cortland. Strategies should include:

- ❖ Improvements to existing entrepreneurial incentive approaches (City, County, Colleges, Cortland Downtown Partnership)
- ❖ Recruitment, incubation and retention strategies specific to identified niche retailers
- ❖ Cohesion and support of supporting economic development initiatives including, the enhancement of our emerging arts and entertainment district, flag ship hotel recruitment with vertically integrated parking solution, creative and residential space upperfloor development and increased connectivity to sporting themed destination tourism
- ❖ Content development of a downtown "Invest In Us" piece for private investors

2. Submission Requirements:

- A. Statement of qualifications, including identification of at least five similar projects that have been undertaken.
- B. Relevant references (minimum of five);
- C. Management Plan including identification and description of the location in the City of Cortland where client services will be provided;
- D. Timetable for completion of projects;
- E. Cost Proposal using attached form.

3. **Evaluation Factors:** The following will be reviewed by the Mayor and Director of Administration and Finance for purposes of evaluation of responses and selection:

- A. Qualifications and references; including experience in similar Community Development projects;
- B. Management and availability; including project schedules, management plan, level of services provided, physical proximity to organization's personnel;
- C. Cost and reasonableness of fee; consideration of fee as related to service, charges for reimbursables;
- D. Ability to interface with existing grants administration; including working with consultant administering current Community Development programs to insure continuity in overlapping areas such as Program Income and reporting requirements;
- E. Other factors deemed important by the community, including previous experience with the consultant;

4. **Submission of Proposals:** The City of Cortland will accept proposals from qualified consultants and consulting firms until Noon on December 18th, 2015. Proposals should be clearly marked "RFP-CDBG PLANNING GRANT 2014" on the outside and received in the City Clerk's Office, which is located on the main floor of City Hall, 25 Court Street, Cortland, New York 13045.

5. **Selection and award of contract:** Proposals will be reviewed immediately upon receipt. Selection will be made on or about January 10th, 2015 with contracts awarded after appropriate OCR review.

6. **Questions about this RFP** : Please direct all questions about this RFP to Mack Cook, Director of Administration and Finance at (607) 756-7312. Best: mcook@cortland.org

CITY OF CORTLAND
 CDBG Administration and Program Delivery Services
 Cost Proposal

| <u>Cost Per Hour</u> | | | | |
|-----------------------|-----------------|----------------|-------------------|--------------|
| <u>Job Categories</u> | <u>Pay Rate</u> | <u>Fringe*</u> | <u>Overhead**</u> | <u>Total</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

* % Fringe Benefits - _____%

** % Overhead - _____%

| <u>Estimated Hours</u> | | | | |
|------------------------|--------------------|---|-------------------|-------------------|
| <u>Job Categories</u> | <u>Total Hours</u> | | <u>Hourly Fee</u> | <u>Total Cost</u> |
| _____ | _____ | x | _____ | = _____ |
| _____ | _____ | x | _____ | = _____ |
| _____ | _____ | x | _____ | = _____ |
| _____ | _____ | x | _____ | = _____ |
| TOTAL = | | | | _____ |

| <u>Proposed Profit Added</u> | | |
|------------------------------|---------------|----------------------------|
| <u>Total Cost</u> | <u>Profit</u> | <u>Total Proposed Cost</u> |
| _____ | _____ | = _____ |

1. Attach list of reimbursable costs and method of charging.
2. Attach schedule for disbursement of fee.
3. Attach explanation of percent of profit.
4. Attach fee for Lead Based Paint Risk Assessment.

NAME: _____ SIGNATURE: _____

ESTOPPEL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on the 17th day of November, 2015, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Cortland, New York (the "City"), is not authorized to expend money or the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Summary of Bond Resolution

1. Class of Objects or Purposes – The City is hereby authorized to undertake the various capital projects consisting of:

(a) Otter Creek Culvert Reconstruction. The reconstruction of the Otter Creek culvert including lands or rights in lands and original furnishings, equipment, machinery and apparatus required, at an estimated maximum cost not to exceed \$600,000;

(b) Pedestrian/Bike Trail System. The construction of a pedestrian/bike recreational trail system within the City, including surveys, plans, maps and estimates in connection therewith at a maximum estimated cost not to exceed \$39,000;

(c) Water System Improvements. The acquisition of replacement, furnishings, equipment, machinery and apparatus for the City water system, including water meters at an estimated maximum cost not to exceed \$600,000; and

(d) Road Improvements. The reconstruction or resurfacing of City roads and streets, including curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement more durable than pavement of sand and gravel, water bound macadam or penetration process with single surface treatment, at an estimated maximum cost not to exceed \$600,000.

2. Period of Probable Usefulness – The periods of probable usefulness of the aforesaid specific objects or purposes set forth above are as follows:

| | |
|--|----|
| (a) Otter Creek Culvert Reconstruction | 30 |
| (b) Pedestrian/Bike Trail System | 15 |
| (c) Water System Improvements | 30 |
| (d) Road Improvements | 10 |

3. Maximum Amount of Obligations to be Issued - \$1,839,000, the maximum cost of each Project being as follows:

| | |
|--|-----------|
| (a) Otter Creek Culvert Reconstruction | \$600,000 |
| (b) Pedestrian/Bike Trail System | \$39,000 |
| (c) Water System Improvements | \$600,000 |
| (d) Road Improvements | \$600,000 |

The bond resolution herein summarized shall be available for public inspection during normal business hours for twenty (20) days following the date of publication of this notice at the office of the City Clerk, 25 Court Street, Cortland, New York 13045.

Ray Parker, Clerk
City of Cortland, Cortland County,
New York

REVENUE ANTICIPATION NOTE RESOLUTION
DATED NOVEMBER 17, 2015

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$800,000 IN REVENUE ANTICIPATION NOTES OF THE CITY OF CORTLAND, CORTLAND COUNTY, NEW YORK IN ANTICIPATION OF THE COLLECTION OF REVENUES TO BE COLLECTED DURING THE FISCAL YEAR 2015.

BE IT RESOLVED by the by the Common Council of the City of Cortland, New York as follows:

Section 1. There are hereby authorized to be issued \$800,000 in Revenue Anticipation Notes (the "Notes") which are being issued in anticipation of the receipt of federal and New York State grants in aid for marketing the snow industry in and around the City and an urban development study of the Central Business District.

Section 2. Such revenues are due and payable in the City's fiscal year commencing January 1, 2015 and ending December 31, 2015.

Section 3. The amount of uncollected revenues against which the Notes are authorized to be issued is in excess of \$800,000.

Section 4. The amount of the Notes to be issued is \$800,000.

Section 5. The period of maturity of the Notes will not exceed one year. The Notes may be renewed from time to time, but each renewal shall be for a period not exceeding one year and in no event shall the Notes, or the renewals thereof, extend beyond the close of the second fiscal year succeeding the fiscal year in which the Notes are issued. The Notes shall not be renewed in an amount in excess of the difference between the amount of uncollected or unreceived revenues other than taxes and assessments in anticipation of which they were issued and the amount of any other outstanding revenue anticipation notes issued in anticipation of the collection or receipt of such revenues.

Section 6. The faith and credit of the City shall be and are hereby pledged for the punctual payment of the principal of and interest due on the Notes as the same shall become due and payable.

Section 7. The Notes shall be issued in such amount and have such terms, form and content, and shall be sold in such manner as may be prescribed by the Director of Administration and Finance, the Chief Fiscal Officer, consistent with the provisions of the Local Finance Law. The Director of Administration and Finance is further authorized to enter into an undertaking for the benefit of the holders of the Notes, and any renewals thereof, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 8. This resolution shall take effect immediately.

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

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

That I have compared the annexed abstract of the minutes of the meeting of the Common Council, held on the 2nd day of November, 2015, including the resolution contained therein, with the original thereof on file in my office, and the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this ____ day of November, 2015.

Ray Parker, Clerk, City of Cortland
Cortland County, New York

(SEAL)