

COMMON COUNCIL AGENDA

May 17, 2016

- 7:00 PM
- Call Meeting to Order
 - Salute to the Flag of the United States

 - Public Comments

 - Proclamation – Kids to Parks Day - May 21, 2016
 - Proclamation – June is National Aphasia Awareness Month

 - Minutes – Approval of minutes

AGENDA:

Item #1 – Consideration of a Resolution to approve the Special Event Application for Cortland Comeback on Saturday August 13, 2016. (Vickie Mundy)

Item #2 – Consideration of a Resolution to approve the Sound Device Permit for Gators live music on the weekends in June, July and August weather permitting. (Fred Cutia)

Item #3 – Presentation on the South Side Water Drainage Project. (Kris Dimmick)

Item #4 – Discussion on setting a date for a public hearing to restrict parking on the South side of Prospect Terrace from Calvert Street to the first driveway heading East approximately 75ft. (Nick Dovi)

Item #5 – Consideration of a Resolution to close Main Street from 5PM-9PM starting at the corner of Main St. and Arthur Ave. to Huntington St. on June 7, 2016 for the Dairy Parade. Closure of the first blocks of the side streets of Arthur Ave., Madison St., Jewett Ave., Maple Ave., and Lincoln Ave. as needed. (Mayor Tobin)

Item #6 – Consideration of a Resolution to approve the sale of and consumption in open containers of beer at the Beaudry Park ball field on June 3, 17,18, 24,29 and July 5,6,7, 23. Under the supervision and control of The Cortland Beer Company. (Mack Cook)

Item #7 – Consideration of a Resolution to suspend the vacant building fees for property located at 1 Kent Drive. (Mack Cook)

Item #8 – Consideration of a Resolution to waive the vacant building fees for 2 Pearl St. (Ric VanDonsel)

Item #9 – Consideration of a Resolution to appropriate \$10,000.00 in grant funds just received as reimbursement for the purchase of new Live Scan equipment in conjunction with the New York State Department of Criminal Justice initiative to upgrade Live Scan equipment across New York State to Account A3120.200-00. (Deputy Chief Paul Sandy)

Item #10 – Consideration of a Resolution to supporting Assembly Bill A.8559/Senate Bill 6656, “Mortgage Foreclosure Property Owner Right Notice” currently pending before the State Legislature that would require that the notice to a homeowner whose property is being foreclosed state that they do not have to abandon the property until the day of the foreclosure sale. Status: Assembly. (Aldermen Bennett, Silliman, Michales, Megivern, Carpenter)

Item #11 – Consideration of a Resolution to supporting Assembly Bill A.9655-A/Senate Bill 7295, “Zombie Property Remediation Act” currently pending before the State Legislature that would allow local governments to initiate a judicial proceeding to compel a mortgagee to either complete a foreclosure in a reasonable time or to issue a certificate of discharge of the mortgage. (Aldermen Bennett, Silliman, Michales, Megivern, Carpenter)

Item #12 – Consideration of a Resolution to supporting Assembly Bill A.6932-A/Senate Bill 4781-A, “Abandoned Property Neighborhood Relief Act of 2015” currently pending before the State Legislature that would establish the New York State Abandoned Property Neighborhood Relief Act of 2015, requiring mortgagees and their loan servicing agents to maintain vacant and abandoned pre-foreclosure residential property, and to periodically inspect residential real property subject to a delinquent mortgage to determine if it is currently occupied. The Act would also (a) require the Attorney General to establish and maintain a statewide electronic Vacant and Abandoned Property Registry that is accessible to local officials across the State, (b) require mortgagees or their agents to promptly submit to the statewide Registry information about vacant and abandoned properties, and (c) authorize local government officials to intervene as of right in a foreclosure action involving the property for the purpose of requesting injunctive relief to ensure the property is maintained in accordance with law and that the foreclosure action is timely prosecuted. Finally, this legislation would create a special foreclosure proceeding for vacant and abandoned residential real property, as well as an abandoned property neighborhood relief fund, which would be available to city and village officials to address vacant and abandoned properties. (Aldermen Bennett, Silliman, Michales, Megivern, Carpenter)

Item #13 – Consideration of a Resolution to supporting Assembly Bill A.5259-A/Senate Bill 4310-A, “Recover Unsafe Building Demolition Costs From Corporation Owners” currently pending before the State Legislature that would allow a city or village to commence a special court proceeding to collect the costs of abating nuisance conditions, violations of the Uniform Fire Prevention and Building Code or local property maintenance codes, or the costs of demolishing or removing unsafe structures. In addition, this legislation would allow a city or village to recover certain costs related to the abatement of a nuisance from a business corporation, regardless of its corporate form, provided certain conditions are met. (Aldermen Bennett, Silliman, Michales, Megivern, Carpenter)

Item #14 – Consideration of a Resolution to supporting Assembly Bill A.3173-A/Senate Bill 294-A “Taking Title to Abandoned Property” currently pending before the State Legislature would amend Article 19-A of the Real Actions to Proceedings Law (RPAPL) to include all real property, not just dwellings, in the category of property that can be declared abandoned. In addition, it would amend RPAPL § 1971 to expand the definition of abandoned property to include property that has a zoning, housing, building or property maintenance code violations which has been continuously outstanding and not remediated for a period of at least one year from the date the original order or notice was served, if the owner is a natural person, or if the owner is a partnership, limited partnership, corporation, or limited liability company respectively. (Aldermen Bennett, Silliman, Michales, Megivern, Carpenter)

Item #15 – Consideration of a Resolution to authorize the mayor to sign a contract with Koester Associates Inc. for an amount not to exceed \$155,781.00 to supply equipment for the WQIP Phosphorus Removal by Chemical Addition project subject to Corporation Counsel. (Bruce Adams)

Item #16 – Consideration of a Resolution to accept a HOME grant in the amount of \$304,000 awarded to the City of Cortland by the NYS Housing Trust Fund Corporation's Office of Community Renewal for the purpose of rehabilitating income eligible, owner-occupied, single family homes in the City, and further to authorize the Mayor to execute any and all agreements and documents required by the funding source to accept and administer said HOME grant. (Mack Cook)

Item #17 – Consideration of a Resolution to encumber the following amounts totaling \$145,508.94 to the designated accounts in the General Fund for the year ended December 31, 2015. (Mack Cook)

Item #18 – Consideration of a Resolution to approve the memorandum of agreement with CSEA. (Ric VanDonsel)

Item #19 – Discussion on proposed revisions to Chapter 220 of the City Code pertaining to Property Maintenance. (Alderman Silliman)

Item #20 – Consideration of a resolution to authorize the mayor to execute an easement across City property (S. Franklyn Street DPW Lot) for Suburban Propane and new owner. (Ric VanDonsel)

Item #21 – Consideration of a Resolution to authorize the Mayor to execute the Department of Labor’s ‘Summary of Unpaid Wages Agreement’ dated 5/11/16 and approve payment of unpaid wages to FLSA designated non-exempt employees in the following departments. Payments due are a result of the City following collective bargaining agreements. However, the Federal Department of Labor found a discrepancy between a CBA and Federal Labor Law. (Mack Cook)

Department	# Employees	Total Due
Police	38	\$31,857.48
Fire	0	\$0
Youth Bureau	0	\$0
DPW	0	\$0
Other City Employees	0	\$0

Item #22 – Discussion and Possible Consideration of a Resolution to accept a Facilities Feasibility Study regarding the Fire Department and Police Department with opportunity to include the County Sheriff. The cost would be \$33,500 for the City and \$43,500 with the County. (City Facilities Committee)

Adjournment