



The City of Cortland
City Council Minutes
Council Meeting No. 2 of 2022
January 18, 2022
6:00 p.m.

Cortland Waterworks, 75 Broadway and via Zoom

Public Hearing

A Public Hearing was opened at 6:02 p.m. regarding the Cannabis Dispensary Act and city regulation of dispensary locations. Mary Surprenant asked where dispensaries would be permitted. Mayor Steve explained that they would be permitted in areas zoned as GB-1 (General Business Regional). There being no other persons present to speak, the public hearing was closed at 6:05 p.m.

Call to Order and Roll Call

Mayor Steve called the meeting to order at 6:06 p.m. and called the roll. The following Common Council Members were in attendance:

Wayne Schutt, First Ward Alderperson
Mary Clare Pennello, Third Ward Alderperson
Patricia Lane, Fourth Ward Alderperson
Seth Thompson, Fifth Ward Alderperson
William Carpenter, Sixth Ward Alderperson
Troy Beckwith, Seventh Ward Alderperson
Thomas Michales, Eighth Ward Alderperson

Katy Silliman, Second Ward Alderperson, was recorded absent.

Salute to the Flag

Moment of Silence/Reflection

Privilege of the Floor

No member's of the public requested privilege of the floor.

Mayor's Report

Mayor Steve stated that financial statements are expected to be available Friday (January 21, 2022). He said a process of organizing and streamlining city operations was underway. He added that he was working with an agency to identify a temporary Director of Administration and Finance, and that a committee would be assembled for the purpose of interviewing a permanent replacement.

Ward Reports

- Ward 1: Council Member Schutt commented that he received several complaints about snow removal which were fixed within an hour. He thanked DPW Superintendent Nic Dovi for his help. He noted that the traffic light timer at the intersection of Floral Ave. and Madison St. had been adjusted. Mr. Schutt also said that there were some trash removal issues to be addressed.
- Ward 3: Council Member Pennello said she had communicated with residents in advance of the recent snowfall that they should contact her about any weather-related concerns or problems. She also noted that a constituent had contacted her with questions and concerns about the permitted locations of cannabis dispensaries.
- Ward 4: Council Member Lane noted that the college had returned to session. She said there was a problem with the speed of snowplows on Tompkins St. and snow being thrown onto sidewalks along with projectiles which could be caught and expelled from snowblowers. Ms. Lane also said she had been contacted on cannabis locations and the Parker School project.
- Ward 5: Council Member Thompson said that issues with a longstanding nuisance home had been addressed and thanked the Mayor, Council Member Michales, the Fire Department and neighbors for their efforts. He also noted thanked the DPW for quickly salting Pendleton Hill which had dangerous icy sidewalk conditions.
- Ward 6: Council Member Carpenter asked about when the state would advance regulations relating to cannabis dispensaries. Mayor Steve replied that they should be forthcoming soon.
- Ward 7: Council Member Beckwith asked that residents not plow snow across the street. He also asked residents to shovel out fire hydrants in front of their homes, or to ask neighbors or the Fire Department for help with this important safety measure.
- Ward 8: Council Member Michales indicated he had attended a cannabis information session and had met with the IDA/BDC. He said the library director contacted him about improving signage visibility at city entry ways, and that he wanted to find a way to work that out.

Finance Report

Mayor Steve said that the city had been audited by the state Comptroller's Office regarding the city's administration of grants. He noted that the report was positive, and the city is addressing points identified in the report.

Approval of the Minutes

The minutes of January 4, 2022 were approved.

Motioned by: Council Member Pennello

Seconded by: Council Member Lane

Approved: Ayes – 7
Nays – 0

Resolution No. 11 of 2022

Appointment of Tracey Hatfield as Commissioner of Deeds for the City of Cortland

RESOLVED, The Common Council appoints Tracey Hatfield, residing at, 4384 McCloy Road, Cortland, NY 13045, as Commissioner of Deeds for a two-year term from date of appointment, December 21, 2021, until December 21, 2023.

Motioned by: Council Member Beckwith

Seconded by: Council Member Carpenter

Discussion: The Mayor explained that the Resolution No. 301 of 2021 did not have the person's address or term dates specified.

Approved: Ayes – 7
Nays – 0

Resolution No. 12 of 2022 Appointment of Nicole Bennett as Commissioner of Deeds for the City of Cortland

RESOLVED, The Common Council appoints Nicole Bennett, residing at 5346 East Homer Crossing Rd, Cortland, NY 13045 as Commissioner of Deeds for a two-year term from date of appointment, January 18, 2022, until January 18, 2024.

Motioned by: Council Member Beckwith

Seconded by: Council Member Carpenter

Approved: Ayes – 7
Nays – 0

Resolution No. 13 of 2022 Retention and Disposition Schedule for New York Local Government Records

RESOLVED, that the Retention and Disposition Schedule for New York Local Government Records is hereby adopted for use by all officers in legally disposing of valueless records listed there in, AND BE IT FURTHER, RESOLVED, that in accordance with Article 57-A;

- (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Motioned by: Council Member Schutt

Seconded by: Council Member Pennello

Discussion: The Mayor explained that this adoption helped meet accreditation standards.

Approved: Ayes – 7
Nays – 0

Resolution No. 14 of 2022 Authorize Mortgage Subordination & Agreement

RESOLVED that the City of Cortland subordinates its mortgage recorded as instrument #2012-07451 on December 20, 2021 with the Cortland County Clerk to a mortgage given to First National Bank of Dryden by the resident for \$62,000, and further authorizes Mayor Scott Steve to sign a subordination agreement for the same.

Motioned by: Council Member Schutt

Seconded by: Council Member Thompson

Approved: Ayes – 7
Nays – 0

Resolution No. 15 of 2022 Participation in County Mutual Aid Plan

RESOLVED, that the City of Cortland Common Council affirms the participation of the City of Cortland Fire Department in the Cortland County Fire Service Mutual Aid Plan for a two-year term beginning on January 1, 2022, and ending December 31, 2023, and authorizes the Mayor to sign the agreement.

Motioned by: Council Member Carpenter

Seconded by: Council Member Beckwith

Approved: Ayes – 7
Nays – 0

Resolution No. 16 of 2022 Appoint Members to Fire Commission

RESOLVED, that the Common Council does hereby affirm the appointments of Bonnie Heath of 18 Fox Hollow Road, Cortland, New York 13045 and William Starr of 9 Ridgeview Avenue, Cortland New York, 13045 to the Fire Commission for a term expiring January 31, 2025.

Motioned by: Council Member Schutt

Seconded by: Council Member Lane

Approved: Ayes – 7
Nays – 0

Resolution No. 17 of 2022 Emergency Repair to Fire Engine

RESOLVED, that the City of Cortland Common Council authorizes the expenditure of funds payable to Cummins Northeast, Syracuse, NY Branch, 6193 Eastern Avenue, Syracuse, NY 13211 from the Department Budget Line A3410-540200 Cont Motor Equipment in the amount of \$44,560.93 to pay the cost of replacement of a motor and components for the 2010 KME Fire Engine (#201) used by the Cortland Fire Department.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Discussion: Deputy Fire Chief Michael TenKate explained that the fire truck, which has been out of service for a month and a half, needs a replacement engine as the current one could not be rebuilt. The work comes with a three-year warranty. He said the estimated value of the fire truck is \$150,00 and has an expected service life of ten more years. The Mayor added that additional funds may need to be allocated later in the year to that budget line.

Approved: Ayes – 7
 Nays – 0

Resolution No. 18 of 2022 To Accept and Recognize Donations to Cortland Youth Bureau

RESOLVED, that the Common Council accepts the donations listed below, and appropriates these funds to the Cortland Youth Bureau operating budget accounts outlined below.

Pat & Bev Ryan	\$10,00.00	Suggest Park Amenities	A-7110.5405.02
Todd & Michelle Funk	\$500.00	Youth Center	A-7330.5405
Community Foundation (Mary & Albert Beilby)	\$300.00	Athletic Equipment	A-7140.5405
Beverly Ellefson	\$150.00	Youth Center	A-73305.405
Randy & Susan Weatherby	\$ 50.00	Music Trust Fund	Trust & Agency

Motioned by: Council Member Beckwith
 Seconded by: Council Member Thompson
 Discussion: The Mayor thanked these individuals and organization for their generous donations.
 Approved: Ayes – 7
 Nays – 0

Resolution No. 19 of 2022 Adoption of Local Law #1 of 2022 Amending Article §300 Relating to Solar Farms

RESOLVED, The Common Council approves Adoption of Local Law #1 of 2022 Amending Article §300 to allow solar farms in GI districts.

Motioned by: Council Member Carpenter
 Seconded by: Council Member Pennello
 Discussion: The Mayor noted that a public hearing was held at the last Common Council meeting, and that the solar farms being permitted were previously prohibited.
 Approved: Ayes – 7
 Nays – 0

Resolution No. 20 of 2022 Rescind Resolution #273 of 2021 & Authorize Zoning Change from R-2 to GB-2 for Tax Map Parcel #87.53-03-16.200

RESOLVED, RESOLUTION # 273 of 2021, is hereby rescinded, AND, BE IT FURTHER
 RESOLVED that the Common Council hereby authorizes the rezoning of tax map parcel #87.53-03-16.200 located on River Street in the City of Cortland from R-2 to GB-2.

Motioned by: Council Member Pennello
 Seconded by: Council Member Schutt
 Discussion: The resolution was amended to change R-1 references to R-2. The Mayor explained that Resolution No. 273 of 2021 had misidentified zoning district GB-1. The correct zoning district is GB-2. This resolution changes the tax map parcel from R-2 to GB-2
 Approved: Ayes – 6
 Nays – 1 (Council Member Beckwith voting nay)

Discussion Items**i. Code Department**

The Mayor said that more time was needed to review the organization of the department. He proposes holding off on any changes and assessing staffing needs. He also stated that there is a need to catch up on assessments.

ii. Pace Lawsuit

The Mayor noted that the case is pending, and that information has been provided to council members. He stated that the city reserves the right to appeal, but that he would like to meet with the parties to find a resolution. Corporation Counsel A.J. Meldrim explained legal issues and status of the case and clarified that no decision has been made by the court on the lawsuit as a whole

iii. Civil Service Classifications

The Mayor stated that civil service positions will be audited.

iv. RFP Randall Park

Youth Bureau Director John McNerney distributed an RFP for consulting services related to the proposed renovation of Randall Park. He said the RFP would be issued this week. He noted that many improvements have been made to the city's parks and recreational facilities over the past several years, and that Randall Park improvements have yet to be addressed. Mr. McNerney described the scope of the project which is outlined in the RFP. Council Member Michaels and Mr. McNerney noted that there would be opportunities for public input and feedback on proposed renovations and improvements. Mr. McNerney concluded that once a design plan is finished, the city will seek state grants and donations.

v. Parker School Update

The Mayor said that the city is seeking architectural services for the Parker School building. He has asked the YWCA and CAPCO to identify stakeholders for input on an RFP for design services. He said that the building has been closed on and the city now owns the building. On February 1st the city assumes responsibility for utilities. He also noted that the Cortland school district superintendent has offered the city furniture and equipment in the building.

vi. Draft of Ethics

The Mayor noted that the proposed updates to the city's ethics policy have been distributed to council members, and that he would like to hold a public hearing on the proposed changes which are based on state recommendations. Council Member Thompson suggested that the current policy and the proposed policy be posted together on the city website for the public's review.

vii. Article 78 Proceeding

Corporation Counsel A.J. Meldrim explained that Sonbyrne Sales, Inc. commenced an Article 78 proceeding against the city Zoning Board of Appeals on January 14th. This is in connection with the ZBA's decision to deny Sonbyrne's application for area variances. The Mayor noted that this relates to Resolution No. 20 adopted during the meeting and that he recommends the issue go back to the ZBA to be reviewed.

Adjournment

The meeting was adjourned at 7:54 p.m. on motion of Council Member Beckwith, seconded by Council Member Carpenter, and approved by a vote of 7-0.

I, ANDREW T. JEWETT, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 18TH DAY IN JANUARY 2022. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.

ANDREW T. JEWETT, CITY CLERK

SCOTT STEVE, MAYOR