



CITY OF CORTLAND COMMON COUNCIL

JANUARY 17, 2023 – 6:00 PM

City Hall, 25 Court Street, Cortland NY 13045

and via Zoom

MINUTES

PUBLIC HEARINGS

Public Hearing No. 1

Public Hearing on Proposed Local Law No. 1 Relating to Planning Commission Membership

A public hearing was opened at 6:00 p.m. regarding a proposed local law relating to Planning Commission membership. There being no one present to speak on the matter, the public hearing was closed at 6:01 p.m.

Public Hearing No. 2

Public Hearing on Proposed Local Law No. 2 Relating to Police Commission Membership and Duties

A public hearing was opened at 6:01 p.m. regarding a proposed local law relating to Police Commission membership and duties. Mary Ellen Roodenburg spoke, expressing concerns about Police Commission membership and oversight of the Police Department. The public hearing was closed at 6:11 p.m.

Public Hearing No. 3

Public Hearing on Proposed Local Law No. 3 Relating to Zoning Board of Appeals Membership

A public hearing was opened at 6:11 p.m. regarding a proposed local law relating to Zoning Board of Appeals membership. There being no one present to speak on the matter, the public hearing was closed at 6:12 p.m.

CALL TO ORDER – ROLL CALL

Mayor Steve called the meeting to order at 6:12 p.m., and the City Clerk called the roll. The following Common Council members were in attendance:

Wayne Schutt – First Ward Alderperson
Katy Silliman – Second Ward Alderperson
Mary Clare Pennello – Third Ward Alderperson
Patricia Lane – Fourth Ward Alderperson
William Carpenter – Sixth Ward Alderperson
Troy Beckwith – Seventh Ward Alderperson

The following Council members were recorded absent:

Seth Thompson - Fifth Ward Alderperson
Thomas Michales – Eighth Ward Alderperson

SALUTE TO THE FLAG

MOMENT OF SILENCE/REFLECTION

PRIVILEGE OF THE FLOOR

A presentation on the Cortland County Legislature's redistricting plans was given by County Legislators Cathy Bischoff and Beau Harbin. The number of County Legislators may be reduced, and Legislators may represent blended districts that cover portions of the City of Cortland and the Town of Cortlandville. Proposed maps are expected to be publicly available by the end of February and a proposal ready for the County Legislature to vote on in April. County Legislative districts will remain the same for the November 2023 election. District changes will be in effect for the 2028 election.

MAYOR'S REPORT

Mayor Steve provided an update on implementation of the new trash and recycling program and highlighted several meetings and community events he participated in.

The Mayor asked Bruce Adams, Superintendent of the Wastewater Treatment facility to brief the Council on the progress in reducing nitrate discharge. Mr. Adams said that a significant reduction in nitrate discharge has been achieved through a newly implemented process and that cost savings is achieved due to a reduction in chemical use.

WARD REPORTS

- Ward 1: Council Member Schutt thanked the Department of Public Works (DPW) for addressing trash and recycling program issues, and the Police Department for their response to an incident. He commented on the flag raising ceremony in honor of Dan McNeil, Jr. Mr. Schutt also noted that he, Mayor Steve and Council Member Beckwith participated in a Chili cook-off which raised over \$2,200 for a Veteran's Search and Rescue Program.
- Ward 2: Council Member Silliman said that street lights on W. Court St. have been fixed. She said the new trash and recycling program is a great success. She encouraged residents to follow the recycling instructions on the totes, and expressed concern about how and where residents will store totes.
- Ward 4: Council Member Lane thanked the Code Office for picking up furniture that had been disposed of curbside. She commented on the ceremony in honor of Dan McNeil, Jr. which she attended. Mayor Steve. Lane thanked Fire Chief Friedman, Battalion Chief Reynolds and the Code Office for an informative meeting. She said some residents expressed concern about the size of the trash and recycling totes, and asked about availability of smaller totes. The Mayor replied that there is a greater demand for the smaller totes than a study suggested and that more have been ordered.
- Ward 6: Council Member Carpenter said that as newly designated Fire Department liaison he met with the Fire Chief. He thanked the Police Department for their assistance to a motorist.

APPROVAL OF THE MINUTES

The minutes of the January 3, 2023 Council meeting were approved.

Motioned by: Council Member Carpenter

Seconded by: Council Member Beckwith

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

RESOLUTIONS

Resolution No. 7 Adopt Local Law No. 1 Relating to Planning Commission Membership

RESOLVED, that the City of Cortland Common Council does hereby adopt a local law which reads as follows:

CITY OF CORTLAND, NEW YORK

LOCAL LAW NO. 1 OF THE YEAR 2023

“AMENDMENT OF CHAPTER 300 RELATING TO PLANNING COMMISSION MEMBERSHIP”

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§300-181. Planning Commission.

- A. Establishment. In accordance with New York State General City Law, the City of Cortland hereby establishes a City Planning Commission for the purposes of administering and enforcing this chapter.
- B. Membership.
 - 1. The Planning Commission shall consist of seven (7) members appointed by the Mayor with confirmation by the Common Council. The Common Council or Planning Commission may designate one member to serve as chairperson.
 - 2. The term of office of each Commissioner shall be seven (7) years, except that the term of office of Commissioners first appointed shall be so fixed that the term of one member shall expire at the end of the year in which such members were initially appointed. The terms of the remaining members first appointed shall be so fixed that one term shall expire at the end of each year thereafter.
 - 3. At the expiration of the term of each member first appointed, his or her successor shall be appointed for a term of seven (7) years.
 - 4. Members now holding office for terms which do not expire at the end of the year shall, upon the expiration of their term, hold office until the end of the official year, and their successors shall then be appointed for terms which shall be equal in years to the number of members of the planning board.
 - 5. Removal of members, alternates, and vacancies on the Planning Commission shall be addressed as provided for in New York State General City Law.
 - 6. Each member of the Planning Commission shall complete, at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties as required in New York State General City Law.
- C. Powers and duties. The City of Cortland Planning Commission shall have the authority to fulfill the following powers and duties:
 - 1. Employ experts, clerks, and a secretary, pay for their services, and provide for such other expenses as may be necessary, not exceeding the appropriation made therefor by the Common Council.

2. Recommend to the Common Council regulations relating to any subject matter over which the Planning Commission has jurisdiction under New York State General City Law and this chapter;
3. Review and make recommendations on a proposed City comprehensive plan or amendment thereto;
4. Review and make recommendations regarding any proposed amendments or updates to the text of this chapter;
5. Make investigations, maps, reports and recommendations in connection to the planning and development of the City as it seems desirable, providing the total expenditures of Planning Commission do not exceed the appropriation provided therefor by the Common Council;
6. Review and approve, approve with modifications or conditions, or disapprove a site plan application prepared to specifications set forth in this chapter; and
7. Review and approve, approve with modifications or conditions, or disapprove a special permit application prepared to specifications set forth in this chapter.
8. Seek recommendations from other boards, commissions, departments, or local, county, state, and regional agencies, as it deems appropriate, to aid in fulfilling any one duty provided herein.

D. Meetings and Planning Commission Conduct.

1. The Commission shall hold at least one meeting each month and may hold additional meetings at other times at the call of the Chairperson. The Chairperson may cancel any meeting.
2. Hearings shall be public, and decisions shall be voted upon at public sessions. The Planning Commission may otherwise hold executive sessions in accordance with the New York State Open Meetings Law.
3. The presence of four members shall constitute a quorum for the conduct of business before the board. A concurring vote of four members of the Commission shall be necessary to decide any matter brought before it, except as provided for herein or by New York State General City Law.
4. In accordance with General Municipal Law § 239-m, a concurring vote of five members of the Commission is necessary to override a recommendation by the Cortland County Planning Commission.
5. In accordance with General Municipal Law § 809, a member of the Commission having a conflict of interest shall abstain from any discussion or vote on that matter.
6. The Commission may request advice or opinions on the law relating to any matter before it from the Corporation Counsel of the City of Cortland or independent Council and require the Corporation Counsel to attend its meetings.
7. The Commission may require the Zoning Enforcement Officer or Code Enforcement Officer to attend its meetings to present any facts relating to any matter before the Commission.

E. Official Record.

1. The Planning Commission shall keep minutes of all its meetings. The City Clerk shall be the secretary to the Commission and shall take the minutes.
2. The Planning Commission shall make a record of all of its proceedings, including the reading of the case, public hearing, deliberation, voting and decisions of the Commission. A public record of such items shall be maintained at City Hall and made available to the public by request.

3. Planning Commission decisions shall be made in writing reflecting all findings

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

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 section 27 of the Municipal Home Rule Law.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 8 Adopt Local Law No. 2 Relating to Police Commission Membership and Duties

RESOLVED, that the City of Cortland Common Council does hereby adopt a local law which reads as follows:

**CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 2 OF THE YEAR 2023
“AMENDMENT OF ARTICLE XII RELATING TO POLICE COMMISSION MEMBERSHIP & DUTIES”**

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§C12-3. Police Commission; Membership; Appointment; Term; Compensation.

- A. There shall be a Police Commission consisting of five members who shall be appointed by the Mayor with confirmation by the Common Council.
- B. The Commissioners shall serve five-year terms with no compensation, except the Common Council may authorize compensation for expenses. The Police Commission shall at the beginning of each year elect one of its members as Chair.
- C. Terms of office shall be staggered over a five year period. Terms shall begin the first day of January and shall end the last day of December.
- D. When a vacancy occurs during an unexpired term of office, the Mayor shall appoint a replacement member who shall serve until the completion of the unexpired term.
- E. The Common Council may by resolution reestablish the terms of an existing board such that the appointment of members shall be for terms so fixed that one member's term shall expire at the end of the year in which

such appointment is made. The remaining members' terms shall be so fixed that one member's term shall expire at the end of each year thereafter. At the expiration of each member's reestablished term, the subsequent appointment shall be for a full five year term.

§C12-4. Powers and Duties of Police Commission.

The Police Commission shall have the powers and duties to:

- A. Submit to the Mayor the names of at least three qualified candidates, if there are three qualified candidates on the list of names reviewed and evaluated pursuant to § C4-3C for the position of Police Chief.
- B. Assist the Police Chief when requested with regard to promotions, disciplinary and other personnel matters.
- C. Review the estimates of revenues and proposed expenditures and capital program of the Police Department and make recommendations to the Mayor and Capital Program Committee, respectively.
- D. Review all complaints by citizens and, with the Police Chief, devise solutions to valid problems in departmental operations.
- E. Advise the Police Chief on the administration and operations of the Department as they or the Mayor may request or as the Commission may deem necessary.
- F. In the event of a disciplinary matter, the Chief of Police shall share with the Commission the incident and consequences (names redacted), consistent with §C12-4.B. As this is information of a confidential nature, any concerns the Commission may have shall be shared with Corporation Counsel.
- G. In the event there are two (2) confirmed disciplinary issues or actions for one individual within the same twelve (12) month period, the individual's name, together with the underlying circumstances leading to the discipline, shall be shared with the Commission, Corporation Counsel, and the Mayor. Said information shall not be shared any further, barring any rule or law to the contrary.
- H. In the event there are three (3) or more disciplinary issues or actions for one individual within the same five (5) year period, the individual's name, together with the underlying circumstances leading to the discipline, shall be shared with the Commission, Corporation Counsel, and the Mayor. Said information shall not be shared any further, barring any rule or law to the contrary.

§C12-5. Department Qualifications.

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

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 section 27 of the Municipal Home Rule Law.

Motioned by: Council Member Carpenter

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 9 Adopt Local Law No. 3 Relating to Zoning Board of Appeals Membership

RESOLVED, that the City of Cortland Common Council does hereby adopt a local law which reads as follows:

**CITY OF CORTLAND, NEW YORK
LOCAL LAW NO. 3 OF THE YEAR 2023
“AMENDMENT OF CHAPTER 300 RELATING TO ZONING BOARD OF APPEALS MEMBERSHIP”**

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§300-140. Establishment and Membership.

- A. Establishment. The Zoning Board of Appeals as it is presently constituted is hereby reaffirmed as having been established in accordance with the provisions of New York State General City Law § 81.
- B. Membership.
 - 1. The Board shall consist of five (5) members appointed by the Mayor, subject to confirmation by the Common Council.
 - 2. All appointments shall be made for a term of five (5) years. No person shall be appointed to more than three (3) consecutive full five (5) year terms.
 - 3. Terms of office shall be staggered over a five (5) year period. Terms shall begin the first day of January and shall end the last day of December.
 - 4. The Common Council may, by resolution, reestablish the terms of an existing board, such that the appointment of Board members shall be for terms so fixed that one member's term shall expire at the end of the year in which such appointment is made. The remaining Board members' terms shall be so fixed that one member's term shall expire at the end of each year thereafter.
 - 5. At the expiration of each Board member's reestablished term, the subsequent member shall be appointed for a full five (5) year term.
 - 6. The Board members shall serve without compensation, except the Council may authorize compensation for expenses.
 - 7. The Mayor shall have the power to remove, after public hearing, any member of the Zoning Board of Appeals for cause. A Board member may be removed for failure to attend three (3) consecutive meetings, or for noncompliance with any minimum training requirement established by this chapter.
- C. Vacancies. Vacancies for the unexpired term of any member shall be filled for such unexpired period only in accordance with the provisions of New York State General City Law.
- D. Training.

1. Each member of the Board shall complete a basic qualification program for Zoning Board of Appeals persons within twelve (12) months of appointment.
2. Thereafter, each Board member shall participate annually in a continuing education course to be approved by the Common Council upon the recommendation of the Board in order to satisfy Board member training requirements set forth by New York State Municipal Law.

§ 300-141. Chairperson.

- A. The Board shall hold an annual meeting in January of each year to elect, from its members, a Chairperson and a Vice Chairperson to assume the duties of the Chairperson in their absence.

§ 300-142 Meetings and Board Conduct.

- A. The Board shall hold at least one (1) meeting each month and may hold additional meetings at the call of the Chairperson. The Chairperson may cancel any meeting.
- B. The presence of three (3) members shall constitute a quorum for the conduct of business before the Board.
- C. A concurring vote of at least three (3) members of the Board shall be necessary to decide any matter brought before the Board, except as provided for in Subsection E herein, or unless otherwise provided by law.
- D. All votes of the Board shall be taken by roll call.
- E. In accordance with General Municipal Law § 239-m, a concurring vote of a majority of members plus one is necessary to override a recommendation by the Cortland County Planning Commission.
- F. A motion for the Board to hold a rehearing to review any order, decision or determination of the Board not previously reheard may be made by any member of the Board. A unanimous vote of all members of the Board then present is required for such a rehearing to occur. Upon such rehearing, the Board may reverse, modify or annul its original order, decision or determination upon the unanimous vote of all members then present.
- G. In accordance with General Municipal Law § 809, a member of the Board having a conflict of interest shall abstain from any discussion or vote on that matter.
- H. The Board may request advice or opinions on the law relating to any matter before it from the Corporation Counsel of the City of Cortland, and require the Corporation Counsel to attend its meetings.
- I. The Board may require the Zoning Officer or the Code Enforcement Officer to attend its meetings to present any facts relating to any matter before the Board.
- J. The Chairperson of the Zoning Board of Appeals shall have the authority to administer oaths and to compel the attendance of witnesses.
- K. The Board shall keep minutes of all its meetings. The City Clerk shall be the secretary to the Board and shall take the minutes.
- L. The Board shall make a record of all of its proceedings, including the reading of the case, public hearing, deliberation, voting and decisions of the Board. A public record of such items shall be maintained at City Hall and made available to the public upon request.

§ 300-143. Appeals Procedure.

§ 300-144 Powers of Board.

§ 300-145. through § 300-149. (Reserved)

Section 2. Separability.

If any part of provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

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 section 27 of the Municipal Home Rule Law.

Motioned by: Council Member Carpenter

Seconded by: Council Member Silliman

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 10 Set Public Hearing on Proposed Local Law Relating to Terms of Office and Appointment of Members of City Boards, Commissions and Committees

RESOLVED, that, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, separate public hearings shall be held prior to the Common Council’s scheduled regular meeting at 6:00 p.m. on February 7, 2023 at City Hall, 25 Court Street, Cortland NY on proposed local laws to:

- Amend § 10-3 of the Administrative Code to stagger current three-year terms of the Environmental Advisory Committee;
- Amend § C13-3 of the Charter to change the current three-year terms of the Fire Commission to staggered five-year terms;
- Amend § 300-51 of the Administrative Code to stagger current three-year terms of the Historic Commission;
- Amend § 5-28.1 of the Charter to stagger current three-year terms of the Landscape Planning & Design Committee;
- Amend § C11-3 of the Charter to stagger current three-year terms of the Board of Public Works;
- Amend § C17-3 of the Charter to change terms of office for the Wastewater Treatment Board from three years to staggered five-year terms;
- Amend § C14-3 of the Charter to change terms of office for the Youth Bureau Commission from three years to staggered five-year terms.

AND BE IT FURTHER

RESOLVED, that the City Clerk shall publish notice of such public hearings in the official newspaper of the City of Cortland.

Motioned by: Council Member Pennello
 Seconded by: Council Member Schutt
 Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
 Nays – 0

Resolution No. 11 Appoint Planning Commission Members and Reestablish Terms of Office

RESOLVED, that the City of Cortland Common Council does hereby reestablish the terms of office of Planning Commission members in accordance with General City Law § 27 (4) and as authorized by § 300-181 (b) 2 of the City Administrative Code; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council does hereby confirm Mayor Steve’s appointment of the following individuals to the Planning Commission for reestablished terms of office to expire as designated:

<u>Name</u>	<u>Term Expiration</u>
Joseph McMahon	December 31, 2023
Chris Ryan	December 31, 2024
Jim Reeners	December 31, 2025
Jim Wavle	December 31, 2026
Christopher Peppel	December 31, 2027
Elliott Ayika	December 31, 2028
Brenden McGovern	December 31, 2029

Motioned by: Council Member Carpenter
 Seconded by: Council Member Lane
 Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
 Nays – 0

Resolution No. 12 Appoint Police Commission Members and Reestablish Terms of Office

RESOLVED, that the City of Cortland Common Council does hereby reestablish the terms of office of Police Commission members as authorized by § C12-3 (E) of the City Charter; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council does hereby confirm Mayor Steve’s appointment of the following individuals to the Police Commission for reestablished terms of office to expire as designated:

<u>Name</u>	<u>Term Expiration</u>
Jim Sponaugle	December 31, 2023
Patricia Hansen	December 31, 2024
Elizabeth Starr	December 31, 2025
Cheryl Michales	December 31, 2026
Michael Whitlock	December 31, 2027

Motioned by: Council Member Carpenter
 Seconded by: Council Member Beckwith
 Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
 Nays – 0

Resolution No. 13

Appoint Zoning Board of Appeals Members and Reestablish Terms of Office

RESOLVED, that the City of Cortland Common Council does hereby reestablish the terms of office of Zoning Board of Appeals members in accordance with General City Law § 81 (1) and as authorized by § 300-140 (b) 4 of the City Administrative Code; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council does hereby confirm Mayor Steve’s appointment of the following individuals to the Zoning Board of Appeals for reestablished terms of office to expire as designated:

<u>Name</u>	<u>Term Expiration</u>
Julie Ray	December 31, 2023
Brett Barnes	December 31, 2024
Kyle Davis	December 31, 2025
Raymond A. Parker	December 31, 2026
Tom Larson	December 31, 2027

Motioned by: Council Member Carpenter

Seconded by: Council Member Silliman

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 14

Appoint Members to the City Ethics Committee

RESOLVED, that the Common Council does hereby confirm the following appointments made by the Mayor to the Board of Ethics each for a term ending December 31, 2025:

- Michael Bersani
- Donald Colongeli
- Karen Leahy
- Arthur John Meldrim
- Garry L. VanGorder

Motioned by: Council Member Pennello

Seconded by: Council Member Carpenter

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 15

Appoint Lawrence J. Knickerbocker, Esq. Part-time City Court Judge of the City of Cortland

RESOLVED, that the City of Cortland Common Council does hereby approve Mayor Steve’s appointment of Lawrence J. Knickerbocker, Esq. as Part-time City Court Judge of the City of Cortland for a term to begin February 2, 2023 and to end February 1, 2029.

Motioned by: Council Member Carpenter

Seconded by: Council Member Beckwith

Discussion: Council Member Beckwith requested that the record reflect that the position is that of Part-time City Court Judge. The City’s Corporation Counsel confirmed that §2104 of Uniform City Court Act states the position be that of Part-time City Court Judge and that Judge

Knickerbocker is being appointed to the position of Part-time City Court Judge of the City of Cortland. The record was amended to reflect this title clarification.

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 16 Designate the Mayor and Acting Mayor as Having Certain Fiscal Powers and Duties as Authorized by New York State Local Finance Law

RESOLVED, that the City of Cortland Common Council does hereby grant Mayor Scott Steve and Acting Mayor Thomas Michales the powers and duties of a chief fiscal officer as authorized by Section 2 paragraph 5 subdivision (b) of the Local Finance Law; AND BE IT FURTHER

RESOLVED, that this resolution shall remain in effect until December 31, 2023; AND BE IT FURTHER

RESOLVED, that the City Clerk shall file a certified copy of this resolution with the state comptroller.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 17 Authorize Submission of Restore NY Grant Application

RESOLVED, that in support of submission of a Restore NY grant application for redevelopment of the former Parker Elementary School building, the City of Cortland Common Council finds that the proposed Restore NY grant project application is consistent with the City of Cortland's local revitalization plans; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Cortland.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 18 Authorize Credit Card Account for Use by the Department of Public Works

RESOLVED, the City of Cortland Common Council does hereby grant authority for the Department of Public Works to open and maintain a credit card account with Tompkins Trust Company to conduct official business when circumstances necessitate in compliance with the City's credit card policy.

Motioned by: Council Member Pennello

Seconded by: Council Member Carpenter

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 19 Authorize Agreement with Crown City Ladder & Hose Company for Volunteer Firefighting Services

RESOLVED, that the City of Cortland Common Council authorizes Mayor Steve to enter into an agreement between the City of Cortland and the Cortland Fire Department's volunteer contingent, *Crown City Ladder & Hose Company* in the amount of \$35,000 for volunteer firefighting services for a period ending December 31, 2023.

Motioned by: Council Member Carpenter

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 20 Authorize FEMA Assistance to Firefighters Grant Application for Reserve Ladder Truck

RESOLVED, that the City of Cortland Common Council authorized the Fire Chief to apply for and if awarded accept a FEMA Assistance to Firefighters Grant in the amount \$750,000.00 with a federal share \$714,285.71 and local share of \$35,714.29, and authorizes the Mayor to sign an award agreement if offered.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Motion to amend the RESOLVED statement, changing:

- the grant application amount from \$750,000.00 to \$950,000.00
- the federal share from \$714,285.71 to \$904,761.90; and
- the local share from \$35,714.29 to \$45,238.10

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

The resolution was approved, as amended, with the RESOLVED statement to read as follows:

RESOLVED, that the City of Cortland Common Council authorizes the Fire Chief to apply for and if awarded accept a FEMA Assistance to Firefighters Grant in the amount \$950,000.00 with a federal share of \$904,761.90 and a local share of \$45,238.10 and authorizes the Mayor to sign an award agreement if offered.

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 21 Authorize FEMA Assistance to Firefighters Grant Application for Advanced Life Support Equipment

RESOLVED, that the City of Cortland Common Council authorizes the Fire Chief to apply for and if awarded accept a FEMA Assistance to Firefighters Grant in the amount \$155,025.00 with a federal share \$147,642.86 and a local share of \$7,382.14, and authorizes the Mayor to sign an award agreement if offered.

Motioned by: Council Member Carpenter

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 22 **Authorize FEMA Assistance to Firefighters Grant Application and MOU for Self Contained Breathing Apparatus**

RESOLVED, that the City of Cortland Common Council authorizes the Fire Chief sign a Memorandum of Understanding (MOU) with the Willet and Marathon Fire Departments as host applicant to apply for and if awarded accept a FEMA Assistance to Firefighters Grant in the amount \$581,000.00 with a federal share of \$528,181.82 and local share of \$52,818.18 (City of Cortland \$35,636.36; Willet \$6,363.64; Marathon 10,818.18), and authorizes the Mayor to sign an award agreement if offered.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 23 **Authorize FEMA Assistance to Firefighters Grant Application and MOU for Portable Radios**

RESOLVED, that the City of Cortland Common Council authorizes the Fire Chief to participate in a Regional Grant application with the Virgil Fire District by signing a Memorandum of Understanding (MOU) which commits the City to apply for, and, if awarded, accept a FEMA Assistance to Firefighters Grant in the amount \$617,065.00 with a federal share \$560,967.18 and local share of \$56,096.82 (City of Cortland \$12,470.45; Willet \$2,716.09; Marathon Fire \$3,745.18; Marathon Ambulance \$2,098.64; Virgil \$4,568.45; Homer \$9,302.27; Preble \$3,951.00; Cincinnatus \$5,638.00; Cortlandville \$11,606.73).

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

Resolution No. 24 **Accept and Recognize Donations to Cortland Youth Bureau**

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

<u>Donor</u>	<u>Amount</u>	<u>Project/Event</u>	<u>Budget Line</u>
Beverly Ellefson	\$150.00	Kitchen Program	A7310.5400

Motioned by: Council Member Carpenter

Seconded by: Council Member Beckwith

Approved: Ayes – 6 [Schutt, Silliman, Pennello, Lane, Carpenter, Beckwith]
Nays – 0

DISCUSSION ITEMS

Discussion Item No. 1 **Director of Administration & Finance Search Update**

Milestones leading to the launch of targeted recruitment and broader advertisement placement have been achieved and recruitment and advertisement began ahead of the January 12, 2023 target date. An initial application deadline of February 2, 2023 has been set.

Advertisement has been placed with at least 8 state and national municipal associations and professional job search sites. Examples include the New York Conference of Mayors (NYCOM), and the International City/County Management Association (ICMA). The job advertisement includes a link to a recruitment brochure.

Additional milestones leader to hiring of a City Administrator are:

- Screen candidates, background reviews Jan 12 – Feb 28
- Qualify / assess top 3 candidates to profile March 2
- Interview top 3 candidates on site March 16 - 23
- Final review; recommendations to Mayor; negotiations March 24-31
- Council resolution to confirm hiring April 4

Discussion Item No. 2 Parker School

Council Member Silliman provided an update from a recent advisory committee meeting that she, Council Member Pennello and Council Member Lane attended. She said there is agreement among members of the advisory committee to make recommendations in the best interest of the City. She said that several parties are interested in purchase of the building. She said that these parties and their plans will be vetted and brought before the Council.

ADJOURNMENT

The meeting was adjourned at 7:42 p.m. on motion of Council Member Schutt and approved 6-0.

I, ANDREW T. JEWETT, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT RECORD OF THE MOTIONS AND PROCEEDINGS OF A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND HELD JANUARY 17, 2023. I FURTHER CERTIFY THAT THE AFORESAID RESOLUTIONS ADOPTED BY THE COMMON COUNCIL WERE PRESENTED TO THE MAYOR IN ACCORDANCE WITH ARTICLE III OF THE CITY CHARTER FOR HIS APPROVAL OR REJECTION BY VETO POWER.

ANDREW T. JEWETT, CITY CLERK

I, SCOTT STEVE, MAYOR OF THE CITY OF CORTLAND, NEW YORK, DO HEREBY APPROVE THE AFORESAID RESOLUTIONS ADOPTED BY THE COMMON COUNCIL ON JANUARY 17, 2023.

SCOTT STEVE, MAYOR