



The City of Cortland  
City Common Council Minutes  
Council Meeting No. 5 of 2022

**March 15, 2022**

6:00 p.m.

City Hall, 25 Court Street and via Zoom

**Public Hearing**

A Public Hearing was opened at 6:04 p.m. regarding a Local Law Rescinding Local Law No. 8 of 2021 and Adopting a New Local Law Relating to Authorizing Zoning Change from R-2 to GB-2 for Tax Map Parcel #87.53-03-16.200. No one was 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 6:05 p.m., and 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 (Via Zoom)  
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

**Salute to the Flag**

**Moment of Silence/Reflection**

A moment of silence and reflection was held for Ukrainian residents of Cortland and the U.S., and their extended families in Ukraine.

**Proclamations/Presentations**

Police Chief Paul Sandy and Deputy Chief David Guerrera informed the council that the police department was reaccredited by the New York State Division of Criminal Justice Services (DCJS) for a five year period. Chief Sandy credited the department's accreditation manager Sgt. Penny Guerrera, the command staff and officers for ensuring the department met the high standards set by DCJS. The chief noted that

approximately seven percent of police department in the state receive accreditation and that even fewer are reaccredited. The mayor and members of the council congratulated the chief and deputy chief.

### **Privilege of the Floor**

The mayor noted that there were people present to speak regarding a proposed resolution on the agenda which would authorize an agreement to transition Medicare eligible retirees to a city-sponsored group Medicare Advantage Plan at the option of each retiree. The mayor said that he was sensitive to the concerns of retirees and would pull the resolution from consideration at this time in order to provide more information to retirees and to allow city employee unions and the Cortland County Area Agency on Aging to review the proposal and provide independent analysis. Council Member Silliman suggested a Zoom session be conducted for retiree's that live outside the area. Council Member Beckwith stated that workshops will be held to provide retirees a full understanding of the proposed plan.

At this time Richard McMullin, James Nichols, Connie Sorrells, Kim Fairchild and Michael Dexter were each given privilege of the floor. Four of the speakers are retired city employees, and one, Ms. Sorrells, is a current city employee. Speakers noted that they had been contractually guaranteed to receive during retirement health coverage maintained at a level as good as or better than what they had been provided while employed, and that costs for such coverage had been earned through the accumulation of unused sick and vacation time. Speakers expressed concern that the proposed Medicare Advantage Plan would not provide coverage equal to that currently provided through commercial health coverage. Other concerns included that out-of-pocket costs may be higher due to providers being out-of-network, and the impact on retirees and their family members who have serious health conditions and which involve extensive diagnostic testing and treatment. Speakers said that it is important to provide retirees with a clear ability to opt out of the proposed plan and retain existing coverage if desired.

Connie Sorrells, a city employee, also asked if there are plans to hire a director of administration and finance. She acknowledged that the mayor was working "morning, noon, and night," but that she considered the financial staff to be under-staffed. The Mayor addressed this issue in his finance report.

The mayor thanked speakers for their input and said that the city will provide additional information to address these concerns.

### **Mayor's Report**

The mayor said that the police department had surplus protective equipment that was being donated and sent to Ukrainian officials via Poland. The property was obtained at no cost to the city through grants and government programs and had not been used in several years, being replaced with newer equipment. The mayor asked the council to approve a resolution:

RESOLVED, that the city of Cortland has deemed the military surplus possessed by the Cortland City Police Department as surplus and of no use to the agency, and grants authority to donate it to the Ukrainian citizens for their efforts in defending their country.

A motion was made by Council Member Beckwith, seconded by Council Member Lane and approved by a vote of 8-0.

The mayor noted the retirement of Detective Lieutenant Michael Strangeway from the police department and thanked him for his service.

The mayor noted and thanked the fire department for their response to the Suit-Kote fire February 16<sup>th</sup>, a chlorine gas situation February 23<sup>rd</sup>, a fire on Lincoln Avenue March 8<sup>th</sup>, and a hazmat situation at the college march 11<sup>th</sup>. He also thanked the department for their efforts in distributing food on February 17<sup>th</sup>.

The mayor youth bureau director John McNerney's 34 years of service, and his pending retirement. The mayor said that the youth bureau board would interview potential candidates to replace Mr. McNerney and forward their recommendation.

The mayor reported that there is still uncertainty in the county's redistricting process and the impact on the city.

### **Ward Reports**

- Ward 1: Council Member Schutt said that several dog and snow removal issues had been resolved. He thanked the fire department for their response to the Lincoln Avenue fire. He said he had a meeting with the firefighter's union and thanked them for their commitment to the community.
- Ward 2: Council Member Silliman said there were multiple incidents of disruptive behavior by college students during a recent weekend celebration, and that additional help and cooperation on the part of the college administration was needed. She said that the code office had been helpful in getting students to cleanup garbage and debris. Ms. Silliman thanked the code office and police department for their help in resolving a resident dispute, and also thanked the department of public works (DPW) for their work in filling potholes.
- Ward 3: Council Member Pennello noted that college parties escalate towards the end of the spring semester and that when driving around on Sunday mornings the evidence can be seen. She expressed concern about zoning issues and the potential for single family homes to become student housing.
- Ward 4: Council Member Lane said that residents had contacted her about fraudulent mailings claiming to provide insurance for pipes from the street to homes. A Scam alert had been posted to the city's website and she warned residents about the scam. She thanked Nic Dovi, superintendent of public works, for his prompt response in filling potholes on Broadway. Ms. Lane also said she received input from residents indicating that they preferred the council to meet twice a month, rather than once.
- Ward 5: Council Member Thompson thanked John McNerney for his work on behalf of children. He said there was an increase in reports and complaints about tractor trailers in residential neighborhoods. Mr. Thompson thanked DPW for its response in filling potholes. He also said he had meet with Council Member Michales on the Randall Park project.
- Ward 6: Council Member Carpenter said that an ongoing garbage issue had been resolved and thanked the code office for their efforts.
- Ward 7: Council Member Beckwith said that filling the youth bureau director job should be a priority. He said he would like updates on the Apex property and NYS Department of Transportation (DOT) truck routing issue. He also thanked the police department for their handling of recent college celebrations.

Ward 8: Council Member Michales said that a problematic vacant property had been sold and he hoped it would be rehabilitated. He noted that a crosswalk sign at the intersection of Clinton Avenue and Main Street remained out to a parts shortage. He said that a portion of the Clinton Avenue project had come in under budget which helped fund Washington Avenue work. Mr. Michales commented that there was a mechanics position in DPW which needs to be filled as there are trucks needing repair. He also said that he had meet with Council Member Thompson, and youth bureau staff to interview landscape architecture and engineering design firms and selected a company to do the Randall Park work. He said workshops will be held to let residents know more about the project.

### **Finance Report**

The mayor indicated that there are currently budget areas that are short. The audit is ahead of schedule and a preliminary review should be done this month.

The mayor addressed Ms. Sorrell's question about hiring a director of administration and finance saying that an interim director is being sought and that he was considering possible restructuring. He added that the city has a great accounting team and he is confident in the city's finance staff and systems.

### **Approval of the Minutes**

The minutes of February 15, 2022 were approved.

Motioned by: Council Member Silliman

Seconded by: Council Member Pennello

Approved: Ayes – 8  
Nays – 0

### **Resolution No. 40 of 2022                      Authorize Wage Adjustment for SEIU Employees**

RESOLVED, that the Common Council does hereby authorize necessary payroll allocations for the purpose of a 0.1% wage increase for employees that are part of the Service Employees International Union (SEIU) Local 200United collective bargaining unit retrospective to January 1, 2022.

Motioned by: Council Member Silliman

Seconded by: Council Member Carpenter

Approved: Ayes – 8  
Nays – 0

Agenda Item No. 2 titled "Authorize Agreement to Transition Medicare Eligible Retirees to a City-Sponsored Group Medicare Advantage Plan" was pulled from consideration

### **Resolution No. 41 of 2022                      Authorize Agreement Relating to Collection of Delinquent Real Property Taxes**

RESOLVED, that the Mayor is authorized to sign an agreement with Phillips Lytle LLP for representation, counsel and assistance in conducting tax enforcement proceedings for the sum of \$458.00 for each parcel

referred for foreclosure, along with miscellaneous charges for legal filings, publication of public notices, and mailings.

Motioned by: Council Member Beckwith

Seconded by: Council Member Michales

Approved: Ayes – 8  
Nays – 0

**Resolution No. 42 of 2022                      Authorize Contract Amendment for Clinton Avenue Phase III Streetscape Project**

RESOLVED, that the Mayor is hereby authorized to sign Amendment #4 to the Engineering Services Agreement with Bernier, Carr & Associates, Engineers, Architects & Land Surveyors, PC in the amount of \$249,500.00 for the Clinton Avenue Phase III Streetscape Project; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland is authorized to accept and reallocate unspent Environmental Facility Corporation (EFC) grant funds to cover costs of contract Amendment #4 in the amount of \$249,500.00 which will result in no additional cost to the city.

Motioned by: Council Member Beckwith

Seconded by: Council Member Schutt

Discussion: DPW superintendent Nic Dovi explained that construction inspection constitutes \$220,000 of the contract amendment costs, and that multiple inspectors are a priority to ensure that construction work is done in accordance with bid plans and NYSDOT specifications.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 43 of 2022                      Authorize Indemnification Agreement with Cortland County Industrial Development Agency for Cleanup Activity at the Apex Site**

RESOLVED, the Common Council does hereby agree that the City of Cortland will hold Cortland County Industrial Development Agency (CCIDA) harmless and defend and indemnify CCIDA for any and all claims which may arise out of the City's performance of cleanup activity, including providing trucks and drivers, for the purpose of hauling construction and demolition debris presently on the surface of the property, located at 43-45-47 Cleveland Street, to a disposal facility; AND BE IT FURTHER

RESOLVED, the Common Council does hereby authorize the Mayor to execute an indemnification agreement, which has been provided to the Common Council and public, with Cortland County Industrial Development Agency.

Motioned by: Council Member Beckwith

Seconded by: Council Member Lane

Discussion: The mayor provided an update as requested by Common Council Member Beckwith earlier in the meeting. The mayor said he is working with the county to waive county landfill tipping fees. DPW will haul debris from the site to the landfill with assistance

that has been offered by other municipalities. The mayor said he expects CCIDA to close on the site by the end of the month and then proceed to the cleanup phase.

Council Member Silliman asked if DPW's involvement would interfere with its normal operations. The mayor stated that timing of the work should fall in between the department's plowing and construction seasons. Ms. Silliman said she is pleased with the progress.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 44 of 2022                      Appoint Members to the City Personnel Committee**

RESOLVED, that the Common Council does hereby appoint Alderpersons Troy Beckwith, Thomas Michales and Mary Clare Pennello to the Personnel Committee for a term ending December 31, 2023; AND BE IT FURTHER

RESOLVED, that the Personnel Committee shall meet during the 2022-2023 term of office at 6:15 p.m. on the fourth Thursday of each month, or as otherwise scheduled and agreed to by each of the three members.

Motioned by: Council Member Carpenter  
Seconded by: Council Member Silliman  
Approved: Ayes – 8  
Nays – 0

**Resolution No. 45 of 2022                      Appoint Members to the City Ethics Committee**

RESOLVED, that the Common Council does hereby acknowledge the following appointments made by the Mayor to the Board of Ethics for a term ending December 31, 2022:

Michael Bersani, 76 1/2 Hamlin Street, Cortland NY 13045  
Donald Colongeli, 18 Pomeroy Street, Cortland NY 13045  
Karen Leahy, 12 William Street Cortland, NY 13045  
Arthur John Meldrim, 74 Madison Street, Cortland NY 13045  
Garry L. VanGorder, 1 Harmony Circle Cortland, NY 13045

Motioned by: Council Member Pennello  
Seconded by: Council Member Michales  
Approved: Ayes – 8  
Nays – 0

**Resolution No. 46 of 2022                      Appoint Members to the City Environmental Advisory Committee**

RESOLVED, that the following nominated persons are hereby confirmed by the Common Council as members of the City of Cortland Environmental Advisory Committee:

Diane S. Chu, 41 Morningside Drive Cortland NY 13045  
Donald Chu, 41 Morningside Drive Cortland NY 13045  
Dr. Jeremy Jimenez, 19 Yong Street Cortland NY 13045  
Margaret Starr, 9 Ridgeview Drive Cortland NY 13045

Motioned by: Council Member Silliman  
 Seconded by: Council Member Pennello  
 Discussion: The mayor indicated he had some suggested issues for the committee to consider.  
 Approved: Ayes – 8  
               Nays – 0

**Resolution No. 47 of 2022                      Authorize Contract Amendment with NYS Department of Environmental Conservation for Cortland Food Project Rescue & Waste Prevention**

RESOLVED, that the Common Council does hereby authorize the Mayor to sign an amended contract with New York State Department of Environmental Conservation for a project designed to identify, rescue and reuse wholesome food to alleviate food insecurity in the greater Cortland area.

Motioned by: Council Member Schutt  
 Seconded by: Council Member Carpenter  
 Approved: Ayes – 8  
               Nays – 0

**Resolution No. 48 of 2022                      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>
Cortland Firefighters Association IAFF Local 2737	\$400	Movie Under the Stars	A-7550.5406
King’s Daughters	\$1000	Youth Center Kitchen	A-7330.5400

Motioned by: Council Member  
 Seconded by: Council Member  
 Approved: Ayes – 8  
               Nays – 0

**Resolution No. 49 of 2022                      Landscape Architecture and Engineering Design Services for Randall Park**

RESOLVED that the Common Council does hereby authorize the Mayor to enter into an agreement with Saratoga Associates to complete Randall Park Renovation design work for phase I planning in an amount not to exceed \$35,598.00 as budgeted through federal COVID-19 relief funds.

Motioned by: Council Member  
 Seconded by: Council Member  
 Discussion: Cortland Youth Bureau Director John McNerney updated the council on the process and rationale by which the firm was selected. He expects concept designs to be complete by mid-July and in time for state grant applications due the end of July.

Approved: Ayes – 8  
Nays – 0

**Resolution No. 50 of 2022 Rescind Local Law No. 8 of 2021 and Adopt Local Law Relating to Authorizing Zoning Change**

RESOLVED, that Local Law No. 8 of 2021 is hereby rescinded, AND, BE IT FURTHER

RESOLVED that the Common Council hereby adopts a Local Law authorizing the rezoning of tax map parcel #87.53-03-16.200 located on River Street in the City of Cortland to GB-2 subject to all regulations created and established relative to said district.

Motioned by: Council Member

Seconded by: Council Member

Approved: Ayes – 8  
Nays – 0

**Resolution No. 51 of 2022 Authorize and Deem 72-74 Floral Avenue as a Two-Family Dwelling**

RESOLVED, that 72-74 Floral Avenue in the City of Cortland is hereby authorized as and deemed to be a two-family dwelling.

Motioned by: Council Member

Seconded by: Council Member

Discussion: The mayor explained that the house has never been converted and physically cannot be converted. Council Member Schutt noted that neighbors signed a petition in support of this action.

Approved: Ayes – 8  
Nays – 0

**Adjournment**

The meeting was adjourned at 7:42 p.m. on motion of Council Member Beckwith, seconded by Council Member Carpenter, and approved by a vote of 8-0.

**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 15<sup>TH</sup> DAY IN MARCH, 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