



The City of Cortland
City Common Council Minutes
Council Meeting No. 8 of 2022

May 3, 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 to create a special event temporary Food Vendor License. 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 the City Clerk 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
Troy Beckwith – Seventh Ward Alderperson
Thomas Michales – Eighth Ward Alderperson

The following Common Council Members were recorded absent:

Katy Silliman – Second Ward Alderperson
William Carpenter – Sixth Ward Alderperson

Salute to the Flag

Moment of Silence/Reflection

Proclamation

Declaring May 14, 2022 Muscular Dystrophy Association and Cortland Professional Firefighters International Association of Firefighters Local 2737 Boot Day Drive

WHEREAS, the Muscular Dystrophy Association (MDA) and Cortland Professional Firefighters International Association of Firefighters (IAFF) Local 2737 is promoting a "Fill the Boot" drive on May 14, 2022; AND

WHEREAS, the Muscular Dystrophy Association has requested that May 14, 2022 be proclaimed as "MDA/IAFF Local 2737 Boot Drive Day"; AND

WHEREAS, to date over \$679 million has been raised by over 300,000 firefighters through seven decades to save and improve lives of MDA families; AND

WHEREAS, the Muscular Dystrophy Association is the leading health agency providing scientific, medical and emotional support for individuals and families affected by neuromuscular disease; NOW, THEREFORE, BE IT

RESOLVED, I, Scott Steve, Mayor of Cortland, do hereby proclaim May 14, 2022 as Muscular Dystrophy Association and International Association of Firefighters Local 2737 Boot Drive Day in the City of Cortland, and I urge citizens to learn more about Muscular Dystrophy through news media coverage or by calling their local Muscular Dystrophy Association office for more information.

Privilege of the Floor

No one was present to speak

Mayor's Report

The Mayor provided an overview of state budget actions affecting the City. He noted the following appropriations:

- Aid Incentives for Municipalities (AIM) funding remained flat;
- Consolidated Local Street and Highway Improvement Program (CHIP) funding remained flat;
- Water and sewer infrastructure funding was increased by \$500 million which may help with the City's Downtown Revitalization Initiative (DRI);
- The Restore New York Communities Initiative which provides municipalities with financial assistance for revitalization of commercial and residential properties is funded at \$250 million;
- Regional Economic Development Councils are appropriated \$225 million plus tax credits for regional projects;
- DRI is funded at \$100 million;
- Land banks are funded at \$50 million for services and expenses;
- Distressed Provider Assistance Program includes \$50 million for local governments outside New York City which impose a local sales tax to receive distributions from sales tax revenue paid by vendors to New York State.

The Mayor noted the following upcoming events and designations:

- May 15 is designated Peace Officers Memorial Day, and the week of May 15 is Police Officer week;
- June 7 is the Dairy Parade;
- June 11-12 is the St. Anthony's Day Festival;
- June 18 is Juneteenth commemoration and celebration;
- June 25 is LGBTQ celebration.

The Mayor said that the April 23rd community trash pickup was successful with approximately 200 people participating.

The Mayor said he attended a recent homeless services meeting and that the group continues to look at solutions for the problems of the homeless.

Ward Reports

- Ward 1: Council Member Schutt thanked those who helped with the community trash pickup effort.
- Ward 3: Council Member Pennello said that students at the OCM BOCES - Cortland Alternative School want to assist in building the little library to be located at the Water Works. She said she received a complaint from a James St. resident about activities of college students.
- Ward 4: Council Member Lane said she participated in the community trash pickup effort and was impressed with the number of college students that participated. She said neighborhood residents were preparing for traffic issues during college graduation ceremonies May 13 and 14. Ms. Lane asked the status of retiree insurance plan options. The Mayor addressed her question during the later discussion period of the meeting by saying that recent informational sessions had been held and additional research is being conducted.
- Ward 5: Council Member Thompson said questions were asked by residents about double utility poles on Delaware Ave. He said he is discussing with the Department of Public Works (DPW) whether poles not serving a purpose could be taken down. Mr. Thompson said that Delaware Ave. residents are happy that roadwork has been completed. He thanked those that participated in the community trash pickup effort and said he hoped it would become an annual event.
- Ward 7: Council Member Beckwith noted that the Common Council has in the past cancelled Common Council meetings that occur on the day of the Dairy Parade. He asked if that would happen this year for the June 7 meeting. The Mayor said that a resolution to cancel the meeting would be placed on the agenda for the next meeting
- Ward 8: Council Member Michales said noise complaints had been received, and that he did a ride-along with the Police Department and responded to a noise complaint. He noted that the Police Department purchased a noise meter to detect noise levels.

Finance Report

The Mayor said that financial statements and documents were provided to members of the Common Council and made available to the public. He said that DRI bids were received and being reviewed. He said that costs may exceed what the Common Council budgeted last year for the current year's budget. The Mayor said that Noss Park site work began and that unspent funds from a 2017 grant may be used for this work. He said that the State notified the City that a \$500,000 grant awarded in 2017 is unspent and expires in July. He said this timing would not allow for funds to be spent on construction costs for a pedestrian bridge across the Tioughnioga River at Yaman Park but the State agreed funds could be used for engineering services.

Approval of the Minutes

The minutes of April 19, 2022 were approved.

Motioned by: Council Member Beckwith

Seconded by: Council Member Schutt

Approved: Ayes – 6
Nays – 0

Resolution No. 79 of 2022 Approve Special Event and Related Permits for St. Anthony’s Day Festival

WHEREAS, St. Anthony’s Church has submitted a Special Event Application for the purposes of holding the St. Anthony’s Day Festival at 50 Pomeroy Street on June 11 -12, 2022; AND

WHEREAS, St. Anthony’s Church has submitted an application for the closing of Pomeroy Street from Elm Street to Central Avenue from the hours of 10:00 a.m. to 10:00 p.m. on June 11 - 12, 2022; AND

WHEREAS, St. Antony’s Church has submitted a Sound Device Permit Application for 6:00 p.m. to 10:00 p.m. June 11, 2022 and 12:30 p.m. to 6:00 p.m. June 12, 2022; AND

WHEREAS, St. Anthony’s Church has submitted an Operating Permit Application for an occupant load of more than 100 persons, and the use of a stage, tents and propane gas storage containers; AND

WHEREAS, the Police Department, Fire Department and City Clerk’s Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby approve a Special Event Permit, an Application for Street Closing, a Sound Device Permit without fee, and an Operating Permit for the St. Anthony’s Day Festival to be held on June 11 - 12, 2022.

Motioned by: Council Member Beckwith
Seconded by: Council Member Thompson
Approved: Ayes – 6
Nays – 0

Resolution No. 80 of 2022 Adopt Local law No. 4 of 2022 “Amending Article §213 Relating to Mobile Food Preparation Vehicle Vendor Special Event Temporary License”

WHEREAS, a public hearing was held on May 3, 2022 regarding proposed changes in regulations for vendors operating mobile food preparation vehicles (“MFPV”); AND

WHEREAS, Article §213-6. Peddling and Soliciting. D. License Required; Exemptions within the City Code has no regulatory framework for a vendor operating an MFPV to obtain a temporary license to operate at authorized special events; AND

WHEREAS, Article §213-6. Peddling and Soliciting. D. License Required; Exemptions has no regulatory framework for a vendor operating an MFPV to obtain a license to operate on the property of a business that employs at least two hundred (200) individuals should that business allow; NOW, THEREFORE, BE IT

RESOLVED, the Common Council approves adoption of Local Law No. 4 of 2022 amending Article §213 to allow for a mobile food preparation vehicles (MFPV) vendor to obtain a special event temporary license or a license to operate on the property of a local business.

Motioned by: Council Member Beckwith
Seconded by: Council Member Schutt

Discussion: Mr. Thompson made a motion, seconded by Mr. Beckwith to amend the proposed local law to change the license fee for a mobile food preparation vehicle vendor to obtain a special event temporary license from \$50.00 a day to \$75.00 for the first day and \$50.00 for subsequent days. The motion to amend the proposed local law was approved 6-0.

Approved: Ayes – 6
Nays – 0

Resolution No. 81 of 2022 Transfer of Funds for Fire Apparatus Repair

WHEREAS, the City of Cortland Common Council approved major repair to fire apparatus at the January 18, 2022 regular meeting, with adoption of Resolution 17 of 2022; AND

WHEREAS, this repair has been completed and is satisfactory; AND

WHEREAS, additional repairs were needed due to unforeseen issues discovered during annual servicing and testing that if not addressed would leave the apparatus inoperable; AND

WHEREAS, these repairs facilitate the continuation of the City’s desire to maintain an Apparatus Replacement Plan for the immediate and extended future; AND

WHEREAS, the Fire Department strives to maintain all its apparatus in a status of immediate readiness while prolonging the service life of each within the fiscal imitations of the City; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council authorizes the transfer of \$87,813 from Sales Tax Revenue Line A1325-41120 to the Fire Department Budget Line A3410-540200 Cont. Motor to pay for repairs to Fire Department Apparatus.

Motioned by: Council Member Lane

Seconded by: Council Member Schutt

Approved: Ayes – 6
Nays – 0

Resolution No. 82 of 2022 Appropriate Police Department Impound Scrap Proceeds

WHEREAS, the Cortland City Police Department operates and maintains an impound lot for vehicles towed as a result of unlawful activity under the New York State Penal Law and Vehicle and Traffic Law; AND

WHEREAS, there is a daily charge for each day the vehicle remains at the impound lot; AND

WHEREAS, many times the owner of the vehicle is not interested in retrieving the vehicle due to the poor condition of the vehicle; AND

WHEREAS, the Cortland City Police Department routinely needs to clear the impound lot of unwanted and unusable vehicles, under Section 1244(3)(a) of the New York State Vehicle and Traffic Law; AND

WHEREAS, the Cortland City Police Department sold seven (7) vehicles to Contento's for scrap on March 16, 2022 and received \$1,665.00 on April 22, 2022; AND

WHEREAS, these funds have been placed in the Minor Sales Account with Cortland City Finance Department, but could assist the Cortland City Police Department with purchasing needed equipment;

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council directs the transfer \$1,665.00 obtained from scrap vehicles from the Finance Department’s Minor Sales account to the Police Department budget line A3120-540200: Motor Vehicle Equipment and Repair to be utilized towards new vehicles and/or equipment.

Motioned by: Council Member Pennello

Seconded by: Council Member Michales

Approved: Ayes – 6

Nays – 0

Resolution No. 83 of 2022 Designate Surplus Police Department Equipment and Appropriate Proceeds

WHEREAS, the Cortland City Police Department has old, outdated and unusable equipment in their possession; AND

WHEREAS, this equipment consists in part of: old Hint computer mounting brackets, rifle/shotgun mounts, external light bars, Kenwood VHF radios, Digital Ally mobile video recorders, Panasonic interior ceiling mount cameras, ELSAG LPR (parts), and misc. other items for patrol vehicles which cannot be utilized; AND

WHEREAS, the Cortland City Police Department wishes to have the Common Council declare these items as surplus and allow it to be sold on Auctions International, an internet auction site; AND

WHEREAS, the Cortland City Police Department wishes to utilize the funds obtained from the sale of these items towards the purchase of new equipment; NOW, THEREFORE, BE IT

RESOLVED, the Common Council does hereby declare the items listed above as surplus and does grant authority to dispose of such property by means of Auction International, with all proceeds put into the Minor Sales account with the City of Cortland Finance Department and returned back to the Cortland City Police Department budget line A3120-540200: Motor Vehicle Equipment and Repair to be utilized towards new vehicles and/or equipment.

Motioned by: Council Member Beckwith

Seconded by: Council Member Pennello

Approved: Ayes – 6

Nays – 0

Resolution No. 84 of 2022 Authorize Agreement for Police Department Body-Worn Camera Grant Application Writing Services

WHEREAS, the Cortland City Police Department documented in the 2020 Executive Order 203 Law Enforcement Reform and Reinvention report that the implementation of body worn cameras by officers would be explored and implemented if feasible; AND

WHEREAS, body worn cameras being utilized by police officers would allow for more transparency in the actions of the police and how they engage the public they serve; AND

WHEREAS, the cost of purchasing, implementing and storing data has always been a prohibitive factor to

the Cortland City Police Department implementing body worn cameras; AND

WHEREAS, a federal grant to purchase body worn cameras is now available through the Bureau of Justice Assistance for fiscal year 2022; AND

WHEREAS, the Cortland City Police Department is desirous of receiving grant funding to implement a body worn camera program and has already written a policy for the usage of this equipment by members of the agency; AND

WHEREAS, these grants are highly competitive and require skill beyond the current capacity of the Department to adequately address in a timely manner; NOW, THEREFORE, BE IT

RESOLVED, the Common Council agrees the introduction of body worn cameras in the Cortland City Police Department would be a positive addition to the tools already utilized by the officers, as it would increase transparency and foster better relationships with the community; AND BE IT FURTHER

RESOLVED, that the Common Council hereby authorizes the Mayor to sign an agreement with WCP Consultants of 21 West Franklin Street, West Carthage NY to complete the Bureau of Justice Assistance Body-Worn Camera grant application for a sum not to exceed \$1,250.00.

Motioned by: Council Member Schutt

Seconded by: Council Member Lane

Discussion: It was noted that video storage will be cloud based and that the Police Department has written a policy for body worn cameras.

Approved: Ayes – 6
Nays – 0

Resolution No. 85 of 2022 Appoint Cortland Youth Bureau Director

WHEREAS, the incumbent Cortland Youth Bureau Director, John McNerney, retired effective April 29, 2022; AND

WHEREAS, the position has been posted and applicants have been reviewed by the Personnel Committee; AND

WHEREAS, the Youth Bureau Board interviewed candidates and have recommended the hiring of Andrea Piedigrossi; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby approve the hiring of Andrea Piedigrossi as Cortland Youth Bureau Director effective May 2, 2022 at a salary of \$75,000.

Motioned by: Council Member Thompson

Seconded by: Council Member Schutt

Discussion: The Mayor thank Youth Bureau Board members Christella Yonta, Krissy Gambitta, Tom Steele and Allison Veintimilla for their efforts in reviewing candidates and making a recommendation. He said that there were several excellent candidates and that Andrea Piedigrossi stood out. The Mayor noted that Ms. Piedigrossi is the first City of Cortland department head.

Approved: Ayes – 6
Nays – 0

Resolution No. 86 of 2022 Appoint Member to the Zoning Board of Appeals

WHEREAS, the Zoning Board of Appeals, as established by the City of Cortland, shall hear and decide appeals and requests for variances from the requirements of Chapter 138 of the City Code; AND.

WHEREAS, the Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the local administrator in the enforcement or administration of this said chapter; AND

WHEREAS, The Board shall consist of seven members appointed by the Mayor subject to confirmation by the Common Council; AND

WHEREAS, all appointments shall be made for a term of three years; AND

WHEREAS, Zoning Board of Appeals member Abigail Cleary has submitted her resignation; NOW, THEREFORE, BE IT

RESOLVED, that Tristan Sebastien Laurore, Sr. is hereby appointed as a member of the Zoning Board of Appeals for a term beginning May 4, 2022 and expiring May 3, 2025.

Motioned by: Council Member Beckwith

Seconded by: Council Member Michales

Approved: Ayes – 6
Nays – 0

Discussion Item No. 1 Director of Administration & Finance

Council Members Lane and Thompson asked for a timeline for the process of hiring for the vacant Director of Administration and Finance position. The Mayor said he was focused on process and wanted to make a hire as soon as possible.

Council Member Lane asked if the city’s bills are being paid. Mayor Steve replied that the Administration and Finance staff has been handling internal audit reports and paying bills on time. He said he has been assisting and overseeing these financial responsibilities. He added that external auditing services are being utilized only as required by the state.

Mayor Steve noted that for a long period of time financial statements have not been provided to the Common Council or public on a regular basis, and that he is providing them to the Council and public each month. Council Member Pennello added that monthly and quarterly audits had not previously been done and that the Mayor is doing an excellent job.

Council Member Lane asked why purchases made for the Police Department appear on credit card statements for the Fire Department. The Mayor explained that the Police Department credit card had been cancelled due to bills not being paid during the previous administration. He added that a new credit card account for the Police Department had been authorized by the Common Council on April 5th.

Mayor Steve said he believes there are several key steps to consider in the hiring process including assessing the form of government, and the structure of the Director and Deputy Director positions. He

said former Mayor Brian Tobin recommended to him that he reconsider how the positions are structured. Additionally, an evaluation of skills and abilities needed for the position should be done before the final process of recruiting and hiring a candidate.

Council Member Pennello who serves as chair of the executive personnel committee said the committee is looking at job descriptions for the director of administration and finance, as well as deputy director. She said the last revision to the job descriptions were in 2007 and 2008 and that they need to be updated to meet current needs. Ms. Pennello said she will seek advice from the Dean of Binghamton University's Masters in Public Administration program on how to structure the job description. She said the committee is looking at what didn't work in the past to make sure the City does not repeat past mistakes.

Ms. Lane and Mr. Thompson reiterated the importance of the hiring process having a timeline. The Mayor said his goal is to have someone hired by September.

Council Member Thompson said the Council should develop a strategy for how the position is structured, and needs to consider the current market for recruiting candidates. He said the City should be mindful and strategic about hiring.

Discussion Item No. 2 Corporation Counsel

The Mayor explained that any changes to the position of Corporation Counsel would require a change to the City Charter. He said that further research into options for the position is being done.

Discussion Item No. 3 Apex Site

The Mayor said that the City would be closing on the site in a few days, and the scope of cleanup services is being finalized. He said there may be some Brownfield Cleanup Program funding available through the state Department of Environmental Conservation to help may cleanup costs. He said a private developer has expressed interest in the site and that the proceeds from the sale of the property would serve to reimburse the city for cleanup costs.

Discussion Item No. 4 Common Council Meeting Video and Audio

The Mayor said that efforts are being made to improve the audio for the video cast of Common Council meetings.

Discussion Item No. 5 Parker School Ad Hoc Planning Committee

Council Member Lane said she is trying to set up a date for an initial meeting.

Discussion Item No. 6 Trash and Recycling Ad Hoc Advisory Committee

The Mayor said there is an upcoming meeting and that additional information about options had been provided to Common Council members.

Discussion Item No. 7 Town and Gown Ad Hoc Planning Committee

The Mayor said he has an upcoming meeting with college officials and representation on the committee. Council Member Lane said she knew people who are interested in being on the committee. She asked to be invited to the Mayor's upcoming meeting with college officials and the Mayor said he will include her.

Adjournment

The meeting was adjourned at 7:12 p.m. on motion of Council Member Beckwith seconded by Council Member Schutt, and approved by a vote of 6-0.

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 3RD DAY IN MAY, 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