



City Council **Minutes**  
The City of Cortland  
**May 18, 2021**

Council Meeting #10  
**May 18, 2021**  
Via Zoom  
7:00 PM

Present: Mayor Brian Tobin, Councilperson Kat McCarthy, Bruce Tytler, John Bennett, Jackie Chapman, William Carpenter, Troy Beckwith, Thomas Michales

Excused: Councilperson Katy Silliman

Staff Present: Corporation Counsel Ric VanDonsel, Director of Finance Mack Cook, Police Chief Sandy, Fire Chief Friedman, City Clerk Raymond A. Parker, Confidential Secretary Devon Rainbow

**Public Hearing on the Hubbard St. Parking**

Mayor Tobin opened the public hearing at 7pm.

No one was present to speak.

Mayor Tobin closed the public hearing at 7:04pm.

**Regular Session:**

Mayor Tobin called the tenth Common Council meeting of the year to order at 7:04 PM.

**Pledge of Allegiance**

**Public Comments:**

No one signed up to speak

**Mayor's Report:**

- The City sidewalk program is now open. People can apply through Thoma Development at 34 Tompkins St.
- Councilperson Bennett read the conflict of interest disclosure for YWCA.
- Mayor Tobin read the conflict of interest disclosure for Larry Knickerbocker.
- Add a couple agenda items at the end of the agenda
- Mayor read the mental health proclamation for May.

**Resolution #127 of 2021** – Resolution to approve minutes from May 4, 2021 meeting.

Motioned by: Councilperson Carpenter

Seconded by: Councilperson Chapman

Approved:           Ayes – 7  
                          Nays – 0

**Item #1** – Presentation by Tom Augostini, Employee Benefit Consultant, Haylor, Freyer & Coon, Inc., an optional health insurance plan for Medicare eligible retirees, their spouses and eligible dependents specifically designed to provide all current benefits available under the current City’s Classic Blue policy.

**Item #2** – Update on infrastructure work in City.  
The State DOT has done a traffic study regarding the bump out changes made on Owego St/Tompkins St intersection. Some ADA ramping and crosswalks are going up.

**Resolution #128 of 2021** – Resolution to amend the 2021 Adopted General Fund Budget for increases in the New York State 2021/22 Budget for assistance for City.

**Whereas**, the City has available to it \$221,653 in allocated 2020/21 CHIPS funds, and

**Whereas**, the City has available to it \$40,114 in allocated 2020-21 EWR funds, and

**Whereas**, the City has available to it \$61,415 in allocated 2021-21 PaveNY funds, and

**Whereas**, the City’s allocated 2021/22 CHIPS funding is \$348,147, and

**Whereas**, the City’s allocated 2021/22 EWR funding is \$64,952, and

**Whereas**, the City’s allocated 2021/22 PaveNY funding is \$96,954, and

**Whereas**, the City’s allocated 2021/22 Touring Route funding is \$855,430, and

**Whereas**, the City now has available to it for current use \$569,800, in CHIPS funding, and

**Whereas**, the City now has available to it for current use \$105,076, in EWR funding, and

**Whereas**, the City now has available to it for current use \$158,370, in PaveNY funding, and

**Whereas**, the City now has available to it for current use \$855,430, in Touring Route funding.

**Therefore, be it Resolved** that upon the recommendations of the Public Works Commission that the City’s 2021 General Fund Adopted Budget be amended to reflect the following uses of available funding

- Expenditure of \$194,800 of available CHIPS funding for repair towards repair streets and curbing;
  - Expenditure of \$375,000 of available CHIPS funding for Equipment;
  - Expenditure of \$105,076 of available EWR funding towards repair of streets and curbing;
  - Expenditure of \$158,370 of available PaveNY funding towards repair of streets and curbing;
- Expenditure of \$855,430 of available Touring Route funding towards repair of streets and curbing.

Motioned by:       Councilperson Tytler  
Seconded by:       Councilperson McCarthy

Approved:           Ayes – 7  
                          Nays – 0

**Resolution #129 of 2021** – Resolution to approve the street closure application for the VFW for Memorial Day.

Motioned by:       Councilperson Bennett  
Seconded by:       Councilperson Carpenter

Approved:           Ayes – 7  
                          Nays – 0

**Resolution #130 of 2021** – Resolution to approve outdoor seating for Loaves and Fishes on May 24, 2021.

Mike Shafer was present for the meeting. He explained that they will be using 9 parking spots to the North from the ramp 2 days a week during lunch time. This will be Tuesdays and Thursdays 9:30AM – 1:30PM starting May 25 – August 19, 2021.

Motioned by: Councilperson Chapman  
 Seconded by: Councilperson Carpenter

Approved: Ayes – 7  
 Nays – 0

**Resolution #131 of 2021** – Resolution to accept, recognize and appropriate the following donations to the Youth Bureau.

<b>Donation</b>	<b>Amount</b>	<b>Event/Project</b>	<b>Budget Line</b>
Yaman Foundation	\$15,886.68	Yaman Beach Sand	A-7180.5206
Tim Walsh	\$1,000.00	Jerry Walsh Trust Fund	Trust & Agency
Total	\$16,886.68		

Thank you!

Motioned by: Councilperson Bennett  
 Seconded by: Councilperson Carpenter

Approved: Ayes – 7  
 Nays – 0

**Resolution #132 of 2021** – Resolution to amend the Community Development Revolving Loan Fund to the Cortland Downtown Partnership, including its successor and assignees, by modifying the loan agreement for the re-construction of its building at 40-42 Main Street, Cortland New York so that the principal and accrued interest thereon is to be due and payable in whole on June 1, 2026 which may be extended at the option of the City to June 1, 2031. Further, the outstanding balance of the loan, \$61,483.41, shall accrue interest from the period commencing on April 5, 2020 and ending on May 31, 2026 at the annual rate of two percent (2.0%). Further, should the City so extend the repayment of principal and accrued interest till June 1, 2031, the outstanding balance shall accrue interest at the rate of sixty percent (60%) of prime interest rate as noted Wall Street Journal on June 1st of each succeeding year commencing on June 1. 2026.

Motioned by: Councilperson Bennett  
 Seconded by: Councilperson Carpenter

Approved: Ayes – 7  
 Nays – 0

**Resolution #133 of 2021** – Resolution to amend the City’s Adopted 2021 General Fund Budget to reflect modifications to the Sewer Lateral Program and Sales Tax Revenue Projections.

**Whereas:** the City had anticipated in its 2021 Adopted General Fund Budget \$600,000 as reimbursements from a Community Development Block Grant (CDGB) funding the replacement of sewer laterals utilizing City resources, and

**Whereas;** of the 23 approved applications for lateral replacements and the 3 pending applications only 1 sewer lateral will be replaced utilizing City resources by the expiration of the grant on June 28, 2021, and

**Whereas;** the City had projected in the 2021 Adopted General Fund Budget \$4,700,359 as its distributive share of the County-wide local sales tax distributions of \$28,314,241, and

**Whereas;** based upon actual sales collections through April 2021 the City's projection of its share of 2021 sales tax will be \$5,529,737 of the County-wide local sales tax distribution of \$32,986,793, and

**Whereas;** the current projected sales tax revenue now exceeds that in the 2021 Adopted Budget by \$829,378.

**Therefore be it Resolved** that the transfer from the Capital Fund to the General Fund for services performed under the sewer lateral replacement grant be reduced by \$600,000, and

Be it Further Resolved that local sales tax revenues be increased by \$600,000 to reflect the increase in projected revenues.

Motioned by: Councilperson Chapman

Seconded by: Councilperson Tytler

Approved: Ayes – 7  
Nays – 0

**Resolution #134 of 2021** – Resolution to transfer within the Capital Fund funding sources to accommodate changes in the sequence of Capital Projects.

**Whereas;** In March 2020 the Capital Project Work Plan was adopted designating 23 projects to be undertaken and completed between 2020 and 2025, and

**Whereas;** In 2021 14 of the 23 projects have proceeded to construction/implementation, 2 are nearing completion, 5 are in the design, engineering or permitting phase, and 2 have yet to begin, and

**Whereas;** Funding sources were appropriated to each project based upon estimates of the projected timing, sequence, and progression of project activities, and

**Whereas;** some projects have progressed sooner than originally planned and certain projects have encountered delays, and

**Whereas;** although all projects are grant funded, under the terms the grants monies but first be expended and then reimbursed making it necessary to reapportion estimated funding allocations.

**Therefore be it Resolved** that the 2020 -2025 Capital Project Plan be amended as follows:

\$ 50,000 transferred **from** the 2020 Wickwire site rehabilitation project

\$ 150,000 transferred **from** the 2020 Owego Street Drainage Project

\$ 2,256,744 transferred **from** the 2021 DRI Component 1 Project

\$ 250,000 transferred **from** the 2021 DRI Component 2 Project

\$ 200,000 transferred **to** the 2021 Fire Fighter Bunker Gear Project

\$ 1,350,000 transferred **to** the 2021 Clinton Ave Church to Main Sewer Project

\$ 1,156,744 transferred **to** the 2021 Clinton Ave Church to Main Storm Water Project

Net change: \$0

Motioned by: Councilperson Carpenter

Seconded by: Councilperson Bennett

Approved: Ayes – 7  
Nays – 0

**Resolution #135 of 2021** – Resolution to accept, recognize and appropriate a donation of \$100.00 in memory of retired career firefighter Robert Foster to the Fire Department Trust & Agency Account (#TA-2044).

Motioned by: Councilperson Chapman

Seconded by: Councilperson Michales

Approved: Ayes – 7  
Nays – 0

**Resolution #136 of 2021** – Resolution to Amend section 300-113 to exclude content based sign restriction and to re-letter the remaining portion of the article.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Bennett

Approved: Ayes – 7  
Nays – 0

**Resolution #137 of 2021** – Resolution to appoint Brandon McGovern to the Planning Commission for a 3 year term.

Motioned by: Councilperson Bennett  
Seconded by: Councilperson McCarthy

Approved: Ayes – 7  
Nays – 0

**Resolution #138 of 2021** – Resolution to re-appoint C. Jane Snell to the Housing Authority for another 5 year term.

Motioned by: Councilperson Bennett  
Seconded by: Councilperson Chapman

Approved: Ayes – 7  
Nays – 0

**Resolution #139 of 2021** – Resolution to approve the County Hazard Mitigation Plan.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Michales

Approved: Ayes – 7  
Nays – 0

**A motion was made to enter into Executive Session (contract, financial, negotiations)**

Motioned by: Councilperson Beckwith  
Seconded by: Councilperson Michales

Approved: Ayes – 7  
Nays – 0

**A motion was made to exit out of Executive Session**

Motioned by: Councilperson Beckwith  
Seconded by: Councilperson Michales

Approved: Ayes – 7

Nays – 0

**Resolution #140 of 2021** – Resolution to approve the hiring of Nic Dovi to Superintendent of Public Works at an annual salary not to exceed \$95 thousand dollars and authorize the Mayor to enter into a contract with Nic Dovi.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Tytler

Approved: Ayes – 7  
Nays – 0

**Item #16** - Discussion regarding older CDBG loans and possible consideration of writing off aged delinquent loans.  
Loans older than 6 years. The City reached out to applicants to give an opportunity to pay off.

**Item #17** – Discussion on sidewalk repair and maintenance.  
There is an opportunity to apply for grant money to assist home owners to repair sidewalks. Any repair needs to go through the DPW to have the sidewalk assist to see what kind of repair is needed.

**Item #18** – Discussion on Hubbard St.  
Another public hearing date is set for June 15.

**Item #19** – Covid-19 update  
Mask mandate for vaccinated people changes. There are areas that will require masking still. City Hall has been having conversations regarding the opening of the doors and have face to face contact with the public. Please respect those that may still want to continue or need to wear masks.

**Resolution #141 of 2021** – Resolution to authorize the Mayor to execute an employment agreement with Cortland Police Department Deputy Chief David Guerrera.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Tytler

Approved: Ayes – 7  
Nays – 0

**Resolution #142 of 2021** – Resolution to authorize the Mayor to execute an employment agreement with Cortland Fire department Deputy Chief Michael Ten Kate.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Chapman

Approved: Ayes – 7  
Nays – 0

**Resolution #143 of 2021** – Resolution to declare 3 unmarked police cars as surplus and sold at auction.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Beckwith

Approved: Ayes – 7  
Nays – 0

**Resolution #144 of 2021** – Resolution to authorize the Youth Bureau to purchase a new lawn mower not to exceed \$20 thousand dollars.

Motioned by: Councilperson Carpenter  
Seconded by: Councilperson Chapman

Approved: Ayes – 7  
Nays – 0

**Adjournment**

Motioned by: Councilperson McCarthy  
Seconded by: Councilperson Bennett

Approved: Ayes – 7  
Nays – 0

**I, RAYMOND A. PARKER, 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 18<sup>th</sup> DAY IN MAY 2021. 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.**

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RAYMOND A. PARKER, CITY CLERK

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MAYOR BRIAN TOBIN