



City Council Minutes
The City of Cortland
December 18, 2012

Council Meeting #23

December 18, 2012
Regular Session
City Hall
7:00 PM

Present: Deputy Mayor Ken Dye, Aldermen Julie Bird, Kathryn Silliman, John Bennett, Dan Quail, Carlos Ferrer, Linda Ferguson and Thomas Michales.

In Mayor Tobin's absence, Alderman Dye chaired the meeting.

Staff Present: Corporation Counsel Kelly Colasurdo and Director of Administration & Finance Mack Cook.

Regular Session

Deputy Mayor Dye called the twenty-third Common Council meeting of the year to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Public Comments

Deputy Mayor asked that each speaker limit their time to three minutes.

To speak was Mike Doughty on behalf of the Public Works Department tonight. We unanimously support the position of Deputy Superintendent of Public Works and we feel it is an important position; we have collapsed several departments into the Department of Public Works. Chris Bistocchi's work load has increased dramatically and the individual up for this appointment, Nicholas Dovi is an excellent person for the position.

Nest to speak was Frank Kelly, co-chair of the City's Environmental Advisory Committee. The Council was sent a memo in regards the third item on tonight's agenda, the concern about using the brine. We are not opposing the proposal, we have much respect for both Chris Bistocchi and Pat Reidy, but we have listed some concerns and questions. I ask that the memo be read into the minutes.

MINUTES

Minutes of the December 4th meeting, changes or corrections.

RESOLUTION #211 OF 2012 – Minutes of the December 4, 2012 meeting.

Motion By: Alderman Ferrer
Seconded By: Alderman Quail

Approved: Ayes – 8
Nays – 0

Bills were reviewed.

Mayor's Report

The Mayor is in Puerto Rico and did not have a report to be read.

PINK SHEET sign off on some retroactive pay on a CSEA contract.

Item #1 – Consideration of a Resolution to authorize the Mayor to execute an agreement between the City of Cortland and the Town of Cortlandville for services rendered by the Cortland Youth Bureau from January 1, 2013 through December 31, 2013 (John McNerney)

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #212 OF 2012 – Resolution to authorize the Mayor to execute an agreement between the City of Cortland and the Town of Cortlandville for services rendered by the Cortland Youth Bureau from January 1, 2013 through December 31, 2013 (John McNerney)

Item #2 – Consideration of a Resolution to recognize as revenue received \$30,543.00 from FEMA for reimbursement of costs expended for the City's Fire Prevention Smoke Detector Program grant and appropriate said monies (Chief Glover)

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 8
Nays - 0

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Fire Chief Chuck Glover was present to explain that the Fire Department had applied for a grant after doing a brief survey of a couple streets to assess the need for smoke detectors. The smoke detectors were then distributed to the homes determined to be in need. In conjunction with that, the Fire Department this past weekend rode around to see if they could go into single family homes to install smoke detectors, and that went very well.

RESOLUTION #213 OF 2012 – Resolution to recognize as revenue received \$30,543.00 from FEMA for reimbursement of costs expended for the City’s Fire Prevention Smoke Detector Program grant and appropriate said monies (Chief Glover)

Item #3 – Consideration of a Resolution to authorize the trade-in surplus equipment valued at \$9,500 towards the purchase of one Massy Ferguson tractor equipped with a broom attachment and spray brine tank at a cost of \$18,800 and expend from the Capital Fund the residual balance of the purchase cost of \$9,300 (Aldersperson Julie Bird, Chair of the City Crow Committee)

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Alderman Bird read the letter from the Environmental Advisory Committee: The proposed use of brine from the Harford Mills salt dome appears like a good alternative to the use of toxic drilling brine but there are a number of essential concerns that should be addressed before we proceed.

- Is Harford Mills brine safe to spread on roads?
- How do we know it is safe?
- Are we sure the Harford Mills facility will have sufficient non-toxic brine to consistently meet our needs?
- Will any contract between the City and enterprise (the Harford Mills site) as exclusive source of brine
- Will it stipulate the substance to be tested for, and the frequency and method of testing?
- Will there be liability provisions should it be shown that the by-product has not met specifications?

The Committee is not making any recommendations at this time, just to investigate thoroughly and proceed with caution.

Alderman Bird stated that the Crow Committee met on December 6th and since the crows don’t want to go anywhere, we will have to clean up after them. Buying equipment to clean the sidewalks was discussed, the County will purchase some kind of tractor to clean their part of the Courthouse Park and the City will clean our area. She also noted that the brine will keep the streets and sidewalks from icing up and keep the dust down when cleaning

up the crow feces. The letter addressing the brine subject is available on the City's web site.

RESOLUTION #214 OF 2012 – Resolution to authorize the trade-in surplus equipment valued at \$9,500 towards the purchase of one Massy Ferguson tractor equipped with a broom attachment and spray brine tank at a cost of \$18,800 and expend from the Capital Fund the residual balance of the purchase cost of \$9,300 (Alderperson Julie Bird, Chair of the City Crow Committee)

Item #4 –Consideration of a Resolution to abolish the position of Park Supervisor (Chris Bistocchi)

Alderman Ferguson requested Chris Bistocchi explain to Council and the public what was going on with this position.

Chris Bistocchi, Superintendent of Public Works, stated his Department has absorbed several departments over the years, starting with the Water Department, Public Safety, Buildings and Grounds for snow removal, repairs, and plumbing. The position of Deputy Superintendent was last held in 1998 by Anthony “Chubby” Trivisonno. The City has operated since that time without a Deputy Superintendent, however with the extra work load placed on our Department I feel it is necessary to have a Deputy, not just in managing but also in decision making.

Director of Administration & Finance Mack Cook noted that the Buildings and Grounds position, not including benefits, was just under \$50,000 and the Public Safety position was about \$55,000 excluding benefits, and this new position will be about \$50,000.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays - 0

RESOLUTION #215 OF 2012 - Resolution to abolish the position of Park Supervisor (Chris Bistocchi)

Item #5 – Consideration of a Resolution to temporarily lift the hiring freeze in order to fill the Deputy Superintendent of Public Works (Chris Bistocchi)

Motion By: Alderman Ferrer
Seconded By: Alderman Quail

Approved: Ayes – 8
Nays – 0

RESOLUTION #216 OF 2012 - Resolution to temporarily lift the hiring freeze in order to fill the Deputy Superintendent of Public Works (Chris Bistocchi)

Item #6 – Consideration of a Resolution to appoint Nicholas Dovi, a current employee, to the position of Deputy Superintendent of Public Works effective January 1, 2013. (Chris Bistocchi)

Motion By: Alderman Bennett
Seconded By: Alderman Quail

Approved: Ayes – 8
Nays – 0

Members of the Council expressed strong support of the decision to appoint Nick Dovi, and praised Chris Bistocchi and his Department for doing a great job.

RESOLUTION #217 OF 2012 – Resolution to appoint Nicholas Dovi to the position of Deputy Superintendent of Public Works (Chris Bistocchi)

Item # 7 – Consideration of a Resolution to approve Grant Support and Acceptance for LGRMIF 2012-2013 – Phase two of Records Management Plan (Chief Chuck Glover)

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

Chief Glover explained how files in the Code Office are over-filled and we keep adding filing cabinets. Certain documents are required by the State to be kept on file according the NYS Archive Retention Schedule. Back before the rental permit law was passed, we applied for a grant to start the process of the backfile conversion software in order to convert these files to electronic format and integrate them into the IPS system that we currently use.

RESOLUTION #218 OF 2012 – Resolution to approve Grant Support and Acceptance for LGRMIF 2012-2013 – Phase two of Records Management Plan (Chief Chuck Glover)

Item # 8 – Consideration of a Resolution to accept and recognize the donations to the Wickwire Pool Trust Fund from local businesses and individuals (John McNerney)

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

RESOLUTION #219 OF 2012 – Resolution to accept and recognize the donations to the Wickwire Pool Trust Fund from local businesses and individuals (John McNerney)

Item #9 – Consideration of a Resolution to temporarily lift the hiring freeze in order to fill a vacant and budgeted position in the Police Department (Chief Catalano)

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

RESOLUTION #220 OF 2012 – Resolution to temporarily lift the hiring freeze in order to fill a vacant and budgeted position in the Police Department (Chief Catalano)

Item #10 – Consideration of a Resolution to fill the vacant and budgeted position in the Police Department

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved Ayes – 7
Nays – 1, Alderman Quail opposed

Alderman Quail's concern was the impact that Hurricane Sandy may have on our State Aid, as money could be pulled and moved downstate, which wouldn't be known until January.

RESOLUTION #221 OF 2012 - Resolution to fill the vacant and budgeted position in the Police Department.

Item #11 - Consideration of a Resolution to lift the hiring freeze to hire a temporary hourly employee for the Mayor's office.

This would be to fill a vacant position temporarily. Council was given a resume and were very impressed with him, some members had already had an opportunity to interact with him and found this transition seamless.

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays - 0

RESOLUTION #222 OF 2012 - Resolution to lift the hiring freeze to hire a temporary hourly employee for the Mayor's office (Ken Dye)

Item #12 – Consideration of a Resolution to appoint Sara Watrous to the Environmental Advisory Committee (Key Dye)

Motion By: Alderman Ferrer
Seconded By: Alderman Quail

Approved: Ayes – 8
Nays – 0

RESOLUTION #223 OF 2012 – Resolution to approve the appointment of Sara Watrous to the Environmental Advisory Committee (Ken Dye)

Item #13 – Consideration of a Resolution to approve the hiring of Alex Goldstein as a temporary part time employee in the Mayor’s office.

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays - 0

RESOLUTION #224 of 2012 – Resolution to approve the hiring of Alex Goldstein as a temporary part time employee in the Mayor’s office.

Item #14 – Consideration of a Resolution to approve the General Fund Budget for the year 2013 and appropriating monies therefore (Mack Cook)

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Director of Administration and Finance Mack Cook explained the changes from the Mayor’s proposed that was presented to the Council on October 2, 2012

- Decrease of the proposed increase in tax levy from 2% to .68%
- Adjustment of all budgeted expenditures impacted from the settlement of three collective bargaining agreements.
- Adjustment for final agreement with Tompkins County health Care Consortium for 2013 Health Insurance premiums.
- Adjustment for the Center of Medicare Service’s acceptance of the City’s application into the Retiree Drug Subsidiary program.
- Transfer of proposed staff in the Zoning office to contingency pending further discussion.
- Eliminate any change in current employment hours for employees in the IT Department and Youth Bureau.

- Refinement of Pension Contribution for Fire and Police based upon information provided by the New York State Local Retirement System.

Funds are balanced with a .68% increase in the 2013 tax levy from the 2012 tax levy, a 3% increase in domestic sewer rates, and an 83 cent increase per quarter in the minimum user charge for water.

RESOLUTION #225 OF 2012 – Resolution to approve the General Fund Budget for the year 2013 and appropriating monies therefore (Mack Cook)

Item #15 – Consideration of a Resolution to approve Waste Water Fund Budget for the year 2013 and appropriating monies therefore (Mack Cook)

Motion By: Alderman Silliman
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

RESOLUTION #226 OF 2012 - Resolution to approve Waste Water Fund Budget for the year 2013 and appropriation monies therefore (Mack Cook)

Item #16 – Consideration of a Resolution to approve Water Fund Budget for the year 2013 and appropriating monies therefore (Mack Cook)

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

RESOLUTION #227 OF 2012 - Resolution to approve Water Fund Budget for the year 2013 and appropriating monies therefore (Mack Cook)

Item #17 – Consideration of a Resolution to adopt the Tax Levy for the year 2013 (Mack Cook)

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 8
Nays – 0

Mack Cook noted the .68% tax increase is well within the 2% tax cap, bringing the tax on real property to \$15.3261 per thousand.

Council thanked Mack for his diligence in working on the budget, and also thanked Department heads for working closely with Mack.

RESOLUTION #228 OF 2012 - Resolution to adopt the Tax Levy for the year 2013 (Mack Cook)

Item # 18 – Discussion of the Department of Transportation Survey for Downtown Cortland signage.

Alderman Bennett noted how there was basically no signage directing visitors toward downtown and the Historic District. At the time the Jets came to Cortland, temporary signs were put up with Katie Silliman's help, but NYS Department of Transportation does assist in putting up permanent signs and would be conducting a survey of where to place such signs upon approval of Common Council. Council agreed that this would be a great idea to invite DOT to assist Adam Megivern and the Gateway Committee in placing the signs.

Alderman Michales asked if the Ward reports had been skipped over, to which Alderman Dye noted that Ward Reports were typically given at the first meeting of each month. Alderman Michales wished to report that he had been in contact with New York Susquehanna and Western Railroad to see if it was possible for the Railroad to stagger the times that traffic was being stopped on Port Watson Street for the trains. Currently the times are about 8:00 AM, Noon, and 5:00 PM, which are the City rush hours. Their response was that they would do their best to avoid the rush hours, but of course circumstances sometimes dictate what times the trains would be passing and they would do what they could to prevent those times from becoming a habit and not just an infrequent event.

Motion to go into Executive Session to discuss contract negotiations.

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays – 0

Motion to come out of Executive Session

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 8
Nays - 0

Item #19 – Consideration of a Resolution to authorize the following salary and benefits for four (4) City Youth Bureau non-union employees: a retroactive 1.5% salary increase for 2012, a 1% salary increase for 2013, a 1% salary increase for 2014, a \$700 lump sum payment, an increase in employee health care contribution to 18% and the longevity.

retroactive to January 1, 2012 shall be calculated based upon the number of regular hours worked.

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 8
Nays – 0

RESOLUTION #229 OF 2012 - Resolution to authorize the following salary and benefits for four (4) City Youth Bureau non-union employees: a retroactive 1.5% salary increase for 2012, a 1% salary increase for 2013, a 1% salary increase for 2014, a \$700 lump sum payment, an increase in employee health care contribution to 18% and the longevity, retroactive to January 1, 2012 shall be calculated based upon the number of regular hours worked.

Adjournment

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes - 8
Nays - 0

I, JUDITH CHAMBERLIN, CITY CLERK OF 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 1st DAY OF MAY 2012. 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.

JUDITH CHAMBERLIN, CITY CLERK

MAYOR TOBIN