



City Council Minutes
The City of Cortland
January 20, 2015

Council Meeting #2
January 20, 2015
Regular Session
City Hall
7:00 PM

Present: Mayor Brian Tobin, Alderman Bird, Dye, Dutcher, Silliman, Michales

Absent: Alderman Ferrer, Ferguson, Bennett

Staff Present: Director of Administration and Finance Mack Cook, Corporation Counsel Ric VanDonsel, Fire Chief Glover, Police Chief Catalano, Confidential Secretary to the Mayor Shellie Blaisdell, City Clerk Ray Parker

REGULAR SESSION:

Mayor Brian Tobin called the second Common Council meeting of the year to order at 7:00PM.

PLEDGE OF ALLEGIANCE

Public Comments:

Steve Muka – Encouraged that six (6) alderman voted to have Gerry Ruggiero speak before Common Council. It is a good turning point if the City would listen to what he has to say. There is unique and detailed information. This might be the administration to fix the issues. Also, concerned that the agenda was only made available the day before the meeting –it was not on the City website until Monday. Also, the minutes from the prior meeting were not made available so the public does not get to see them before-hand. Can this policy be changed?

Ray Oliver – Would like to give his three minutes to speak over to Gerry Ruggiero so he has longer to speak. Mr. Oliver was told this is not the policy of the board.

John DelVecchio – Feels that Steve Muka covered everything. Is glad the administration has agreed to take a look at the litigation to come forward. Is confused on the policy to not allow their three minutes during public comments to be turned over to another individual.

Gerry Ruggiero – Open Meetings Law, FOIL laws, not being allowed to speak tonight during regular session, proposed minutes are done they have to be made available. Shellie Blaisdell would not give the minutes to me. It is a violation of FOIL law and open meetings law. Was told there was a procedural error. Not mere allegations but they are facts. Has reached out to Alderman Silliman to sit down and discuss the parameters – wants to be on the agenda.

Minutes of the January 6, 2015 meeting:

Alderman Tom Michales made note the vote for to hear Gerry Ruggiero speak was 5/1 not 6/1 – as acting Mayor-Alderman Michales vote not allowed.

RESOLUTION #13 of 2015 – Resolution to approve the January 6, 2015 Common Council Minutes with amendment.

Motion By: Alderman Silliman
Seconded By: Alderman Dutcher

Approved: Ayes – 5
Nays – 0

Service Recognition of thirty (30) years for Bruce Adams with the Wastewater Treatment Plant – Mayor Tobin presented Bruce Adams with NYCOM (New York State Conference of Mayors) Service Recognition along with Certificate of recognition of thirty (30) years of public service for the City of Cortland. Mayor Tobin stated the best asset are the City’s personnel. Bruce has proved to be a leader with tremendous asset to the City, tremendous leader in many respects, significant changes due to his leadership and we are excited about his continued service.

Resolution #14 of 2015 – Resolution to correct approved minutes from October 7, 2014, Resolution #208 of 2014. The minutes reflect “vote fails: Ayes-5, nays-1 (Alderman Dutcher)” it should read: “Approved: Ayes-5, Nays-1 (Alderman Dutcher).

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 0

Resolution #15 of 2015 – Resolution to authorize the Mayor to execute the NYS Brownfield Opportunity Area, Step 2, (BOA Southeast Cortland Grant Agreement C1000136).

Mack Cook explained this is just moving the project forward.

Motion By: Alderman Silliman
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 0

Resolution #16 of 2015 – Resolution to appropriate \$80,000 funded equally between the Capital Improvement Reserves in the Water and Wastewater Funds to fund necessary engineering services for the reconstruction of water, sewer and storm water infrastructure on Clinton Avenue.

Mack Cook explained this is to study the sewer system which is from 1904 and is at the end of its useful life. The governor is setting aside money for city infrastructure-there will be money available to those cities who are ready. This puts the City in a position to compete for that money. This may be an opportunity for the City to get free money or interest free loan for the sewer infrastructure. It is better to pursue now than to be dealing with a crisis at a later time.

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

Resolution #17 of 2015 – Resolution to lift the hiring freeze to fill an anticipated police officer vacancy.

Police Chief Catalano explained losing another police officer. Hoping to get 2 officers in the academy by March. The process of receiving the list (Civil Service), doing interviews, background check, medical and psychological evaluation completed by March 16, 2015.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

RESOLUTION #18 of 2015 – Resolution to install two more cameras on Main Street at the intersection of Main/Tompkins/Port Watson Streets.

Would like to install cameras on Main at the big intersection of Main, Tompkins and Port Watson Streets. With the current cameras-the resolution is not good. Putting more cameras out will help in exoneration. The money has been budgeted and they are ready to go with it. Not to be used for speeding, people running red lights. It would be useful in theft, assault and more of that nature of people who perpetrate crimes. It will be a safety measure for all not just business owners, for visitors a safer more comfortable environment.

Motion By: Alderman Michales
Seconded By: Alderman Dye

Approved: Ayes – 4
Nays – 1 (Alderman Dutcher)

RESOLUTION #19 of 2015 – Resolution to prepare and distribute a Request for Proposals (RFP) to provide Health and Prescription Insurance to all eligible City Employees, or subgroups thereof; retirees, spouses, domestic partners, and dependents.

Mack Cook explained how the City procures its health care through a consortium (not a self- insured business) and it is highly regulated by the NYS Department of Financial Services who mandate the consortium take measures to ensure all claims are valid claims – third party claim reviewer-who are verifying all people (5200 members) receiving health insurance are eligible to receive those benefits. When employees start there is an application – over time, some of the information could become obsolete because the City doesn't actively pursue life changes of those members: spouses, married, divorce, dependents aging off etc... The NYS Dept. of Finance has to be sure all claims paid are legitimate.

The Department of Finance mandate conflicts with Taylor Law with Labor Unions. The labor unions are only protecting their rights. The lawyers are trying to sort it out but the Consortium could expel either the entire City contract or a subgroup within the City who doesn't comply with the State mandate.

The City put forth a letter to all union leaders stating no cost would be incurred by individuals to obtain official records, the City would allow the use of copiers, the City would treat all information as confidential by using a third party-no city employee would handle any of the verification records.

The City will need to be ready to place a “plan C” in motion in the event they are expelled or a subgroup is expelled by the Consortium due to the time it will take to find alternative insurance for members.

There is a bigger picture if the one bargaining unit does not comply with the State mandate and the City loses its insurance – it also affects the 2016 rebates.

Motion By: Alderman Silliman
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 0

Resolution #20 of 2015 – Resolution to approve the following donations to the Cortland Youth Bureau Budget/Trust Funds as indicated below:

<u><i>Donation</i></u>	<u><i>Amount</i></u>
<i>Mason & Jan Marenus</i>	<i>\$100.00</i>
<i>Tara Mahoney</i>	<i>\$ 75.00</i>
<i>Josephine Suarez</i>	<i>\$25.00</i>
<i>Total Donations</i>	<i>\$200.00</i>

John McNerney clarified these funds are going directly to the Wickwire Pool Fund.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

Resolution #21 of 2015 – Resolution to authorize the Mayor to sign a contract agreement with Aquattica Pools and Water Parks, Inc. to provide engineering and design service for the Wickwire Pool renovation project. The base fee of \$49,500.00 with a contingency fee not to exceed \$57,500.

John McNerney provided information on the bid process and how the contract was awarded. The public notice for the RFP was published October 17th, 6 submissions were received. A committee met to review all of the RFP’s and narrowed their selection down to the top two candidates. The two candidates came in to do a presentation to the committee – after which, all the material was reviewed and reference calls were made. They decided to go with Aquattica Pools and Water Parks, Inc. based on their bid – came within budget, and the company’s references and examples of prior work done in similar communities. The committee also consulted with Corporation Counsel. John indicated he was very excited about the engineering company chosen and feels confident in the work they will be providing.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

Resolution #22 of 2015 – Resolution for the appointment/reappointment of Boards/Commission members (list attached) whose terms end January 31, 2015.

One member (Paul Lorenzo) was removed from the list as a last minute decision to not be reappointed.

Mayor Tobin also thanked those that serve in a volunteer service to the City – dedicating their time and resource to the City. It does not go unnoticed.

Motion By: Alderman Silliman
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 0

Resolution #23 of 2015 – Resolution to authorize the Mayor to sign a contract for Removal Services with Contractor Mark Nitti, d/b/a “Haulin Out”.

The process of the RFP was done and this contractor was the only bidder. They have had the contract in the past and have done a great job and are there when they are needed. The contractor did comply with supplying the required insurances and licenses.

Motion By: Alderman Bird
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

Item #11 – Receipt of information received from a member of the public.

An acknowledgement by the Common Council was made to recognize a package of information from Gerry Ruggiero. It was suggested by Alderman Tom Michales that the City may not be equipped to handle something of this magnitude and to possibly consider a third party and report back to Council and would like to keep it in the community.

Alderman Dutcher agrees with a format to follow for submitting the information to a separate committee-someone independent to review. At this time, it is not fair to discuss until the Council members have had a chance to review it.

A member of the public asked to speak. Mayor Tobin stated it would need to have a majority of Council members vote to hear from a member of the public. A motion from Alderman Bird was made to hear from a public member-Gerry Ruggiero. Alderman Dutcher and Silliman expressed wanting to wait for a review. Alderman Ken Dye indicated he would hear from Gerry Ruggiero, as well as Alderman Michales; leaving the vote Ayes-3 / Nays-2.

Gerry Ruggiero expressed his concern the much of the allegations were going on well before the current and one past administration and feels it would need to be given to someone outside of the community. He feels a landlord, someone from The Hill Association, or Code Office – too many of these people have too many biased opinions. Recommends the State Controller. Expressed frustration that no one knows what the grandfather date is; everyone has a different interpretation of what the date should be. He indicated his request to bring in an outside agency, someone independent.

Alderman Michales indicated again that there should be someone impartial to review and give a fair report and feels there is a lot of good people in this community that could provide an impartial, unbiased view.

A motion was made by Alderman Dutcher to accept the material and to table further discussion and was seconded by Alderman Silliman.

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 5
Nays – 0

ADJOURNMENT

Motion By: Alderman Silliman
Seconded By: Alderman Dutcher

Approved: Ayes – 5
Nays – 0

I, RAY 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 20th DAY OF JANUARY 2015. 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.

RAY PARKER, CITY CLERK

MAYOR BRIAN TOBIN