



City Council Minutes  
The City of Cortland  
May 4, 2010

Council Meeting #13  
May 4, 2010  
Regular Session  
City Hall  
7:00 PM

Present: Mayor Feiszli, Alderman Craig, Hayes, Dye, Tobin, Quail, Leonard, and Ferguson

Absent: Alderman Michales

Staff Present: Director of Administration and Finance Bryan Gazda, Corporation Counsel Ronald Walsh and City Clerk Carol Tytler

6:15 P.M. Presentation by Johnson Controls (Chris Kalwara)

Mark Turner and Christopher Kalwara from Johnson Controls provided an overview of their recent energy audit of City facilities and the process for developing an energy performance contract. They stated that the audit is complete and the draft document is ready to go to NYSERDA for review. Once NYSERDA is satisfied with the document, they will reimburse the City for half the cost of the audit.

Johnson Controls has analyzed City buildings and identified energy conservation opportunities and the energy savings that will result. The legislation for this program provided financing options that allow public entities to obtain long term energy and cost savings by upgrading facilities and improving infrastructure. Mr. Turner stated that through performance contracting, they offer guaranteed savings with Johnson Controls taking the risks. The savings covers the debt payment. Once the debt is paid off, the City will be able to keep the ongoing cost savings.

Alderman Tobin asked about the typical time frame and Mr. Turner stated that most are financed over a fifteen (15) year time frame. Mr. Turner stated that they have been doing these types of projects for over thirty (30) years. Nearby projects include Tompkins County, the City of Ithaca, Johnson City, Batavia, Utica and Rome.

Mr. Turner stated that projects are self-funded and the savings pays for the work. This program overcomes a lack of resources, both technical and monetary. Johnson Controls provides a single point of responsibility.

Mayor Feiszli asked if they would do an RFP for the contractors. Mr. Turner stated that they generally get three (3) bids. He further stated that the savings are real and verifiable and each year they deliver a savings report to the City.

Mr. Turner stated that they have identified over sixty (60) projects for consideration and it would be up to the City to select the scope of the overall project. Council members were presented with a list of the projects that included energy conservation measures and facility improvement

measures. Mr. Turner stated that they have priced it out for working on week-ends so as not to disrupt the work week.

Mr. Turner stated that lighting projects tend to be faster payback projects. Mayor Feiszli asked about window replacement and the advantages of transparent window curtains. Mr. Kalwara stated that the curtains provide a savings and do the job, but are not as nice to look at.

Alderman Quail asked if they would apply for a NYSERDA grant and Mr. Turner stated that they would. Alderman Hayes asked if the City could pull out some projects and do them ourselves and Mr. Turner stated that the City could. He further stated that he met with Rob Avery and discussed scenarios of what the City might want to accomplish, but they could add in or take out whatever the City wants.

Mr. Turner presented a sample project and the annual savings that would be realized. He stated that the savings would go to make the financing payment during the loan period. As the next step, the City would need to determine the project scope, review the performance contract agreement, authorize implementation and establish a preliminary time frame. He stated that the City would have no out of pocket expense until month fifteen (15), when the first out of pocket expense comes due and in that time the City would have eight (8) months of savings that have accrued.

That concluded the Presentation.

PUBLIC HEARING TO ADOPT LOCAL LAW #3 OF 2010 – Increase fine amounts for various Code violations.

No one was present to speak.

Therefore the Public Hearing was closed.

Mayor Feiszli called the thirteenth Common Council meeting of the year to order at 7:06 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Marilyn DeLorenzo expressed concerns about high taxes for City property owners. She further stated that she is opposed to the two way Main Street and parking fees on Main Street.

Clay Benedict asked the Council to replace at least one police officer now. He does not favor dissolving the City. He would like the City to develop tourism further to bring more money into the City coffers.

Ruth Grunberg spoke about the difficulty she had when trying to obtain a parade permit to recognize the Kent State Remembrance Day. The event honors the students who were shot at the university by the National Guard. Her group was unable to obtain a parade permit because they could not obtain the required insurance. She stated that the parade permit process is unconstitutional per the ACLU. She stated that it is unconstitutional to restrict when people can exercise their right to free speech. She stated that the ACLU was in attendance at the peaceful event today. She asked the Council to look at the parade permit process and see if it can be

revised to make certain it is constitutional and provide a waiver for community groups that cannot obtain insurance.

John Troy, Chair of the Wastewater Treatment Advisory Board, addressed the Council at the unanimous request of the Advisory Board. The Advisory Board would like the Council to lift the hiring restrictions for the three positions at the wastewater treatment plant. He stated that the plant needs the three positions at a minimum and expressed concerns about adequate staffing to run the plant and maintain the equipment.

Abi Cleary spoke in support of hiring an additional police officer. She spoke about the increase in recent criminal activities and the increased needs to call for police assistance. She stated that at a time of increased crime in the city, the Council should not be cutting back on the City police force.

Mike Dexter, representing the Landscape and Design Commission, told the Council that in honor of Arbor Day, they had planted a tree on Church Street on behalf of the City. He recognized National Grid for their assistance with tree trimming throughout the City. He stated that the City lottery for free trees is now in progress and additional information and application forms are available on the City website. The deadline for the lottery is May 20.

Craig Little spoke in support of more police officers in Cortland. He spoke about the level of fear and concern on the part of residents in the Hill area. He praised the police on their performance, but stated that they needed increased officers to be effective at a time when the incident rate has increased and the seriousness of the incidents has increased.

Tim Gerhardt spoke in support of the additional police officers. He expressed concerns about the increased violence and that the people committing many of the crimes have not yet been identified. He expressed concerns about not staffing the department to the level in the budget especially given the length of time it takes to train new officers before they are on the street.

Diane Bernstein spoke about recent changes in her neighborhood with neglected student housing, overcrowded parking, increased noise and traffic. She expressed concerns about a recent incident where two new trees on Prospect Terrace had been axed down during the night and concerns about people carrying around an ax. She stated that the Council is responsible for maintaining the neighborhood as an R1 neighborhood and for addressing the issues she spoke of.

#### Minutes of April 20, 2010

**RESOLUTION #95** OF 2010 – Approve the minutes of April 20, 2010.

By: Alderman Leonard  
Seconded: Alderman Craig

Hearing no additions or corrections to the minutes, the minutes were approved.

#### REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Alderman Tobin spoke about an article that ran in the Cortland Standard about Alderman Quail's proposal to dissolve the City. Alderman Tobin felt the article contained accurate information, but expressed concern that Chris Bistocchi's position was specifically listed as a

position that could be cut to save money. Alderman Tobin feels that Mr. Bistocchi is one of the people that is “right” with the City and Mr. Bistocchi has done very well for the City and brings in grants. Alderman Quail agreed with Alderman Tobin’s comments and stated that Chris has been able to be cost effective.

Alderman Leonard recognized the DPW staff for their quality work on the Suggett Park footbridge.

Alderman Quail expressed concerns about the parties on Monroe Heights over the week-end and the risk that it will be replacing the Clayton Avenue party that used to take place in the City. He stated that the City needs to look at the nuisance party ordinance to see what can be done.

Alderman Leonard recognized Mayor Feiszli and Amy Bertini for the work they had done to get the FEMA maps revised. He now does not have to pay for flood insurance at his home. He suggested that City residents review the maps on the City website to see if they need to pay for the insurance.

Alderman Hayes stated that there has been a dramatic increase in violent crime within the Second Ward in the past two weeks. She has spoken with students who have decided to move out of the City because they are afraid. She has also heard from residents who state that they are getting pistol permits. She stated that the City needs more police officers to keep the City safe. She further stated that the Monroefest Spring Fling is just a replacement and they (the students) want to make it bigger each year.

Alderman Hayes has also received calls and emails in opposition to the kiosks on Main Street and in the Hill area. She has also received questions about the Main Street road construction and when the project will be completed.

Alderman Hayes asked to have the Personnel Committee added to the agenda for final approval. Alderman Ferguson asked to have it on the agenda for discussion. Mayor Feiszli added Agenda Item #17 – Resolution to Adopt a Personnel Policy. She further stated that the committee has been established, but her office is not yet ready to appoint people to the committee.

Alderman Ferguson stated her agreement with the need for more police. She further stated that historically, Cortland has been known as crime free and that is changing.

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UNFINISHED BUSINESS:

**RESOLUTION #96 OF 2010 – Denied To Table** Consideration of a Resolution to lift the hiring freeze for three (3) laborers and one (1) Operator 1. (Harvey Davis)

Alderman Quail stated that he is not in favor of that many people at this time. He would like additional information about the maintenance process and where we are with that.

Mr. Davis stated that he had received requests for information and he will be meeting with Mayor Feiszli tomorrow and then present that information to the Council. He stated that he will need to bring samples to quantify the process for work orders. He stated that 25,000 work orders have been done since 2004. He further stated that most of these are corrective

maintenance however his staff is behind on preventive maintenance work orders. He will bring information on what those projects entail and the number of hours that go into each project.

Alderman Quail asked how Mr. Davis knows when they have completed the task. Mr. Davis stated that they close out the work order and that they are currently behind by 221 work orders on PM's and CM's. Alderman Quail stated that by tracking the pattern of hours for different projects they might be better able to predict how long it will take to complete projects and plan for it. Mr. Davis stated that they have that information and will provide it to the Council along with the status of the operator certificate.

Alderman Quail asked if the department has a succession plan and Mr. Davis stated that there is no succession plan set forth. Mr. Davis stated that they have vacancies dating back to 2008 and have staff that will soon be able to take qualifying exams to move up to higher skilled positions. Mr. Davis encouraged the Council to have Mr. Swindon come back and do training after he retires.

Mayor Feiszli stated that the City is waiting to hear back from Civil Service regarding the staffing levels on the week-end. Mr. Davis stated that he has cleared it with the NYS Retirement System on the way it is reported. He further stated that they work 32 hours on the week-end, but get paid for 40 hours because they get time and a half. Mr. Davis stated that the permit requires that people are there on the week-end to take samples and the staff also complete other work during that time.

Mr. Davis stated that his department had gone from a staff of 24 to 10 and they work a shift and a half, Monday through Friday. That schedule guarantees coverage on the week-end and minimizes call-ins on the week-end. He further stated that he has given the Council members a book with the permit information in it and materials which outline the City's responsibilities.

**Motion to Discuss:**

By: Alderman Tobin  
Seconded: Alderman Leonard

**Motion to Table:**

By: Alderman Dye  
Seconded: Alderman Ferguson

**Denied:** Ayes – (Dye, Ferguson)  
Nays – (Craig, Hayes, Tobin, Quail, Leonard)

Alderman Tobin asked if there was a different number of staff to hire that would be agreeable to the Council. Alderman Quail stated that he would support one operator and one laborer. Mr. Davis stated that they have someone ready to move into the operator's position, so they really need to hire two (2) laborers. Alderman Quail asked about the technical criteria that are reviewed for people interested in these positions. Mr. Davis stated that they look for people with similar experience, those who have experience with farm equipment. Alderman Quail asked if there are any math tests required for the operator. Mr. Davis stated that would need to be set up through civil service testing. Alderman Quail asked why the City would not look for people who were more technically adept. Mr. Davis stated that they look for people with high school diplomas and the skills for the position.

Alderman Quail stated that he would like all hires to go through the personnel committee and the Common Council needs to be more engaged in the hiring process. Mayor Feiszli stated that would require a change in the Charter as there is nothing about the Council requiring approval of that. Mr. Walsh stated that he would need to look at the language in the Charter, but it does provide for staff to be hired by the department head.

Mayor Feiszli stated that the City can provide that information to the Council if they wish to be more involved. Mr. Davis stated that the Council should look at the State guidelines for a Chief Operator as the City is legally responsible and can be sued by a third party. He further stated that the Council is not and cannot be held legally responsible.

Mr. Davis stated that he is hiring people that have the potential to be operators down the line. Alderman Quail stated that he feels the Council should be more involved in the process. Mayor Feiszli asked Mr. Walsh to review the City Charter on the issue. Alderman Quail stated that he is asking for the personnel committee to make the recommendations back to Mr. Davis.

Alderman Leonard withdrew his second to the original motion.

**RESOLUTION # 97 OF 2010** – Consideration of a Resolution to lift the hiring freeze and to hire (2) laborers and to make a promotion to an Operator 1 position.

By: Alderman Tobin  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #98 OF 2010** - Consideration of a Resolution to lift the hiring freeze for one (1) patrol officer in June. (Chief Catalano)

Alderman Quail asked when the next police academy would take place. Chief Catalano stated that is was not scheduled at this time; however, Broome County would usually offer an academy next March.

Alderman Craig asked if hiring one (1) officer would allow the department to put one (1) more officer on the street. Chief Catalano stated that there would not be more officers; the resolution just gives him permission to replace an officer position that is vacant. He further stated that three (3) officers are at the police academy and he hopes to have them back on the street by September.

Alderman Craig asked if the position would change staffing levels. Chief Catalano stated that the department has a minimum staffing level that they put out each day. This position will reduce overtime costs. He clarified that the department has never put out fewer officers, they have had more overtime.

Alderman Tobin asked how many officers were on duty last Saturday. Chief Catalano stated that they had at least ten to twelve (10 to12) officers on any given shift that weekend; there were just a lot of people out and about. He stated that it was the biggest Monroefest we have had to date and they don't want it to turn into the Clayton Avenue party. He further stated that they

were able to keep the road open so traffic could pass. Chief Catalano stated that he would need to consult with the District Attorney's office about the party.

Alderman Hayes stated that she has very concerned and angry residents. She stated that we have officers who are working above and beyond and the Council hasn't been proactive in this.

Alderman Quail asked how much overtime the officers were working and stated that the overtime report shows an average of five (5) hours per week with a couple of individuals averaging eight (8) hours per week. He further stated that the challenge we face is that we have to use overtime to a certain point before the cost breaks even for another officer.

Chief Catalano stated that there are times when an officer will have to work sixteen (16) hours straight to cover a shortage. Alderman Quail agreed that a sixteen (16) hour shift is too long, but we can't afford \$110,000 a year in costs to the taxpayer for a new officer with benefits.

Chief Catalano stated that the \$110,000 for overtime was unrealistic. It's not enough overtime money for a department of our size. He noted that the Sheriff's Department has more than double that amount for overtime. Alderman Quail stated that City officers with benefits average over \$110,000 in costs to taxpayers. He noted that Nick Mazza had given the Council that information. Chief Catalano noted that figure was if you took a top salaried officer, of which the Department did not have many.

Alderman Quail stated that hiring an officer will not have an immediate impact and he assumes that the Chief has talked with Sheriff Price and the state police about assistance. Chief Catalano stated that they have talked, but can't make something happen without the right things in place. If they are available to help, they will help, but there are not many of them available.

Alderman Hayes stated that she understands that money is a huge issue, but this is a case where the tradeoff and the potential for risk, is not worth keeping the hiring freeze in this department. Alderman Ferguson agreed.

By: Alderman Hayes  
Seconded: Alderman Leonard  
  
Approved: Ayes – 5  
Nays – 2 (Craig, Quail)

**AGENDA:**

**RESOLUTION #99** OF 2010 – Consideration of a Resolution to adopt Local Law No. 2 (Alter Senior Citizen Tax Exemption Schedule for Senior Citizens & Persons with Disabilities & Limited Incomes for 2011). (Dan Quail)

Alderman Tobin asked what the potential tax increase for the general population was estimated to be. Mr. Gazda stated, based on last year's data, it would be about \$5.25. Alderman Quail stated that there are twenty to twenty-five (20 to 25) additional people who would qualify with this change.

By: Alderman Quail  
Seconded: Alderman Leonard

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #100** OF 2010 – Consideration of a Resolution to adopt Local Law No. 3.  
(Increase fine amounts for various Code violations.) (Paul Sandy)

Mayor Feiszli read the proposed changes to the Code for general penalties. Mr. Walsh stated that the changes would set minimum amounts for the courts and provides for increasing fines for subsequent offenses. Mr. Walsh stated his concern that by increasing the minimum fines, the Council may find that City Code violations go to trial more frequently. More people may want to try these cases which may require additional personnel hours.

By: Alderman Tobin  
Seconded: Alderman Leonard

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #101** OF 2010 – Consideration of a Resolution to increase fine amounts in the Code Enforcement Office. (Captain Knickerbocker)

Captain Knickerbocker reviewed the proposed changes to the current penalties. He stated that updates to the online Code and the paper Code are very expensive to make and may take time to appear for the public record. He stated that some items are handled by a third party and the cost is charged back to the property owner (garbage, lawn mowing).

Mayor Feiszli asked how long it had been since the fines were raised. Captain Knickerbocker did not know, but noted that they have been the same during his sixteen (16) years of employment with the City. Mayor Feiszli stated that she has had a request to post the local laws on the internet so people have an opportunity to see the wording of whole law before the public hearings.

Alderman Tobin asked about the cost to the City to contract for property maintenance. Captain Knickerbocker stated, hopefully nothing, but it is hard to tell how many there will be from year to year. He further stated that they have tried to think of ideas, such as a special garbage pick up the Monday after the college students move out. Alderman Quail commented on the amount of garbage and items that get tossed out at this time. Alderman Leonard suggested charging the cost to the property owner which they could then take from the student's security deposit. Alderman Quail stated that he just doesn't want the garbage sitting out there all week.

Mayor Feiszli stated that she would add this topic as a discussion item for the next agenda. Alderman Hayes thanked Captain Knickerbocker for all of his hard work on behalf of her Ward.

By: Alderman Craig  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #102** OF 2010 – Consideration of a Resolution to approve acceptance of FEMA award to replace the Fire Departments 1981 aerial platform apparatus. (Chief Glover)

Alderman Hayes asked, as a point of reference, what the typical cost for maintenance is on this apparatus in a year. Chief Glover stated that the department is having substantial maintenance issues given the age of the equipment and it just needs to be done. Alderman Tobin asked if the City has the money for its share of the cost. Mr. Gazda stated that it was not in this year's budget, but by the time it gets ordered and to get the 95% grant, we can put it into next year's budget. Alderman Hayes stated how pleased she was that the City received such a grant.

By: Alderman Leonard  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #103** OF 2010 – Consideration of a Resolution to approve bid award for Fire Department extrication tools. (Chief Glover)

By: Alderman Craig  
Seconded: Alderman Leonard

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #104** OF 2010 – Consideration of a Resolution to approve auctioneer contract (Mel Manasse & Son, Auctioneers) for in-rem process. (Bryan Gazda)

Mr. Gazda stated that RFP's to auctioneers were sent out statewide, including to local vendors. He stated that the auctioneers charge a buyer's premium and to draw more people to the auction, we tried to lower our premium charge. He stated that there were two (2) finalists and he had called their references. Mel Manasse out of Whitney Point was selected.

Mayor Feiszli asked if he could go in with the County and explore working together with them to negotiate a lower rate. Mr. Gazda stated that he was not certain where the County was at and the City might have to hold off until later in the year if we try to collaborate with the County.

Alderman Leonard asked for confirmation that there was no cost to the City. Mr. Gazda confirmed there was not. He further stated that we have twenty-six (26) properties currently. Alderman Leonard stated that if the City is ready to go and the County is not, the City should jump on it. Mr. Gazda stated that if we go ahead, the City can hopefully have something by the end of June as he expects it will take at least six (6) weeks to get all the paperwork set with the auction company.

Alderman Dye asked if the County would do it themselves next year. Mr. Gazda stated that this year the County is using Phillips Lytle, LLP, but next year they are not.

Alderman Leonard asked what the advantage was in waiting for the County other than to hold a larger auction. Mayor Feiszli stated she wanted to find out if it would be more advantageous to hold our auction before the County or if it's better to hold it at the same time.

Mr. Gazda stated that he does not want to get hung up with the County process and lose time while it goes through the County committee process. He noted that the County wasn't going to do an RFP this year. Mayor Feiszli stated that she supports moving forward.

By: Alderman Dye  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #105** OF 2010 – Consideration of a Resolution to approve a Sound Device Permit (\$250/day) at 48 West Court Street (Catherine Bertini) for June 11 and 12, 2010 for a private event. (Amy Bertini)

Amy Bertini stated that the permit was for a gathering of private friends and family and the neighbors have been notified.

By: Alderman Tobin  
Seconded: Alderman Dye

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #106** OF 2010 – Consideration of a Resolution to approve the Main Street Music Series Committee to:

- a. Waive the open container alcohol regulation. (Amy Bertini)
- b. Close the Market Place Mall parking lot at 1:00 P.M. on Fridays from July 16 through August 6, 2010 for the 2010 concert series. (Amy Bertini)

Alderman Quail stated that everything has been positive and he has not received complaints about this event. Alderman Hayes stated that people have been asking when it will begin. Ms. Bertini stated that the series would begin July 16. Following each concert they will be cleared from the space by 10:30pm.

By: Alderman Craig  
Seconded: Alderman Leonard

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #107** OF 2010 – Consideration of a Resolution to approve the Downtown Partnership to:

- a. Waive the open container alcohol regulation (Adam Megivern)
- b. Close the Marketplace Mall parking lot from 6:30 P.M. to 9:30 P.M. on July 17<sup>th</sup> for a concert during the Taste of Downtown. (Adam Megivern)

By: Alderman Quail  
Seconded: Alderman Leonard

Approved:                   Ayes – 7  
                                  Nays - 0

**RESOLUTION #108** OF 2010 - Consideration of a request from the VFW to close a portion of Main Street from Court Street to Tompkins Street for Memorial Day celebration on Monday, May 31, 2010 from 9:30 A.M. to 12:00 Noon. (Richard Small)

Alderman Tobin asked if they have done this in the past. Mayor Feiszli stated they had, but it may be a bit larger this year. Chief Catalano stated that he had not spoken with Mr. Small, but they have no issue with the request.

By:                           Alderman Tobin  
Seconded:                 Alderman Leonard

Approved:                   Ayes – 7  
                                  Nays - 0

**RESOLUTION #109** OF 2010 – **To Table** Consideration of a Resolution to approve Community Development Miscellaneous Revenue Operating Budget for 2010. (Bryan Gazda)

Mr. Gazda stated that these are Miscellaneous Revenue funds that the City received back in the 80's. Businesses have paid us back and we are using this fund for revolving loans and other eligible projects under federal guidelines. Mr. Gazda stated that the City will spend this money down by 2013 and those items being funded in this manner will need to shift out of here in the next couple of years because the money will not be there to fund them. We received a CCAP Grant for construction in Beaudry Park. He stated that in trying to put a budget together for that project, one of the items we were looking at to maximize the brick and mortar money from that grant that was received would be to take some of the landscaping out of the equation and we looked to the Miscellaneous Revenue Budget for about \$9,000. He noted that the Mayor had also wanted to include monies for the Downtown Music Series. These additions are why the total Miscellaneous Revenue Budget had increased this year.

Alderman Quail asked how we covered these items last year. Mr. Gazda stated that last year, the Council moved \$5,000 out of tree and stump removal and put it into sidewalk repairs. Alderman Quail asked if the City had contributed to the Downtown Music Series last year. Mayor Feiszli said, no. Alderman Leonard asked where their money had come from last year. Mayor Feiszli stated it came from alcohol sales and contributions.

Mayor Feiszli stated that the City also needs to find another source to fund the website maintenance. Mr. Gazda stated that at some point, the City will have to switch all these items over to the General Fund. At this time, he is asking the Council how they want to allocate the resources.

Alderman Tobin asked why the Music Series didn't require assistance in the past and if they were not selling alcohol this year. Mayor Feiszli stated that she didn't know historically how these funds came about. Alderman Quail stated that other than the Sports Council and the Downtown Music Series, the funds have been coming out of this Miscellaneous Revenue Fund for eight years. Mayor Feiszli stated that the funds may also go toward the salary of Adam Megivern.

Connie Sorrells stated that the Music Series started with a grant and progressed into their alcohol sales. She further stated that the event is well attended and people really enjoy it. Mayor Feiszli stated that the bands come from all over and the Music Series pays for their room and board. She noted that if we are supplying the money, the City could request that they use local bands.

Alderman Craig asked for clarification and if the money was for four (4) Friday night evenings. Alderman Tobin stated that it would be about \$4,500 for each evening and the \$18,000 goes to pay for the bands.

Mayor Feiszli asked if they had a sponsor for the alcohol. Chief Catalano stated that they obtained the alcohol permit on their own. The Mayor suggested that local bars could contribute support. Mr. Walsh stated that they have reached out to the local business community as well.

Chief Catalano stated that the bands start playing around 6:00pm. Mike Dexter asked if the (tree) lottery money would be the same as it has been. Mr. Gazda stated that it will be the same, plus last year the Commission had a grant for additional dollars.

Alderman Tobin asked for more information and the rationale for providing \$18,000 to the Downtown Music Series. He further asked that the Council approve everything else and discuss funding for the Music Series at the next meeting. He asked why the money would be coming out of the City's budget now when we know the money is going to be going away. He asked for more information on why the City was being asked to fund it now. Alderman Leonard agreed that it was a wise idea to look into it further.

Mayor Feiszli clarified that is was her request since the organizers had cut back on two (2) events because of the lack of funding. Knowing how much people enjoy the event, she wanted to provide funding for this year.

Alderman Quail asked if it was roughly \$4,500 a night. Alderman Hayes asked what percentage of the costs the City would be covering, what opportunities there were for additional funding, and the overall costs.

Mayor Feiszli stated that the funds cover additional entertainment above what they have. Because the bands come from out of town, they also pay for room and board. She further stated it would be \$9,000 for one (1) event so two (2) events results in the \$18,000 budget.

**Motion to Discuss:**

By: Alderman Leonard  
Seconded: Alderman Quail

**Motion to Table:**

By: Alderman Quail  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #110** OF 2010 - Consideration of a Resolution authorizing the closure of Euclid Avenue for a street picnic on August 21, 2010 from 12:00 Noon to 8:00 P.M. (Frank Wood)

Alderman Quail asked about the situation if people who live on the street are opposed. Alderman Leonard stated that he was not aware of opposition at this time. Mayor Feiszli clarified that they have to obtain signatures from enough people on that street to demonstrate support for the event and closing the street.

By: Alderman Leonard  
Seconded: Alderman Tobin

Approved: Ayes – 7  
Nays – 0

**RESOLUTION #111** OF 2010 – **To Table** Consideration of a Resolution to approve the Mayor's appointment of Linda Ferguson and Ron Walsh to the Ethics Board. (Mayor Feiszli)

Mayor Feiszli stated that according to the Charter we need to have three non-political people on the committee. Now by our Charter, we need to appoint two (2) officers of the City and it is open to people from other City boards and commissions.

**Motion to Table:**

By: Alderman Leonard  
Seconded: Alderman Ferguson

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #112** OF 2010 – Consideration of a Resolution to approve the Mayor's reappointment of Richard Menapace and Zenta Sabol to the Cortland Housing Authority. (Mayor Feiszli)

Alderman Tobin stated that in reference to the proposed Comprehensive Plan there is supposed to be someone from the CHA who has ten (10) percent of their job responsibility dedicated to gathering and holding housing information. Mayor Feiszli stated that she would get more information on that for the Council.

By: Alderman Tobin  
Seconded: Alderman Craig

Approved: Ayes – 7  
Nays - 0

Item No. 14 – Discussion on creating a committee to dissolve the City of Cortland Government. (Dan Quail)

Alderman Quail provided handouts for the Council from the Seneca Falls dissolution plan and read a statement regarding his decision to propose this for the City of Cortland which included his disappointment with the recent City audit. He stated that he has met with representatives

from the County and Cortlandville and they are not willing to tackle consolidation unless there is something in it for them.

Alderman Quail further stated that the Council needs to take a hard, strategic look, including a dissolution plan. He suggested bringing in Thoma Development to help look at New York State efficiency grants. He further stated that the Council needs to put this out to the voters to let them make a decision, knowing that the City will continue to need tax increases.

Mayor Feiszli stated that two (2) years ago, Alderman Quail had started a consolidation committee. Alderman Quail stated he had reached out to former County Chair John Daniels and has given information to current County Chair Jack Williams and also spoken with Dick Tupper in Cortlandville, but there was no incentive for them to consolidate.

Mayor Feiszli stated that she believed the shared municipal grants are only viable if two (2) municipalities go together on a project, but she is willing to explore all options.

Alderman Ferguson stated that she has received some pretty positive feedback to establish the committee. Alderman Quail stated that the goal is to develop a report that evaluates dissolution or consolidation.

Alderman Hayes stated that she did not have a problem looking at this, but has a problem spending the majority of time on this because the Council still has to deal with today. She wants to spend time on what we have to do right now. She also wants to know that everything is looked at, not just dissolution and the document has other approaches that you can take.

Mayor Feiszli stated that the Financial Advisory Committee would be meeting tomorrow. Alderman Quail stated that we need to get a mix of people, including the Mayor as advisory, a Cortlandville board member, a Cortland County legislator and someone from the Planning Commission.

Alderman Tobin stated that when you compare the tax rate to other cities, people will choose to do business outside the four (4) square miles of the City. He further stated that it is worth looking at dissolving the City, but we need to look at other options as well.

Mayor Feiszli stated that the Council was in agreement that they wanted to look at this issue and suggested changing the wording to include looking at all options. Alderman Quail suggested establishing deadline dates or we are not going to have anything happen. He further stated that he believes all the police forces should be consolidated county wide. Alderman Hayes stated that she would like to look at consolidation within the City as well.

Alderman Ferguson stated that the committee should look into all issues, not just dissolving the City. Mayor Feiszli will put this on the next Council agenda and asked Alderman Quail to develop a mission statement, outline goals and come up with a list of people to be on the committee for discussion at the next Council meeting.

**RESOLUTION #113 OF 2010** – Consideration of a Resolution to approve park benches to be placed on the City of Cortland property, sidewalks along Main Street (for Downtown Partnership Grant Application). (Adam Megivern)

Mayor Feiszli stated that they will be applying for a grant and this resolution shows our support. Alderman Quail stated that in the past, the downtown businesses asked for the benches to be

removed, because they were attracting a number of people that they didn't want sitting outside of their stores. This will be at no cost to the City, but it was agreed that the downtown store owners should be contacted.

By: Alderman Quail  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays – 0

Mayor Feiszli will write a letter of support.

**RESOLUTION #114 OF 2010 – Consideration of a Resolution to adopt a Personnel Advisory Committee.**

Alderman Ferguson expressed concerns about things that may come in conflict with the Charter and require changes to the Charter. Mr. Walsh stated that he has not seen the final version of the document. Alderman Hayes stated that at the meeting on Tuesday, two (2) things were stated; to take out payroll because it needs to go to Finance and remove language on union negotiations.

Alderman Ferguson stated she was fine with those changes. Mayor Feiszli stated that there are some Charter issues and that is why she wants an opinion from the City Attorney. Mr. Walsh stated that the Council could appoint the committee. Mayor Feiszli stated that the committee is taking responsibilities from the Director of Finance and Administration. Alderman Hayes stated that she did not see it as the same duties.

Mayor Feiszli stated that she would like to have the word "Advisory" in the middle of the committee title, so recommendations come back to the Mayor and the Council. Alderman Hayes stated that the committee has to send it back, as the Council has the final say.

Alderman Leonard stated that he was confused why anyone has concerns about the committee. Alderman Ferguson stated that she doesn't have a problem with the way it is written.

Alderman Hayes stated that you don't need to change the Charter to establish a committee. You have committees to do the work before it comes before the Council. Alderman Leonard stated that it has nothing to do with the Charter and nothing to do with taking responsibilities away from Mr. Gazda. Mayor Feiszli stated she wanted to make certain how this will be handled with personnel, as a person on the committee went directly to the individual. She further stated that she wants it to be a personnel advisory committee to provide advisement to the Mayor and Council on matters relating to personnel policies and procedures, collective bargaining, compensation and benefits, staffing, organizational structure, employee relations and other matters pertaining to personnel charged to the committee by Common Council. She also would like to develop a centralized system for human resources.

Alderman Hayes stated that the committee would work on that and present it to the Council. She further stated that the City does not have a centralized system and that currently each department keeps their own files.

Mr. Gazda stated that some personnel files are in his department, but not all of them are there and his office should be the centralized repository for all the personnel files.

Alderman Tobin called the question and the resolution was brought to a vote.

By: Alderman Leonard  
Seconded: Alderman Hayes

Approved: Ayes – 7  
Nays - 0

**RESOLUTION #115 OF 2010** – Consideration of a Resolution to appoint Linda Ferguson, Ken Dye and Stephanie Hayes to the Personnel Advisory Committee.

By: Alderman Tobin  
Seconded: Alderman Craig

Approved: Ayes – 7  
Nays - 0

**MOTION TO GO INTO EXECUTIVE SESSION (TO DISCUSS POTENTIAL LABOR NEGOTIATIONS AND TO DISCUSS A PERSONNEL ISSUE ABOUT A SPECIFIC PERSON)**

By: Alderman Tobin  
Seconded: Alderman Craig

Approved: Ayes – 7  
Nays - 0

**MOTION TO COME OUT OF EXECUTIVE SESSION**

By: Alderman Craig  
Seconded: Alderman Leonard

Approved: Ayes – 7  
Nays – 0

**Adjournment**

Hearing no other business, Mayor Feiszli adjourned the meeting at 10:23 pm

By: Alderman Craig  
Seconded: Alderman Leonard

**I, CAROL TYTLER, CITY CLERK OF THE CITY OF CORTLAND, NEW YORK DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 4th DAY OF MAY 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.**

\_\_\_\_\_  
CAROL TYTLER – CITY CLERK

\_\_\_\_\_  
MAYOR SUSAN FEISZLI