



City Council Minutes
The City of Cortland
September 21, 2010

Council Meeting #22
September 21, 2010
Regular Session
City Hall
7:00 PM

Present: Alderman Craig, Hayes, Dye, Tobin, Quail, Ferrer, Ferguson and Michales

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

Mayor Feiszli called the twenty-second Common Council meeting of the year to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Anne Doyle spoke about the pick up schedule for lawn waste stating that it is too long a period of time between pick ups, especially for older residents. On the blue bag issue, she suggested that interested residents be asked to participate and express their opinions when making changes in the future. She thanked the Council for all their hard work.

Minutes of September 7, 2010

RESOLUTION # 192 OF 2010 – Approve the minutes of September 7, 2010 as amended.

By: Alderman Craig

Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Alderman Hayes stated that she had voted Nay on Resolution 190. Alderman Michales asked that information be added to reflect that Mr. Dexter had confirmed that there was a designated crew for water lateral replacements when the Water Department was independent from the City.

The minutes were approved with these two changes.

REPORTS OF OFFICERS, BOARDS, COMMISSIONS

Mayor Feiszli recognized recently retired Fire Chief, Dennis Baron with a proclamation honoring his 43 years with the fire service, beginning in 1967 as a volunteer in Rockland County. Chief Baron is the longest serving chief in the history of the City of Cortland and was instrumental in revamping our code enforcement system and expanding emergency rescue equipment and tools on all fire apparatus. The Career Fire Chiefs and many family members were present to help recognize him and wish him a happy retirement. Chief Glover presented him with a past chief's badge. Chief Baron

thanked the Mayor and the various Councils for the opportunity to have a job that was important to him and challenging every day and thanked the people of Cortland.

Mayor Feiszli proclaimed September 2010 as National Suicide Prevention Month. Garra Lloyd-Lester, Youth Services Director for Cortland County Mental Health Services, was present to receive the proclamation. Mayor Feiszli reviewed the statistics on suicide and discussed the importance of intervention to discourage people at risk from considering suicide.

On behalf of the New York State Conference of Mayors, Mayor Feiszli recognized Deputy Police Chief Paul Sandy for his dedication and commitment to the City police force and presented him with a certificate in recognition of his 25 years of distinguished public service to the community.

The New York Press Association, Cortland Standard and the Downtown Business Association asked for the Mayor's support to publicize "twenty-five on the twenty-fifth," a statewide advocacy campaign to encourage people to spend 25 dollars with a Main Street business on September 25. Mayor Feiszli recognized our downtown businesses as an essential part of the local fabric of the community and encouraged residents to participate in the initiative.

AGENDA:

Item No. 1 - Presentation by Bob Haight, Cortland County Chamber of Commerce.

Bob Haight, Executive Director of the Cortland County Chamber of Commerce provided an overview of the Chamber for Council members and provided them with a new Chamber directory. He highlighted community projects they are involved with including the July fireworks, spring clean up day, and the Chillabration. The Chamber is part of the NY Jets community team and is hoping to take the leadership with the First Night celebration and bring this event back to the community by working with a local business as the sponsor. He stated that the Chamber does not take public funds and raises money through dues. Their offices are located on Church Street where they share space with the BDC, Tourism and County Planning.

Item No. 2 - Discussion regarding conflict of interest disclosure for Derek Reynolds and Jonathan Wood

Thoma Development asked that information be presented to the Council and the public regarding conflict of interest disclosure for Derek Reynolds. Mayor Feiszli read the disclosure statement into the record. Mr. Reynolds has been pre-qualified for the City's East End Income Property Rehabilitation Program. HUD regulation 24 CFR 570.489(h) prohibits the participation of any employee, agent, officer, elected or appointed official or any person with whom they have business or family ties from participating in the CDBG Program without a waiver of the Conflict of Interest requirements. Mr. Reynolds is employed by the City of Cortland's Fire Department.

Since Mr. Reynolds does not participate in any decision making functions, an official conflict of interest waiver may not be necessary, however, one of the requirements of the program is for Mr. Reynold's participation to be openly disclosed. This discussion represents the required disclosure. Anyone who has questions or objections is asked to contact Thoma Development Consultants.

In addition, Thoma asked that a conflict of interest disclosure be presented for Jonathan Wood, who will be participating in the Community Development Block Grant program/Microenterprise Grant recipient. Jonathan Wood has been qualified and approved for participation in the City's fiscal year

2010 Microenterprise program. Funding for this program is provided by the NYS Office of Community Renewal through the U.S. Department of Housing and urban Development (HUD).

HUD regulation 24 CFR 570-489(h) prohibits the participation of any employee, agent, officer, elected or appointed official or any person with whom they have business or family ties from participating in the CDBG program without a waiver of the Conflict of Interest requirements.

Mr. Wood's father, William Wood, is an employee of the Water Works Department. The State Office of Community Renewal has advised the City that this relationship does not rise to the level required to obtain a waiver of Conflict of Interest waiver, but has advised the City that the City Corporation Counsel should render an opinion if his participation in the Program violates any local law. The City has determined that it also wants to disclose his participation at a public meeting to insure there are no objections at a later date.

The purpose of this disclosure is to put the public on notice of Mr. Wood's participation in the Program. The public should note that Mr. Wood's father, William Wood, does not participate in any qualifying or approval functions in the City with respect to the Community Development Program, not does he have any inside information with respect to the Microenterprise Program in his position in the Water Department. Anyone who has any questions or objections is asked to contact Thoma Development Consultants at 753-1433.

After the information was presented, there were no questions or discussion from the Council members or the public.

RESOLUTION #193 OF 2010 - Consideration of a request to close Court Street from Church Street to Main Street on October 2, 2010 from 8:00 AM to 8:00 PM to accommodate the annual Pumpkin Fest run. (Chief Glover)

By: Alderman Tobin
Seconded: Alderman Michales

Approved: Ayes – 8
Nays – 0

Alderman Quail asked if there were any businesses that objected to closure of Court Street, especially those that have delivery services that need access to their businesses. Chief Glover stated that the street has been closed off for the Pumpkinfest run in the past. Mayor Feiszli suggested that Chief Glover contact the businesses that will be impacted. Chief Glover stated that they could push access to a line behind the bank to accommodate any businesses if needed.

RESOLUTION #194 OF 2010 - Consideration of a Resolution to recognize and appropriate tax foreclosure auction proceeds. (Bryan Gazda)

Mr. Gazda thanked Elaine Doe and Laurie Crompton for their hard work over the past year to accomplish the auction. Mayor Feiszli stated that the results are posted online for the public in case they have questions.

Mr. Gazda stated that the revenue the City is receiving for selling the properties is revenue that was already in the budget.

Alderman Michales asked if the City would incur any fees related to the bidder who dropped out. Ms. Crompton stated that the City gets to keep the down payment. Ms. Doe will look up the information on the back-up bidder and contact them about the property.

Alderman Quail asked for clarification on the figures to understand how the \$233,000 net profit figure was reached. Ms. Crompton reviewed the spreadsheet with the Council. Mr. Gazda stated that the additional revenue of \$233,000 will show in next month's budget report.

	<u>Debit</u>	<u>Credit</u>
A200 Cash	\$298,356.77	
A522 Approp. Expense		\$ 21,558.32
A1325-41502 In Rem Fees due to Phillips Lytle		\$ 13,434.82
A1325-41500 Fee to prepare deeds due to Atty. Robinson		\$ 1,620.00
Fee for filing of deeds with County Clerk		\$ 4,995.00
Fee for filing of discharges of old Tax Sale Certs.		\$ 858.50
A3621-41400 Outstanding Code Enforcement receivables for Property maintenance		\$ 650.00
A250 Current Taxes		\$ 31,100.96
A260 Prior Taxes		\$ 25,106.44
A290 School Taxes		\$ 12,099.10
A320 Tax Sale		\$208,491.95
A980 Gain/Loss on Sale	\$120,141.98	
A320 Tax Sale		\$120,141.98
A694 Def. Tax Revenue	\$353,740.37	
A980 Gain/Loss on Sale		\$353,740.37
A1051 Net Gain/Loss on Sale of Tax Acq. Prop.		\$233,598.39

By: Alderman Ferrer
 Seconded: Alderman Craig

Approved: Ayes – 8
 Nays – 0

Item No. 5 – Discussion of Consideration of a Resolution for Council approval for budget modifications. (Bryan Gazda)

Motion to Discuss:

By: Alderman Craig
Seconded: Alderman Quail

Alderman Hayes asked if the additional expenses were an effort to make the properties look more attractive for the tax sale. Mr. Gazda responded, yes. Alderman Tobin asked if it was different from past expenses. Mr. Gazda stated that this was a one-time specific expense.

Alderman Hayes asked where the money for the Consulting Group was going and adding that she did not think this much had been approved by the Council. She asked if there was an invoice. Mayor Feiszli stated that she believed the information had already been provided. Alderman Hayes asked if the Fire Department was asking for the money now because they are going to go over budget in October. Mayor Feiszli stated it was in anticipation of going over. They had billed only \$1,500. The Personnel Committee had approved additional services. Alderman Hayes stated that she thought it had to go before Council. She expressed concerned that it was now up to almost \$7,000 and she wondered what else might be coming through.

Mayor Feiszli stated that they will be doing a handbook for the City and for Human Resource Services. She added that there were departments who needed consultation for resolution and so two out of three members of the Personnel Committee had authorized to go ahead and enlist their services. Alderman Hayes stated that she had not realized that given they were only an advisory committee, they could take any action on their own. That's why it was called an advisory committee. Mayor Feiszli stated that she would be happy to discuss this further with Alderman Hayes.

Alderman Craig asked that if it was \$3,000 and now it is up to \$7,000, and we haven't appropriated any more than that, where is the other \$4,000 coming from. Mayor Feiszli stated that the proposal that the Personnel Committee and some Council members saw at the meeting with Benefit Consulting was for \$3,800 for conflict resolution. The Personnel Committee met after that and it was the \$3,800 plus their services for the HR policy manual. Those two services are to be covered by this amount that we are asking to transfer at this time. Mayor Feiszli noted that she had explained to Council members who had called her that it was very necessary to have the HR services through this company.

Alderman Quail asked if the Council had already appropriated \$3,000 from contingency. Alderman Dye stated that it came from the bond fund. Mr. Gazda stated that was the original plan, but it was later decided that it was cleaner to do it this way. He explained that there was about \$7,000 left over in bond money and if we could use this money within the General Fund and we have a little bit of debt we could transfer out, it's always cleaner to do it that way, then we could keep it within this budget year rather than keep going back and forth with bond money. Mr. Gazda stated that we are trying to clean up those capital funds and explained that we have money in next year's budget to clear some of that up and use it for payment of debt services.

Alderman Michales asked if the Council hadn't looked at other groups before choosing this one. Mayor Feiszli stated that the Council did an RFP for the handbook. Mr. Gazda stated it was done informally, but the price they gave us was just for the employee handbook not additional services.

Mayor Feiszli stated that this company has other services. Alderman Quail asked if the Council could get a list of what is included in the professional services. Alderman Hayes stated again that she would like to see an invoice. Mayor Feiszli stated that she didn't believe the City had received an invoice from them yet, but we have a proposal that she will have sent to the Council members.

Alderman Tobin asked if this was in fact excess funds and not restricted money. Mr. Gazda stated that it is money that had been budgeted for bond payments last year.

RESOLUTION #195 OF 2010 – **To Table** Consideration of a Resolution for Counsel approval for budget modifications (transfer of Bond Funds for payment of Benefit Consultants). (Bryan Gazda)

By: Alderman Hayes
Seconded: Alderman Michales

Approved: Ayes – 7
Nays – 1 (Quail)

RESOLUTION #196 OF 2010 – Consideration of a Resolution for Council approval for budget modifications for landscape work only.

	<u>Debit</u>	<u>Credit</u>
A1620-40501 Operating – Armory		\$ 600.00
A1620-41502 Landscaping	\$ 600.00	

By: Alderman Craig
Seconded: Alderman Quail

Approved: Ayes – 8
Nays – 0

Item No. 6 – Consideration of a Resolution to charge vehicle owners an impound fee of \$25 per day. (Deputy Chief Sandy)

Motion to Discuss:

By: Alderman Ferrer
Seconded: Alderman Ferguson

Corporation Council Walsh stated that section 11-82 of the City Code already authorizes an impoundment fee of forty (\$40) dollars. He stated that if the City is inclined to charge the lesser fee, the Council should probably pass a resolution to do so.

Assistant Police Chief, Paul Sandy, stated that section 11-82 empowers the police to impound vehicles, but the fee structure is for private towing companies. He stated that the City police have never been in a position to impound and charge fees in the past. He added that to find revenue generating ideas, this was yet another user fee whereas people who break the law and your vehicle is impounded, the violator will pay the money to the City and they can recoup some of the services.

Mr. Sandy stated that private companies will still get the tow fees established and we will not be impounding all the vehicles. He stated that the police impoundment will only be for short term. He stated that the department looked at other communities and Binghamton is charging \$25.

Mr. Walsh stated that code currently allows a storage fee of \$40 at the expense of the owner and the vehicle must be stored in a suitable place. He stated that the current code authorizes the police department to charge the \$40 when the police department stores vehicles on City property. He felt that it certainly would not hurt to have the Council bootstrap this interpretation by making a resolution

authorizing the Police Department to charge the forty (\$40) dollar storage fee in those instances when they store impounded vehicles on City property.

Alderman Ferguson asked if they have City property (for the impound lot). Mr. Sandy stated that it is at the armory. He stated that it is fenced in and locked. There is privacy fencing and the cars will be out of view of the public and they could hold thirty (30) vehicles if they had to.

Alderman Hayes asked about insurance, surveillance, cameras and protection of the vehicles. Mr. Sandy stated that the impound lot was paid for with grant money. It has an eight foot high security fence with privacy screening. It is a lighted area and inside another locked area. He further stated that patrols will police it, but it does not have security cameras.

Alderman Ferguson asked who will keep track of the impound area. Mr. Sandy stated that the department would have to write a policy. He further stated that individuals would report to the Finance Office, pay their fee, get a receipt from there and come to the Police Department to claim their vehicle.

Alderman Quail asked if we end up with a vehicle, will we be able to dispose of that vehicle. Mr. Sandy stated that vehicles would only be impounded a few days. He further stated that these vehicles would not be from motor vehicle accidents and not involve any haz mat issues.

Alderman Ferguson asked what they would do if someone did not pick their car up. Chief Catalano stated that after a length of time, the Police Department can take possession of the vehicle as abandoned and take it to auction.

Alderman Craig asked if there were any arguments with private companies. Mr. Sandy stated that they will get the towing fees and still get 60% of the impound fees. He has spoken with a few of the towing companies and they didn't seem to think there would be a problem. They would be responsible for towing the car to the impound lot. He also explained that if the car was unregistered, the tow company would receive another fee to tow it out of the lot.

Mr. Walsh suggested that the Council pass a resolution that the Cortland Police Department is authorized to impound vehicles on City owned property is allowed to assess a \$40 daily storage fee as provided in Section 11-82 of Code of the City of Cortland.

Alderman Tobin stated that Andy (Damiano) had put forward strong reasons for not doing this in the past. He added that some cars make money, but others are junkers.

Chief Catalano stated that the City never had a facility to do it in the past, which was one of the reasons. Alderman Tobin asked him to explain the idea that the police were going to select some cars, but not others.

Deputy Chief Sandy stated DWI violations, suspended registration and unlicensed operation where we have to tow the vehicle off of the roads to protect the vehicle and the community, i.e., if it's abandoned on the road, so the vehicle doesn't become vandalized, we would tow those. He added that we are proposing that we be allowed to tow them to the City lot and collect the fee instead of the private lots.

Alderman Tobin asked if he had a prediction on how many vehicles. Mr. Sandy stated that the department tows 300-400 vehicles per year with an average of 336 tows per year. He shared the figures on the reasons vehicles are towed, 100 being DWI's, 92 would be suspended registration and 145 would be other. Those would include motor vehicle accidents and other unspecified, and booting.

He stated a large portion of the 145 cars would go to private tows, but the City would impound 100% of the DWI's and 100% of the suspended registrations and maybe a small percentage of the others depending on what they were booted for.

Deputy Chief Sandy stated that annually, they expect roughly \$8,000 dollars as a minimum. He added that it would not be a huge money maker, but it is something.

Alderman Ferguson stated that it is her understanding that sometimes people don't have the money to take it out so the cars stay a little longer.

Alderman Tobin asked if they were anticipating a problem with the tow companies. Deputy Chief Sandy stated that they have spoken to five (5) companies and they don't have a problem with the City taking a piece of the pie. He added that it would be a problem if we took away the towing fees.

Alderman Craig asked if his numbers of anticipated income was based on the \$25 impoundment fee. Mr. Sandy stated that he had done it at the forty (\$40) so that the Council could choose.

Alderman Tobin asked if there are any other administrative fees that the City might incur. Mr. Sandy stated that we would administer it using our on duty officers, so no additional personnel are needed. He added that the Finance Office would need to collect the fees.

Alderman Quail stated that the Council was going to change the resolution to what Corporation Counsel Walsh had stated.

Alderman Ferrer withdrew his motion as it was written and he made a new motion assessing a \$40 daily storage fee.

RESOLUTION #197 OF 2010 - Consideration of a Resolution that the City of Cortland Police Department is authorized to impound vehicles on City owned property and assess a forty dollars (\$40) daily storage fee directly to the car owner as provided for in section 11-82 in the Code of the City of Cortland. (Deputy Chief Sandy)

By: Alderman Ferrer
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays - 0

RESOLUTION #198 OF 2010 - Consideration of a Resolution to accept the Mayor's appointment of Ron Powell (City of Cortland Environmental Advisory Committee) to the ad hoc Wellhead Aquifer Protection Committee. (Mayor Feiszli)

Alderman Hayes stated that the change came out of the EAC meeting on Thursday night. The EAC committee nominated Ron Powell and he was willing to take it on.

By: Alderman Quail
Seconded: Alderman Hayes

Approved: Ayes – 8
Nays – 0

RESOLUTION #199 OF 2010 - Consideration of the confirmation of the reappointment of Anne Rongo (to the Board of Assessment Review).

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Item No. 9 - Consideration of the confirmation of the Mayor's appointment of the following individuals to the Government Efficiency Study Group (Mayor Feiszli):

Rich Couch (7 Pendleton Street)	John Leary (35 Delaware Avenue)
Chuck Feiszli (2 Colony Drive)	Mike McDermott (Mayor) (31 North Main St., Homer)
Bryan Gazda (25 Court Street)	Gene Palmer (10 York Street)
Lorraine Karpowich (39 Prospect Terrace)	Colleen Price
Hugh Keegan (50 Clinton Avenue)	Ron Walsh (25 Court Street)

Alderman Quail requested that agenda item #9 be moved to the end of the agenda. Council members agreed.

Item No. 10 - Discussion regarding adopting a Local Law providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and set date of October 5, 2010 for public hearing. (Captain Knickerbocker)

Captain Knickerbocker reviewed the history of the current uniform code with Council members. He stated that the State adopted the international code counts (ICC) in 2003 and that is what the City has been using since then. He stated that at that time, there was a requirement that the City take further action. The local law contains definitions for administrative procedures for issuing building permits, stop work orders and a variety of other tasks and contains information about fees.

Captain Knickerbocker reviewed the specific modifications with the Council members. He stated that this action was prompted by an audit from Insurance Service Office who found this deficiency and in the end it can affect your insurance rates. Mayor Feiszli reviewed the information from Captain Knickerbocker and stated that the City needed to retire old language and update its law.

Mayor Feiszli asked permission to set the date of October 5, 2010 as the date for the public hearing. Corporation Counsel Walsh stated that he did not believe that it would need to go to City Planning and County Planning.

Alderman Quail stated that Captain Knickerbocker had mentioned something about rental. Captain Knickerbocker stated that there should probably be a cycle for rental permits and he would insert that language with assistance from Alderman Tobin.

Alderman Tobin stated that there was a comment about Section 12 complaints...what has been termed a nuisance property. He asked if we have been clear about a property with habitual violations. He asked if this was an opportunity to include under definitions, something about properties that are habitual violators and put the impacts under complaints where there would be a greater...(inaudible). Captain Knickerbocker stated that we need to come up with an effective tracking system with the

Police and Fire Departments to track the complaints and how often the Police, Code and Fire departments have been to a location. He further stated that we're going to try and communicate that information between the agencies.

Alderman Hayes asked if the systems are compatible. Chief Catalano stated that their department's system is usually not compatible with anything.

Mayor Feiszli asked if there was any way to refuse to issue building permits or zoning changes to repeat violators. Mr. Walsh stated that it is not advisable to go too far from the language of the model code, as you start decreasing the amount of the regulation.

Mayor Feiszli asked if it is more stringent, would we need to go get their opinion on where we can have something stricter. Mr. Walsh stated, yes, we need to make a case on why the City needs something stricter.

Mayor Feiszli asked if an applicant comes forward that already has multiple violations does the Planning Board or the Zoning Board have the right to refuse until those issues are resolved. Mr. Walsh stated that he would want to look into that.

Captain Knickerbocker stated that this is still a draft document. Alderman Quail asked if he was looking to have this finalized for the public hearing on the 5th. Corporation Counsel Walsh noted that if the Council changed it following the public hearing they would have to wait to vote on it.

Captain Knickerbocker stated as long as the Council takes formal action, the reviewer would view that positively and it would be thirty (30) to sixty (60) days before she files her report.

Alderman Quail asked when this could be gotten in to final form. Corporation Counsel Walsh noted that it would have to sit in final form for at least ten (10) days before the public hearing.

Alderman Michales asked if it would be finalized on the 19th.

Alderman Dye asked what the ISO did five years ago when they did their audit and what became of that. Captain Knickerbocker stated that apparently they have inserted that and they are now saying that it has to get done.

Mayor Feiszli asked if the rental permit was being incorporated since there is a restraining order on it now. Captain Knickerbocker deferred to Corporation Council. Mr. Walsh stated that the Council can always include it at a later date. There is an action pending and we can always include it later. It could be included with the wording such as that we expect the lifting of the injunction.

Mayor Feiszli stated that the City needs to move forward if this is going to affect our ISO rating and we can include the permit at a later date pending the judge's decision.

Alderman Ferguson asked if the City can always have something in the background, so we can insert it if the courts decide. Alderman Quail stated that the Council should approve it as is and also have Ron (Walsh) look at language for the rental permit program. Alderman Ferguson stated we can't do anything until we are sure of what we can do with the rental permit program.

Mayor Feiszli stated that we need to make certain that the definitions are consistent. Alderman Quail stated that we need to get a definition of nuisance property in here. Mr. Walsh stated that he wouldn't concede that our definitions are not sufficient now.

Alderman Quail suggested keeping it on for the 5th, but have Mr. Walsh give the Council guidance on the nuisance property issue and definition and stronger language so we can take property to court. Mr. Walsh stated that the Council should talk about this further.

Alderman Dye asked how it will be on the table the required length of time...10 days. Captain Knickerbocker stated that he could insert the comments tomorrow. Mr. Walsh suggested that the City insert alternate language and set the public hearing for the 19th.

Alderman Tobin recommended changing the date to the 19th stating it would give staff more time to work on the final version. Mr. Walsh stated that with the degree of regulation, we don't have a lot of discretion without going to Code Council.

Mayor Feiszli stated that the Council would review it again on October 5 and at that time set a date for the public hearing for October 19.

Item No. 11 - Discussion regarding merging Department of Public Works and Water Department.
(Alderman Michales)

Alderman Michales stated that during discussion several months ago, Council had moved forward to merge the two (2) departments. He added that he believed it included the Youth Bureau maintenance.

Chris Bistocchi stated that the Youth Bureau maintenance was voted back in 1999 and the DPW is responsible for park maintenance.

Alderman Michales stated that he wanted to move forward and finalize this. He added that the job titles will remain the same.

Alderman Tobin asked about the financial impact as the water fee pays for the Water Department and the General Fund pays for the DPW.

Mr. Gazda stated that for all intents and purposes, the DPW people work, but are funded out of the Water Department. Chris controls the day to day operation of these individuals, and if anything, do an organizational chart so they are a subgroup of DPW instead of it being horizontal.

Mr. Bistocchi stated that it would just be on paper as we have been doing this already for three or four years.

Mr. Gazda stated that when the local law was done, my position was in charge of the Water Department. He added...that is what needs to change and should be shifted to the DPW Superintendent to truly reflect what's happening.

Mayor Feiszli stated that we will hopefully have the merging of Public Safety responsibilities being under the DPW Superintendent. It would be good to have a flow chart with Chris Bistocchi being the head and then having subdivisions and who is responsible for the maintenance for the parks and public safety, for the DPW, the Water Board.

Alderman Quail stated that is a Charter change.

Mr. Bistocchi stated that per the Charter, the Department of Public Works and the Water Department had different people in charge. He further stated at the time, he did the construction and Andy Damiano did the budget work.

Mayor Feiszli stated, so we need to amend the Charter. Mr. Bistocchi stated, for my position only, the departments do not need to be changed at all and don't have to be.

Alderman Michales stated that this would free Bryan up to focus on the City finances.

Mr. Bistocchi stated, make no mistake, I'm doing the Water Department.

Mayor Feiszli stated that Benefit Consulting, the HR consulting firm, does this sort of thing and we could hire them to do this as we had talked about before. We could employ their services to modify the Charter.

Alderman Michales asked if they are making changes now. Mayor Feiszli stated they are making changes but I don't think we have the money to go through all the departments at this point. She noted that with Administration and Finance, Lori Crompton, who oversees a lot of the responsibilities, isn't in the charter.

Mr. Gazda stated that we have an overall deputy position in the charter that covers all the departments and we designate the duties and responsibilities of the chiefs and directors down to those deputy positions. Lori's position doesn't need to be in the charter. In the absence of a chief or director, the deputy positions assume the responsibility. Alderman Michales noted that was so there would be no disruption of services.

Mayor Feiszli asked with Chris's position, what part of the Charter would be revised.

Alderman Quail stated that the Director of Administration and Finance has the Water Department under the positions and this should be moved to the DPW Director.

Mr. Gazda stated that back in 2009 the Council did authorize \$50,000 in a bond for a Charter revision and there is still \$35,000 dollars to do a Charter revision.

Mayor Feiszli stated that she would put in on the next agenda for discussion at the Council meeting.

Item No. 12 - Discussion regarding upcoming 7-Valley Summit on Aquifer Protection. (Alderman Michales)

Alderman Michales stated that several weeks ago he mentioned that the City should take the lead in the 7 Valley Summit to be held in October. With other pressing issues, this was put by the wayside. Alderman Michales handed out a draft and stated that it outlined some of the things we should start digging into.

He noted that a mailing list should be established and a location for the meeting if the City is to take the lead on this. He proposed that it be done right and invite all of the towns and villages and possibly do an early morning breakfast as part of the kick off drive. He noted that they should identify goals, establish an oversight committee, elect a person to represent each town, village and the city and the county, identify potential threats to the water supply regarding hydrofracking and touch on establishing district regulations. Public input will be encouraged throughout this process. He noted that they could identify some areas where ground water supplies were at risk of significant contamination from

hydrofracking and will identify appropriate protection goals, objectives and implementing strategies to insure that groundwater supplies are adequately protected. These items should be part of the mission statement.

Referring to a recent incident in Pennsylvania where hydrofracking resulted in water contamination, Alderman Michales stated that he would like to have something in place so this doesn't happen in New York.

Alderman Quail asked when Alderman Hayes would hold the next (Environmental Committee) meeting. Alderman Hayes stated that the next meeting is on October 13 at 7:00pm in the Mayor's Conference room. She suggested that Alderman Michales attend the meeting and get the committee involved to help tie it all together.

Alderman Michales stated that he was thinking about a much larger location. Alderman Hayes suggested that he get them involved and have them help plan it as they are hooked up with other people and organizations.

Mayor Feiszli asked that it go to the ad hoc Wellhead Protection Committee as well and stated that they were enthusiastic about his idea for a summit.

Alderman Michales stated that they should hold the meeting on the 13th and at that point discuss a location to hold a second meeting, possibly at the Ramada, with a broader base of people participating.

Item No. 13 - Discussion regarding the makeup and first meeting of the Strategic Planning Committee (Alderman Tobin and Alderman Quail)

Alderman Quail distributed handouts. He had asked for opinions on the structure of this study group. He noted that his number one goal was to get back to what it costs to run our City and the tax impact. He referred them to page 2 of the handout. The author of the document talked about budget expenditures and revenue comparisons and he thought that if they were going to talk about government efficiency, they needed to take an inventory of what services we provide, what the cost is and who's receiving that service. He would like to get a group together to establish the first step mentioned in this document. Now was a good time to get the information together. The document suggested pulling additional information together that isn't seen in a budget, such as the number of people, the actual services, etc. You see the dollars budgeted for the service, but do not understand what's in back of it. He felt that was important if we're going to make a change. We need to understand where we are and what it's costing us right now. He noted that there were several ways to approach this. We could have an informal meeting to see who shows up to start the process or we can have a structured group of people and if people wanted to attend in addition to that, the structured group could invite the public. He asked for guidance from the rest of the Council

Mayor Feiszli asked if the Council could request that boards and commissions of each department gather the information that he was requesting.

Alderman Quail noted that he would like to find a format of what we are looking for so that we aren't fishing through reams of paper, pulling things together. He noted that they certainly could do that and obtain the dollar amount and get the head counts by working with the commissions. He asked if the Council wanted a structured group or to have an informal meeting.

Mayor Feiszli felt that when they had the informational meetings, different people had different ideas of consolidation, shared services, dissolving and annexing. She thought that if people were interested in forming separate small ad hoc committees to look at those certain areas they could. In order to get the information they needed, board and commissions could provide them with the information that they needed. She noted that the names of the people that were provided on tonight's agenda were people who had attended the three (3) informational seminars that were already held. She also was in the process of drafting a letter to the other municipalities asking for a representative to this committee to make it more formal. She's open for suggestions as long as we move forward with this. She was asking the Council's permission to proceed.

Alderman Quail asked if Stephanie or Brian had any strong recommendations.

Alderman Hayes noted that the first thing to tackle on the list as to what exists; she noted there was a list of people for a committee that doesn't exist. She wanted to know what they would do and she noted that there are a couple of people on the Finance Committee.

Mayor Feiszli noted that when this committee was first being talked about, there was mention of past Mayor's, businessmen, a mixture of different types of people and it can definitely be expanded. If the Council isn't ready, maybe that group can come with a list of things they are interested in and come back to the Council with their recommendations.

Alderman Ferguson noted that the names in Alderman Quail's list are not the same names that are on the Strategic Planning Committee and she asked for an explanation.

Alderman Quail stated that most of the individuals listed were regular attendees to the informational workshops that were held and they have expressed interest in being part of the process.

Alderman Hayes noted that neither of the groups existed as of yet and she felt that was a problem. She asked who was in charge because nothing exists. She would like to see someone put in charge, so they could get started.

Alderman Quail noted that was why he was trying to get this all together to make sure we were all on the same page because based on previous discussions, we've all had different ideas about the direction we should go in.

Alderman Hayes felt that the Council didn't have the kind of time for a group to meet and then to form an ad hoc committee.

Alderman Quail noted that what he was hearing was that she wanted to see a structured group formed focusing on pulling the costs together and he was fine with that.

Alderman Tobin stated that they could get started on both steps 1 and 2; they didn't necessarily need to follow each other. They could be started together. Step 1, getting the information about what exists, who does what costs, the tax impact, etc., would probably need input from various officials from different municipalities. He felt that Bryan Gazda would be needed to spearhead the City's efforts on this and then try to identify appropriate officials in other municipalities to make sure we are getting accurate information. As far as #2, identify alternative service and delivery options and select the preferred options; he noted that there were people from the community who were interested in helping out. He noted that there would be two groups initially. One group of elected officials, who are starting to gather the data as to what is provided and the information that is going to be useful and then the people who are volunteering who are starting to talk about the short and long term options

and how do we want to break up and let that group meet and discuss their options. He felt that #1 was pretty cut and dried....what are we currently providing and then #2 will be influenced by what is found out with group #1. He didn't see why both couldn't be started at the same time.

Alderman Hayes agreed with him and asked if it was possible for Mayor Feiszli to have her Government Efficiency Study Group focus on #2; except Bryan, who should be in Group #1. She asked if that was doable.

Alderman Tobin was open for suggestions. He didn't see a need to formalize a committee at this point, but suggested that they hold a general interest meeting to figure out some options. They would hold one more general interest meeting and then break up into two (2) groups. One (1) will be the elected officials and members of boards and commissions would be a good way to gather information that's out there.

Mayor Feiszli noted that she had no problem with that. She asked that next time she put people's names on the agenda for appointment and asked for Council's input on the draft agenda, that they give her the courtesy of a reply before the final agenda was drafted and posted.

Alderman Ferguson asked if this meeting was for everyone or for interested parties.

Alderman Quail noted that Alderman Tobin recommended holding the initial meeting and then follow up by breaking into groups pursuing either step #1 or #2.

Alderman Tobin asked if Alderman Quail had a recommendation for a date and time for the next meeting. Alderman Quail would suggest a week's notice, suggesting next Tuesday at 7:00 PM at City Hall.

Adjournment

By: Alderman Dye
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Meeting adjourned at 9:18 pm.

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 21st DAY OF SEPTEMBER 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

CAROL TYTLER – CITY CLERK

MAYOR FEISZLI