



City Council Minutes
The City of Cortland
October 5, 2010

Council Meeting #23
October 5, 2010
Regular Session
City Hall
7:00 PM

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

Staff Present: Director of Administration and Finance Bryan Gazda and Corporation Counsel Ron Walsh

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Mike Dexter acknowledged the passing of Fay O'Hara, a former Council member, who served during the 1950's. He noted that Mr. O'Hara had operated a gas station in the City.

Minutes of September 21, 2010

RESOLUTION #200 OF 2010 – Approve the minutes of September 21, 2010 as amended.

By: Alderman Craig
Seconded: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

REPORTS OF OFFICERS, BOARDS, COMMISSIONS

Alderman Quail stated that there had been a meeting of the Strategic Planning Committee last Tuesday and he noted that they would be scheduling a regular meeting the second Tuesday of every month at 7:00 PM. The next one is scheduled for October 12.

Alderman Dye asked about the date for a special meeting of the Council the following week and he was told it would be October 14.

Alderman Michales passed along information regarding the Church sponsored Hip Hop day in the park. He received complaints that the celebration was too loud and the police were called.

Proclamation

Mayor Feiszli read a proclamation acknowledging October as Disability Employment Awareness Month.

Council members noted that the new fire engine had been received.

AGENDA:

Item No. 1 - Presentation of 2009 Independent Financial Audit. (Duane Shoen, CPA)

Mr. Shoen noted that his firm had met with the Financial Advisory Committee a few weeks back and went over all of the details with them at that time. He noted that besides the bound report there were letters as well. He referred them to the Communication with Those as Far as Governance. This is a standard boilerplate language that the accounting firm is required to include in an audit to make sure that the Council is aware of certain aspects from an audit. This letter meets those responsibilities. It states that there were no significant changes in your policies in 2009, there were no significant difficulties in dealing with management during the conduct of the audit, there were no significant disagreements with management during the conduct of the audit and there were no other significant issues in the conduct of the audit.

Mr. Shoen directed their attention to the Management Comment Letter. That letter gives information about items that came to the auditors' attention during the audit. He noted that these were not things that were necessarily significant deficiencies in the City's internal control systems and they were not material weaknesses in the internal control systems, but they are things that they should be aware of. He noted that many of the comments in that letter are a continuation of comments that they have had in past audits and there is one new comment. He noted there was resolution of a few of the comments from prior audits. He noted that the one new comment was in respect to capital project expenditures and that it was going to be an ongoing issue in terms of clean up. Further work will need to be done in 2010 and going forward on this issue. He noted that there were some unresolved findings with taxes receivable with respect to stale dated checks. He noted that the resolved issues in 2009 were on page three and these included scholarships with the Youth Bureau and Waste Water Department late payments and the procurement policy.

Mr. Shoen referred them to the financial statements and notes to those statements as well as a management discussion and analysis. He encouraged the Council to refer to that discussion and analysis to get a sense of where things are in the City from a financial standpoint in 2009. He pointed out a few highlights noting that the City's assets exceeded its liabilities in 2009 by almost seven and a half million dollars on a government wide basis. He noted that it was not a fund balance number and it isn't any part of one of the City's funds, that number represents the City as a whole. He referred to fund balance statements farther in the document.

Mr. Shoen noted that the City is continuing to report a liability for its post employment benefits, essentially retiree health insurance. During 2009, that liability was about two point three million dollars was added to the government wide liability and as of December 31, 2009, the total reported liability was four point seven million dollars. He noted that number will continue to grow over time because it is being amortized and reported over a thirty (30) year term until the entire actuarial liability is reported in the government wide statements.

Mr. Shoen again encouraged the Council to read through the management discussion and analysis. He also noted that on page two eight, factors for next year's budget. This gives information about what goes on in the City that impacted the 2010 budget information and will

continue to impact budgets beyond 2010. He referred to the Fund Basis financial statements on page five and five-A of the bound packet. He pointed out the governmental funds. He noted that the General Fund is still in a deficit position as of December 31, 2009, although the deficit is smaller than it was at the end of 2008.

Mr. Shoen also noted that there was a fairly long note disclosure regarding the post employment benefits issue. He noted that it begins on page twenty. He stated that over the next twenty-eight (28) years of the thirty (30) year term, the City will continue to add to that liability until that entire actuarial liability is recorded in the government-wide financial statements. He noted that there was also information in the bound packet regarding expenditures of federal programs and he noted that no significant deficiencies were noted. He noted that most of the federal expenditures were in housing and urban development programs as well as some in EPA and a bit in transportation funding.

Alderman Michales asked about a control deficiency mentioned in the management letter. Mr. Shoen noted it was addressed on page forty of the bound packet and it refers to the deficit fund balance in the General Fund.

Mayor Feiszli asked about the in rem money process and what would his recommendation be on that. Mr. Shoen stated that his recommendation would be to set that money aside and use it to restore the City's fund balance as much as possible. He noted that the money that was received from that auction isn't money that's in the City budget. Its money that if it isn't spent would, in part, restore that deficit fund balance to zero and possibly to a positive position.

Alderman Michales noted that the Waste Water Treatment Plant bond money wasn't enough to come in to compliance with the Chesapeake Bay Initiative and the City would have to bond again. He also noted that the previous bond won't be paid off before we enter into a second bond.

Mr. Shoen noted that there was debt continuing through 2031 for bonds that already have been issued.

There were no further comments.

Item 2 – Presentation by Janice Hinman of CNY SNAP (Central New York spay/Neuter Assistance Program). (Mayor Feiszli)

Ms. Hinman noted that this was a low cost spay/neuter organization based on 178 Central Avenue. They are an open clinic and work with animal control in Homer and Dryden noting that anyone can use their services. They've been in operation for seven (7) years. They have performed a total of thirteen thousand five hundred procedures and have already done two thousand this year. They do this one (1) day a week with three or four extra clinics a month. They accept both dogs and cats. She noted that they had sixty (60) phone calls in one (1) day last week, mostly for spaying/neutering.

Ms. Hinman stated that they write many grants and she had received a grant from PetSmart Charities and received ten thousand dollars (\$10,000). She noted that it was a targeted grant and that five thousand (\$5,000) was used in Cayuga County and the remainder was used in the Cortland Estates trailer park.

Ms. Hinman noted that they have one or two Cornell students that assist every other week and they spay/neuter five (5) to ten (10) cats for free. She noted that Dr. Pell of Shelter Services has signed them up for junior surgery for three (3) weeks in November and they can pick seven (7) friendly cats to get a full work-up at Cornell for free. She noted that the entire staff is volunteer.

Alderman Michales asked if people brought them animals or if they trapped them. Ms. Hinman noted that for the most part people bring them. They lend out traps and carriers and they have even gone and picked up some animals for those people that don't have transportation.

Alderman Michales asked if there were any grants that the City of Cortland could tap in to. Ms. Hinman noted that they've received two (2) Cortland Community Foundation Grants. She noted that she could target money to any area that was requesting it. She noted that they also raise five thousand (\$5,000) a year with a SUNY concession stand. She noted that there are many people that bring in animals that they can not afford to contribute to the subsidized cost and no one has been turned away.

RESOLUTION #201 OF 2010 – Consideration of a request by Access to Independence to use Courthouse Park on Saturday, July 16, 2011.

By: Alderman Ferrer
Seconded: Alderman Dye

Approved: Ayes – 8
Nays – 0

Item No. 4 – Presentation by Ken Knutsen, Barton & Loguidice Engineering, regarding WWTP staffing study.

Mr. Knutsen touched on the highlights of the study and its resulting suggestions. It was noted that the Council had the study in their possession for about a week and had time to review its contents. He noted that his company had met with the Personnel Committee a few weeks ago. He referred to their comments regarding the operation of the Waste Water Treatment Plant. They looked at the current staffing structure and the titles and their day to day responsibilities and work schedule. He noted that Waste Water currently had a staff of ten (10) and that this review was done in advance of the impending Chesapeake Bay Compliance improvements that are going to be needed at the plant. They also looked at facilities that were comparable in size and technology to the City's plant as well as guidance spreadsheets for estimating future staffing levels. He noted that their suggestions are not cast in stone, but are meant to open discussion to work through this.

Mr. Knutsen spoke of the positives. He noted that on the staffing structure of the plant, there was Chief Operator Davis and a Deputy Chief Operator. The required licensed Operator of Record was Mr. Davis. He noted that currently there was good management structure in place. He noted that the staff, labor and operators, were very positive about the cross training opportunities that are provided between them allowing skills to be developed in the areas of equipment maintenance, process control and normal operation responsibilities of the licensed operator. It was a good opportunity to have access to that type of work experience. He noted that there is an Operator licensure path which provides an opportunity for laborers and lower level operators to move up in the ranks toward a Grade 4 Operator, which is the highest level of operator certification that's needed for a plant of this size. He noted that professional

advancement is encouraged. He noted that the current schedule gives the current staff, which consists of a total of seven (7) operators and laborers working Monday through Friday, an average coverage of twelve (12) to sixteen (16) hours. He noted that coverage varies from day to day based on flex hours, where depending upon the circumstances of the various operators and laborers, they may come in at different times to get their shift in. He noted that it was a positive feature and contributes to higher morale.

Mr. Knutsen noted that what the staff should take pride in is that the current staff of ten (10) has kept the plant operating within permit as compared to other comparable plants who had thirteen (13) to (21) staff members. He then asked Don Davis to review some of their suggestions for possible changes.

Don Davis noted that the current organizational chart showed that all of the current people that are termed operators are all plugged in to the schedule with the exception of the Chief Operator and the clerical individual. He noted that also includes the management position of Deputy Chief, which seems to have been de-watered a little bit and he is not assuming the responsibilities that he is being paid for with regards to a management person. He noted that multiple grade 4A Operators are not required by any regulatory agency. He noted that it is good to have two (2); one as a Chief and one as a Deputy Chief so there is back up in case you lose your Chief. He further stated that it is good to bring other employees up through the 1A through 3A levels, but once you bring them up to the 4A level, they can go and run their own plant. He noted that while they encourage a certain amount of education, there has to be a limit as to how high one can go. He noted that Flex hours, while they are good at helping the individual and the City, they can also mess up staff coverage on any given day. They should be limited and monitored by closer supervision. He noted that the weekend staffing, in their opinion, is kind of a problem. There is only one (1) person running the plant for sixteen (16) hours of the day both Saturday and Sunday versus week day staffing which is even (7) people working eight (8) to ten (10) hours a day. They found no justification to have one (1) person running the facility for sixteen (16) hours a day on weekends when you didn't have the same coverage during the week. It involves operator safety, noting that once you get past ten (10) hours, they tire and accidents can increase. He also noted that the weekend shift also has limited work or output production as one (1) person cannot do any unsafe type of activity, such as cutting the grass or painting. He went on to note along with that weekend coverage the next seven (7) days for that individual are off. That person is not available for work at the plant unless they are called in and all of that time is overtime. So you have lost the productivity of weekend work and increased your possibility of overtime work for the following week.

Don Davis explained that unlike similar plants, there are no specific lab or maintenance positions designated at this facility, running the lab or doing major tests. He noted that one of the biggest concerns noted in their staff interviews was the electrical work. The staff cannot disconnect anything more than a power cord. He noted that a lot of the equipment in the Plant is 220 volts or 440 volts, three phase. He stated that getting a contract electrician in there periodically contributing to a delay in getting a piece of equipment off-line leads to a further delay in getting it back on-line.

Don Davis offered the following suggestions; that they increase the staff safety, maximize the productivity, maximize effectiveness, efficiency and potentially reduce the amount of overtime. He stated that they should increase the staff to thirteen (13) people from the current ten (10). They recommend a Lab Technician and a Mechanic, who is definitely in charge of maintenance, and an Electrician. He noted that the Electrician could be a shared position depending upon other factors. He went on to note that regarding the work schedule, they would seek to phase

out single staff weekends. He noted that in the Council packets, they had put in for consideration a two (2) shift structure as an example. That gives coverage for two (2) shifts, seven (7) days a week always providing people at the Plant for whatever you want to structure and it could overlap. This would be dependent upon whatever Administration, management and the union could negotiate. Lastly, he noted that they should hire three (3) additional people.

Mr. Knutsen noted that there was an organizational chart included in the packet showing where these suggested additional titles would fall under the current Deputy Chief Operator with the intent that position gravitate more towards a maintenance supervisor type of responsibility.

Alderman Quail noted that given the high cost of hiring a registered, licensed electrician, he wondered if there was that much work to effectively use a full time electrician. Don Davis noted, probably not. He suggested that they didn't need to necessarily be a registered, licensed electrician, but that they be qualified. They should also have other capabilities such as IT, any kind of instrumentation, etc.; they could also work in the operations.

Alderman Hayes asked for an explanation for the difference between the New England Interstate Water Pollution Control Commission guidelines and your recommendations.

Don Davis noted that the guidelines referred to were recommendations in one of the DEC letters to the City. It is the North East Guide for Estimating Staffing at Publicly/Private Owned Waste Water Treatment Plants which is a series of spreadsheets which are included in the back of this report. Two different (2) runs were done, one by Mr. Harvey Davis and one done by us to reflect the anticipated improvements. This is an estimating tool for guidance where the processes are identified and the number of hours associated with operating and maintaining those processes, an assessment of automation at the plant, site work and so on.

Don Davis noted that the Chief Operator's run was done based on current staffing or current configuration with an estimated staffing level of fifteen or sixteen employees and theirs was done with the Chesapeake Bay estimate of seventeen or eighteen.

Alderman Hayes asked if that was based on a worksheet rather than a formula that was given.

Don Davis noted that this was a set of spreadsheets mostly developed as a guide. He noted that given the level of automation at the City facility, these numbers were high.

Alderman Tobin asked how many years should the Council be thinking before the Chesapeake Bay requirements for additional personnel need to be taken into consideration.

Ken Knutsen noted that Phase I for the three (3) positions should be initiated now and Phase II should be followed in the future. Once more detailed evaluations of the facilities are done on the larger capital project and you can identify size, coverage of the new facilities, automation, process control, whatever technology needed, then you'll have to revisit your current staff at that time and determine if any additional staff is needed. That could be five (5) years.

Alderman Tobin asked if an estimate had been done by them as to how much time might be encompassed in a typical week for the Electrician, the Lab Tech and the Mechanic.

Mr. Knutsen noted that the three (3) positions were full time, but as it was brought out in their discussions, there was a very good possibility that the Electrician would not be fully employed at the Waste Water Plant. There was a good chance that he could be shared with other

departments. He noted that the Council would want one (1) or two (2) people basically doing the lab testing to maintain continuity and better quality control.

Mr. Davis noted that the Deputy Chief Operator has become the IT guy and the instrumentation guy and the lab guy, kind of taking away his maintenance supervisory role. To become more efficient and effective, the supervisory/management position role should be placed back on the Deputy.

Mr. Knutsen recommended that there be one (1) Lab Tech for now.

Alderman Tobin asked why it wouldn't be better to have a couple of people doing that job so they can check each other.

Mr. Knutsen noted that one or two was possible, but having seven (7) or eight (8) people doing it, the chance for error develops. He noted that they were looking to be conservative and felt that one (1) person in the lab would be required to just start jelling things together and then down the road, possibly a second person. He noted the case in point was mercury testing and at least two (2) people were needed to do that process. Right now they are using operators, but a lab technician would have more training and be a little bit more precise.

Alderman Hayes inquired about the clerical position at the facility and how common that was.

Mr. Knutsen noted that one (1) facility had a clerical person on site and another facility had three (3) clerical people off site. He felt it was dependent upon the facility and if they're doing sewer use charges, billing, etc. He noted that smaller treatment facilities will not have a clerical person there or they'll share them. He noted that our treatment plant is qualified as a large facility and if you have other duties for that person, then she is required.

Alderman Michales noted that some municipalities sub-contract work out and wondered if they would recommend that this facility look in to that.

Mr. Davis noted that was an option the City could definitely explore. Some contractors, like those who change clarifiers, would be better equipped than your local staff to handle some of the heavy equipment.

Alderman Quail asked about the maintenance hours on Page 21 and asked if the maintenance hours provided on the weekends had been provided.

Mr. Davis stated that the Chief Operator had stated that that information had not been provided.

Alderman Hayes noted that it was her understanding that the current maintenance computer program has the ability to provide this information; however, it's her understanding that the information was not typically inputted.

Mr. Davis noted that in this type of organization, the information would typically be documented in this program.

RESOLUTION #202 OF 2010 – To Table Consideration of the approval for the Mayor to enter into an agreement with O & M Incorporated for WWTP consulting services **and to have the Personnel Committee follow up and gather more information for the Council.** (Mayor Feiszli)

Mayor Feiszli asked Bryan Gazda to provide information regarding this. She noted that this came about because of the unfunded mandates by the Chesapeake Bay Program along with the early retirements of many years of experience of many employees in conjunction with the staffing study that was just received, including the need for infra-structure improvements.

O & M has worked with grants and environmentally sound practices and will work with the City to see us through this transition. Mr. Buchan, an environmental attorney was asked to speak to the Council about his firm.

Mr. Buchan noted that O & M was a contract operations firm which operates respond plants for communities and various industries. He noted that they had looked at a couple of issues with the City's program. He noted that there was a period of transition, both from a capital standpoint and from the standpoint of leadership within the plant and among the staff and obviously you've engaged professionals to do that analysis and also in terms of the pre-treatment program; relationships with local industries and regulators. It all makes for a strange brew. He noted that his company brings a combined set of expertise to this set of problems. He noted that his background is technical and legal, having been an environmental lawyer for over twenty-five (25) years.

He explained that his firm has worked with a lot of communities, some for a very long time. He noted that water and waste water is their specialty through operations and maintenance. They also do a lot of work with nutrient removal. He noted that Dean Merritt is a Grade 4 Operator with lots of experience in that and had worked on some projects that had achieved remarkable results as mentioned in their proposal. He noted that this proposal was a bit atypical of what they usually did. They usually come in to a community and enter into a contract to maintain and operate their facilities. We provide the operations staff and we operate for a contract fee. We set up standards, meet the standards and there's a contract relationship. He explained that here they're proposing working on a case by case basis with issues that the City is grappling with. We'll provide guidance and opinions to factor in to your analysis and decision making process. This is the most flexible way that we could to frame that kind of program and there you have our proposal.

Alderman Dye asked if their rate was hourly and not a set fee.

Mr. Buchan noted that the City would send a letter asking his firm to look at an issue. They would estimate about how many hours it would take to do that and based upon those hourly rates and then they would bill through cost on an item by item basis. This is not an hourly type of engagement.

Alderman Hayes noted that they just received a report on the staffing level and were aware that another report was going to be coming out. She asked where the money was going to come from to fund this.

Bryan Gazda stated that there was money in the Sewer Fund this year to pay for this year. He also proposed to the Mayor that in the Mayor's budget they put money in there for next year.

Alderman Quail asked Mayor Feiszli what types of projects were being looked at and what was going to be paid for. He was unsure what the future plan was for succession or if this firm would be looking at operations to see if they were maximizing the effectiveness, etc.

Mayor Feiszli noted that this would be on an “as needed” basis. The plant was going through a major transition and that there were multiple issues going on. She believes the City needs outside consultation to get us through these various issues. She would like to bring some of these issues up in executive session.

Alderman Quail asked if something would be implemented and he needed to understand what was being asked for. Alderman Michales agreed.

Mr. Buchan noted that they were there at the Mayor’s request and noted that they were qualified across a broad range of issues and he asked what issues were top most on the Council’s agenda where O & M might be of service. He noted that he had heard some issues discussed tonight that were difficult decisions for this Council and his firm has opinions on those things and would be happy to share those opinions for your consideration. We are in the business of providing these services, noting that the City had this kind of operations contract in the past.

Mayor Feiszli asked Bryan Gazda to speak to the Council.

Bryan Gazda noted that he had worked with Mr. Buchan and his firm in Canastota in the past. That village faced many of the issues that the City will be facing in the coming years. He asked that the Council review and consider this proposal and they might have to go in to executive session.

Alderman Ferguson asked why executive session was needed. There was discussion regarding pending litigation and Corporation Counsel Walsh noted that he was unaware of any.

Alderman Hayes stated that she did not see why this contract was necessary at this time.

Mr. Buchan noted that they would act as purely an environmental consultant geared towards the Waste Water Treatment Program as a whole, including, for example, the permits associated with this Chesapeake Bay Program. He noted that they could look at a whole program like Chesapeake Bay and at the point where permitting is being worked on they try to put in place a strategy which allows you to get better limits and a more lenient permit. This is an overall program which allows you to save money and there’s a tremendous amount of money that needs to be saved for the rate payers. His firm is offering the strategic service of analyzing that program and what needs to be done in the plant in conjunction with raising revenues from the industries that are in your vicinity. This is what we provide our clients. He noted that there was no one specific thing, but they are not being engaged to provide legal advice. You need to go to your Corporation Counsel for that advice. Our advice is tailored more to the enterprise that you have of treating waste water, how to balance the books and how to do it in a more cost effective way.

Alderman Tobin asked if they would be providing a better idea of some of the challenges that we will be facing and give us some potential solutions to those challenges regarding permits, staffing, staff succession, etc. He felt that consulting firms should work with the person who is in charge of the plant. He is uncomfortable about hiring an outside group without having a discussion with the current director and finding out more about where we’re going.

Alderman Michales felt that there must be some plan in place already.

Mayor Feiszli asked Waste Water Treatment staff members to speak to the Council.

Tom McCall spoke. He noted that there was a Waste Water Advisory Board and they had been working with Harvey Davis on a succession plan. He noted that he and the staff had been through rigorous one-on-one training as well as team training. He stated that they will be working with the Council. He noted that all their meetings were open to the public.

Alderman Hayes asked for copies of the succession plan.

Mayor Feiszli noted that Barton & Loguidice had recommended an Electrician, a Lab Technician and an Electrician and that Harvey Davis had asked for two (2) laborers.

Tom McCall noted that there was a difference between Harvey Davis' request and the Barton & Loguidice recommendation. He stated that they were all certified to work in the lab. He noted that rather than pay higher salaries, the Council should look at starting them out as a laborer and letting them work their way up. There should be a succession plan for each person.

Alderman Ferguson asked as they went up the ladder, if they received raises to go along with that.

Mr. McCall stated that they did not. They work hand in hand with Civil Service, but they do get out of title pay for certain positions that are more advisory.

Alderman Ferguson asked if that meant they got the pay of the person that they were filling in for.

Mr. McCall stated that was correct.

Mr. Buchan stated that there were elements of overall scope that are highly sensitive and should be discussed in executive session, such as personnel and contract issues, matters involving relationships with regulatory agencies, which are not appropriate for open discussion. He felt that there were a number of things that struck him as appropriate for executive session, without having to come out and state what those issues are directly in open session. He would like the opportunity to have a more robust discussion on these sensitive issues.

Alderman Hayes felt she did not have enough information. Consultants had been hired to do some assessments and until she knew more, she felt it was too vague.

Mayor Feiszli suggested that they move on to the agenda.

Corporation Counsel Walsh did not feel there was anything before the Council at this time that warranted going in to executive session.

Alderman Tobin stated that he would like the Personnel Committee to follow up on this and to find out more detail about potential issues and give the Council some more comprehensive recommendations. He felt that some needs had been pointed out, but it was also becoming apparent that some internal questions need to be answered about the difference between a staffing report and some of the future plans for the WWTP. He felt it was premature to do anything at this point.

Alderman Michales felt that they knew more about this situation than the Council.

Motion to Discuss:

By: Alderman Quail
Seconded: Alderman Ferguson

Motion to Table:

By: Alderman Tobin
Seconded: Alderman Hayes

Approved: Ayes – 6
Nays – 2 (Dye, Michales)

RESOLUTION #203 OF 2010 – Consideration of a Resolution to lift the hiring freeze at the WWTP for one (1) laborer. (Harvey Davis/Tom McCall)

Alderman Tobin felt that this item should be tabled as well, as they did not have a personnel study that was consistent with the recommendation and the Council needed more time to figure out what direction they wanted to go in.

Mayor Feiszli asked Tom McCall to comment.

Tom McCall noted that he felt that they had a surplus in our budget this year because of these vacancies. He felt that the reason the Council didn't have enough information inputted into the MP2 system regarding the maintenance tasks was that the supervisors are out in the plant covered in grease doing the work of the mechanics.

Mayor Feiszli asked how many people were on staff.

Tom McCall stated that they had two (2) vacancies; there was the new laborer position which was budgeted for and Wayne's position. There are only nine (9) employees currently and that included Shelley Knickerbocker who just gave her resignation.

Mayor Feiszli noted that now they were down to eight (8).

Alderman Quail noted that work orders not being inputted was a problematic issue because if they didn't know what was completed, how would they know what was on the schedule that still needed to be completed.

Tom McCall explained that the computer program printed out weekly tasks as they were assigned. They are filled out by hand and the operator/mechanic initials what they did as far as parts and noting findings of additional attention. Items weren't typed in to the computer as there weren't computers out in the field. He noted that when the supervisor went to generate the next week's work orders, they used the ones that had been completed the week before and marked them in to the computer as completed. He explained that to enter all of the other specific work data into the computer would take an additional two (2) days and that time isn't available to the maintenance supervisor right now because he's out doing maintenance.

Alderman Quail asked if they could minimize some of the data entry so that some of the information could be available.

Tom McCall stated that was what he had been doing the last two (2) months that Wayne has been gone. He's been putting in just their operator assigned and the amount of time used, but he still didn't have enough time to put in all the detail. He also explained that the operator working on the weekend also was given work orders to do. He explained that the secretary has been helping with the filing and putting completed work orders in the filing system for future reference, but she's also swamped with all of the reports that she has to generate so that her time is limited.

Mayor Feiszli noted that she had asked Shelley for a job description and she was up to three (3) pages of responsibilities.

Tom McCall stated that everyone worked as a team at the WWTP and the employees had good moral and took pride in their work.

Alderman Tobin asked if the requested position would be a Laborer/Trainee position, because looking at the current staffing chart there's two (2) laborers and would this new person potentially be trained as an Operator.

Mr. McCall stated that was correct.

Alderman Tobin noted that if they took the Deputy Chief Operator out of the equation, that there were six (6) people between the two (2) Operator/Trainees and the four (4) Operators. He noted that the recommendation that the Council had received says potentially seven (7) Operators and after looking at the recommendation, the Council was being asked to hire two (2) Laborers who would potentially be Operators. The recommendation that was just discussed would have the Lab Tech, Operator/Mechanic/Operator/Electrician, IT. He asked what would happen if the Council hired Laborer/Operator Trainees which would give some flexibility to figure out what would happen with the other positions because basically the plant had six (6) now and if one (1) Operator were hired, they would be moving forward.

Mr. McCall noted that this would be helpful.

Alderman Tobin stated that he would like to amend the motion to hiring only one (1) laborer.

By: Alderman Tobin
Seconded: Alderman Quail

Approved: Ayes – 7
Nays – 1 (Hayes)

RESOLUTION #204 OF 2010 – Consideration of the confirmation of the Mayor's appointment of Jeff Gebhardt (87 N. Main St.) to the Planning Commission. (Mayor Feiszli)

By: Alderman Ferrer
Seconded: Alderman Ferguson

Approved: Ayes – 8
Nays – 0

RESOLUTION #205 OF 2010 – Consideration of a Resolution to set October 19, 2010 for a Public Hearing of a Local Law providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code. (Captain Knickerbocker)

Captain Knickerbocker noted that the Council did have the final version and there is language in there regarding signage.

By: Alderman Tobin
Seconded: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

RESOLUTION #206 OF 2010 – Consideration of a Resolution to set October 19, 2010 for a Public Hearing of a Local Law regarding the Storm Water Utility Fee. (Bryan Gazda/Corporation Counsel Walsh)

Alderman Hayes asked if this was the final version. Corporation Counsel Walsh indicated that the document that the Council had was what would be presented at the Public Hearing.

Alderman Quail noted that several people had called him expressing their opposition to this law. They consider it another tax.

By: Alderman Tobin
Seconded: Alderman Ferguson

Approved: Ayes – 7
Nays – 1 (Quail)

RESOLUTION #207 OF 2010 – Consideration of a Resolution to set October 19, 2010 for a Public Hearing of a Local law regarding Vacant Building Registry. (Corporation Counsel Walsh)

Corporation Counsel Walsh distributed the final version incorporating suggestions made by the Housing Committee back in June. He encouraged them to review the latest version.

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

Item No. 11 - Consideration of a Resolution for Counsel approval for budget modifications.
(Bryan Gazda)

Bryan Gazda suggested that perhaps they should pull this item at this time.

Item No. 12 – Discussion regarding Exotic Pet Permits (Alderman Michales)

Alderman Michales stated that the Council would need to take a closer look at the Exotic Pet Permits. There have been several inquiries regarding snakes and there's a pot bellied pig

somewhere and we've also seen some requests for chickens. He noted that right now he's the only person handling this.

Mayor Feiszli agreed that the Charter needed to be updated with regards to these exotic pets and what is allowed.

Alderman Michales felt that they should look at the current fee structure. He noted it was very low hoping to attract people who have these exotic animals to come forward and it isn't working. We only have about five (5), but we don't have any tracking on these pets. Tracking is a burden and home visits are time consuming and there are no penalties for failure to register and some of these pets can carry diseases if not cared for properly. This could be a financial burden on animal rescue groups if we had to confiscate one of these animals. He noted that there was no way to find out if these animals were receiving proper care as there was no one to follow up on them.

Alderman Quail noted that perhaps this could be included in the SPCA contract.

Mayor Feiszli noted that the contract was up for renewal and she would look into that.

Alderman Michales noted that they should consider doing something different. He is working on an application for four (4) snakes and the largest one being eight (8) feet long and they are all in one apartment and he will update them at the next meeting. He will be taking a snake expert with him and he wouldn't go without her. He asked if anyone on the Council wanted to help him with this.

Alderman Hayes and Mayor Feiszli indicated that they would help out with certain types of pets.

Item No. 13 – Discussion to set date for presentation of Mayor's Proposed Budget (deadline October 15, 2010). (Mayor Feiszli)

Mayor Feiszli noted that after speaking with Corporation Counsel Walsh that no special meeting was necessary for this if the budget was delivered to the Council and the Clerk's Office by October 15, 2010.

Corporation Counsel Walsh indicated that was correct, as long as it was on file with the Clerk.

Mayor Feiszli indicated that the budget would be ready by October 14.

Motion to Go Into Executive Session to discuss labor negotiations:

By: Alderman Craig
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Motion to Come Out of Executive Session:

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes – 8
Nays – 0

RESOLUTION #208 OF 2010 – Consideration of a Resolution to adopt a memorandum of agreement between the City of Cortland and the Cortland Professional Fire Fighters Association IAFF Local 2737 for a two (2) year extension to the existing bargaining unit agreement – dated September 24, 2010. (Bryan Gazda)

The Council noted that it was very nice of the union to work with the City on this and get through the process in a timely manner.

By: Alderman Tobin
Seconded: Alderman Craig

Approved: Ayes – 7
Nays – 0
Abstain – 1 (Ferrer)

RESOLUTION #209 OF 2010 – Consideration of a Resolution to authorize Corporation Council to negotiate a severance agreement with Waste Water Operator Wayne Swindon.

By: Alderman Craig
Seconded: Alderman Tobin

Approved: Ayes – 8
Nays – 0

Adjournment

By: Alderman Hayes
Seconded: Alderman Craig

Approved: Ayes – 8
Nays - 0

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 5th DAY OF OCTOBER 2010. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED.

CAROL TYTLER – CITY CLERK

MAYOR SUSAN FEISZLI