MINUTES
GENERAL COUNSEL COMMISSION
REGULAR MEETING OF OCTOBER 19, 2015

Present: Councilwoman and Chairwoman Mary Bartolotta, Councilman Daley, Councilman Giuliano, Councilman Chisem, and Councilwoman Kleckowski. Staff: Deputy General Counsel Kori Wisneski, Kathleen Morey, Director of Human Resources. Members of the Public: Captain John Lozefski, Deputy Chief Timbro, ACO Gail Petras, and unidentified man from the public.

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Call to Order:

Meeting was called to order at 7:01 p.m.

Public Comment:

No public comments.

Approval of Minutes:

Councilman Giuliano made a MOTION to approve the Minutes from the September 21, 2015, Regular Meeting. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

New Business:

A. Job Description – Library Director (Russell Library)

Geen Thazampallath, who is the President of the Russell Library Board, was present at the meeting to explain that they Board is in the middle of a Director search. He further explained that the Board had made changes to the job description and also went to the Council for additional money, should they need it for purposes of ultimately offering the job to a candidate. Councilman Giuliano clarified on the record that besides confirming that the amount of money the Council is allocating for the position is appropriate, the Council and the City have no part in the process.

Chairwoman Bartolotta asked Director Morey to confirm what other positions in the City are paid in the same range as the Library Director, including the new allocation and new proposed salary. Director Morey stated that she would follow-up as she did not have that information in front of her.

The Commission agreed that there was nothing for them to take action on and thanked Mr. Thazampallath for his time.

B. Job Description – Senior Animal Control Officer (Police)

Deputy Chief Timbro was present to explain the operational need for a Senior ACO and additional ACO positions. He explained that they are proposing a salary structure, which would

provide the Senior ACO a 12.2% wage differential over the ACO position. This is based on a similar wage differential between Patrol Officers and Sergeants. Councilwoman Bartolotta asked if the Senior ACO will need additional training than the ACO to justify the 12% differential. There was some discussion about the fact that the Senior ACO is required to have the necessary training before being appointed or even applying for the position. Councilman Daley stated that there is also a requirement of 3 years of experience to apply for this Senior ACO position and that 4% per year for that experience was reasonable to make up the 12.2% proposed wage differential.

There was some discussion about taking out "part-time" from the first bullet point because this position should be supervising all ACOs, not just those in a part-time capacity.

Councilman Daley made a MOTION to approve the job description with the deletion of "part-time" in the first bullet with the maximum wage level as set forth in the Chart provided by the HR Division (12.2%). The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

C. Job Description – Animal Control Officer (Police)

Director Morey explained the changes that were made to the ACO job description. There were some minor changes and the formatting was made more uniform with our current job descriptions.

Councilman Daley made a MOTION to approve the job description. The Motion was seconded by Councilman Giuliano. The Motion passed unanimously.

Old Business – Legal Opinion

Attorney Wisneski handed out a legal opinion that was requested of her office on whether the GCC should and can vet Director or Deputy Director candidates prior to appointment. The legal opinion request originated with Chairwoman Bartolotta with the approval of the Mayor's office.

Attorney Wisneski explained that her opinion depended on whether the Council had to take any Councilmatic action with respect to a Director or Deputy Director position. If the Council had the authority to confirm the appointment and that authority, which has been established by Charter, was not superseded by contract, then the GCC could decide to vet the candidate. There was some discussion about the fact that the GCC had not always vetted candidates and whether it should continue to do so in the future.

Attorney Wisneski further explained that in situations where the Mayor had unilateral authority under the relevant CBA to appoint a Deputy Director from qualified bargaining unit members, as he does under the UPSEU contract, the GCC did not have the power or the reason to vet the candidate under such circumstances.

Other

A. **Vacancy Report**: Report dated 10/19/15 was reviewed – No action required.

B. **Legal Bills**: Attorney Wisneski explained that the Haynes case had originated when the City was self-insured and that it had recently been settled. This bill should be the last or close to the last bill that the City will receive in connection with this matter.

Adjournment

MOTION to Adjourn by Councilwoman Bartolotta. The Motion was seconded by Councilman Chisem. Motion was unanimous and meeting ended at 7:59 p.m.