

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 18, 2007 AT 7:00 P.M.**

The meeting was called to order by Mayor Robert D. Carlson at 7:00 P.M.

Roll call showed that Mayor Robert D. Carlson, Councilman Charles J. Diamond and Councilman Michael P. Manning were present.

Also present from City Administration were: Mark Gleason; General Manager, Yorden C. Huban; Corporation Counsel, Bruce A. Hidley; City Clerk and Clerk to the Council, Robert A. Fahr; Director of Finance, Acting Police Chief Ronald Boisvert, Fire Chief Brian Carroll, Mark R. Gilchrist; Assessor/Bldg. Inspector, David Wheatly; Deputy City Clerk, Christopher S. Daus; Recreation Supervisor and James Bulmer; Water Department Supervisor.

A motion was made dispense with the minutes from the previous meeting by Councilman Diamond.

Councilman Manning requested that Resolution No. 8082 be read again from the January 4, 2007 meeting. Bruce A. Hidley; City Clerk and Clerk to the Council then read the minutes on record regarding Resolution No. 8082 to the Council. Councilman Manning then asked if this Resolution was passed that evening. Mr. Hidley explained that the Resolution passed 3 votes in favor no votes as a nay. Councilman Manning stated that General Manager Mark Gleason was not authorized to do what Resolution No. 8082 stated. General Manager Gleason noted that work did begin. He then waited to receive the clarification from Corporation Counsel Huban on the legality of the Resolution and the Charter. General Manager did receive the clarification necessary to continue as was stated in Resolution No. 8082.

Councilman Manning asked if there was any grace period once a Resolution was passed. General Manager Gleason stated that he was not aware of any provision in the Charter related to this issue. Corporation Counsel Huban noted that he is also not aware of any policy or state statute regarding a grace period for a Resolution that is passed. Corporation Counsel Huban did clarify the legality of the Resolution by issuing an opinion to the Mayor and General Manager related to the Charter on this Resolution. General Manager Gleason explained that once he received the opinion work began in accordance with the Resolution.

Councilman Manning asked after a Resolution is passed how long does the Council have to challenge the authority of the Resolution? Corporation Counsel Huban explained that there is nothing from state statute, case law or policy to answer that question. Corporation Counsel Huban stated that with this specific situation there was a question. Corporation Counsel Huban further explained that it is prudent to answer a question on an issue then render a decision and determine if it was done properly.

Mayor Carlson stated that he voted in favor of the Resolution by clarifying his vote that he wanted an opinion from the Corporation Counsel on the legality of the Resolution. Mayor Carlson noted that there was an interpretation of the Charter in the Resolution. Mayor Carlson didn't feel that the Charter Section referred to actually authorize the action in the Resolution. Councilman Manning then stated that from now on the Council may approve a Resolution with stipulations, Mayor Carlson we apparently did do that.

Councilman Diamond explained that the Corporation Counsel was absent that evening and if he were there could have answered all questions on this Resolution. Mayor Carlson concluded that by saying he did not see this Resolution prior to the meeting.

Councilman Manning seconded the motion to dispense with the rest of the reading of the previous meeting and passed.

The following agenda was presented to the Council by Bruce A. Hidley; City Clerk and Clerk to the Council.

RESOLUTION NO. 8083 – The Council hereby authorizes Mayor Robert D. Carlson to execute a contract with the Watervliet Public Library for the year 2007. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8084 – The Council hereby authorizes Mayor Robert D. Carlson to execute a contract with the Watervliet Senior Citizens for the year 2007. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

RESOLUTION NO. 8085 – The Council hereby authorizes Mayor Robert D. Carlson to execute a contract with Albany Engineering Corporation for the transfer of ownership of the airboat and Albany Engineering will provide weed cutting service for the years 2007 and 2008. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

Councilman Diamond asked if there will be a contract agreement with Albany Engineering especially with regards to the liability issue with the weed cutting. General Manager Mark E. Gleason responded to Councilman Diamond by stating that a contract will be put together between the City and Albany Engineering.

Councilman Manning stated that the letter sent by Jim Besha of Albany Engineering noted that the transfer of ownership must be done by January 1, 2007. General Manager Gleason explained that the January 1, 2007 date would have given Jim Besha more time to complete the necessary repairs on the airboat for the upcoming season. Mr. Gleason spoke with Jim Besha this week and he is still willing to make the transfer at today's date. Councilman Manning asked if the letter sent by Albany Engineering would be considered a signed contract. General Manager Gleason explained that the letter was a written proposal. Corporation Counsel Yorden C. Huban explained that the right thing to do here would be to have a contract in place and not a signed letter.

General Manager Gleason explained to the Council that a new airboat would cost approximately \$30,000.00; the current airboat owned by the City is worth approximately \$6,000.00. Mr. Besha can make the necessary adjustment and repairs to the airboat to get it running again where the City was unable to do that due to cost restraints. Mr. Besha has offered to cut the weeds for two years which will allow the City to address more options for the future.

Corporation Counsel Huban stated that a contract will be drafted and provided to the Council for review between the City and Albany Engineering. General Manager Gleason's main objective to this was to authorize the transfer of the airboat.

RESOLUTION NO. 8086 – The General Manager and Corporation Counsel hereby authorizes that the award of bid in accordance with Resolution No. 8066 to Slack Chemical Co. Inc., be removed from bid consideration and that the award of bid to the second low bidder Shannon Chemical Corporation, P.O. Box 376, Malvern, PA 19355. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

RESOLUTION NO. 8087 – The Council of the City of Watervliet authorizes the issuance of Revenue Anticipation Notes in anticipation of the collection of revenues to be received in fiscal year 2007 by the City as (a) per capita aid from the State of New York, (b) sales tax from the County of Albany and (c) revenue from the Town of Guilderland from the sale of water. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

There being no further business to come before the Council, the group adjourned to the floor to discuss City business.

ITEM #1 – Mark E. Gleason; General Manager provided the Council with the audited copy of the financial for the Rusty Anchor Restaurant Barge located in Hudson Shores Park. Mr. Gleason explained to the Council that the City generated \$5,452.10 in revenue for the 2006 season. Of that amount \$2,700.30 was the City's end of the gross sales receipts. The Rusty Anchor paid \$721.00 in water/sewer charges, approximately \$2,000.00 in rent of which they still owe \$1,500.00 for a total of \$6,952.00 paid to the City. General Manager Gleason noted that the barge had a very late start to the season last year. The revenue for the 2007 season should be much higher.

Councilman Manning asked if the numbers given included the cost of lighting Hudson Shores Park. General Manager Gleason explained that the costs did not include the cost for lighting the park. Mr. Gleason stated that for 2006 the City paid \$2,118.55 for lighting the park. General Manager Gleason also stated that the City is looking at ways to control the lighting costs for the 2007 season. Mr. Gleason will be looking into placing timers on the lights and the possibility of not utilizing all the lights all night long.

ITEM #2 – Mark E. Gleason; General Manager requested Acting Chief Ron Boisvert to discuss an item with the Council related to the Police Department Console. Acting Chief Boisvert explained that the current communications console is antiquated and in disrepair. Acting Chief Boisvert was notified by the Albany County 911 that the City will receive 4 new screens to do the computer aided dispatch. Acting Chief Boisvert informed the Council that he has found a company in Hudson, NY who can install the communications console equipment. This company will configure the new console to accommodate the new communications equipment. The cost for this proposal will be approximately \$10,000.00. Acting Chief Boisvert did note that he could scale back the cost to \$6,500.00 but the best option and more efficient model for the communications system is the \$10,000.00 quote.

Mayor Carlson asked if the City could apply for any 911 funding for this project. Acting Chief Boisvert replied by letting the Council know that there is no funding available for the furniture portion of the new communications system as the equipment is free of charge to the City.

Councilman Manning asked when a project of this would need to be done again. Acting Chief Boisvert explained that it is impossible to know when a change would need to be done due to technological changes. The warranty on this equipment would be approximately 25 years.

Robert A. Fahr explained to the Council that there are three (3) options to possibly pay for this expenditure, 1.) appropriation of the fund balance in February, 2.) a budgetary transfer with Council approval or 3.) borrow the money – which Mr. Fahr does not recommend the Council consider.

Jim Bulmer; Water Department Supervisor stated that the new security system is being worked on at the Filter Plant. The feeds from the cameras at the Filter Plant will be installed at the communications desk in the Police Department. Mr. Bulmer suggested that the money from this project assist with the proposal that Acting Chief Boisvert has made. General Manager Gleason stated that it was a good idea which he will look in to.

Councilman Diamond asked Acting Chief Boisvert if he has looked into applying for any Homeland Security funding. Acting Chief Boisvert noted that he will be writing to Congressman Michael McNulty to request this funding assistance. Acting Chief Boisvert noted that his department patrols the perimeter of the Arsenal. Additionally, the City supplies water to the Arsenal and to other municipal agencies from the Watervliet Reservoir. For these reasons the City should be eligible for Homeland Security funding.

Councilman Diamond concluded by reminding the Acting Chief to also write the United States Senators Schumer and Clinton.

ITEM #3 – Mark E. Gleason; General Manager explained to the Council that in conjunction with the budget meetings held in December that the Council requested that his office look into ways of generating additional revenue to the City. Mr. Gleason noted that he is meeting with Robert A. Fahr; Director of Finance and Mark R. Gilchrist; Assessor/Building Inspector to review the PILOT Programs the City currently has. Mr. Gleason will have a report sometime in February for the Council which will show what PILOT's there are, when they expire and the content of the PILOT's. Mr. Gleason will make recommendations to the Council in his report on the best ways to generate additional revenue from the PILOT Programs.

ITEM #4 – Mark E. Gleason; General Manager informed the Council that the Department of Recreation is putting a skating rink together in the Civic Center field along 2nd Avenue. Mr. Gleason stated that the City is returning to having family friendly activities pursuant to what Mayor Carlson has requested. Mr. Gleason explained that this year there was a bon fire at the High School and an expanded haunted house in the DOME. Mr. Gleason concluded by letting the Council know that there will be other additional activities for families to enjoy this year.

ITEM #5 – Mark E. Gleason; General Manager informed the Council that he is requesting that the Council meet together for a white goods/debris workshop. Mr. Gleason explained that Dave Dressel; Highway Department Supervisor has been contacted by another white goods business. Due to this new proposal the Council may want to reconsider the budget proposal of no longer picking up white goods. There is a metals company who has offered to take our white goods and pay us for this service. The Council requested that General Manager Mark Gleason set up the meeting in accordance with the Open Meetings Law regulations.

ITEM #6 – Mark E. Gleason; General Manager requested that the Council break for Executive Session to discuss ongoing contract negotiations.

A motion was made and seconded to adjourn into Executive Session at 7:50 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING EXECUTIVE SESSION
OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 18, 2007 AT 8:00 P.M.**

The Executive Session meeting was called to order
by Mayor Robert D. Carlson at 8:00 P.M.

Roll call showed that Mayor Robert D. Carlson, Councilman Charles J. Diamond and
Councilman Michael P. Manning were present.

Also present were Mark E. Gleason; General Manager and
Yorden C. Huban; Corporation Counsel

ITEM # 1 – Mark E. Gleason; General Manager discussed with the Council regarding
union negotiation items. The following union contracts were discussed:

- 1.) Civil Service Employees Association Local 1000
- 2.) Uniformed Fire Fighters Association local 590

A detailed discussion followed with the Council on the negotiation issues with each union.

There being no further business to come before the Executive Session, the Executive
Session was adjourned at 8:40 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council