

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF  
WATERVLIET  
THURSDAY, MAY 3, 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, David Wheatley; Deputy City Clerk, Mark R. Gilchrist; Assessor/Bldg. Inspector, James Bulmer; Water Department Supervisor, Police Chief Ron Boisvert and Fire Chief Brian Carroll.

A motion was made and seconded to dispense with the minutes from the previous meeting.

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

**PUBLIC HEARING** – A Public Hearing regarding the Water/Sewer Rent Roll for the period November 1, 2006 thru April 30, 2007. Councilman Manning asked Robert A. Fahr; Director of Finance to explain about the Water/Sewer rates this period. Mr. Fahr explained that there was an increase in both the Water and Sewer rates. Mr. Fahr noted that noted that the Albany County Sewer District bill increased dramatically. The Sewer rates increased by \$20.00 per unit. The water increase was 14% for this period.

Mayor Carlson opened the Public Hearing for comment. There being no comment, Mayor Carlson closed the Public Hearing.

**RESOLUTION NO. 8117** – The Council of the City of Watervliet hereby authorizes that the 19<sup>th</sup> Street Improvement Project will not have a significant effect on the Environment and the City shall file a Negative Declaration as set forth by SEQR. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted. Councilman Manning requested Mark Gleason; General Manager to explain what this Resolution meant. Mr. Gleason explained that there will be some significant construction work being performed in the 19<sup>th</sup> Street corridor of the City. The Resolution will identify the fact that there will be no negative impact on the environment. Mr. Gleason noted that an example would be if there were wetlands located along the 19<sup>th</sup> Street corridor, the contractor would have to make sure that the dust would be kept down to keep the environment safe. The Negative Declaration will ensure that the contractor working on the project will not have a negative impact on the environment.

Councilman Manning asked when the 19<sup>th</sup> Street corridor Project would begin. Mr. Gleason stated that construction is slated to begin in the spring of 2008 with a completion date of spring 2009. The 19<sup>th</sup> Street Corridor Project is currently in its final design phase. The construction will begin in the spring of 2008.

Mayor Carlson made a motion to reconsider **RESOLUTION NO. 8815** which was tabled on April 19, 2007. Resolution No. 8815 authorizes the transfer of \$7,300.00 from the Contingency Account (A1990.4000) to Payroll Account (A3410.1001) in order to effectuate the increase in the base salary of the Chief of the Fire Department. There was no second to the motion for action on this Resolution.

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 an update on the grant programs the City is involved with.

- 1.) Mr. Gleason noted that Paul S. Murphy has authored a Community Development Block Grant (CDBG) grant. The grant from CDBG will provide funding to repair homes and renovate homes in the southeast portion of the City. Mr. Gleason explained that the City has received grants from CDBG in the 19<sup>th</sup> Street corridor of the City. The City will find out sometime in October 2007 if the City has been successful in obtaining the grant money
- 2.) Mr. Gleason noted that Captain Thomas Eagan of the Department of Public Safety Fire Department has authored and submitted an application for grant funding thru the Department of Homeland Security Assistance to Firefighter Grant. The grant will apply for funding to replace the 1986 ladder truck.
- 3.) Mr. Gleason also explained that Captain Eagan has applied for grant money to purchase new equipment for the Fire Department

Mr. Gleason stated that it is very difficult to get grant money. The City has received approximately 1.5 million in grant money already.

**ITEM #2-** Mark E. Gleason; General Manager informed the Council that the City will partner with the Watervliet City School District to have a survey done on the school district property. Mr. Gleason stated that the two new homes built on Hillside Drive revealed the fact that there was no deed on record stating that the school owns the property. After an extensive search by both parties no deed was found. Mr. Gleason explained that it is clearly in all parties interest to have a survey done, draw up a deed and record the deed. The school district is on board with the survey proposal. The survey cost will be \$5,000.00. Mr. Gleason noted that the City's share will come from the Assessment Account. The City of Watervliet as it stands now could be liable for anything that happened.

Mayor Carlson asked if the City would have to sell the property to the school district. Mr. Gleason stated that he wasn't sure the answer to that question, but would research to find an answer. Councilman Manning discussed the end of the dirt road on Hillside Drive, Councilman Manning explained that there has been a problem with dumping in that area. Mr. Gleason stated that David Dressel's crew from the Highway Dept. will clean out that area. Mr. Gleason noted that No Dumping Signs will be put up along with more Police Department presence in that area.

**ITEM #3-** Mark E. Gleason; General Manager informed the Council that Verizon Wireless will be proposing to the Zoning Board an application to place an 80' Cell Tower off 19<sup>th</sup> Street in the area of Avenue A. In accordance with the City's Telecommunications Law Verizon Wireless is required to perform a visual impact assessment test. Mr. Gleason noted that on Saturday, May 19, Verizon Wireless will fly a test balloon. The test balloon will be raised to a height of 80'. The balloon will tether from 7:00 thru 12:00 noon. A visual review will be done from different locations of the City to see if the cell tower will have any visual impacts or distractions. Mr. Gleason wants to be sure that the Council is aware of this activity in case any calls are received by them. Councilman Manning asked Mark Gilchrist; Assessor Bldg. Inspector about the possibility of the City considering Wireless in light of the fact that other cities may have an interest in placing towers in the City. Mr. Gleason responded by saying that the City would very interested in this. Mr. Gleason requested Councilman Manning to provide him with a copy of the Wireless article he referred to.

**ITEM #4-** Mark E. Gleason; General Manager noted that earlier in the week he distributed to the Council information regarding a curfew law. Mr. Gleason explained that this is a subject which has been on the table for some time now. There will need to be a lot of input from the Council along with City residents. Mr. Gleason stated that there are alot of issues with putting together a curfew. There will need to be a public informational meeting to assist with the input process. Councilman Manning asked Corporation Counsel Yorden Huban whether this would be an Ordinance or a Local Law. Mr. Huban explained that this would be placed on the agenda as an Ordinance.

**ITEM #5-** Mark E. Gleason; General Manager informed the Council that Youth Day will be on Thursday, May 17, 2007. Youth Day involves students from the Watervliet High School. The students will shadow City Officials during the performance of their job. The Youth Day participants then participate in the Council Meeting that evening at which time they give a report of what they learned.

**ITEM #6-** Mark E. Gleason; General Manager informed the Council that there will be a mock Driving While Intoxicated (DWI) crash. The mock DWI will be held at the High School on Friday, May 11, 2007 at 9:00 AM. The mock DWI crash will demonstrate that drinking and driving has deadly consequences. Mr. Gleason noted that the press and Vliet 17 will be contacted about the mock DWI.

**ITEM #7-** Mark E. Gleason; General Manager informed the Council that the United States Marine Corp. will be setting up an overnight camp at the DOME. There will be 6 Sgt. Drill Instructors who will work with recruits overnight. The recruits will be put through training just as if they were in boot camp. Mr. Gleason stated that it is an honor for the City to assist the U.S. Marine Corp. with this project.

**ITEM #8-** Mark E. Gleason; General Manager requested that the Council consider selling the 1996 Ford F350 1 Ton Dump. Mr. Gleason explained that the truck has a blown transmission and it would not be cost worthy for the City to spend the money to repair it. After a discussion the Council authorized the sale of the 1996 Ford F350 at the next Council Meeting.

**ITEM #9-** Mark E. Gleason; General Manager informed the Council that the new City of Watervliet Website is now on-line. Mr. Gleason thanked David Wheatley for his hard work in getting this website on-line by May1. The website address is [www.watervliet.com](http://www.watervliet.com). The website is very user friendly, the City will be able to put information on and take information off instantly. Mayor Carlson thanked David Wheatley for a job well done.

**ITEM #9-** Mayor Carlson requested Police Chief Ron Boisvert to review the area of 16<sup>th</sup> Street and 5<sup>th</sup> Avenue for the placement of a Stop Sign heading east. Mayor Carlson stated that he has been receiving complaints of fast driving in that area. Police Chief Boisvert stated that he will review the area and report back to the Council.

**ITEM #10-** Councilman Diamond asked Police Chief Ron Boisvert about the safety vests worn by his officers in light of the recent events of shootings. Chief Boisvert explained that his department received a grant from DCJS to replace the ones currently being worn. The Police Officers will be fitted to size for the new vests.

**ITEM #11-** Councilman Diamond discussed the Live Entertainment Permit proposal which was submitted at the last Council Meeting. Councilman Diamond requested that the General Manager review Section 94-9 regarding the days a business will be able to hold live entertainment. Councilman Diamond stated that the proposal did not include Sunday's. Councilman Diamond has requested that Section 94-9 be changed to Monday thru Sunday. General Manager Gleason stated that a revised copy of the Live Entertainment Permit was given to each Council member tonight. In the revised copy Section 94-9 had been changed to the suggestion from Councilman Diamond. There were no further comments from the Council.

**ITEM #12-** Councilman Manning asked Police Chief Ron Boisvert about how the lateral transfer process for Police Officer was doing. Chief Boisvert responded by saying that he did receive applications for lateral transfers. The applicants who did apply were not City residents. Chief Boisvert noted that due to the City's residency requirement that left him with no lateral transfers. Chief Boisvert noted that he has reserved three slots at the Police Academy. Currently a background check is being performed on 6 candidates from the Civil Service list. Councilman Manning asked Chief Boisvert that if a lateral transfer comes from a department which has a similar residency requirement how does the applicant transfer. Chief Boisvert stated that he doesn't worry about where an applicant comes from. Chief Boisvert would like to see a probationary period where a lateral transfer must move within the City in a 6 month period. Councilman Manning asked if lateral transfer was covered under a Civil Service list. Chief Boisvert responded by saying yes a lateral is covered under a Civil Service list. Councilman Manning stated that the current exam list has a restriction that you must live in the City at the time of appointment. Mayor Carlson explained that the City Charter has a provision which states that you must be a resident to work for the City. Councilman Manning noted that the residency restriction has cut out a valuable and economical way of getting qualified Police Officers. Mayor Carlson stated that he is sure the City has enough qualified candidates to take a new Civil Service Exam. Mayor Carlson noted that other communities utilize qualified part-time employees on their Police Departments that way there is no residency requirement. It's an option the City may be able to consider to get qualified Police Officers from other municipalities. Police Chief Boisvert and Councilman Diamond stated that they are not in favor of part-time employees working in the Police Department. Mayor Carlson noted that our Police Officers work part-time in other municipalities, getting good qualified officers from other municipalities may serve as a temporary stop gap. Councilman Manning stated that when an individual enters the Police Academy in July that the candidate doesn't graduate until December. Chief Boisvert noted that a candidate doesn't count for shift strength until the FTO Training is complete. The FTO Training is a 12 week course which would mean the candidate would not be active until April in accordance with the July thru December training.

Chief Boisvert stated to the Council that he does not favor the 60 credit hour requirement or about the residency requirement. Chief Boisvert does agree with having an educated department. Councilman Manning's point was that a potential lateral transfer would have to move out of the City they are in before the City even hires them to a position in the Police Department. Chief Boisvert provided the Council with an example of a potential lateral transfer who wouldn't accept our offer due to purchasing a home only a year ago outside the City. Mayor Carlson discussed the maturity issue as part of the 60 credit hour requirement. Mayor Carlson asked Chief Boisvert to give his input before the next examination is posted.

**ITEM #12-** Councilman Manning asked Mark Gleason if he had received any information related to the NYS Commission on Local Government Efficiency and Competitiveness. Councilman Manning explained that this is a new Commission set up by Governor Spitzer. The goal is to have every County and Local governments participate in a shared municipal services project. Mark Gleason; General Manager explained that he received information about this new Commission from the New York State Conference of Mayors (NYCOM). Councilman Manning noted that the City is on the hook to come up with a shared municipal project for this year. Mr. Gleason informed the Council that he has met with Sean Ward from the Village of Green Island related to this very issue. It was determined that possible projects could include shared garbage/recyclable truck, a shared sewer jet or training programs.

**ITEM #13-** Councilman Manning asked Mark Gleason; General Manager and Yorden Huban; Corporation Counsel if the City could pass an addendum to the code enforcement process regarding how the City specifically handles vacant abandoned property. Mayor Carlson asked Mark Gilchrist; Assessor/Bldg. Inspector to explain what is in the Charter related to this issue. Mr. Gilchrist that there is a Code which currently exists. The Code states that abandoned property must be secured and the grass maintained. There is nothing in the Code which states that a building must be secured in a certain way or that the secured building must meet color coordination by painting the boarded area. Yorden C. Huban explained that he is working on a proposed demolition Ordinance which will be ready for Council review in June. Councilman Manning asked if the demolition issue on 1<sup>st</sup> Avenue was completed. Mr. Huban stated that there is some pending legal litigation which has not been resolved. At this point Mr. Huban is not able to discuss the legal issue in the public.

**ITEM #14-** Councilman Manning informed the Council that the company he works for in the private sector is working with the Arsenal Partnership to place a turbine there. This project may turn into something the City will have to get involved with. If that scenario does happen Councilman Manning will need to excuse himself on any decisions which may need to be made by the City.

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**ITEM #15-** Fire Chief Brian Carroll requested that the Council look into legislation regarding open burning fires in the City. Chief Carroll stated that opening burning creates a lot of problems not only with potential burning also health related issues. Chief Carroll feels that there should be no open burning at all. Mark Gleason; General Manager stated that he will have a meeting with Yorden Huban; Corporation the Fire Chief and himself on this issue.

There being no further business to come before the Council a motion was made and seconded to adjourn, the meeting was adjourned at 8:00 PM.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council