

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JUNE 21, 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, Police Chief Ron Boisvert and Mark R. Gilchrist; Assessor/Bldg. Inspector.

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

Report of Officers and Committees:

ITEM #1 – Mark Gleason; General Manager informed the Council that on June 18, 2007 he attended a conference regarding grant funding from the Albany County Department of Children, Youth and Families. Mr. Gleason explained that the grant specifications were laid out along with the guidelines for submitting applications. The agency has \$250,000.00 in grant funding to distribute in Albany County. Each Albany County municipality can request up to \$30,000.00. Mr. Gleason met with Christopher Daus; Recreation Supervisor to discuss possible purchases with this money. It was decided that the money could be best used for purchasing equipment at the pool, benches and arts and crafts items. Mr. Gleason noted that this grant money can only be used for equipment purchases not for salaries. If the City was able to receive this funding it would make the pool area more family friendly with swings and arts and crafts.

ITEM #2 – Mark Gleason; General Manager provided the Council with pictures of the work being done in the Upper/Lower Dam area of the Witches Tower.

#1 – Maloy Contracting is removing the silt from around the Witches Tower. There was over 1900 yards of silt removed from this area.

#2 – The earth mover used to get to the Witches Tower

#3 – The road to the Witches Tower prior to the work beginning

#4 – The road now to get to the Witches Tower

#5 – The rip rap along the roadway to prevent any erosion of the new roadway

#6 – The Witches Tower with all the silt removed

#7 – Witches Tower showing the lower grates. The silt removed was halfway up the right side grate

#8 – The clay area of the dam

#9 – Shows that after four days of no rain that there is still a stream running down the dam area. This picture will be sent to the Town of Colonie showing that there is drainage all the time.

#10 – This is the area which the silt was dropped after removal from the Witches Tower. There is grass spread over the top the silt which was removed. There is enough room in this area for another three to four years for the City to place the silt when removed from the Witches Tower. Attached is a copy of the pictures provide to the Council of the above noted work. Mr. Gleason stated that the Department of Public Works Highway and Water Department can now get to the Witches Tower a lot easier to maintain this area. Next year it will cost the City a lot less money to maintain/clean the Witches Tower.

ITEM #3 – Mark Gleason; General Manager informed the Council that there will be a quality of life survey on the website effective June 22, 2007 for residents to complete. The survey will gage customer satisfaction for the service they receive at City Hall. The customer service survey has been placed throughout City Hall in each department. Mr. Gleason stated that the service is good at City Hall but can always get better. Mr. Gleason noted that the survey can be filled out on line and e-mailed to him directly. The survey can be done anonymously or you may put your name on the survey. This is a good tool for the taxpayers to let him know about their interaction with City Hall employees.

ITEM #4 – Mark Gleason; General Manager informed the Council that the pool at the Watervliet Veterans Memorial Park will open June 25, 2007. This will be the 60th season which the pool will be open. The schedule for the pool will be, 9:00 AM until 11:00 AM will be swimming lessons, 11:00 AM until 12:00 Noon will be swimming lessons and 12:00 Noon until 7:00 PM will be open swimming. It will cost \$3.00 for a City resident to purchase a card to enter the pool. It will cost \$5.00 for a family to purchase a card to enter the pool. The card will also allow residents to use the parks in the City.

ITEM #5 – Mark Gleason; General Manager informed the Council that on June 4, 2007, the Federal Emergency Regulatory Commission (FERC) made its annual inspection of the Hydroelectric Facility at the Watervliet Reservoir. Mr. Gleason stated that there were no major deficiencies to report. Two smaller items included bouys to be placed in the reservoir and the spillway needed better lighting. The City will upgrade the lighting to the spillway.

ITEM #6 – Mark Gleason; General Manager informed the Council that on June 16, 2007, he guided the Federal Emergency Management Agency (FEMA) inspectors to the Witches Tower and the Hydroelectric Facility. Mr. Gleason noted that the City is applying for Federal Emergency Funds for maintenance due to the rain storms on April 14 thru 16, 2007. FEMA officials indicated that they may fund a portion of the silt cleaning at the Witches Tower and the Flashboards at the Hydroelectric Facility. The cost for the replacement of the flashboards will be approximately \$20,000.00. FEMA would not commit completely to the silt removal project but the City may be eligible for nearly 20% of the cost for the removal of the silt recently done. Mr. Gleason will update the Council as information becomes available.

Old Business:

ITEM #1 – Mark Gleason; General Manager that he reported at the last meeting he would have a report on the meeting he attended regarding Save Our Cities. Mr. Gleason stated that he does not have that report available yet. There is a copy of the Save Our Cities report which was placed on the City website.

New Business:

RESOLUTION NO. 8129 – The Council authorizes the sale of the 1996 Ford F350, 1 Ton Dump Truck to Paul Heffernan, 1353 7th Avenue, Watervliet, New York 12189 in the amount of \$1,465.00. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8130 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the City will receive sealed bids until 10:00 AM, on Tuesday, November 13, 2007 for Municipal Property and Casualty Insurance to be effective January 1, 2008. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

Councilman Michael P. Manning presented the Council with a Local Law for consideration to be passed at the next Council Meeting. Councilman Manning requested that if there were any comments or questions to see either himself or Corporation Counsel Yorden Huban. The Local Law will amend Article III, Section 7, Section 8, Section 45, Section 141, Section 141.1, Section 141.2 and Section 141.3. Mayor Carlson requested Corporation Counsel Yorden Huban to review this Local Law.

Appropriations and Auditing:

None

Public Comment Period:

- 1.) Bob Strohecker, 1854 12th Avenue, Watervliet, NY, stated that he was grateful that the Watervliet City Council honored his wife Patricia Strohecker at the June 7, 2007 Council Meeting. Mr. Strohecker thanked the Council for this recognition.
- 2.) Jim Hayes, 603 16th Street, Watervliet, NY, stated that he has lived at this address since 1979. Mr. Hayes feels that what has been happening to his neighborhood is very disgraceful. Mr. Hayes went on to explain the vandalism which has occurred in his neighborhood. Mr. Hayes did state that the Police Department is doing a very good job. He expressed his displeasure with the entire outlook of the City. Mr. Hayes requested that the Council consider hiring additional Police Officers. Mr. Hayes then thanked the Council for listening to his concerns.
- 3.) Mike Decker, President of United Firefighters Local 590, explained that on behalf of his fellow union firefighters he wanted to thank the Council for allowing the fire department to cover the Albany Fire Department. Mr. Decker explained that the Albany Fire Department had lost another firefighter in the line of duty.
- 4.) Mike Decker, President of United Firefighters Local 590, requested the Council to answer why the City was spending thousands of taxpayer dollars on an item which is not needed. He further explained that he has met with each Council Member separately regarding this issue. Corporation Counsel Yorden Huban stated that he doesn't know what was discussed with the Council. Mr. Huban explained to Mr. Decker that he was speaking on a topic which can't be discussed at a Council Meeting in the public. Mr. Huban noted that there are active collective bargaining negotiations which have come to an impasse. This impasse may lead the negotiations to mediation. However, this is a topic which the Council may discuss in Executive Session. The issue of whether the Council can independently meet with the Mr. Decker or any members of the bargaining unit to try to come up with a disposition goes beyond the process which is allowed. Civil Service Law states that members of the municipality can represent the City on the specific issues, specifically the General Manager. In Executive Session the General Manager can present the City's position in negotiations in addition to what the bargaining units position is. Mr. Decker noted that upon speaking with the Council Members they all wanted to meet as a group. Yorden Huban explained that meeting as a group was not advisable and is not pursuant to the law. Mr. Decker asked if the Council can meet if they want. Mr. Huban stated the Council can't meet with him. Mr. Decker asked if he could meet with General Manager and one Council Member. Mr. Huban replied No. Councilman Diamond asked if the Council can witness without providing any input. Mr. Huban explained that after consulting with NYCOM it is not advisable to allow that to happen. Mr. Decker stated that the Corporation Counsel's answer makes sense, but it doesn't make sense that they can't meet with him.

Mr. Huban further explained that the Council can direct the person conducting the negotiations as to what they want done. Councilman Manning asked when the Council votes are they voting on the entire contract. Mr. Huban stated Yes. Councilman Manning clarified that when the contract finally comes to the Council that they are voting to have the Mayor sign the contract. Mr. Decker asked if part of the issue was that the City is afraid that the Council would be subpoenaed due to being part of the discussion. Mr. Decker noted that he has already met with the Council independently. Mr. Huban answered that question by saying No, it is illegal to meet with the Council during negotiations.

General Manager Gleason requested that the Council break for Executive Session to discuss contract negotiations and legal matters. General Manager Gleason requested Yorden Huban, Bruce Hidley and Robert Fahr to attend the Executive Session. Upon motion of Councilman Diamond, seconded by Councilman Manning, the Council broke for Executive Session at 7:35 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
EXECUTIVE SESSION
THURSDAY, JUNE 7, 2007 AT 7:45 P.M.**

The Executive Session meeting was called to order by Mayor Robert D. Carlson at 7:45 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 and Robert A. Fahr; Director of Finance.

ITEM #1 – General Manager Mark Gleason provided the Council with an update on the status of the U.F.F.A. Local 590 contract negotiations related to Health Insurance. Mr. Gleason discussed in detail with the Council the Health Insurance issues effecting a contract settlement. The Council requested Robert A. Fahr; Finance Director to provide them with possible new financial costs to taxpayers with the percentages proposed by the Council for negotiation consideration.

ITEM #2 – General Manager Mark Gleason discussed a fine being assessed against the City from the Department of Environmental Conservation. The Council authorized Mr. Gleason and Yorden Huban; Corporation Counsel to settle the negotiated fine between the City and DEC.

ITEM #3 – General Manager Mark Gleason discussed a Workers Compensation issue with the Council. After a detailed discussion the Council voted to approve Mr. Gleason's proposal to pursue a final settlement on the Workers Compensation issue.

There being no further business to come before the Executive Session, a motion was made and seconded for adjournment. The Executive Session was adjourned at 8:30 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council