

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF
WATERVLIET
THURSDAY, SEPTEMBER 6, 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 and Councilman Michael P. Manning were present. Councilman Charles J. Diamond was excused.

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 and David Wheatley; Deputy City Clerk.

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 introduced to the Council Joe Cimino a Senior Engineer with Clough Harbour Associates who had a presentation regarding the 19th Street Reconstruction Project. Mr. Cimino explained to the Council that Clough Harbour Associates has completed the Preliminary Engineering portion of the 19th Street project. The preliminary phase included the Environmental Study, Public Outreach, Design Alternative and summarizing the Design Report. Mr. Cimino stated that the summarization of the Design Report will be submitted to NYS and the Federal Government. Mr. Cimino noted that part of the legislation will request that the Council approve the Design Approval document. This part of the legislation states that the Council is in agreement with the design report. The design report is then forwarded to both the State and Federal Government for their approval. Once all the approvals are completed the project can then go into final detail design which includes contract plans and bid documents. Mr. Cimino further explained that tonight the Council will consider a contract which will allow CHA to continue working into final design. Mayor Carlson asked about the construction schedule. Mr. Cimino explained that the bid process and construction season will begin in the spring of 2008. Councilman Diamond asked whether FHWA was the agency responsible to be sure of handicap accessible areas being part of the project. Mr. Cimino stated that CHA is the responsible agency to be sure the City complies with handicap accessibility. Mayor Carlson asked about an estimated construction completion date. Mr. Cimino noted that there are a couple of options the City have for a completion time frame the likely scenario being 2008 into the spring of 2009.

ITEM #2 – Mark Gleason; General Manager informed the Council that the New York State Department of Environmental Conservation (ENCON) has made a first time inspection of the service reservoir. Mr. Gleason explained that the service reservoir has a 3 day supply of water to the Filter Plant. Mr. Gleason noted that ENCON classified the service reservoir as a Class B earthen dam. ENCON made specific recommendations regarding the cleaning of the brush around that area. Mr. Gleason stated that the Water Department and Highway Department would handle the cleaning of the brush in accordance with ENCON. Jim Bulmer; Water Department Supervisor stated in the Staff Meeting that most of the ENCON recommendations required at the service reservoir are already in place even with these regulations becoming a law very shortly. The concerns were about the vegetation and trees which have overgrown around the service reservoir.

ITEM #3 – Mark Gleason; General Manager informed the Council that today was the opening of the new school year. Mr. Gleason noted that the Department of Public Safety Police Department utilized the bicycle patrol from 7:00 – 9:00 AM. The purpose of the bike patrol is to be sure that the students arrive safely and in an orderly manner. The bike patrol will work the 19th Street corridor and the High School parking lot. Mr. Gleason stated when the High School students are in the bike patrol will then monitor the Elementary School.

Old Business:

ITEM #1 – Mark Gleason; General Manager informed the Council that he has looked into the financial proposals to place a community bulletin board along 16th Street and Broadway as requested by resident Jim Hayes at a previous Council Meeting. Mr. Gleason noted that a community bulletin board similar to the one at the J. Leo O'Brien Facility would cost approximately \$3,000.00. Mr. Gleason noted that if the Highway Department constructed a community bulletin board it would cost approximately \$1,000.00. Mr. Gleason's concern was who would administer the community bulletin board. Mayor Carlson is concerned with the liability issue of cars parking when placing information on the board. Councilman Manning noted that the main intent of Mr. Hayes was to cleanup the old signs from that area and to make the appearance more respectable. Councilman Diamond explained that in order to even begin this community bulletin board process that the City must petition the New York State Department of Transportation. The Council discussed in detail possible enforcement procedures for the community bulletin board.

New Business:

LOCAL LAW NO. 1 – 2007 – SECOND READING – A Local Law of the City of Watervliet adding a new Chapter 273, entitled “Storm Water Management and Erosion & Sediment Control”. Mark Gleason; General Manager explained to the Council that this is the legislation discussed by Nicholas J. Ostapkovich related to the Public Hearing conducted on August 2, 2007. This Local Law will provide regulations related to Storm Water on the construction of new homes. Before voting Bruce A. Hidley; City Clerk explained that this Local Law pertained to the Public Hearing conducted in July by Mr. Nicholas J. Ostapkovich. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Local Law was approved and adopted.

ORDINANCE NO. 1810 – SECOND READING – An Ordinance of the City of Watervliet, New York, providing that the Code of Ordinances, City of Watervliet, New York be amended by adding a new Chapter 274, Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer System. Before voting Bruce A. Hidley; City Clerk informed the Council that this Ordinance pertained to the Public Hearing conducted by Mr. Nicholas Ostapkovich at the July Council Meeting. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Ordinance was approved and adopted.

ORDINANCE NO. 1811 – SECOND READING – An Ordinance of the City of Watervliet, New York, authorizing the publication for ten days in the official newspaper of the City of the Notice of Intention to discontinue a portion of a City Park approximately 89 feet wide and 104 feet long, adjacent lots 9, and 11 and 1st Avenue and 3rd Avenue being the Northern tip of 7th Street Park. Councilman Manning asked Mark Gleason for clarification of the process if the Ordinance was passed tonight. Mark Gleason; General Manager responded by explaining that if the Council passes this Ordinance tonight that the property must be sold. A motion was made by Councilman Manning to table this Ordinance, it was seconded by Councilman Diamond and passed. Ordinance No. 1811 was tabled until the September 20, 2007 Council Meeting.

RESOLUTION NO. 8146 – The Council of the City of Watervliet hereby ratifies the Memorandum of Agreement signed on July 31, 2007 by General Manager Mark Gleason with the Civil Service Employees Association Local 1000. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

RESOLUTION NO. 8147 – The Council of the City of Watervliet hereby ratifies the Memorandum of Agreement signed on September 4, 2007 by General Manager Mark Gleason with the Civil Service Employees Association Local 1000. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8148 – The Council of the City of Watervliet hereby authorizes Mayor Robert D. Carlson to execute an agreement with Clough Harbour Associates for services on the 19th Street Reconstruction Project. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

RESOLUTION NO. 8149 – The Council of the City of Watervliet hereby authorizes Mayor Robert D. Carlson to execute a design approval memorandum for the 19th Street Reconstruction Project. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND AUDITING

ITEM #1 – Robert A. Fahr; Director of Finance informed the Council that he will have budgetary transfer legislation for the Council to consider.

Public Comment

#1 – Don Clickner – 7 Erie Street – Maplewood, NY
Mr. Clickner requested that the Council or Corporation Counsel provide an interpretation on the Firefighter exam announcement. The exam announcement has a sentence that says preference will be given to paramedics to be hired. Mr. Clickner noted that the most recent hiring did not follow the sentence noted in the exam announcement. Mayor Carlson explained that the exam announcement means when the need arises. Retired Fire Chief Brian Carroll indicated to the Mayor that the department had enough paramedics. Mr. Clickner stated that the City Fire Department has a medical doctor to answer to who states that there should be twelve paramedics. Corporation Counsel Yorden C. Huban explained that the exam announcement does not say preference should be given to paramedics. The language in the exam announcement does not require the City to hire paramedics first. You will be looked at with the probability of being hired by being a paramedic. Councilman Diamond asked Mr. Clickner whose guidelines he was quoting. Mr. Clickner responded Dr. Daly from Albany Medical Center. Councilman Diamond asked if this is a liability issue. Mark Gleason; General Manager stated that there is enough paramedic coverage for each shift.

#2 – Don Clickner – 7 Erie Street – Maplewood, NY

Mr. Clickner stated that at the most recent fire in the City that there were holes in the flooring. Mr. Clickner asked if this was a violation of the Code. Mark Gilchrist; Building Inspector explained that an inspection was conducted on the property in question in April 2006. At that time 2 Residential Occupancy Permits were issued, there was one vacant unit and one property owner storage area for personal property. The area in question was not inspected. After consulting with the NYS Codes Division it was determined that there should be no holes in any flooring. Mr. Gilchrist noted that the City had not enforced this regulation and did not do a thorough inspection of vacant apartments. Mr. Gilchrist stated that this will not happen again, inspections will be done on all vacant apartments.

#3 – Art Fruscio – 568 6th Avenue – Watervliet, NY

Mr. Fruscio explained that the exam announcement was written with input from the Mayor, Council, General Manager and Fire Chief. The sentence in question by Mr. Clickner was written to draw paramedics to take the examination. Mr. Fruscio added that he wasn't aware that there had to be a certain number of paramedics on staff in the Fire Department. Mr. Fruscio further explained that this sentence was not written for malice but was to address the immediate paramedic need. Councilman Manning asked about the selection process of a paramedic over a non-paramedic. Mr. Fruscio noted that the selection process is based on score and certification of eligible candidates. There is nothing in the selection process which mandates that the City hire a paramedic over a non-paramedic at the time of hiring. A detailed discussion followed on the current firefighters hired and the status of paramedics on the list.

Councilman Diamond thanked General Manager Mark Gleason and Director of Finance Robert Fahr for putting together an informative 2008 budget workshop. The workshop lasted for over 1 ½ hour with very important budget information provided to the Council in preparation for the upcoming budget hearings.

There being no further business to come before the Council Mark Gleason; General Manager requested that the Council adjourn into Executive Session with the following staff, Yorden C. Huban; Corporation Counsel, Robert A. Fahr; Director of Finance and Bruce A. Hidley; City Clerk and Clerk to the Council. A motion was made by Councilman Manning, seconded by Councilman Diamond, the meeting was adjourned at 8:00 PM.

Respectfully Submitted

Bruce A. Hidley
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION
OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, SEPTEMBER 6, 2007 AT 8:10 PM**

The meeting was called to order by Mayor Robert D. Carlson at 8:10 PM

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 – The Council discussed a financial issue related to a Workers Compensation case. The Council authorized action on this case by the Administration.

ITEM #2 – The Council discussed a financial issue related to the New York State Department of Environmental Conservation. The Council authorized action on this financial issue by the Administration.

ITEM #3 – The Council discussed action related to one of the Payment in Lieu of Taxes (PILOT) participants.

There being no further business to come before the Council a motion was made and seconded for adjournment, the meeting was adjourned at 8:45 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council