

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF
WATERVLIET
THURSDAY, SEPTEMBER 20, 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, Robert A. Fahr; Director of Finance, David Wheatley; Deputy City Clerk and Police Chief Ron Boisvert.

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 the Department of Public Safety Fire Department Ladder Truck is in need of repairs. The repairs needed include the bucket stretcher carrier and the ladder lift cylinder is in need of replacement. Mr. Gleason noted that while the ladder truck is under repair it will also be tested and certified that it is in good working order. Mr. Gleason explained that the work will be performed by the Arsenal City. This ladder truck is over 20 years old. Mr. Gleason further explained that the City has not received any word yet regarding the grant application submitted by Captain Thomas Eagan for a new ladder truck.

ITEM # 2 – Mark Gleason; General Manager explained to the Council that the Albany County Intermunicipal Storm Water Committee (which is dealing with the CSO regulations) has an opportunity to participate in the LiDAR (Light Detection and Ranging) mapping. Mr. Gleason noted that LiDAR refers to a technology where a laser beam directed from an airplane to the earth's surface is used to calculate the elevation of many points on the earth. After the flight data is downloaded and processed using specific design computer software. The end product is accurate, geographically registered longitude, latitude and elevation positions for every data point. Mr. Gleason noted that this opportunity came about by way of the Department of Environmental Conservation (DEC) and the Federal Emergency Management Agency (FEMA) working together to update the Albany County Flood Insurance Maps. DEC and FEMA hope to put together consortium of cities, towns and villages to pay for the \$187,000.00 it would cost to perform the mapping. The Albany County Intermunicipal Storm Water Committee felt that this type of more accurate mapping would help with the CSO that they are working on. Mr. Gleason stated that the cost to the City of Watervliet would be between \$3,500.00 and \$4,900.00. The cost would depend on how many communities from Albany County participate. This information would also assist the City with the upper/lower dam project as well.

Mr. Gleason concluded by saying that if LiDAR mapping gets the go ahead the fly over would take place in November of 2007. The information from the LiDAR would be available in March of 2008. Mr. Gleason will be formally requesting the Council for permission to join the partnership and participate in the project at the next Council Meeting.

ITEM # 1 – Mark Gleason; General Manager informed the Council that himself and David Wheatley attended the NYCOM Conference. Mr. Gleason will have a report for the next Council meeting.

OLD BUSINESS

ITEM # 1 – Mark Gleason; General Manager informed the Council that Carver Construction has completed the work on the flashboards at the Watervliet Reservoir. Mr. Gleason distributed pictures of the work on the flashboards. Mr. Gleason stated that the entire project was funded by the Federal Emergency Management Agency (FEMA). The payment for this project is expected to be made in October 2007.

ITEM # 2 – Mark Gleason; General Manager informed the Council that he had a meeting with Larry Felix on Monday, September 17, 2007 regarding the hiring him to be a Solid Waste Management Consultant. Mr. Gleason explained that he informed Mr. Felix that the City was interested in hiring him as a consultant to work on the City's garbage issue. Mr. Gleason noted that he will have the contract for Council consideration for the next meeting. Mr. Gleason stated that Mr. Felix has requested material from the City to help in his study of our current refuse situation. The material has been put together for Mr. Felix to assist with his study.

ORDINANCE NO. 1811 – An Ordinance authorizing the publication for ten days in the official newspaper of the Notice of Intention of the Council to discontinue a portion of a City Park approximately 89 feet wide and 104 feet long, adjacent lots 9, 11 and 1st Avenue and 3rd Avenue being the northern tip of the 7th Street Park. This Ordinance was removed from consideration. No vote for approval is needed.

NEW BUSINESS

ORDINANCE NO. 1812 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinance, City of Watervliet be amended by revising Chapter 175 (Housing Standards), Article II (General Provisions), Section 175-13 (Notification of Violation). Before voting Mark Gilchrist; Assessor/ Building Inspector explained to the Council that this Ordinance deals with the Building Department issuing Notice of Violation to a homeowner. The change will allow the Building Department to send one Notice of Violation to a homeowner. The next time the Building Department needs to issue a notice for the same violation it will be a summons to court. Upon motion of Councilman Diamond, seconded by Councilman Manning this Ordinance was approved and adopted.

ORDINANCE NO. 1813 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinance, City of Watervliet be amended by revising Chapter 175 (Housing Standards), Article I (General Provisions), Section 175-2 (Definitions). Before voting Mark R. Gilchrist; Assessor/Building Inspector explained to the Council that this Ordinance will allow the Building Department to send a Notice of Violation to someone who either resides/controls the property of a deceased homeowner. Upon motion of Councilman Manning, seconded by Councilman Diamond this Ordinance was approved and adopted.

ORDINANCE NO. 1814 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinance, City of Watervliet, New York, Ordinance No. 1805, be amended by revising Sections of Chapter 128 “Unsafe . Before voting Mark R. Gilchrist; Assessor/Building Inspector explained to the Council that this Ordinance will allow the Building Department to remove an unsafe building. This will also allow the property owner the opportunity to have a hearing before a Hearing Officer to state his side of the case. The Ordinance also states what will happen if the homeowner fails to show for the hearing. It will also give the City the opportunity to remove the building in an emergency. Upon motion of Councilman Diamond, seconded by Councilman Manning this Ordinance was approved and adopted.

RESOLUTION NO. 8153 – The Council of the City of Watervliet hereby ratifies the Memorandum of Agreement by General Manager Mark Gleason with the Police Benevolent Association (P.B.A.) for the period January 1, 2007 thru December 31, 2008. Before voting Councilman Diamond asked if this Memorandum of Agreement (MOA) was different from the first one given to the Council in August. Mark Gleason responded by saying that this MOA is different from the one originally submitted. Councilman Diamond questioned what was different in this MOA from the original one. Mark Gleason stated that this MOA stipulates a shift 1% differential pay for the afternoon and evening shifts. The PBA feels that they have the arbitration case which was awarded in their favor regarding the C.D.P.H.P. Health Insurance Avid Care 25 to Avid Care 20. Councilman Diamond asked why this MOA was pulled originally then re-submitted with the new language. Mark Gleason explained that the Administration agreed to accept the decision for the PBA to pull the MOA. Councilman Manning asked if this was the first the Council was seeing this change to vote on. Mark Gleason stated yes, at this time the Council may table the Resolution or vote on the Resolution. Councilman Manning asked if the P.B.A. had a negotiation team working on the MOA. Mark Gleason stated yes. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was not voted in favor of. The vote taken was 1 – Aye and 2 – Nays. Defeated

RESOLUTION NO. 8156 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the Council will hold a Public Hearing on Thursday, October 4, 2007, at 7:00 PM concerning the Water/Sewer Rent Roll for the period November 1, 2007 thru October 31, 2008. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

APPROPRIATIONS AND AUDITING

RESOLUTION NO. 8151 – The Council of the City of Watervliet hereby authorizes the transfer of \$26,500.00 from the Police Payroll Account to the Police Special Wages Account. Upon motion of Councilman Manning, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8152 – The Council of the City of Watervliet hereby authorizes the transfer of \$2,400.00 from the Police Payroll Account to the Police Special Wages Account for the months June, July and August 2007. Upon motion of Councilman Diamond, seconded by Councilman Manning, this Resolution was approved and adopted.

PUBLIC COMMENT PERIOD

There was no comment from the public

Councilman Diamond asked if the interested party from Ordinance No. 1811 could petition the City to purchase an alley. Mark Gleason stated that you can't petition the City to purchase a portion of a park without New York State legislative approval. Mark Gilchrist Assessor/Building Inspector stated that you can petition the City to purchase an alley. The petition to purchase the alley must be approved by all of the adjacent property owners.

Mark Gleason; General Manager reminded the Council that there will be a Special City Council Meeting on Tuesday, September 25, 2007, at 7:00 PM. The meeting will be held to pass legislation related to the Restore New York Grant Application.

There being no further business to come before the Council, a motion was made and seconded for adjournment, the meeting was adjourned at 7:30 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council