

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, JUNE 19, 2008 AT 7:00 P.M.**

The meeting was called to order by Mayor Michael P. Manning at 7:00 P.M.

Roll call showed that Mayor Michael P. Manning, Councilman Charles J. Diamond and Councilwoman Ellen R. Fogarty 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, Fire Chief Don Clickner, Police Chief Ron Boisvert and Mark R. Gilchrist; Assessor/Bldg. Inspector.

A motion was made and seconded to dispense with and approve the minutes from the previous Council Meeting.

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

**REPORT OF OFFICERS AND COMMITTEES**

**ITEM #1** – Mark Gleason; General Manager informed the Council that in order to preserve and to protect the parks the City will initiate a policy that vehicles, equipment and snow will no longer be placed on the City parks. Mr. Gleason noted that in the past the City has allowed heavy equipment, vehicles and snow on the grassy areas of the parks. This practice has created problem areas in our City parks on the grassy area. Mr. Gleason stated that snow will be allowed to be dumped in Hudson Shores Park. This is very important this year as the Department of Recreation is planning a lot of programs in the parks. The City has scheduled a golf clinic, baseball clinic, whiffle ball tournament and a girls softball clinic. The plan is to bring legislation to the Council regarding this issue.

**ITEM #2** – Mark Gleason; General Manager requested that the City Council hold a snow removal workshop on Thursday, July 10, 2008 at 6:00 PM.

**ITEM #3** – Mark Gleason; General Manager informed the Council that the City Council will be requested to vote on a two year contract with E-Lot Recycling. This contract will allow City residents to recycle electronic devices. This program will be set up similar to the bulk item program where residents will come into City Hall and get a permit to recycle the electronic devices. Residents of the City will have to pay \$4.00 for computer monitors and \$8.95 for televisions. All other electronic devices will be free. The resident will list the items to dispose of and drop them off on the last Friday of the month.

**ITEM #4** – Mark Gleason; General Manager informed the Council that he toured the City of Saratoga Water Plant. Mr. Gleason explained that the plant is partially powered by solar energy. A representative of Johnson Controls gave Mr. Gleason the tour of the City of Saratoga Water Plant. Johnson Controls did the overall upgrade to the City's energy system. This system is similar to the system that the City of Watervliet is looking into with Honeywell. The cost for the solar energy system which is a 12.6 kilowatt system is \$164,000.00. Mr. Gleason noted that half of the cost was paid by NYSCERTA. Mr. Gleason further stated that the City of Saratoga is extremely happy with the solar energy system. Mayor Manning is researching the possibility of utilizing solar power on City buildings. Mr. Gleason noted that the City Council is invited at any time to tour the City of Saratoga facility. This is a positive direction for the City to move towards.

**ITEM #5** – Mark Gleason; General Manager informed the Council that the Federal Energy Regulatory Commission (FERC) conducted the annual inspection of the Dam and Hydroelectric Facility in Guilderland. The inspection went very well. Mr. Gleason stated that the City started a maintenance preventative program last winter which worked very well, The FERC inspector was quite pleased with how clean the sites were. There were some broken trees and weeds which needs to be removed from a fence that surrounds the hydro. Mr. Gleason thanked Water Department Supervisor Jim Bulmer and his staff for the great job they do maintaining the dam and hydro.

### **OLD BUSINESS**

**ITEM #1** – Mayor Manning explained that at the last meeting the Ordinance was voted down regarding the regulations for parks in the City. Mayor Manning requested that this legislation be re-introduced with the applicable changes for the July 10, 2008 meeting. Councilman Diamond stated that he would like to see one park in the north end of the City and one park in the south end of the City allow dogs on leashes.

## NEW BUSINESS

**RESOLUTION NO. 8262** – The Council of the City of Watervliet hereby authorizes entry into an inter-municipal agreement to facilitate compliance with permit requirements of the MS4 Program and to address Storm Water Management. Before voting Mark Gleason; General Manager explained that this is the State Environmental Quality Review Act (SEQR) has to declare that there are no negative impacts on the environment. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8263** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an inter-municipal agreement pursuant to General Municipal Law Article 5-G. Mark Gleason; General Manager stated that this Resolution is to keep the City of Watervliet into the Storm Water Coalition. This coalition has received grant funds which the City would not have received. The cost to the taxpayers will be approximately \$7,200.00 to continue with this program. Mr. Gleason noted that the City is represented by Nicholas Ostapkovich on this committee. The coalition does a lot of public outreach, training for City employees such as our Code Enforcement Department who has been trained in MS4 regulations. Basically, this committee keeps the City in compliance with the ever changing MS4 regulations. Mayor Manning asked if there was an inter-municipal agreement which previously was in place that expired. Mr. Gleason stated yes, the important part is that the City should continue to participate. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8264** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with E-Lot Electronics Recycling, Inc. for a period of one year effective June 9, 2008. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8265** – The Council of the City of Watervliet hereby ratifies the Memorandum of Agreement between the City of Watervliet and the Uniformed Firefighters Association for a period of four (4) years beginning January 1, 2009 and ending December 31, 2012. Before voting Councilman Diamond is concerned about the CPAT testing requirements in this contract, this is a good contract. Mayor Manning stated that a highlight of the contract is that the incentives in the contract are tied to the successful launching of the ambulance service adding a transport feature to the EMS call. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8267** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Housing Authority for household refuse pickup commencing June 1, 2008 expiring on June 1, 2013. Mark Gleason; General Manager stated that this is a fee to collect the garbage. Mayor Manning explained that this is a cooperative agreement between the City and the Housing Authority that was put in place when the Housing Authority was put in place. Mayor Manning stated that the Housing Authority will pay a set amount to pay the tipping fees to the landfill. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8268** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Clough Harbour Associates LLP, 111 Winners Circle, Albany, New York 12205 for the feasibility study of a community boathouse at Hudson Shores Park. Before voting Councilman Diamond stated that he thinks this program is very exciting and a good use of that portion of Hudson Shores Park. Mayor Manning explained that there is a diagram on the center table showing the placement of the boathouse. This will create activity in the south end of the park and the City will be using funding from money from a pre-existing grant. Mayor Manning noted that the City is actively seeking crew clubs and local colleges with crew programs to be tenants in this facility. There would be a fee assessed them to off set any costs the City may have with regards to construction and operation. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8269** – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to reschedule the July 3, 2008, City Council Meeting to Thursday, July 10, 2008. Mayor Manning explained that this was being done due to the July 4<sup>th</sup> holiday. There will still be two Council Meetings in July. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

## APPROPRIATIONS AND ACCOUNTING

**RESOLUTION NO. 8266** – The Council of the City of Watervliet hereby authorizes the Director of Finance to correct and resubmit a tax bill to the property owner of 415 14<sup>th</sup> Street, Watervliet, New York and 11 Grotto Court, Watervliet, New York 12189 and the Assessor of Taxes is authorized and directed to correct the tax rolls to reflect the omitted exemptions. Robert A. Fahr; Director of Finance explained to the Council that he was notified by Mark Gilchrist; Assessor that there was a veterans and senior citizen exemption which was omitted from two tax bills. Mr. Fahr will adjust the tax bill and send a new bill if the Council approves this Resolution tonight. Mayor Manning asked if this process was done on a case by case basis. Mr. Fahr stated yes, you need to isolate each property address, then the City notifies Albany County when the levy is paid that these bills were adjusted. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8270** – The Council of the City of Watervliet hereby authorizes not to exceed \$250,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the reconstruction of the Dry River Abatement Systems. Robert Fahr; Director of Finance explained that this is the estimate that Fraser Associates for the additional costs of the Dry River Abatement System. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8271** – The Council of the City of Watervliet hereby authorizes not to exceed \$120,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the costs of the changes in Assessment practices including but not limited to Property Review, Inventory and Revaluation issues. Robert A. Fahr explained that this borrowing is 2.2%, which is why we are starting and funding these projects. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8272** – The Council of the City of Watervliet hereby authorizes not to exceed \$80,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the costs of the demolition of certain buildings. Robert A. Fahr; Director of Finance explained that there were three demolitions done with another in the future. Mr. Fahr noted that rather than charge the fund balance \$80,000.00 this year it is better to borrow this money and pay the 2.2% interest on it. The next step will be to submit them a bill and if the bill is not paid, re-levy the amount on the property tax bill. The cost to the City will be the interest only. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8273** – The Council of the City of Watervliet hereby authorizes not to exceed \$180,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the capital costs associated with the expansion and reconstruction of the Watervliet Reservoir Dam. Robert A. Fahr; Director of Finance explained that this was the estimate given by Besh Associates regarding the additional costs with raising the level of the reservoir. Mayor Manning noted that this is the money to pay for the environmental review to raise the reservoir. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

### **PUBLIC COMMENT PERIOD**

- 1.) Ronald McEvelly, Jr. – 711 3rd Avenue – Watervliet, New York – Mr. McEvelly discussed his concerns with the youth of the City of Watervliet. Mr. McEvelly stated that the Civic Center is a great place for kids but lacks the structured discipline and respect which kids need in our society today. It was noted that he sees the loitering of youth in the front of the building along with smoking of those who are not of age. A lot of the Tigon Academy students do not use the Civic Center due to problems they have had there. Mr. McEvelly offers low admission for residents to benefit from his program. His program can provide a percentage of fees to the City or School System. There is a scholarship program and academic program for students whom can not afford college. The Tigon Academy is open longer hours to keep the kids off the streets. The Tigon Academy participates in as much charity, volunteer work to help the youth of today have structure and kindness to help others. Mr. McEvelly has requested that the Council consider giving him use of the entire Civic Center. This will put Watervliet on the map as a leader for the martial arts arena. Mr. Gleason stated that he will have the Recreation Department to contact him regarding the possibility to utilize his martial arts program in the City.
- 2.) Mel Beach – 509 25<sup>th</sup> Street – Watervliet, New York – The first item she requested was whether the agenda could be e-mailed to a distribution list. Ms. Beach noted that this may allow the residents to be educated on the legislation which is going to be passed at a Council Meeting. Ms. Beach discussed the time Brotherhood Park along with other parks in the City. Ms. Beach feels that 9:00 PM would be sufficient to keep the parks open for the children in the City. She is concerned about the residents, neighbors, cleanliness and more police presence. Ms Beach noted that there are groups who are utilizing the parks, drinking underage all items of safety for the students and the park facilities.

- 3.) Marion Fotache – 1554 3<sup>rd</sup> Avenue – Watervliet, New York – Ms. Fotache asked if the agenda could be placed on Vliet Channel 17. Ms. Fotache agreed with Councilman Diamond regarding his dog issue. She feels that the City may be able to clamp down on dog owners who violate laws with cameras in the parks. Ms. Fotache had another issue related to taking 3 feet of the front of St. Patrick's Church lawn which involves the elimination of trees. Ms. Fotache went on record to say that St. Patrick's is a landmark that is appreciated and treasured by not only Watervliet residents and other community residents. The lawn area is necessary to balance the scale of the church. Ms. Fotache understands that this is for commercial purposes with diagonal parking for 18 vehicles. Ms. Fotache feels that the City should not try to use this property for commercial use. Ms. Fotache stated that there is ample parking in St. Patrick's lot and along 5<sup>th</sup> Avenue.

Mayor Manning noted that the parking lot is used for mass services on Saturday and Sunday. The parking lot overflows with vehicles at the masses. Mark Gleason; General Manager noted that the genesis of this idea was that at each intersection bump outs be placed. The NYS Department of Transportation along with the City Engineer noted that bump outs are very safe for children and adults to be able to cross intersection along the 19<sup>th</sup> Street corridor. The bump outs have taken away parking spots for the businesses in the 19<sup>th</sup> Street corridor. Mr. Gleason explained that the trees in St. Patricks would be staying. It is basically the sidewalk area for additional parking. The thought was also that for special occasions that St. Patrick's Church would also be able to utilize this area for church parking. Councilman Diamond noted that this proposal was addressed at a previous Council Meeting. At that time Councilman Diamond was against the idea for the same reasons until Mayor Manning explained that the green space would be staying. Councilman Diamond also wanted a first class pedestrian paved walkway, not just a concrete walkway. It would soften up the appearance of the St. Patrick's Church area. Ms. Fotache asked if the 19<sup>th</sup> Street corridor was being widened. Mr. Gleason explained that the 19<sup>th</sup> Street corridor was not being widened. Ms. Fotache was concerned about snow removal and bus traffic issues also. Ms. Fotache concluded by stating that she hates to see the City touch St. Patrick's Church property at all with the removal of trees and the parking proposal.

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Councilman Diamond announced the five (5) winners of the Kids Count scholarships. Councilman Diamond explained that each will awarded a \$1,000.00 scholarship at the Kids Count Golf Tournament on Sunday, June 15, 2008 at 3:00 PM. Councilman Diamond concluded by congratulating the award recipients, the school and their families.

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

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council