

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JULY 10, 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, Rosemary Nichols; Deputy General Manager of Economic Development, 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 repairs will begin on the hydroelectric facility in Guilderland, NY on Monday, July 14, 2008. The repairs will take approximately 12 weeks. Mr. Gleason explained that a rough estimate for the cost of the repairs will be \$70,000.00. There is a potential that the cost could escalate if the bearing needs to be replaced. Mr. Gleason noted that the City decided to make the repairs during these two months due to the fact that this is the driest time of the year. There is very little revenue generated during this time of the year. The hydroelectric facility has in 5 months gone over the projected budget revenue for 2008. As of May the Hydroelectric Facility has taken in over \$40,000.00. If the repairs of the Hydro go as scheduled the facility will be back on line in the fall. Jim Besha of Albany Engineering will be overseeing the entire repair project. Mayor Manning asked if someone would be taking photographs of the repair project. Me. Gleason stated that Bill Ashline from the Department of Public Works Water Department will take the necessary photos.

ITEM #2 – Mark Gleason; General Manager informed the Council that that the City's Parks and Recreation Summer programs are underway. Mr. Gleason explained that the Albany County Department of Health inspected the pool on June 20, 2008. Albany County did request that the City replace the glass doors which enter the pool locker room area. Mr. Gleason stated that the City will receive three bids for this project. The Recreation Department is offering swimming lessons, open swim and senior aerobics. Mr. Gleason noted that each City park will have a Park Counselor working from 12:00 until 4:00 PM. Each park counselor will have crafts, games and other sporting fun events. Mr. Gleason hopes that the parks become a recreation tool for our children to use this summer. The Recreation Department will be pairing up with different groups in the City such as Kids Count will be hosting an outdoor movie. The City will also partner with the School District to have a luau at the pool.

Mr. Gleason commended Diane Conroy-Lacivita for putting together a very ambitious summer program for residents of all ages to enjoy. Mr. Gleason thanked Bob Loya and his crew for doing a great job getting the pool ready for this summer. Mr. Gleason also stated that he believes that the parks have never been cleaner.

ITEM #3 – Mark Gleason; General Manager informed that Council that the Recycling Committee has met twice this month. The recycling committee is in the process of putting together a newsletter which will be distributed to the City residents. Additionally, the recycling committee will be setting up a meeting with the Watervliet School District to discuss with them what there current recycling program is and how they can reach out to the students.

ITEM #4 – Mark Gleason; General Manager informed the Council that he has identified streets in the City which will be repaved using the nova chip process. Mr. Gleason explained that Gorman Bros. will be doing the repaving work. The work will begin in the late summer or early fall. The repaving will involve putting a 1 inch asphalt overlay. The process is good for ten years and will be paid for through state grants. The streets include 2nd Street & 8th Avenue, Broadway & 21st Street, Broadway & 22nd Street, 26th Street to 5th Avenue and 24th Street off of Broadway. Mr. Gleason requested that if the Council has any suggestions for streets to be considered to contact him.

ITEM #5 – Mark Gleason; General Manager informed the Council that the Snow Removal Workshop had to be cancelled for today. Mr. Gleason is rescheduling the snow removal workshop for Thursday, July 17 at 6:00 PM.

ITEM #6 – Mark Gleason; General Manager requested Bruce A. Hidley; City Clerk to address an issue with the Council. Mr. Hidley explained that on June 5, 2008 the Council authorized a bid advertisement to purchase a 2008 or newer Type III ambulance. The City received 4 bids for this ambulance. Mr. Hidley explained that at the July 17, 2008 Council Meeting there will be legislation authorizing the purchase of the ambulance. Councilman Diamond asked Chief Clickner when the ambulance will be placed in service. Chief Clickner responded by noting that the ambulance will be placed in service by February 2009.

ITEM #7 – Police Chief Ron Boisvert informed the Council that on Friday, July 11th there will be a swearing-in ceremony for two new Police Officers. The new Police Officers are Simone Razzano, III and Daniel P. Mahar. The new recruits will begin the Zone 5 Police Training Academy on Wednesday, July 16, 2008. Mayor Manning asked Chief Boisvert when the training is completed when they will be working the streets. Chief Boisvert stated that after the FTO Training in late April or early May they will be assigned a shift assignment.

OLD BUSINESS

NONE

NEW BUSINESS

ORDINANCE NO. 1825 - An Ordinance of the City of Watervliet, New York, providing that the Code of Ordinances be amended by revising Chapter 272, Zoning. Before voting mayor manning explained that this Ordinance will put forth rules and regulations for attendance and performance to be a part of the Zoning Board of Appeals. Additionally, this Ordinance addresses the removal of a Zoning Board Member. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

ORDINANCE NO. 1826 - An Ordinance of the City of Watervliet, New York, providing that the Code of Ordinances be amended by revising Chapter 57, Planning Board. Before voting Mayor Manning explained that this Ordinance is similar to Ordinance No. 1825, except this Ordinance deals with the Planning Board. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

ORDINANCE NO. 1827 - An Ordinance of the City of Watervliet, New York, providing that the Code of Ordinances be amended by revising Chapter 209, Parks and Recreation. Mayor Manning noted that based on discussion prior to this legislation being introduced Councilman Diamond would like to comment. Councilman Diamond requested that the Council table this Ordinance. Councilman Diamond then made a motion to table this Ordinance, seconded by Councilwoman Fogarty and passed. Councilman Diamond stated that there could be a discrepancy in the hours of pet use and park use. Councilman Diamond also added that the City Council may want to consider the 4th Street tunnel area park. After discussion the Council was informed that the 4th Street area is State owned property. Mayor manning noted that if this is not City owned land that the Council can't place an enforceable Ordinance on the property. Councilman Diamond noted that he was trying to strengthen the Police Department enforcement capability if there are any problems. Police Chief Boisvert noted that it is important for his department to get some type of Ordinance related to these issues for enforcement purposes. Councilman Diamond stated that he does not want to pass flawed legislation.

RESOLUTION NO. 8275 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application under the Heritage Areas Systems Grant Program and authorizing Mayor Michael P. Manning to accept and receive a grant for repair and/or remediation in the Dutch Reformed Church Building. Rosemary Nichols; Deputy General Manager of Economic Development informed the Council that the Council has previously had approved of a lease of the fellowship area of the church to the Watervliet Historical Society. As part of the expansion and use of the facility the City initiated discussions with the NYS Parks and Recreation and Historic Preservation regarding a grant application for remediation of the bell tower. The City now has realized that this project became a much more ambitious project than previously thought. It has become clear that the building needs a heating system due to water problems, moisture and mold. The grant application was changed in the last minute for the replacement of the heating system. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8276 – The Council of the City of Watervliet hereby approves the by-laws of the Watervliet Local Development Corporation. Rosemary Nichols; Deputy General Manager of Economic Development explained to the Council that earlier in the year the Council re-instituted the Local Development Corporation. At the time this was done a set of instructions was given to each member with certain benchmarks would be met by this committee. Ms. Nichols noted that the last option was to submit a proposed set of by-laws to the Council. Ms. Nichols stated that the by-laws were submitted to the Corporation Counsel who approved them as written. If approved by the Council tonight then the by-laws will be adopted by the Local Development Corporation's next meeting. This will make the Local Development Corporation in compliance with all applicable rules of the Local Development Corporation Law and the Not for Profit Corporation Law. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8277 – The Council of the City of Watervliet authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper for Request for Proposals for the selection of an Energy Services Company. Before voting Mark Gleason; General Manager explained to the Council that is for a project to update our City buildings. Mr. Gleason is hoping to make our City building more energy efficient which in turn will cut down on energy expenses. This will provide some relief to the taxpayers of the City. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8278 – The Council of the City of Watervliet authorizes Bruce A. Hidley; City Clerk to accept the secondary bid for the purchase of the 1976 Maxim Fire Apparatus to Dado's Equipment in the amount of \$676.00. Before voting City Clerk Bruce A. Hidley explained to the Council that on June 5, 2008 legislation was passed authorizing the sale of the fire truck to Raymond Skiba. Mr. Skiba then sent a letter to the City Clerk's Office that he was no longer interested in purchasing the fire truck. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8279 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper for Request for Proposals for Third Party Ambulance Billing Service. Councilman Diamond wanted clarification that one time in the official newspaper was enough to advertise. Captain Scott Skinner responded by explaining that in addition to the Legal Notice that he has personally sent out 19 proposals to perspective bidders. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Mayor Manning explained that the City of Watervliet received a grant to re-evaluate the Geographic Information System (GIS).

Mayor Manning explained that the City has been notified that we received a grant from Albany County. Mayor Manning noted that the grant was in the amount of \$400,000.00. The grant will allow the City to solicit single family senior citizens who are eligible for the HOME grant money.

Mayor Manning explained that the City received a grant to retrofit all of the City's diesel trucks. The trucks will have lower emission systems, funded by the NYS Department of Transportation as well as the Federal Department of Transportation.

Mayor Manning noted that the Council voted to conduct a feasibility study for the Hudson Shores Boat House Project. The report should be completed by the first meeting in August. There is already interest from two anchor tenants who would provide immediate income.

Mayor Manning explained that the City has been awarded the permit for the proposed Delta Dam in Rome, NY. The permit was approved by the Federal Emergency Regulatory Commission (FERC). The City has three years to develop the plan and apply for a license. The proposal is for a five megawatt power plant. The City currently runs a 1.25 megawatt power plant. Our current power plant will be conducting its first major overhaul very shortly. The Delta Dam project is another potential revenue source for the City.

Mayor Manning explained that the Watervliet Arsenal will conduct a change of command ceremony on Friday, July 11, 2008. This is a three year rotation of which Colonel Kevin Moore will be leaving command and retiring. On behalf of the City Council Mayor Manning wished Colonel Moore all the best in his retirement.

Mayor Manning explained that the 57 acres as potential for development, the program is listed on the website eul.army.mil. It is open for bidding for development companies on what they would do on the 57 acres.

PUBLIC COMMENT PERIOD

- 1.) Mel Beach – 509 25th Street – Watervliet, New York – Ms. Beach would like the Council to address the issue as to why the City parks are open until 10:00 PM. Ms. Beach indicated that she has not heard a real good rationale as to why the time was designated for 10:00 PM. Ms. Beach still has concerns for the residents that live near parks. Ms. Beach understands that there are safety related reasons. Ms. Beach requested information related to the mailing list regarding the agenda items before a meeting. Mayor Manning stated the City is working on the list for the agenda for a Council Meeting. Mark Gleason, General Manager stated that the City needs to weigh the needs for the entire community not just one park. Mr. Gleason noted that the closing at dusk proved to be a problem due to the change of seasonal time. An example given was in October when the sun goes down at 6:00 PM. Mayor Manning concluded by saying that the City is going to give the 10:00 curfew a try and see how it goes. The City can re-evaluate this issue at any time.
- 2.) Marion Foutage – 1554 3rd Avenue – Watervliet, New York – stated that she watched Mayor Manning give his report of the last Council Meeting on the website. Ms. Foutage stated that the Mayor had a very dismissive tone to his voice regarding the St. Patrick's Church 19th Street reconstruction Project. Ms. Foutage requested Mayor Manning to define boiler plate. Mayor Manning stated that the City used wordage from other community local development corporations. There is certain verbiage that remains the same in all by-laws or contracts. Ms. Foutage asked about whether or not a Council Meeting would be held on July 17, 2008. Mayor Manning noted that the meeting tonight was moved due to the July 4 holiday. Ms. Foutage would like to see the 19th Street Reconstruction Plans. General Manager Mark Gleason noted that there had been several public hearings held in different sections of Watervliet for the public to be heard regarding the 19th Street Project. There will also be other future public hearings before the project begins.

- 3.) Erin Franco – 1915 8th Avenue – Watervliet, New York – Ms. Franco provided the Council with an up date on the Watervliet Neighborhood Watch Program Picnic. Ms. Franco thanked the Council for their support. Additionally, Ms. Franco thanked the Fire and Police Department for their support. Ms. Franco stated that the City parks look absolutely wonderful. Ms. Franco feels that the parks look the best that they have in ten years. Ms. Franco also thanked Police Chief Ron Boisvert for the presence of police officers on the 4th of July. Ms. Franco noted that there was a very high presence all over the City. Mayor Manning asked if there was any new recruits for the Neighborhood Watch picnic. Ms. Franco stated that yes, there were new people. Approximately 50 residents showed for the picnic. Ms. Franco would like to do this type of event again in the future.

Councilman Diamond asked Police Chief Boisvert about placing a bus shelter on 19th Street and 3rd Avenue. Councilman Diamond is concerned due to people sitting on the porch steps waiting for a bus to come. Bruce A. Hidley; City Clerk noted that the City can petition the C.D.T.A. for the bus shelter. Mr. Hidley will research this issue further. Mark Gleason; General Manager stated that he will have a trash can placed there and have a daily pick up of the debris.

Councilman Diamond asked Police Chief Ron Boisvert whether it is legal to sell glass pipe items in convenience stores. Chief Boisvert responded by saying the glass pipes are legal to sell. There is an alternate purpose for this type of item.

There being no further business to come before the Council, a motion was made and seconded for adjournment. The meeting was adjourned at 7:55 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council