

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JULY 17, 2008 AT 7:00 P.M.**

The meeting was called to order by Mayor Michael P. Manning at 7:20 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 and Police Chief Ron Boisvert.

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 the City has hired 4 Park Counselors 8 Laborers and the usual Lifeguards for the summer months. The laborers have been picking up the parks daily as well as cleaning up the fence line along I 787. They are cleaning the curbs along 19th Street and along 3rd Avenue in Port Schuyler. Christopher Daus; Sanitation Supervisor has set up a schedule which the laborers are following for the summer. There are also special projects which Dave Dressel; Highway Department Supervisor has for them. They will be cleaning the railroad tracks area along with other miscellaneous places in the City which need attention. The Park Counselors have games and crafts for the children to utilize. Mr. Gleason stated that Clinton Park seems to be a very popular park; the Park Counselor has a waffle ball game going every day. As stated in the past it is Mayor Manning's goal to have clean and safe parks to enjoy. Mr. Gleason noted that the Senior Citizen community has been utilizing the swimming pool. Currently there are approximately 20 seniors who participate in the aerobics swimming program. Mr. Gleason concluded by saying that the summer program has been a success so far this season.

ITEM #2 – Mark Gleason; General Manager informed the Council that tonight there was the second snow removal workshop conducted at 6:00 PM prior to the City Council Meeting. Mr. Gleason noted that he plans on holding another workshop in August also. At the workshop discussion focused on towing cars during a snow emergency. In the past the City has red tagged vehicles giving them 24 hours to be removed. Our current plan is to dedicate a tow truck to tow cars on the spot. Mr. Gleason wants to be sure the public is fully informed about this policy months in advance of the snow season.

ITEM #3 – Mark Gleason; General Manager informed the Council that Jim Besha of Albany Engineering and Jim Bulmer; Water Department Supervisor met with the Albany County Department of Health regarding the testing of the septic system within our reservoirs and watershed. Mr. Gleason noted that the Watervliet Reservoir has a 152 square mile watershed. The City is pursuing people who have leaking septic systems in that area. The Albany County Department of Health is diligently working to locate these leaking septic systems. The City wants this problem under control prior to the expansion of the water shed.

ITEM #4 – Mark Gleason; General Manager requested Bruce A. Hidley; City Clerk to inform the Council about an issue. Mr. Hidley explained to the Council that the Council authorized Fire Chief Clickner to accept Request for Proposals for the Ambulance Billing Service. On Tuesday, July 15th, the City received nine proposals for the billing service. Mr. Hidley explained that Fire Chief Clickner and Director of Finance Robert Fahr have reviewed the proposals and are prepared to award the billing service. Mr. Hidley noted that at the next Council Meeting legislation will be prepared for the Council to consider awarding the ambulance billing service.

ITEM #5 – Mark Gleason; General Manager requested Robert A. Fahr; Director of Finance to update the Council on the City's finances through today. Mr. Fahr explained that the City is just finishing up the first six months of the General Fund Expenditures and Revenues. Mr. Fahr stated that out of the 9.5 million dollar General Fund budget that the sales tax has increased by \$92,000.00 compared to 2007. This proves to be a 6% increase from last year; Mr. Fahr noted that a part of this is the gas prices. Mr. Fahr explained that in 2007 the City of Watervliet received 3.2 million, conservatively the City budgeted 3.125 million for 2008. Mr. Fahr anticipates a \$150,000.00 increase in 2008. Mr. Fahr explained that the reason he is trying to keep this revenue conservative, measure need to be taken due to the 2010 census. This is being done in anticipation of the future population numbers in the City. There are three revenue items which compose of 86% of the General Fund budget. This consists of 39% of the property tax, 33% is sales tax and state aid is 14%. The City budgeted 1.3 million in state aid, Mr. Fahr thanked Assemblyman Ron Canestrari for his guidance and getting some extra money. The problem with the cash flow is that \$97,000.00 is received in September and the balance of 1.2 million in the middle of December. The City is unable to make use of this money until the end of the year. Another revenue which came in was the mortgage tax. The City budgeted \$150,000.00 for the year; the City has received approximately \$85,000.00 so far this year. The=is proves to be a 36% decrease from last year or \$48,000.00 less. On the expenditure side, Public Safety is our main expenditure throughout the City. Mr. Fahr noted that the Police Department overtime budget was approximately \$210,000.00 for 2008. The expense through June is \$75,000.00 which is 36% of the budget. Mr. Fahr stated that the Fire overtime budget is \$185,000.00. The Fire overtime expense to date is \$63,000.00 which is 43% of the budget. Mr. Fahr commended Chief Clickner and Chief Boisvert for the tremendous job on their overtime budget. Mr. Fahr discussed the changes to the expenditures, specifically the pick up of our own garbage beginning in May.

The City has a budget for landfill charges of \$252,000.00, for the first six months expenses the City landfill expenses were \$111,000.00. Mr. Fahr did a comparison for May and June of 2007 which were \$43,000.00 in 2008 the charges were \$31,000.00 a savings of \$12,000.00. Mr. Fahr would like to place the General Fund budgeted revenue and expenditures on the web site by August 1, 2008 for anyone to review. Mr. Fahr can update that information monthly or quarterly; however the Council wants the update done. Mr. Fahr explained that the Water Fund hydroelectric Facility revenue budgeted for 2008 was \$150,000.00. The City has received for the first five months of 2008, \$198,000.00 in revenue. This is a 41% increase in revenue from 2007, at the same period the City received \$140,000.00. Additionally, the utility costs have decreased in 2008 the city paid \$8,000.00 for the same period in 2007 the utility cost was \$18,000.00.

OLD BUSINESS

Bruce A. Hidley; City Clerk and Clerk to the Council explained to the Council that at the July 10, 2008 meeting the Council tabled Ordinance No. 1827.

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 requested that before the Council consider any action on this Ordinance that there are some residents who wish to speak on this do so now. Mayor Manning explained that the rules under the public comment period be followed.

Nicholas Tambollo – 319 9th Street – Watervliet, New York – Mr. Tambollo explained to the Council that he is President of the Watervliet Little League. Mr. Tambollo stated that the parks being opened at 10:00 is an acceptable time. The Little League has games scheduled for 8:00 at night; Brotherhood Park would be most impacted if the Council changed its current time of 10:00. Mr. Tambollo noted that he knows what it is like to live next to a park as Reds Field is right next to his home. Mr. Tambollo is in favor of keeping the parks open until 10:00 PM. A petition has been filed with the City for those in favor of keeping the parks open until 10:00 PM. Councilman Diamond stated that he complimented Both Erin and Nick for their hard work collecting the names on the petitions. Councilman Diamond traveled to different parks in the area to see the hours of operations for parks. Councilman Diamond then provided the names of those parks and the times they are open. Councilman Diamond stated that after looking at the previous legislation which was drafted he would like to offer a compromise. Councilman Diamond would like to make the curfew 9:30 PM with the following exceptions. Brotherhood Park remains open until 10:00, Hudson Shores Park until 10:00 PM Veterans Memorial Facility until 10:00 and Red's Field until 10:00 PM. All other parks close at 9:30 PM.

Councilman Diamond discussed the pet issue related to this legislation. Councilman Diamond explained that there is a leash law and pooper scooper law already in effect for dogs. Councilman Diamond does not think it is unreasonable to allow dogs in Hudson Shores Park and Pershing Green Park.

Mayor Manning stated that he feels whether the time is 9:30 or 10:00 PM, just set the time, run with it. If the time is not working the Council can change it at any Council Meeting. The City does have a commitment to the Little League which needs to be lived up to for games. Mayor Manning noted that there is no way around changing the time for Brotherhood Park. This legislation was created so that the Police Department didn't have to worry about what time different the parks are open. Before Mayor Manning called for the vote on this legislation, it was clarified that the Ordinance would be written as stated above by Councilman Diamond related to hours for parks and where dogs would be allowed in parks. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

NEW BUSINESS

RESOLUTION NO. 8280 – The Council of the City of Watervliet authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper for a Public Hearing on Thursday, August 7, 2008, for persons wishing to be heard regarding the City of Watervliet acting as lead agency in the environmental review of the Comprehensive Capital Grant Program for the Watervliet Housing Authority. Before voting Mark Gleason; General Manager informed the Council that the Watervliet Housing Authority has an extensive improvement program which the City of Watervliet is assuring that the Watervliet Housing Authority will stay within all environmental guidelines. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8281 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Capital District Physicians Health Plan for the year 2008. Before voting Bruce A. Hidley; City Clerk explained to the Council that C.D.P.H.P. had to get approval from the NYS Insurance Department to confirm the rates for 2008. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8282 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Specialty Vehicles, Inc. for the purchase of one (1) 2008 Ford E-450 ambulance in the amount of \$143,851.00. Mayor Manning asked if this award was the result of competitive bidding. Fire Chief Clickner stated that this was done through competitive bidding. Mayor Manning asked if this was the low bidder. Fire Chief Clickner stated that Specialty Ambulance was not the low bidder. Chief Clickner explained that noted that the City received four bids on this ambulance purchase. Chief Clickner stated that Specialty Vehicles provide the City with all the specification requested, the other bids did not. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8283 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$15,000.00 from the Sewer Contingency Account to the Sewer Maintenance Account. Before voting Robert A. Fahr; Director of Finance explained that the City received a bill from the Capital District Regional Planning Commission for the long term control plan for the combined sewer overflow. Mr. Fahr noted that there will be an additional bill around \$18,000.00 in a couple months. Mr. Ostapkovich figured that this bill would total approximately \$75,000.00. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

Robert A. Fahr: Director of Finance discussed with the Council regarding the 19th Street Community Development Loan Program. Mr. Fahr stated that if someone received a grant from this program, if they kept the home for five years the homeowner would not owe the City any money at all. Each year the payment is reduced by 20%. Mr. Fahr explained that the City was notified that someone is selling their home that was part of this program; a lien was placed with Albany County on this property. The homeowner owes the City 20% of the loan; the homeowner will be making a payment of \$3,900.00. This transaction will be classified as a miscellaneous income item to the local development corporation. Mayor Manning asked if the City is notified when a lien is placed? Mr. Fahr responded by noting yes the City is informed and that this does not slip through the cracks.

PUBLIC COMMENT PERIOD

- 1.) Marion Foutage – 1554 3rd Avenue – Watervliet, New York – Ms. Foutage stated that she understands that the 19th Street Project began under the former administration in 2004 – 2005 there was a formal approval of the project. Ms. Foutage would like to know about the Public hearings regarding this project that Mr. Gleason spoke about at the last meeting. Ms. Foutage specifically asked about whether or not the parking in front of St. Patrick's Church was part of the Public Hearing. Mr. Gleason stated that the parking in front of St. Patrick's was not part of the Public Hearings. The St. Patrick's Church parking was an add on after the public hearings were held. Mr. Gleason explained that during the design phase of the project there are a lot of changes. Mr. Gleason noted that there will be a Public Hearing in September regarding the new design phase changes. Ms. Foutage stated that the Pastor from St. Patrick's had to make a decision immediately regarding this parking plan. Mayor Manning explained that the City was trying to have the 19th Street Construction Project done in the 2008 construction season. That real estate transaction and the other ones will be dragged out until the end of August. It wasn't worth starting the project with the winter weather season coming very soon.

Ms. Foutage still has a problem with the bump outs and the parking at the church.

Ms. Foutage further stated that the items noted above are not mandated by the State that the City hired a consultant. The City tells the consultant what the City wants and the consultant draws the plans as the City wants them. Ms. Foutage feels that the diagonal parking sounds dangerous and the Council please reconsider the parking in front of St. Patrick's Church. Mr. Gleason noted that NYSDOT studies have confirmed that diagonal parking is safer.

- 2.) Erin Franco – 1915 8th Avenue – Watervliet, New York – Ms. Franco wanted to thank Police Chief Ron Boisvert for assigning Officer Marc Langlais as a liaison to the Neighborhood Watch Committee. Ms. Franco explained that a meeting was held last night, there was not many in attendance. There will be another meeting in August, additionally; fliers will be distributed in the Neighborhood Watch area. Ms. Franco noted that the meeting information is on the web site. The next meeting will be held on the third Wednesday in August at 7:00 PM in the J. Leo O'Brien Senior Facility. Ms. Franco thanked the City Council for the compromise on the park closure Ordinance. Ms. Franco stated that in July 2007 she came before the Council regarding dogs running loose. Ms. Franco called the Police several times who has noted that they are unable to assist with this issue. Ms. Franco explained that there are more dogs wandering the City than ever before. Ms. Franco further stated that the Animal Control Officer's work hours have not been changed nor has anything been done by the City to assist with this problem. Ms. Franco concluded by saying that this is a safety issue which needs to be addressed immediately. Mayor Manning explained that the City is working in this issue; further information will be available at a later date.

There being no further business to come before the Council, a motion was made and seconded for adjournment. The meeting was adjourned at 8:10 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council