

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, AUGUST 21, 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, Mark Gilchrist; Assessor/Bldg. Inspector, 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. Mayor Manning informed all in attendance that the minutes from the previous meeting and agenda are posted on the bulletin board on the first floor along with the Director of Finance and City Clerk's counter. Mark Gleason: General Manager also noted that the agenda was posted on the Vliet Channel 17.

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 requested Rosemary Nichols; Deputy General Manager of Economic Development and Planning to report on a couple of issues with the Council. Ms. Nichols informed the Council that the City has been working on the comprehensive plan. One of the first statutory responsibilities for the plan is to create an advisory committee. This is required by General City Law Section 28. Ms. Nichols noted that the City Council will be presented a resolution to that effect at a future City Council meeting. Ms. Nichols requested that if the Council had any suggestions of individuals that would be interested in participating on this committee to submit their name to her. Ms. Nichols also asked the Council to participate on this committee. Ms. Nichols noted that the Council has had an ongoing discussion relative to the way the economy has been adversely affecting the transfer of buildings from one owner to another. As part of the dialogue with the people in the community who buy these types of buildings they have persuaded the City that the timeframe in our statutes which is currently six months is too short. Ms. Nichols informed the Council that at the September 4, 2008, Council Meeting there will be draft legislation with the intention of the Council reviewing the legislation after the public hearing for the idea of extending the non-conforming use time period. Someone can sell a piece of property in the City and continue the use without going before the Zoning Board of Appeals for a twelve month period. This will be consistent with many of the municipalities in our area. Ms. Nichols is proposing that this legislation should be limited to three years as an experiment.

Ms. Nichols noted that she will be requesting the City Council to make a decision concerning the status of a minor portion of a street in the City. The special streets committee that the Council created months ago has worked and put together legislation to establish street standards for the City. There is one area of the City which has potential to be considered an additional street at this time. This will be brought to the Council at later City Council meeting.

ITEM #2 – Mark Gleason; General Manager requested Captain Scott Skinner from the Watervliet Fire Department to update the Council of the ambulance service issue. Captain Skinner showed the Council a power point presentation regarding the ambulance service. Captain Skinner in his power point presentation highlighted the following about the ambulance program.

- 1.) **History** – Fire Department has been providing EMS and Basic Life Service in 1976. Enhanced to Advanced Life Support in 1998.
- 2.) **What it is** – The Fire Department will expand EMS to include providing ambulance transport.
- 3.) **How this came about** – Encouragement from Regional Medical Operations (REMO), discussions with NYS Department of Health and negotiations with U.F.F.A. #590.
- 4.) **Who is involved** – Entire Watervliet Fire Departments with ALS and BLS service, Fire Chief, REMO and Medical Director will oversee the program. The Director of Finance Robert A. Fahr will oversee the money and report on the financial condition of this program.
- 5.) **Why is the City doing this** – Better response time, better continuity of care, friendly face from time of arrival to transport, potentially enough revenue to cover the cost of this service.
- 6.) **What's left to do** – Training of all personnel, insurance and legal issues, stock and supply ambulance, authorization of the ambulance by the City Council, municipal CON from NYS Department of Health, and lock in back up plans?
- 7.) **Risk reduction steps** – Reliable data on call volume, bill collection and insurance rates. Noted were ambulance service companies which already have the service which were contacted for assistance
- 8.) **How it works with current manpower** – Two Firefighters will accompany patient to the hospital, one being a paramedic, multiple transport calls may require a backup agency (commercial or mutual aid).
- 9.) **The future** – Noted is the projection of calls to 1213 in 2008, increase of call volumes will continue, will need to apply to CON (Certificate of Need) within two years, increased involvement in code enforcement

Attached is a copy of the Power Point Presentation which Captain Skinner showed to the Council. Councilman Diamond asked Captain Skinner about the billing service that the Finance Department would be involved with. Captain Skinner explained that on a weekly basis the money will be deposited into the City's account. On a monthly basis the Finance Director will receive a ledger of all the billing which was done.

Additionally, what the balances are and how much the City owes CAG for the billing service. Councilman Diamond noted that in accordance with the presentation the legislative process needs to be completed by November 6, 2008. Then the sequence is the CON has to be approved within two years. Captain Skinner stated that the CON is given to you, after two years the City will need to reapply. This is when other agencies such as REMO can comment as to whether the City should continue as an ambulance service. Mark Gleason; General Manager thanked Captain Skinner for a fine presentation tonight.

ITEM #3 – Mark Gleason; General Manager requested Fire Chief Don Clickner to come forward to discuss some Fire Department equipment issues with the Council. Chief Clickner explained that Engine 1 is the front line engine when it comes to responses, Engine 1 was received through a grant from the Federal Government in the amount of approximately \$240,000.00. The cost to the City was approximately \$60,000.00. Engine 1 is in very good shape. The preventative maintenance that has been done the past two years has kept Engine 1 in good shape. Chief Clickner noted that this year the Chief's car was replaced with a 2008 Dodge Durango. This vehicle will essentially become a command vehicle, there is some additional equipment to be installed, which will be done very soon. Engine 2 the reserve piece of equipment, Chief Clickner stated that estimates have been obtained to repair the vehicle. A total of approximately \$35,000.00 to repair mostly body work. Engine 2 is a 1992 Boardman the years of life for this vehicle has just about come to an end. A problem with the Boardman vehicle is that the Boardman Company is no longer in business. Chief Clickner explained that Engine 5 was recently sold which leaves his department down one fire apparatus. The 1986 Sutphen needs approximately \$10,000.00 in maintenance now to bring this vehicle up to running shape. The last couple of years the only time these vehicle received any maintenance was if something broke. One of the items which needs to be addressed with the 1986 Sutphen is the walking beam. This item controls the two rear axels. Another item is the ladder recertification, Chief Clickner has been unable to locate records since 2004. The NFPA recommends that this must done to the ladder. This is another \$3,500.00 expenditure to bring the Sutphen up to date. Chief Clickner concluded by saying that this is partly due to the age of the vehicles, the items noted above are important items to be addressed very soon. Chief Clickner has other people coming in to assess their opinions on these vehicles and hopefully give his department some insight on keeping the cost for the repairs lower. Councilman Diamond asked if their was someone local who could certify the 1986 Sutphen. Councilman Diamond is concerned that this is a liability issue for the residents of the City. Chief Clickner stated that National Testing is the company which can do the ladder re-certification, they have been called and will do the certification in September.

ITEM #4 – Mark Gleason; General Manager informed the Council that a budget workshop was held earlier today. Mr. Gleason noted that he is in the process of crafting the 2009 budget. The workshop tonight focused on the Police Department and Building Department. There will be another budget workshop on Thursday, September 4, 2008 at 5:30 PM with Fire Chief Don Clickner. There will also be a snow removal workshop at 6:15 PM.

ITEM #5 – Mark Gleason; General Manager informed the Council that the recycling committee met with the City of Watervliet School District Administration on Tuesday, August 12, 2008. Mr. Gleason noted that the recycling committee will work with the Elementary Recycling Club to help educate our children on the benefits of recycling. Additionally, discussions have been held to educate the students on solid waste consumption.

ITEM #6 – Mark Gleason; General Manager provided the Council with a copy of a new sign that he would like to propose to be placed at Hudson Shores Park. Mr. Gleason is seeking permission to have the sign made. Mr. Gleason would also like to schedule a re-dedication of the park with the new sign. The Council authorized Mr. Gleason to have the sign made up for Hudson Shores Park.

ITEM #6 – Mark Gleason; General Manager discussed the refuse policy with the Council. Mr. Gleason requested that the Council consider the week of October 27, 2008 for the fall clean-up week. Mr. Gleason noted that during this week our City residents will be allowed to discard bulk items at no charge. The current policy is for residents to obtain a permit from the City Clerk's Office for disposal at the Department of Public Works on the last Friday of the month. Mr. Gleason explained the plan is to set aside a week in the fall and a week in the spring so residents can put out debris. The size of the debris amount should be 4' x4' x8' area. Mr. Gleason is requesting that the Council approve this pickup date at the September 4, 2008, Council Meeting.

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION NO. 8289 – The Council of the City of Watervliet authorizes Mayor Michael P. Manning to execute an agreement with Honeywell International Inc. and a service agreement with Honeywell Solutions for an energy project for the City. Before voting Councilman Diamond explained that he contacted the references for Honeywell and the references were all positive. Councilman Diamond noted that there was no mention of solar energy options. A representative of Honeywell explained that his company will be looking into solar energy. The next phase will be to do the in depth engineering of all the City's opportunities. Mayor Manning stated that this proposal is based upon a preliminary go around of the City's energy resources. When Honeywell comes back with the in depth audit they will discuss the potentials for solar energy. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8290 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper for a Public Hearing on Thursday, September 4, 2008 at 7:00 PM for persons wishing to be heard regarding the Community Development Block Grant/Loan for Solid Seal Technical Inc. for low/moderate job creation and retention. Before voting Mayor Manning stated that this is a Public Hearing required in order to apply for the loan. In order to get this loan you must have a Public Hearing. The City applies for a grant on behalf of a business within its limits. Mayor Manning noted that in this case it is Solid Seal Technology which is in the Watervliet Arsenal. They are applying for approximately \$325,000.00, a portion of which a loan which will be paid back to the City's Local Development Corporation for use on other projects in the City. Mayor Manning explained that this is in the second of three phases. They are seeking approval in September sometime after the Public Hearing. Rosemary Nichols; Deputy General Manager of Economic Development and Planning explained that the schedule from the Office of Small Cities that they received the invitations to participate which will be the final stage for the City will be here by not later than Monday. This will need to be submitted by the Solid Seal Technical and the City by the end of the first week in September. The hearing for the Housing Trust Fund which is intended to act upon this so that they can go out to bid for the Capital Equipment needed is September 16, 2008. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8291 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to complete and sign the Negative Declaration for the Watervliet Housing Authority Capital Fund Project for 2008. Before voting Mark Gleason; General Manager explained that the Watervliet Housing Authority will be performing Capital Projects to make improvements to the apartments. The City as the Lead Agency states that these activities will lead to no negative impact on the environment. Mr. Gleason stated that the Watervliet Housing Authority has an excellent reputation complying with environmental issues. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8292 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an exclusive buyer/purchaser agency agreement with Remax Premier for the purpose of locating, identifying and potentially purchasing property located near the Guilderland Reservoir to achieve watershed protection. Before voting Mayor Manning explained that this is part of a plan for the City to look at the land around the reservoir. The agreement would also allow the City to approach homeowners about either purchasing or providing the City with a Conservation Easement so that no further development can be done on the land that will affect the water quality as the reservoir. The City has hired a local resident from Guilderland person to help this process move along.

Councilman Diamond asked if it is legal to place exclusive buyer/purchaser agreement. Yorden Huban; Corporation Counsel responded by saying that this falls beneath the competitive bidding in accordance with General Municipal Law. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8295 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper for a Public Hearing on Thursday, September 4, 2008 at 7:00 P.M. in the Council Chambers for those persons who wish to be heard regarding public testimony and comment of draft legislation establishing regulations for construction and reconstruction of streets in the City of Watervliet. Before voting Mark Gleason; General Manager explained that Deputy General Manager of Economic Development and Planning Rosemary Nichols headed up the committee regarding construction and reconstruction of streets. Rosemary Nichols explained that the City Council put an adhoc committee together to consider the issue of street standards in the City. The Planning Department was the Chair of the Committee, Building Department Head, Water/Sewer Department Head, Streets/Highways Head and the Corporation Counsel. The task was to develop a list of the existing city streets and to propose an Ordinance to improve the city streets. Ms. Nichols noted that the committee is ready to have a hearing and report on the findings. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8293 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$10,000.00 from the Fire Payroll Account to the Fire Special Wages Account for 207A wages paid for the months of June and July 2008. Before voting Robert A. Fahr; Director of Finance explained to the Council that this is a \$10,000.00 transfer for wages paid to a Firefighter while on Workers Compensation. This is a budgetary transfer allotting the money from the Payroll Account to the Special Wages Account. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8294 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$7,800.00 from the Police Payroll Account to the Police Special Wages Account for 207C wages paid for the months of June and July 2008. Before voting Robert A. Fahr; Director of Finance explained to the Council that this is a \$7,800.00 transfer for wages paid to a Police Officer while on Workers Compensation. This is a budgetary transfer allotting the money from the Payroll Account to the Special Wages Account. Mayor Manning stated that this has no impact on the budget at all. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

Mayor Manning explained that the State Aid has not been cut from the 2008 budget. Mayor Manning has sent a request to Senator Breslin and Assemblyman Canestrari to check on the status of the State Aid. Mayor Manning noted that both legislators returned calls informing the Mayor that they received his letter. Mayor Manning concluded by saying that to date the State Aid has not been cut. Mayor Manning further stated that the State Aid funding does not come until December 2008 and that the City will still have to take a wait and see attitude.

PUBLIC COMMENT PERIOD

1.) Mildred Krage – 408 3rd Avenue – Watervliet, N.Y. – Ms. Krage addressed the Council regarding the recycling information pamphlet sent out by the City. Ms. Krage feels that the information on the pamphlet is very confusing. Ms. Krage discussed light bulbs, glass products, pizza boxes and the disposal of these products. Mark Gleason; General Manager responded to Ms. Krage regarding all of her concerns. Mr. Gleason explained that the recycling program regulations are governed by Federal and State agencies. The City must comply with the mandated regulations for recycling/yard waste at the landfill. Mr. Gleason offered to meet with Ms. Krage at any time to discuss these issues.

2.) Marion Foutage - 1554 Third Avenue – Watervliet, NY – Ms. Foutage asked about the City Council Meeting Minutes from the last meeting. Mayor Manning explained that the minutes are posted on the bulletin board on the first floor along with the City Clerk's Office and the Finance Director's Office. Mayor Manning also noted that the City Council Agenda is now on the Vliet Channel 17 for the public to see. Ms Foutage stated that there was a nice program on Vliet Channel 17 regarding St. Patrick's Church. Ms. Foutage wanted the Council to know that St. Patrick's Church does not have a negative environmental impact on the community similar to what was stated by Mr. Gleason regarding the Watervliet Housing Authority. Ms. Foutage noted that St. Patrick's has had a very positive impact on the community and she hopes that is not destroyed, for example Ms. Foutage used the trees in that area. Ms. Foutage also stated that on her street between 15th Street and 16th Street on 3rd Avenue was resurfaced last year. Ms. Foutage feels that this is a very coarse asphalt material, she thinks the pavement should be sealed to make it smoother. Mr. Gleason explained that this is a nova chip process which eliminates the need to mill and fill. The nova chip process puts a one inch coat over the top which lasts for ten years. Mr. Gleason further explained that the nova chip process is more economical rather than ripping up an entire street. Ms. Foutage discussed the possibility for the Council to discourage wood burning fire places/stoves. Mr. Gleason noted that in order to have a wood burning stove put in your home a permit must be issued, that is the City's way to be sure the wood burning stove is put in correctly.

3.) Michael Calacone – 401 2nd Avenue – Watervliet, NY – Mr. Calacon provided the Council with a diagram of Pershing Green Park showing the imperfections and problems that he could find. Mr. Calacone feels that there are certain items which need to be addressed immediately. Mr. Calacone detailed the areas on his diagram he feels should be addressed. Mr. Calacone feels that the areas described are a hazard to the children who play in that park. Mr. Gleason informed Mr. Calacone that Mayor Manning has issued a request that the City's Director of Recreation Diane Conroy-LaCivita form a committee to look at Pershing Green Park for improvements. Mr. Gleason noted that he suggested Mr. Calacone's name as part of the committee. Mr. Calacone feels that this park should have a different standing than any other park in the City due to it being a war memorial. Mr. Calacone discussed the sign that says dogs allowed, he recommended another location by the 4th Street bike path as a possible suggestion. Mr. Calacone stated that the other designated park for dogs at Hudson Shores Park does not have any children playing in it. Councilman Diamond explained to Mr. Calacone that the City will look into a member item from our legislative leaders specific to that park. Councilman Diamond would like to see a historical designation plaque placed in that park indicating the significance of General Pershing. Councilman Diamond feels that the City could work collaboratively with the Historical Society to make this a first class park. Mr. Calacone concluded by saying that this is a very special park which should get special attention like Mr. Turton did when he maintained the park for the City.

4.) Henry Battige – 1416 4th Avenue – Watervliet, NY – Mr. Battige explained to the Council that he understands that there is a piece of land off of 12th Avenue south of the practice field. Mr. Battige noted that there has been an ongoing discussion as to whether that is a street or not a street. Mr. Battige noted that his kids are all grown now and that his home is too big and will need to move. Mr. Battige would love to stay in the City having been here all his life. Mr. Battige noted that any consideration for the area in question would be greatly appreciated. Mayor Manning stated that the City is trying to do this decision the right way rather than having problems later with a decision on the property in question. Mr. Battige thought that by coming to the meeting something positive could come out of it. Mayor Manning explained that the City had to reach out to outside expertise related to road requirements for this area which takes longer time. Mayor Manning noted that this issue must also be brought before the Planning Board, Mr. Battige thanked the Council for their attention to this matter.

There being no further business to come before the Council, General Manager Mark Gleason requested that Council break for Executive Session. There being no further business to come before the Council a motion was made and seconded to adjourn into Executive Session at 8:00 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING EXECUTIVE SESSION
OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, AUGUST 21, 2008**

The Executive Session was called to Order by Mayor Michael P. Manning at 8:10 PM

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 Robert A. Fahr; Director of Finance.

ITEM #1 – Mayor Michael P. Manning discussed a personnel issue related to the Department of Economic Development and Planning. A detailed discussion followed with the Council related to all aspects of the personnel matter in the Department of Economic Development and Planning.

ITEM #2 – Mayor Michael P. Manning discussed an issue related to elected officials employed and retired for the City.

There being no further business to come before the Executive Session, the Executive Session was adjourned at 8:35 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council