

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, OCTOBER 16, 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, Rosemary Nichols; Deputy General Manager of Economic Development, Bruce A. Hidley; City Clerk and Clerk to the Council, Robert A. Fahr; Director of Finance, David Wheatley; Deputy City Clerk, Police Chief Ron Boisvert, Fire Chief Don Clickner and Mark Gilchrist; Assessor/Bldg.

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 on Friday, October 31, 2008, the City of Watervliet will implement a Halloween Night curfew. Mr. Gleason noted that Halloween Night is an evening where substantial problems have occurred over the years. Large group of teenagers become a bit over enthusiastic with Halloween activity celebration. Residents in the City have experienced vandalism to their cars and property. Mr. Gleason explained to the Council that as Commissioner of Public Safety he has ordered a one night curfew to deal with the late evening problems which may happen on Halloween. The mandated curfew will state that any child under 18 years of age will not be allowed on the streets, avenues, parks and public right of ways within the City from 10:00 P.M. until 6:00 A.M., November 1, 2008. Mr. Gleason further stated that any violator will go directly home or at the Police Department discretion require the parent or guardian of the child to be picked up at the Police Department. The only exception will be children who may be returning from work or other instances which the Police feels is legitimate.

ITEM #2 – Mark Gleason; General Manager requested Mark R. Gilchrist; Assessor/Building Inspector to discuss a new exemption for Veterans in the City of Watervliet. Mr. Gilchrist explained to the Council that the City of Watervliet currently offers two types of Veterans Exemptions to service men and women who served in the armed forces during a period of war. Mr. Gilchrist noted that one is the old style exemption called the Change of Level Exemption. It is predominately World War II Veterans. There are sixty one properties with that type of exemption. It is the most generous type of exemption. There are properties in the City that pay no City and County taxes.

Mr. Gilchrist stated that the Veterans Exemptions do not apply to school taxes. They only apply to City and County taxes. This type of exemption ended in 1984. Mr. Gilchrist further explained that the State of New York came up with a new exemption for Veterans called the Alternate Veterans Exemption. This exemption is based upon a percentage, if you were a service person who served in the armed services during a period of war and you served in a combat zone, you are entitled to a 25% exemption. If you served during a period of war and you did not serve in a combat zone, then you are entitled to a 15% exemption. The City currently has 255 pieces of property that receive the Alternate Veterans Exemption. Of the 255 exemptions, 15 are eligible for a disability exemption. The Assessor's Office receives a disability rating from the Veterans Administration Hospital. If the disability rating is 50% from the V.A., then the Assessor provides an additional 25% Disability Exemption. Mr. Gilchrist further explained that there are a group of service people who served in the armed forces but not during a period of war. This group is not entitled to the Alternate Veterans Exemption. The State of New York just passed a law which would allow the Council of the City of Watervliet to adopt if they so desire the power to adopt the Cold War Veterans Exemption. If the Council decides to adopt this legislation the Council will have to decide upon a 10% or 15% exemption on the taxes. There are a number of choices the Council has with this new law regarding the maximum amount of the exemption. Currently the exempt total amount received by veterans in the City is 7.3 million dollars in taxable assessment. The total amount tax wise is \$104,000.00 a year. The \$104,000.00 per year is picked up by the rest of the home owners in the City of Watervliet that are not veterans. This has an impact on the City's tax rate, the taxable assessment goes down by \$104,000.00. Mr. Gilchrist is unsure on how this legislation will impact the City. Mr. Gilchrist concluded by stating that these are the options and impact for this proposed legislation. The Albany County Legislature has already adopted this legislation as law. Mr. Gilchrist will be taking applications for this program for the very least which would be for County Taxes. Mayor Manning asked that if the City adopts this legislation would there be two different applications. Mr. Gilchrist responded by saying that it would be only if the City adopted the same exemption application. The County of Albany has granted the maximum exemption for the Cold War Veterans. If the City adopts any other exemption there would be a need for two applications. Mayor Manning asked how we would adopt this legislation. Yorden Huban; Corporation Counsel explained that this would be done by passing a Local Law.

ITEM #3 – Mark Gleason; General Manager explained that the City of Watervliet, Recreation Department will be sponsoring the Jim Verhagen Haunted House in the Watervliet Veterans Facility (DOME) on Halloween Night. Mr. Gleason noted that this event has been a great success since moving the location to the DOME. The Haunted House will run from 4:00 P.M. until 9:00 P.M. that evening.

ITEM #4 – Mark Gleason; General Manager informed the Council that the City has received \$100,000 in multi-model funds to pay for street repairs throughout the City. The additional funds were secured by Assemblyman Ron Canestrari. Mr. Gleason publicly thanked Assemblyman Canestrari for his efforts. There is an additional \$100,000 earmarked for the street improvements for the 19th Street Reconstruction Project. That money will be expensed during the year 2009.

ITEM #5 – Mark Gleason; General Manager informed the Council that the engineering firm O'Brien & Gere have completed the first draft of the environmental study. The Council and all applicable department heads have received a copy of this report. Mr. Gleason noted that he will be meeting with the department heads next week to review the report along with preparing a response to it. Mr. Gleason noted that the engineer in charge from O'Brien & Gere is eager to meet with the City to get all the responses.

OLD BUSINESS

RESOLUTION NO. 8313 – A Resolution determining that the portion of Hillside Drive east of the eastern boundary of Twelfth Avenue shall be a Street in the City of Watervliet as defined in Chapter 244 of the Code of Ordinances. Before voting Mayor Manning explained that comments were heard by the public on this issue at the October 2, City Council Meeting as to whether this area in question should be called a street. Mayor Manning noted that at the last meeting it was the first time that the Council had the opportunity to review this legislation, now there has been a couple of weeks for consideration. Councilman Diamond stated that he has visited the site on three different occasions, in the past his own children have played tee ball and soccer at this site. Councilman Diamond noted that this is a paved road with a tunnel that serves no purpose any more. Councilman Diamond explained that he thought that students used that tunnel to exit on to the roadway there to the High School. The area is bounded by homes to the North and South, West is 12th Avenue to the East is the railroad tracks. Councilman Diamond has spoken to residents in the area along with receiving many phone calls. Councilman Diamond noted that at the last City Council Meeting that the City Council stated that any and all improvements, utilities in the construction of a road and sidewalks would be the responsibility of the developer at no cost to the taxpayer. Additionally, the Planning Board will make the final determination regarding the development of the property. Councilman Diamond feels that the development there would be very limited. Based upon Councilman Diamond's observation the Planning Board will have the ability to allow or disallow small scale development, it is his opinion if it was a road. Councilman Diamond stated that with the prospect of the property being a home and the construction of a street, there will be less vandalism, less traffic and less illegal activity. This is how Councilman Diamond arrived on his opinion. The final decision will be made by the Planning Board. Councilwoman Fogarty also went and looked at the area in question. Councilwoman Fogarty stated that Councilman Diamond made a very good point.

Councilwoman Fogarty feels that maybe multiple homes would not be a very feasible idea due to the noise level of the railroad tracks very close by. Councilwoman Fogarty agrees that it is the Council's role to choose whether this area is a street or not, not what may end up there in the future. Councilman Diamond noted what the City does not want is over development, he understands that he doesn't want three or four houses crammed together. He wants the City to maintain the integrity of the neighborhood. Councilwoman Fogarty further stated that the City wants an owner occupied home. That is a main goal for housing. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

NEW BUSINESS

ORDINANCE NO. 1836 – An Ordinance of the City of Watervliet, New York, providing that the Code of Ordinance, be amended by adding a new Article VI-A, "Regulation and Control of Traffic during Snow and other Natural Emergencies" to Chapter 260, "Vehicles and Traffic" of the Code of the City of Watervliet. Before voting General Manager Mark Gleason explained that this basically will allow the City to be more efficient with the Snow Removal Policy. There are two major changes to the snow removal policy, the City will tow cars immediately rather than red tagging cars than giving an owner 24 hours to move the car. The City has to come back later and there is a large ice structure where the car used to be. This situation also has the potential to break the plows used during a storm. The other change is in an effort to make our parks in great shape the City will stop dumping snow in them. Mr. Gleason explained that the City will take a majority of the snow to the south end of Hudson Shores Park. Mr. Gleason has scheduled a City meeting for October 28th at the Watervliet Elks. Councilman Diamond wants storage fees included in the policy. General Manager Gleason will place that item in the policy. Mr. Gleason does not want residents using this area as a winter storage area for the storage of cars. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

RESOLUTION NO. 8314 – A Resolution authorizing and empowering the City of Watervliet to establish and operate an Ambulance Service and further authorizing and empowering the City of Watervliet Fire Department as a First Transporting Agency for the City of Watervliet. Before voting Mayor Manning stated that this Resolution was needed to process the paperwork with the New York State Department of Health. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8315 – The Council of the City of Watervliet determines that as a result of an unforeseen occurrence, immediate action is required which can not wait competitive bidding for the emergency purchase of an ambulance. The Council of the City of Watervliet hereby authorizes the City to enter into a contract with Specialty Hearse & Ambulance Sales Corp., 180 Dupont Street, Plainview, New York 11803 in the amount of \$16,500.00. Before voting Mayor Manning stated that this Resolution is to purchase a backup ambulance. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8316 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the City is seeking proposals from qualified consulting firms in providing Lead Paint Risk Assessment Services, proposals should be received no later than 11:00 A.M. on Monday, October 27, 2008 at the City Clerk's Office. Before voting Rosemary Nichols; Deputy General Manager of Economic Development and Planning explained that the Office of Small Cities recommended that all of the premises that are being considered for grants under the housing rehabilitation be subject to a Lead Paint Risk Assessment prior to entering into the contract to rehabilitate. Ms. Nichols that the money to pay for this is eligible under the grant and would not be an expense to the City. It will also not be an expense to the homeowner. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8317 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the City will hold a Public Hearing on Thursday, November 6, 2008 at 7:00 P.M. for those persons who wish to be heard in favor of or in opposition to said Water/Sewer Rent Roll for the period November 1, 2008 thru October 31, 2009. Before voting Mayor Manning explained that this Public Hearing is for the public to comment on the increases, decreases or no changes in the Water/Sewer Rents charged to homeowners. Robert A. Fahr; Director of Finance noted that there will be no increase to the Water/Sewer Funds for this period. . Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

NONE

PUBLIC COMMENT PERIOD

- 1.) John Rizzo – 724 3rd Avenue – Watervliet, New York - Mr. Rizzo discussed the possibility of having skateboarding in the 7th Street Park. Specifically, Mr. Rizzo mentioned the area of 100’ between the basketball court and bench area of the park. Mayor Manning requested clarification from Mr. Rizzo on the area he would like to see the skateboarding. Mr. Rizzo noted he would like to see this done in the 7th Street Park.
- 2.) Erin Franco – 1915 8th Avenue – Watervliet, New York – Ms. Franco informed the Council that the Neighborhood Watch meetings will be held at the 23rd Street Presbyterian Church beginning in November. The meetings are being moved into the area which the Neighborhood Watch is being conducted.

There being no further comment Mayor Manning closed the Public Comment Period.

There being no further business to come before the Council, a motion was made and seconded for adjournment, the meeting was adjourned at 7:35 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council