

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MARCH 19, 2009 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, Fire Chief Don Clickner, David Wheatley; Deputy City Clerk, Rosemary Nichols, Deputy General Manager, and Mark Gilchrist; Assessor/Bldg Inspector.

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

Before beginning the Council Meeting business Mayor Manning explained that on behalf of the Council of the City of Watervliet he would like to honor the Watervliet High School Wrestling Team. Mayor Manning read a proclamation recognizing the efforts of the Wrestling Team and the accomplishments. Mayor Manning then proclaimed March 19, 2009 as the Watervliet High School Wrestling Team Day in the City of Watervliet.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason; General Manager requested that Jim Verhagen address the Council on a personal issue. Mr. Verhagen wanted to thank the City Council for its support of the Halloween Night efforts in the DOME. Mr. Verhagen gave a detailed description of the activities that happens in the Halloween Night Haunted House. Mr. Verhagen named all the vendors that contribute to the Haunted House. Mr. Verhagen explained that there is absolutely no charge for the children to attend the Haunted House. Mr. Verhagen thanked all of the Department of Public Safety Police and Fire Departments for all of their assistance.

ITEM #2 – Mark Gleason; General Manager requested Ron Beruta of Honeywell Corporation to present a proposal to the City Council. Mr. Beruta explained that the City Council authorized his firm to do an efficiency study of the various municipal buildings the City owns. Mr. Beruta provided the City Council with a copy of the report which was completed by Honeywell. Mr. Beruta summarized for the Council the energy use for each building. Mr. Beruta discussed the energy use, heating systems and the construction of a pavilion with a solar roof. Mr. Beruta further explained that there would be ongoing performance measurement to be sure that the City was seeing a savings over the term of the agreement. If there was a continued shortfall Honeywell would cut a check to the City for the lack of savings projected. Mr. Beruta noted that with continuing changes of technology there could even be further energy savings down the line. Mr. Beruta stated that the investment in energy efficient measures would be 1.3 million dollars. There would be no capital outlay by the City, the project would be totally financed with tax exempt municipal leasing to finance 100% of the project finance cost. The lease would be paid off over time through the results in savings. Mr. Beruta is looking at a 15 year term with over 2 million dollars in savings.

Mr. Beruta projects rebates and subsidies from NYSERDA of nearly \$50,000.00. Mr. Beruta continues to keep his eye on Stimulus funding as money becomes available. The ongoing fees for maintenance and for verification will be \$315,000.00. If you net the numbers out over a 15 year term the City will actually be ahead \$300,000.00. What the City will have done by participating in this program would be improve the infrastructure, modernize systems, solar capability and the net of \$300,000.00. Mr. Beruta stated that this is a very attractive project which Honeywell is very happy to be a part of. Mayor Manning asked what the next step would be? Mr. Beruta explained that the agreement would need to be drafted then Honeywell could go forward with the project. Mayor Manning asked if the metering project was just commercial water meters. Mr. Beruta answered that it would be commercial with a limited number of residential meters. Mayor Manning stated that the Council will have the contracts for the next meeting for the Council's consideration. Councilman Diamond asked about the cost related to the picnic pavilion with the solar panels. Mr. Beruta answered by saying the majority of the cost is the solar panels with the structure being a small amount. This would be a special pavilion, not your typical pavilion similar to what exists now. Councilman Diamond asked if the area of the pavilion roof was large enough to support panels that would also power the lights in the park. Mr. Beruta stated that the panels would spin the meter backwards during the day due to the lights not being on and would benefit the park at night when the lights are on. Mr. Beruta noted that his company did look into LED lights for the existing lights in Hudson Shores Park. Corporation Counsel Yorden Huban asked what the process was to competitively bid the work which will be done for this project. Mr. Beruta responded by saying that there is specific energy performance contracts. The City's competitive bidding requirements are satisfied in the energy performance contract. There are specific contractors that Honeywell deals with for the specific needs for energy usage.

ITEM #3 – Mark Gleason; General Manager informed the Council that the newly formed Garden Committee has met twice over the past month. The Garden Committee will take responsibility for planning and maintaining flowers in parks, boulevards and entrances within the City. Mr. Gleason noted that Albany County Cooperative Extension staff will visit our parks with the committee members in order to test the soil and determine what flowers would be best to use. The committee will begin this process in May with the first project being in Veterans Park for the Memorial Day Parade. Mr. Gleason also noted that the Watervliet High School Character Education Club will be cleaning Veterans Park, the pool and 15th Street on Earth Day which is April 22, 2009.

ITEM #4 – Mark Gleason; General Manager informed the Council that the Capital Project Committee is nearing the end of its task to prioritize the Capital Projects for the City. Mr. Gleason explained that during the process any drinking water projects submitted for Stimulus Funding will at the maximum receive 25% for funding. The City was hoping that the projects would be 100% funded, this is not the case. Mr. Gleason further explained that in order for drinking water projects to get Stimulus Funding the project must be on the Drinking Water State Revolving Fund List. This is a list maintained by the NYS Department of Health.

The City has had projects on this list since 1997. The projects include the replacement of the Surge Towers on the transmission line and repairs to the Highland Club Storage Tank. The City is currently in the process of completing applications which will replace all of the other projects which will be on the list for eligible Stimulus Funding. These projects will not be eligible to be placed on the list until October 2009. Mayor Manning stated that receiving 25% funding would be much better than receiving no assistance at all.

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION NO. 8396 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the City of Watervliet will conduct public meetings on March 26, 2009 and April 1, 2009 to consider application for the NYS Office of Small Cities 2009 Community Development Block Grant Program in April 2009. Before voting Rosemary Nichols; Deputy General Manager and Director of Planning and Community Revitalization explained that the meetings will be similar to those conducted nearly one year ago when the City was working with a consultant to discuss the CDBG Comprehensive Application. The federal government and the state have modified their regulations so there are no longer comprehensive plan applications. The applications are now divided into four categories. The City needs to have discussion to see which way we want to go with the application process. An option would be to do a housing like is presently underway in the Port Schuyler section of the City. A second option would be to arrange for payment for infrastructure connections for individual homes who are low to moderate income levels. A third option would be to create a fund specifically directed to the combination of renovation of blighted and/or foreclosed homes for first time homebuyers or other kind of low income project. The fourth option would be a community infrastructure water and/or sewer project of not more than \$600,000.00. Ms. Nichols stated that the City needs a public discussion to meet the statutory requirements along with guidance from the public on which proposal would best fit the City needs. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8397 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley; City Clerk to advertise once in the official newspaper that the City of Watervliet will be accepting sealed bids on Monday, April 14, 2009 at 10:00 AM for the Eighth Avenue Water Improvement Project. Before voting Mark Gleason; General Manager explained that this project will replace 2900 feet of 4 and 6 inch cast iron water main. The replacement will take place on 8th Avenue from 10th to 15th Street and Avenue A from 15th Street to 16th Street. This project will improve service to 70 homes as well as 8 fire hydrants. Upon motion of

Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

Page Four

Council Meeting Minutes

March 19, 2009

RESOLUTION NO. 8398 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a consulting services agreement with Delark Solutions, 159 Delaware Avenue, Delmar, New York 12054, to provide human resources services and training to the City of Watervliet. Before voting Mark Gleason stated that this a ½ day training session for Department Head employees. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8399 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a contract with RE/MAX Premier, Frank Polsinello (Agent), 210 Washington Avenue Extension, Albany, New York 12205, for the period commencing April 1, 2009 to December 31, 2009. Before voting Mark Gleason; General Manager explained that this is a Realtor from Guilderland, NY to look into opportunities for the City to obtain property along the watershed. Mr. Gleason stated that the City is always looking for ways to protect our watershed. This Realtor will assist the City along this line. Mayor Manning noted that in the event that the Stimulus Package provides any environmental revolving funding, the City would like to have prioritized list together along with unofficial discussions already in place. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8400 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a license agreement with Thomas McDonald, 11 Edgewater Court, Watervliet, New York 12189, for temporary use and access of real property located adjacent to 648 Third Avenue, Watervliet, New York 12189. Before voting Rosemary Nichols; Deputy General Manager and Director of Planning and Community Revitalization explained that the City wants to re-establish a curve on the southeast corner of this intersection adjacent to the property on which Mr. McDonald proposes to install a seasonal ice cream business. The City owns a portion of property outside the public right of way and adjacent to the property which is the subject of a purchase contract. This agreement would allow temporary use of this property. Yorden Huban; Corporation Counsel noted that this was the most efficient way for temporary access to this area. Mr. Huban explained that the license agreement the City is entering into is revocable. At the City's discretion we can revoke the license and terminate the agreement. There is no monetary arrangement, though it does involve a lease. The consideration for the City's temporary revocable license is that the City be listed as "also insured" in the amount of \$1 million dollars on the insurance policy of the adjacent owner. If the City is going to eventually sell the property, such a sale must be done by advertising in accordance with General Municipal Law. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

NONE

Page Five
Council Meeting Minutes
March 19, 2009

Robert A. Fahr; Director of Finance informed the Council that New York State finally sent the final AIM (Aid Incentive to Municipalities) payment. Mr. Fahr explained that the amount of AIM money was \$13,000.00. The City will not be able to record this as a 2008 revenue as the money was received after February 2009. If there are any state cuts this money will go towards the shortfall which may have been budgeted.

Robert A. Fahr; Director of Finance informed the Council that the independent auditors from UHY will be here on April 13, 2009 for two weeks. The Annual Report is due on May 1, 2009. Mr. Fahr stated that the budget year 2009 will be completely different as there are so many unanswered financial questions. The Sales Tax payment will be received the third week in April. Albany County figures that a 6% reduction for the next quarter. The City budgeted the same amount as in 2008, which give us a cushion should there be a shortfall in revenue.

Councilman Charles Diamond announced that the Keep Vliet Neat day will be held on Saturday, April 18, 2009 from 10:00 AM until 12:00 noon. Councilman Diamond noted that anyone interested to meet at the DOME.

Councilman Charles Diamond stated that the boarded up buildings look very bad and are very unsafe for children and the community. Councilman Diamond requested that some one look into this issue.

Councilman Diamond discussed Jim Verhagen's Haunted House. Councilman Diamond feels strongly that the City should say Thank you to Mr. Verhagen and his committee for doing such a fine job.

Councilman Diamond provided Corporation Counsel Yorden Huban with a letter from a resident regarding recreational vehicles, buses and trailers being parked in front of their house. Councilman Diamond then read a portion of the letter regarding other municipalities parking regulations. Councilman Diamond hopes that the Corporation Council, City Manager and the Police Chief can review this situation and remedy what could be a major problem in the City. Mayor Manning explained that this subject has been brought up before. Mayor Manning further explained that a lot of companies allow their drivers to bring the vehicles home with them.

Page Six
Council Meeting Minutes
March 19, 2009

PUBLIC COMMENT PERIOD

Councilman Diamond announced that on behalf of the Kid's Count Program there are five one thousand dollar scholarships available for a senior at Watervliet High School. The application to apply for the scholarship must be submitted by April 10, 2009.

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 to adjourn into Executive Session, the meeting was adjourned at 7:35 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION
OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MARCH 19, 2009**

The Executive Session was called to order by Mayor Michael P. Manning at 7:45 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 Huban; Corporation Counsel, Bruce A. Hidley; City Clerk and Clerk to the Council, Fire Chief Don Clickner, Police Chief Ron Boisvert and Alaina LaFerriere; Law Clerk.

ITEM #1 – Mark Gleason discussed in detail with the Council regarding the status of the Civil Service Employees Association contract proposal.

ITEM #2 – Mark Gleason provided the Council with an update on the negotiations with the Police Benevolent Association.

There being no further business to come before the Council in Executive Session, a motion was made and seconded for adjournment of the Executive Session. The Executive Session meeting was adjourned at 8:05 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council

