

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, APRIL 2, 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 and Councilwoman Ellen R. Fogarty were present. Councilman Charles J. Diamond was excused.

Also present from City Administration were: Mark Gleason; General Manager, Yorden C. Huban; Corporation Counsel, Fire Chief Don Clickner, Police Chief Ron Boisvert 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 Girls Varsity Basketball Team. Mayor Manning read a proclamation recognizing the efforts of the Girls Basketball Team along with their accomplishments. Mayor Manning then proclaimed April 2, 2009, as the Watervliet High School Girls Varsity Basketball Team Day in the City of Watervliet.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason; General Manager requested Police Chief Ron Boisvert to address the Council. Police Chief Boisvert explained to the Council that he has been informed by Albany County Sheriff James Campbell that the City of Watervliet Police Department is eligible for funding in the amount of \$19,417.00 under the Edward Byrne Memorial Justice Grant which is part of the Obama Recovery Act Initiative. Chief Boisvert explained that under this grant proposal all county public safety agencies meeting crime reporting criteria are eligible for this funding. Chief Boisvert noted that the City of Watervliet has met the applicable criteria for this grant. Through meetings for this funding it was mutually agreed that the Albany County Sheriffs Office would administer this grant application. Chief Boisvert stated that the funds received may be used by each municipality as deemed appropriate for public safety enhancements. As part of the agreement it was mutually agreed by all entities that each eligible entity would re-distribute 5% of their total award to the general fund. The re-distributed money will be allocated to three municipalities that did not receive funding. The agencies that did not meet the funding criteria include Green Island, Menands and the Altamont Police Department. Police Chief Boisvert noted that this will reduce the City's award to \$18,446.00. Chief Boisvert still feels that this is a very fair deal. As part of the grant application process Chief Boisvert is required to notify the Council of the process and to present a Resolution for their approval that the City allows the Albany County Sheriff's Department to administer the application and that the City will accept the funding for its intended use. Chief Boisvert further explained that once all of the municipalities have complied with their requirements, Sheriff Campbell will be required to present the grant application to the Albany County Legislature. It is anticipated that these funds will be available late summer or early fall. Chief Boisvert requested that the Council pass this Resolution tonight.

ITEM #2 – Mark Gleason; General Manager explained that on Tuesday, March 31, 2009, Dave Dressel, Fire Chief Don Clickner and Christine Chartrand met with Walter Lutz of the NYS Emergency Management Office with regard to the damage from the December 11, 2008 ice storm. Mr. Gleason noted that Mr. Lutz assessed the damage from the storm and observed the City's cleanup from the storm damage. Mr. Gleason stated that the City will request reimbursement for up to \$30,000.00. The reimbursement will be for man hours related to the ice storm, such as the cleanup and any security as well as the equipment used for the cleanup. The City should expect reimbursement sometime in the summer. Mr. Gleason thanked DPW Supervisor Dave Dressel, Fire Chief Don Clickner, Police Chief Ron Boisvert and Assistant to the Mayor Christine Chartrand for their diligent work in securing the FEMA reimbursement.

ITEM #3 – Mark Gleason; General Manager informed the Council that he attended a Solid Waste Management Partnership meeting on March 17, 2009. Mr. Gleason noted that the meeting discussed the viability of forming a Solid Waste Authority and the subject of flow control. Mr. Gleason explained that both of these subjects go hand in hand that is why they covered them in the same meeting. Mr. Gleason further explained that setting up an Authority would require state legislative action. Currently, the City belongs to the Partnership which the City can leave the Partnership at any time if the City chooses. If the Partnership turns into an Authority the City loses the right to leave anytime it wants. Once you are in the Authority it takes state legislative action to take a municipality out of the Authority. Mr. Gleason stated that Flow Control is a converse issue that involves entities such as Authorities with municipalities directing where solid waste should go. If the Partnership were to form an authority, if they stated that all the garbage must go to the Colonie landfill that would be an example of Flow Control. Flow Control laws have been struck down by the Supreme Court twice in 1978 and 1994. Some form of flow control is important to a solid waste facility. Any type of incinerator or landfill needs to have a steady flow of solid waste through the facility to be cost effective. The point that was being brought out was that the Authority will have to figure out some form of flow control in order to viable. The Partnership has been moving the meetings around to all of the communities in the Partnership. Mr. Gleason noted that the City of Watervliet will host the next meeting on Thursday, April 23, 2009 at 4:00 PM in the J. Leo O'Brien Facility.

ITEM #4 – Mark Gleason; General Manager informed the Council that the Sanitation Department has moved out of the DOME. The Sanitation Department is now located next to the Department of Public Works Highway Garage. The Sanitation now has a trailer to work out of and will park the trucks in the DPW yard area. Mr. Gleason also reminded the residents that the Bulk Item cleanup week will begin on April 13 and run through April 17. Resident must put out their bulk items on the same day as their regular garbage pickup. Bulk Item can't exceed a 4' high by 4' wide by 8' long area.

ITEM #5 – Mark Gleason; General Manager informed the Council that the NYS Budget is in the final process of being adopted. Mr. Gleason stated that the AIMS funding which is the City's state aid have been maintained at its current level. Any proposed cuts to the Consolidated Highway Improvement Fund (CHIPS) have been restored to the budget. The City of Watervliet relies heavily on the amount of money received in funding from these two programs. Mr. Gleason thanked Robert A. Fahr; Director of Finance for his foresight and craftsmanship for putting together the 2009 budget. Through Mr. Fahr's diligent work he has assured that the residents of the City will not get cut short from the 2009 – 2010 state budget.

ITEM #6 – Robert A. Fahr; Director of Finance explained to the Council that he had an almost two hour interview with Moody's Investor Service this morning regarding the City's bond rating. Mr. Fahr reported that some of the subjects included the current fund balance, how the City will take care of the short fall in projected mortgage tax revenue, sales tax revenue, and the fund balance. The City is nearly at a 9% fund balance, the fund balance needs to be around 10%. Any amount above the 10% will be allocated to reduce a tax increase down the road. Mr. Fahr informed the Council that the interview this morning went very well. Mr. Fahr stated that Moody's Investment Service should report back to the City within the next couple of months. Mr. Fahr also stated that Moody's would like to interview with Rosemary Nichols regarding the Comprehensive Plan, Arsenal relationship and possible PILOT payments from the Arsenal. Mr. Fahr hopes to have good news for the Council within a couple of months. Mayor Manning asked if the response from Moody's would be the bond rating. Mr. Fahr responded by saying yes. Mayor Manning asked when the new bond rating would take effect. Mr. Fahr stated that it would take place when the City needs to bond again, currently the City is at a BBB- with a stable outlook it is hoped the City will bump up a couple of notches. This will lower our bond rating.

ITEM #7 – Bruce A. Hidley; City Clerk informed the Council and those residents in attendance that the Council Meeting for May 7, 2009 would be cancelled due to a Department of Recreation concert event scheduled at the Watervliet High School. The May 7, 2009 City Council Meeting will be re-scheduled for April 30, 2009. Mr. Hidley noted that the Council schedule will be April 16, April 30 then May 21, 2009.

ITEM #8 – Mark Gleason; General Manager on behalf of Councilman Diamond announced that the Keep Vliet Neat day is scheduled for Saturday, April 18, 2009 at 10:00 AM. Participants are requested to meet at City Hall and will be assigned to a specific area of the City. Mayor Manning noted that this is an excellent way to cleanup the City and wisk away the remnants of old man winter.

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION NO. 8401 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to complete and sign the determination of significance confirming the Negative Declaration and is further authorized to execute on behalf of the Watervliet Housing Authority the Request for Release of Funds and certification. Before voting Mark Gleason; General Manager noted that the City as a lead agency declares that the Watervliet Housing Authority has had no negative impact on the environment as far as capital improvements projects. Mayor Manning asked if the Housing Authority would be getting Stimulus funding. Mr. Gleason noted that Housing Authority was hoping to receive Stimulus Funding for their needs. Upon motion of Mayor Manning, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8402 – 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 sell two vehicles of no longer use for City purposes. Mark Gleason; General Manager stated that these two vehicles are the old Fire Chief car and the old Building Department car. Mayor Manning asked how much he figured to receive for the vehicles. Mr. Gleason noted that the vehicles weren't worth that much due to age and mileage. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning, this Resolution was approved and adopted.

RESOLUTION NO. 8403 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Albany County for grant funding through the Edward Byrne Memorial Justice Grant. Upon motion of Mayor Manning, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

NONE

Robert A. Fahr; Director of Finance informed the Council that hopefully he will have the 1st quarter Sales Tax figure to report to the Council. Mayor Manning asked if the independent auditors were coming. Mr. Fahr noted that the auditors will begin on Monday, April 13, 2009 and will be in City Hall for approximately two weeks.

Before moving on to the Public Comment period Mayor Manning wanted to update all in attendance on a couple of issues.

Mayor Manning explained that the ambulance through March 2009 had 223 transports.

The City did get approval from all the state agencies to put the docks in the water at Hudson Shores Park. The City is awaiting approval from the Army Corp of Engineers which has responsibility for title waters in the country. There is still some property that was never transferred from the State to the City. The Army Corp would like to have this taken care of or at least a document showing that it will be taken care of before they give us approval. Mayor Manning noted that the City will be moving along to put the docks in the water and probably a facility will follow next year. This will allow the City to have vessels come up for the Quadricentennial on June 14, 2009. The City did receive a \$32,000.00 from the Hudson Mohawk Greenway to assist with this program. The City will seek additional funding to proceed with the rest of the operational project. Mayor Manning concluded by stating that if any resident has any interest in participating with this project you are to contact Director of Recreation Diane Conroy-Lacivita.

Mayor Manning explained that on May 7, 2009, the City will host the Army Material Command Band. This is a professional 25 piece band that will play at Watervliet High School. There will be a picnic dinner at Hudson Shores Park for the participants of the Army Band to welcome them to our City. This event is free of charge for all to attend.

PUBLIC COMMENT PERIOD

NONE.

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, and the meeting was adjourned at 7:35 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council