

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, APRIL 16, 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, Rosemary Nichols; Deputy General Manager of Planning and Economic Development, Bruce A. Hidley; City Clerk and Clerk to the Council, 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.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason; General Manager informed the Council that Thursday, April 16, 2009 was the last day for the City of Watervliet spring cleanup week. Mr. Gleason noted that 159,000 tons of bulk item debris was picked up this week. Last fall the City picked up 163,000 tons of bulk item debris. Mr. Gleason thanked Chris Daus, Sanitation Supervisor along with his staff for the great job they did. Additionally, Mr. Gleason thanked Dave Dressel and the Highway Department staff for their assistance. With the assistance of the DPW staff the City was able to keep overtime at a minimal amount. Mr. Gleason will have the final cost numbers for the bulk item pick up at a later City Council Meeting. Mr. Gleason suggested that sometime in the summer the staff conduct a workshop to fine tune the current plan for picking up debris in the fall.

ITEM #2 – Mark Gleason; General Manager informed the Council that the Department of Public Works Water Department will begin the City of Watervliet Spring Flushing Program on Monday, April 20, 2009. The Spring Flushing will be ongoing until June 1, 2009. Mr. Gleason explained that residents may experience discoloration of the water while lines are being flushed on their particular block. Mr. Gleason requested that if the discoloration continues run the water for approximately 5 minutes. If the discoloration still continues, residents should contact the Water Department for assistance.

ITEM #3 – Mark Gleason; General Manager requested that the Council address a situation involving our summer employment. Mr. Gleason explained that the City's vehicle policy states that City employees must be 21 years of age in order to operate a vehicle. Mr. Gleason noted that there is a problem with the summer hiring cycle employees that turn 21 years of age no longer work for the City's part time positions. The City currently has a group of summer employees who are over 18 years old but not 21 years old. Mr. Gleason is requesting that the Council consider revisiting the vehicle policy to allow persons aged 18 years or older to drive light duty vehicles.

Mr. Gleason stated that we do not want employees at 18 years old driving our heavy duty trucks. Mr. Gleason further stated that Bruce A. Hidley; City Clerk researched this issue with R. J. Carignan Insurance Co. the City's carrier who noted that there are no provisions in the policy that would not allow us to do this. Additionally, Yorden Huban; Corporation Counsel also did not express any problems with this issue. Mr. Gleason requested that the Council approve this change in vehicle policy prior to the summer employment beginning. Councilman Diamond requested that for next year the City take a look at the calendar for spring cleanup as residents were hesitant to place items out on Easter Sunday. Mr. Gleason responded by saying that this date was picked because the City would be able to hire students off for the Easter break. Christopher Daus; Sanitation Supervisor has requested that the fall pick up be moved to September rather than October.

OLD BUSINESS

NONE

NEW BUSINESS

ORDINANCE NO. 1843 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinances, City of Watervliet, Chapter 209, Parks and recreation be amended. Before voting Mark Gleason; General Manager explained that this Ordinance will lift the law which will allow resident to bring dogs in Pershing Green Park. There is a movement by the residents in the neighborhood to return the park to a Memorial Park. Mr. Gleason stated that this park is named after General Jack Black Pershing who is a war hero. Dogs will be allowed to continue to walk in Hudson Shores Park. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

ORDINANCE NO. 1844 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinances, City of Watervliet, be amended by adding a new Chapter to be known as Chapter 277, "Public Access to Records of the City of Watervliet". Before voting Yorden Huban; Corporation Council stated that this Ordinance was drafted to make it easier regarding the procedure and regulation for the Freedom of Information Law requests (F.O.I.L.). Mr. Huban also stated that there have been some changes to the F.O.I.L. which also has been updated in this Ordinance. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

ORDINANCE NO. 1845 – An Ordinance of the City of Watervliet, New York providing that Chapter 260, Section 260-46 of the Code of Ordinances be amended. Before voting Mayor Manning explained that this is a Stop Sign being placed on 8th Avenue and 11th Street coming up from the A.O.H. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

ORDINANCE NO. 1846 – An Ordinance of the City of Watervliet, New York providing that Chapter 260, Section 260-48 of the Code of Ordinances be amended. Before voting Mark Gleason explained that this Ordinance will place a 5 ton weight restriction for vehicles on 23rd Street from 2nd Avenue to 5th Avenue. Mayor Manning noted that the City is getting trucks coming off of I787 going up 23rd Street with no where to go. The drivers are making turns on 4th and 5th Avenue riding up on resident lawns. With this Ordinance in place the City will try to route the trucks up 25th Street. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

RESOLUTION NO. 8405 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute any contract agreement with the Office for Small Cities and receive a grant for Community Development purposes. Before voting Mayor Manning explained that this is an application for CDBG money for infrastructure work. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8406 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with River Street Planning & Development, LLC, for the performance of consulting services in connection with the Comprehensive Plan for the City of Watervliet. Before voting Mayor Manning stated that the City just had an open meeting with the Comprehensive Plan Committee. The Comprehensive Plan Committee will work in conjunction with River Street and develop the City's first Comprehensive Plan. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8407 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Troy Architectural Program, PC for consulting services in connection with the 2008 Comprehensive Community Development Block Grant previously received by the City of Watervliet. Before voting Rosemary Nichols; Deputy General Manager of Economic Development and Planning explained that the next two Resolutions are closely related. The City already has the money for the 2008 Comprehensive Community Development Block Grant. This grant is focused in the Port Schuyler portion of the City on 3rd Avenue. The next Resolution is to provide architectural services as part of the grant process for businesses that are upgrading their facades in both the CDBG and Main Street corridor. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8408 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Troy Architectural Program, PC for consulting services in connection with the application for and administration of a New York Main Street Grant by the City of Watervliet Local Development Corporation. Before voting Mayor Manning noted that Rosemary Nichols already provided the reason for this Resolution. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8409 – The Council of the City of Watervliet hereby approves the By-Laws of the City of Watervliet Local Development Corporation. Before voting Mayor Manning explained that by-laws need to be in place, the Watervliet Local Development Corporation has approved of the by-laws. The Council of the City of Watervliet also adopts the same by-laws for the Local Development Corporation. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8410 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an energy performance contract and support services agreement with Honeywell International, Inc., for an energy project for the City of Watervliet. Before voting Mark Gleason; General Manager explained that this contract will allow Honeywell International to begin phase 1 of the energy project which was discussed at the last Council Meeting. Mr. Gleason noted that the entire cost of the project will be 1.6 million dollars of which 1.3 million is the actual cost of the project and \$300,000.00 is for monitoring the energy usage and servicing the equipment. Mr. Gleason further explained that the entire cost of the project will be paid back by the energy savings achieved. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8411 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Enviro-Test, Inc. for consulting services in connection with the 2008 Comprehensive Community Development Block Grant. Before voting Rosemary Nichols; Deputy General Manager of Economic Development and Planning stated that this involves the other aspect of the Comprehensive Plan from 2008. The City is required to hire an authorized Risk Assessment Firm to do an analysis of the areas of the property the City anticipates to make improvements to. Ms. Nichols feels that the City is getting this required service for as little as the City can expect. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8412 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Peter Luizzi & Brothers, 49 Railroad Avenue, Albany, New York 12205 for Contract No. 64-2009, Eighth Avenue Water Improvement Project in the amount of \$405,508.00. Mark Gleason; General Manager explained that this is to replace approximately 2,900' of 4" and 6" cast iron mains with a new 8" main. Mr. Gleason noted that this project will improve water pressure for over 70 households along with 8 fire hydrants. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8413 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Municipal Leasing Consultants to finalize the financing of the Energy Performance Contract with Honeywell International, Inc., and further reauthorizes Mayor Michael P. Manning to execute any and all legal documents necessary to conclude the financing of such energy performance contract. Before voting Mark Gleason; General Manager explained that this Resolution is for the financing of the contract. Mayor Manning noted that Honeywell runs the project then manages the contract afterwards. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Robert A. Fahr; Director of Finance explained to the Council that he left a chart of the Sales tax collection from 2006 thru the 1st quarter of 2009. Mr. Fahr noted the amount received for the 1st quarter of 2009 was \$771,000.00, a reduction of nearly 7% from the 1st quarter in 2008. The City is very close to the 25% quarterly payment. The City needs to watch this very closely, it's hard to project what will happen from now till the end of the year. Mr. Fahr stated that the City has a very healthy fund balance and that the City can tap into the fund balance if necessary. Over the last four years budget the City has placed the same amount into the budget. The reason was to increase the fund balance for this purpose. Mr. Fahr further explained that there are a lot of variations in the payments which makes it very difficult to come up with a firm figure. Mr. Fahr concluded by stating that he will continue to update the Council every three months on this tax issue.

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 City will have an announcement regarding the activities which will happen in Hudson Shores Park. There will be a press release to be held at the park on Friday, April 24, 2009 at 11:00 AM.

Mayor Manning explained that the Council Meeting scheduled for May 7, 2009 has been cancelled and re-scheduled for April 30, 2009. The meeting was changed due to a City event being held at the Watervliet High School on May 7, 2009. The City will be hosting the Army Band for a concert that night.

Councilman Charles J. Diamond announced his Keep Vliet Neat Day which will be held on Saturday, April 18, 2009. Councilman Diamond requested that all interested parties meet at City Hall. It was also requested that participants bring rakes and other cleaning items. After the cleanup there will be refreshments available. Councilman Diamond noted that the cleanup will focus in the parks and along the fence of I787.

Mayor Manning explained that at a meeting in March, Councilman Diamond brought in a letter regarding an issue with vehicles other than cars taking up more space than a car does. Mayor Manning noted that the layouts of our streets are a problem with this issue. The City has taken a look at our surrounding communities and what they are doing that way the City can see what it can and can't do. All things are being considered and a strategy will be rolled out not just blindly follow other communities but what is good for the City of Watervliet.

Bruce A. Hidley announced that the summer employment applications are available effective Friday, April 17, 2009. Mayor Manning asked if college students would be allowed to start sooner than the high school students. Mark Gleason noted that the City employs college students starting in May when they complete their classes.

PUBLIC COMMENT PERIOD

Erin Franco – 1915 8th Avenue – Watervliet, New York – Ms. Franco informed the Council that the Neighborhood Watch Committee is holding its meetings at the First Presbyterian Church. The Neighborhood Watch Committee will be adopting Clinton Park this summer as its project to keep clean. The committee will hold its picnic again this year in Clinton Park on June 6, 2009. There will be a rain date scheduled for June 20, 2009. Ms. Franco explained that Girl Scouts are planning on attending the Keep Vliet Neat Day. Ms. Franco noted that while taking morning walks she is finding glass all over the intersections and on sidewalks. Mark Gleason; General Manager noted that the City is responsible for maintaining the streets and intersections of glass and debris. Mr. Gleason requested that Ms. Franco contact his office when she finds these areas that need this type of attention. Ms. Franco discussed a horse trailer type of vehicle parked on Twenty Third Street that is taking up parking. Ms. Franco discussed a two unit home on 9th Avenue that has twelve vehicles which she feels is a bit excessive.

Jennifer Marsh – 1529 3rd Avenue – Watervliet, New York – Ms. Marsh explained to the Council that her neighborhood also has a parking problem. Ms. Marsh noted that she feels that the City should put parking lines on the streets. The streets are so over crowded and that this situation is only going to get worse. Mayor Manning explained that the City is trying to address this issue and that painting lines on the streets would not be an option. The City will look into buses, trailers and larger trucks parking on the streets. As soon as the City has an idea of what to do regarding this issue, the Mayor will update the Council and residents.

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 7:40 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council