

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JUNE 18, 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 Economic Development and Planning, Bruce A. Hidley; City Clerk and Clerk to the Council, Robert A. Fahr; Director of Finance, Police Chief Ron Boisvert and Mark R. 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 the Federal Regulatory Commission (FERC) performed the annual inspection of the Hydroelectric Facility Dam in Guilderland, NY. Mr. Gleason noted that the structure was inspected and the operational records were reviewed. Mr. Gleason explained that there were some minor items which were brought to the City's attention which included brush clearing which was blocking camera angles. The City will have a full report from FERC by the end of the summer.

ITEM #2 – Mark Gleason, General Manager, informed the Council that the 2008 Water Report has been completed and distributed to City residents. Mr. Gleason noted that the Water Report is also located in the Library and on the City's website.

ITEM #3 – Mark Gleason, General Manager, informed the Council that the Department of Public Works is working on placing the docks for non-motorized boating in Hudson Shores Park. Mr. Gleason explained that there are some adjustments being made as to connecting the docks to the shoreline. Mr. Gleason stated that he hopes the docks are in place within the next couple of weeks.

ITEM #4 – Mark Gleason, General Manager, informed the Council that the Quadricentennial was a tremendous success. Mr. Gleason thanked all the volunteers who worked that day to make the celebration the success it was. Mr. Gleason wanted on record that Diane Conroy-LaCivita; Director of recreation and Cultural Affairs deserves congratulations for putting this very successful event together. Mr. Gleason noted that the event was highlighted by the sharing of gifts and proclamations in recognition of the City's future plans of cooperation with our Sister City Watervliet, Belgium. Mr. Gleason also thanked the Police, Fire, DPW and Sanitation Departments for pitching in to assist that day. Mr. Gleason concluded by stating that discussions are taking place to perhaps make this celebration of the Hudson River an annual event.

ITEM #5 – Mark Gleason, General Manager, informed the Council that he attended the 19th Street Reconstruction bid meeting at Clough Harbour Associates. Mr. Gleason noted that Joe Cimino, Project Manager reviewed the bid plans and documents with the contractors that attended. Mr. Gleason noted that the 19th Street Reconstruction bids will be opened on Monday, June 29, 2009. Mr. Gleason explained that Clough Harbour Associates will review the bid before forwarding their recommendation to the Department of Transportation (D.O.T.). Once D.O.T. receives the recommendation it will take approximately three weeks to review the award. If all goes well with the bid award process it looks as if the project could begin sometime in August. Mr. Gleason further explained that a General Contractor meeting will be held with residents and businesses in the 19th Street corridor once the General Contractor has been hired. At this meeting the replacement of resident water laterals will be discussed.

OLD BUSINESS

NONE

Before beginning the City's New Business portion of the Council Meeting Mayor Manning requested one of our City residents Sergeant Michael Broderick to come forward. On behalf of the Council and all of the residents of the City of Watervliet Mayor Manning presented Sgt. Broderick with a plaque thanking him for his service to our country in Iraq. Mayor Manning then welcomed Sgt. Broderick home and again thanked his for his service to our country.

NEW BUSINESS

ORDINANCE NO. 1847 – An Ordinance of the City of Watervliet providing that Chapter 209, Park and Recreation, Section 209-10, Conduct of Patrons, of the Code of the City of Watervliet be amended. Before voting Mark Gleason, General Manager, explained that this is the first step in eliminating the geese problem in Hudson Shores Park. This will allow the City to post signs for **NO FEEDING THE GEESE, SWANS, DUCKS OR ANY BIRDS SPECIES.** Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

RESOLUTION NO. 8442 – The Council of the City of Watervliet hereby approves the agreement between the City of Watervliet and the Delaware and Hudson Railway Company pertaining to the 19th Street Reconstruction Project and further authorizes Mayor Michael P. Manning to execute the agreement. Before voting Mark Gleason, General Manager, explained that this Resolution will allow the City access to the land owned by the railroad during the 19th Street Reconstruction Project. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8443 – The Council of the City of Watervliet hereby approves Change Order No. 1 as modification to the Honeywell Agreement for the installation of Phase I of the Energy Project and further authorizes Mayor Michael P. Manning to execute the agreement. Before voting Mark Gleason, General Manager, explained that will allow the City to begin the Energy Project. This portion of the project will cost approximately \$300,000.00 which will include the installation of water meters in certain residential homes, boiler in the basement and window treatment. A discussion also followed regarding the solar pavilion in Hudson Shores Park. Also, the placement of the solar pavilion was discussed, possibly in the south end of the park. Councilman Diamond requested further information related to the solar pavilion when this portion of the project continues. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8444 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to terminate the 2009 Animal Shelter Agreement between the City of Watervliet and the Mohawk and Hudson River Humane Society and approving the 2009 Animal Shelter between the City of Watervliet and Latham Animal Hospital and further authorizes Mayor Michael P. Manning to execute the agreement. Before voting mark Gleason, General Manager, explained that the Mohawk and Hudson River Humane Society charges the City \$300.00 to take in a dog. Latham Animal Hospital only charges \$24.00 per day for dogs and \$17.00 per day for cats. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8445 – The Council of the City of Watervliet hereby proclaims that Watervliet, Belgium to be the Sister City of the City of Watervliet. Mayor Manning explained that this Resolution will formally adopt Watervliet, Belgium as our Sister City. Mayor Manning noted that this is the second City adopted as the City of Watervliet's Sister City. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8446 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to enter into an agreement with the Saratoga Rowing Association to implement a Learn to Row program at Hudson Shores Park for an amount not to exceed \$5,000.00. Before voting Mark Gleason, General Manager, explained that this Resolution has to do with the docks in Hudson Shores Park. The City would like to host an open row program along with a rowing camp. These programs will be free to Watervliet residents and there will be a charge for non-residents who wish to participate. Mr. Gleason noted that this would be an outstanding opportunity for people to learn a new sport. Councilman Diamond asked who else the City could approach for the Learn to Row program. Councilman Diamond stated that the Albany Rowing Club has a Learn to Row program on different nights. Mayor Manning noted that the City did contact Albany Rowing regarding this program. Albany Rowing did offer the City to come to their place in Albany but not to Hudson Shores Park. Mayor Manning further explained that Saratoga Rowing Association would provide boats, leaving the boats throughout the event and providing launches and instructors to do it from our facility. Councilman Diamond asked if this was all free for Watervliet residents. Mayor Manning stated yes. Councilman Diamond then focused his thoughts on the cost of running the camp for this many weeks. Councilman Diamond asked what the price from the Albany Rowing Club was. Mayor Manning stated that Albany Rowing did not offer a price to the City. Councilman Diamond is trying to get an idea as to whether \$5,000.00 is too much or too little. Councilwoman Fogarty asked if the money for this program was coming from money already budgeted in the Summer Recreation Account. Mayor Manning responded by saying that Diane Conroy-LaCivita would be willing to solicit corporate sponsors as needed. Councilman Diamond stated that he would like to have a representative here tonight to answer questions. Mayor Manning reminded the Council that this Recreation Program would hinge on the docks being put in place. Councilman Diamond is willing to vote for \$2,500.00 of the money. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was defeated.

RESOLUTION NO. 8447 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to enter into an agreement with Energetix, an Energy Services Company, as its exclusive agent to supply natural gas for identified City of Watervliet facilities. Before voting Mark Gleason, General Manager, explained that this will allow the City of Watervliet to purchase its energy on the open market. Mr. Gleason noted that the City started this program last year. The City saved over \$3,600.00 by purchasing on the open market rather than through National Grid. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8451 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to enter into an agreement with the Saratoga Rowing Association to implement a Learn to Row Program at Hudson Shores Park for an amount not to exceed \$2,500.00. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8448 – The Council of the City of Watervliet hereby authorizes not to exceed \$110,877.00 aggregate principal amount of Serial General Obligation Bonds to finance the acquisition of a 2008 PI Medallion Ford EA450 Ambulance. Before voting Robert A. Fahr, Director of Finance, explained that the next three Resolutions are just for the financing for the purchase of the ambulance, pumper and the aerial platform truck. These vehicles will be delivered within the next six weeks. Councilman Diamond asked why he didn't consolidate two of the Resolutions concerning the fire vehicles. Mr. Fahr responded by saying that each Resolution has a different probable useful life for the vehicles. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8449 – The Council of the City of Watervliet hereby authorizes not to exceed \$209,196.00 aggregate principal amount of Serial General Obligation Bonds to finance the acquisition of a 2009 International Sutphen Custom C1 Pumper. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8450 – The Council of the City of Watervliet hereby authorizes not to exceed \$859,890.00 aggregate principal amount of Serial General Obligation Bonds to finance the acquisition of a 2010 SP95 Aerial Platform Fire Truck. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

Robert A. Fahr; Director of Finance explained that he distributed the Annual Report from the Auditor's for 2008. Mr. Fahr noted that the General Fund balance was \$831,000.00. That figure is up from the \$436,000.00 in the beginning of 2008.

Mayor Manning explained that the City has had a meeting with CEG who acts as the ambulance service third party billing company. Mr. Fahr noted that it will take some time before the larger amount of money come from insurance companies. To date the City has collected \$45,000.00 in total revenue from the ambulance. The City budgeted a total of \$150,000.00 for ambulance revenue. Mr. Fahr feels that everything is going very well with the ambulance revenue.

PUBLIC COMMENT PERIOD

John Kenney – 1900 12th Avenue – Watervliet, New York – Mr. Kenney on behalf of the Historical Society commended the Council for holding its Council Meetings in the church. Mr. Kenney feels that this church is a jewel which the City has right in its backyard. Mr. Kenney discussed a situation where his dog was killed in a mauling and he was bit six times during the same incident. Mr. Kenney requested that the Council consider appointing a committee to look at the Ordinances pertaining to animals within the City limits. Mr. Kenney has spoken to Mr. Gleason about doing a dog census in the City. Mr. Kenney feels that there are a great deal of dogs that are not licensed in the City. Mr. Kenney noted that licensed dogs must have up to date rabies vaccination shots which the City keeps track of. The City is compromising itself by having unregistered dogs in the City. Mr. Kenney noted that when an incident such as this happens that the dog should automatically be confined until it is determined whether the dog is considered vicious or dangerous. Mr. Kenney is not only concerned about the welfare of people walking dogs but also of the possibility of the dog attacking a human.

Marcia Dill – 1109 6th Avenue – Watervliet, New York – Ms. Dill stated that she has two dogs which were attacked by a pitbull over by 4th Avenue and 14th Street nearly a week ago. Ms. Dill explained that she had to restrain the pitbull while holding on to her own dog while waiting for some assistance. Ms. Dill stated that the same problem happened a second time within minutes of the first instance. Ms. Dill noted that she spoke with the Animal Control Officer regarding these instances. Ms. Dill stated that she is willing to assist Mr. Kenney with any committee. Ms. Dill concluded by saying that she is afraid to walk her dogs in the City.

John McAvoy – 913 – 19th Street – Watervliet, New York – Mr. McAvoy noted that he attended the Council Meeting on June 4th to voice his concern and suggestion regarding a program the City is involved with. Mr. McAvoy thanked the Council for listening to the concerns he had regarding the program he discussed. Mr. McAvoy made an appointment after the meeting with Mark Gleason; General Manager to further discuss his suggestions and concerns. Mr. Gleason and Mr. McAvoy did discuss the suggestions for the improvement of the program in this wonderful City. Upon exiting Mr. Gleason's office Mr. McAvoy stated that he ran into Rosemary Nichols; Deputy General Manager of Economic Development and Planning. Mr. McAvoy noted that Ms. Nichols made a derogatory remark to him in the hallway. Mr. McAvoy asked if Mr. Gleason heard the remark at this point Mr. Gleason apologized on behalf of the City. Mr. McAvoy was shocked and humiliated and did not feel he deserved that kind of public disrespect. Mr. McAvoy emphasized that his comments were only recommendations he was making to streamline the process. Mr. McAvoy stated that it is upsetting to him that his suggestions are taken as attacks. Mr. McAvoy was only looking to be heard to show that he cares about the City and its residents. Mr. McAvoy went on record to say that he is not looking to make any employee's job any harder or cause any problems for employees of the City.

Mr. McAvoy believes that there can be improvements made to the bidding process so that it can be fair to all contractors including the homeowners. Mr. McAvoy feels that he has a lot of insight and knowledge in this field. Mr. McAvoy thanked the Council along with Mark Gleason, General Manager, for their outstanding commitment to improving the quality of life in the City. Mayor Manning stated that as was done in the last meeting the City Administration will take his suggestions under advisement.

Don Whitehead – 1921 8th Avenue – Watervliet, New York – discussed the entrance gate at the end of the walkway in Hudson Shore Park. Mr. Whitehead explained that this entrance still has a padlock and chain on it. This is not accessible for people who are walking into the park.

Mr. Whitehead also discussed the restrooms in Hudson Shores Park. Mr. Whitehead questioned whether the bathrooms should be open during the day as there is no facility available in the park. Mayor Manning explained that the restrooms are part of the pavilion rental fee. Mark Gleason, General Manager, explained that he does not know why the gate is locked but assured Mr. Whitehead that the entrance will be opened tomorrow. Mr. Kenney also expressed his concerns with opening the bathrooms when the park is not in official use due to previous problems.

Councilman Diamond noted that Councilwoman Fogarty and himself attended the picnic in Clinton Park in June. Councilman Diamond stated that every individual who worked on this picnic did a very good job. Councilman Diamond hopes that the City can expand upon an event such as this. Councilman Diamond then thanked all who participated to make this a successful event.

There 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 the meeting was adjourned at 7:50 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council