

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, SEPTEMBER 3, 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, Fire Chief Don Clickner and Mark R. Gilchrist; Assessor/Bldg. Inspector.

A motion was made and seconded to dispense with minutes from the previous Council Meeting until completed by the City Clerk for the September 17, 2009 meeting.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Bruce A. Hidley, City Clerk, informed the Council that on behalf of General Manager Mark Gleason who is in vacation for this meeting that he has one item to report on. Mr. Hidley informed the Council that the Bulk Item Day will begin on Monday, October 5, 2009. Mr. Hidley noted that the bulk items are to be placed out on the regular garbage pick up day. The bulk items must be no more than 4'x4'x8'. Mr. Hidley further explained that there are items which will not be picked up, these items include electronics, air conditioners, batteries/hazardous materials, tires and televisions. The Bulk Item Day will run from October 5 thru October 8. Mr. Hidley concluded by noting that residents are encouraged to contact the Sanitation Department at 270-5093 with any questions related to the Bulk Item day pickup.

OLD BUSINESS

ITEM #1 – Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained to the Council that in their packets tonight is a report which shows the boarded up building in the City of Watervliet. Ms. Nichols noted that this was done as a follow up to Councilman Diamond's discussion on boarded up buildings at the August 27, 2009 City Council Meeting. Ms. Nichols then went through and discussed each of the pictures of the locations that are boarded up. Mayor Manning asked Mark Gilchrist, Assessor/Building Inspector if there were any vacant non-boarded up buildings in the City. Mr. Gilchrist responded by saying that there other buildings in the City which are vacant but not boarded up. Ms. Nichols explained that the other item the Planning Department is working on is the identification of large vacant or soon to be vacant structures in the City. Ms. Nichols noted that this way the City can be proactively involved before the buildings deteriorate. Councilman Diamond stated that the City should be aggressive with the owners of the boarded up buildings. Councilman Diamond feels that the owners most of whom are absentee landlords should have to place glass in the windows.

Councilman Diamond stated that if the glass gets broken the homeowner should replace the broken glass immediately. Councilman Diamond feels that this is a quality of life issue for the neighbors whom live next to these boarded up buildings. Councilman Diamond feels strongly about doing something about the boarded up buildings in the City. He also feels that this poses a public safety issue for our Police and Fire Departments. Councilman Diamond thanked Rosemary Nichols and Mark Gilchrist for their report.

NEW BUSINESS

ORDINANCE NO. 1849 – An Ordinance of the City of Watervliet, New York providing that Chapter 134 (Burning, Outdoor) of the Code of Ordinances of the City of Watervliet be repealed. Before voting Yorden C. Huban explained that after researching the Code it was realized that this section of the Code is outdated. Mr. Huban noted that by repealing this section the next Ordinance which will be read if passed will take its place. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

ORDINANCE NO. 1850 – 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 135 “Outdoor Burning, Open Burning and Burning of Refuse”. Before voting Councilman Diamond requested that the use of artificial logs be included in this legislation. Yorden C. Huban, Corporation Counsel suggested that if the legislation is acceptable as written that the Council move forward and pass the Ordinance. Mr. Huban noted that if there are any additional items which needs to be added to the Ordinance that an amendment can be done at a later date. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

RESOLUTION NO. 8464 – The Council of the City of Watervliet hereby supports Reality Check’s Retail Tobacco Advertising and Smoke Free Movies Campaign in the City of Watervliet. Before voting Mayor Manning explained that this Resolution was created from the presentation of the three Watervliet High School students at the September 3, 2009 City Council Meeting. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8468 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley, City Clerk to advertise once in the official newspaper that sealed bids will be received until 10:00 AM on Tuesday, October 6, 2009, for the 1986 Sutphen Aerial Ladder Truck for the upset price of \$30,000.00. Before voting Mayor Manning explained that this is the sale of the old ladder truck which has been taken out of service and of no longer use for City purposes. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8469 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute any contract or agreement with the State Energy Program in connection with the application and his designee is further authorized to request and expend funds from the U.S. Government for the City wide Energy Retrofit and Conservation Program. Before voting Rosemary Nichols, Deputy General Manager of Planning and Economic Development explained that the City has been planning to conduct a comprehensive energy plan. Ms. Nichols noted that this is funding will assist the City to conduct a comprehensive energy plan to explore whether this plan may be feasible. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8470 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute any contract or agreement with the State Energy Program in connection with the application and his designee is further authorized to request and expend funds from the U.S. Government for the geothermal heating system in the Watervliet Cultural Center. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8465 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$17,000.00 from the Water Contingency Account to the Water Engineering Account. Robert A. Fahr, Director of Finance explained that this transfer is for the 8th Avenue Water Main Project. Before voting Mr. Fahr noted that the City is doing everything within the budget and no money was borrowed. Mr. Fahr concluded by stating that this is a transfer from the Contingency Account to the Engineering Account for the 8th Avenue improvements. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8466 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$17,000.00 from the Water Contingency Account to the Hydro Engineering Account. Before voting Robert A. Fahr, Director of Finance explained that with the improvements that was done to the Hydroelectric Facility there was engineering costs which needed to be paid. Mr. Fahr noted that this transfer was necessary. Mr. Fahr also noted that this decreases the Water Fund Contingency Account to zero for the year. Mr. Fahr does have other accounts which have been under spent. If any additional engineering money is needed the City can transfer the money from there. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8467 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$15,000.00 from the Hydro Utilities Account to the Hydro Maintenance Account. Before voting Robert A. Fahr, Director of Finance explained that these are the actual maintenance costs not the engineering costs. With the reduction of the Utility Account the City could transfer \$15,000.00 to offset the maintenance improvements at the Pump Station. Mayor Manning stated that these are all budget neutral transfers. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

Robert A. Fahr, Director of Finance informed the Council that the City received the retirement contribution rates for 2010. Mr. Fahr noted that the Police and Fire Retirement contribution rates increased by 22% and the Employee Retirement rates increase by 62%. Mr. Fahr further explained that in terms of a dollar value the increase will be in excess of a \$200,000.00 for both. Mr. Fahr further explained that the Comptrollers Office did a future projection until 2015. Based on the Comptrollers projection the ERS rates will go to 30% of salary and the Police and Fire will go to 41% of salary. Currently the rates are 12% for ERS and 15% for P&F.

Mayor Manning informed all in attendance the State Comptrollers Office did an audit on the handling of the Stimulus Funding bid process for the 19th Street Reconstruction Project. Mayor Manning noted that the audit finding found no problems with the City's bid process. In addition to the City of Watervliet eight other municipalities were also audited.

Mayor Manning informed all in attendance that on Friday, September 4, 2009 that himself and Jim Besha of Albany Engineering would be traveling to Rome, NY. The purpose of the trip will be to meet with Mayor James Brown to update him on the progress of the Delta Dam Hydro Project on Lake Delta. Mayor Brown will be informed that the City will be the lead agency for SEQR. Mayor Manning noted that SEQR is not required to be done, the City will be doing the SEQR process any way. There will be a public information session held to inform any interested parties about the project. Mayor Manning concluded by noting that he will have additional information related to this project at a later date.

Councilman Diamond announced that Assemblyman John McEneny will be speaking at the Watervliet Historical Museum on Monday September 14, 2009 at 7:00 PM.

Rosemary Nichols, Deputy General Manager of Planning and Economic Development announced that the Comprehensive Planning Committee will be meeting on Thursday, September 10, 2009 at 7:00 PM in the J. Leo O'Brien Senior Center. Ms. Nichols encouraged all interested residents to attend this meeting.

Councilman Diamond announced that on September 12, 2009, Kids Count will be hosting a basketball clinic at the DOME at 1:00 PM. Children in grades one thru eight are encouraged to attend for no cost. Coach Mike Deane will be conducting this clinic along with several area coaches. Kids Count will also host a fundraising dinner the same night at a cost of \$30.00 per person.

PUBLIC COMMENT PERIOD

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 7:30 PM.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council