

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, OCTOBER 1, 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 and accept the minutes from the previous City Council Meeting..

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager informed the Council that a committee has been formed to promote the 2010 Census. Mr. Gleason explained that two meetings were held to discuss ways that the City could educate residents regarding the census. Mr. Gleason noted that informational packets were handed out at the Arsenal City Run and was at the school open house earlier today. Mr. Gleason further explained that it is very important that the City get properly counted. The Census Bureau is predicting that the City's population for the 2010 census will be between 9,700 and 9,900 an approximate drop of 400 residents. The loss of 400 residents would translate into approximately \$100,000 less in Sales Tax Revenue. This would equate to a 1.3% tax increase to City residents. The committee was formed to promote the census count which will be sent to residents in February and March 2010. In April 2010 residents will be expected to fill out the form and return it to the Census Bureau. The Census Bureau takers will physically visit the homes of those who did not respond in July of 2010. The City will be able to review the data submitted in August 2010 and supply any revisions. The census must be wrapped up in December 2010 for final submittal to the President of the United States.

ITEM #2 – Mark Gleason, General Manager informed the Council that the City of Watervliet has begun its fuel additive treatment project with Taconic Energy. Mr. Gleason noted that the project involves the introduction of a fuel additive to our gasoline. Taconic Energy believes the City will see a 5% – 7% increase in fuel efficiency. Additionally, there will be a reduction on our carbon dioxide emissions, as well as an improvement in the overall efficiency in the vehicles. Mr. Gleason noted that Taconic Energy in partnership with the City was successful in obtaining a NYSERDA grant for the project. The City will be reimbursed for personnel expenses as well as receiving the additive for free. Mr. Gleason concluded by stating that the Council will have the contract for consideration during the legislative portion of the agenda.

ITEM #3 – Mark Gleason, General Manager informed the Council that on September 15, 2009, Bill Ashline, Water Department Supervisor, Jim Bulmer and Dave Boyer from Frasier Engineering met with the Town of Menands Water Department personnel to discuss the interconnection between the two municipalities. Mr. Gleason explained that currently the Town of Menands receives their water from the City of Troy. Mr. Gleason further explained that if the Village of Menands had an emergency in their water line it would be very difficult for the City of Watervliet to supply water to them. If the City of Watervliet ever needed water from the City of Troy due to some type of emergency it would be almost impossible. Mr. Gleason noted that the water pressure from Troy is 100 pounds per square inch. The City of Watervliet water pressure is 70 pounds per square inch. There has been talk of installing a pressure reducing valve which would equalize the pressure. The City has applied for Stimulus Funding for this project. Mr. Gleason noted that he will continue to update the Council on this project as it progresses.

ITEM #4 – Mark Gleason, General Manager requested Yorden C. Huban, Corporation Counsel to make an official introduction. Mr. Huban noted that it is his pleasure to introduce Kyle Christiansen who will act as an intern for the Department of Law. Mr. Huban explained that Kyle is a second year student at Albany Law School. Mr. Huban stated that it is a pleasure to have him on staff and welcomed him on behalf of the City Administration.

ITEM #5 – Mark Gleason, General Manager requested Rosemary Nichols, Deputy General Manager of Economic Development and Planning to address the Council. Ms. Nichols stated that everything is moving forward with the CDBG grants. Ms. Nichols explained that all of the monies have been disbursed on the residential piece of the plan. Ms. Nichols noted that there will be a ribbon cutting ceremony for a new business which has relocated in the City. Ms. Nichols further explained that this new business moved into the City partly due to the micro enterprise loan. The ribbon cutting ceremony will take place on Monday, October 5, 2009 at 2:00 PM. The location will be 450 3rd Avenue, called Giuseppe's Pizza and Deli.

OLD BUSINESS

Mark Gleason, General Manager discussed the comments from residents at the September 17, 2009 City Council Meeting. Mr. Gleason explained the litter, gutter and catch basin issue which was discussed. Mr. Gleason noted that this past summer over 70 youth as part of the summer/seasonal program performed various duties throughout the City. The Sanitation Department dedicated ten workers to just cleaning the City. Mr. Gleason further explained that once the program was over at the end of August, the Sanitation Department had to transition from having a lot of labor to pick up the City to a very small work force. Additionally, the department was short two employees for the first two weeks in September. This really impaired the ability of the Sanitation Department to clean the City as the residents are accustomed to. Mr. Gleason noted that Chris Daus, Sanitation Supervisor has made some adjustments in his employee's routines in an attempt to resolve this issue.

Mark Gleason, General Manager discussed the comment on the Hudson Shores Shoreline. Mr. Gleason stated that this past summer with part time summer seasonal help the Department of Public Works began a program of clearing out the shoreline in Hudson Shores Park. The DPW was able to clear out approximately 30 feet of shoreline before other projects took precedent. Mr. Gleason noted that in the spring of 2010 the DPW will resume the clearing out project along the shoreline. It will take approximately three summers to clear the entire shoreline.

Mark Gleason, General Manager explained that the water leak in the 700 block of Broadway has been repaired; the repair was completed on Friday, September 18, 2009.

Mark Gleason General Manager explained that the Building department has determined that the house on 19th Street and 8th Avenue is not a public safety hazard. The building was inspected and the Building Department found no structural problems with the foundation.

NEW BUSINESS

PUBLIC HEARING – A Public Hearing regarding the Water/Sewer Rent Roll for the period November 1, 2009 thru April 30, 2010. (See Resolution No. 8474 authorizing the advertisement).

Mayor Manning opened the Public Hearing for comment. Robert A. Fahr, Director of Finance explained that there will be no increase to the Water/Sewer Rent Roll for this period.

Stanley Such – 1856 12th Avenue – Watervliet, New York explained that he paid \$308.00 now he pays \$1,054.12. Mr. Such requested an explanation as to why there was an increase. Mayor Manning asked Robert A. Fahr, Director of Finance if this was a past increase to which Mr. Such was referring to. Mr. Fahr stated that this was a prior period's increase from a couple of years ago. Mayor Manning noted that two years ago the Water/Sewer Fund was in the red. The increase at that time was to assist the City in getting the Water/Sewer Fund out of the red and to able to run the fund properly. Mr. Such feels that it was a very large increase. Mayor Manning further explained that the City went thirteen years with out any increase in the Water/Sewer Rents. Mayor Manning also stated that at the time the Water/Sewer Rent increase was justified. Mayor Manning then explained that this Public Hearing is about the current Water/Sewer Rent Roll which has no increase.

There being no further comment, Mayor Manning closed the Public Hearing.

RESOLUTION NO. 8477 – The Council of the City of Watervliet hereby authorizes and approves the City of Watervliet Workplace Violence Prevention Policy. Before voting Corporation Counsel Yorden Huban explained that the law states that it is the duty of the public employer to establish a Workplace Violence Prevention Program. After researching this Mr. Huban found some comparable policies from other municipalities then drafted the policy provided to the Council. Councilman Diamond stated that this makes the policy more official and allows the public to know what is in place. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8478 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to apply for a Local Waterfront Revitalization Program Grant and is designated to act as the Lead Contact Person who shall execute all financial and or administrative processes. Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained to the Council that this has to do with the Watervliet Arsenal's Greenhouse which was adjacent to the Colonel's home. The City is trying to secure funding to allow the Greenhouse to be installed in Hudson Shores Park consistent with a conceptual site plan. This Resolution is authorization for the City to make the application. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8479 – The Council of the City of Watervliet hereby authorizes and directs Mayor Michael P. Manning to execute a Building Use Agreement with the Watervliet School District in the event of an emergency that requires the evacuation of students, faculty and staff from school buildings and property. Mark Gleason, General Manager explained that this Resolution will allow the Watervliet School District to utilize the DOME as a shelter in case of an emergency evacuation of either the High School or the Elementary School. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8480 – The Council of the City of Watervliet hereby authorizes the City of Watervliet to seek Lead Agency status for the purposes of complying with the provisions of the State Environmental Quality Review Act in connection with the Delta Dam Project and the project should not but may have an impact on the environment which would require the preparation of an Environmental Impact Statement. Mayor Manning stated that this Resolution is related to the Delta Dam Hydro Project. Seeing that this is our project the City is declaring Lead Agency Status. Mayor Manning noted that he has consulted with the City of Rome seeing that this project is their jurisdiction. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8481 – The Council of the City of Watervliet hereby authorizes and directs Mayor Michael P. Manning to execute an agreement with Taconic Energy, Inc. for a fuel economy additive. Before voting Mark Gleason, General Manager explained that this is the contract with Taconic Energy for the fuel additive project. Mr. Gleason noted that the first batch of fuel additive will be placed in the vehicles on Monday. Mayor Manning noted that all of our gas powered vehicles are in the study. Additionally, the City will be paid for its services and this contract notes that the City is a sub-supplier to Taconic Energy. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8482 – The Council of the City of Watervliet hereby authorizes and directs Mayor Michael P. Manning to file an application under the NYS Department of Transportation's five year multi-modal program and to execute any contract and or agreement. Before voting Mark Gleason, General Manager explained that this is basically a bi-product of the public meetings held on 19th Street. Mr. Gleason noted that at one of the meetings a resident asked if the City could fix the road between 2nd Avenue and Broadway. The City will be applying for the Department of Transportation funds to pay for the project. The project is estimated to cost approximately \$142,000.00. Mayor Manning thanked Senator Breslin's office for drawing our attention to the funding for a project of this nature. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8483 – The Council of the City of Watervliet hereby authorizes and directs Mayor Michael P. Manning to execute a license agreement with the Town of Colonie for the purpose of obtaining access to the Watervliet Lower Dam for construction activities. Before voting Mark Gleason stated that this will allow the City to gain access to the Lower Dam to make repairs to the Dry River System. Mayor Manning noted that this will allow the City to cut across their land. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8484 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$13,200.00 from the Fire Payroll Account to the Fire Special Wages Account for the month of September 2009. Robert A. Fahr, Director of Finance explained that this Resolution is a budget neutral transfer for Workers Compensation Wages for the month of September. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

Robert A. Fahr, Director of Finance informed the Council that the NYS Comptrollers Office Auditors began their audit of the City on Wednesday, September 30, 2009. Mr. Fahr explained that the auditors will be here approximately two months.

Mayor Michael P. Manning explained that the City passed the budgeted revenue for the ambulance service. The budgeted amount was for \$150,000.00, currently the revenue for the ambulance service is \$157,000.00. Mayor Manning noted that there are still outstanding bills and three months left to the year. Robert A. Fahr, Director of Finance stated that there is actually five months left to the billing cycle. If the ambulance revenue is collected during January or February 2010 the money may be appropriated into the 2009 budget cycle.

Mayor Michael P. Manning explained that he will be meeting with NYSERDA at which time he will request that the City be allowed to tap into the renewable portfolio standard funds. This funding is something all of us pay into which is part of the energy bill. New York has a renewable energy target of being at 25% by the year 2013. Mayor Manning noted that the City feels that the hydro project with five megawatts fits into the renewable category standard so that the City may be able to tap into this fund which is why the fund was established. The City has already applied for \$3,000,000.00 in interest free bonds which will assist with the project as well.

Mayor Manning announced the Bulk Item pick up week. This pick up will happen the week of October 5 thru October 8, 2009. The pick up will be done on the normal garbage pick up day. There will be an imaginary 4'x4'x8' amount of debris which may be picked up.

Councilman Diamond requested that Mark Gleason, General Manager discuss the Third Avenue Handicap Parking issue with Police Chief Ron Boisvert.
Councilman Diamond requested that the City should make some attempt to make Pershing Green look nice. Councilman Diamond feels that this would make the neighbors feel that there is some positive action being done to the park. It would also assist the City with the fall cleaning of leaves as the leaves would not get stuck in the fence area. Councilman Diamond would like the fence removed, fill in the holes and store the fence. Councilman Diamond recommends that in the spring that a committee be put together with the neighbors, veterans and other groups to further review the potential for Pershing Green.

PUBLIC COMMENT PERIOD

There being no comment Mayor Manning closed the Public Comment Period.

There being no further business to come before the Council a motion was made and seconded for adjournment, the meeting was adjourned at 7:35 PM

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council