

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, JANUARY 7, 2010 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, Mark Gilchrist, Assessor/Building Inspector, Police Chief Ron Boisvert and Fire Chief Don Clickner.

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 the City of Watervliet Sanitation Department will pick up Christmas trees each Friday during the month of January 2010. The City will mulch the trees then figure out some type of use for the mulch.

**ITEM #2** – Mark Gleason, General Manager informed the Council that the Albany County Department of Health has granted permission to the City for shift changes at the Water Filtration Plant. Mr. Gleason noted that currently the City is operating two separate shifts from 7:30 A.M. to 3:30 P.M. and 3:30 P.M. to 11:30 P.M. The City sought permission for a 7:00 A.M. to 3:00 P.M. and a 12:00 P.M. until 8:00 P.M. Mr. Gleason noted that permission was granted to start the split shifts on January 1, 2010. The plant would be unmanned from 8:00 P.M. until 7:00 A.M. Mr. Gleason explained that Bill Ashline, Water Department Supervisor along with Jeff Budrow of J. Kenneth Fraser Associates were able to demonstrate that the security and alarm systems installed within the past two years are more than adequate. The split shifts will allow for better and more efficient use of the City's manpower along with cutting back on overtime need. During the 12:00 P.M. until 8:00 P.M. hours the Water Department will have all available employees for projects. Mr. Gleason noted that Bill Ashline, Water Department Supervisor is already planning on rebuilding one of the lagoons with the extra manpower. The rebuilding of the lagoon would have in the past been a project contracted out now the City can do it in house. Mr. Gleason stated that the new shifts will begin in the first week of February 2010. Mr. Gleason also explained that the City received permission from the Health Department to go to one shift from 7:00 A.M. until 3:00 P.M. on April 1, 2010. Mr. Gleason feels it is prudent to test the new shift for one year before undertaking a one shift schedule. Mr. Gleason thanked Bill Ashline and Jim Bulmer who laid the ground work and was the driving force on completing this task.

## **OLD BUSINESS**

**ITEM #1** – Mark Gleason, General Manager discussed the cross walk sign consideration which was addressed by Mr. Jim Hayes at the December 17, 2009 City Council Meeting. Mr. Gleason stated that he has requested Clough Harbour Associates to cost out the expense of an intersection study regarding the cross walk safety signs. Clough Harbour Associates will provide a cost for a one intersection crosswalk study and a study for the entire City. Clough Harbour Associates noted that the City Council would have to approve the crosswalks then a detailed explanation to the Department of Transportation would need to be submitted. Mr. Gleason noted that as soon as the study is completed he will forward the information to the Council for review.

**ITEM #2** – Mark Gleason, General Manager discussed the issues related to the NYS Department of Labor inspection report from December 2009. Mr. Gleason noted that the City was re-inspected by the Labor Department. The re-inspection by the Labor Department found all of the violations rectified and passed with no further problems. Mayor Manning asked Mr. Gleason about how the fuel additive study was going? Mr. Gleason explained that this is preliminary numbers but there has been approximately 7% savings in gas usage.

## **NEW BUSINESS**

**RESOLUTION NO. 8518** – The Council of the City of Watervliet hereby authorizes City Council Meetings to be held in the Council Chambers, City Court and the Cultural Center at 7:00 P.M. on the first and third Thursday of each month. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8519** – The Council of the City of Watervliet hereby authorizes the Bank of America, J.P. Morgan Chase Manhattan Bank, Pioneer Commercial Bank, HSBC USA and First Niagara Bank as the official depositories for City funds for the year 2010. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted by a vote of 2 Ayes, 0 Nays and 1 Abstention.

**RESOLUTION NO. 8520** – The Council of the City of Watervliet hereby designates the Troy Record as the official newspaper of the City for the year 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8521** – The Council of the City of Watervliet hereby designates the Order of Business for City Council Meetings for the year 2010. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8522** – The Council of the City of Watervliet hereby authorizes certain City Officials to attend meetings and conferences to be held during the year 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8523** – The Council of the City of Watervliet hereby authorizes locations designated as Polling Places for the year 2010. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8524** – The Council of the City of Watervliet hereby readopts the City of Watervliet Procurement Policy for the year 2010 pursuant to General Municipal Law Section 104. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8525** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with James Bulmer, LLC as a consultant for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that Jim Bulmer will act as a consultant on all water and waste water issues. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8526** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Capital Region IT, Inc. for professional information technology consulting services for the period January 1 thru December 31, 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8527** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Nicholas J. Ostapovich as a consultant for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that Nick Ostapovich will act as a consultant on Community Development Block Grant Programs and the Community Revitalization Department issues. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8528** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Murphy Foundation Consulting Services as a consultant for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that Paul Murphy will act as a consultant on the Planning and Community Revitalization Department as well as the General Manager and Mayor's Office issues. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8529** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Public Library for the year 2010. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8530** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Public Library for the year 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8531** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Mohawk & Hudson River Humane Society for the period January 1 thru December 31, 2010. Yorden Huban, Corporation Counsel explained to the Council that previously a Resolution was entered into cancelling the contract with the Mohawk & Hudson River Humane Society. However certain situations arise where our Animal Control Officer needs to bring an animal to Mohawk & Hudson River Humane Society that Latham Animal Hospital will not accept. In the event that this situation happens the City has a place to bring the animal as a back up. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8532** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with David Perino, Esq. for professional legal services as a vehicle and traffic prosecutor for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that David Perino handles all the legal matters in the City Traffic Court. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8533** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Hacker & Murphy, LLP. for professional legal services on property tax matters for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that this is a contract to provide legal services for trials and appeals on property tax assessment issues. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8534** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Latham Animal Hospital for the period January 1 thru December 31, 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8535** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a grant application on behalf of the City with the NYS Department of State and Local Government Efficiency Grant Program. Before voting Mark Gleason, General Manager explained that this will start the consolidation process between the City of Watervliet and the Town of Guilderland. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8536** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute any and all documents and forms necessary to receive surface easement and associated utility easements adjacent to the existing roadways and streets on the lands of Highland Club Apartments. Before voting Mark Gleason, General Manager explained that the City needs to gain an easement for access to the City's Water tower in Highland Club Apartments. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8537** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Civic Center for the period January 1 thru December 31, 2010. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8538** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Historical Society for the period January 1 thru December 31, 2010. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

**RESOLUTION NO. 8539** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet City School District for the period January 1 thru December 31, 2010. Before voting Mark Gleason, General Manager explained that the School District will be able to utilize the DOME for many events throughout the year. Mayor Manning also explained that the School District would be using the DOME as a location for evacuation and fall out center. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8540** – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley, City Clerk to sell one (1) 1986 Aerial Tower Truck to John's Welding Inc.. 15510 Smart Cole Road, Ostrander, Ohio 43061 in the amount of \$8,300.00. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

## **APPROPRIATIONS AND ACCOUNTING**

Robert A. Fahr, Director of Finance explained to the Council that he has an update on the Comptroller's Office Audit. Mr. Fahr noted that the auditors have been here for a total of four months. Mr. Fahr figures that the auditors should be completed within the next couple weeks. Mayor Manning noted that the preliminary findings didn't show any major issues.

Robert A. Fahr, Director of Finance explained that at the next City Council Meeting the City should have the 4<sup>th</sup> quarter sales tax. Mayor Manning noted that there is also a possibility that the City may even have the 10% with held State Aid.

Before going into the Public Comment Period Mayor Manning explained that the City will be having a Public Hearing on the Delta Dam Hydroelectric Facility Project in accordance with SEQRA regulations. The Public Hearing will be held on Monday, January 28, 2010 in the City of Rome at 10:00 A.M. The Public Hearing will allow the public to comment on the project. The City of Rome is providing full support for this and will be providing there Council Chambers for the Public Hearing. Mayor Manning hopes that the City will have another hydroelectric facility running within the next couple of years.

## **PUBLIC COMMENT PERIOD**

There being no further comments, 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 into Executive Session, the meeting was adjourned into Executive Session at 7:35 P.M. The following were requested to attend the Executive Session, Yorden C. Huban, Corporation Counsel, Robert A. Fahr, Director of Finance and Bruce A. Hidley City Clerk and Clerk to the Council.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION  
OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, JANUARY 7, 2010**

The Executive Session Meeting was called to Order by Mayor Michael P. Manning at 7:45 P.M.

Roll call showed the following were present Mayor Michael P. Manning, Councilman Charles J. Diamond and Councilwoman Ellen R. Fogarty.

Also present from City Administration were: Mark Gleason, General Manager, Yorden Huban, Corporation Counsel, Robert A. Fahr, Director of Finance and Bruce A. Hidley, City Clerk and Clerk to the Council.

**ITEM #1** – Mayor Michael P. Manning, Yorden Huban, Corporation Counsel and Robert A. Fahr, Director of Finance provided the Council with a detailed update related to the status of the negotiations with the Police Benevolent Association contract.

There being no further business to come before the Executive Session, a motion was made and seconded for adjournment. The Executive Session was adjourned at 8:35 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council