

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MARCH 25, 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 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, Mark Gilchrist; Assessor/Bldg. Inspector, Fire Chief Don Clickner and Police Chief Ron Boisvert.

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 Department of Recreation is preparing Hudson Shores Park for an Easter Treat Hunt for dogs. Mr. Gleason noted that the event will be held on Sunday, March 28<sup>th</sup> from 1:00 P.M. until 3:00 P.M. The event will feature rabies shots for \$8.00, Animal Control Officer Garry Sutton will attend to answer any questions, licensing of dogs will be available and the Easter Bunny will be there for pictures with the dogs. Mr. Gleason noted that there is a reason why the City is putting on this event. Hudson Shores Park has been designated a dog friendly park. The City is encouraging people to use this park for their dogs on leashes. Additionally, Mr. Gleason noted that the City had a very bad problem with geese in the park. The City and law enforcement officials removed nearly 40 geese from I787. From the park there was nearly 100 geese removed. The City has followed up with the state for what the City can do this year to stop the geese from hanging in Hudson Shores Park. First the City will need to coat the unhatched eggs with corn oil which will prevent the goose from hatching. Once a goose is hatched from a spot they return to that spot permanently. The City will do a better job of posting NO FEEDING THE GEESE signs. Finally, Hudson Shores Park will be dog friendly as the geese are afraid of dogs. Mr. Gleason further explained that there are a lot of activities planned for Hudson Shores Park and the City needs to solve the goose problem. This is one step to do it.

**ITEM #2** – Mark Gleason, General Manager explained to the Council that Mayor Manning’s Office has been informed by Senator Gillibrand’s Office that there is a good possibility of Stimulus Funding available. Mr. Gleason noted that the 19<sup>th</sup> Street Reconstruction Project is a federally funded Stimulus Project. Mr. Gleason noted that this round of funding does not need shovel ready projects. The City has put forward for Stimulus Funding for the Service Reservoir on Rt. 155. Mr. Gleason noted that last year the City pursued a Community Development Block Grant for this project but was turned down. Mr. Gleason’s hope is that the Service Reservoir will receive funding for this project in this round. Mr. Gleason has not heard back from Senator Gillibrand’s office yet.

**ITEM #3** – Mark Gleason, General Manager explained to the Council that the Public Works Committee met with Jeff Budrow of J. Kenneth Fraser Associates to discuss civil projects his firm is working on. The City currently has three projects which are shovel ready. The first is the lower dam, the second is the lagoon project and the third is the service reservoir on Rt. 155. Mr. Gleason noted that the lower dam has to be done in accordance with a consent order from the NYS Department of Environmental Conservation. Mr. Gleason stated that this should be done by this fall which is why the City is seeking funding for the project. The other two projects can wait until the next construction season.

**ITEM #4** – Mark Gleason, General Manager explained to the Council that the Department of Public Works Water Department will begin its annual spring flush on Monday, April 5, 2010. Mr. Gleason explained that the spring flush will run until April 24<sup>th</sup>. Residents may discover discoloring of their water while the flush is being conducted in their neighborhood. Mr. Gleason noted that if you do discover the discoloration to wait approximately 5 minutes then run the water till the discoloration disappears. If anything further happens with the water residents are requested to contact the Water Department.

#### **OLD BUSINESS**

Fire Chief Don Clickner explained that the doors to Yankee One Dollar store have been repaired. Chief Clickner went to see the management to address the door problem on Friday, March 5, 2010.

#### **NEW BUSINESS**

**ORDINANCE NO. 1858 – FIRST READING** – An Ordinance of the City of Watervliet, New York amending Chapter 72, of the Code of Ordinances of the City of Watervliet in relation to residency requirements of City employees. Mayor Manning explained that under the collective bargaining agreement with the Police Benevolent Association (PBA) the City will allow Police Officers to live outside the City after a period of three years. Mayor Manning explained that this Ordinance pertains to Police Officers need to live in the City. Police Officers will need to live in the City for a certain number of years. After that period they will be permitted to move out of the City. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning this Ordinance was approved and adopted.

**ORDINANCE NO. 1859 – SECOND READING** – An Ordinance of the City of Watervliet, New York amending Chapter 260, of the Code of Ordinances of the City of Watervliet in relation to Vehicles and Traffic. Mayor Manning explained that this Ordinance gives the City permission to tow and store vehicles during a snow emergency. Mayor Manning noted that this Ordinance will tighten up the City's snow emergency policy. Upon motion by Mayor Manning, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

**RESOLUTION NO. 8564** – The Council of the City of Watervliet hereby approves the professional Actuarial Valuation Services Agreement between the City of Watervliet and Jefferson Solutions, Inc. for the period commencing on March 19, 2010 and ending on April 19, 2010. Before voting Robert A. Fahr, Director of Finance explained that this authorization will assist the City with a portion of the Annual Report each year with the Comptrollers Office. Mr. Fahr noted that one of the new requirements is to have an actuarial firm come in to do some numbers on what a post employment benefit would be for all current and retiree's life insurance and health insurance would be. The actuarial firm will come up with one lump sum on what the future cost to taxpayers would be. The City needs to book this information into the annual report by May 1<sup>st</sup>. Mayor Manning stated that the City needs a third party to complete this task. Mayor Manning also stated that this is an unfunded state mandate. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning, this Resolution was approved and adopted.

**RESOLUTION NO. 8565** – The Council of the City of Watervliet hereby approves the professional engineering services agreement between the City of Watervliet and J. Kenneth Fraser Associates for a period of one year commencing on January 1, 2010 and ending on December 31, 2010. Before voting Mark Gleason, General Manager explained that this agreement between the City and J. Kenneth Fraser Engineering is for them to work on our civil engineering projects throughout the City. Mr. Gleason noted that J. Kenneth Fraser Associates has been working on our civil projects since the 1960's. They have expert knowledge on the City's civil works projects. Upon motion of Mayor Manning, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8566** – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley, City Clerk to advertise once in the official newspaper that a Public Hearing will be held on Thursday, April 1, 2010 at 7:00 P.M. for the purpose of hearing those persons who wish to be heard regarding the Water/Sewer Rent Roll for the period May 1, 2010 thru October 31, 2010. Before voting Robert A. Fahr explained that there will be no increases in the rates for the next six months. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning, this Resolution was approved and adopted.

**RESOLUTION NO. 8567** – The Council of the City of Watervliet hereby designates the week of April 26, 2010 thru April 29, 2010 as Bulk Item Disposal Week. Before voting Mark Gleason, General Manager explained that all residents must put out their items on the regular day of the garbage pickup. Mr. Gleason noted that the Bulk Item can't exceed a 4' x 4' x 8' volume. Mr. Gleason stated that it would be a good idea to look at the website or to stop in City Hall as there are many items which will not be accepted. Upon motion of Mayor Manning, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8568** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application under the Community Development Block Grant Program and authorizing Mayor Michael P. Manning to accept and receive a grant for Community Development purposes. Before voting Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained that this is the formal authorization to apply for. Then the Mayor can execute a contract to receive CDBG funding for housing rehabilitation and the infrastructure grant. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning, this Resolution was approved and adopted.

**RESOLUTION NO. 8569** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application under the New York State Main Street Grant Program and authorizing Mayor Michael P. Manning to accept and receive a grant for Community Development purposes. Before voting Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained that this references the other major development program that the City has access to. The City applied for this funding in 2008 but was not successful. Ms. Nichols noted that this is an extremely competitive application. Ms. Nichols felt that we should apply again for the same section of the City which is Rt. 32 in Port Schuyler. The difference with this application is the fact that the City identified specific projects that the City intends to seek rather than a general application for a four block area. Upon motion of Mayor Manning, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8570** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute any and all contracts for the purchase of the Three Wheel Broom Street Sweeper to Wm H. Clark Municipal Equipment in the amount of \$147,500.00. Before voting Mark Gleason, General Manager explained that he recommended the Clark bid over the two lower bids based on the fact that one bid was for a used sweeper and the second lower bid wasn't what the City asked for. They bid on a truck sweeper. Robert A. Fahr, Director of Finance explained that the funding from this purchase will come from CHIPS not from the taxpayers pockets. Upon motion of Councilwoman Fogarty, seconded by Mayor Manning, this Resolution was approved and adopted.

## **APPROPRIATIONS AND ACCOUNTING**

Robert A. Fahr, Director of Finance explained that the independent auditors will be starting a two week audit of the 2009 fiscal year beginning Monday, March 29, 2010. Mr. Fahr noted that the annual report will be filed by May 1, 2010. Mr. Fahr hopes to have some numbers regarding the City's financial status at the 1<sup>st</sup> Council Meeting in May.

Before moving into the Public Comment period Mayor Manning reminded all in attendance that the City will be sponsoring Breakfast with the Easter Bunny on Saturday, March 27, 2010. The event will take place at the J. Leo O'Brien Senior Facility from 9:00 A.M. until 11:30 A.M.

Mayor Manning explained that his office received a letter from the Albany County Legislature stating that they will be re-evaluating the dispersion formula for the extra 1% Sales Tax. Mayor Manning noted that if the City were to lose that funding it would amount to approximately \$300,000.00 of our total Sale Tax. This would be something the City does not want to see happen. Albany County may also re-evaluate the process of collecting the delinquent taxes. The City is made whole each year for its delinquent taxes. This would mean another \$300,000.00 the City would lose and make up. Mayor Manning has contacted this committee, Albany County Executive Michael Breslin and our Albany County Legislators Phil Steck, Bob Beston and Sean Ward that he does not want this to change. Mayor Manning informed them that it is difficult to face the normal increases that the City faces each year. The City can't afford to lose \$600,000.00 in cash flow.

Mayor Manning explained that New York State Energy Research Development Agency informed the City that we received a grant. The grant would be used to upgrade the heating in City hall along with putting solar panels to generate electricity on top of the J. Leo O'Brien Facility as well as the Firehouse. This will be mostly paid for by NYSERDA as part of the overall energy efficiency program ongoing with Honeywell.

Councilwoman Fogarty requested clarification on the Lawn/Leaf pick up. Chris Daus, Sanitation Supervisor stated that the official date will be Friday, April 2, 2010. There will be a trial pick up on Friday, March 27<sup>th</sup> due to the amount of bags already on the City street.

### **PUBLIC COMMENT PERIOD**

There being no 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 the meeting, the meeting was adjourned at 7:40 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council