

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, OCTOBER 21, 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, Councilwoman Ellen R. Fogarty and Councilman Nicholas W. Foglia were present.

Also present from City Administration were: Mark Gleason; General Manager, Yorden C. Huban; Corporation Counsel, Bruce A. Hidley, City Clerk and Clerk to the Council, Rosemary Nichols, Deputy General Manager of Economic Development and Planning, Robert A. Fahr, Director of Finance, Mark Gilchrist; Assessor/Bldg. Inspector 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 requested that Police Chief Ron Boisvert address the Council. Chief Boisvert explained that he is in receipt of a handicapped parking sign request from a citizen located at 2521 6<sup>th</sup> Avenue. Chief Boisvert has reviewed her application and pertinent documentation in accordance with the Charter. Police Chief Boisvert has requested that the City Council approve the application request for in front of her residence. This would be for a full handicap parking space.

**ITEM #2**– Mark Gleason, General Manager explained to the Council that he would like to read a Statement of Policy for Halloween Night. Halloween Night is an evening where substantial problems have occurred over the years. The residents in the City have experienced significant vandalism to cars and property. There have been loud and boisterous groups of young people late into the evening. The earlier hours of Halloween are when the younger children enjoy the night by going door to door. Therefore General Manager Mark Gleason will order and direct the Police Department to enforce a curfew for the evening of October 31, 2010. This will prohibit all young persons under the age of 18 years from being on the streets, avenues, parks and public right of ways within the City of Watervliet from 10:00 P.M. on October 31<sup>st</sup> until 6:00 A.M. on November 1, 2010. The Police Department will require any violator to go directly home or have the parent/guardian of the minor pick up said child at the Police Department. There may be legitimate reasons for violating the curfew such as working.

**ITEM #3**– Mark Gleason, General Manager explained to the Council that the City of Watervliet sent out the Corrective Action Plan in response to the NYS Comptrollers Office audit. The (CAP) will be included with the audit and posted on the Comptrollers website. Any resident will be able to link onto this from the City’s website. The Plan listed the formal duties of the Finance Department. This was something which was informally followed now it is on paper. Also, the General Manager will participate more in the monthly financial activities such as checking bank reconciliations and approving electronic transfers. Mr. Gleason also explained that the vendor claim process was a policy in place but it wasn’t formally put in writing as suggested in the audit. The City now has a formal written vendor policy put in place. Mr. Gleason further explained to the Council that the Administration has developed an IT disaster recovery plan. This plan has actually been in place since September 1, 2010. Mr. Gleason stated that for the amount of time the Comptrollers Office was here that they found very little wrong. The one finding was that the City doesn’t have enough staff in the Finance Office. At the very time they recommend us to hire more staff, the State cut our State Aid Funding.

**ITEM #4** – Mark Gleason, General Manager explained to the Council that on Thursday, October 14, 2010, himself, Bill Ashline, Water Department Supervisor, Dave Dressel, Highway Department Supervisor, Clough Harbour Associates and Green Island Contracting performed a walk thru on the reconstruction of 19<sup>th</sup> Street. The project is in the final stages. The punch list included cracked slabs in the sidewalks, replacement of granite curbing to correcting the street lights. Mr. Gleason noted that the project is tentatively scheduled to be completed by November 1, 2010. The City has tentatively scheduled a ribbon cutting ceremony formally declaring 19<sup>th</sup> Street open for business on Saturday, November 6, 2010. Businesses along 19<sup>th</sup> Street are going to offer sales, discounts on their goods and services. This event hopefully will encourage people to shop the 19<sup>th</sup> Street corridor.

**ITEM #5**– Mark Gleason, General Manager explained to the Council that at the direction of Mayor Michael P. Manning the City will become a member of the Capital District Free Coalition, Young Lungs at Play Program. The program works to reduce exposure to harmful effects of second hand smoke. Mr. Gleason noted that this program works to create safer, cleaner parks by reducing cigarette litter which is dangerous to children, animals and the environment. This program sends the right message to children that tobacco does not belong to places designated for healthy activities. Mayor Manning has invited someone from the coalition to speak to the City Council at a future Council Meeting. At that time the City Council will be asked to pass a Resolution to support the program.

## **OLD BUSINESS**

Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained to the City Council that this was to follow up on an announcement that on Wednesday, November 3, 2010, the Planning Board will conduct its hearing concerning the Comprehensive Plan. The hearing will take place in the Watervliet City Court Room at 7:00 P.M. Copies of the Planning Board Comprehensive Plan are available thru the City Clerk's Office, Watervliet Public Library and the City's website. Ms. Nichols stated that once the Planning Board acts on the Comprehensive Plan that matter then shifts to the City Council for action. It is the City's goal to have this issue completed by the end of 2010.

Rosemary Nichols discussed the preliminary audit which was conducted on the 2008 Community Development Block Grant Projects which provided funding for 20 properties in the Port Schuyler section of the City. Three businesses in the Micro Enterprise efforts and eight facades which included Schanzes Beverage, Wood Burning Warehouse to name a couple. Ms. Nichols noted that the audit was generally quite positive. The auditors indicated that the City did pretty well and the expectation was that the City would do better going forward.

## **NEW BUSINESS**

**LOCAL LAW NO. 3-2010** – A Local Law of the City of Watervliet amending Local Law No. 1-2010 in relation to establishing and imposing a scale of annual charges for the use of the Watervliet Sewer System, said charges to be known as “Sewer Rents” pursuant to Article 14-F, Sewer Rent Law of the General Municipal Law of the State of New York. Before voting Mayor Manning explained that a Public Hearing was held on Thursday, October 7, 2010 at which time no one spoke. Mayor Manning noted that there would be no increase to the Sewer Rents for this period. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Local Law was approved and adopted

**ORDINANCE NO. 1865** – An Ordinance of the City of Watervliet, New York providing that the Code of the City of Watervliet, Chapter 266-2, of the Code of Ordinance where rates are set for the use of water supplied by the City. Mayor Manning explained that there is no change to the residential rate and a slight increase in the metered rate. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Ordinance was approved and adopted.

**ORDINANCE NO. 1866** – An Ordinance of the City of Watervliet, New York providing that the Code of the City of Watervliet, Chapter 221, Residential Occupancy, Section 221-6(A) and Section 221-6(I) be amended. Before voting Yorden Huban, Corporation Counsel explained to the Council that this is an amendment to Chapter 221 of the City’s Code entitled the Residential Occupancy. This is an amendment to the Ordinance which was passed last week that revised a certain section of the law that imposed a requirement that a property that is being requested to be inspected be current and up to date on all Watervliet City property taxes, City assessment liens, fines imposed by the courts in addition to any property owned in the City of Watervliet. Mr. Huban noted that after further review of the contents of the Ordinance and after receiving feedback from members of the community and their concerns regarding the restrictive nature of the amendment. The effect is too cumbersome to property owners particularly those who own more than one property in the City. After consultation with the Building Department the Department of Law felt it was appropriate to amend the Ordinance again to specifically focus on the property that is requested to be inspected. In order for an inspection to be required for residential occupancy permit to be issued that property has to be paid and up to date. The amendment meets in the middle the goals of the City and also makes it workable for those individuals who own more than one property in the City. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

**RESOLUTION NO. 8632** – The Council of the City of Watervliet hereby approves the Partnership Agreement between the United States Environmental Protection Agency (EPA) and the City of Watervliet for participation in the EPA’s Green Power Community Challenge and directs Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that the City will commit to green renewable resources. The City is in a decent position to do that since the City also produces a lot with the Hydro Plant. Also, the City will have the solar projects completed. The City does need to sign up then the EPA will review the current procedures and purchases. The City needs to commit to 6% of the City’s total usage ratings. The first step is to become a partner community, the second step is open up to the community as a whole. This puts the City in a favorable position for EPA grants and funding streams. The City needs to be a partner before we can move onto the challenge. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

## **APPROPRIATIONS AND ACCOUNTING**

Mark Gleason, General Manager explained that the next budget workshop will be held on Thursday, November 4, 2010 at 6:00 P.M. The Fire Department will be the topic of discussion for this budget workshop.

Mayor Manning announced that the Haunted DOME will be held on Sunday, October 31, 2010. Jim Verhagen and his staff do a fantastic job on the endeavor. The event will take place from 5:00 P.M. until 9:00 P.M. The Haunted DOME and the curfew assist with doing a better job giving the youth something to do which is constructive. Since the institution of both of these programs the numbers of issues have gone way down.

Mayor Manning explained that the City has applied for an EPA Climate Challenge Grant. The City is looking for a system to process organic waste. The City was turned down for this grant. Mayor Manning wants to keep this process on the front burner and will do a promo. The City will be taking some organic waste and running it thru a digester in the Port of Albany who is our partner. The City will start that by taking the pumpkins and collecting them curbside then taking them to the port and process them into methane gas and fertilizer.

#### **PUBLIC COMMENT PERIOD**

Alexis Gonzalez – 501 23<sup>rd</sup> Street – Ms. Gonzalez stated she was here tonight to discuss the possibility of placing a Stop Sign at the intersection of 5<sup>th</sup> Street and 23<sup>rd</sup> Street. Ms. Gonzalez noted that 23<sup>rd</sup> Street is one way heading in the eastern direction. Ms. Gonzalez stated that there was a very bad accident which happened on that corner not too long ago. Police Chief Boisvert clarified that Ms. Gonzalez meant that there was no Stop Sign on 23<sup>rd</sup> Street. Chief Boisvert also noted that there are Stop Signs on 5<sup>th</sup> Avenue. Chief Boisvert explained that the reason those Stop Signs are there was the fact that a lot of tractor trailer traffic used to traverse on 5<sup>th</sup> Avenue due to the old Playtex Building before the houses were put in behind Ms. Gonzalez. That is the reason there is two way traffic sign up to that point. The Stop signs that are there should deter the traffic flow from racing thru the intersection. Ms. Gonzalez is considering a petition from the neighborhood for the Stop Sign. Chief Boisvert is taking the complaint very seriously and will take a close look at this intersection. Councilwoman Fogarty asked if Ms Gonzalez was requesting an all four corner stop sign area.

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 the meeting, the meeting was adjourned at 7:25 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council