

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, DECEMBER 16, 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, Police Chief Ron Boisvert and Captain Scott Skinner

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 Albany County Department of Health has granted permission to the City of Watervliet for shift changes at the Watervliet Filtration Plant. Mr. Gleason noted that currently the Filtration Plant is running on two different shifts as follows 7:30 A.M. until 3:30 P.M. and 12:00 noon until 8:00 P.M. Mr. Gleason noted that starting January 3, 2011 the Water Department will consolidate down to one single shift which will run from 7:00 A.M. until 3:00 P.M. The security and alarm system that has been installed over the past two years will be more than adequate to leave the plant unattended for the hours of the day left. The single shift will allow for a better more efficient use of our manpower as well as cutting down on overtime. Mr. Gleason thanked William Ashline, Water Department Supervisor for all the work he has done modernizing the plant.

ITEM #2 – Mark Gleason, General Manager informed the Council that they are in possession of an updated first draft of the personnel and procedure manual. The manual has not been completely updated since 2005. All the policies have been updated and new policies added such as e-mail, internet and anti harassment. Mr. Gleason wanted to take a moment to thank Yorden Huban, Corporation Counsel for all his work on revising the manual. Mr. Gleason also thanked Art Fruscio and David Wheatley who worked very diligently for nearly eight months on this project. Mr. Gleason requested that the Council review the policies and procedures manual and if they have any suggestions to send them to his office. Mr. Gleason would like to distribute the policy and procedure manual in January 2011.

OLD BUSINESS

ITEM #1 – Mark Gleason, General Manager wanted to address a couple of issues that were brought up by residents at the December 2, 2010 City Council Meeting.

Mr. Gleason noted that there were three basic concerns. The first was the fact the water shut offs were too high. Mr. Gleason explained that after checking with the Department of Public Works Water and Highway Departments they have no problem with the shut offs. Mr. Gleason did find two shut offs that were too high. This was passed along to the contractor Green Island Construction who addressed the concern.

Mr. Gleason explained that Police Chief Ron Boisvert and himself checked the catch basins nearly two weeks ago when the nearly two inch rain storm occurred. They all performed up to capacity for a heavy rainstorm. There was a problem with M&S Tile which has been corrected and a catch basin in front of Highland Tank was a problem. Mr. Gleason noted that Green Island Contracting and Clough Harbour Associates are looking at those situations.

Mr. Gleason then addressed the blacktop seam issue. Mr. Gleason noted that there is no way a project such as 19th Street won't have seams. The contractor can't pave a 40' section without a seam in the roadway. The blacktop has to be paved in smaller sections. A large vibrating compactor will do a lot of damage to the in ground infrastructure. The City has a lot of older infrastructure which the larger machine could have damaged or created leaks in the future. Any urban setting the smaller compactor is used for blacktopping purposes.

Mr. Gleason also addressed the 1287 3rd Avenue issue that a resident discussed on December 2, 2010. Since the spring the City has issued three tickets to that resident. The Building Department has inspected and the homeowner repaired all the issues. The City will keep an eye on the neighborhood for future problems. Mayor Manning asked if the property was owner occupied. Mark Gilchrist, Building Inspector/Assessor stated no it is not owner occupied but the care taker has been cooperative.

NEW BUSINESS

ORDINANCE NO. 1872 – An Ordinance of the City of Watervliet, New York adopting the annual estimate and fixing the rate to be employed in computing the amount to be collected for the City taxes for the year beginning January 1, 2011. Before voting Mayor Manning explained that this Ordinance is for the 2011 budget. Mayor Manning stated that there were no comments on this budget. Robert A. Fahr, Director of Finance explained that this is just the City portion of the budget the County will be meeting on December 21st to pass on the County levy. Mayor Manning noted that the City's budget tax impact is 1.5%, the County rate will be approximately 5%. Mayor Manning also noted that the rate will actually be higher than the 1.5% due to the County levy. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Ordinance was approved and adopted.

RESOLUTION NO. 8657 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Nicholas J. Ostapkovich for a period of one year commencing on January 1, 2011 and ending on December 31, 2011. Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained that as the City has received more grants that compliance responsibilities have become greater. Mr. Ostapkovich is the person used most regularly to assure the grant information is in full compliance before the grants are submitted for consideration. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8658 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with CHA, 111 Winners Circle, Albany, New York 12205 for the implementation of a local Geographic Information System in conformance with the scope of services and program delivery requirements provided in the successful 2010 NYS Archives Grant. Before voting Mayor Manning explained that Clough Harbour Associates was the low bidder to execute this portion of the grant. This was an approximately \$62,000.00 grant to revive the City's GIS. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8659 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley, City Clerk to advertise once in the official newspaper that the City of Watervliet will receive sealed bids until 10:00 A.M. on Tuesday, January 11, 2011 for the purchase of a Sewer Jet for use in the Department of Public Works Water Department. Before voting Mark Gleason, General Manager explained that this is to replace a 25 year old Sewer Jet which now beyond repair. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8660 – The Council of the City of Watervliet hereby approves the Revocable License and Building Use Agreement between the City of Watervliet and the R.P.I. Club Crew and further authorizes Mayor Michael P. Manning to execute said agreement for a period of five years. Before voting Mark Gleason, General Manager explained that the R.P.I. crew will be making Hudson Shores Park their training home at the solar boathouse. Mr. Gleason noted that not only will the City receive revenue from R.P.I. they are scheduled to hold an elementary school exercise day. They are also going to start a Learn to Row Program. The City will also share the costs of the crane which is needed to place the docks and take them out at the end of the year. R.P.I. will also be assisting the City with the cleaning and maintenance of the park area. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8661 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with R.J. Carignan & Co. Inc. Insurance, 1396 Crescent Vischer Ferry Road, Clifton Park, New York for Property, Liability and Casualty Insurance for the period January 1, 2011 thru December 31, 2013. Before voting Mayor Manning explained that the City insurance policy was bid out to the public and Carignan was the low bidder. Bruce A. Hidley, City Clerk further explained that Carignan also offered a \$5,000,000.00 Umbrella coverage for an additional \$2,660.00 which still made the bid lower than Marshall & Sterling. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8662 – The Council of the City of Watervliet authorizes Mayor Michael P. Manning to execute an agreement with Capital Region IT Inc., 440 Third Avenue, Watervliet, New York 12189 in the amount of \$17,000.00 for the period January 1, 2011 and ending on December 31, 2011. Before voting Mayor Manning explained that this will continue our service with Capital Region IT and additionally our e-mail management is being moved back to them. This will result in a savings of approximately \$2,500.00. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8663 – The Council of the City of Watervliet authorizes Mayor Michael P. Manning to execute an agreement with Capital Region IT Inc., 440 Third Avenue, Watervliet, New York 12189 in the amount of \$8,000.00 for the Watervliet Police Department commencing on January 1, 2011 and ending on December 31, 2011. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8664 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement for Solid Waste and Single Stream Recyclables with County Waste, P.O. Box 431, Clifton Park, New York commencing on January 1, 2011 and ending on December 31, 2011. Mark Gleason, General Manager explained that the City will now be receiving revenue for its recyclables at \$15 per ton. The City will also pay \$51 per ton for its tipping fees. Mr. Gleason thanked Christopher Daus, Sanitation Supervisor for negotiating these contracts saving taxpayers a lot of money. Mr. Gleason anticipates an approximate \$15,000.00 savings. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8665 – The Council of the City of Watervliet hereby approves the Intermunicipal Agreement between participating municipal corporations for cooperative Fire Department purchases in accordance with Article 5-G, Section 119-0(1)(d) of the General Municipal Law and further authorizes Mayor Michael P. Manning to execute the same. Before voting Mark Gleason, General Manager explained that this will allow the City Fire Department to join a purchasing cooperative which is being organized by the Albany Fire Department. By banding together on purchases we can obtain better prices for equipment needs. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8666 – The Council of the City of Watervliet hereby authorizes levying the unpaid City of Watervliet Water and Sewer Rents and other authorized Liens and Charges due to the 2011 Tax Roll to be collected as taxes. Before voting Robert A. Fahr, Director of Finance explained that this is to be in compliance with Albany County. The County wants to know exactly what the City is re-levying on its property taxes. In turn when the City turns over the delinquent taxes the County pays the City the net amount so we get paid in full for all of our taxes. The County then places a lien on the property. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8667 – The Council of the City of Watervliet hereby authorizes not to exceed \$285,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the cost of the Real Property Reassessment Project. Before voting Robert A. Fahr, Director of Finance explained that this resolution is for the borrowing aspect of the re-valuation portion and fighting the certiorari's who try to get their assessments lowered. This amount includes any past assessment money spent along with monies spent on certiorari's. Mayor Manning noted that this will allow the City to have the funds for the re-valuation if the City decides to go ahead with this project. Mayor Manning further explained that the City has not done this since 1996. It is really making the City vulnerable on the areas such as large commercial properties challenging their assessments as the valuation rates go down it exposes the City to large swings in taxes if their assessments go down. The current tax is 62% of assessed evaluation. The City can't afford a large tax swing on commercial properties as the City must assess that loss on residential property. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8667 – The Council of the City of Watervliet hereby authorizes not to exceed \$800,000.00 of aggregate principal amount of Serial General Obligation Bonds to finance the cost of the Police Retirement System Section 384 costs. Before voting Mayor Manning explained that this is the result of the Police Benevolent Association agreement resulting in a five year contract. Mayor Manning noted that basically the concession on the City side to pay this extra money to the retirement system that will put them into a different retirement structure. The P.B.A. also took no raises for two years as well as controlling the raises after the two years along with other concessions such as a reduction in overtime due to dispatching and other items. As projected out for now and in the future it is a cost reduction even though this looks like such a large number. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

Robert A. Fahr, Director of Finance explained to the Council that the State Aid check was received on time this year. The State Aid was reduced by 5%. This shortfall for 2010 by the City was by \$65,000.00. Mr. Fahr noted that the City heard that the City's Mortgage Tax came in approximately \$50,000.00 lower than budgeted. The City did reduce the Mortgage tax in the 2011 budget by the \$50,000.00.

Mayor Manning noted that during the budget presentation these were the items the City was waiting to hear about. Therefore the City will go ahead with the 1.5% tax increase. The City does not want to have to roll over losses into the next year budget cycle. Mr. Fahr just rang up \$115,000.00 under budget in revenue. These are the type of things we plan for with conservative budgeting. \$115,000.00 would account for a 3% tax increase just to cover this loss. With the City's budgeting in 2010 the City will be able to carry this over without a problem. Mr. Fahr further explained that the only revenue yet to be received is the 4th quarter sales tax. Currently the City is at 76% of budget for Sales Tax revenue.

Robert A. Fahr, Director of Finance announced that the City Council would need a Special City Council Meeting on December 27, 2010 to pass the County Levy for taxes. Mayor Manning noted that the County has not informed the City what those numbers are yet. This will be the only agenda item on the agenda.

PUBLIC COMMENT PERIOD

There being no further comments, Mayor Manning closed the Public Comment Period.

Mayor Manning on behalf of the City Council wished every one a Merry Christmas and a very Happy New Year.

There being no further business to come before the Council a motion was made and seconded to adjourn the meeting into Executive Session, the meeting was adjourned into Executive Session at 7:30 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council