

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 6, 2011 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 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 City of Watervliet for the first time in two years declared a snow emergency on Tuesday, December 28, 2010. The City received 9.5 inches of snow during the storm. This is the fourth time since 2009 that the City utilized the revised snow emergency policy since it went into effect. Mr. Gleason noted that the policy was changed for a couple of reasons. The first was for public safety, the second was for equipment purposes. The old way was doing a tremendous amount of damage to the plows. The City in the past would go around cars, and then in three days go back in the hopes that the car was moved. The snow would end up turning into ice creating the damage. Mr. Gleason stated that Police Chief Ron Boisvert reported that 63 vehicles were towed that day. This percentage is very close to the past emergencies declared. All media outlets were contacted, Vliet Channel 17 and the robo call system was enacted. Mr. Gleason and Chris Daus spent the day trying to find people who had cars that didn't move by knocking on doors and they assisted moving cars from parking spots. The City went way above and beyond to assist residents. Mr. Gleason thanked the Department of Public Works and the Department of Public Safety Police Department for all their hard work.

ITEM #2 – Mark Gleason, General Manager informed the Council that on January 1, 2011 during a routine training run our Fire Truck #1 had its fuel line sliced by a tire that was in the roadway. The tire split the fuel line which caused fuel to spill on to the road. There was approximately 70 gallons of fuel spilled. The accident took place by the Menands exit of I 787. Mr. Gleason noted that thanks to the quick attention by the Department of Public Works Highway Department and Sanitation Department a potentially serious situation was avoided. Mr. Gleason further explained that NYS Department of Environmental Conservation was contacted about the spill. Chris Daus, Sanitation Supervisor has made arrangements for the disposal of the 3 yards of contaminated soil. Mr. Gleason thanked the Department of Public Works from our City, the Menands, Arsenal and West Albany Fire Departments for their assistance.

ITEM #3 – Mark Gleason, General Manager informed the Council that work has stopped at the Service Reservoir located off of Rt. 155 in the Town of Colonie. James H. Maloy has pulled off the job due to some issues. The first is that there is some additional work which needs to be performed in accordance with the NYS Department of Environmental Conservation. There was a question of permits obtained and permits needed for this project. The winter weather turning cold very quick was also a factor in this decision. An agreement has been reached with James H. Maloy to return in the spring to finish the project. Mr. Gleason noted that Jeff Budrow of Fraser Engineering is working with DEC to work out the other issues for the Service Reservoir Project.

ITEM #4 – Mark Gleason, General Manager informed the Council that Chris Daus, Sanitation Supervisor has announced the Christmas tree pick up schedule. The tree pickups will happen on Friday's. The trees will be picked up where the grass clipping are placed. The trees will be mulched and placed in parks and City owned property. The mulch will not be used in playgrounds but will be used in Hudson Shores Park and at the Lower Dam site.

OLD BUSINESS

NEW BUSINESS

RESOLUTION NO. 8669 – The Council of the City of Watervliet hereby authorizes regular meetings in the Council Chambers, City Court Room and Cultural Center on the first and third Thursday of each month. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8670 – The Council of the City of Watervliet hereby authorizes the Bank of America, Watervliet Branch, J.P. Morgan Chase Manhattan Bank, 12 Corporate Woods Boulevard, Albany, New York, Pioneer Commercial Bank, 21 First Street, Troy, New York 12180, HSBC Bank USA, 33 3rd Street, Troy, New York 12180 and First Niagara Bank, 433 River Street, Troy, NY 12180 as the designated official depositories for City funds for the year 2011. Upon motion of Mayor Manning, seconded by Councilman Foglia, this Resolution was approved and adopted. Councilwoman Fogarty abstained from voting.

RESOLUTION NO. 8671 – The Council of the City of Watervliet hereby designates the Troy Record as the official newspaper of the City of Watervliet for the year 2011. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8672 – The Council of the City of Watervliet hereby designates the Order of Business for the Council of the City of Watervliet for the year 2011. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8673 – The Council of the City of Watervliet hereby authorizes certain Public Officials to attend meetings and conferences held during the year 2011. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8674 – The Council of the City of Watervliet hereby designates Polling Places in the City of Watervliet for the year 2011. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8675 – The Council of the City of Watervliet hereby readopts the City of Watervliet Procurement Policy pursuant to General Municipal Law, Section 104 for the year 2011. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8676 – The Council of the City of Watervliet authorizes Mayor Michael P. Manning to execute the 2011 Animal Shelter Agreement with Mohawk & Hudson River Humane Society, 3 Oakland Avenue, Menands, New York 12204 for the period January 1, 2011 thru December 31, 2011. Before voting Yorden Huban, Corporation Counsel explained that this is the yearly animal shelter agreement for the necessity of the Animal Control Officer for the purpose of storing larger dogs that are picked up. The City also has a contract with Latham Animal Hospital but they are not equipped to handle larger dogs. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8677 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Grammercy Communications, LLC, 39 North Pearl Street, Albany, New York 12207 in the amount of \$18,000.00 for the period 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. 8678 – The Council of the City of Watervliet hereby approves the Consulting Services Agreement between the City of Watervliet and Enviro-Test, Inc. and further authorizes Mayor Michael P. Manning to execute the same. Before voting Rosemary Nichols, Deputy General Manager of Economic Development explained that the City did business with this company under previous grant funding. Ms. Nichols explained that Enviro-Test Inc. has a local office in Saratoga Springs and did an excellent job for the City in the past. Ms.

Nichols noted that they were the lowest responsible bidder and her department recommends that the City engage their services again. They will assist the City in doing the lead testing for the senior citizen rehabilitation project that the City is working on now. Ms. Nichols also explained that their services will be paid completely thru the grant money. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8679 – 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 Watervliet Traffic Court for the period January 1, 2011 and ending on December 31, 2011. Mayor Manning explained that the City has gone to two traffic courts per month to eliminate the backlog. Police Chief Boisvert noted that this is a very good system and that it moves the docket along a lot quicker. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8680 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Hacker & Murphy, LLP, 7 Airport Blvd. for professional legal services for trial and appeals along with property tax assessment matters for the period January 1, 2011 and ending on December 31, 2011. Before voting Mayor Manning explained that hacker & Murphy will represent the City on assessment challenges by primarily larger commercial properties. The assessment challenges are a yearly event from the commercial properties. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Robert A. Fahr, Director of Finance explained to the Council that on January 19, 2011 the City will receive bids on the long term bond issue. On Monday, January 10, 2011 Mr. Fahr will hold a conference call with Moody's bond rating service.

Robert A. Fahr, Director of Finance explained to the Council that he is hoping that at the January 20, 2011 City Council Meeting he will have the 4th quarter sales tax figures. The City is currently at 76% of budgeted amount for 2010. The City needs an additional \$720,000 to meet budget for 2010. Mayor Manning asked if this was the last item to close out the 2010 budget. Mr. Fahr responded by saying yes.

PUBLIC COMMENT PERIOD

Steve Anderson – 1225 19th Street – Watervliet, New York – Mr. Anderson stated that he was very impressed with the number of cars towed during the last snow storm. Mr. Anderson asked if the Council knew how many tickets were issued for sidewalk infractions. Mark Gleason, General Manager explained that no tickets were issued. The City gave over 100 warnings about removing snow from sidewalks. The feeling was that the City didn't have a snow emergency last year. Code Enforcement went around and informed owners that they must shovel their sidewalks. Mr. Anderson asked if it was still 24 hours to remove snow from sidewalks. Mr. Gleason responded yes. Mr. Anderson noted that back in November of 2007 he approached the City Council and Yorden Huban, Corporation Counsel about the State taking clear of 19th Street sidewalks after they plow them in seeing that area is a state highway. Mr. Anderson claims that he still has not gotten a response. Mr. Anderson noted that there is another pending storm to worry about. The plow pushes everything right over to the hedges. Mr. Anderson asked Yorden Huban if he received any kind of a response back. Mr. Huban asked when he inquired and how he inquired. Mr. Anderson stated by letter in November 2007. Mr. Anderson stated that there is a State Law that says whenever a municipality, county or state highway the City is actually responsible to maintain the sidewalks. Seeing Rt.2 is a State Highway and the sidewalk borders a State or County Highway the municipality is required to maintain the sidewalk that includes snow removal. Mr. Anderson wants that noted for the record in case any tickets are issued in that area. Mr. Anderson wants this issue resolved regardless of who is responsible. Mr. Anderson further explained that going from the Latham Circle to Niskayuna the State clears the sidewalks after the storm. Mayor Manning noted for the record that the City will look into the situation for Mr. Anderson.

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 7:30 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council