

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MAY 5, 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.

Mayor Michael P. Manning explained that tonight he would like to recognize the Comprehensive Planning Advisory Committee. This committee consisted of a combination of residents as well as some of the staff at City Hall. Mayor Manning provided the Comprehensive Planning Advisory Committee with a Certificate of Recognition for all their hard work on this committee. Mayor Manning presented Matt Calacone, Paul Gentile, Mark Gilchrist, Mark Gleason, John Broderick, Bob DeChiro, Dot Dugan, Jeff Foster, Jay Halyko, Tom Holmes, Paul Murphy, Carol Shufelt, Nick Ostapkovich and Lauren Smith. Mayor Manning noted that he will get the certificates to all the members who couldn't make it. Mayor Manning thanked all who attended and noted that the participants became part of history by participating in this committee.

**REPORT OF OFFICERS AND COMMITTEES**

**ITEM #1** – Mark Gleason, General Manager requested Police Chief Ron Boisvert to address the Council. Chief Boisvert explained that the City of Watervliet Police Department participated in the Drug Enforcement Agency Pill Prescription Program on Saturday, April 30, 2011. Chief Boisvert noted that there were approximately 40 participants who turned in over 200 lbs. of prescriptions in a four hour period. Police Chief Boisvert stated that last year this same program nationwide collected over 245,000 lbs. of prescription drugs. Chief Boisvert then thanked all the residents that participated.

Chief Boisvert noted that he has a handicap parking space request. Chief Boisvert has reviewed the handicap parking requirements for Mr. Phil Vincent who lives at 443 3<sup>rd</sup> Avenue which is next to Ted's Fish Fry. Chief Boisvert noted that this is a very congested area along with Mr. Vincent having some very significant health issues. The application meets the criteria and now Chief Boisvert passes the application to the Council for consideration.

**ITEM #2** – Mark Gleason, General Manager informed the Council that on Thursday and Friday of last week all the municipalities along the Hudson River experienced record breaking high river water levels. Mr. Gleason explained that John Layton (Albany County Emergency Services Coordinator) sent out a flood warning on the Wednesday before the flooding. Mr. Gleason noted that the high water was caused by a perfect storm of a 3” rainfall event in the Adirondacks coupled with a large snow melt which was brought by the warm weather. Mr. Gleason thanked the Department of Public Works for their quick work by securing all the items in Hudson Shores Park. The City closed Hudson Shores Park and the 4<sup>th</sup> Street tunnel Bike Trail entrance until Saturday. Mr. Gleason reported that there was no damage at either area.

**ITEM #3** – Mark Gleason, General Manager informed the Council that on Wednesday, May 4, 2011, the City of Watervliet held a ribbon cutting ceremony at the Solar Boathouse/non-motorized dock in Hudson Shores Park. Mr. Gleason noted that the event was hosted by Mayor Michael P. Manning and the City Council. The event celebrated the City’s completion of the solar boathouse and the infrastructure surrounding it. The event also observed the association with the R.P.I. Rowing Club. Mr. Gleason also explained that the R.P.I. Rowing Club will also assist our children with rowing and exercising programs. Mr. Gleason explained that Mayor Manning announced at the Ribbon Cutting Ceremony that Hudson Shores Park was now open for the season.

**ITEM #4** – Mark Gleason, General Manager informed the Council that on Tuesday, April 26, 2011, Mayor Manning, Jim Besha President of Albany Engineering and himself met with residents who live along Stitt Rd. in the Town of Guilderland along with the Town of Guilderland Planner Jan Weston. Mr. Gleason explained that Stitt Rd. is a private road running along the southwestern end of the reservoir. The meeting was called to bring attention to the residents that part of Stitt Rd. are slowly sliding into the reservoir. Mr. Gleason explained that Jim Besha discussed where the sliding has occurred and where it is likely to occur. The residents agreed that sliding of property has taken place, the residents also agreed that the road will eventually slide into the City’s reservoir. Mr. Gleason noted that the discussion is now centered on what to do about the situation. The City of Watervliet has no obligation in this matter. The City of Watervliet held the meetings to make sure that the residents of Stitt Rd. are aware of the situation. Ultimately the problem must be solved by the residents and the Town of Guilderland. The City also pointed out that the NYS Water Shed Rules and regulations does not allow anyone on the reservoir including the residents of Stitt Rd. Mr. Gleason further explained that Jim Besha reiterated that septic systems are not allowed within 300 feet of any NY reservoir. The City will not make any current residents with septic systems within the 300 foot boundary move them. Once the home is sold the City will request the new owner to move the septic system outside the 300 foot boundary.

**ITEM #5** – Mark Gleason, General Manager informed the Council that on Wednesday, May 4, 2011, Mayor Michael P. Manning and himself attended a Public Hearing concerning the City of Watervliet application to build a hydroelectric plant on the Delta Dam located in Rome, New York. Mr. Gleason explained that the Delta Dam is located approximately 90 miles west of the City of Watervliet on Lake Delta within the City limits of Rome, New York. The dam area is used by the NYS Canal Corporation to supply water to the canal system. The Public Hearing was conducted in Rome City Hall after a full site visit was made. Mr. Gleason noted that the meeting was run by Jim Besha of Albany Engineering. The Public Hearing was attended by approximately 15 resident/officials. Mr. Besha reviewed the history of the lake and the dam. Mr. Besha's presentation stated that the hydroelectric dam that the City is proposing to place at Lake Delta will have a 5 megawatt capacity which could power 5000 homes. The hydro plant would replace 29,000 barrels of oil yearly and eliminate 12,500 metric tons of CO2 emissions annually. The power generated by the hydro will be used to power the Cities Water Treatment Plant and Pumping Station. This project not only helps New York State become more energy independent but helps clean the environment. Mr. Gleason further explained that a majority of the questions asked by residents concerned the level of the lake and their fear that the hydro would lower the water level. Mr. Besha assured the residents that nothing would change as to the lake levels. The Canal Corporation would continue to release water at its usual rate. The Hydro would capture the release and turn into power. Mr. Gleason concluded by stating that the presentation lasted about an 1 ½ hour and was well received. The City is in the final permit stage and the decision point will have to be made this summer.

### **OLD BUSINESS**

**ITEM #1** – Bruce A. Hidley, City Clerk and Clerk to the Council stated that this is for a Public Hearing regarding the Water/Sewer Rent Roll for the period May 1, 2011 thru October 31, 2011. (See Resolution No. 8714 which authorizes the Public Hearing). Mayor Manning explained that there are no plans to increase the residential rates for water/sewer for this coming period. The City does plan on increasing the commercial rates by 5%. This is the second 5% increase to account for the cost of installing new meters. Mayor Manning opened the Public Hearing for comment. There being no comment Mayor Manning closed the Public Hearing.

## **NEW BUSINESS**

**RESOLUTION NO. 8715** – 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 Mark Gleason, General Manager requested Rosemary Nichols to address the Council. Ms. Nichols explained that this is the annual application the City makes. There was a massive solicitation done this year. The City is not imposing any restrictions on the application. The application the City currently is working on is for senior's and single family homes. This application would be for anyone who has low to moderate income. The amount the City is limited to is \$400,000. The City will establish a list as time and opportunity allows us. Ms. Nichols noted that the application will be submitted at the end of the month. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8716** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with River Street Planning & Development, LLC for the performance of consulting services in connection with implementation of the Economic Gardening Element of the Comprehensive Plan for the City of Watervliet. Mayor Manning requested Rosemary Nichols, Deputy General Manager of Economic Development and Planning to explain why the City is feeding this in sections and why we are considering this. Ms. Nichols explained that the City has money as part of the application for CDBG funding from last year. The City funded two years ago \$24,000 which was part of the money to support the Comprehensive Planning process that paid part of the consultant fee. The rules have changed as to how someone uses the Planning money going forward. The City made an application in 2010 that had to be focused on Economic Development. The City thought that one of the biggest legislative changes that will come out of the Comprehensive Plan for zoning law is the overlay district along Rt. 32 and along 19<sup>th</sup> Street. The purpose is to have professional assistance to help the City do that. The other two parts of the grant application which was funded were to study/identify a section that the community identifies in one of those two areas and how do growing businesses to go into empty spaces. The grant has three components. The reason the City had to bid them separately was due to that being part of the application and figuring out how to fund the rest. The City does not have another grant to do this. The City has a timetable which it must use the money. The City with Council approval is going ahead with this portion of the proposal. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

## **APPROPRIATIONS AND ACCOUNTING**

**RESOLUTION NO. 8717** – The Council of the City of Watervliet hereby authorizes the transfer of \$12,000.00 from the General Liability Insurance Account (A1910.4000) to the Road Salt Costs Account (A5142.4000) for the additional purchase of road salt. Before voting Robert A. Fahr, Director of Finance explained that the good news is that the salt shed is full and ready for the next winter season. Mr. Fahr also explained that all the transfers tonight are budget neutral. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8718** – The Council of the City of Watervliet hereby authorizes the transfer of \$5,000.00 from the Sanitation Removal Contract Account (A8160.4013) to the Sanitation Vehicle Maintenance Account (A8160.4040) for the repair costs on several vehicles. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

**RESOLUTION NO. 8719** – The Council of the City of Watervliet hereby authorizes the transfer of \$8,000.00 from the Reservoir Maintenance Account (F8320.4027) to the Homeland Security Account (F8320.4085) for the cost of security cameras at the Watervliet Filtration Plant. Mayor Manning noted that this transfer was necessary due to the Filtration Plant going from three shifts to one shift. The City has worked with the Department of Health to get permission to staff the Filter Plant during the day and remotely monitor it the other shifts. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8720** – The Council of the City of Watervliet hereby authorizes the transfer of \$39,000.00 from the Police Payroll Account (A3120.1001) to the Police Special Wages Account (A3120.1005) for the 207C wages paid for the months of January thru April 2011. Robert A. Fahr, Director of Finance explained that this is for wages paid to injured Police Officers. Mayor Manning noted that the next Resolution is the same except for it is the Fireman. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

**RESOLUTION NO. 8721** – The Council of the City of Watervliet hereby authorizes the transfer of \$37,000.00 from the Fire Payroll Account (A3410.1001) to the Fire Special Wages Account (A3410.1005) for the 207A wages paid for the months of January thru April 2011. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**ITEM #1** – Robert A. Fahr, Director of Finance explained that the audit has been completed by UHY for 2010. The General Fund balance at the end of 2009 was \$1,080,000 of which \$250,000 was appropriated in 2010. The City's General Fund ended with \$1,069,000 in 2010. This even takes into consideration the \$250,000 which makes for a great year. The Water Fund increased from \$297,000 to \$307,000 and the Sewer Fund increased from \$162,000 to \$184,000.

Before moving into the Public Comment Period Bruce A. Hidley, City Clerk and Clerk to the Council announced that the May 19, 2011 City Council Meeting has been changed to May 26, 2011.

**PUBLIC COMMENT PERIOD**

**NONE**

There being no further business to come before the Council a motion was made and seconded to adjourn in to 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

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION OF THE COUNCIL  
OF THE CITY OF WATERVLIET, THURSDAY, MAY 5, 2011.**

The Executive Session meeting was called to Order by Mayor Michael P. Manning at 7:40 P.M.

Roll Call showed that Mayor Michael P. Manning, Councilwoman Ellen R. Fogarty and Councilman Nicholas Foglia were present.

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

**ITEM #1** – Police Chief Ron Boisvert discussed a personnel issue with the Council.

**ITEM #2** – Mark Gleason, General Manager discussed a Workers Compensation issue with the Council.

**ITEM #3** – Mark Gleason, General Manager discussed a Department of Public Works personnel issue with the Council.

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 8:55 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council