

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JUNE 2, 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, Rosemary Nichols, Deputy General Manager of Economic Development and Planning, Bruce A. Hidley, City clerk and Clerk to the Council and Robert A. Fahr, Director of Finance.

A motion was made and seconded to dispense with and accept the minutes from the previous City Council Meeting.

Bruce A. Hidley, City Clerk and Clerk to the Council announced that before moving into reports of Officers and Committees that Mayor Michael P. Manning and the City Council has a special presentation to make at this time. Mayor Manning explained that the Council will be giving citations to the 4th platoon of the Fire Department for an incident which occurred on March 26, 2011. The ambulance was dispatched to Trinity Church on First Avenue for a female who fainted. The 4th platoon responded and found the girl in full cardiac arrest with a bystander administering CPR. The 4th platoon continued the CPR due to the girl having no pulse and very few respirations. The patient was defibrillated along with being given cardiac drugs to correct the underlying rhythm that caused the cardiac arrest. The patient became ROSC (return of spontaneous circulation). The patient was then delivered to Samaritan Hospital for further cardiac care and is alive and well today.

Mayor Manning and the City Council then invited the 4th platoon up for a presentation.

The 4th platoon included the following:

Captain Thomas Eagan

Captain John Mazzariello

Firefighter Jim Strock

Firefighter Tim Delisle

Firefighter Jodi Legault

Mayor Manning then read the certificates and then presented them to each recipient.

Acting Chief Scott Skinner has a similar Certificate of Accommodation from the Regional Emergency Medical Organization (REMO) which oversees and is responsible for our emergency medical care in the City. Acting Chief Skinner also has a plaque for the 4th platoon which can be displayed at the Fire Department. Mayor Manning once again congratulated the 4th platoon.

Captain Thomas Eagan stated that when a situation such as this turns out the way it does it makes you feel real good. The 4th platoon acted very professionally and did an outstanding job. Captain Eagan noted that the recognition is greatly appreciated then thanked the Council again.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager explained that with the warmer weather the issue of backyard fires comes forward. Mr. Gleason noted that Section 135-8 of the City Charter (Restricted Residential Recreation Outdoor Fires) lays out the guidelines as to backyard fires within the City of Watervliet. Mr. Gleason further explained that key elements of the law states that any fire must be in a commercially designed and manufactured portable outdoor fire pit with a screen. The fire pit must be 25' away from any structure and 20' away from any property line. Mr. Gleason stated that he is sure all residents of the City can appreciate the hazards of an improper backyard fire. Most properties in the City do not have the prerequisite distance to hold a fire. Mr. Gleason asks all residents to consult the City Charter which is on the City's website to determine if their yard conforms to Section 135-8 of the Charter before considering the possibility of hosting a backyard fire.

ITEM #2 – Mark Gleason, General Manager informed the Council that the Summer/Seasonal program deadline for applications has passed. Mr. Gleason explained that over 90 young adults applied for positions. The City is now in the process of assigning duties. Due to the record number of young adult's applying for the program most Summer/Seasonal employees will receive 5 to 6 hours per week of work.

ITEM #3 – Mark Gleason, General Manager informed the Council that on Tuesday, May 31st, Jeff Budrow and Dave Boyer of Fraser and Associates Engineering, William Ashline, Water Department Supervisor, Dave Dressel, Jr., Jim Bulmer and himself met with the low bidder of the reconstruction of the 23rd Street Project, Delsignore Construction. Mr. Gleason explained that the reason for the meeting was to discuss the scope of the 23rd Street Reconstruction work. Jeff Budrow of Fraser Engineering originally estimated that the project cost would be priced at \$270,000. During the bid opening the lowest bidder came in at \$367,000. Mr. Gleason noted that the City asked Delsignore why the bid was so high. The representative of Delsignore explained that the age of the infrastructure and what they may run into (old gas lines and utilities) coupled with the new technology being used of pipe bursting (breaking the pipe underground and pushing the new pipe into the void created) which is cheaper than digging may be the reason for the higher than expected cost. Also, the technology is fairly new and Delsignore is not sure that because of the age of the infrastructure they are afraid that they may get a short ways into this portion of the project then stop and dig. Mr. Gleason further noted by saying that it was suggested that money could be saved if the City used line stops. If the City put a line stop in it could achieve good water shut down for the waterline being replaced. If the City was able to get a complete shutdown which the Water Department is testing now. The City could eliminate the line stops and save approximately \$40,000. Mr. Gleason concluded by saying that the end result will be the testing and report back to Delsignore and at that point the City will make some type of decision as to whether the 23rd Street Project will move forward.

Councilwoman Fogarty asked that if Delsignore does not run into a problem will the project cost be less. Mr. Gleason responded by saying no there is not a lot of fat into the costs. Mr. Gleason will review this very carefully, there are a lot of funds involved with this project. Consolidated Highway Improvement Program (CHIPS), Multi-Model and Water Fund money is all being utilized for this project.

ITEM #4 – Mark Gleason, General Manager informed the Council that on Wednesday, June 1st a meeting was held in City Hall to discuss the emergency procedures for the Upper/Lower Dams and the Service Reservoir located in the Town of Colonie on Rt. 155. Mr. Gleason explained that in attendance for the meeting was Jeff Budrow of Fraser Engineering Associates, Police Chief Ron Boisvert, Acting Chief Scott Skinner, Water Department Supervisor Bill Ashline, Town of Colonie Emergency Planner Michael Rayball and himself. The meeting was required by NYS Department of Environmental Conservation (NYSDEC) Dam Safety. Mr. Gleason noted that the meeting was led by Jeff Budrow. Mr. Budrow reviewed the functions of the Upper/Lower Dam along with the Service Reservoir. The group discussed where the water would flow in case of a breach of the dam. The group also discussed locations which would have to be evacuated in case the 800 year storm should hit. An 800 year storm would consist of 8 to 10 inches of rain in 3 to 4 hours. It is very important that the Town of Colonie is involved with this procedure as the property being affected is in the Town. NYSDEC Dam Safety requires that this procedure be put into place and the City is working on this. The City is in the process of compiling a list of residents to contact. These identified residents will be sent a letter asking for emergency contact information. Mr. Gleason reinforced that this action would only need to be put into place if we experienced an 800 year storm.

ITEM #5 – Mark Gleason, General Manager informed the Council that the City received the first draft letter from Clough Harbour Associates (CHA) to Green Island Contracting concerning work that must be completed on 19th Street. Mr. Gleason noted that like the report from Greg Wischer, NYSDOT paving expert the letter demands repair work to the mainline and intersection pavement joints. The letter also demands repair to the cracked pavements (sidewalks and streets) as well as the ripped crosswalk stripping. Additionally, there are 29 tree pits constructed with concrete pavers that have settled and now have created a tripping hazard. Mr. Gleason further explained that approximately 11 trees did not survive the winter. There are other issues that CHA are calling on GI Contracting to correct. Mr. Gleason concluded by saying that CHA has asked GI Contracting to review the letter and set up a meeting to discuss the corrective action. Mr. Gleason will keep the Council up to date on this issue.

OLD BUSINESS

ITEM #1 – Mark Gleason, General Manager discussed with the Council regarding the response time to large rain events at Hillside Drive. Mr. Gleason explained that this was brought up at the Public Works Meeting. The Water Department and the Department of Public Works has been directed to respond to Hillside Drive during a micro burst rain event immediately. Each Department must start the process of cleaning the catch basins. Residents should not be expected to clean out the catch basins.

RESOLUTION NO. 8723 – TABLED ON MAY 26, 2011 – The Council of the City of Watervliet hereby approves a Municipal Cooperation Agreement between the Village of Green Island and the City of Watervliet and further authorizes Mayor Michael P. Manning to execute the same. Before voting Mayor Michael P. Manning explained that the City has an emergency response mutual aid agreement with the Village of Green Island. This gives us the potential to provide ambulance transport service for the Village like we do here. Mayor Manning noted that there are some procedures left to straighten out before implementing this new program. They include both procedurally internally, contractually internally and procedurally and contractually with Green Island. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

NEW BUSINESS

ORDINANCE NO. 1876 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinances, City of Watervliet, Chapter 260, “Vehicle and Traffic”, Article IV, “Handicapped Parking”, Section 260-30 (C), “Sign Location”, be amended for 401 7th Avenue, Watervliet, New York. Before voting Mayor Manning explained that the Council is taking action from a recommendation of Police Chief Ron Boisvert. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Ordinance was approved and adopted.

RESOLUTION NO. 8724 – The Council of the City of Watervliet hereby authorizes the City of Watervliet to apply for Microenterprise funding as part of the 2011 Community Development Block Grant Economic Development Program and further authorizes Mayor Michael P. Manning to accept and receive a grant for Economic Development activities.

Before voting Rosemary Nichols, Deputy General Manager of Economic Development and Planning explained that in January the City had a Resolution to modify the Economic Development Program. There were a number of people who showed regarding the possibility of grant money or loans for economic development in the City. The City was especially interested in this program which is designed for small businesses. The maximum grant is \$25,000, it either creates a new business or supports an existing business that will produce at least one job. The City has had a microenterprise program as part of the Comprehensive Plan 2008 CDBG in Port Schuyler. This is intended to build upon that program. Ms. Nichols noted that there are three preliminary applications now. The City has to produce three more in the course of the next two years. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8725 – The Council of the City of Watervliet hereby authorizes for the purpose of complying with the New York State Environmental Quality Review Act in connection with the acquisition and use of 0.849 acres of state owned land formally underwater located adjacent to the Hudson River and Hudson Shores Park in the City of Watervliet. Before voting Yorden Huban, Corporation Counsel explained that this is part of the process for the City of Watervliet to comply with the regulations on the Code of the State of New York to undertake an environmental review in order to apply to the Office of General Services for the State of New York to convey land to the City. Mr. Huban noted that this is land that is already part of Hudson Shores Park. The State of New York has agreed to convey that portion of the park to the City. This Resolution for the Council is for the City to act as Lead Agency to undertake an environmental assessment to determine whether or not this conveyance has any adverse impact on the land. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8726 – The Council of the City of Watervliet hereby approves and authorizes the City of Watervliet Climate Action Plan. Before voting Mayor Manning explained that this is a Resolution formally adopting a Climate Action Plan which is part of the Climate Smart Committees pledge the City took. This takes steps to reduce the City's greenhouse gas emissions. The City received a grant from a small climate group the Clean Air, Clean Planet Group who gave the City \$2,500. The City hired a consultant who put together plans. This particular plan fits in nicely with the City's Energy Performance Contract which the City entered into a while ago to decrease electric and gas usage. Mayor Manning noted that if approved tonight the 10 page document will be posted on the website. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Mayor Michael P. Manning announced that the City is starting the half year check of the City expenses and revenues thru the end of May. This portion checks to see how we are doing with the budget to date.

Mayor Michael P. Manning explained that he was informed by Albany Engineering Company regarding the Delta Dam Project in Rome, NY that the NYS ISO controlling the power going thru the grid that this will not require NYS ISO action. This will allow National Grid to complete their interconnect. That leaves the City on track to submit our license to FERC this summer.

Mayor Michael P. Manning explained that the City completed the second of two Public Hearings on the grant funded study to look at the possibilities of consolidating the Cohoes and Watervliet Fire Departments. The report was presented by the consultant in both venues. The City has been collecting comments for the past two weeks. The report has been posted on the City's website. The City will collect comments and the comments will be added as an addendum to the report before it is formally closed out with the consultant.

Mayor Michael P. Manning explained that the City has received requests for setting up locations for skateboarding. Up until now the requests have come primarily from actual skateboarders themselves. Mayor Manning noted that this request came from a homeowner who has been tolerant of skateboarding. Now the property owner has requested that the City find somewhere for the skateboarder to go to. Mayor Manning stated that he will take this request under advisement.

PUBLIC COMMENT PERIOD

NONE

Mayor Michael P. Manning addressed an issue from the last Public Comment period from Mr. Don Whitehead regarding the 19th Street Ordinance for signs and the placement of some of the signs. Mark Gleason, General Manager stated that the City did step up enforcement of people parking in the crosswalk. The City will be replacing the sign that was either cut or knocked down. Mayor Manning explained that the City needs to either rely on NYS Law or whether we issue our own Ordinance for the signage in question. Yorden Huban, Corporation Counsel explained that he feels it would be very easy to incorporate into our Ordinance what needs to be done with the signage. Mr. Huban would just need information related to where the signage will be placed and what it would be for.

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

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION OF THE COUNCIL OF
THE CITY OF WATERVLIET, THURSDAY, JUNE 2, 2011.**

The Executive Session 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 W. 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 and Robert A. Fahr, Director of Finance.

ITEM #1 – Mayor Michael P. Manning discussed a Fire Department personnel issue.

ITEM #2 – Mark Gleason, General Manager discussed a Worker Compensation proposal filed with the City.

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 8:45 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council