

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, DECEMBER 1, 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 Huban, Corporation Counsel, Bruce A. Hidley, City Clerk and Clerk to the Council, Mark R. Gilchrist, Building Inspector/Assessor, Fire Chief Scott Skinner 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 Bruce A. Hidley, City Clerk to address the Council regarding a Workers Compensation issue. Mr. Hidley explained that in early October 2011 the City of Watervliet was informed by Northeast Health Workers Compensation the City's Third party Administrator that due to a merger with St. Peter's Health Partners and the acquisition by Catholic Health East effective January 1, 2012 Northeast Health would no longer be able to provide Workers Compensations service to the City of Watervliet. Mr. Hidley noted that Robert A. Fahr, Director of Finance and himself contacted several vendors who offer Third Party Administration services. Mr. Hidley further explained that there was only one company who submitted a quote to administer the City's outstanding claims. The name of the firm is USA-TPA, the Account Manager is Tony Cassarro. The quote submitted by USA-TPA was a three year annual fee of \$6,500 per year. Mr. Hidley stated that the City had to hire a professional TPA firm who is licensed to be a Third Party Administrator. The City would not have been able to administrate the claims internally due to the certification to be a Third Party Administrator. The City currently has nine Workers Compensation claims outstanding that happened prior to 2004 when the City became fully insured thru the NYS Insurance Fund.

ITEM #2 – Mark Gleason, General Manager explained to the Council that on Tuesday, November 29th, Jim Bulmer, Dave Wheatley and Mark Gleason met with Dave Boyer of Fraser Engineering Associates along with Mike Gallo of Gallo Construction concerning the Upper/Lower Dam. Mr. Gleason stated that at the meeting the City made it very clear that the project must be substantially completed by December 15, 2011. This project was funded from a Community Development Block Grant. This grant like other grants has a very strict deadline which must be met. The project was held up due to bad weather, the area is nothing but mud. Additionally, the installation of finger drains on the eastern slope of the Upper Dam has slowed the project. Finger drains are basically stones piled up on each other at an angle that act as a support beam in your house. This is a very special project that Gallo Construction brought in a sub-contractor to perform the work.

Gallo Construction has assured the City that they will substantially finish the project by the December 15th deadline. As a protection to the City there is a liquidated damages clause in the contract of \$1,000 per day if not completed on time.

ITEM #3 – Mark Gleason, General Manager explained to the Council that this morning he met with FEMA representative Robert Hogan. Mr. Gleason noted that Mr. Hogan visited Hudson Shores Park and the Dam Pump House in Guilderland, NY. The visit was to document the damage related to Tropical Storm Irene and Hurricane Lee. Mr. Gleason noted the City to date has incurred expenses of \$52,000 relating to these two storms. The City can expect FEMA to reimburse the City 75% or \$39,000. Mr. Gleason further explained that any future expenses will be paid by an estimate basis. There is still a lot of silt in Hudson Shores Park which the City can't get to until the spring. FEMA noted that the City should not expect payment until sometime next year.

ITEM #4 – Mark Gleason, General Manager informed the Council that on Tuesday, November 29th that Mayor Manning, Police Chief Ron Boisvert, Fire Chief Skinner and himself participated on a conference call. The conference call was with Broadblast Managed Communications. Mr. Gleason explained that Broadblast provides the software First Call. This is an emergency notification system that will allow the City to communicate directly and immediately using a land line phone, cell phone, text or e-mail. First Call can be used to notify residents of snow emergencies, water main breaks or service changes such as garbage not being picked up on a certain day. The City is currently reviewing the software to get familiar with the new system. Once the system is put in place the City will ask residents to go to the website to enter in information for the new system. This new system will replace the current Robo Call the City has in place now. Councilman Foglia asked about the people who are already in the Robo Call system, are they automatically added into the Broadblast plan. Police Chief Ron Boisvert explained that the entire new software package has to be populated by the community. Police Chief Boisvert noted that as a failsafe the City may want to use Robo Call one more time. Mayor Manning noted that the City will be able to prepopulate with 911 data. Police Chief Boisvert suggested that the City place a small article in the Troy Record informing residents of this new technology.

OLD BUSINESS

PUBLIC HEARING – Regarding the Estimate of Revenue and Expenditures for the fiscal year 2012 commencing on January 1, 2012. (See Resolution No. 8772 authorizing the Public Hearing).

Mayor Manning summarized the budget with the following information, \$10.7 million dollars, a \$200,000 increase from the 2011 budget. The increase was lead by a 16% increase in the NYS Retirement contribution amount along with a 5% increase in health care as the leading expenses. Mayor Manning noted that additionally, the budget includes an \$80,000 decrease in Sales Tax due to the new census. The City is also looking ahead and decreased the State Aid estimate in light of the fact that this number has decreased the past three years. Mayor Manning further explained that this is a very conservative budget with a slight increase of 1.6% which is below the Governor's 2% tax cap. This translates to approximately \$20.00 per year to the average homeowner. With the large increases incurred and the cost cutting efforts put in place this is a sound, conservative and prudent budget.

Mayor Manning opened the Public Hearing for comment regarding the 2012 budget. Mark Gleason, General Manager stated that Robert A. Fahr, Director of Finance and all the Department Heads did a fantastic job achieving a realistic budget for the residents of the City.

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

Before moving into the New Business portion of the meeting Mayor Manning explained that the City fixed the signs on 19th Street. Police Chief Ron Boisvert worked with Clough Harbour Associates to look at the design of 19th Street. Chief Boisvert isn't sure why the signs were placed the way they were. The signs were placed with an arrow that stated No Parking anytime which eliminated at least two parking spots. The City eliminated the No Parking her to corner and order sign that says Do Not Block Crosswalks.

NEW BUSINESS

RESOLUTION NO. 8774 – The Council of the City of Watervliet hereby authorizes an agreement approving the third amendment to the license and use agreement between the Arsenal Business and Technology Partnership, LTD and the City of Watervliet for a period of one year commencing on December 1, 2011 and ending on November 30, 2012 and further authorizing and directing Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that this is the office space that the City rents inside the Arsenal. The City does a lot of work there and this allows us our own office space. Mayor Manning does have interest into sub-letting this space. Mayor Manning will have Corporation Counsel Yorden Huban look into this issue. Mayor Manning will also look into doing this sub-letting of space in City Hall also. Upon

motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

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RESOLUTION NO. 8775 – The Council of the City of Watervliet hereby authorizes Hacker Murphy, LLP to enter into a settlement judgement which will enter into a settlement document which will result in downward revisions of the assessed value on Elmwood Associates property from \$5,110,600 in 2010 to \$4,600,000. Before voting Mark Gilchrist, Assessor explained that the City reduced the assessment in May and became final with the July 2011 roll. Mr. Gilchrist noted that this is going back one year for Fenimore Trace Apartments. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

ITEM #1 – Robert A. Fahr, Director of Finance explained to the Council that the City was able to take advantage of the low interest rate environment and refinance the outstanding portion of the 2000 – 2003 bonds of the City. Mr. Fahr noted that the timing was excellent as worldwide economic conditions has had investors seek safety in quality investments. Leading up to the sale of the bonds the feedback from the market was positive. Based on the fact that the rates are sensitive due to the volatility of the current market conditions one has to be cautiously optimistic. The refinancing exceeded expectations based on the timing and quality of the City's credit. The bonds were structured to maximize savings over the life of the bonds by using a level savings pattern. This reflects management's commitment to a prudent long term approach and resulted in approximately \$125,000 in net budgetary savings over the next 9 years. Mr. Fahr also stated that Moody's reaffirmed the City's A-1 credit rating citing conservative budgeting practices and maintenance of a structural balanced budget. This is the first time in Watervliet's history to refinance it's long term debt.

Before moving into Public Comment Period Mayor Manning noted that he welcomed a new tenant to the Arsenal Partnership. The name of the company is Cleveland Palmer Technologies. This is a family owned business with unique technology. As part of the funding they are getting from NYS to fit up the facility Mayor Manning figures this company will upwards to 30 jobs needed. Mayor Manning noted that they are looking for hands on workers not college educated. This is tied heavily into the semi-conductor industry. This company is moving here from Elmira, NY. They did have an option to move to Ohio but choose Watervliet. Mayor Manning feels that this a plus for us that they are moving here. There is a lot of interest there and three companies have already moved in.

Mayor Manning explained that Wicked Smart will be moving into one of the churches in the City. They are looking for as part of their funding approximately 10 – 14 jobs. These jobs are something they can step into and even walk to work.

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Mayor Manning announced that the Tree Lighting Ceremony will be Saturday, December 3, 2011 at the Veterans Memorial Park from 5:00 PM until 7:00 PM. The refreshments in the form of hot soup are being made by the Watervliet High School Food and Nutrition Program. The ornament will be given out and Santa will be there for the children.

PUBLIC COMMENT PERIOD

NONE

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 7:35 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, DECEMBER 1, 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 and Robert A. Fahr, Director of Finance.

ITEM #1 – Bruce A. Hidley, City Clerk and Clerk to the Council explained to the Council that he had a Workers Compensation proposal for the Council to consider. After a detailed discussion the Council voted to approve the proposal presented by Mr. Hidley.

There being no further business to come before the Executive Session, a motion was made and seconded to adjourn the Executive Session. The Executive Session was adjourned at 8:05 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council