

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, APRIL 5, 2012 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, Rosemary Nichols, Deputy General Manager of Economic Development and Planning, Mark Gilchrist, Assessor/Building Inspector 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 – Mayor Manning announced that the Honorable Daniel P. McCoy, Albany County Executive is here tonight to address the City Council and the residents in attendance for the City Council Meeting. Albany County Executive McCoy stated that he was going around the County to inform County residents of what the State of the County is. Albany County Executive McCoy discussed sales tax, the 2% tax cap, current budget run by Albany County, unfunded mandates, medicaid/medicare issues, county jail mental health inmates, senior citizens, nursing home, property tax, County Clerk's Office revenue, consolidation issues, shared services, retirement costs, new business development and economic development issues. Albany County Executive McCoy also stated that there are some great things going on in Albany County. County Executive McCoy complimented Mayor Manning for working very closely with Albany County on the Dispatcher consolidation. County Executive McCoy encouraged all in attendance to contact his office with any questions or comments they may have.

ITEM #2 – Mark Gleason, General Manager explained to the Council that on March 12th Water Department Supervisor William Ashline, Jim Bulmer, Water Department Consultant and Mr. Gleason met with Jeff Budrow and Dave Boyer of Weston & Sampson Engineering concerning the Upper Dam. Mr. Gleason noted that in 2008 Fred Dente a GEO Technical Engineer provided an opinion that the downstream slope of the Upper Dam could shift. The ratio of the downstream slope 1 foot vertical for 2 foot horizontal, it's fairly steep. There is some concern that this slope could slip. Since that time the City has been monitoring and did notice this summer that there was slipping happening. The City has gotten together with our City Engineer and Mr. Dente to come up with a proposal where the City will make the slope from one on two to one on three feet. The developer next to our slope area is beginning phase two of their project and will need to get rid of a lot of fill. The project the City is doing will need 7,000 cubic feet of fill. Mr. Gleason noted that we have spoken with the developer he is in agreement to drive his fill 100 yards to our dam and drop it there. The City will then cap off the sloop and make it sturdier for the Upper Dam. This project will take place late summer early fall.

ITEM #3 – Mark Gleason, General Manager explained to the Council that the Department of Public Works Water Department has started its annual Spring Flushing program effective March 26th. Mr. Gleason noted that basically all the lines are flushed throughout the City. Residents may notice discoloration of water for a short time period. Mr. Gleason asked residents that experience long period of discoloration to contact the Water Department at 785-7082.

ITEM #4 – Mark Gleason, General Manager explained to the Council that the week of April 23 thru 26, 2012 will be Bulk Item Disposal Week. During this week residents can dispose of items for free. Residents must follow the guidelines which are set forth in the Sanitation/Recycling policy. Basically a resident can't throw out more than a 4' x 4' x 8' space of debris. No appliances such as refrigerators, electronics or hazardous materials. Mr. Gleason noted that you can refer to the City's website for further information about the Bulk Item Week pickup. You must put out your debris the same night as your garbage. At the end of the week the City will sponsor an electronics recycling day. Anyone who has electronics to get rid of just brings the electronics to the Department of Public Works Garage.

OLD BUSINESS

PUBLIC HEARING – A Public Hearing for those persons who wish to be heard with regard to the proposed local municipal Resolution entitled “Redefining the Boundaries of the Hudson-Mohawk Urban Cultural Park, known as Riverspark”. Mayor Manning noted that the Riverspark area is pretty much runs along the City's river. That organization includes many of the municipalities along the river. When this organization was first founded it only included a section of Watervliet close to the river. Riverspark has asked that the City increase the boundary line to include the entire City. The reason is to expand the region to make the City eligible for grants related to what Riverspark is standing for. Mayor Manning opened the Public Hearing for comment. There being no comment Mayor Manning closed the Public Comment period.

PUBLIC HEARING – A Public Hearing for those persons who wish to be heard with regard to Local Law No. 1-2012 amending Chapter 28 of the Code of the City of Watervliet relative to the Code of Ethics. Mayor Manning explained that the City adopted a Code of Ethics a couple of years ago. Mayor Manning stated that this new Local Law reformat and revises the Code of Ethics to its current state. Yorden Huban, Corporation Counsel noted that this is a Local Law to amend its entirety of Chapter 28 of the Code of Ethics. Mr. Huban explained that since the introduction of the Local Law at the March 15th City Council Meeting there have been no changes to this legislation. Mr. Huban further explained that under General Municipal Law municipalities are obligated to pass a local Code of Ethics that establishes issues that pertain to ethics or the conduct of a City official. This Local Law will also allow the City Council to establish a local Ethics Board. Mayor Manning also noted that this Local Law would put the City be in compliance with the Attorney General's Office Rules and Regulations for Ethics. Mayor Manning opened the Public Hearing for comment. There being no comment, Mayor Manning closed the Public Comment Period.

PUBLIC HEARING – A Public Hearing for those persons who wish to be heard with regard to Local Law No. 2-2012, a Local Law to supersede Section 30 of the Charter of the City of Watervliet relative to the transfer of certain real property and release of easement owned by the City of Watervliet. Mayor Manning explained that this is a Local Law to cover the exchange of property that was involved with settling an Order of Consent from the NYS Department of Environmental Conservation regarding the Storm Water system behind Fenimore Trace Apartments. There is a large dam in that location that has a spillway. In order to make the spillway meet NYSDEC the consent order the City exchanged land. The City has to do this by law in order to make the exchange permanent. Yorden Huban, Corporation Counsel noted that the Local Law introduced has a minor change on page three. The change was the addition of release of easement was added and Schedule C which is a continuation of the schedule already submitted. Mayor Manning stated that this is serving a better purpose now that the storm water area protects the northern portion of the City. A discussion followed regarding where this water flows from and where the water flows to. Additionally, Mark Gleason, General Manager noted that the dry river system flowed very smoothly during Tropical Storm Irene in August. Mayor Manning also noted that robo call was used to inform residents that a potential evacuation could have taken place. Mayor Manning was very thankful that the evacuation was not needed. Mayor Manning opened the Public Hearing for comment. There being no comment, Mayor Manning closed the Public Comment Period.

NEW BUSINESS

LOCAL LAW NO. 1-2012 – A Local Law amending Chapter 28 of the Code of the City of Watervliet relative to the Code of Ethics. Before voting Mayor Manning noted that a Public Hearing was already held with no comment. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Local Law was approved and adopted.

RESOLUTION NO. 8820 – The Council of the City of Watervliet hereby authorizes the adoption of a Negative Declaration on proposed land exchanges in the Dry River Flood Control System of the City of Watervliet in the Town of Colonie. Before voting Yorden Huban, Corporation Counsel explained that this is a SEQR Resolution. At this time Mr. Huban thanked Rosemary Nichols, Deputy General Manager of Economic Development and Planning who assisted in drafting and preparing this Resolution. Mr. Huban stated that this is a very detailed Resolution that discusses the proposed land exchange. The purpose of the Resolution is to allow the City Council to act as Lead Agency for the Environmental Review of the action. The City Council was presented with an Environmental Assessment Form that has reviewed the potential areas of environmental criteria pursuant to SEQR regulations. Essentially this determination will not have a significant environmental impact by adopting this Resolution. Mayor Manning stated that this is a Resolution before the City Council to say that this land swap being done has no negative impact on the environment. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

LOCAL LAW NO. 2-1012 – A Local Law to supersede Section 30 of the Charter of the City of Watervliet, relative to the transfer of certain real property and release of easement owned by the City of Watervliet. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Local Law was approved and adopted.

RESOLUTION NO. 8821 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to submit an application to the Department of State 2011 – 2012 Local Government Efficiency Program for grant funds to support a countywide shared Highway Services Study. Mayor Manning explained that this is a Resolution to support a grant being coordinated by Albany County to look at sharing highway services like plowing as an example with municipalities in Albany County. Mayor Manning noted that this Resolution will inform Albany County of our support of this grant/study. Mark Gleason, General Manager provided an example of what this program could do. The City could borrow a blacktop spreader from Albany County for a City project thus saving taxpayers money by not hiring someone to do the blacktopping the City would do the blacktopping with our own employees. Mayor Manning concluded by noting the City is not paying for any portion of this grant study. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8822 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Segal, Goldman, Mazzotta & Siegel, P.C. and further authorizes Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that this is an agreement between the City and this law firm to represent the City's interests in the process for the proposal that Nigro Company made at the March 15, 2012, City Council Meeting. This will be paid for thru an escrow account that will be set up by the developer NIGRO Company. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8823 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Clough Harbour Associates and further authorizes Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that this agreement is between the City and CHA to act as our technical and engineering support to evaluate the proposal made by Nigro Companies at the March 15, 2012, City Council Meeting. The cost will be paid for by the developer and it is hard to place a cost at this time due to the City does not know how long this will go or what services will be needed by CHA. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8824 – The Council of the City of Watervliet hereby authorizes Bruce A. Hidley, City Clerk and Clerk to the Council to advertise once in the official newspaper that the City of Watervliet will receive sealed bids until 10:00 A.M. on Tuesday, May 1, 2012 for Third Party Ambulance Services for the period June 1, 2012 until December 31, 2013. Before voting Mayor Manning explained that this Resolution allows the City to put out for a billing service for our ambulance service. The City currently has an outside service that has been with the City since 2009. Now that the City also provides service to Green Island it was time to put this billing service out to bid again to entertain other offers. The City signs a contract with the billing service and the City pays a percentage of the collections. Yorden Huban, Corporation Counsel stated that in accordance with the current agreement in place that the City provided the 30 day notice to inform the current provider of our intentions. Mayor Manning stated that the City is trying to get a better collection rate. The City became aware of other companies that would be better at getting a higher share of the fees. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8825 – The Council of the City of Watervliet hereby approves the payment of Municipal Engineering and Legal Expenses between the City of Watervliet and Nigro Companies, Inc. and authorizes and directs Mayor Michael P. Manning to execute the same. Mayor Manning explained that this is the Resolution that will set up the escrow account that pays for the engineering and legal firms that the City passed in the earlier tonight. 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 that UHY will be completing the audit of the City's 2011 finances by next Friday. Mr. Fahr stated that upon completion of the audit the City will file the Annual Report to the Comptroller's Office by the end of April. Mr. Fahr hopes to have fund balances for all three accounts for the City Council on April 19, 2012. Mayor Manning further explained that the City is in the middle of its third party audit required by law. It takes several weeks to go thru this audit and concludes with the City officially closing the books for 2011. The audit will determine any findings of how the City brought money in and out and moved into our accounts.

PUBLIC COMMENT PERIOD

Aaron Mair – 612 – Guilderland, New York – Mr. Mair started out by explaining that he is the Director of the National Sierra Club, he also serves on the Whitehouse Commission for Environmental Quality, he is also a Commissioner on the NYS Pinebush Preserve Commission and he has over 35 years of expertise in environment. Mr. Mair has advised Governors and Presidents along with other national leaders on how to maintain/protect the environment, specifically water and water quality. Mr. Mair comes to the City Council with a grave concern. Mr. Mair supplied the City Council with a NYSDEC Consent Order as well as the Water Departments response with regards to the conditions at the Watervliet Reservoir. The reason Mr. Mair is here tonight is that this was one of the earliest possible opportunities he has had. Mr. Mair went to a hearing last month and he wishes to come back and do a much more detailed presentation for the City Council. Mr. Mair discussed the Washington County Fair where the contamination from fecal matter at the farm got into the water supply. Approximately two people died and hundreds of people got sick due to the coli contamination. There are strict state regulations with regard to maintenance of newer as well as other debris near potable water supplies. There are a number of grading and mining pits adjacent to the water supply. What is important that many people do not understand is the Pinebush geology is not just a preserve it is a glacial till, gravel and sand. Basically when you pour something into it, it goes directly into the water supply. There is little to no protection there. A mine operation has been going on the Wagner Company in a quazi regulated format.

Basically, they work thru the loopholes for approximately the past 50 years. They have approximately eight (8) above ground and two (2) below ground oil storage tanks. Mr. Mair noted that this is absolutely a NO – NO next to the watershed. There is also a huge stockpile of manure, also a lot of demolition and construction debris technically classified as clean fill, it is not the clean fill allowed near a potable water supply. They have not gotten the proper permits, they have not done proper testing. The State and Local authorities have not been able to examine the material dumped in there the past thirty years. Mr. Mair states that there is a very serious threat to the water supply. Mr. Mair is requesting a six (6) month moratorium with regards to approval of anything at the reservoir. Mr. Mair wants the Council to ask for full compliance with the current NYSDEC Consent Order. The Sierra Club will possibly pushing for litigation to actually get the Attorney General and other entities involved. Mr. Mair feels that the residents of the Town of Guilderland and the City of Watervliet are serious health risk. Mr. Mair is asking for the Council's intervention for this reservoir issue. Mayor Manning explained that the water supply is very good and tested daily for e-coli. Mayor Manning stated that he will still honor Mr. Mair's request then Mr. Mair handed the Council a package with the City's letter opposing his request for Mr. Wagoner's Special Use Permit.

Pat Falaro, Jr. – 1921 6th Avenue – Watervliet, New York – Mr. Falaro presented the Council with a sheet which outlined the following questions.

- 1.) I realize that changes are coming in regards to the former St. Patrick's Church at 515 19th Street.
- 2.) This will require a re-zoning and will there be written notification
- 3.) If and when demolition does take place who will be responsible for any damages to the surrounding properties
- 4.) Who will clean the mess on surrounding properties that implosion will cause.
- 5.) The tests that were done on the church, school and rectory for toxic materials, asbestos, lead, will that be made available to the public.
- 6.) Will there be an environmental impact study and if so what will the time lapse of the study, 1 month, 2 months or 12 months.
- 7.) If and when re-zoning does occur what will that do to the surrounding property values.
- 8.) Are there any tax breaks being given to any new business that opens at this location.
- 9.) Was this appropriate to have this meeting tonight on Holy Thursday.

Mayor Manning stated that the City will be able to answer these questions, but not right now.

Christine Bulmer – 609 25th Street – Watervliet, New York – Ms. Bulmer would like to speak about the power of choice and about the vital decisions we all have to make. We get to decide things to determine where we are headed. The Catholic Church has made the business decision to sell their property at 19th Street and 6th Avenue to a developer who proposes demolition. This is a business decision which Ms. Bulmer understands. Ms. Bulmer's family has made a decision to live, work and faithfully participates in the political process in Watervliet. The quality of small town life, lifelong friends, shared heritage and history. All these things effect a person's decision to stay in this place, Watervliet. The decisions you make in the matters at hand, the issues of zoning and redevelopment will have a lasting and profound impact on the complexion of my community – **AN IMMEDIATE IMPACT – A GENERATIONAL IMPACT.** We, the citizens and taxpayers of Watervliet have entrusted you with the task of thoughtfully doing what is in our best interest. **THAT IS A HUGE RESPONSIBILITY AND IT'S A MANDATE.** I respectfully ask that you seriously question the wisdom of the current proposal to demolish a historic structure in favor of better shopping opportunities. I also ask that you aggressively encourage the meaningful sale and development of the site. This must be done with integrity, creativity, passion for your community and respect for our collective **QUALITY OF LIFE.**

Eileen Anderson – 5 Ball Place – Watervliet, New York – Ms. Anderson was here again tonight to address the issue of the historic Church St. Patrick's. Ms. Anderson would like to remind the City Council about the Comprehensive Plan for Watervliet that was presented by Rosemary Nichols in 2008. To accomplish good things we must not only act but also dream, not only plan but also believe. The smallest patch of green can rest not on asphalt or concrete it is as important to value real estate on the streets as well as convenient shopping. The community profiling plan stressed housing, economy, preservation, transportation, infrastructure, environment, historic resources and community partnership. The visionary statement stated in coming back into the City of Watervliet will be an inviting for young professionals and others who work in and raise their families. The City will attract these families by providing a variety of jobs, improve parks and recreation areas, a zoning plan that works for residents and business owners, encourage new businesses, refurbish residential and commercial uses in ways to both preserve the historical nature of the City and welcome people who want small city resources. Ms. Anderson stated that she thinks a new supermarket would be nice for some people. Why doesn't Price Chopper refurbish the current store it is in? It won't impact, inconvenience or ruin the quality of life for the neighbors. Ms. Anderson wanted to Thank Rosemary Nichols for the Comprehensive Plan. Ms. Anderson fears that if the City goes thru with this it won't be very successful.

Grace Collett – 1917 6th Avenue – Watervliet, New York – Ms. Collett stated that she has lived on 6th Avenue for 15 years and a resident of Watervliet for 20 years. Every morning of those 15 years I've woken up to the site of St. Patrick's Church. Ms. Collett can't imagine waking up to something other than St. Patrick's Church on 6th Avenue. Ms. Collett feels that many other residents have a similar mindset as her own. Many people throughout the community have expressed that they would no longer like to continue living in Watervliet if St. Patrick's is taken down. Also, as a history major at Russell Sage College she finds it morally wrong to take down a building with the historical value as St. Patrick's. Although the building may no longer be a place of worship it is very possible to convert the building into space for other venues. Many people in Watervliet are not opposed gaining tax revenue for this property in fact they support that. They do not want to see the church demolished. If contracts are approved for the demolition of St. Patrick's Church she can honestly say that words will not be enough to express her disappointment and lack of support from Watervliet politicians, Immaculate Heart of Mary Parish and the Albany Roman Catholic Diocese.

Marion Fotache – 1554 3rd Avenue – Watervliet, New York – Ms. Fotache stated that she thinks when you are talking about 23rd Street between 5th and 6th Avenues you have those historic buildings which may not be in the best of shape. She believes these building go back to circa 1900 or even before. They balance in tone and scale. She thinks it would be a better idea to have Price Chopper stay where it is and expand right there. The City already gets a lot of noise from I787. A market will generate noise and a lot of it. If they could stay there and maybe move some of the smaller cleaner businesses to 19th Street. Ms. Fotache does believe that communities have a certain character, buildings lend to that. So many people have approached her who lives outside the City regarding the grounds of St. Patrick's, they identify Watervliet by St. Patrick's Church. Ms. Fotache hopes that the City Council will consider some alternative action for St. Patrick's.

Mary Collett – 321 Boght Road – Watervliet, New York – Ms. Collett stated that she owns property in Watervliet and lived in Watervliet for many years. Ms. Collett wanted to set the record straight, she is not opposed to the sale of the church. It is not up to us to dictate to the parish of what they want to do with the building. Ms. Collett is opposed to the proposal that Mr. Nigro has brought to our community. She is not opposed to a tax base, she is not opposed to taxes being collected on that parcel. The direct opposition is the "market" and "lack of trees". She does not feel that Watervliet has preserved a lot of the history or historical buildings in our community. When Ms. Collett looks at pictures of Watervliet, there is very little left from the canal, our river is beautiful, I787 is a must and I787 was the Cities original business district. Underneath I787 are the original businesses that the City was built on. The City does not have a business district location any longer. Ms. Collett I oppose to a few shrubs and trees surrounding a 300 car parking lot when there is a historical building which needs to be preserved. Church or no church it has historical significance she feels a few trees can't compare the history and beauty of this building.

Antoinette Delduce – 1906 6th Avenue – Watervliet, New York – Ms. Delduce is concerned with the integrity of the neighborhood where 3rd and 4th generation families have lived all their lives there and can't go anywhere else. The lights, sound, trucks and debris, the kind of ambiance for the neighborhood and 19th Street. This is not an asset to the City of Watervliet at all. Ms. Delduce feels that we have lost all of our historic value in the City. It would be nice to have St. Patrick's remain as part of our history. Watervliet has a history one time being the largest municipality prior to the Town of Colonie. The developer needs to find something much more conducive for the St. Patrick's Church property.

Judy Ploof – 519 23rd Street – Watervliet, New York – Ms. Ploof stated directly across the street from where all of the homes that match her home are going to be demolished. Ms. Ploof is going to look at instead of a beautiful neighborhood where all the neighbors know each other. Ms. Ploof stated that she has been living in this neighborhood for over 18 years. To see this demolished will be very bad she will no longer see homes when she looks out her window. Now, to see the back end of a supermarket is very disruptive. This will create truck traffic problems, noise pollution and change the neighborhood way of life. Ms. Ploofs noted that this will have an automatic change of life for residents who live in the surrounding neighborhoods.

Meghan Collett – 321 Boght Road – Watervliet, New York – Ms. Collett asked where the City's Historic District is located. Ms. Collett was wondering where the Historic District is located. Mayor Manning noted that there are some historic buildings on the registry in the Watervliet Arsenal. The City itself does not have a historic district.

Dave Sylvester – 1904 8th Avenue – Watervliet, New York – Mr. Sylvester asked if the church remains standing with the school and other buildings who would pay to maintain the property. Mayor Manning explained that it would be the current owner which is the Albany Catholic Diocese. Does the City of Watervliet have Code Enforcement power over this property? Mr. Sylvester noted that there are a lot of structural problems with this property location. Mark Gilchrist, Building Inspector stated that every property owner has the responsibility in Code Enforcement. The City enforces the same set of rules with the Albany Diocese as it does with a homeowner. Mr. Gilchrist also stated that a Notice of Violation went out to the church today with regards to litter/debris, fence issue and some brush that was cut down and left on the property. A question was then asked about the condition of the school and how the roof is falling in. Mr. Gilchrist was not aware of this situation.

Angelo Mastan – 1815 3rd Avenue – Watervliet, New York – Ms. Mastan noted that John Kenney who was a representative of Bishop Hubbard stated that the owner/person responsible for the up keep of St. Patrick's is the Immaculate Heart of Mary Parish. They own and are responsible for taking care of the property. Any notice should be sent to the Immaculate Heart of Mary Parish. Mark Gilchrist, Building Inspector noted that is exactly where the Notice of Violation was sent to.

Tom Broderick – 1881 9th Avenue – Mr. Broderick stated that the St. Patrick's property has a proposal under review that includes demolition of property of significance to the community. What warning system or timetable communication exists to inform interested and affected residents? Will the NIGRO Company be able to proceed without notification to the public? What allowances for community involvement in the zoning change is there and how is the Zoning Board Agenda being advertised specifically for this contentious decision. Mr. Broderick noted that advertising in the Troy Record or on the internet is not effective for this non-routine decision event. Understanding that the Albany Diocese has made their decision already has the City considered alternate uses for the property in a public forum. Mayor Manning explained that everything related to any of the City Council Meeting, Zoning Board and Planning Board are open to the public. Mayor Manning also noted that in accordance with State Law, notification must be sent to impacted adjacent property owners in writing. Mayor Manning also stated that the City is not the owner and the City has done nothing. Mr. Broderick would like to see if the City Council could change that law to expand the verbiage to blocks instead of adjacent property owners. As this change will have a lasting effect on all members of the City. Mayor Manning will look into this issue for Mr. Broderick.

Mary Collett – 321 Boght Road – Watervliet, New York – Ms. Collett asked if there was set times for the Planning Board and Zoning Board meetings. Mayor Manning answered by saying that the City Council Meetings are on the first and third Thursday of each month. Zoning Board meets on the second Wednesday of each month and the Planning Board meets on the fourth Wednesday of each month. Ms. Collett then thanked Mayor Manning. A question was asked if an agenda is posted in advance for these meetings. Mark Gilchrist explained that the Zoning/Planning Board notices are placed in the Troy Record which is the official newspaper for the City. There is nothing placed in City Hall. An agenda may be picked up on the day of the meeting.

Judy Calabro – 2612 4th Avenue – Watervliet, New York – Ms. Calabro noted that the meeting minutes are not on the website. Ms. Calabro would also like to see information about meetings placed on the phone robo call system. That way residents do not have to remember what days it would become automatic. Mayor Manning will take this suggestion under consideration.

Rick Collins – 609 23rd Street – Watervliet, New York – Mr. Collins stated for the record that he is opposed to this project. He is opposed to a large brick building being placed in this neighborhood where family homes sit. Has NIGRO given the City a timeline as to when you have to give the OK before they pullout? Mayor Manning answered NO, all the City has is the sketch and one page letter petitioning the City Council to rezone. One of the first decisions which could be made is no. At this point the request would go to another Board. Mr. Collins then asked if the City government looked into the historical value of this church including any historical property citywide. What about the historical value of every building in the City. Mr. Collins wanted to know if the Watervliet Historical Society would be able to assist in looking into this issue. Mr. Collins wants to emphasize the vision of how beautiful the church property is when entering the City or just marching in a parade.

Jean Krokenberger – 626 23rd Street – Watervliet, New York – Ms. Krokenberger stated that she has lived in Watervliet all of her adult life. Ms. Krokenberger asked the City Council if there was another prospect for the purchase of this property other than NIGRO Companies. Mayor Manning noted that the City does not own the property and wouldn't be able to answer that question. Immaculate Heart of Mary Parish did put out a newsletter that stated four (4) offers were made and this was the best one. If they were to sell this property with the same use there would be less oversight. By selling the property and proposing a different use a lot of oversight is given by the City. The City has a proposal that came to the City and now the City has the responsibility to consider rezoning the property. Christine Bulmer requested clarification on the rezoning process. This is her understanding that the City Council can stop the rezoning or approve the rezoning and that if the City Council rejects the proposal that the proposal will go to another Board structure. Mayor Manning responded by answering that is correct. For the next meeting the City will have its outside Counsel and Engineering at the April 19th City Council Meeting. NIGRO Companies will be paying all the legal expenses and engineering expenses the City will need for this issue.

David Abate – 2129 4th Avenue – Watervliet, New York – Mr. Abate stated that the other thing to be considered is the fact that in other communities a shopping center is not located right in the middle surrounded by a residential area. Mr. Abate used several areas as an example of what he meant. This particular proposed project is surrounded by a residential neighborhood. He is requesting that the City Council take this as a negative. Secondly, is there a number that has been generated for the rehabilitation of the church? Mayor Manning stated that the City does not have a number but the Immaculate Heart of Mary Parish did publish something this past weekend. Mr. Abate wanted to comment that developers have great proposals, they all sound nice. Mr. Abate wanted to make sure that the Council understands that the developers do not live here. Developers generally make money from the building not on what happens afterwards. They make their money and then they are gone.

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

A motion was made and seconded to adjourn in to Executive Session. The meeting was adjourned in Executive Session at 8:55 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, APRIL 5, 2012**

The Meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 9:05 P.M.

Roll call showed the following: Mayor Michael P. Manning, Councilwoman Fogarty and Councilman Foglia.

Also present from City Administration were: mark Gleason, General Manager, Yorden Huban, Corporation Counsel, 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 discussed in detail a Workers Compensation issue with the City Council.

ITEM #2 – Mark Gleason, General Manager discussed a Fire Department personnel issue with the City Council.

ITEM #3 – Mark Gleason, General Manager informed the City Council of a personnel issue related to an employee in the Department of Public Works.

There being no further business to come before the City Council during Executive Session, a motion was made and seconded to adjourn the Executive Session at 9:35 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council