

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MAY 17, 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, Mark Gilchrist, Assessor/Building Inspector, 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 explained to the Council that he wanted to report on the Bulk Item Week which took part the week on April 23 – 26, 2012. Mr. Gleason stated the Sanitation Department reported that they removed 209 tons of garbage and debris from our City Streets and Alleyways. This is compared to 223 tons last year, a 14 ton difference. It actually cost \$733.00 less than last year. The recyclables also shrunk from 17 tons last year to 15 tons this year. Mr. Gleason does not have an explanation as to why it went down. This is not a bad thing as it costs less money on taxpayers. Sanitation Supervisor Chris Daus feels that due to the wet weather nobody bothered to put items out. Mr. Gleason thanked the entire Sanitation Department for their hard work especially in light of all of the wet weather they had to endure. They did a fantastic job. Mr. Gleason also wanted to thank County Waste who donated a truck for free for the whole week. There will be another debris pickup week in the fall of 2012.

**ITEM #2** – Mark Gleason, General Manager explained to the Council that on Thursday, May 10, 2012 the City delegation attended the Capital Region Sustainability Plan Meeting. Mr. Gleason noted that for this meeting the region included Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington Counties. Mr. Gleason noted that they all have been awarded a grant from NYSCERDA to complete a Regional Sustainability Plan. The plan is the first stage of Governor Cuomo's Greener Communities Program. The City must develop a plan to meet our regions needs for resources while the same time protecting future generations. One of the goals is to reduce greenhouse emission levels to 80% below the 1990 levels by 2050. The plan has a great amount of aspects one of them is collecting renewable resources. Food and raw materials at a rate that allows for time of the renewal of those resources. An example: we use corn as fast as we grow corn. The replacing of non-renewable resources such as fossil fuel another words gas and oil. The City is hoping that it replaces it with renewable sources such as solar and hydro which the City has three solar projects and one hydro plant. Additionally, the plan hopes to generate no more waste (organic or solid) that our environment can absorb.

Let's not put out as much garbage as we can take care of. The plan will deal with 8 categories, solid waste, transportation, energy, land use, livable communities, water (drinking and waste), food systems, economic development and climate adaptation. There is an Executive Committee that will oversee 8 technical committees. The City of Watervliet is hoping to get two seats on the Technical Committee as far as organic and solid waste. The City has started Watervliet's Organic Waste (WOW), the only community in the northeast who has this program. We consider ourselves experts in solid and organic waste. The City is hoping to lend its expertise to this group. The plan must be in place by November 2012. The first meeting for the Technical Committee will be in June 2012. Mr. Gleason stated that he will keep the Council updated as more information becomes available.

### **OLD BUSINESS**

**NONE**

### **NEW BUSINESS**

**RESOLUTION NO. 8834** – The Council of the City of Watervliet authorizes Bruce A. Hidley, City Clerk and Clerk to the Council to advertise once in the official newspaper that on Tuesday, May 29, 2012, at 5:30 P.M. at the J. Leo O'Brien Facility Senior Citizen Center, 1501 Broadway, Watervliet, New York that a Public Hearing will be held for the purpose of hearing those persons who wish to be heard in reference to project and proposals for submission in an application to the Office of Community Renewal 2012 Community Development Block Grant Program pursuant to the Consolidated Funding Program of the State of New York and related planning issues. Before voting Mayor Manning noted that this is a Public Hearing required to submit a grant for the Consolidated Funding Application. This is a Public Hearing for those who may be interested in the funding. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8835** – The Council of the City of Watervliet authorizes Bruce A. Hidley, City Clerk and Clerk to the Council to advertise once in the official newspaper that on Wednesday, May 30, 2012 at 7:00 P.M. at the J. Leo O'Brien Facility Senior Citizen Center, 1501 Broadway, Watervliet, New York that a Public Hearing will be held for the purpose of hearing comment from those persons who may wish to be heard regarding the rezoning petition submitted by Nigro Companies, Inc. to change the zoning classification of the properties located on the City block bounded by 19<sup>th</sup> Street, 5<sup>th</sup> Avenue, 23<sup>rd</sup> Street and 6<sup>th</sup> Avenue in the City of Watervliet from R-3 Residential to B-1 Business District. Before voting Mayor Manning noted that this is the Public Hearing announced at the last City Council Meeting. This Resolution authorizes the City Clerk to advertise in the newspaper for the Public Hearing. The Public Hearing will begin at 7:00 P.M. and an informal get together at 6:00 P.M. The developer will be here for individuals who may wish to have a private conversation. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

**RESOLUTION NO. 8836** – The Council of the City of Watervliet hereby approves the contract for professional services between the City of Watervliet and Catherine S. Hill, Esq. and further authorizes Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that this is a contract for professional services to hire an attorney who is a Human Resources expert. The City does not have a Human Resources Department and when needed the City contracts this service out. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

At this time Yorden Huban, Corporation Counsel announced that he would like to place an additional Resolution on the Agenda for Council consideration. Mr. Huban noted that the General Manager and Purchasing Agent had requested this.

**RESOLUTION NO. 8837** – The Council of the City of Watervliet hereby approves an Equipment Lease Agreement with National Business Equipment & Supply, LLC, 505 Bradford Street, Albany, New York 12206. Before voting Yorden Huban, Corporation Counsel noted that this Resolution is for a lease agreement for copiers. The lease agreement is \$606.15 a month. The term of the agreement is for 48 months. Mr. Huban requested that if this Resolution is approved tonight that the form of the contract be approved by the Corporation Counsel. There are some questions that apply to the lease charges. Mr. Huban wants the ability to negotiate with the lease company on some of the provisions of the lease costs. Mark Gleason, General Manager explained that every office has a copier and scanner. To be more efficient the City will have a printing/scanning center. This will have all personnel on one printer/scanner making it more efficient.

The City will be able to get rid of all the printer/scanners in the offices and won't have to individual cartridges. Mr. Gleason noted that Christine Chartrand, Phyllis Carroll and Sandra Beston have been working on this project for over three months. They visited many manufacturers and this is the culmination of their hard work. This will be more efficient and cheaper. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

### **APPROPRIATIONS AND ACCOUNTING**

**NONE**

Before moving into the Public Comment Period Mayor Manning announced that Joe Grasso, the Engineer in charge of the Nigro Companies proposal could not be with the City Council for tonight's meeting. Mayor Manning noted that Mr. Grasso has answered the three set of questions submitted by Mr. Falaro as well as the questions from Mr. Abate submitted last week. Mr. Grasso also responded to Mrs. Rogers of 6<sup>th</sup> Avenue. Mayor Manning will submit the responses on line and for the City Council record officially.

### **PUBLIC COMMENT PERIOD**

Pat Snyder – 1415 1<sup>st</sup> Avenue – Watervliet, New York – Mr. Snyder asked the City Council what time can you start a job in the City. Mark Gleason, General Manager explained that contractors are allowed to start approximately 7:30 P.M. Mr. Snyder would like to get the Marines to start later at the DOME. Mr. Snyder works all night and feels they start too early. Mr. Gleason noted that the Marines bring recruits to the DOME to work them out when that are interested in becoming Marine. The City is very proud to be able to assist the Marines in any way possible. Mr. Gleason stated that he would request that they start at 8:00 A.M.

Pat Falaro – 1921 6<sup>th</sup> Avenue – Watervliet, New York – Mr. Falaro stated that he did a survey regarding the limitations on the roads for 5 tons. There are signs on 6<sup>th</sup> from 6<sup>th</sup> to 19<sup>th</sup> Street to 25<sup>th</sup> Street. Also on 5<sup>th</sup> Avenue from 23<sup>rd</sup> Street to 25<sup>th</sup> Street. There are no signs between 19<sup>th</sup> Street and 23<sup>rd</sup> Street on 5<sup>th</sup> Avenue. Is there a 5 ton limit on that street also? I assume yes. The issue was brought up at the last meeting regarding the idling engines at the supermarket. There are state laws regarding idling engines, does this also include the refrigeration units on the trucks. The refrigeration units run constantly on the trucks. The diesel vehicles need to run all the time in the winter due to the gelling system, I don't know how this affects the state law. This is a major concern I have. For the record I asked for a copy of the police calls including medical emergencies to the current Price Chopper location. They said they would get that request to me later.

Christine M. Bulmer – 609 25<sup>th</sup> Street – Watervliet, New York – Ms. Bulmer stated that having attended public meetings and workshops on the project. The concerns should include but not be limited to the following. Traffic – The developer has submitted incomplete traffic studies. There are significant traffic issues on 2<sup>nd</sup> Avenue, NYS Rt. 2, 23<sup>rd</sup> Street, 5<sup>th</sup> Avenue and 6<sup>th</sup> Avenue. There are major concerns related to noise with increased traffic. There are ambient noise issues from compressors, generators, exterior lighting and refrigeration equipment. There are storm water issues. Currently the site has 1.6 acres of green space with this proposal there would be 0.59 acres of green space. That is a reduction of over 1 acre of green space. Serious investigation of this proposal to demolish an entire City block is very crucial. These issues as well as many others should drive our public conversation as we contemplate the best interest of this neighborhood and of this community. At the last City Council Meeting I indicated that there was a determination of eligibility on the St. Patrick's complex at which time I presented copies of the document after the meeting had adjourned. I would like to submit the same document during the open session. Ms. Bulmer then presented the document to the City Council.

Paul Huban – 1500 12<sup>th</sup> Avenue – Watervliet, New York – Mr. Huban is also concerned about traffic especially on 19<sup>th</sup> Street where you have traffic coming down 19<sup>th</sup> Street. More than likely taking a right and coming down 9<sup>th</sup> Avenue. Also concerned about 6<sup>th</sup> Avenue and 7<sup>th</sup> Avenue. It will be detrimental to the neighborhoods. It should be considered. Also Mr. Huban has concerns about tractor trailers going south on 5<sup>th</sup> Avenue trying to make a turn onto 19<sup>th</sup> Street. Also, tractor trailers are going to go north on 5<sup>th</sup> Avenue. I think they can make the swing onto 23<sup>rd</sup> Street to make their way out. I think the proper people should take all of these issues into consideration because it will affect the neighborhoods along with the weight limits which were brought up.

Angela Mastan – 1816 3<sup>rd</sup> Avenue – Watervliet, New York – The school budget was passed which included bus transportation. They are no longer having transportation a ½ mile from the school. A ½ mile radius is a lot for several stops along 19<sup>th</sup> Street which have been taken off the bus travel this fall. There will be more walking, more residential vehicles going in and out of the side streets. I think this is something which must be taken under consideration during this process. Now this will create more traffic going down the side streets. I just received a report today and I'll be asking a few more details with this report that from 2007 until 2011 on the intersection of 18<sup>th</sup> Street and 2<sup>nd</sup> Avenue there has been 31 accidents and two fatalities that happened in that intersection. I also know that this report is not completely accurate because I know someone who was hit in January 2009 that was not a part of this report. You are going to try and change a residential area to a commercial area this will create a lot more accidents. 1 accident is too many, 1 fatality is too many especially with the elderly and kids that do not pay attention.

Bob Gusberti – 1212 Hillside Drive – Watervliet, New York – Mr. Gusberti spoke about the Centennial/Bicentennial. The Arsenal has been asking how Watervliet is going to cooperate with the Arsenal for the celebration. In 1988 a great celebration was held with parades and other celebrations. If there is any possible thing that could be done that we are not doing now would be greatly appreciated. I have a couple of handouts from the Watervliet Historical Society of information related to the bi-centennial plan in 1988. At the time they had 10 committee people now it's just Bob Loya and myself. I'd appreciate something.

Jeff Foster – 1201 8<sup>th</sup> Avenue – Watervliet, New York – Mr. Foster stated that he has been a lifelong resident of Watervliet. I've tried to do many projects in the City and have been denied. This was due to them being commercial and don't fit in. Literally, 5 houses away from this project, I wanted to do storage at 2 four unit buildings. They said that would not fly. I also wanted to develop the block my pizzeria is on by adding a couple of units like store fronts in each one of the buildings next to me. They said absolutely not. That was the City Attorney and they didn't go any further than that. About 6 years ago there was a man on 12<sup>th</sup> Avenue and Hillside Drive who wanted to build a one family home who went to Zoning and got approved for a one family home. But the neighbors got so upset that this was going to have a huge impact on their community that it took a negative impact to a one family home. They started a petition, the petition reads the neighbors object to this proposal, this variance located on the corner of 12<sup>th</sup> Avenue and Hillside Drive. We've all complied with the zoning requirement that was laid down by the Mayor Cavanaugh administration over 41 years ago. We all object to this variance. So I went thru this variance and again this was 6 years ago. It basically states that all agree with should withhold the zoning laws and regulations that were set in place 41 years ago. Mayor Manning your name is on this along with your wife.

David Abate – 2129 4<sup>th</sup> Avenue – Watervliet, New York – Mr. Abate stated that he was at the Zoning Board Meeting last night and there were two petitions put in for someone who wanted to build a deck and someone wanted to refurbish a building for a business. In both cases the question of green space kept coming up. In the second case there was a patch relatively small. I find it interesting that losing an entire acre of green space on this block does not seem to be something anyone in the City is worried about. It's a little ridiculous, if a few strips of grass are to be maintained on the side of a building is very important. I think preserving an entire acre would also be important, losing that doesn't seem to be much of an issue. The other question I have is, are there things more valuable to the City than money. I know the City stands to gain a couple hundred thousand dollars in taxes from this project. Is there anything worth more to the City as that? Something that money can't buy like a quiet, relatively safe, relatively clean neighborhood. That does not really cause a lot of trouble to the City. Please consider if we are losing that it is worth what this might bring you.

John Broderick – 1881 9<sup>th</sup> Avenue – Watervliet, New York – Mr. Broderick asked if there will be any time limits and who can speak at the open meeting. Will that information be included in the Troy Record press release? There was a good turnout at the least public Meeting which Golub and Nigro attended. Mr. Broderick hopes there is a contingency plan to utilize the church across the street. Mark Gleason, General Manager stated that the acoustics are horrible and the building seats approximately the same amount of people. Mayor Manning stated that Mr. Broderick has a very good point. Mr. Broderick feels that the Public Hearing will have a huge turnout.

William Conroy – 2517 4<sup>th</sup> Avenue – Watervliet, New York – Mr. Conroy stated that he had an issue with the grant. He submitted his bill on the 23<sup>rd</sup>. he sent a couple of e-mails, what will it take to get paid. Yorden Huban, Corporation Counsel stated that he received his communications. Mr. Huban noted that he needs to familiarize himself with the circumstances surrounding the issue at hand. Mr. Huban will get to Mr. Conroy tomorrow with an answer. Mr. Conroy thanked the Council and Mr. Huban.

Antoinette Delduce – 1806 6<sup>th</sup> Avenue – Watervliet, New York – Ms. Delduce also owns 1808 6<sup>th</sup> Avenue. Ms. Delduce has a problem with the budget. If you let this proposal go thru and you have traffic like the 16 wheeler trucks proposed by Price Chopper going over 5<sup>th</sup> Avenue, going over 23<sup>rd</sup> Street that the weight on these trucks on properties there is in the land that used to be the Erie canal. You want to put these heavy trucks on 5<sup>th</sup> Avenue who is going to pay for the damage to the replacement of those roads and culverts. This will put a definitive impact on the roadways in that corridor.

Marion Fotache – 1554 3<sup>rd</sup> Avenue – Watervliet, New York – Ms. Fotache stated haven't we had enough. The government came thru number of years and took so much riverfront property for I787. They were very beautiful home. Now the diocese and the developer want to destroy our most valuable landmark St. Patrick's Church. From the hills of Troy it stands out. This speaks so much about our immigrant history. This church represents all of the immigrant backgrounds and the struggles they went thru. We the Citizen's for St. Patrick's know that this is an architectural treasure. Please help us save it, we are taxpayers, we won't be manipulated, we won't be intimidated. This is a David vs. Goliath story. We know our opposition has strength and Public relations people, they have lawyers. We can't afford this right now but we know how the story of David vs. Goliath ended. We hope you will join us in our effort to save this valuable landmark which is so well worth preserving.

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

A motion was made and seconded to adjourn into Executive Session. The meeting was adjourned into Executive Session at 8:00 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council

The City Council Meeting was reconvened at 8:20 P.M. by Mayor Michael P. Manning

**RESOLUTION NO. 8838** – A Resolution approving a Memorandum of Agreement between the City of Watervliet and Michael J. Decker, Jr. and further authorizes Mayor Michael P. Manning to execute the same. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

There being no further business to come before the City Council Meeting a motion was made and seconded for adjournment. The City Council Meeting was adjourned at 8:25 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 17, 2012**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 8:10 P.M.

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

Also present from City Administration were: Mark Gleason, General Manager, Yorden Huban, Corporation Counsel and Robert A. Fahr, Director of Finance.

**ITEM #1** – Yorden Huban, Corporation Counsel discussed a Workers Compensation issue with the Council. The City Council authorized the passing of a Resolution related to this Workers Compensation issue.

There being no further business to come before the City Council during Executive Session, a motion was made and seconded to adjourn from the Executive Session at 8:20 P.M.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council



**New York State Office of Parks,  
Recreation and Historic Preservation**

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**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

19 April 2012

Christine M. Bulmer  
Citizen's for St. Patrick's  
609 25<sup>th</sup> Street  
Watervliet, New York 12189

RE: St. Patrick's Church Complex  
Watervliet, Albany County

Dear Ms. Bulmer,

Thank you for your letter of April 16<sup>th</sup> regarding the St. Patrick's Church Complex in Watervliet, Albany County, and the Citizen's for St. Patrick's request for an examination of its potential National Register of Historic Places (NRHP) eligibility. I would like to take this opportunity to inform you that this letter has been received by the Division for Historic Preservation, which has completed a review of the facility's NRHP eligibility. It is the opinion of this office that the complex satisfies NRHP Criterion C, in the area of architecture, as a highly intact urban church complex, the centerpiece of which is the ca. 1891 church. The church edifice represents an outstanding example of later 19<sup>th</sup> century Gothic Revival ecclesiastical architecture in the Capital District, largely inspired by the example of the Basilica of the Rosary in Lourdes, France, and was designed by Troy architect Edward Loth in association with Reverend William F. Sheehan.

This letter and attached eligibility statement are meant to establish the Division for Historic Preservation's opinion of St. Patrick's within the context of the NRHP criteria. If you have additional questions, please feel free to contact me via telephone at our Waterford offices at (518) 237-8643, ext. 3265, or by email at [William.Krattinger@parks.ny.gov](mailto:William.Krattinger@parks.ny.gov).

Sincerely,

William Krattinger  
Historic Preservation Program Analyst

cc: Rev. L. Edward Deimeke, Immaculate Heart of Mary Parish.  
Noel A. Olsen, Office of Real Property, Roman Catholic Diocese of Albany

# RESOURCE EVALUATION

DATE: 18 April 2012

STAFF: William Krattinger

PROPERTY: St. Patrick's Catholic Church, School & Rectory Complex

USN: 00142.000091

ADDRESS: Between 19<sup>th</sup> and 23<sup>rd</sup> street & Fifth and Sixth avenue

COUNTY: Albany

PROJECT REF: N/A

MUNICIPALITY: Watervliet

- I.  Property is individually listed on SR/NR:  
name of listing:
- Property is a contributing component of a SR/NR district:  
name of district:
- II.  Property meets eligibility criteria.
- Property contributes to a district which appears to meet eligibility criteria.
- Pre SRB:  Post SRB:  SRB date

## Criteria for Inclusion in the National Register:

- A.  Associated with events that have made a significant contribution to the broad patterns of our history;
- B.  Associated with the lives of persons significant in our past;
- C.  Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- D.  Have yielded, or may be likely to yield information important in prehistory or history.

**STATEMENT OF SIGNIFICANCE:** The St. Patrick's Catholic Church complex in Watervliet, which includes a historically related school and rectory building, is eligible for listing on the State and National Register of Historic Places. The centerpiece of the property, a substantially scaled brick masonry edifice of Gothic Revival conception, was begun in 1889 and first used for religious services on Christmas 1891. The design represented the collaboration between Troy architect Edward W. Loth and Reverend William F. Sheehan, pastor of St. Patrick's for 41 years. Plans for the building were inspired by a recent visit by Sheehan to Lourdes, France, where he had viewed the Basilica of the Rosary, built 1883-89; both men subsequently traveled to Lourdes to view this Byzantine-Romanesque building, which had been designed by architect Leopold Hardy. The exterior design of St. Patrick's, derived from the example of the Lourdes basilica, was predicated on a symmetrical façade with an engaged central tower—which rises some 137 feet, so as to form a prominent visual landmark in the immediate region—behind which extended a nave with a soaring clerestory level, transepts and apse. Though originally conceived to be built of cut-stone like its French counterpart, the buttressed walls were instead erected with brick at the cost of over \$100,000. Fenestration, meanwhile, reflected Gothic, and not Romanesque, precedents. As for the interior of the church, the nave soars to an impressive height of 100', the clerestory giving way to a groined-vaulted ceiling with perforated tracery; an arcade of Gothic arches which spring from clustered columns separates the side aisles from the nave. As noted in a contemporary newspaper account St. Patrick's "has the distinction of being the finest church edifice north of New York City."

This eligibility includes all of the historic-period features associated with the development of the St. Patrick's property, among them the school and rectory, erected in the 1920s.

If you have any questions concerning this Determination of Eligibility, please contact Bill Krattinger at (518) 237-8643, extension 3265, or via email at [William.Krattinger@parks.ny.gov](mailto:William.Krattinger@parks.ny.gov).