

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JUNE 21, 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, 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 Police Chief Ron Boisvert to address the City Council regarding an item of importance that he has. Chief Boisvert explained that he has a request from Parker Bros. Funeral Home for a No Parking area at the southwest corner of 21st Street. The section is already a designated Bus Stop. It obstructs the view for traffic coming off 21st Street on to Broadway and for south bound traffic going into 21st Street. Chief Boisvert has reviewed the area and spoken with Executive Director of the Watervliet Housing Authority Charles Patricelli regarding an impact on his tenants. Chief Boisvert's recommendation to the Council is to approve the No Parking sign restriction. This would be approximately 32 feet what amounts to be two cars. Chief Boisvert also has a handicap sign request for Council consideration. An application was forwarded to his attention from a family at 1834 6th Avenue. They have a young child who has some birth defects which will not change anytime to soon. They have asked for the designated handicap space in front of their residence. Chief Boisvert has requested that the City Council consider this request for approval.

ITEM #2 – Mark Gleason, General Manager informed the Council that the City of Watervliet Farmers Market held its opening day in Hudson Shores Park. The Farmers Market will be held from June 12 thru October 9, 2012 from 2:30 P.M. until 5:30 P.M. There is a wide variety of fresh produce from local vendors. There are ten active vendors at this time. The Albany County Cooperative Extension will be coming in July to do some soil testing. Joey's Pizza will be selling hot food. The Watervliet Fire Department will be offering free blood pressure checks. The Thousand Island Winery will be selling its wine products. Mrs Beston is in charge of the Farmers Market and will be looking into putting on entertainment at the same time as the Farmers Market. If you buy locally everyone wins.

ITEM #3 – Mark Gleason, General Manager explained to the Council that the Summer Recreation Program has begun. The Watervliet Memorial Swimming Pool was inspected today by the Albany County Department of Health. The inspection passed without any problems. The pool will officially open on Monday, June 25, 2012. The City will offer swimming lessons on Monday thru Friday. There will be an adult water aerobics in the pool. Any resident of the City of Watervliet will be required to obtain an identification card to enter the pool. The City charges \$3.00 for children and \$5.00 for adults to obtain the ID card for the whole season. The ID card may be obtained from the Veterans Memorial DOME from 12:00 noon until 5:00 P.M. every day. There will be a baseball camp, a softball camp and a football camp. The season ends with the Arsenal City Run on Friday, September 21, 2012. Mr. Gleason noted that if anyone has any questions or needs additional information related to the summer program that he has brochures with him tonight.

ITEM #4 – Mark Gleason, General Manager explained to the Council that the City has had its first heat spell of the season. The City took some action for the senior residents by getting the Watervliet Housing Authority to open its lobbies for senior's having difficulties. Chief Boisvert and Chief Skinner were instructed that if any senior needed to get cool air they could be brought to the Quinn Community Room, Hanratta Community Room and the Senior Citizen Center. The City turned on the sprinklers on early at 7th Street, Clinton Avenue and Brotherhood Park. The sprinklers were turned on at 12:00 noon until 7:00 P.M. Mr. Gleason asked all the residents to check on their elderly neighbors during the summer time.

OLD BUSINESS

RESOLUTION NO. 8842 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Professional Ambulance Billing, LLC, 5530 Sheridan Drive, Suite 3B, Williamsville, New York 14221 to provide Third Party Ambulance Billing and further authorizes Mayor Michael P. Manning to execute the same. Upon motion of Councilman Foglia to withdraw this Resolution, seconded by Councilwoman Fogarty to withdraw this Resolution, the Resolution was withdrawn from consideration.

Mr. Hidley noted that there is an additional item for Old Business, the City Council needs to address a Resolution under the New Business portion of the meeting before proceeding with the additional legislation under Old Business.

RESOLUTION NO. 8843 – The Council of the City of Watervliet hereby approves a Business Associate Agreement between the City of Watervliet and Professional Ambulance Billing, LLC, 5530 Sheridan Drive, Suite 3B, Williamsville, New York 14221. Before voting Corporation Counsel Yorden Huban explained that this agreement is respect to use and disclosure related to HIPAA. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

NEW BUSINESS

RESOLUTION NO. 8847 – The Council of the City of Watervliet approves a Land Use Agreement between Bette & Cring, LLC and the City of Watervliet further authorizes Mayor Michael P. Manning to execute the same. Before voting Mark Gleason, General Manager explained that this is part of the work being done by Bette & Cring on the Congress Street Bridge. This will allow Bette & Cring to park and stage their equipment in Hudson Shores Park for this construction season. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8848 – The Council of the City of Watervliet hereby accepts the bids from and awards the Third Party Ambulance Services Contract to Professional Ambulance Billing, LLC, 5530 Sheridan Drive, Suite 3B, Williamsville, New York 14221 as the lowest responsible bidder and further authorizes Mayor Michael P. Manning to execute the same. Before voting Scott Skinner explained that this is for the ambulance billing service for a period of three years. Mayor Manning stated that this represents a change from our existing billing partner. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8849 – The Council of the City of Watervliet approves an agreement with the City of Watervliet and the Metropolitan Life Insurance Company for a volunteer payroll deduction program and further authorizes Mayor Michael P. Manning to execute the same. Before voting Bruce A. Hidley explained that this is an optional benefit and will allow the City to payroll deduct the money as a method of payment. This is strictly a volunteer program. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

Mr. Hidley then requested that the City Council revert back to the Old Business portion of the meeting to address a legislative item that was tabled on June 7, 2012 related to Resolution No. 8848.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 8850 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$20,000.00 from the Police Payroll Account to the Police Special Wages Account for the 207-C wages paid for the months of April and May 2012. Before voting Mayor Manning noted that this is a budget neutral transfer. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8851 – The Council of the City of Watervliet hereby authorizes the transfer of funds in the amount of \$21,000.00 from the Fire Payroll Account to the Fire Special Wages Account for the 207-A wages paid for the months of January thru May 2012. Before voting Mayor Manning explained that this is the fire version of the previous Resolution a budget neutral transfer. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

Before moving into Public Comment Period Bruce A. Hidley, City Clerk and Clerk to the Council announced that the City Council Meeting for Thursday, July 5, 2012 will be cancelled. The next meeting of the City Council will be Thursday, July 19, 2012.

PUBLIC COMMENT PERIOD

Christine Bulmer – 609 25th Street – Watervliet, New York – Ms. Bulmer noted for everyone to do their due diligence residence, property owners, developers, investors City Officials on behalf of the surrounding neighborhood I am asking the following questions on the public record. Have you seen the proposals that were rejected by the diocese that will support demolition? As elected officials it is your responsibility to explore all options before supporting a dramatic change to our landscape. What role if any has the City played in facilitating an enabling project? We are looking for transparency in all matters related to the project. At the risk of sounding repetitive I think this community and your administration has a chance to do something really dynamic and progressive with this property. The church is a diamond that should be polished and should be reset on 19th Street. Everyone can and should win, Immaculate Heart of Mary should be relieved of the property that they no longer want or need. The surrounding residents should maintain the integrity of their neighborhood and be a part of the positive revitalization of this site. Watervliet needs an important attraction that we as a community can look forward to with pride. You as leaders should be at the forefront of the creative and innovative initiative in the Capital District. Everyone can and should win.

Paul Huban – 1500 12th Avenue – Watervliet, New York – Mr. Huban stated that he has two comments. Mr. Huban would like to remind the Council of their legacy it shouldn't be forgotten. Also, again I still don't see any of our elected officials here this evening. Mainly our Albany County Legislator Bob Beston. Looks like he has no concern about the church and he has no comment about it. But I forgot he was too busy he was cooking a spaghetti dinner last Friday night and is probably exhausted. Also, Congressman Tonko, he probably doesn't know where Watervliet is.

Eileen Anderson – 5 Ball Place – Watervliet, New York – Ms. Anderson knows that the City Council is well aware of our objections to the current proposal to the St. Patrick's site. There is another point we would like to add to our objections. Recently in the Wall Street Journal there was an article titled "Diesel Fumes Upgraded on the cancer chart". I quote from the article the following: Diesel fumes cause cancer, the World Health Organization Cancer Society declared Tuesday in a ruling it said it could make exhaust as important public health as second hand smoke. Since so many people are exposed to exhaust the Director of IARC, the Department that evaluates cancer said there could be many cases of lung cancer connected to the containment. We would like to say for the record that the added health risk for the running of diesel engines in this residential neighborhood, plus adding traffic congestion, parking noise etc. by the homes all day and night could be invasive and damaging in more ways than one. The delivering and garbage trucks can overwhelm the community with pollution and noise. Having this supermarket will irrevocably change the quality of life in this neighborhood and the community for the worse. We would like to remind the City Council that the future of Watervliet along with the character of the City depends on you our elected officials, to protect our best interests and demanding a higher standard. Are we planning for the future? Invest in the property for the future as well as for today. The current proposal is not in the best interest of the neighborhood, the community and the residents. Let this decision be something you can be proud of for your children and grandchildren. We can profit from our children's fairytales that shed a light on human quality.

Jeff Foster – 1201 8th Avenue – Watervliet, New York – Mr. Foster thinks that before we do any more projects we should stop. The last major project on 19th Street it seemed everyone left. Before we do anything else we should really stop and see what we did wrong with that project. We all have seen the article about Carr Hardware closing, Maggie's closing and basically within the past five years the City has lost five businesses. I don't know if we should be looking to do anything until we can think about what we did wrong and try to get it right.

Kathleen Judd – 1620 8th Avenue – Watervliet, New York – Ms. Judd stated that years ago I attended launch/learn garden safety. A New York State Trooper spoke to the class regarding things a person could do to help keep them from crime. One of the things he stressed most was visibility. Visibility helps deter crime. As I think of the proposed Price Chopper site these words keep coming back to me. The proposed Price Chopper Site would not have high visibility. It would not have people coming and going from the surrounding businesses. It would not have a main street with a high trend directly in front of the building. The crime scene committed at the current location would now be committed in a highly residential secluded area. Ask yourself would the number of crimes increase? As yourself will the severity of the types of crimes escalate? Ask yourself is the risk worth it? They say a picture is worth a thousand words. I will submit to you pictures of the Delaware Avenue Price Chopper property. These pictures were taken after I attended one of the may Planning Board Meetings. A question was posed to the Price Chopper team, where there other Price Chopper locations comparable to the proposed project site. Examples given were Binghamton and Delaware Avenue sites. That's why I am submitting pictures of the Delaware Avenue site.

Michael Kitner – 95 4th Street – Troy, New York – Mr. Kitner stated his specialty is preserving old buildings and doing higher end residential. Mr. Kitner was looking at the project late in the game here. I would like to request a meeting to demonstrate how preserving this building and taking certain actions that this could be an economic boost to the community. This can save the building and be a viable reuse and also have Price Chopper build in another location which is perfectly viable. Have Price Chopper have what they want and have this redevelopment be the anchor to the whole main street being redeveloped and transform the quality of life in Watervliet. I understand that there is a contract in place to sell/purchase, knock down the building and build a Price Chopper on another site. What's predictable if you vote for that is three people will vote on behalf of ten thousand residents, the zoning will change, the neighborhood will never be the same and it will never be as good as it was or as great as it could be. The possibility of my project is inspirational to the community and its intention to transform the quality of life in Watervliet. The idea is to connect the NYC museum community and have the other buildings become residential (higher end). I would like to make an appointment to discuss this proposal.

Richard Collins – 609 23rd Street – Watervliet, New York – Mr. Collins would like to ask that the people who get up here to speak during the Public Comment Period be given just a little more time than two minutes. Two minutes to Mr. Collins feels like you are being rushed. It also feels like we are not being listened to. I think and agree there should be a time limit. We don't want somebody up here rambling on about nothing. Mr. Collins feels that three minutes I'm thinking would be fine. There have been plenty of times when I have been up here and I noticed that just a little more time would have been justified. The public would not feel so rushed. Three minutes would be great. With that I want you to know that I am still against the Price Chopper being built and St. Patrick's being torn down. It's a ruination of the neighborhood.

David Abate – 2129 4th Avenue – Watervliet, New York – Mr. Abate asked if anyone has thought about the traffic at all from the engineering reports. That doesn't seem to meet the criteria of impartial evidence. Second, I struck by the number of people who have said I really love the church and I hate to see it torn down but I don't think anyone can find a way to save it so I support its demolition. I ask those of you who feel that way why you aren't at the Citizens for St. Patrick's meetings. We are there to try and find out how we can save this building. If you really don't want to see it torn down we are working on that option. We have contacts, we have resources to get that done. Come to our meetings, help us out, we can use the help. Third, I know the members of the City Council might say they have sympathy for the residents of the surrounding neighborhood. But they have to act in the best interests of the City. Remember that that we are the City, I am the City all in attendance are the City. Keep that in mind when you think of whose best interests you are acting on.

Marion Fotache – 1554 3rd Avenue – Watervliet, New York – Ms. Fotache stated that continuing with my cowboy theme you will recall that there were the good guys and the bad guys. The sheriff and his people were the good guys and the outlaws were the bad guys. Well as we go through life things are not always that clear. We find that many people are very well intentioned but misguided. They are often deceived by others and something called self-deception. I think this may be our current affliction in Watervliet. There seems to be a gap between the ideals set forth by the Vatican II documents the official documents of the church. It calls for openness, accountability, communication and honesty. It rules out clerical and the abuse of secrecy, we know that from the news of the past several years. Now how do we close that gap, I say here in Watervliet we the Citizens of St. Patrick's and the other residents of this community who may have been manipulated should receive copies of the fuel bills for the last two years for the property. A full disclosure about insurance, I think they are paying very high bills for that. We would like a full engineer's report cited so often about the deterioration. We would like to allow our expert in, we do have an expert who is willing to go in. These seem to me to be very reasonable requests, unless there is a tendency to cover up. I'm not asking to break the seal of the confessional although that may be very fascinating. Let's close the gap with that.

Angela Mastan – 1816 3rd Avenue – Watervliet, New York – Ms. Mastan stated that if you look at the weekly bulletin at Immaculate Heart of Mary Fr. Deimeke is not always feeding you the facts. To my knowledge because one week it's \$30,000 for insurance the next week it's \$40,000. If you look at the weekly bulletin June 10th it's a reminder of the redevelopment of St. Patrick's its beneficial for Immaculate Heart of Mary Parish to get that money. It is not really going to all go to Immaculate Heart of Mary Parish because Fr. Deimeke has stated that there is still a big debt from St. Brigid's. If you look at June 10th bulletin Immaculate Heart of Mary Parish is not as bad as Fr. Deimeke states as they already have the Business manager report which states they are doing pretty well. If you look for the bulletin for the bulletin online for the 24th it shows a \$2,000 profit without St. Patrick's, this week it states an \$8,000 profit. I'm not sure if Fr. Deimeke is giving you all the correct facts. All these numbers are not true and he is not stating them factually. The Price Chopper if it does go to St. Patrick's, the same riff raff that goes to the 2nd Avenue one will now go to St. Patrick's property. It's just going to be prettier walls and a prettier fence around it. I ask that all of you take this into consideration and read the bulletins. Please ask Fr. Deimeke what the real truth is.

Mary Collett – 321 Boght Road – Watervliet, New York – Ms. Collett stated that she is a history buff. I've spoken at previous meetings on the importance of history of the building and our community. I've been researching for different reasons the Erie Canal and Hudson River. As I was researching, I was thinking to myself wouldn't Watervliet like to be a part of the Erie Canal history. Beautiful small communities from here to Buffalo, New York. I think Watervliet could be a huge addition to history of the Hudson River and what the Hudson River means to New Yorkers and what the Erie Canal means to New Yorkers. We all know the importance of both waterways. Instead of demolishing the building that truly represents part of that history of the river in Watervliet and the canal. Perhaps we can put our heads together to become a part of the consortium and this preservation group. Then make this building a premier spot along the Erie Canal and the Hudson River.

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

A motion was made and seconded to adjourn. The meeting was adjourned at 7:40 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council