

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, OCTOBER 18, 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 and 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, and Mark Gilchrist, Assessor/Bldg. Inspector.

Yorden Huban, Corporation Counsel explained that the minutes would be prepared for the November 1, 2012 City Council Meeting.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager informed the Council that he wanted to read a Statement of Policy. Halloween is an evening where substantial problems have occurred over the years, especially in the later evening hours. Large groups of young persons and teenagers have throughout the years been to enthusiastic and their actions have gotten out of hand. The residents of the City of Watervliet have experienced significant vandalism to their cars and property. There have been loud and boisterous groups of young people late into the evening. Earlier hours on Halloween are usually when the younger children celebrate the holiday and visit their neighbors. The Watervliet Commissioner of Public Safety he can pursuant to authority vested in him by the City Charter in the City Code of Ordinances enact a one night evening curfew to deal with the late evening problems that occur on Halloween. I will implement a reasonable rule and regulations to deal with this once a year problem. I will order and direct the Police Department to enforce a curfew for the evening of October 31, 2012. This curfew will prohibit all young persons under the age of 18 years old from being on the streets, avenues, parks and public right of ways within the City of Watervliet from 10:00 PM October 31, 2012 to 6:00 AM, November 1, 2012. The Police Department will require any violator to go directly home or at their discretion require the parent or guardian of the minor who in violation of this curfew to pick up said child at the Police Station. Certain young persons may be returning home from work or have a legitimate purpose for being in violation of this curfew. The Police will use their discretion in these instances. Jim Verhagen will have his Haunted DOME on Halloween night. It starts at 5:00 PM and run until 9:00 PM. This will give children an opportunity to get home before the curfew takes place. This event fills up the whole DOME. There are usually free, doughnuts, coffee, cookies and hot chocolate.

OLD BUSINESS

Yorden Huban, Corporation Counsel noted that on tonight's Agenda there was a Public Hearing for those persons who wish to be heard regarding Local Law #3-2012, Sewer Rent Roll and Ordinance No. 1887, Water Rent Roll. The advertisement had a typing error which had Local Law No. 2-2012 and Ordinance No. 1886. The advertisement was incorrect in addition that Mr. Fahr is not here tonight and neither is Mr. Hidley. My recommendation to the City Council is for a motion to be made for a Resolution with the next sequence number for the Public Hearing to be advertised and to be held for November 1, 2012 for the purposes of Local Law No. 3-2012 and Ordinance No. 1887. That would mean the Local Law and Ordinance would not be voted on today.

NEW BUSINESS

RESOLUTION NO. 8872 – 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 Council will hold a Public Hearing in the J. Leo O'Brien Facility Senior Citizen Center, Watervliet, New York, on Thursday, November 1, 2012 at 7:00 P.M. for the purpose of hearing those persons in favor of or in opposition to Local Law No. 3-2012, Sewer Rent Roll and Ordinance No. 1887, Water Rent Roll for the period November 1, 2012 thru October 31, 2013. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

NONE

Mayor Manning stated that at this time he would like Mr. Paul Goldman to make a statement on the status of the SEQR Review Process. Mr. Goldman noted that the report is not prepared. As you can understand the viable comment all good comment. I'm hoping to have something at the next City Council Meeting.

PUBLIC COMMENT PERIOD

Angela Masten – 1816 3rd Avenue – Watervliet, New York – Ms. Masten stated that she has two things. The first is the re-zoning, the second I am speaking on behalf of Ms. Rizzo at 20 Gloria Drive. Mr. Gleason may be able to best answer this regarding the mound of dirt still there. I was just wondering when that will go away. Mr. Gleason stated that believe it or not are still awaiting the Army Corps of Engineers and the Department of Environmental Conservation permission to move the dirt. DEC wants the City to move it the Army Corp of Engineers does not want the City to move it. Mr. Gleason noted that they are having a battle among themselves. As soon as we get permission to go ahead, we did think the City was going to get permission. The Army Corp of Engineers is very slow. They do not want the City to place this dirt on wetlands. Although it was a private line installed on her land and it did go onto Watervliet land. It was cut/broken and you are not responsible for replacement. It has caused a lot of damage to her house. I just want to mention that. If you can hook up with her I would appreciate that.

Christine Bulmer – 609 25th Street – Watervliet, New York – Ms. Bulmer stated that regarding the impact of this proposal please consider the definition of the word mitigate. It means to moderate, to lesson an impact or degree. To cause something to become less intense to bear. There is no question that the scope in that particular project will have a large impact on our physical environment. We have heard that the total completion is within 5 years. That's a long time for a neighborhood to be under construction. An entire City block will be leveled and replaced by new construction that is stark contrast to the current street scheme. Regardless of your position on the preservation of St. Patrick's the mitigating in the area of this project will leave us with an environment that will sustain positive neighborhood energy and growth. Will the proposed action affect aesthetic resources? Will it impact historic resources? I think that we are all in agreement that the answer is significantly YES. These areas are tied directly to issues in Item #19 of SEQR. An impact the growth and character of the surrounding neighborhood. No amount of mitigation will change the fact that a residential neighborhood will become a commercial development. Please consider the role that owner occupied property play and positive growth and development of Watervliet. Look at your own neighborhood. This project is not an incentive for owner occupied development. Regarding the visual impact of the existing architecture which speaks for itself. There are several examples on you tube that depicts the site in relation to our environment. You haven't seen I recommend you watch the video. On April 27th posted showing scale and prominence from the Congress Street Bridge.

On March 29th MJ Engineering and Land Surveying posted a 3-d laser scanning of the site showing St. Patrick's as a defining piece of architecture and the tallest point in Watervliet. How can we adequately and justifiably mitigate the destruction and removal of that resource from our urban landscape? The answer is that we cannot.

Eileen Anderson – 5 Ball Place – Watervliet, New York – Ms. Anderson stated that a writer for the Times Union, Mr. James Gray recently stated, history is what's missing when you noticed it's gone. That has been the unfortunate truth that many cities and towns in the Northeast have discovered in recent years. After decades of rust bucket decline and urban renewal many have come to discover that their historic heritage has been misplaced over the years. That many links to the past have been severed by disuse, disinterest and even civic minded cleaning up. Also, there was a recent editorial in the Times Union on Saratoga being designated Super Cool by TravelorMove.com which gave that designation to only about five dozen cities worldwide. They were impressed by the sumptuous architecture and reuse of historic buildings. Clearly, that coolness is paying off for some communities. They said suddenly we're hearing about new businesses and new stores. Troy, also has captured the interest of some new developers. Now, if the rest of the region can replicate that success on their Broadways, Pearl Streets and Main Streets and our 19th Street that would be truly super cool. A few other local examples of taking advantage of their historical heritage with imagination and ingenuity. Overit Media has insured that another religious landmark will remain a part of the Albany landscape. They bought St. Teresa of Avila Church on New Scotland Avenue last year and remodeled it over the course of eight months. The last mass there was in 2009. Michael Dinsmore and his wife wanted it to be a model for how to use outdated churches. We didn't want to harm the integrity of the architecture. We wanted to keep elements for the church, not tear it up he said. Michael Dinsmore also said he hopes St. Patrick's Church in Watervliet will remain standing. St. Joseph's Church in Cohoes was recently bought and those people seem to have the same ideas for St. Joseph's that Citizen's for St. Patrick's have for St. Patrick's property. A multi-use Cultural Center. We have an architectural gem. A structure of subtle richness, virtual clarity and formal purity. Why would we want to exchange that for a box store with no aesthetic quality? The significant adverse impact of the demolition would be the irreversible loss of a cultural/historic resource. Thomas Lahart, Chairman of the corporate management commission of the Emmanuel Baptist Church in Albany stated Downtown Albany is beautiful on a Sunday morning. It's like going thru a European City. Europeans seem to have a handle on historic maintenance. The idea of preserving something that has been given to us, the stewardship of this old church is a great responsibility. He said we can't put off preserving a historic structure. We can't pass that on to the next generation. Regarding Mr. Goldman and Mr. Grasso's report at the last Council Meeting. Impact on Aesthetic Resources should be a definite YES. The church is an aesthetic resource, historical, architecturally beautiful and eligible for the National Historic. What more do we need? #19 also a YES. The character of the community would be forever changed. Loss of a designated park at the rear of the property let alone the open green space in the front. Also, we feel a study should be done to affirm archeological site relevance. (Native American and Colonial). And of course there are others that we consider should be a YES. But my time is up. Thank you for taking this into consideration.

Lorraine Alund - 2127 4th Avenue – Watervliet, New York – I don't live far from St. Patrick's Church. I've lived there my entire life. Most of my years have been wonderful comforting the look of St. Patrick's and this beautiful structure every day. Last year when I was in Spain and Italy I saw many many places similar to this and some not as nice. They were not being used as churches, they were really being used for town events and for sight seers such as me. Twelve and sometimes twenty five dollars just to go in to these places. But now when I look out my window every morning it is not a pretty site. This week the blue box in the church lot has become another dump site. This week people are putting trash there right now three absolutely filthy disgusting mattresses. There were chairs and furniture left this week. If people don't want to pay to get rid of it they dump it there. Across the street I think it is a commercial site, I really don't know how that was zoned. But it is another dump across the street that is used for construction debris. Old trucks and cars in front of 4th Avenue this has become a construction dump. Now we have all this there and people constantly coming by to dump there. What will it be when they put in a big store with more dumpsters and more traffic? Even now when I sometimes go to the Price Chopper I saw people go to their cars and empty garbage. Every year because of the problems we are having we deal with rodents. The other thing I am concerned about is the traffic. Lately it has just been getting worse. The Police are parked across from my house every day several hours a day. The traffic is just horrendous going down coming off the highway over to 23rd down 5th Avenue to get on 19th Street. I am definitely against this. Something has to be done because as it stands now if these sites are business/commercial, I have no idea what they are. What's it going to be like with another place there, more trucks more garbage? I think you have to consider the people who are living here and paying taxes and taking care of their property. Not the people who are just coming in and buying property renting it making a few bucks for a year and moving out. Think about this.

John Broderick – 1881 9th Avenue – Watervliet, New York – What is the effect on the Gas House Creek Storm Sewer System. Regarding the storm water runoff my cellar flooded in the last big storm we had. It was an exception storm but still have we considered the effect it will have when we put in a box store and do the changes to this site. What studies have we done as far as the effects on the Gas House Creek with the demolition and construction equipment on that site and the effect that will have with the extra weight and the demolition as it falls to the ground. I haven't anything about that in the studies to date. Has any air quality studies actually been done to determine the level considering the proximity of homes and the community. Significant changes in land use studies have they been done by an impartial subject matter expert regarding mitigation. Land use visible from key points including I787, Rt. 32, Rt. 2, Rt. 7, Hudson River, Prospect Park, Riverside Park, Hudson Shores Park, Clinton Park, Brotherhood Park, Bike path. Ninety thousand cars pass by St. Patrick's daily on I787. They all see it. 17,000 on Rt. 2, 15,000 on Rt. 32. These all have an effect on the visibility in Addendum B. I want this taken seriously this needs to be studied for plausible and creative mitigation opportunities. Another doesn't rely on what Nigro said, let's come up with our own ideas and get some other input from other experts. Also, we are close to getting this registered as a historic place including the Arsenal, Methodist Church not to mention the other church down the street.

Page Six
Council Meeting Minutes
October 18, 2012

We are losing over an acre of green space. Transportation studies show a moderate effect on mitigation.

David Abate – Wants to know what the City is basing its decisions on? So far we heard from reports from the Immaculate Heart of Mary Parish, Golub and Nigro. How exactly is it going to benefit Watervliet and I do mean exactly how. What are the numbers? All we have heard is related to property taxes and estimated Sales Tax Revenue this venture will bring. Those aren't the only numbers involved in this. For example people don't like to purchase homes in commercial zones and this will actually affect the surrounding houses. The homes in this area being sold will not be owner occupied but will become rental property. How will that affect this community, tax base for School System? Will this project lower the taxes, if so, how much? Also how is this tied into the development of the 19th Street corridor? How many businesses are expected to move into and when? How much revenue are they expected to bring in? It sounds to me like this project is kind of well this is OK, let's build it and hope everything falls into place. This really should be a cornerstone of your development program. If you are going to build say this, come with a developing program in which if this is the hub, present that to the residents of the City. Thank you.

Marion Fotache – 1554 3rd Avenue – Watervliet, New York – God created a beautiful garden for Adam and Eve. He wanted to share his love and goodness and wanted them to be happy but mankind had to go and mess it up. It brought sickness and death with freewill we can choose life or death, goodness or evil. We live in a sin wounded world, lust and the gluttony, anger, pride and gloat. Yet, life is full of choices for example when you got to buy a suit, you see two suits both fit and both give you coverage but what is the better color, quality and tailoring. The one you will look your best in and will last longer. You can afford either one but the better one may require giving something up. A sacrifice with a payoff in it. Now we can choose the cheaper suit or we can think long term quality. Will we take the easy way out and let go of six historic homes. A substantial school building and rectory. A landmark church with beautiful open space park. A popular writer has been so fascinated with serene cathedrals he has actually written books about them. When we get weary of living in a sin wounded world we can look to our park. You will find that Fr. indeed knows best after all. It refreshes us to see gods garden. We can be awestruck by his imagination and creativity. The shade of the tree will bring a kindred calm and the sweet breeze that makes the green leaves dense shall mark the bond of your weary heart.

There being no further comment, Mayor Manning closed the Public Comment Period.
A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:35 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council