

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 3, 2013 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, Police Chief Ron Boisvert, Fire Chief Scott Skinner and Mark Gilchrist, Assessor/Bldg. Inspector.

A motion was made and seconded to dispense with the reading of the minutes and accept the City Council Minutes as written for December 13, 2012 and December 20, 2012.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager informed the Council that Hudson Shores Park was closed to car traffic for the season on November 27, 2012. Mr. Gleason noted that the Department of Public Works removed the non-motorized docks and placed them in the park for winter storage. Hudson Shores Park is still available for residents who wish to walk or snowshoe in the park. The gate in the Northwest corner will remain open. Although the front gate will be closed and locked we will continue to use the park for the dumping of snow removed from public right of ways and the storage of vehicles that are towed during snow emergencies.

ITEM #2 – Mark Gleason, General Manager informed the Council that on Thursday, December 27, 2012, the City received the first measurable snow in almost two years. The City received approximately 5 ¾ inches of snow at City Hall. Mr. Gleason explained that thanks to the great work of our Highway Department (pre-salting and plowing) the City did not call for a snow emergency. The City received an additional three inches on December 29, 2012. Mr. Gleason then showed a video of himself and Tim Cavanaugh while plowing City streets. Mr. Cavanaugh explained in detail what it takes to plow City Streets, the hazards of plowing and the danger of parked cars while plowing. This was a very informative video and provided the Council with an opportunity to see how the plow operations actually work. At the end of the video presentation Mr. Gleason highlighted some facts that pertain to the City of Watervliet Snow Emergency policy.

- During a snow emergency the City will tow any car interfering with the snow removal process.
- As of today there are two areas where residents may park their cars while the streets are being cleared of snow. Residents may park in the 5th Avenue parking lot of St. Patrick's or the old Elks parking lot in Port Schuyler. No overnight parking is allowed, we ask that you park in these areas for as long as it takes to clear your street of snow.
- Snow emergencies are normally called for the morning after a storm ends. (i.e. snow ends on Thursday at 7:00 PM the snow emergency will be called for Friday @ 8:00 AM)

- The decision to call for a snow emergency is made by the Mayor, Police Chief, Highway Supervisor and the General Manager. As this video demonstrates plowing and salting the 26 miles of the City Streets is a challenging task. We ask that residents have patience and cooperate with the Highway Department during and after the snow storm.

Mr. Gleason went on to explain that the miracle salt the City uses contains molasses in it. It lasts longer and is environmentally friendly. It melts snow at a much lower rate. Because we haven't had a snow emergency in two years Mr. Gleason wants to remind residents that the City will tow cars. Over the past three years the City has towed vehicles which have interfered with snow removal. The biggest problem the City has is residents throwing the snow back into the roadway.

OLD BUSINESS

NONE

NEW BUSINESS

ORDINANCE NO. 1894 – An Ordinance of the City of Watervliet, New York, providing that the Code of the City of Watervliet, New York be amended such that Chapter 221 Residential Occupancy shall hereafter be known as Chapter 176 Residential Occupancy. Before voting Yorden Huban, Corporation Counsel explained that this is an Ordinance that amends Chapter 221 Residential Occupancy to be renumbered Chapter 176 which is the original Chapter it was adopted as. The contents of the Ordinance remain the same just renumbered. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Ordinance was approved and adopted.

RESOLUTION NO. 8886 – The Council of the City of Watervliet hereby authorizes that the regular meetings of the Council during the year 2013 be held at either the J. Leo O'Brien Facility, 1501 Broadway, Watervliet, New York or the Watervliet City Court, # 2 – 15th Street, Watervliet, New York 12189 at 7:00 P.M. on the first and third Thursday of each month. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8887 – The Council of the City of Watervliet hereby authorizes the Bank of America, Watervliet Branch, J.P. Morgan Chase Manhattan Bank, Pioneer Commercial Bank and First Niagara Bank be and they are hereby designated official depositories for the City of Watervliet during the year 2013. Upon motion of Mayor Manning, seconded by Councilman Foglia, this Resolution was approved and adopted. Councilwoman Fogarty abstained from voting.

RESOLUTION NO. 8888 – The Council of the City of Watervliet hereby authorizes that the Troy Record be and hereby designated as the official newspaper of the City of Watervliet for the year 2013. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8889 – The Council of the City of Watervliet hereby designates the Official Order of Business for the Council for the year 2013. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8890 – The Council of the City of Watervliet hereby authorizes and permits City Officials to attend meetings and conferences held during the year 2013. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8891 – The Council of the City of Watervliet hereby designates Polling Places in the City of Watervliet for the year 2013. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8892 – The Council of the City of Watervliet hereby adopts the City of Watervliet Procurement Policy pursuant to General Municipal Law Section 104. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8893 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Watervliet Historical Society for the period January 1, 2013 and ending on December 31, 2013 for the premises located at 1510 First Avenue, Watervliet, New York. Before voting Mayor Manning explained that the Historical Society has a new display room they are working on. If anyone has a chance Mayor Manning encouraged anyone to stop in to see the Historical Society. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8894 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an Animal Shelter Agreement with Mohawk and Hudson River Humane Society for the period January 1, 2013 thru December 31, 2013. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8895 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc. for a period of one year commencing on January 1, 2013 and ending on December 31, 2013 for support of the City of Watervliet’s Information Technology Infrastructure at the Police Department. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8896 – The Council of the City of Watervliet hereby approves a Memorandum of Agreement between the City of Watervliet and the Watervliet Uniformed Firefighters Association and further authorizes Mayor Michael P. Manning to execute the same. Before voting Yorden Huban, Corporation Counsel explained to the Council that this approves and authorizes Mayor Manning to execute a Memorandum of Agreement between the City of Watervliet and the Watervliet Firefighters Association. That extends a Memorandum of Agreement that was currently in place. Which the City has an agreement with the Watervliet Fire Department and its membership to provide ambulance transport service to the residents of the Village of Green Island. It’s an extension because there was a sunset provision until the end of the year. This allows an extension until February 15, 2013. All the terms and conditions of the original MOA are the same while the City is in negotiations with the UFFA. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8897 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Grammercy Communications, LLC for a period of one (1) year commencing January 1, 2013 and ending on December 31, 2013 and further authorizes and directs Mayor Michael P. Manning to execute the same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8898 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and MFCS, LLC for the period January 1, 2013 and ending on December 31, 2013 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.

RESOLUTION NO. 8899 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc. for a period of one year commencing on January 1, 2013 and ending on December 31, 2013 for support of the City of Watervliet’s Information Technology Infrastructure at City Hall and the Fire Department. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8900 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Hacker Murphy, LLP for the period January 1, 2013 and ending on December 31, 2013 for Professional Legal Services regarding property tax matters and further authorizes and directs Mayor Michael P. Manning to execute the same. Before voting Mayor Manning explained that Hacker Murphy does our specialty legal services for tax assessment field. They have been very successful to date. They are used for the larger commercial properties some of which appeal every year. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8901 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and the Hudson – Mohawk Urban Cultural Park Commission for a period of one (1) year commencing on January 1, 2013 and ending on December 31, 2013 and further authorizes and directs Mayor Michael P. Manning to execute the same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted. Mayor Manning abstained from voting.

RESOLUTION NO. 8902 – The Council of the City of Watervliet hereby authorizes Hacker Murphy, LLP, Cathy L. Drobny, Esq., of Counsel to effectuate a voluntary settlement and discontinuance of the special proceeding for assessment review providing the petitioner Ralph Deagetis for property located on 1551 3rd Avenue, Watervliet, New York. Before voting Yorden Huban, Corporation Counsel explained that this is a Resolution which requires City Council approval to authorize our outside Counsel to resolve an Article 7, Real Property Tax law Assessment Petition. This individual who resides in the City of Watervliet filed a petition in the Supreme Court challenging his assessment. After negotiations with the homeowner thru our outside Counsel and with that persons attorney they agreed to a tentative settlement to resolve this which reduces the original assessment for the year 2012 and part of the settlement agreement the petitioner agrees not to file any further petitions on this property challenge assessment for the years 2013, 2014 and 2015. This Resolution resolves the lawsuit for the petition challenging the assessment. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8903 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a Climate Smart Communities Custom Service Strategy Commitment for the City of Watervliet and will work with the Capital District Regional Planning Commission and VHB Engineering to implement this strategy. Before voting Mayor Manning noted that this is a no cost services agreement with CDRPC to help the City develop a strategy to roll out Climate Smart Energy saving activities to the community. The City has done a lot of programs within the operations of the City. This extra help being paid for from a regional grant to develop a strategy as to how to pull residents into the same thing the City is doing. 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 at the next City Council Meeting he will have the Sales Tax distribution for the City of Watervliet for the 4th quarter.

Robert A. Fahr, Director of Finance explained to the City Council that the Property Tax Bills went out earlier this week. The bills will be due at the end of this month. The Finance Office will be open on Saturday mornings from 9:00 A.M. until 12:00 noon during the month of January 2013 for residents to pay their bills.

Mayor Manning noted that the Bond Rating was upgraded again by Standard & Poors by one notch. The City has had three reviews within the last five years and they have all been upwards. If anything it's a third party reviews that the City is in good financial shape. Robert A. Fahr, Director of Finance noted that this would have been a two notch upgrade had it not been for the poor economy.

Mayor Manning explained that he will be meeting with the NYS Division of Budget from the Governor's Office next week to finally get an audience for our every year plea to discuss the inequities in State Aide. The City of Watervliet is lower than many of the full service communities around us. What the City is trying to get out of this meeting is to have them explain what formula is used. How do they arrive at the City being so low compared to other communities?

Mayor Manning explained that the City will be meeting with Clear Water Innovative Associates to talk about taking the City's WOW Program to the next level. Actually, turning the waste into gas and not taking it to the landfill. Earlier today the City met with the Watervliet School District to start discussions on handling their waste and recycling in addition to folding them into the WOW Program. The School may be able to save something and the City may be able to supplement some of the things the City makes money on such as recyclables. This could be a win situation for everybody involved.

PUBLIC COMMENT PERIOD

NONE

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

A motion was made and seconded to adjourn the meeting into Executive Session for discussion of Labor Negotiations. The meeting was adjourned into Executive Session at 7:30 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, JANUARY 3, 2013**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 7:40 P.M.

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

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

ITEM #1 - Mark Gleason, General Manager and Robert A. Fahr, Director of Finance updated the Council on the ongoing negotiations with the Uniformed Firefighters Association. Mr. Gleason and Mr. Fahr provided the Council with a full update on the contractual items which needed to be addressed. A detailed discussion followed with the Council providing direction for the negotiations.

There was no legislative action taken by the City Council during the Executive Session.

There being no further business to come before the City Council during Executive Session, a motion made and seconded to adjourn from the Executive Session at 8:15 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council