

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 17, 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 January 3, 2013.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General requested William Sheehy, Executive Director of the Watervliet Civic Chest Inc. to report on the Watervliet Senior Citizens organization. Mr. Gleason provided pictures on the TV while Mr. Sheehy gave his report. Mr. Sheehy thanked Mayor Manning and the Watervliet City Council and the City of Watervliet Administration for having the confidence in the Watervliet Civic Center to supervise the day to day operations of Senior Services of Watervliet since February 2012. Mr. Sheehy noted that the Watervliet Civic Center has been offering programs and services to the youth of Watervliet since 1946. Our programs now consist of youth recreation, youth development, child care, truancy prevention and senior programs. The addition of senior programs makes the Watervliet Civic Center a more diversified and well-rounded agency. Our programs now span the age group of 4 years old to 95 years old. The Center provides programs, services and activities to over 1200 individuals. Senior Services of Watervliet falls under the umbrella of services of the Watervliet Civic Center. The Watervliet Civic Center Board is responsible for the Watervliet Civic center and Senior Services of Watervliet. Senior Services of Watervliet offered a wide variety of programs, services and activities to the senior population from February 2012 thru December 2012. A Board was established and was made up of seven individuals who helped establish policy, fundraise and conduct programs. Marie Bolt was hired as a part time Senior Services Coordinator. Marie has proven to be a great addition to Senior Services as she is caring and responsive to the needs of the seniors. Programs conducted on a weekly basis were the following:
Congregate meal program is conducted by the Cohoes Senior Center and lunch is served on a daily basis. The lunch program serves approximately 18 lunches per day. Other daily and weekly activities include:
Bridge, Mahjong, Billiards, Ceramics, Bingo, Zumba Fitness, Golf, Bowling, Pinochle, Beautician Services, Knit Wits, Spanish, Bocci, Wii Bowling, Yoga, AARP card program and the Cannonaires Singing Group.

Special Events consisted of:

Valentine's Day Pizza party, St. Patrick's Day lunch, Easter Lunch, Memorial Day lunch, Memorial Service, Turning Stone Trip, Machayden Theatre Trips, Strawberry Festival, 4 Summer Concerts, mahjong Tournament, Picnic in the Park, Health Fair, featuring 15 health care agencies, Craft fair, Leaf Peeping trip to Vermont, Halloween Lunch, Thanksgiving lunch, Bake Sale, Christmas Lunch and Melodies of Christmas Lunch.

Presentations were conducted on: Credit Cards, Health Insurance, Heating Assistance, Blindness, Hearing Impaired, Elder Abuse, Community Hospice, Family Services and Caregiver Support. A grant was obtained from the Elks National Foundation to conduct 4 dinners free of charge for the Seniors. The dates were 9/12/12, 10/12/12, 11/12/12 & 12/12/12. These dinners averaged 58 Seniors per dinner.

Total membership for 2012 was 279. Senior Services of Watervliet finished 2012 on a high note financially due to fundraising events, a watchful eye on spending and the City of Watervliet reimbursement. Mr. Sheehy thanked the Watervliet City Council for allowing him to make this report. Mayor Manning noted that the City will place this presentation on the website also.

ITEM #2 – Mark Gleason, General Manager discussed the Bicycle Study the City has ongoing. The City of Watervliet in conjunction with the Capital District Transportation Committee (CDTC) has advertised for a consultant to create a plan for the construction and rehabilitation of a segment of the Hudson Mohawk Bike Trail. It is basically 1.3 miles of trail route being studied. Bruce A. Hidley, City Clerk and Mr. Gleason met last week with Jason Pervis, Senior Planner for CDTC. The plan will go in conjunction with the pedestrian/bicycle master plan for the City. The study was funded through a CDTC 2012/2013 Community Transportation Linkage Planning Program with the City of Watervliet. The project has a budget of \$50,000 to bring on a consultant. The City is responsible for \$15,000 of the \$50,000 grant money. Mr. Gleason wants to touch on some of the items the consultant once they are picked will do for the City. They will determine the most feasible new alignment of the Mohawk Hudson Bike Trail in relation to I787 either on the east side or the west side. They are going to compile and review work that has already been done on this subject. They will also determine connections from the Mohawk Hudson Bike Trail to other destinations within the City, neighboring communities connecting them up. The most important thing is they will identify public and private funding opportunities for the project. There is no sense having such a nice report if there is no suggestion as to how to pay for it. Mr. Gleason explained that a report was done in 2003 and it was quite expensive at the time for construction of a bike trail. They will complete a draft of the master plan for public review. They will actually run meetings three of them that will be held looking for public input. Mr. Gleason showed the bike trail scheme on the TV for all to see (all angles). The end goal is to connect the bike trail with Hudson Shores Park. Some of the challenges are that along the river there isn't much room. Additionally, you have to deal with the river level changing. Some type of bridge would need to be built.

There is talk about going on the west side along Rt. 32. This also presents some problems as you would have to bump out the bike trail that exists there already and traffic issues. They both have their advantages and disadvantages. The advantages to going along Rt. 32 would be that the latest estimate would be a 2 million dollar construction job. If you are going to build something on the other side along the river they were talking about six million dollars in 2003. This is just some the things this report will produce for the City. The proposals are due back to CDTC by January 25, 2013. Once a contractor is selected the Advisory Committee will meet and work with them on the report. Mr. Gleason will keep the Council updated as this project progresses along.

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION NO. 8904 – The Council of the City of Watervliet hereby approves a Memorandum of Agreement between the City of Watervliet and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO for the City of Watervliet Unit of the Albany County local #801 and further authorizes and directs Mayor Michael P. Manning to execute the same. Before voting Mark Gleason, General Manager explained that this agreement creates a position called Maintenance Mechanic for City Hall. Currently what happens now is if we have small jobs such as painting we sometimes have to contract this work out. The City has created this position in conjunction with C.S.E.A. This position will be posted. This will be an internal position. There will be no additional employees hired. This will be a budget neutral position. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8905 – The Council of the City of Watervliet hereby appoints Commissioner of Deeds in the City of Watervliet for the period January 1, 2013 and ending on December 31, 2014. Before voting Bruce A. Hidley, City Clerk explained that this a standard housekeeping item which must be done every year for the employees of the Fire Department, Police Department, Water Department and Administration. A Commissioner of Deeds can only sign official documents within the City of Watervliet. Upon motion of Councilman Foglia, seconded by Councilman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8906 – The Council of the City of Watervliet hereby approves a Memorandum of Agreement between the City of Watervliet and Albany Law School and further authorizes and directs Mayor Michael P. Manning to execute the same. Before voting Yorden Huban, Corporation Counsel explained that this is a Resolution approving a Memorandum of Agreement between the City and Robert Batson who is the Government Lawyer of the Government Law Center of Albany Law School. This is for the specific purpose of assisting the City of Watervliet in revision of the City Charter. Mr. Batson's services would include review of the City Government and Charter. There are certain provisions or Sections of the Charter that are antiquated. After consultations with the Department of Law it was advised that this revision be considered by the City Council. A Local Law will be put forth to the City Council upon conclusion of the review. This is an agreement which authorizes that agreement to move forward. Mr. Huban suggests that for the next City Council Meeting that a resolution be placed on the Agenda which will establish a Charter Review Committee. That way these issues will be kept to the forefront and everyone will be on board. Mayor Manning noted that internally Councilwoman Fogarty has agreed to head up the City's team. The City will be pulling in a Citizens Advisory Board to look at the proposed revisions and report back to the City Council. This will be reported at the City Council Meetings similar to the General Manager's report. When the City gets a defined path by consultant as to how long this will take and whether a referendum will be needed on the ballot in the fall. The cost will be approximately \$9,650.00. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8907 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Beveridge & Diamond, P.C. and further authorizes and directs Mayor Michael P. Manning to execute the same. Before voting Mark Gleason, General Manager explained that the City of Watervliet is a member of the Albany Pool Communities working with the Capital Region Planning Commission. Basically we are hiring this firm to provide us with legal services for the adoption and implementation of the Albany Pool Communities, Combined Sewer Overflow (CSO) long term control plan. The City of in the final stages of getting a plan approved which will go thru NYSDEC and the EPA. This law firm will help the Pool Communities facilitate that action. Mayor Manning noted that this allows us to sign this and all the other Pool Communities will do the same. Upon motion of Councilman Foglia, seconded by Councilman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8908 – The Council of the City of Watervliet hereby authorizes the City of Watervliet to participate in and become a member of the Public Employer Risk Management Association, Inc. (PERMA) a Workers Compensation Group Self-Insurance Program. Robert A. Fahr, Director of Finance explained to the Council that in 2004 the City of Watervliet premium for Workers Compensation coverage with Brokers Fees was \$185,000.00. Mr. Fahr is projecting that in July 2013 that amount will go up to approximately \$440,000.

The City just can't afford that cost any longer. PERMA has a really good relationship with the NYS Conference of Mayors. The premium for PERMA would be \$268,000.00 and a \$25,000.00 deductible for each injury that happens. Mr. Fahr also noted that it will help the City cash flow wise as the reimbursement for salaries would be received the following week after payroll rather than waiting until after the case is closed by the NYS Workers Compensation Board. The New York State Insurance Fund would still administer the old claims due to the fact that the premium has already been paid for those cases. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8909 – The Council of the City of Watervliet hereby approves the Subordination of the Lien against Christopher D. Blasch and further authorizes and directs Mayor Michael P. Manning to execute a Subordination Agreement. Before voting Yorden Huban, Corporation Counsel explained that Christopher Blasch a resident of the City of Watervliet who resides at 1204 7th Avenue. Mr. Blasch contacted the City of Watervliet requesting that the City enter into the Subordination Agreement. Basically, Mr. Blasch has a mortgage with Trustco Bank in the amount \$76,000.00. He was awarded a first time homeowner grant in the amount of \$5,000.00. The City's lien is second in line to the existing mortgage. Mr. Blasch wants to take advantage of the current rates and refinance. In order to do so lenders require any liens that are subordinate he must have a subordination agreement to allow him to refinance and the City retains its second lien position. Mr. Blasch will also maintain the existing terms of agreement by continuing to live at the home by not moving out or transferring the property. Upon motion of Councilman Foglia, seconded by Councilman Fogarty, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Robert A. Fahr, Director of Finance explained that he received a call from Albany County regarding the 4th quarter Sale Tax. The amount the City will receive is \$831,000.00. The total Sales tax received for 2012 is \$3,210,000.00 compared to our 2012 budget of \$3,000,050.00. This \$160,000.00 increase will go towards appropriate fund balance for 2012. The City's goal is to keep our fund balance around \$1,000,000.00. This is becoming more and more difficult with the NYSIF, disability claims, and workers compensation claims. When City employees are out on Workers Compensation it increases our overtime substantially which also increases our retirement costs. It will be a real challenge the next few years. The 3.2 million dollars is what was budgeted for 2013.

Mayor Manning noted that earlier tonight William Sheehy, Executive Director of the Watervliet Civic Center made a presentation regarding the ongoing programs the Senior Citizens are involved with. Mayor Manning noted that the Seniors had a change of structure. The City asked the Civic Center to step in and take over the senior programs. The Civic center was willing to do just that. Mayor Manning explained that the programs being run by the Civic Center are pretty much hands free from the City. Mayor Manning thanked Bill Sheehy and all the members of his team for keeping the Senior Citizen's Programs running.

PUBLIC COMMENT PERIOD

Pat Falaro – 1921 6th Avenue – Watervliet, New York – Mr. Falaro began by stating good evening Mr. Mayor, Councilwoman Fogarty and Councilman Foglia. First and foremost I want to state my objection to the re-zoning of the former St. Patrick's Church, school, rectory along with the row houses located on the south side of 23rd Street to build a Price Chopper along with two additional buildings. Having stated that I would like to continue, I would like to thank Mr. Gleason and Mr. Gilchrist for their response to my questions regarding the demolition permit. Now, I have some questions that I wish to pose to the City Council.

1. What is the current status of the permit?
2. If granted, what would be the earliest start date for demolition?
3. Considering this work will be performed in a predominately residential area, what will the work hours be for both demolition and construction.
4. Will parking for the crews be designated only within the work zone?
5. What amount of notification will the adjacent residences receive prior to the start of demolition?
6. Will cleanup of debris and dust be done on a daily basis?
7. Will we, the residents be provided with a single point of contact to help with any problems that should arise as direct result of this project?
8. We will also need the company name and those individuals we can go to if there is any damage to our property?
9. If we are taking photos of our property will the date on the photo provided by the camera be sufficient as proof of existing conditions of our property.
10. Also, since Nigro Corporation has agreed that this property is to be designated as a NO SMOKING area, I assume that this will hold true throughout all phases of the demolition and construction.

Unfortunately, after my recent experience with the former pastor of St. Patrick's and the current Bishop, as I was told "DID YOU GET THIS IN WRITING?" I must request that all my questions receive written response and signed by those that will be responsible. This is only the beginning as I am sure other questions will arise as this process moves along. Thank you.

Marion Fotache – 1554 3rd Avenue – Watervliet, New York – Ms. Fotache stated members of the City Council I had a friend for many years who lived in Watervliet. Her family was originally from the Bronx, NY. Her grandfather was a carriage maker back in the 1800's which was a very lucrative trade. Her grandfather lived in a brownstone but she had grown up in a beautiful apartment house with a circular drive, rod iron gate and flower boxes. She used to be able to down at 10:00 PM on the subway to join her husband at the Waldorph Astoria for a night cap after his meeting. Well, the huge federal high rises came in and the neighborhood changed within 3 years. It was no longer safe to out at night. This situation deteriorated rapidly, she and her husband moved to Watervliet. I remember once she said there is nothing worse than to watch your neighborhood become a slum. Those words have been echoing a lot in my ears lately. Especially with the approval of the project on 19th Street. It will probably look nice and fresh for maybe the first making sure it is kept clean. But, then you will see how that cancer will creep. It is very concerning. Thank you for your attention.

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 7:35 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 17, 2013**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 7:50 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 8:30 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council