

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MARCH 7, 2013 AT 7:00 P.M.**

The meeting was called to order by Councilwoman Ellen R. Fogarty at 7:00 P.M.

Roll call showed that Councilwoman Ellen R. Fogarty and Councilman Nicholas W. Foglia were present.

Also present from City Administration were: 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 February 14, 2013.

REPORT OF OFFICERS AND COMMITTEES

Robert A. Fahr, Director of Finance noted that Councilman Foglia was talking about the bond rating at the last City Council Meeting. Mr. Fahr explained that he got a call from Moody's Bond Rating that they kept the City's bond rating at A1 which is the highest upper medium quality investment rating available. The City is still one notch from Standard & Poor's which is an A. Mr. Fahr further that he will continue to update the Council periodically. Everything went well on the conference call, they were really happy with the direction the City was heading in. Mr. Fahr stated that it will be very challenging down the road due to retirement costs and health insurance costs. Councilman Foglia asked if the City is ranked against other municipalities. Mr. Fahr responded by saying that we would have to look at each municipality separately. This is not a published item. Councilman Foglia was just interested on how the City compares in NYS. Mr. Fahr stated that the main question they asked is, are you borrowing for your retirement costs? Most all municipalities have borrowed the City of Watervliet did not. That is one of the reasons the City has been up graded.

OLD BUSINESS

NONE

NEW BUSINESS

RESOLUTION NO. 8917 – 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 a Public Hearing and Informational Session will be held on Tuesday, March 19, 2013 at 5:30 P.M. in the J. Leo O'Brien Senior Citizen Center, 1501 Broadway, Watervliet, New York 12189 for the purpose of hearing those persons who wish to be heard in reference to grant programs, project and proposals for grants associated with the 2013 Community Development Block Grant Program. Before voting Councilman Foglia questioned whether this was to announce that the City received the grant and listen to applicants? Bruce A. Hidley, City Clerk responded by explaining that this is a Public Hearing in reference to the 2013 CDBG grant programs application. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8918 – The Council of the City of Watervliet hereby authorizes Hacker Murphy, LLP, Cathy L. Drobny, Esq., of Counsel to do all things necessary and appropriate to effectuate the terms of the settlement and discontinuance of the pending special proceedings for assessment review providing the petitioner Karen Garewell. Before voting Yorden Huban, Corporation Counsel explained that this Resolution authorizes our outside legal counsel subject to the approval of the City Council effectuate a settlement of a pending special proceeding for assessment review. The petitioner is an individual who owns property in the City of Watervliet. The agreement would be to work to resolve the matter to reduce the assessment for the years 2011 and 2012. The outside counsel has recommended that his issue be resolved. This individual filed a petition to challenge her assessment so it is a court proceeding. As with any case there is a potential to settle. In order to effectuate this settlement they need the approval of the City Council to say yes it is OK to settle this assessment in this fashion. As a result of this settlement there is an order and judgment that must be signed to resolve the petition. Mark Gilchrist, Assessor noted that this is a two family home. When a home is not owner occupied they can't go the Small Claims Assessment Review. This SCAR Board consists of Mr. Gilchrist, the applicant and a mediator. Each side will present its story and the mediator makes the decision. Due to this house not being owner occupied they can't go this route thru SCAR they have to higher and hire an attorney. They actually have to go thru the court system. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8919 – The Council of the City of Watervliet hereby approves and adopts the City of Watervliet Drug and Alcohol Testing Policy for the Watervliet/Green Island New Freedom Transit Shuttle Service. Before voting Yorden Huban, Corporation Counsel explained that this is a Resolution that approves and adopts a Watervliet Drug and Alcohol Testing Policy. This is specifically for the Watervliet/Green Island New Freedom Transit Shuttle Service. The City of Watervliet was a recipient of a grant from CDTA with respect to the shuttle service which transports residents from Green Island and Watervliet. CDTA contacted the City of Watervliet that there is a requirement for us to adopt a policy with regard to the testing of drugs/alcohol for drivers to conform with Federal regulations. The City of Watervliet had to adopt the policy. Mr. Huban noted that the next Resolution will be entering into an agreement with CDTA to have these drivers to put into the random selection pool for testing. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8920 – The Council of the City of Watervliet hereby approves a Drug and Alcohol Testing Agreement between the City of Watervliet and the Capital District Transportation Authority and further authorizes 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. 8921 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Fraser, PE, LS, LA a Weston & Sampson Company and further authorizing and directing Mayor Michael P. Manning to execute the same. Before voting Mark Gilchrist, Assessor/Building Inspector explained that this is an agreement with Weston & Sampson formally Fraser Associates to have a specific job for the 19th Street Price Chopper Project. During the demolition of the buildings the City needs to keep an eye on the Dry River and Gas House Creek. These are two big tunnels that run under the property. The City is hiring them for just that. The City will pay the bills and PCP Watervliet, LLC will reimburse the City. They will an eye in the tunnels during construction and during the demolition. Councilwoman Fogarty requested clarification regarding reimbursement to the City. Mr. Gilchrist noted that PCP Watervliet, LLC will reimburse the City 100% for all costs. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8922 – The Council of the City of Watervliet hereby approves an agreement for the payment of Municipal Engineering expenses between the City of Watervliet and PCP Watervliet, LLC and further authorizing and directing Mayor Michael P. Manning to execute the same. Before voting Mark Gilchrist explained that if the City needs any additional engineers that PCP Watervliet, LLC will pay all of the expenses. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

PUBLIC COMMENT PERIOD

Brian Kourofsky – 515 4th Avenue – Watervliet, New York – Mr. Kourofsky explained to the Council that he wanted to have some discussion on the towing incidents that occurred in the last snow storm. Mr. Kourofsky noted that the street he lives on is a one way street. On Saturday morning after the snow fell Friday night he woke up to clean off all of the vehicles in the house. Mr. Kourofsky moved all the vehicles off the side of the road so that the snow plow had a chance to make a pass. Then he took it upon himself to move all the vehicles to the other side of the street. It would make common sense so that the snow plow could do the other side of the road also without any necessary towing. Mr. Kourofsky went fishing that morning in Lake George. I received a phone call from my neighbor that my car was being towed and of course nobody had a key to move. I feel it is a bit ridiculous, if everybody in the City took five minutes like I did no one would have to be towed. As I look around the City snow is piled around vehicles throughout the City. My street was cleaned and didn't need it. I'm here today to see if I can catch a break with the fine that was given to me. Police Chief Ron Boisvert requested Mr. Kourofsky to meet with him after the meeting regarding this issue. Police Chief Boisvert asked if Mr. Kourofsky is familiar with the snow emergency policy. Mr. Kourofsky said he is not originally from this area but he knows the policy now.

David Minor – 407 16th Street – Watervliet, New York – Mr. Minor is curious of whether the City Council has addressed the SAFE Act. I would like to hear their comments or concerns. There does not seem to be any dialogue regarding this issue from the citizens of Watervliet. Councilman Foglia responded by saying the Council has not addressed this issue. Mr. Minor would like to see how the Chief stands on this issue. What the citizens have to say. This is something that concerns me as a resident of this City.

A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:20 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council