

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, DECEMBER 5, 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, Fire Chief Scott Skinner and Police Chief Ron Boisvert.

A motion was made and seconded to dispense with the reading of the minutes and accept the City Council Minutes as written for November 21, 2013.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager explained to the Council that last week the City received the first snow of the season. Although it was only a dusting I am sure we can expect measurable snow soon. The statistics and climate index similarities gathered by the Weather Trends International Group suggest the 2013 – 2014 winter will be similar to the winter of 1962 – 1963 which witnessed the 6th coldest January in over 118 years and abundant snowfall. If predictions are correct the City should expect to call at least two (2) snow emergencies this winter season. With that in mind I would like to highlight/review our snow emergency policies.

- Generally, snow emergencies are called for the morning after a storm ends. An example would be the snow ends on Thursday at 7:00 P.M. the snow emergency is called for on Friday at 8:00 A.M.
- The decision to call for a snow emergency is made by the Mayor, Police Chief, Highway Supervisor and the General Manager
- Every effort will be made to inform our residents that a snow emergency has been declared. The announcement will be made on all of the media outlets, the City's website, Vliet Channel 17 and a robo call will be made. If anyone is interested in getting on the robo call list please contact Mayor Manning's office. Mr. Gleason noted that currently the City has approximately 2,000 people on the robo call list. It will call your cell phone and your house stating that a snow emergency has been declared. If you don't live in the City you can be placed on the robo call listing. There are people who leave their cars in the City and take the bus into Albany for work. Unfortunately when they come home they find their car in Hudson Shores Park due to the where they live not calling for a snow emergency. If you know of anybody who does park a car in the City during the day please have them get on the robo call listing.
- During a snow emergency the City will tow any car interfering with the snow removal process. Vehicles will be towed to Hudson Shores Park. The towed vehicle will not be released until the fine and towing charge is paid in full. The fine is \$100.00, the towing charge is \$150.00.

The City of Watervliet has a video running on Vliet Channel 17 that demonstrates and discusses the difficulties of plowing the City's 26 miles of streets and avenues. If a resident has a chance the video runs approximately 15 minutes long. The video was made with Tim Cavanaugh who is the most experienced snow plow driver. Mr. Cavanaugh goes over what he has seen in the past. Mr. Cavanaugh also goes over what residents can do to make the snow removal process much easier. Mr. Gleason would ask that all residents take the time to watch the video.

OLD BUSINESS

PUBLIC HEARING – A Public Hearing for the purpose of hearing those persons who wish to be heard with regard to the Estimate of Revenue and Expenditures for the fiscal year 2014.

Mayor Manning opened the Public Hearing for comment.

Mayor Manning noted that the City is looking to approve the budget for 2014 which sets the tax rate. Mayor Manning noted that he wanted Robert A. Fahr, Director of Finance to explain the tax rate due to all the information the news put in regarding tax rates, tax caps and assessments. Mr. Fahr explained that to simplify the proposed budget the tax rate increase is a 7% tax increase. But the taxes actually are not going up that much. The actual assessed valuation of property went down. Based on the average assessed property in 2013 which was \$134,000, now that average is \$126,000. Now, based on that you will only get an extra tax bill of \$9.00 per year. Your assessment went down the rate went up. Just look at the dollar amount you are actually paying. If someone had an assessment that did not go down then they would be paying the 7% tax increase. The City has to stay within the 2% property tax cap from the state. The inflation rate factor for 2014 is 1.66% so it is the 1.66% not the 2%. Putting that in dollar amounts the City can only raise the amount of taxes by \$70,000.00 for one (1) year. You really have to see your tax bill in 2013 and 2014. Mayor Manning explained that the City did a full re-assessment in 2012. As part of that the signed up with the State, we brought our equalization rate which compares your assessment to the market values up to 100%. The City signed an agreement with the state to stay at 100% so each year we will be doing mini assessments to keep all at 100%. When you talk about the tax increase it will start to get complicated because in the past we only did an assessment in the 1990's. With the assessment staying flat it's the pure tax rate. The assessments went up 7% the assessments went down 6% so the net effect is a 1% to 2% range. The tax cap which is NYS law has really nothing to do with the rate. It is how much more taxes did you raise. The City is within the tax cap because we didn't raise almost 2%, this year it is actually 1.66%.

Marion Fotache – 1555 3rd Avenue – Watervliet, New York – Ms. Fotache is confused \$130,000.00. Mr. Fahr stated that is the average assessment in 2013. The average assessment for 2014 is down to \$126,000.00. Ms. Fotache asked what if your assessment is over that amount. You would have to compare what your 2013 and 2014 billing is to determine the actual increase. It wouldn't be a \$9.00 increase it may be a \$20.00 increase. Mayor Manning explained that the City is using an average so that it will make it easier for the public.

Mark Gilchrist – Assessor/Building Inspector noted that the newspaper article didn't mention the assessments at all. It just mentioned the tax increase. Your assessment on your home went down this year. A letter was sent reducing the assessment on your house. As well as the other 98% of the homes in the City they also got an assessment reduction. The value went down so I dropped the assessments. I am trying to maintain values at 100%. In a perfect world it should be what you can sell your home for. That is exactly what the City is aiming for. It's easier for the public to understand a 100% assessment than it is a 50% assessment.

Vince Razzano – 2122 3rd Avenue - Watervliet, New York – Mr. Razzano asked what is the actual amount of taxes an individual is going to pay on their home. Mark Gilchrist, Assessor/Building inspector replied that it is based on their assessment. Robert Fahr, Director of Finance noted that the difference will be \$9.00 in 2014. Mr. Razzano stated that this is only a difference of \$9.00 – GREAT JOB.

Robert A. Fahr, Director of Finance further explained that this is just the City taxes. This has nothing to do with the County tax which we have no control over. Mayor Manning stated that the City is trying to clear up the 7% tax. For the next several years it is better to talk about the bottom line. The tax cap and the tax rate are all different. The City always meets the tax cap.

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

PUBLIC HEARING – A Public Hearing for the purpose of hearing those persons who wish to be heard in reference to Watervliet's proposed application to the New York State Office of Community Renewal for funding for affordable housing programs through the Community Development Block Grant Program 2013 and pursuant to the New York State NOFA dated October 28, 2013.

Mayor Manning opened the Public Hearing for comment. Mayor Manning explained that the purpose of this Public Hearing is to meet the requirements for a NYS grant the City wants to apply for.

Mayor Manning introduced David Wheatley. Mr. Wheatley explained that this power point presentation is in regards to the Community Development Block Grant (CDBG) program that the City of Watervliet is looking to apply for. The program is for housing rehabilitation for 2014. The CDBG program uses federal funds to provide small communities with an opportunity to undertake activities that focus on community development. The need of creating or expanding job opportunities, providing safe affordable housing and addressing local infrastructure are public facilities issues. This grant includes housing actions. The national objective of the CDBG program is the development of viable urban communities by providing decent housing and a suitable living environment with expanded economic opportunities principally for person with low to moderate income.

The program objectives are to improve deteriorating residential neighborhoods, expand home ownership, improve commercial districts using a comprehensive approach, promote economic development by supporting business and job creation and assist communities in the preservation and development of public infrastructure. The grant the City is looking to apply for has an annual maximum amount of \$400,000.00. The grants will only fund activities where at least 70% of the beneficiaries are low to moderate income persons. For 2014 the state has set aside approximately \$38 million in CDBG funds. \$12 million for NYS CDBG funding for Housing Activities, \$25 million for AHC Affordable Home Programs, \$1 million for the Access Home Programs and \$400,000.00 for the Restore Program. Previous CDBG Grant Experience:

\$400,000 – 2011 Housing Rehabilitation Grant
\$ 55,000 – 2011 Small Business Assistance Grant
\$105,000 – 2011 Economic Development Grant WS
\$200,000 – 2011 Microenterprise Grant
\$311,000 – 2010 Infrastructure Grant
\$ 36,000 – 2010 Planning Grant
\$290,000 – 2010 Senior Housing Rehab Grant
\$737,000 – 2008 Economic Development Grant
\$650,000 – 2008 Comprehensive Grant – 3rd Avenue
\$ 25,000 – 2008 Planning Grant
\$619,750 – 2007 Comprehensive Grant – 19th Street
\$400,000 – 2004 Senior Housing Rehab Grant

The funding category for the Housing Grant is Housing Rehabilitation & City Code compliance, Home Ownership & Rehabilitation Grants, Residential Water/Sewer assistance including laterals and wells. This Notice of Funding applies only to the Housing Assistance grants. The City of Watervliet's grant program if approved will be providing grants at a maximum of \$25,000 in funding to help low and moderate income persons, repair their homes and property, comply with the NYS Building Code and help weatherize and make homes more energy efficient to save energy dollars. All properties that receive grant money must be owner occupied.

Rehabilitation work examples include:

Roof repair/Chimney
Furnace/Heating Repair
Insulation/Weatherization
Plumbing/Electrical
Foundations and Exterior Walls

The City of Watervliet must follow the HUD Income Guidelines for low to moderate income people. This is available online and in City Hall, The Planning Department. The timeline is the following: In July the City sent out a public outreach survey to all residents of the City. The City received back approximately 225 surveys. With those surveys the City moved on and went to every home. The City went to every single home that submitted the survey. The City looked at the roofs, windows, doors and foundations to put the grant together with that information. The grant application is due on January 17, 2014. The City is hoping to hear regarding results of the grant application by March 2014.

The City has applied for in the past the RESTORE Program which provides funding for low to moderate income senior citizens for emergency replacement and repair of furnaces and heating systems especially in the winter months. The City also applies for the Home Program which provides funding for low to moderate income senior citizens for handicapped access upgrades to their homes. New York State denied both of those applications stating that the County also has funding for these types of programs and they wanted to run the funding thru them. Mr. Wheatley noted that if you are interested in this program call (518) 270-3800 X103 or X101 and the City can mail you the program information or pre-application notice. Or if you are a civic group or organization that is interested in developing beneficial to low to moderate persons in the community, please contact the City Planning Office as well.

Mayor Manning explained that this is a pre-requisite for the City to apply for the grant. You just heard the background as to what the grant will do, what the State wants done with it, what the City is going to do with it and a bit of the City's history with this program.

Mayor Manning then requested any comments as to whether the City should apply for this grant.

Marion Fotache – 1555 3rd Avenue – Watervliet, New York – Ms. Fotache asked what is considered low to moderate income? Mr. Wheatley explained that it is based on the HUD income limits. It is set on how many people live in the home. HUD sets for the limits each year and it based on the amount of people in the home. Mayor Manning explained that it is based upon the percentage of the median income.

Ms. Fotache questioned what if two people live in the home? Mr. Wheatley responded by saying that they would have to make less than \$50,000 to qualify for the grant. Ms. Fotaches feels that the City is already saturated with low income people.

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

NEW BUSINESS

RESOLUTION NO. 8997 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application under the 2013 Community Development Block Grant Program and further authorizes Mayor Michael P. Manning to accept and receive a grant for Community Development purposes. Mayor Manning noted that during the Public Comment period the City had no comments against this application. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 8998 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application for State Assistance to the New York State Department of Environmental Conservation for the 2013 Water Quality Improvement Projects Round 11 and further authorizes Mayor Michael P. Manning to accept and receive a grant for Water Quality Improvement at the Watervliet Reservoir. Before voting Mark Gleason, General Manager explained that this is a grant for permission for Albany Engineering who is the firm who handles the Watervliet Reservoir to file a grant with NYSDEC. What the City is doing is aiming to remove the European Water Chestnuts that are in the reservoir. The removal of the chestnuts will assist with the dissolved oxygen levels. It will also keep with Mayor Manning's theme of renewable energy the City will also try to run the chestnuts thru the anaerobic digester to hopefully produce methane. The chestnuts will be removed from the reservoir then try to digest them into methane. This actually has been a plan for a while now. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8999 – The Council of the City of Watervliet hereby authorizes and approves Mayor Michael P. Manning to execute an agreement with Carus Corporation, 315 Fifth Street, Peru, IL, 61254, for the supplying of Zinc Phosphate for the Watervliet Filtration Plant. Before voting mark Gleason explained that this is for the chemicals at the Watervliet Filtration Plant. The City went out to bid last month on this chemical and the chemical in the next Resolution. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9000 – The Council of the City of Watervliet hereby authorizes and approves Mayor Michael P. Manning to execute an agreement with Holland Chemical Corporation, 153 Howland Avenue, Adams, MA 01220-1199 for the supplying of Poly Aluminum Chloride for the Watervliet Filtration Plant. Upon motion of Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9001 – The Council of the City of Watervliet hereby authorizes and approves Mayor Michael P. Manning to execute a Memorandum of Agreement between the City of Watervliet and the Watervliet Housing Authority, 2400 Second Avenue, Watervliet, New York for the collection and removal of garbage, trash and other refuse pertaining to the City of Watervliet's curbside collection program for the period June 1, 2013 thru May 31, 2015. Before voting Mark Gleason, General Manager explained that this is the contact with the Watervliet Housing Authority. Mayor Manning noted that this is a two (2) year agreement, the Housing Authority has also agreed to join the Organic Waste Program. Mayor Manning thanked the Housing Authority for continuing to work with the City on these types of projects. 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 that at the December 19, 2013 the City Council will be voting on the 2014 tax rate. The City should also have the County Levy by December 19, 2013 also.

PUBLIC COMMENT PERIOD

Marion Fotache – 1554 3rd Avenue – Watervliet, New York – Ms. Fotache noted that she received some correspondence from the Building Department. Ms. Fotache made attempts to speak Mr. Gleason and Mr. Hidley. When Ms. Fotache noted that Mr. Hidley would transfer her to Mr. Gilchrist but she only got his voice mail. Ms. Fotache claims she called everybody back and only got voice mail. Mr. Gleason noted that he did speak with Ms. Fotache. Mr. Hidley explained that Ms. Fotache did not leave a voice mail message to return her call. Ms. Fotache then explained that she did not leave a message. I just wanted to speak with a person. Ms. Fotache wanted to know why she couldn't reach anybody. Mr. Gleason once again stated that you did speak with me and we did speak about her issue. Mr. Gleason wants it clear that we are not ignoring calls in City Hall.

Ms. Fotache would like to know why – you are assuming people have computers to get certain information. You did send out a flyer with information on it regarding snow removal but you do not talk about the Building Department. The City went from \$200 to \$500 for rentals as of September 5, 2013. Mark Gilchrist, Assessor/Building Inspector noted that this is the Vacant Building Registration fee. Ms. Fotache does not feel it is a good policy to inform people ahead of time. It was news to me believe me. I think it is punitive to go from \$200 from \$500. I didn't even know about the \$200 and I'll take that up another time. I don't wish to bring that up at the Public Hearing. I really don't think this is spreading holiday cheer doing this in November. I want to know if that money can be spent on fixing property. Why do you have to spend \$500 to register a property? Mayor Manning explained that this is so they don't stay vacant which is the purpose behind it. There are many situations which the City Council has to pass laws. Ms. Fotache then thanked the City Council.

Charles J. Diamond – 22 Manor Place – Watervliet, New York – Mr. Diamond stated that he would like to applaud your efforts contrary to Ms. Fotasche stance on the issue. I applaud your efforts with the vacant buildings. I think that the City could use some improvement and part and parcel to the improvement is addressing the building issue. I recently become aware that Bruce Hidley is leaving after tonight's City Council Meeting. As a former member of the Watervliet City Council for 15 years I like to come forward and thank Bruce and express my gratitude for everything that Bruce did for me while I was on the City Council. In general to the Watervliet community Bruce has been very involved not only as City Clerk but civically. His benevolence has been shown with his efforts with the Watervliet Elks, A.O.H. and all the things he has done for the younger children in the City and also the senior citizens. The City is losing a great employee but the County is gaining. Bruce was overwhelmingly elected to the position of Albany County Clerk. He will be embarking on a new adventure. I'm not sure who the new Clerk is but I wish that person well. Bruce, from my family and my former colleagues I wish you all the best. Thank you for your dedication, commitment and everything you added to the community.

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

Mayor Manning echoed what Mr. Diamond just said about Bruce. Mayor Manning noted that he has not been on the City Council as long as Charlie. Bruce has definitely been here as long as I have. When I got on the City Council and took over as Mayor he made it a lot easier than it could have been. In this day and age when you spend over twenty years on the job, which does not happen that often. Bruce stuck around for a long time. The City for the most part is a better place for it. I would like to formally thank him for his service and wish him the best as he moves down the river. I know we will still see him as we still have him in the City. Congratulations, Bruce.

A motion was made and seconded to adjourn the meeting into Executive Session, 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, DECEMBER 5, 2013**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 7:45 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 City Council, Robert A. Fahr, Director of Finance and Yorden Huban, Corporation Counsel.

ITEM # 1 – Mayor Michael P. Manning discussed a personnel issue with the City Council. A detailed discussion followed regarding the personnel matter. Each member of the City Council provided Mayor Manning with an opinion on this personnel issue. Mayor Manning thanked each of the City Council members for their opinions and noted he would get back to them at a later date regarding this personnel matter.

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 was made and seconded for adjournment from the Executive Session at 8:30 P.M.

Respectfully Submitted,

Bruce A. Hidley
City Clerk and Clerk to the City Council