

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 9, 2014 AT 7:00 P.M.**

The meeting was called to order by Mayor Michael P. Manning at 7:00P.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, Jeremy A. Smith City Clerk and Clerk to the Council, Robert Fahr, Director of Finance, Mark R Gilchrist, Assessor/Bldg. Inspector, 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 December 13, 2013.

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason, General Manager explained to the council that the City has called for two separate snow emergencies. Snow emergency one was called on December 16, 2013 after 11” of snow and the second was called on January 4, 2014 with 10.5” of snow. Mr. Gleason explained that during the first emergency 49 vehicles were towed and that during the second emergency 38 vehicles were towed. Mr. Gleason further explained that the amount of vehicles being towed has decreased since the adoption of the new policy in 2008.

Mr. Gleason then explained when and why snow emergencies are called and gave some “do’s & dont’s” for personal snow removal of individual properties.

NEW BUSINESS

RESOLUTION NO. 9013 – The Council of the City of Watervliet hereby appoints Jeremy A. Smith to the positions of City Clerk, Commissioner of Accounts, Clerk to the Council, Records Access Officer, and Records Management Officer for the City of Watervliet. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9006 – The Council of the City of Watervliet hereby authorizes that the regular meetings of the Council during the year 2014 be held at either the J. Leo O’Brien Facility, 1501 Broadway, Watervliet, New York or the Watervliet City Court, #2 – 15th Street, Watervliet, NY 12189 at 7:00 P.M. on the first and third Thursday of each month. Prior to the voting, Mayor Manning explained that the City Council does reserve the right to change the dates and venues for special circumstances. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9007 – The Council of the City of Watervliet hereby authorizes that 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 City funds during the year 2014. Upon a motion by Mayor Manning, seconded by Councilman Foglia, this Resolution was approved and adopted. Councilwoman Fogarty abstained from voting.

RESOLUTION NO. 9008 – 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 2014. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9009 – The Council of the City of Watervliet hereby designates the Order of Business for the Council for the year 2014. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9010– The Council of the City of Watervliet hereby authorizes and permits City Officials to attend meetings and conferences held during the year 2014. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9011 – The Council of the City of Watervliet hereby designates Polling Places in the City of Watervliet for the year 2014. Prior to voting, Mayor Manning explained that there are no changes. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9012 – The Council of the City of Watervliet hereby adopts the City of Watervliet Procurement Policy for the year 2014 pursuant to General Municipal Law Section 104. Prior to voting, Mark Gleason, City General Manager explained that this is the policy as to how the city purchases good and supplies. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9014 – The Council of the City of Watervliet hereby approves and authorizes Mayor Michael P. Manning to execute the 2014 Animal Shelter Agreement with Mohawk & Hudson River Humane Society, 3 Oakland Avenue, Menands, New York 12204 for the period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014. Prior to voting Mark Gleason, City General Manager explained that this is the agreement to shelter any dogs that are picked up by the City's Animal Control. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9015 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and the New York State Unified Court System effective April 1, 2013 for a maximum of five (5) years through March 31, 2018 for the City of Watervliet to provide cleaning services for the interior of the City of Watervliet’s Court facilities as well as minor and emergency repairs and preventative building and property maintenance services and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9016 – The Council of the City of Watervliet hereby approves the Fifth Amendment to the License and Use Agreement between the Arsenal Business and Technology Partnership, LTD and the City of Watervliet for a period of one (1) year commencing on December 1, 2013 and ending on November 30, 2014 and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9017 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Gramercy Communications, LLC, 225 River Street, Troy, New York 12180 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute the same. Prior to voting Mark Gleason, City General Manager explained that Gramercy consults on all media correspondence for the City. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9018 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and MFCS, LLC, P.O. Box 343, Watervliet, New York 12189 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute the same. Prior to voting Mark Gleason, City General Manager explained that this is the agreement between the city and retired City General Manager Paul Murphy for consulting and grant writing. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9019 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc., 440 Third Street, Suite 300, Watervliet, New York 12189 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 for support of the City of Watervliet’s information technology infrastructure at City Hall and the Watervliet Fire Department and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9020 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc., 440 Third Street, Suite 300, Watervliet, New York 12189 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 for support of the City of Watervliet’s information technology infrastructure at the Police Department. Prior to voting Mayor Manning explained that this and the previous resolution are separate due to the communication system and vehicle IT. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9021 – The Council of the City of Watervliet hereby approved an agreement between the City of Watervliet and Weston & Sampson, PE, LS, LA, PC, 22 High Street, Rensselaer, New York 12144 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9022 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Hiscock & Barclay, LLP, M. Cornelia Cahill, Esq., 80 State Street, Albany, New York 12207 for representation as municipal bond counsel for the City of Watervliet for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute same. Prior to voting Yorden Huban, Corporation Counsel explained that this agreement was for drafting documentation and consulting on bond issues. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9023 – The Council of the City of Watervliet hereby approves Task Order Agreements 1-5 between the City of Watervliet and Albany Engineering Corporation, 5 Washington Square, Albany, New York 12205 for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute same. Prior to voting Mark Gleason, City General Manager explained the the agreements are for consulting on hydro, watershed, energy and dam issues. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9024 – The Council of the City of Watervliet hereby adopts the City of Watervliet Bicycle Master Plan. Prior to voting Mark Gleason, City General Manager explained that this plan had been presented and once adopted would be used to seek grant opportunities. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9025 – The Council of the City of Watervliet hereby authorizes and directs Jeremy A. Smith, City Clerk and Clerk to the Council, to advertise once in the official newspaper of the City that sealed bids will be received by the City Clerk’s Office of the City of Watervliet, City Hall, Watervliet, New York 12189 until 10:00 AM on Friday, January 31, 2014 for the installation of a PVC swimming pool membrane to existing municipal pool, 73’ x 99’ in size with an existing incorporated handicapped ramp. Specifications and General Information will be on file and publicly exhibited as of January 13, 2014 at the office of the City Clerk, City Hall, Watervliet, New York 12189. The Council of the City of Watervliet reserves the right to waive informalities in or to reject any or all Bids submitted. Prior to voting Mark Gleason, City General Manager explained that this bid is for a rubberized coating for the lining of the municipal pool and will lengthen the life of the pool. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9026 – The Council of the City of Watervliet hereby approves the agreement between the City of Watervliet and the Watervliet Police Benevolent Association governing salaries and other economic benefits, terms, and conditions of employment for a period of four (4) years beginning January 1, 2014 and ending December 31, 2017, and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion by Councilman Foglia, seconded by Mayor Manning, this Resolution was approved and adopted. Councilwoman Fogarty abstained from voting.

RESOLUTION NO. 9027 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Goldman Attorneys PLLC, Paul J. Goldman, Esq., 210 Washington Avenue Extension, Albany, New York 12203 to perform legal services on behalf of the City of Watervliet in connection with a pending Article 78 proceeding in the Supreme Court, County of Albany, Index No. 5342-2013 and further authorizing and directing Mayor Michael P. Manning to execute same. Prior to voting Yorden Huban, Corporation Counsel explained that this agreement was for representation for a legal proceeding. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9028 – The Council of the City of Watervliet hereby accepts the proposal submitted by Goldberg Segalla, LLP, 80 Southwoods Boulevard, Suite 300, Albany, New York 12211, to represent the City of Watervliet in a comprehensive review of the Code of the City of Watervliet and further authorizes and directs Mayor Michael P. Manning to execute an agreement with Goldberg Segalla, LLP which shall be approved by the Corporation Counsel of the City of Watervliet. Prior to the voting Yorden Huban, Corporation Counsel explained that this proposal was for assistance in creating a revision of the Code. Councilman Foglia suggested that a committee or a public hearing be made prior to adopting the new code. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9029- The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Stockton, Barker & Mead, LLP, Mathew R. Mead, Esq., 433 River Street, Suite 6002, Troy, New York 12180 to represent the City of Watervliet in Workers' Compensation and General Municipal Law Section 207 issues, for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 and further authorizing and directing Mayor Michael P. Manning to execute same. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

RESOLUTION NO. 9030 – The Council of the City of Watervliet hereby approves and authorizes Mayor Michael P. Manning to execute an agreement between the City of Watervliet and the Watervliet Historical Society for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 for the use of premises located at 1501 First Avenue, Watervliet, New York 12189. Upon motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 9031 – The Council of the City of Watervliet hereby approves and authorizes Mayor Michael P. Manning to execute an agreement between the City of Watervliet and the Watervliet Public Library for a period of one (1) year commencing on January 1, 2014 and ending on December 31, 2014 for the purpose of conducting Library activities in a designated area set aside on the premises of the building known as the J. Leo O'Brien Municipal Center located at Fifteenth Street and Broadway, Watervliet, New York 12189. Upon motion of Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was approved and adopted.

APPROPRIATIONS AND ACCOUNTING

Mayor Manning announced that Nigro Companies are actively searching for Tenants in the area of development on 19th Street. Mayor Manning also commented on the building of the new Price Chopper and that 6th Avenue between 19th Street and 23rd Street will be closed on January 23rd (subject to change) for use of a crane.

Mayor Manning welcomed Holbrook heating to the city after their purchase of a vacant building.

Mayor Manning announced that the gas station on 19th street has begun their rehab and hopes to reopen soon as a Mobil franchise. Mayor Manning also announced the opening of Uptown Wine & Spirits on 19th Street. Mayor Manning announced that there is a demolition project to commence on 3rd avenue due to structural issues.

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Mayor Manning announced that there is conversation starting in regards to changing the mall structure where the current Price Chopper is located due to the new location.

PUBLIC COMMENT PERIOD
NONE

A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:41 P.M.

Respectfully Submitted,

Jeremy A. Smith
City Clerk and Clerk to the Council