

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MAY 7, 2015 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 and Councilwoman Ellen R. Fogarty and Councilman Nicholas Foglia were present.

Also present from City Administration were: Mark Gleason General Manager, Jeremy Smith, City Clerk & Clerk to the Council, Yorden Huban Corporation Counsel, Robert Fahr Director of Finance, Mark Gilchrist Assessor/Building Inspector and acting Fire Chief Rob Conlen.

A motion was made and seconded to dispense with the reading of the minutes and accept the City Council minutes as written for April 23, 2015.

**REPORT OF OFFICERS AND COMMITTEES**

**GENERAL MANAGER REPORT**

**ITEM #1** – General Manager Mark Gleason announced that Hudson Shores Park is now open for the season. The park will be open from 8am to 10pm. Once the Rusty Anchor Restaurant opens the hours will expand to fit the restaurants schedule.

**ITEM #2** – General Manager Mark Gleason stated that the City has begun its spring water main flushing program. The program removes mineral sediment and biofilm buildup in our water mains. If your water is discolored after we flush your block, please run your water for 5 minutes your water should clear up. If your water does not clear up after a full 5 minutes call the Water Filter Plant # 785-7082. The Flush will run thru early June.

**ITEM #3** – General Manager Mark Gleason announced that in compliance with State regulations, the City of Watervliet has issued our annual water report. The purpose of the report is to increase our residents understanding of our drinking water and raise awareness of the need to protect our drinking water sources. Last year, the City's drinking water met all State drinking water health standards. This report is an overview of last year's water quality. Included are details about where our water comes from, what it contains, and how it compares to New York State standards. The goal is and always has been, to provide a safe and dependable supply of drinking water for our residents. If you have any questions concerning this report or concerning your drinking water please contact: Mr. William Ashline, Chief Operator, 222 Watervliet Shaker Road, Telephone (518) 785-7082.

**ITEM #4** – General Manager Mark Gleason stated that the city of Watervliet working with our partners at the Albany County Stormwater Coalition, have released our MS4 annual report. NYSDEC requires the report must be finalized and filed with the DEC by June 1. The report describes the progress made over the past year by the City in implementing our best practices requirements named in the MS4 Stormwater Permit. The process calls for a public comment period, comments on the report are due by May 18. The report will be on the City's web site next week, it can be found now on the Albany County Stormwater Coalition website @ [www.stormwateralbanycounty.org](http://www.stormwateralbanycounty.org)

**SOLAR POWER PROJECT REPORT** – Jeff Conrad of Solomon Energy gave an update on the acceptance of the RFP from Oak Leaf. Mr. Conrad stated that due to changes in the landscape of the Solar Power field, the amount of savings originally estimated in the proposal from Oak Leaf had lessened.

Mr. Conrad stated that these changes have made it possible for the City of Watervliet to find larger savings by entering into a Power Purchase Agreement (PPA) for a remote net metering system. Mr. Conrad explained that this option was not available when the City first released an RFP in 2014.

Mr. Conrad explained that the City could use up to a 1.5 MW system which in one possible scenario could result in a savings of \$2,000,000.00 to \$3,000,000.00 in a 25 year period. This is an estimated \$80,000.00 to \$125,000.00 per year savings.

Mr. Conrad explained that this system would be located on a local site that is not City of Watervliet property and therefore does not have the hidden costs that the other proposal had.

Mr. Conrad stated that the City would have to release an RFP for this option prior to June 1, 2015 to receive the full benefits.

City Clerk Jeremy Smith went on the record to thank Mr. Conrad and Solomon Energy for their hard work and patience. Mr. Smith stated that he had been working closely with Mr. Conrad and Solomon Energy to find the best option for the City of Watervliet and the process had taken much longer than expected. Mr. Smith stated that Solomon Energy's patience will allow the city of Watervliet to find the best system with the highest of amount of savings and cleanest renewable energy.

## **OLD BUSINESS**

**PUBLIC HEARING** – a Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 3 for the Year 2015, a local law to amend Chapter 108 of the Code of the City of Watervliet.

Mayor Manning opened the Public Hearing.

**Don Whitehead – 1921 8<sup>th</sup> Avenue** – Mr. Whitehead went on record to state that he is in favor of changing the local law to increase the amount charged for Dog Redemption. Mr. Whitehead also stated that he believed there should be further fine for dogs picked up by police or the Dog Warden.

Corporation Counsel Yorden Huban stated that a citation can be given to dog owners by the dog warden and further fines can be given by the court.

With there being no further comment, Mayor Manning closed the Public Hearing.

### **NEW BUSINESS**

**LOCAL LAW #3-2015** – A Local Law to amend Chapter 108 of the Code of the City of Watervliet. Prior to voting Mayor Manning stated that during the public hearing the lone comment was in favor of the passing of the Local Law. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia this Local Law was unanimously approved and adopted.

**ORDINANCE NO. 1941** –An Ordinance confirming the sale of certain surplus vehicles and equipment. Prior to voting General Manager Mark Gleason explained that the total bid on the four items was over \$7,000.00. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia, this Ordinance was unanimously approved and adopted.

**ORDINANCE NO. 1942** – An Ordinance providing that the Code of the city of Watervliet Chapter 260 “Vehicle and Traffic” Article VIII “Schedules” Section 260.40 “Schedule IV: One Way Streets” be amended. Prior to voting, Mayor Manning recognized a comment from the audience.

**Don Whitehead – 1921 8<sup>th</sup> Avenue** – Mr. Whitehead stated that he did not believe that a one way needed to be placed on 1<sup>st</sup> Street.

Mayor Manning explained that in the public outreach meetings, many residents in that area asked for this change. Mayor Manning also explained that the convenience of all of these changes is that if it does not solve the problem they can always be changed for the better.

Upon a motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Ordinance was unanimously approved and adopted.

**ORDINANCE NO. 1943** – An Ordinance providing that the Code of the City of Watervliet Chapter 260 “Vehicles and Traffic” Article VIII “Schedules Section 260.49 “Schedule XIII: Stopping, Standing or Parking Prohibited at all times” be amended. Prior to voting General manager Mark Gleason stated that this was a no parking sign near the corners of 1<sup>st</sup> Street and 2<sup>nd</sup> Avenue which had been approved by the Police Chief. Upon a motion by Councilman Foglia, seconded by Councilwoman Fogarty this Ordinance was unanimously approved and adopted.

**RESOLUTION NO. 9158** – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Soul Rebel Performance Troupe, Inc., with a mailing address of 1810 Vermont Drive, Watervliet, New York 12189 for use of the property located at 1501 First Avenue, Watervliet, New York 12189 for the period commencing on May 1, 2015 and ending on April 30, 2016. Prior to voting General Manager Mark Gleason stated that the first year of the Soul Rebel Troup was a success with two performances over a six week period.

Corporation Counsel Yorden Huban asked if the group had been working with the school or community.

City Clerk Jeremy Smith explained that the group was currently working with the school in several capacities and had contacted administration to set up a community style event to address current social concerns.

Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia, this resolution was unanimously approved and adopted.

**RESOLUTION NO. 9159** – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Weston & Sampson, PE, LS, LA, PC, 22 High Street, Rensselaer, New York 12144 to provide engineering consulting services to the Planning Board of the City of Watervliet. Prior to voting Corporation Counsel Yorden Huban stated that this agreement was to assist the Planning Board with the development of a cell tower on top of the existing water tower at the corner of the City line. Upon a motion by Councilman Foglia seconded by Councilwoman Fogarty, this resolution was unanimously approved and adopted.

**RESOLUTION NO. 9160** – City Clerk and Clerk to the Council be and he hereby is authorized and directed to advertise in the official newspaper that a public hearing will be held May 19, 2015 at 5:30 PM at the J. Leo O’Brien Facility Senior Citizen Center, 1501 Broadway, Watervliet, New York, for the purpose of hearing such persons and stakeholders who wish to be heard in reference to possible grant applications and program information pertaining to the New York State Regional Economic Development Consolidated Funding Application Program for 2015. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia this Resolution was unanimously approved and adopted.

**RESOLUTION NO. 9161** – The Council of the City of Watervliet hereby authorizes and directs Jeremy A. Smith, City Clerk and Clerk to the Council, to advertise in the official newspaper of the City that a Public Hearing will be held in the J. Leo O’Brien Senior Citizen Center, Watervliet, New York on Thursday, June 4, 2015 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 4 for the Year 2015, a local law to amend the Code of the City of Watervliet by adding a new chapter to be known as “Chapter 280. Defense and Indemnification”. Prior to voting Corporation Counsel Yorden Huban explained that this was adding a chapter to the Code and it would be available at the City Clerk’s office for the public to review. Upon a motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was unanimously approved and adopted.

**RESOLUTION NO. 9162** – The Council of the City of Watervliet hereby approves and authorizes Mayor Michael P. Manning to execute an annual renewal letter to the existing agreement between the City of Watervliet and the New York State Unified Court System for court cleaning and minor repairs. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was unanimously approved and adopted.

**RESOLUTION NO 9163** - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and County Waste & Recycling Service, Inc., with a mailing address of P.O. Box 431, Clifton Park, New York 12065, for the period commencing on January 1, 2015 and ending on December 31, 2017. Prior to voting general Manager Mark Gleason explained that this agreement locked in the fee for the City until the end of 2017 which is the lowest rate available. Mr. Gleason also added that County Waste has been extremely helpful to Sanitation Supervisor Chris Daus whenever the City is in need of their services. Upon a motion by Councilman Foglia, seconded by Councilwoman Fogarty, this resolution was unanimously approved and adopted.

**RESOLUTION NO. 9164** - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Immaculate Heart of Mary Parish, with a mailing address of 2416 7<sup>th</sup> Street, Watervliet, New York 12189 for use of the property owned by the City of Watervliet located at 330 Broadway, Watervliet, New York 12189 for the period commencing on May 1, 2015 and ending on April 30, 2016, contingent on Immaculate Heart of Mary Parish submitting an application for a Zoning Permit, business proposal, and obtaining all governmental approvals, if necessary, including but not limited to, approval from the Zoning Board of Appeals. Prior to voting the Mayor explained that this was to be placed on a small plot of unused land at the entrance to the bike path. Upon a motion by Councilman Foglia, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

## **APPROPRIATIONS AND ACCOUNTING**

**ITEM #1** – Director of Finance Robert Fahr announced that the first quarter sales tax came in and was the highest first quarter that he has ever seen. Mr. Fahr stated that at this rate the Sales Tax Revenue will exceed the budgeted amount.

## **PUBLIC COMMENT PERIOD**

**Don Whitehead – 1921 8<sup>th</sup> Avenue** – Mr. Whitehead asked that something be done to the shoulder on Broadway between 14<sup>th</sup> and 15<sup>th</sup> streets. Mr. Whitehead stated that this area was the most dangerous area of a dangerous section of the Mohawk Hudson Bike Trail. Mr. Whitehead then stated that he felt adding the Stop sign on the Corner of 23<sup>rd</sup> Street and 5<sup>th</sup> Avenue has caused more issues.

Mayor Manning responded by stating that if after a period of time the Police Chief finds that this section requires different signage it can be reviewed and changed accordingly.

With there being no further comment, A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:59pm

Next Meeting May 21, 2015 7:00pm

Respectfully Submitted,

Jeremy A. Smith

City Clerk and Clerk to the Council