

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MAY 21, 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, 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 May 7, 2015.

REPORT OF OFFICERS AND COMMITTEES

GENERAL MANAGER REPORT

ITEM #1 – General Manager Mark Gleason announced the final numbers for Bulk week. Mr. Gleason stated that although debris weight was down 19 tons from last year, it was still the 2nd highest bulk debris total since the program started; the trucks made 9 more trips to the landfill, leading us to conclude that more furniture is being discarded. Recycling was also down by 3 tons. Mr. Gleason also stated that the City did not see as many of the overloaded bulk items as in the past and that code enforcement wrote 4 tickets for exceeding the 4x4x8 space allotment.

ITEM #2 – General Manager Mark Gleason announced that the banners and flowers have been placed on 19th street in time for the Memorial Day parade. In order to place more banners on 19th street the poles have been doubled with banners.

ITEM # 3 – General manager mark Gleason stated that he received the “Welcome to Watervliet” sign designs from the Watervliet Elementary school children. Mr. Gleason further went on record to thank WES Art Teacher Ms. Crystal Preston for guiding the children in this project.

OLD BUSINESS

NONE

NEW BUSINESS

ORDINANCE NO. 1944 – An Ordinance of the City of Watervliet repealing previous Ordinance No. 1929 that approved and confirmed the sale of a surplus vehicle. Prior to voting, City Clerk Jeremy Smith stated that the Ordinance was to repeal the ordinance confirming sale of a motorcycle that was taken into possession by the Police Department. The lone bidder for the Motorcycle did not return and therefore has forfeited his bid. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia this Ordinance was unanimously approved and adopted.

ORDINANCE NO. 1945 – The Council of the City of Watervliet hereby authorizes and directs Jeremy A. Smith, City Clerk/Clerk to the Council to publish once a week, for three weeks, in the official newspaper of the City of Watervliet, that the City Clerk will sell at public auction on Friday, June 26, 2015 at 10:00 AM in the City Clerk’s Office, City Hall, Watervliet, New York 12189, the following described vehicle:

2003 Suzuki motorcycle	<u>UPSET PRICE</u>
VIN# JS1VT52A032100795	\$1,500.00

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

RESOLUTION NO. 9165 –The Council of the City of Watervliet hereby rejects the proposal from Oak Leaf Energy Partners Ohio, LLC, located at 2645 E. 2nd Avenue, Suite 206, Denver, CO 80206 in response to the issuance of written Request for Proposals (RFPs) to solar energy providers to design, install, finance, own, operate and maintain one or more solar photovoltaic systems at the Watervliet Filtration Plant and the Hydro Plant under a solar power purchase agreement (“PPA”) or Remote Net Metering Agreement (“RNMA”) with the City of Watervliet. Prior to voting Corporation Counsel Yorden Huban explained that the City Council had approved an RFP for Solar to be installed on two of the City’s properties and later accepted a proposal from Oak Leaf. Mr. Huban explained that the City Council then issued a non-binding Letter of Intent contingent on reaching a Power Purchase Agreement. Mr. Huban Stated that an agreement was unable to be reached and therefore this Resolution was drafted. Upon a motion by Councilwoman Fogarty, Seconded by Councilman Foglia this Resolution was unanimously approved and adopted.

RESOLUTION NO. 9166 – The Council of the City of Watervliet hereby approves and authorizes the issuance of written Request for Proposals (RFPs) to solar energy providers to design, install, finance, own, operate and maintain one or more solar photovoltaic systems at one or more project sites in accordance with solar power purchase agreements (“PPA”) or Remote Net Metering Agreements (“RNMA”); and The Council of the City of Watervliet hereby further authorizes and directs Jeremy A. Smith, City Clerk and Clerk to the Council, to advertise once in the official newspaper of the City that the City of Watervliet (“RFP Issuer”) must receive sealed proposals by 5:00 PM on Tuesday, June 9, 2015. Prior to voting City Clerk Jeremy Smith stated that this was presented at the previous meeting by Jeff Conrad of Solomon Energy. Corporation Counsel Yorden Huban added that issuing an RFP does not require the City Council to move forward with the project. Upon a motion by Councilman Foglia, Seconded by Councilwoman Fogarty, this resolution was unanimously approved and adopted.

RESOLUTION NO. 9167 – The Council of the City of Watervliet hereby approves the proposed payment terms consents to the inclusion of the payment schedule in the PILOT Agreement to be entered by the Albany County Industrial Development Agency and 122 2nd Street, LLC and further approves and authorizes Mayor Michael P. Manning to execute on behalf of the City of Watervliet the “Consent By Affected Tax Jurisdictions” contained in the PILOT Agreement between the Albany County Industrial Development Agency and 122 2nd Street, LLC. Prior to voting Corporation Counsel Yorden Huban explained that this was the final acceptance of the PILOT agreement. Mr. Huban stated that the City Council had previously agreed to the PILOT and forwarded that information to the Albany County IDA. Upon a motion by Councilwoman Fogarty, seconded by Councilman Foglia, this Resolution was unanimously approved and adopted.

RESOLUTION NO. 9168 – The Council of the City of Watervliet hereby exempts the Watervliet Public Library Additions and Renovations Project from the requirements of Chapter 272. Zoning of the Code of the City of Watervliet and further declares itself lead agency with respect to the environmental review of the proposed project, finds and concludes that the proposed action is an Unlisted Action, and based upon its thorough review concludes that the proposed project will result in no significant adverse impacts to the environment, and therefore issues a Negative Declaration; and The Council of the City of Watervliet hereby refers the application of the Watervliet Public Library along with supporting documentation to the Albany County Planning Board pursuant to §239-m of the New York State General Municipal Law. Prior to voting, Corporation Counsel Yorden Huban explained that this was a three-part resolution. Mr. Huban stated that part-one of the resolution dealt with whether the Council wanted to exempt the project from the Zoning Code. Mr. Huban further explained the criteria for the exemption and the areas in which the zoning board would have to issue a variance.

Mayor Manning and the Council openly discussed the three areas that the Zoning Board would have to issue variance.

Assessor/Building Inspector mark Gilchrist explained that these were all minor issues and that in past experience these matters have received variance. Mr. Gilchrist also stated that two of these issues were part of the new zoning code and that the original building was constructed using the previous code. These additions would continue along the same guidelines set forth by the original construction.

Mr. Huban stated that part-two of the resolution was that the City Council was acting as the SEQRA lead agency and needed to review the environmental impact.

Mayor Manning openly went through each of the criteria for the environmental impact and found that the project had “little to no” impact for each of the bullet points. Therefore the Council no adverse impacts to the environment and felt comfortable issuing a Negative Declaration.

Mr. Huban stated that the final piece of the Resolution was to refer the application along with supporting documentation to the Albany County Planning Board for their approval.

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

APPROPRIATIONS AND ACCOUNTING

NONE

PUBLIC COMMENT PERIOD

NONE

ANNOUNCEMENT #1 – City Clerk Jeremy Smith stated that the long awaited 787-Corridor Study Public Workshop was rescheduled and would take place at the Senior Center On Tuesday June 30 at 5:30pm. Mr. Smith stated that as more information comes available it will be published over several mediums.

ANNOUNCEMENT #2 – Assessor/Building Inspector Mark Gilchrist announced that Schuyler Properties and Golub Corp. are in the final process for the Schuyler properties to purchase the former price chopper area on Second Avenue. Mr. Gilchrist stated that he believes the plan is to knock down 60% of the building on the West Side and place two businesses in the remaining area.

Page Five
City Council Meeting Minutes
May 21, 2015

Councilman Foglia Commented on the Vacant Building registry that will be proposed during the next meeting. Councilman Foglia stated that he was hoping to finalize the criteria for exemption of the registry.

Mayor Manning reminded everyone that the Memorial day Parade takes place on Monday at 10AM leaving from the High School and finishing at the Veterans Memorial park.

With there being no further comment, A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:52pm

Next Meeting June 4, 2015 7:00pm

Respectfully Submitted,

Jeremy A. Smith

City Clerk and Clerk to the Council