

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, October 5, 2017 AT 7:00 P.M.**

The meeting was called to order by Mayor Manning at 7:02 P.M.

Roll call showed that Mayor Manning, and Councilman Patricelli were present.

Also present from City Administration were: General Manager Jeremy Smith, City Clerk & Clerk to the Council Scott O'Reilly, Director of Finance Michael McNeff, Corporation Counsel Yorden Huban, Police Chief Spain and Fire Chief Rob Conlen.

A motion was made and seconded to dispense with the reading of the minutes from the previous meeting and accept the City Council minutes as written for September 21, 2017.

Prior to the Reports of Officers and Committees, Mayor Manning recognized and presented an award to Mr. Butch Christian. Mr. Christian participated in each of the first Thirty-Five "Arsenal City Run" road races in the City of Watervliet.

REPORT OF OFFICERS AND COMMITTEES

GENERAL MANAGER REPORT

ITEM # 1 –General Manager Jeremy Smith presented the 2018 Water and Sewer Budgets.

ITEM # 2 – Deputy Director of Finance Amanda Austin presented on the recent "Fiscal Stress Report" done by the State Comptroller's Office.

In response to the "Fiscal Stress Report," Councilman Patricelli proposed that the City's Finance Department present a report to the Council on a monthly basis. Included in this report would be a list of expenditures for the month and a "budget versus actual," analysis.

Councilman Patricelli then suggested that he and Mayor Manning call a "special meeting" to go over the 2018 budget in greater detail. Mayor Manning asked how that would be different from the Budget Workshops that are being held before City Council Meetings. Councilman Patricelli explained that this meeting could go into more detail for each budget by not being limited to the one hour allotted for the Budget Workshops. Also, this type of meeting could be used to establish some new policies that could help the City avoid these financial problems in the future.

OLD BUSINESS

ORDINANCE NO. 1978 - An Ordinance providing that the Code of the City of Watervliet Chapter 260 "Vehicle and traffic" Article IV "Handicapped Parking" Section 260-30 C "Sign Locations" Be Amended to add a sign in front of the residence located at 2102 4th Avenue. This was the second reading of this Ordinance. After a motion was made to move on the Ordinance by Councilman Patricelli, and seconded by Mayor Manning, the Ordinance passed with a 2-0 vote.

RESOLUTION NO. 9416 - The Council of the City of Watervliet hereby authorizes the issuance of not to exceed \$2,500,000.00 Revenue Anticipation Notes, in anticipation of the receipt of certain revenue. This was the second reading of this Resolution after having been tabled at the previous City Council Meeting.

General Manager Jeremy Smith explained that historically this time of the year was a "tight time" financially for the City due to various reasons such as state aid coming at the end of the year, sales tax revenue coming in at the end of October, and being between tax bill cycles. Mr. Smith went on to explain that this Revenue Anticipation Note would allow the City to pay various bills; the City receives towards the end of the year, early and avoid late fees. The money saved would offset the interest that the City would have to pay, thus the transaction would be "Budget Neutral."

After a motion was made to move on the Resolution by Councilman Patricelli and seconded by Mayor Manning a vote was taken. The vote ended in a 1-1 tie, with Councilman Patricelli opposed and Mayor Manning in favor. As a result of the split vote the Resolution did not pass.

NEW BUSINESS

RESOLUTION NO. 9418 - The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, 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, October 26, 2017 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 7-I for the Year 2017, "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW §3-c FOR THE 2018 CITY OF WATERVLIET BUDGET."

A motion was made by Councilman Patricelli to move on the Resolution and seconded by Mayor Manning, the Resolution passed with a unanimous vote.

RESOLUTION NO. 9419 - The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, 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 12189 on Thursday, October 26, 2017 at 7:00 PM for the purpose

of hearing those persons who wish to be heard regarding proposed Ordinance No. 1979, an Ordinance of the City of Watervliet, New York amending Chapter 266. Water of the Code of the City of Watervliet regarding establishing and imposing Water Rates for the period of November 1, 2017 to October 31, 2018.

Councilman Patricelli made a motion to move on the Resolution, which was seconded by Mayor Manning and the Resolution passed with a 2-0 vote.

RESOLUTION NO. 9420 - The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, 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, October 26, 2017 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 8-I for the Year 2017, a local law to amend Chapter 230. Sewers of the Code of the City of Watervliet regarding establishing and imposing Sewer Rents for the period of November 1, 2017 to October 31, 2018.

After a motion was made to move on the Resolution by Councilman Patricelli, and seconded by Mayor Manning the Resolution passed with a 2-0 vote.

RESOLUTION NO. 9421 – The Council of the City of Watervliet requests a Comprehensive Review by the New York State Financial Restructuring Board for Local Governments and That Mayor Michael P. Manning is hereby authorized to execute any and all documents and instruments necessary to fulfill the City of Watervliet's obligations under the Financial Restructuring Board's Comprehensive Review and that the Mayor and or his designee will provide the Council of the City of Watervliet with copies of any written communications that are received from or provided to the Financial Restructuring Board.

General Manager Smith explained that this is in response to the fiscal stress report. In addition to the City requesting the State Comptroller's office perform an audit on the City's financials, which is already completed, The State Financial Restructuring Board (FRB) will also be able to analyze the City's financials and help develop a plan to improve the financial situation in the City moving forward. Mr. Smith noted that the FRB would not be helping with the 2018 budget but could be helpful for the 2019 budget and beyond. General Manager Smith went on to point out that other local municipalities, such as Albany and Troy have used the Restructuring board as well.

In regards to the State Comptroller's audit, Councilman Patricelli stated that he was not made aware of the findings of the audit in a timely manner. He also asked that in the future he be included in or at least informed of the "exit conference," that takes place at the conclusion of an audit.

Upon a motion by Councilman Patricelli, seconded by Mayor Manning, the Resolution passed with a 2-0 vote.

RESOLUTION NO. 9422 - The Council of the City of Watervliet hereby establishes the following, as stated on the attached Standard Work Day and Reporting Resolution RS 2417-A, which is incorporated herein and made a part hereof, as a Standard Work Day for Mayor Michael P. Manning and will report the following days worked to the New York State and Local Employees' Retirement System based on a record of activities maintained and submitted to the Clerk to the Council.

General Manager Smith explained that procedure is for any City employee who doesn't use a time sheet to track their number of hours worked for the City but rather, uses an "operating calendar." Currently, the only employee who is obligated to follow the Standard Work Day parameters with regards to retirement is Mayor Manning.

Upon a motion made by Mayor Manning and seconded by Councilman Patricelli, the Resolution passed unanimously.

RESOLUTION NO. 9423 - The Council of the City of Watervliet hereby approves the Easement agreement between Stewart's Shop's Corp. and the City of Watervliet for maintenance and/or replacement of a storm water pipe owned by the City of Watervliet that is located on 2000 Second Avenue, Watervliet, New York 12189 and further authorizes Mayor Michael P. Manning to execute same and the City Clerk to attach, attest, the Seal of the City.

General Manager Smith explained that this easement allows the City to make any future repairs that may be needed to a storm water pipe located under the parking lot of the new Stewarts Shop on Second Avenue.

Mayor Manning then read the Environmental Impact Assessment report pertaining to the agreement, which explained that the proposed action would have zero environmental impact.

After a motion by Councilman Patricelli, seconded by Mayor Manning, the Resolution was adopted by a 2-0 vote.

APPROPRIATIONS AND ACCOUNTING

NONE

Prior to opening the Public Comment portion of the meeting, General Manager Jeremy Smith mentioned that the City wide bulk garbage pickup week would be the week of October 16th. Residents are invited to put out items that wouldn't normally be picked up by the sanitation department provided they fit into a four by four by eight "imaginary box," and that pick-ups will be on a residents regularly scheduled garbage day. Mr. Smith also noted that there would not be an electronics disposal day associated with this "Bulk Week" and that the next electronics day would take place after the first of the year.

General Manager Smith announced that the Halloween Parade would take place on October 29, 2017, beginning at Pershing Green Park and concluding at Red's Field. The Recreation Department, with help from numerous volunteers, will oversee the Parade. Mr. Smith explained that this would come at no cost to the tax payers, as it will be funded through donations from local entities such as "Kid's Count" and The Watervliet Housing Authority.

PUBLIC COMMENT PERIOD

Sherri Cassidy – 403 4th Street – Ms. Cassidy requested a stop sign be placed on 2nd Avenue near Schuyler Flats. She was then informed that area is property of the Town of Colonie.

Ms. Cassidy also asked why the public wasn't given more information on the recent shooting that recently took place in the City. Police Chief Mark Spain explained that in situation such as that one, any information that is made public could jeopardize the investigation. Chief Spain also stated that public safety is always a major concern and if there is ever any information that needs to be made public, for safety reasons, he would divulge it.

Ms. Cassidy voiced her concern with garbage cans being "thrown around" by the Sanitation Department.

Ms. Cassidy also asked when Third Avenue in Port Schuyler was going to be paved and what was happening with the old "Frankoo's" building in Port Schuyler.

Ms. Cassidy inquired about why Watervliet receives such a low amount of state aid. Mayor Manning explained that the state uses a specific formula to determine the amount of aid each municipality receives.

General Manager Smith then informed Ms. Cassidy that City officials have asked for more state aid in the past and have been denied each time. He also stated that Third Avenue in Port Schuyler would be paved in the Spring of 2018 after the water main is replaced.

Councilman Patricelli then noted that the City recently had a water main break but many people were not able to be notified in the affected area. He asked if the city could use a "Robo-Call" to notify residents in these types of situations. Chief Spain explained he is hesitant to use the City's emergency notification system for non-emergencies. His fear is that the more we utilize that system the less residents will pay attention to the calls or texts they receive from the system.

Peggy Germano – 1124 7th Avenue – Ms. Germano asked for an update on the cleaning of the reservoir. General Manager Smith stated that city workers had been out to clean the algae

in the reservoir and that in the near future the City will be having a study done on the best way to remove the water chestnuts. Mr. Smith went on to explain that the removal of water chestnuts is a long process and will require a large scale Capital Project to be completed.

Ms. Germano also asked if the Comptroller's office was aware that the City wanted to borrow 2.5 million dollars and also applauded Councilman Patricelli for opposing the Resolution that would allow the City to borrow that much money. General Manager Smith stated that municipalities are not required to notify the State Comptroller's office when going for a Revenue Anticipation Note and also explained that it is a "regular occurrence" for municipalities to borrow those types of funds. Also, although he understands people's concerns about borrowing that amount of money, General Manager Smith believes it is a necessity.

Ms. Germano explained that she had spoken to State Assemblyman John McDonald about the amount of state aid the City of Watervliet receives and he informed her that it hasn't changed in ten years and would not be changing anytime soon.

Paul Hughes – 108 15th Street – Mr. Hughes wanted to thank the City for completing multiple projects he had either personally asked for or that simply needed to be done.

Mr. Hughes also thanked the City, particularly Recreation Director Bob Loya for taking on the Halloween Parade. Mr. Hughes pointed out that the "Family Fun Day" at the dome was a success in his opinion and thanked City Officials for putting that on as well.

Lastly, Mr. Hughes announced there would be a Craft Fair held on Saturday, October 7th from 9am to 3pm at the Senior Citizens Center.

Kristen Smeltzer – 2322 12th Avenue – Ms. Smeltzer asked to have a "Yield to Pedestrians" sign placed at the intersection of 19th Street and 12th Avenue. She believes the intersection is dangerous for children who walk to school. Police Chief Spain stated that he would look into the issue to figure out the best way to address the problem. General Manager Smith also stated that the Department of Transportation has funding available for these types of signs and that they could be placed all along 19th Street to show where the proper pedestrian crossings are at "non-signalized intersections. Mr. Smith exclaimed that the approval for these signs along 19th Street will be brought to the City Council in the next few months.

Councilman Patricelli asked Chief Spain for an update on the city wide sign survey. Chief Spain stated nothing further had been done as a result of waiting for the officers to be on the same shifts as when they initially started the survey. Councilman Patricelli then requested a list of the signs that had already been replaced.

Kathleen Crudo – 1863 9th Ave – Ms. Crudo asked for an update on the status of the partially installed playground equipment at Clinton Park. General Manager Smith explained that the equipment had been installed but during installation it was discovered that the slides attached to the apparatus were broken. As a temporary fix, "Streck's" will be blocking off those sections of the apparatus until new slides can be retrofitted to fit the area where the slides were previously.

Christine Kresloff – 1624 7th Avenue – Ms. Kresloff asked for an update on the building in Van Rensselaer Village that caught fire back in June. Fire Chief Rob Conlen stated that there was a plan in place for the building to be taken down but that he was not aware of any time frame for it to happen.

Ms. Kresloff then asked about Resolution No. 9416, which was the borrowing of the 2.5 million dollar Revenue Anticipation Note, which had not been approved earlier in the meeting. Ms. Kresloff asked if the City was sure they would be able to pay off the loan in a short amount of time, why had it not been approved. Councilman Patricelli noted that he was not “necessarily opposed” to the short term loan, but that he wanted the City to have a plan for the future that would no longer make this type of borrowing a necessity. General Manager Smith explained that this type of loan is based on guaranteed revenue so that they City would be able to pay the loan off in the allotted period of time. Ms. Kresloff then asked if borrowing this money was a necessity, to which General Manager Smith stated that it was.

Jeff Foster – 1201 8th Avenue – Mr. Foster stated that the ongoing project on Third Avenue was still “a mess.” Mr. Foster believed that all the debris brought on a result of the work is a liability issue for the City. General Manager Smith noted that he had been in contact with the contractors doing the work and explained that the project needs to be cleaned up and that he would continue to monitor the situation.

Mr. Foster asked why the City Assessor makes \$30,000 a year to only work “two days a week.” General Manager Smith pointed out that he had looked into replacing Mr. Gilchrist but that the City would not be able to find a City Assessor for less than \$30,000 a year and that Mr. Foster is underestimating the amount of hours that Mr. Gilchrist works.

Mr. Foster pointed out that he believed Councilman Patricelli made a mistake voting down the Resolution to borrow money in the Revenue Anticipation Note and that this situation is proof that the City Council needs to have more members.

Ray Kvinlaug – 1201 6th Avenue – Mr. Kvinlaug asked why, when the City flushes fire hydrants, the water comes out brown. He also asked if it was possible for the City to work with Guilderland to acquire a grant to fund the cleaning of the Reservoir. General Manager Smith explained that the City flushes the fire hydrants two times a year and any brown or orange color you may see in the water likely comes from the pipes, not from the reservoir. Mr. Smith also explained that although it is difficult to find grants for Reservoir’s, it wouldn’t stop the City from looking for them.

Ellen Hughes – 1876 9th Avenue – Ms. Hughes stated that the fiscal stress going on in the City is not just based on the last year. Also, she pointed out that Councilman Patricelli wants

to “get to the bottom” of the issue to fix the problem. Ms. Hughes urged the Council to do what Councilman Patricelli asked and go line by line through the budget to find ways to save money.

With there being no further comment Councilman Patricelli made a motion to adjourn into executive session to discuss a personnel matter, which Mayor Manning seconded. Councilman Patricelli asked that Mayor Manning, Corporation Counsel Yorden Huban, General Manager Jeremy Smith, and City Clerk & Clerk to the Council Scott O’Reilly be present for the session. The meeting was adjourned into executive section at 8:37pm.

*Next Meeting: October 26, 2017 7:00pm

Respectfully Submitted,

Scott P. O’Reilly

City Clerk & Clerk to the Council