

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, October 26, 2017 AT 7:00 P.M.**

The meeting was called to order by Mayor Manning at 7:12 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 for City Clerk Scott O'Reilly to read the minutes from the previous meeting on October 5, 2017. After Mr. O'Reilly read the first page of the minutes from the October 5<sup>th</sup> meeting a motion was made by Councilman Patricelli and seconded by Mayor Manning to dispense with the reading of the remainder of the minutes and accept them as written for October 5, 2017.

**REPORT OF OFFICERS AND COMMITTEES**

**Financial Report**

Deputy Director of Finance Amanda Austin gave a Financial History Report. Included in the report were past trends in the amount of the City's Fund Balance, Tax Levy amounts, and the amount of Revenue Anticipation Notes (RAN) and Bond Anticipation Notes (BAN) the City received from year to year.

Director of Finance Michael McNeff also pointed out that from 2002-2007 the City was issued "several RANs in a given year" and noted that a RAN is an effective financial tool for many municipalities.

Councilman Patricelli then asked if the RAN the City was attempting to acquire would be paid off with 2017 funds or 2018 funds. Finance Director McNeff stated that the RAN would be paid off with the 2017 revenue from State Aid, Sales Tax, and Water and Sewer Tax receipts.

Councilman Patricelli also asked for clarification on the City's year end fund balance projection. Director of Finance McNeff "went out on a limb" saying the fund balance would be \$375,000.00 at the end of 2017 but that unforeseen circumstances could decrease that number. Another item Councilman Patricelli wanted clarification on was if the City acquired a 2.5 Million Dollar RAN that no 2018 monies would be used to pay it off. Finance Director assured Councilman Patricelli, per the City's Bond Counsel; only 2017 revenue could be used to pay off the proposed RAN. Councilman Patricelli noted that this was not explained to him clearly the first time the RAN was proposed to the City Council.

## OLD BUSINESS

**PUBLIC HEARING #1** – A Public Hearing 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.

Mayor Manning opened the Public Hearing.

General Manager Jeremy Smith explained that the City's 2017 Tax Levy was Four Million Two-Hundred Thirty- One Thousand One Hundred Sixty Dollars (\$4,231,160.00). He also pointed out that the State Comptroller's office placed the 2018 Tax Cap at 1.8% which would allow for Seventy Seven Thousand Dollars (\$77,000.00) to be added to the City's Tax Levy for 2018. General Manager Smith then stated that currently the City of Watervliet has the lowest tax rate per thousand of all the surrounding municipalities in the Capital District.

Alexis Osborne asked if the City of Watervliet would lose funding if they exceeded the tax cap set by the Comptroller's office. Mayor Manning explained that the City would not lose any funding by exceeding the Tax Cap.

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

**PUBLIC HEARING #2** - A Public Hearing 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.

Mayor Manning opened the Public Hearing.

General Manager Smith explained that there will be no increase in the Water Rates for the year 2018 and that they are in line with the Water Rates of surrounding municipalities.

Paul Huban asked why the City's water rates do not go down as a result of owning a reservoir, processing the water ourselves and delivering it. Mayor Manning made a point that although we do own a reservoir that does not make us unique, as many municipalities own reservoirs also.

Councilman Patricelli asked General Manager Smith to see the report about the water rates for the surrounding communities.

Councilman Patricelli then brought to light that the Town of Guilderland recently received a 2.5 Million Dollar grant to install a water pipeline to the Town of Rotterdam. Councilman Patricelli then read an excerpt from an article regarding this issue which stated:

*“Guilderland already has an emergency water connection with Rotterdam, Barber said. ‘Now we’re working on a permanent connection, which requires a pump station,’ he said. ‘You don’t*

*have to run it through a filtration plant,' Barber said of water that will come from the pump station. 'You just use chlorine at the source.'"*

*"This is cleaner and more efficient than the water that comes from Guilderland's major source, the Watervliet Reservoir, he said, adding that the town also has wells."*

*" 'We're trying to diversify our water sources as much as possible,' said Barber. 'Rotterdam has an abundance of water.'"*

*"He also said, 'Our demand for water will keep growing. Every new house that's built has a sprinkler system.'"*

*"The new pump station has already been designed so it will be built by next year, said Barber."*

Councilman Patricelli also asked when the City's water contract expires with the Town of Guilderland. General Manager Jeremy Smith stated that the contract will expire in fifteen years. Councilman Patricelli also asked what the stipulations in the contract are for how much water the City of Watervliet provides to the Town of Guilderland. Mayor Manning explained that the contract states the Town of Guilderland has to pay for four million gallons of water whether they use that much or not. If they go over four million gallons, they have to pay for that as well. General Manager Smith then explained \$820,000 has been budgeted for 2018 based on the four million gallons of water the Town of Guilderland is required to pay for. Councilman Patricelli expressed his concern over the City of Watervliet potentially losing that \$820,000 in revenue if the Town of Guilderland stopped receiving its water from the City. He went on to explain that although we do not want a rate increase in the City's water budget, now may be the time to have one if the City could potentially lose the revenue from Guilderland. General Manager Smith then stated that he would provide Councilman Patricelli a copy of the contract with the Town of Guilderland so that he could review it before having to vote on the 2018 water rates at the next City Council Meeting.

Jeff Foster stated that he went to the Watervliet Reservoir to see the state that it was currently in and explained that it was not nearly as bad as he had heard it was. He also pointed out that when he was at the Reservoir he witnessed City employees working on cleaning up the area. General Manager Smith explained that in addition to having the City's workforce cleaning in and around the reservoir, the City also has increased the treatment on the water as well.

Don Whitehead asked why the water rate was cheaper for entities outside of city limits that use city water. General Manager Smith stated that the City has not raised water rates in the last four years but that he would look into possibly raising the rate for those outside of the City limits, which could then allow the City to lower the rates within City borders.

Steve Jamrosz asked if the Watervliet Arsenal was considered inside City limits or if they were charged the lower rate. Mayor Manning explained that the Arsenal's rate is contractual. General Manager Smith stated that the Arsenal's rate is the same as the City's highest rate.

Councilman Patricelli then submitted a list of questions regarding the Water Fund, to Clerk to the Council Scott P. O'Reilly, to be placed on the record. The questions were as follows:

*"Is health insurance itemized?"*

*"What is the term of the Guilderland Res contract, when does it expire?"*

*"Has talks started with Guilderland about renewing the contract?"*

*"What is our water cost expected for the next 5 years? 10 years? Can the engineer supply some insight?"*

*"What is our replacement cost or life expectancy for the water system?"*

*"What is our current Capital repair or maintenance plan?"*

*"What are our water rates compared to our surrounding communities? With the fact we have our own water as a resource shouldn't it be less than those that have to purchase it?"*

*If we're higher should we think about selling the res and purchasing water also?"*

*Can we get a consultant to produce a report to compare flat vs metered and comparisons to other communities?"*

*"What is the current next year's list of P/M for water sewer work?"*

*"How are we going to provide better quality water and keep the costs down?"*

*"What is our plan if Guilderland pulls out of the contract?"*

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

**PUBLIC HEARING #3** – A Public Hearing 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.

Mayor Manning opened the Public Hearing.

General Manager Jeremy Smith reiterated that there is no increase to the sewer rate for 2018 and that the City's sewer rates are lower than most other municipalities in the area.

Mayor Manning noted that there were no comments and closed the Public Hearing.

## NEW BUSINESS

**LOCAL LAW #7-I** - A Local Law to override the Tax Levy Limit established by General Municipal Law §3-c for the 2018 City of Watervliet budget.

Mayor Manning noted that there were no negative comments during the Public Hearing for this Local Law and also that the Law would not be enacted until the 2018 budget is presented. After a motion to move on the Local Law was made by Councilman Patricelli and seconded by Mayor Manning, the Local Law was passed unanimously.

**LOCAL LAW #8-I** – 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.

Mayor Manning noted that there were no comments at the Public Hearing for this Local Law. Councilman Patricelli made a motion to move on the Local Law, which Mayor Manning seconded and the Local Law passed by a 2-0 vote.

**ORDINANCE NO. 1797** – An Ordinance of the City of Watervliet 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.

As this was the first reading of this Ordinance no action was taken.

**RESOLUTION NO. 9424** - The Council of the City of Watervliet hereby accepts and approves the proposal from Gomez and Sullivan Engineers, D.P.C., 288 Genesee Street, Utica, New York 13502 for engineering services regarding a Dam Safety Surveillance and Monitoring Plan (DSSMP) and 2017 Dam Safety Surveillance and Monitoring Report (DSSMR) for the Normanskill Hydroelectric Project (FERC No. 2955).

General Manager Jeremy Smith explained that this was an addendum to a previous contract with Gomez and Sullivan the cost of which would be \$12,600.00 which is included in the 2017 and 2018 budgets.

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

**RESOLUTION NO. 9425** - The Council of the City of Watervliet hereby exempts the Watervliet Public Library from the requirements of Chapter 272. Zoning of the Code of the City of Watervliet regarding the installation and placement of a digital monument sign.

Mayor Manning introduced Kevin Moran of the Watervliet Public Library who explained that the new sign would be on the Broadway side of the Library and would be visible for people traveling north and south. Mr. Moran stated that the total cost of the sign was \$23,000, seventy-five percent of which would be paid for by the Upper Hudson Library System with the remaining

twenty-five percent being paid by the Watervliet Public Library. He went on to state that the sign would not be illuminated all night but only during the hours of operation of the Library.

Mayor Manning then read through the potential environmental impact report which indicated that the proposed action of placing the digital sign outside of the library would have “no or little environmental impact.”

Councilman Patricelli suggested the sign could be an asset to the City for dispensing information to the public, such as snow emergencies, even after the hours the Library is open.

Corporation Counsel Yorden Huban noted that in addition to exempting the Watervliet Public Library from appearing before the City Zoning Board and completing the SEQR analysis, this Resolution also calls for the City to refer the Watervliet Public Library’s application to the Albany County Planning Board. Once the Albany County Planning Board makes a ruling, the City Council will have to vote on accepting that ruling.

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

**RESOLUTION NO. 9426** - The Council of the City of Watervliet hereby accepts the proposal from Butler Rowland Mays Architects, LLP, 57 West High Street, Ballston Spa, New York 12020, for consulting services for the design and construction on a capital improvement project at the Watervliet Senior Center and Library building.

General Manager Jeremy Smith explained that this proposed project was to replace the roof of the Senior Center/ Library, not including the roof of the new expansion of the Library. Also, included in the project is replacing the entry ways into the foyer of the building, and into the Senior Center and Library respectively. Mr. Smith went on to point out that \$150,000 of this will be paid by a Bond the City acquired while the remaining \$300,000 is funded through a grant. There were two bidders for the project and in addition to being the lowest bidder, Butler Rowland and Mays were the architects on the Library expansion project so their knowledge and familiarity with the building was a factor in awarding them the bid.

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

## **APPROPRIATIONS AND ACCOUNTING**

**RESOLUTION NO. 9427** – 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.

General Manager Smith pointed out that this Resolution was being presented to the

Council for a second time.

Councilman Patricelli explained that he believed the City needed this RAN but wanted to reiterate the need for a plan to make it so the City would not need to borrow this type of money moving forward.

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

Prior to opening the Public Comment portion of the meeting, General Manager Jeremy Smith announced that Halloween Parade has been moved from Port Schuyler to the Dome due to inclement weather.

#### **PUBLIC COMMENT PERIOD**

**Jerry Crucetti – 499 Broadway** – Mr. Crucetti asked if term of the open City Council seat was one year, to complete the term of the previous City Council member who resigned, or for a full City Council term of four years.

Mr. Crucetti also asked if it was possible to have some type of forum or question and answer session with the three City Council candidates.

Mr. Crucetti then noted that at times it is hard to hear members of the City Council and City Administration during City Council meetings and asked if more microphones could be provided.

**Paul Huban – 1500 12<sup>th</sup> Avenue** – Mr. Huban stated a new microphone system was needed for the City Council meetings.

Mr. Huban made a comment about the City owning an air boat that was used at the Reservoir, in the past. He asked if the City still owned the air boat, and if so was the City using it. General Manager Smith stated that the City no longer owns an air boat but that it had been sold.

**Andrew Williams – 1202 6<sup>th</sup> Avenue** – Mr. Williams stated that he would be in favor of any type of public forum for the City Council election, as long as it was done by a fair and impartial entity, like the League of Women Voters. Mr. Williams also stated that he believed the open City Council seat was for one year.

**Alexis Osborne – 1862 Wiswall** – Ms. Osborne enquired about the length of term for the open City Council seat. She stated that the Board of Elections website has the open seat listed as a one year term.

Ms. Osborne mentioned a letter she received regarding water quality in the area of her home, over one year ago. The letter claimed the water could be potentially cancerous but no additional information had been provided to the residents in the area.

Ms. Osborne also voiced her concerns over the parking and traffic situations on Wiswall Avenue. With the amount of traffic going to Watervliet High School in the mornings as well as residents trying to leave their homes the traffic has become “very hazardous.” Ms. Osborne suggested making the street a “one way” to lessen the traffic issues. She also noted that due to the rise of non-owner occupied homes in the area, parking on Wiswall has become very difficult.

Police Chief Spain stated that this was the second complaint he had heard for that area with regards to traffic and also that there has recently been an uptick in complaints about vehicle speed in several areas of the City. He noted that the Police Department only has one speed trailer and that it was currently positioned in the school zone on Twenty-Fifth Street near the Elementary School. He made it clear that no complaints were being ignored but with only one piece of apparatus, getting to all the problem areas would take some time.

**Jim Hayes – 603 16<sup>th</sup> Street** – Mr. Hayes made a comment about personnel in the City. He noted that in the proposed 2018 budget there were five members included in the Water Department, three of whom are listed as “laborers.” Mr. Hayes claimed the City does not have three laborers working in the Water Department. Mr. Hayes also commented on the amount of money allocated to Clothing Allowances and Overtime in the Water Budget as well the amount of money being paid to Honeywell.

Mr. Hughes also pointed out that the Highway Department only has one employee and one foreman.

General Manager Smith pointed out that the three laborers listed in the 2018 Water Budget are not current employees of the City, but employees the City hoped to hire in 2018. Mr. Smith also noted that Honeywell supplies the City with several services including the Computer System at the Filtration Plant. In previous years there was a specific amount of money allocated for Honeywell that was kept in a reserve account but because it is not for future costs, it has been taken out of the reserve account and placed in the Water Budget.

**Paul Hughes – 108 15<sup>th</sup> Street** – Mr. Hughes commented on the contract mentioned earlier in the meeting with Gomez and Sullivan and asked if we could change the wording of contracts so that if work isn’t completed correctly the first time, the City doesn’t have to spend additional funds to have the work completed.

Mr. Hughes also asked if the City could look into reducing the speed of vehicles driving on Second Avenue in Port Schuyler near the Seventh Street Park to make it safer for the children using the park.

Mr. Hughes cautioned against lowering the amount of money new City Employees are paid because it may lead to having less trustworthy and desirable candidates for the jobs.

General Manager Smith explained that Gomez and Sullivan, contractually, is paid for each specific task they complete, if a task is not completed, they are not paid for it.

**Peg Germano – 1124 7<sup>th</sup> Avenue** – Ms. Germano commented on the Reservoir. She stated that the man who purchased the air boat from the City of Watervliet had agreed to use it to clean the Reservoir but only did that for two years and has not in the past eight years. Ms. Germano also stated that the Reservoir is covered with algae and water chestnuts, so much so that the water has difficulty fitting into pipes. Finally, Ms. Germano asked if the City cannot get the man who purchased the air boat to clean the Reservoir with it, could the City get someone else to do so.

**Steve Jamrosz – 1213 4<sup>th</sup> Avenue** - Mr. Jamrosz made a comment about a potential tax increase for the 2018 budget and asked if the City could start charging residents for garbage collection as this could be a new revenue stream for the City.

Mayor Manning thanked Mr. Jamrosz for his comment and stated that the suggestion would be taken into consideration.

**Don Whitehead – 1921 8<sup>th</sup> Avenue** – Mr. Whitehead asked who was responsible for street lights in the City. He informed the Council that there is a street light located at the corner of Avenue A and 19<sup>th</sup> Street that is not functioning properly. Mr. Whitehead also pointed out that three street lights located between 12th Avenue and Grotto Court do not turn on at night at all while seven street lights located between 2<sup>nd</sup> Avenue and 12<sup>th</sup> Avenue are on at all times.

Police Chief Spain informed Mr. Whitehead that the Police Department website has a section where residents can report malfunctioning street lights. Once it is reported, Chief Spain forwards the information to National Grid, or if it is a City owned street light, contacts Bill O'Brien for it to be repaired.

Chief Spain then mentioned that he had recently met with residents living near 7<sup>th</sup> Street Park to address concerns about the speed limit and potentially changing 2<sup>nd</sup> avenue to a “one way” street.

**Andrea Hughes – 108 15<sup>th</sup> Street** – Ms. Hughes mentioned that the Senior Center still does not have a sign on the west side of the building and asked when one would be installed.

Ms. Hughes also stated “Garbage cans are getting thrown at my house” and nothing has been done to address the damage to the siding of her home.

General Manager Smith stated he would address the issue with the garbage cans and that the City needs to put money into the 2018 budget to have a sign installed at the Senior Center. Also, the City needs to determine where the best location to place the sign would be.

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With there being no further comment Mayor Manning made a motion to adjourn into executive session to discuss legal and personnel matters, which Councilman Patricelli seconded. Mayor Manning asked that Councilman Patricelli, Corporation Counsel Yorden Huban, General Manager Jeremy Smith, City Clerk & Clerk to the Council Scott O'Reilly, Police Chief Mark Spain, and Director of Finance Michael McNeff be present for the session. The meeting was adjourned into executive section at 8:54pm.

Regular session was called to order at 9:37pm. With having been no legislation discussed in the executive session, a motion was made and seconded to adjourn the meeting. The meeting was adjourned at 9:37pm.

\*Next Meeting: November 2, 2017 7:00pm

Respectfully Submitted,

Scott P. O'Reilly

City Clerk & Clerk to the Council

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION  
OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, OCTOBER 26, 2017**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 9:05 P.M.

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

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

The Council and administration discussed a legal and personnel matter. There was no legislation voted on or discussed during the executive session.

A motion was made to adjourn the executive session at 9:37pm.

Respectfully Submitted,

Scott P. O'Reilly

A handwritten signature in cursive script, appearing to read "Scott P. O'Reilly".

City Clerk and Clerk to the Council