

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 18, 2018 AT 7:00 P.M.**

The meeting was called to order by Mayor Manning at 7:00 P.M.

Roll call showed that Mayor Manning, Councilman Patricelli, and Councilman McGrouty 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 Mark Spain, and Fire Chief Rob Conlen.

Councilman Patricelli made a motion to dispense with the reading of the Minutes from the previous meeting, which Councilman McGrouty seconded. A vote was then taken to dispense with the minutes that passed unanimously.

REPORT OF OFFICERS AND COMMITTEES

Fire Department Report

Fire Chief Rob Conlen gave a report on the activity of the Fire Department in 2017. Chief Conlen explained that as of August 2017 the Fire Department was fully staffed which includes Nineteen paramedics. In 2017 the Fire Department responded to Two Thousand Three Hundred Thirty-Two (2,332) calls. Of those, thirty were for structure fires, eleven which occurred in the City of Watervliet, seven for vehicle fires and seven outside burn fires. There were also One thousand ninety-seven (1,697) EMS calls with One thousand two hundred fifty-six (1,256) of those being transports a hospital. Also, included were five hundred ninety-one miscellaneous calls for service and twenty one calls for Opioids, which is a significant increase from previous years.

Councilman Patricelli asked how many calls were repeat calls for people and Chief Conlen claimed that a "handful" was. Councilman Patricelli also asked if the Fire Department tracked which parts of the day were the busiest and Chief Conlen informed him that the Department did not track that information. Councilman Patricelli also inquired about the amount of hours that were paid to the Fire Department during the last payroll. Chief Conlen explained that the payroll consisted of the end of 2017 and that the end of the year is typically a busy time for overtime. Councilman Patricelli also pointed out that the last two weeks of November 2017 saw a large amount overtime paid out to the Fire Department. General Manager Smith noted that the "comp time" pay out was included in that period which cause the number to increase. Chief Conlen also pointed out that a large structure fire in Cohoes caused a good deal of overtime.

General Managers Report

General Manager Jeremy Smith announced that the City recently received a City Rating Score of "double A minus" (AA-) from Standard and Poor's, or "S&P" who is a rating agency. S&P calculates the City's "rating score" or "credit score." Mr. Smith explained that this score

was one of the highest a municipality can receive and that the official report should be coming out soon. Director of Finance Mike McNeff explained that the City's score is "one step below the gold standard."

Councilman Patricelli asked for an updated projection on the final fund balance from 2017. Director McNeff stated that the City is expecting to recoup all of the fund balance that was appropriated in the 2017 budget and that the estimated fund balance for 2017 is four hundred seventy five thousand dollars (\$475,000.00) which would leave the City with roughly a thirty five thousand dollar (\$35,000.00) surplus.

Mayor Manning then read a portion of a letter summarizing the interview with S&P, which was written by Noah Nadleson of Munistat Services, who is the City's municipal financial advisor. Mayor Manning asked that the following be placed on the record:

"Much credit needs to go to Jeremy Smith and Mike McNeff. We, along with S&P listen to hundreds of financial officers on an annual basis. The City was not given much time to prepare but it was a remarkable presentation. We appreciate and are able to recognize professionalism, honesty and credibility. Together they were able to quantify the results but more importantly articulate the plans going forward, including the necessary tough decisions that were made in the 2018 budget."

Mayor Manning then congratulated General Manager Smith and Director McNeff on completing this process on behalf of the City for the first time.

OLD BUSINESS

PUBLIC HEARING - A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 1-I for the Year 2018, a local law to amend Chapter 176. Residential Occupancy of the Code of the City of Watervliet.

Prior to the opening of the Public Hearing, Police Chief Spain pointed out that the significant change within the Local Law is that the City will collect the names of renters from Landlords. In addition to being useful for the City it will also be beneficial to the school district as well.

Mayor Manning officially opened the Public Hearing.

Kathy Carpenter- 1334 6th Avenue – Ms. Carpenter explained that she has a neighbor whom she has had to call the Police on; on numerous occasions and that the landlord of the property does not cooperate with the Police when they are called. Ms. Carpenter stated that she was in favor of the Local Law because knowing who is renting apartments in the City will be helpful to the Police Department.

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

RESOLUTION NO. 9443 - The Council of the City of Watervliet hereby appoints Steve Jamrosz, residing at 1213 4th Avenue, Watervliet, New York 12189, as a member of the City of Watervliet Board of Ethics for the unexpired term to April 30, 2019.

Councilman McGrouty made a motion to table the Resolution. Councilman Patricelli seconded the motion and the Resolution was tabled with a 3-0 vote.

NEW BUSINESS

LOCAL LAW #1-2018 - A Local Law to amend Chapter 176. Residential Occupancy of the Code of the City of Watervliet.

Mayor Manning pointed out that there was only one comment made during the Public Hearing on this issue and that the comment was in favor of the Local Law.

After a motion was made by Councilman Patricelli, and seconded by Councilman McGrouty, to move on the Local Law the Local Law passed unanimously.

RESOLUTION NO. 9460 - The Council of the City of Watervliet hereby authorizes and directs Scott P. O'Reilly, City Clerk and Clerk to the Council, to advertise once in the official newspaper of the City that the City will issue Requests for Proposals (RFPs) for consulting services for the Watervliet Urban Forestry Inventory Project and that proposals must be received in the City Clerk's Office no later than 10:00AM on February 20, 2018.

General Manager Jeremy Smith explained that this RFP goes along with the Tree Grant received by the City from the Department of Environmental Conservation in December of 2017.

Councilman Patricelli pointed out that this project is a "first step," that can be used in the future to apply for a Tree Planting Grant.

Upon a motion made by Councilman Patricelli, and seconded by Councilman McGrouty, the Resolution passed with the 3-0 vote.

RESOLUTION NO. 9461 - The Council of the City of Watervliet hereby authorizes and directs Scott P. O'Reilly, City Clerk and Clerk to the Council, to advertise once in the official newspaper of the City that the City that a Public Hearing will be held in the J. Leo O'Brien Senior Citizen Center, Watervliet, New York on Thursday, February 15, 2018 at 7PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 2-I for the year 2018, a local law to amend the Code of the City of Watervliet by adding a new chapter to be known as "Chapter 245. Trees.

General Manager Smith explained that the proposed Local Law would go along with the Urban Forestry Inventory Project mentioned in Resolution 9460.

Councilman Patricelli made a motion to move on the Resolution. After Councilman McGrouty seconded the motion, a vote was taken and the Resolution passed unanimously.

RESOLUTION NO. 9462 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Joanna P. Gleason, Esq. commencing on January 19, 2018 and ending on December 31, 2018.

General Manager Jeremy Smith noted that Ms. Gleason handles Traffic Court for the City which normally takes place once a month, sometimes twice as needed. Ms. Gleason would be paid Five Hundred dollars per scheduled date and that other attorneys would be far more expensive.

Upon a motion by Councilman Patricelli, seconded by Councilman McGrouty, the Resolution passed with a 3-0 vote.

APPROPRIATIONS AND ACCOUNTING

RESOLUTION NO. 9463 - The Council of the City of Watervliet hereby approves the transfer of funds from certain under spent accounts to other overspent accounts in the annual estimate for the 2017 fiscal year, due to unforeseen circumstances.

General Manager Smith explained in the past all budgetary transfers were done in February as the City closes out the previous fiscal year. Moving forward, transfers will be done in real time.

Upon a motion by Councilman McGrouty and seconded by Councilman Patricelli, the resolution passed unanimously.

Prior to the opening of the Public Comment Period, Councilman Patricelli addressed several issues. First was expressing his desire for the City to adopt pre-employment drug policy for any City positions drug testing is not already required.

Councilman Patricelli then asked what the City's snow removal policy was for homeowners. General Manager Smith explained that homeowners have twenty four hours from the end of the snow fall to clear their sidewalks. Councilman Patricelli then asked if the policy was being enforced. Mr. Smith stated that it was enforced but it is difficult to do so. The City's code enforcement department is tasked with enforcing the policy but that it needs to be enforced more strictly. Police Chief Spain explained that the situation is difficult to enforce because if an individual is brought to court for not clearing their sidewalk, who then would be responsible to do so? Also, if the homeowner is taken to court, the snow could melt before the court process is completed.

Councilman Patricelli then asked if the City was in compliance with the snow removal

policy for any City owned property. General Manager Smith explained that snow removal has been a point of emphasis for the City as of late and laid out the process the City follows, starting with the “safe routes” to the City schools.

Councilman Patricelli asked if the City had moved on 2512 4th Avenue, which is a “zombie property” located in the City. General Manager Smith explained the City does not have the ability to move on that property to have it torn down. Chief Spain then stated that the City has sent a notice of violation to the Department of Financial Services claiming that the property is in violation of the Zombie Property law. To date, the City has not heard back from the Department of Financial Services.

Councilman Patricelli then inquired about the amount of overtime paid to the Police Department during the last pay period. Chief Spain explained that the force is currently down three members, one having been injured on duty, one abrupt resignation, and one currently being in the Police Academy. This is one of the reasons for the higher amount of overtime, but Chief Spain also pointed out that some of the overtime was due to Court Security that is reimbursed to the City.

Finally Mr. Patricelli asked what the status of the former Elk’s parking lot was. Chief Spain stated that the owner was served with an affidavit of service and was given a date to appear in court. The owner then asked the court for a later date to appear which was granted. Chief Spain stated that he wanted to wait until that court date occurs before the City takes it upon themselves to clean the area.

PUBLIC COMMENT PERIOD

Paul Huban – 1500 12th Avenue – Mr. Huban expressed a concern about being unaware of a recent Business Council meeting that included a guest speaker, pertaining to the old Admiral Cleaners on Nineteenth Street. He then asked Councilman Patricelli for a brief summary of what was discussed at this meeting.

Councilman Patricelli informed Mr. Huban that the guest speaker, Richard Mastiko, explained how the State handles “Brownfields,” and other contaminated areas. Mr. Mastiko also stated that the State was in the process of air testing in the homes near the Admiral Cleaners site. Mr. Patricelli then explained that the State plans to remove all the contaminated soil from the site and dispose of it.

Paul Hughes – 108 15th Street – Mr. Hughes expressed concerns about the snow removal on Nineteenth Street. Mr. Hughes stated that children have a difficult time walking to school if all of the sidewalks on Nineteenth Street are not cleared. He then asked if clearing sidewalks was a requirement for property owners and also suggested the City take on the

responsibility of clearing sidewalks on the main thoroughfares so that kids had clean paths while walking to school.

General Manager Smith explained that removing snow from private residences is a “slippery slope,” because if the City removes snow from the side walk of one residence, they may be expected to do so throughout the City. He also noted that the City Code Department is instructed to check on the most heavily traveled routes in the City to see if sidewalks have been cleared, as they are supposed to be and then move on to the side streets.

Mr. Hughes also asked if there was an amount of snow that dictates when the City will begin plowing and mentioned that during the last storm streets were only plowed but not salted and that it seemed like only the main roads were done.

General Manager Smith stated that there is no specific amount of snow that dictates send the DPW out to plow. Mr. Smith explained that the City plows the main roads first and then moves on to the side streets. The City never plows only the main roads. Referring to Mr. Hughes comment on not salting the streets during the last storm, Mr. Smith noted that the City does not salt the streets if they know they will have to plow streets more than once because they do not want to remove the salt that was put down when the street is plowed again.

Mr. Hughes then suggested the City have a separate line item in the budget for Police Officers working security at the City Court so that it doesn’t show up as overtime. He also suggested holding traffic court at night like some other municipalities do.

Mr. Smith explained that the City has no jurisdiction on when the Court is in session because it is a state entity. He also pointed out that the City used to have a separate line for court security overtime but the State Comptroller’s Office suggested that be changed.

Kathy Carpenter – 1334 6th Avenue – Ms. Carpenter asked if the revenue generated by the Police Department made up for the amount of overtime that was paid in 2017.

Chief Mark Spain explained that in 2017 Three hundred thousand dollars (\$300,000.00) was generated by the department. Overtime expenses were slightly higher than that amount but not by a large amount.

Peg Germano – 1124 7th Avenue – Ms. Germano asked if Deputy City Counsel, Joanna Gleason, was related to the City’s former General Manager.

Current General Manager Jeremy Smith stated he believed Ms. Gleason was related to the prior General Manager by marriage.

Andrea Hughes – 108 15th Street – Ms. Hughes expressed concerns about snow removal at the Senior Center and asked if the City was going to fine itself for not clearing the sidewalks adequately.

Ms. Hughes then asked to have security cameras installed at the Senior Center.

Ms. Hughes also expressed concern about the parking situation on days when traffic court is in session and noted that she is unable to park in front of her own home on those days.

She also asked for an update on being able to rent out the Senior Center. City Clerk Scott O'Reilly informed her that anyone that wants to rent the Senior Center should contact his office.

With there being no further comments Mayor Manning closed the Public Comment period.

A motion was then made to adjourn into executive session, to discuss pending legal and personnel issues, which was seconded, and the meeting was adjourned into executive session for personnel and legal matters at 8:39pm.

At 9:29 the City Council adjourned the Executive session. Councilman Patricelli made a motion to adjourn the City Council meeting, which was seconded by Councilman McGrouty. The meeting was adjourned at 9:29pm.

***Next Meeting: February 15, 2018 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, JANUARY 18, 2018**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 8:43pm.

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

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

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

A motion was made to adjourn the executive session at 9:29pm.

Respectfully Submitted,



Scott P. O'Reilly

City Clerk & Clerk to the Council