

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 17, 2019 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, Corporation Counsel Yorden Huban, Police Chief Mark Spain and Director of Finance Mike McNeff.

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.

Mayor Manning presented Jeff Razzano with the January 2019 Citizen of the Month award. Mr. Razzano is a lifelong Watervliet resident who organizes the "Fright for Hunger" haunted house each Halloween, which in lieu of an admission fee encourages visitors to donate non-perishable food items that are donated to Mary's Soup Kitchen as Immaculate Heart of Mary Church.

REPORT OF OFFICERS AND COMMITTEES

General Manager Report

General Manager Jeremy Smith announced two grants the City was recently awarded. The first being a joint study with the City of Troy for the Congress Street Bridge. The second is for upgrades to Hudson Shores Park.

Mr. Smith also announced several new additions to the City's workforce. He reported that the Police Department recently promoted Brian Murray to the position of Sargent and also hired two new recruits, Matthieu Cusson and Thomas Szczpanski. General Manager Smith then announced the hiring of Mike Duffey to the position of part time clerk in the Water Department. Lastly, General Manager Smith announced the hiring of Thomas Garrett to the position of Chief of the Watervliet Fire Department. He stated that Chief Garrett comes with a great deal of experience, having been the Chief of the City of Troy Fire Department for more than twenty years.

General Manager Smith then announced the posting of two positions within the Department of General Services. Applications for those positions will be accepted until February 1, 2019.

OLD BUSINESS

PUBLIC HEARING NO. 1 – A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 2-I for the Year 2019, a local law to amend Chapter 245. Trees of the Code of the City of Watervliet.

Prior to the opening of the Public Hearing, Corporation Counsel Yorden Huban outlined the proposed changes to the Tree Law. Those changes included a flat Fifty Dollar permit fee for removing a tree as opposed to Fifty Dollars per tree and placing the responsibility on the City, as opposed to the property owner, if a tree that was planted during a City infrastructure project needs to be removed from the public right of way.

Mayor Manning opened the Public Hearing.

Paul Fahr – 508 8th Avenue – Mr. Fahr, Secretary of City of Watervliet's Tree Committee, read a statement from Susan Sandoval who resides at 810 19th Street. In the letter Ms. Sandoval explains she has a tree located in front of her home that needs to be removed and pointed out the reasons she believed the City should be responsible for it. A copy of this statement is attached with the approved meeting minutes.

General Manager Jeremy Smith, who is also a member of the City of Watervliet Tree Committee, stated that he is not in favor of changing the section of the Law that deals with responsibility of removing dead or dying trees. He went on to state that numerous sections of the City Code state that it is the responsibility of the property owner to maintain the property from their home to the curb and that changing this for the Tree Law could undermine other sections of the City Code.

Eva Thompson – 810 6th Avenue - Ms. Thompson asked why the City wouldn't be responsible if a tree they planted was dead or dying. Mayor Manning stated that almost all trees located in the City were planted by someone other than the owner of the property.

Councilman Patricelli stated his main concern was that many of the trees planted during the Nineteenth Street infrastructure project have died and had to be removed. He also stated there is a tree that needs to be removed in front on the pharmacy on Nineteenth Street and asked if the City would make them replace the tree. General Manager Smith explained the City would not force a property owner to plant a replacement tree.

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

NEW BUSINESS

LOCAL LAW NO. 2-2019 - A Local Law to amend Chapter 245. Trees of the Code of the City of Watervliet.

Mayor Manning explained that there were no comments during the Public Hearing that were in favor of the changes called for in the Local Law. Therefore, he instructed Corporation Counsel Yorden Huban to re-draft the legislation and the Local Law was removed from the Agenda.

ORDINANCE NO. 1993 – An Ordinance of the City of Watervliet authorizing Mayor Michael P. Manning and Director of Finance Michael F. McNeff to execute a Quitclaim Deed conveying Title to Lots 35A and 37A in the City of Watervliet to Patricia Fonda.

This was the first reading of the Ordinance. Corporation Counsel Huban explained that the two lots were purchased from the City in 1958 but that the deeds were never filed with the County Clerk. As a result, the individual attempting to purchase the lots does not have a sufficient title to the properties. Authorizing this deed would allow her to file with the County Clerk.

Upon a motion from Councilman Patricelli, which was seconded by Councilman McGrouty, the Ordinance passed unanimously.

RESOLUTION NO. 9579 - The Council of the City of Watervliet hereby approves the 2019 Animal Shelter Agreement between the City of Watervliet and the Mohawk and Hudson River Humane Society.

General Manager Jeremy Smith explained this was an annual agreement for stray animals found in the City.

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

RESOLUTION NO. 9580 - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and the New York State Energy Research and Development Authority.

General Manager Smith explained that this was the final step for the City to receive an Eighty Thousand Dollar grant from NYSERDA that will pay to have lights in City buildings and City owned street lights retrofitted with LED bulbs.

Councilman Patricelli made a motion to move on the Resolution, which Councilman McGrouty seconded, and the Resolution passed with a 3-0 vote.

RESOLUTION NO. 9581 - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Weston & Sampson, PE, LS, LA, PC, 1 Winners Circle, Albany, New York 12205 for a period of one (1) year commencing on January 1, 2019 and ending on December 31, 2019.

General Manager Jeremy Smith explained this was the annual agreement for water and sewer engineering. He also pointed out that the services include Dam inspections for the Upper, Lower, and Service Reservoir Dams. Councilman Patricelli asked if that included the area behind Twenty-Fourth Street. Mr. Smith informed him that the area behind Twenty-Fourth street is included as it is part of the Lower Dam.

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

RESOLUTION NO. 9582 - The Council of the City of Watervliet hereby approves a lease agreement for the City of Watervliet's KME Tower Ladder Truck between the City of Watervliet and the Latham Fire Department, 226 Old Loudon Road, Latham, New York 12110.

General Manager Smith explained that the Latham Fire Department recently sold their ladder truck and reached out to the City of Watervliet to use the ladder truck that was acquired through grant funding. He stated that the Latham Fire Department would cover any expenses and insurances, and also should the need arise, the City can take the truck back whenever it needs to.

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

APPROPRIATIONS AND ACCOUNTING

NONE

Prior to the opening of the Public Comment Period Councilman Patricelli asked for an update on the lighting issue under the Congress Street Bridge. General Manager Smith informed him that there is a meeting scheduled for the following day with the Department of Transportation. Councilman Patricelli then stated that many lights under the 787 Bridge on Twenty-Third Street are not working. Mr. Smith stated that issue would be brought up in the meeting as well.

Councilman Patricelli then inquired about a property that is adjacent to the City of Watervliet Reservoir that is owned by the Albany County Land Bank. General Manager Smith explained that the City is attempting to meet with the Land Bank to either acquire the land or ensure that no one develops on the land, which could potentially harm the City's water supply.

PUBLIC COMMENT PERIOD

Paul Huban – 1500 12th Avenue – Referring to the City owned street lights being replaced with LED lights, Mr. Huban asked if it was a good idea for the City of Watervliet to be in the Electric business. He also asked if we could contract out the maintenance of the street lights.

Mr. Huban then thanked General Manager Smith for following through on his concerns about pot holes from the previous City Council Meeting and informed Mr. Smith of an additional pot hole that should be addressed.

Tatianna Morange – 2318 3rd Avenue – Ms. Morange asked if there has been any movement on the issue of signs being placed on fences throughout the City. Mayor Manning stated that the issue has not been revisited as of yet but that it would be.

Ms. Morange then asked if the City planned to install air conditioning at the Civic Center. General Manager Smith informed her that there were no plans to install Air Conditioning at the Civic Center.

Eva Thompson – 810 6th Avenue – Ms. Thompson thanked Councilman Patricelli for riding along with the Sanitation Department. She stated that she believes the Sanitation workers will do a better job now because “when one is watched, one behaves.”

Councilman Patricelli then stated his experience with the Sanitation Department was “disheartening” because of the state many residents leave their refuse in prior to it being picked up. He then applauded the City's sanitation workers and noted their job is a “grueling” one.

Jeff Foster – 1201 8th Avenue – Mr. Foster asked if the City could receive money from Green Island for using our Fire Trucks and ambulances. Mayor Manning explained that per the City's mutual aid agreement, all municipalities involved use each other's apparatuses and also that Green Island did pay a portion of the bill for the recently purchased Ladder Truck.

Don Whitehead – 1921 8th Avenue – Mr. Whitehead asked if the City's new GIS Mapping program was still a work in progress and pointed out several issues he experienced while attempting to use it. General Manager Smith explained that the program is a work in progress and that he will pass along his concerns so they can be rectified.

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

General Manager Jeremy Smith then requested adjourning into Executive Session to discuss a union matter. He further requested members of the City Council, Corporation Counsel Huban, City Clerk Scott O'Reilly, and Director of Finance Mike McNeff be in attendance.

Councilman Patricelli made a motion to adjourn into Executive Session which was seconded by Councilman McGrouty. After a 3-0 vote the Council adjourned into Executive Session at 7:43 PM.

***Next Meeting: February 7, 2019 7:00pm**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott P. O'Reilly". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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 17, 2019**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at
7:47pm.

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

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

The Council and administration discussed a pending union matter. There was no legislation
voted on during the executive session.

A motion was made to adjourn the executive session at 8:28PM.

Respectfully Submitted,



Scott P. O'Reilly

City Clerk & Clerk to the Council

Statement from Susan Sandoval

Re: Linden tree in front of house located at 810 19th Street

Years ago, there was a tree planted in front of my house when my daughter was young. Bees associated with that tree stung her in the face. We brought her to the doctor because her face was all swollen. The doctor said she was allergic to bee stings and gave us a letter to that effect. We brought the letter to Bob Carlson who had the tree removed and said there would never be another tree planted there again.

As part of the 19th Street project, a tree was put in as part of the 19th Street renovation project. I pointed out that there wasn't supposed to be a tree there and the workman said that it would be a little tree. He assumed that there would be no bees or bugs associated with it.

This 'little' tree has been pruned several times by myself and the city because its branches grew over to the house. It has sap and attracts bees. I pressure wash the house 3 times each summer to get the sap off of my house. The city has sprayed to kill the bees.

The tree seems very unhealthy, with mushrooms sprouting up at the base and its roots are raising the bricks that were installed around it. Soon, the sidewalk slab will be affected.

I believe this tree is unsafe and should be removed. I do not feel I should be responsible for the removal of this tree because I didn't want it there in the first place and did not get accurate information when the tree was installed.

Respectfully Submitted,

Susan Sandoval

1.17.19