

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MAY 2, 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, Director of Finance Mike McNeff, City Clerk & Clerk to the Council Scott O'Reilly, Fire Chief Tom Garrett and Corporation Counsel Yorden Huban.

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.

Prior to Reports of Officers and Committees the City Council recognized many local high school students for their volunteer efforts at recent City events including, "Keep Vliet Neat Day," and "Breakfast with the Easter Bunny." Those recognized were the Watervliet High School Baseball Team, Cathryn Phillips, Giavanna Law, Abriana Keith-Evans, Gabriella Jo Law, Kadience Richmond, Addison Richmond, Makenna Dennis, and McKenzie Patrick.

**REPORT OF OFFICERS AND COMMITTEES**

**2018 Building and Code Enforcement Report**

Department Head Paul LaBoissiere gave an overview of his department that has three full time employees, including himself, and one part time employee. He then explained the responsibilities of the department which include issuing permits, tickets and notice of violations, performing inspections and fielding complaints from residents. In 2018 the department performed roughly 800 inspections, issued over two hundred permits and fielded nearly four hundred complaints. Mr. LaBoissiere also explained that Janice Meyer, who is the secretary for the department also acts as the registrar of vital statistics and handles the STAR program.

A member of the audience then asked if the City was aware of the changes that have been made with regards to the STAR program. General Manager Jeremy Smith explained that the City is aware of the changes.

General Manager Smith then announced that at the May 30<sup>th</sup> meeting of the City Council, David Wheatley, head of the grants and economic development department will provide the last department head presentation of the year. This presentation will take place during the Public Hearings that are set for that date.

Next General Manager Smith gave a brief report for the City of Watervliet Tree Committee. He announced that on Arbor Day six Memorial Trees were planted in the boulevards of Sixteenth Street. He also announced that in conjunction with Capital Roots, the City has been awarded a grant from TD Bank for the planting of fifty trees throughout the City.

Lastly, General Manager Smith explained that the “Draft MS4 Report,” which is the Stormwater Coalition of Albany County Joint Annual Report, would be available on the City’s website or in the City Clerk’s Office on Monday, May 6, 2019. He noted that there is a thirty-day comment period for anyone who wishes to comment on the report.

## OLD BUSINESS

General Manager Jeremy Smith took this time to answer some questions the City Council had following the 2018 Year End Financial Report that was given at the previous meeting. Mr. Smith explained that in 2017 the budget for Fire Department overtime was \$270,000.00 and that the actual amount spent was \$263,000.00. In 2018 the overtime budget for the Fire Department was \$250,000.00 with \$244,000.00 being spent. He then outlined the same numbers for the Police Department. In 2017 the budget for Police overtime was \$267,000.00 with \$507,000.00 being spent and in 2018 \$300,000.00 was budgeted while \$436,000.00 was spent. Mr. Smith explained that the discrepancy in the budget versus actual for the Police Department was due in large part to how the numbers are now recorded in the City’s financial reporting. He then pointed out that the difference in Police budget versus actual for overtime was covered by an increase in revenues.

Councilman Patricelli then asked General Manager Smith to explain the Resolution that was passed at the previous meeting after the Executive Session. Mr. Smith stated that the Council approved an agreement to hire Goldman Attorneys PLLC, for an assessment grievance the City will file against the Town of Guilderland. He went on to explain that previously the assessment of the City’s property at the Reservoir and Hydroelectric Facility was two million dollars but had been increased in 2019 to seventeen million dollars which would increase the amount of taxes the City would incur by four hundred or five hundred thousand dollars. Councilman Patricelli then stated that if an agreement between the City of Watervliet and Town of Guilderland wasn’t reached prior to the deadline, the City would have to pay that money, but could still be reimbursed after the fact.

## NEW BUSINESS

**RESOLUTION NO. 9612** - The Council of the City of Watervliet hereby approves, ratifies and confirms the Memorandum of Agreement executed by the City of Watervliet and the Watervliet Uniformed Firefighters Association and further authorizes and empowers Mayor Michael P. Manning to execute an Agreement between the City of Watervliet and the Watervliet Uniformed Firefighters governing salaries and other economic benefits, terms and conditions of employment for a period of four (4) years, beginning January 1, 2019 and ending December 31, 2022.

Councilman Patricelli made a motion to table the Resolution pending the report from the Fiscal Restructuring Board. There was no second to this motion. Councilman McGrouty then made a motion to move on the Resolution which was seconded by Mayor Manning.

General Manager Jeremy Smith then announced that this was an eight-month long process. He stated that the City would see an immediate savings in the 2019 budget as well as an expected savings in the 2020 budget. He further stated that this agreement would cost roughly Sixty thousand dollars to the City over the life of the contract, the majority of which would come in the final year of the deal. Mr. Smith also explained that the Fire Union has agreed to roughly twenty-four hundred dollars in give backs per member. Mr. Smith thanked Director of Finance Mike McNeff and Corporation Counsel Yorden Huban for their assistance in the negotiations. He also thanked Union President Jody Legault and his team for their efforts throughout the process. General Manager Smith then recommended this agreement to the members of the City Council.

Councilman McGrouty asked what some of the “sticking points” were during the negotiations. General Manager Smith explained that removing the ambulance and Green Island stipends as well as percentage of raises for each year of the deal. Mr. Smith also stated that removing co-pay reimbursement, which ultimately was not included, was an issue that was discussed at length. General Manager Smith then pointed out that in return for the monetary concessions given by the Fire Union they received additional time off.

Councilman Patricelli then stated he believed this proposed Memorandum of Agreement was “unacceptable” because it is not in the best interest of the City or its residents. He cited the length of the deal and disagreed with it because of the the pending report from the State’s Fiscal Restructuring Board. He also stated he believes that these salaries need to be “more controlled.” He also stated he was opposed to the increase in personal leave afforded to the Fire Union and that the new language included in the agreement for bereavement leave was too generous. Councilman Patricelli also suggested that Councilman McGrouty recuse himself from voting on this Resolution because of a family member it would directly affect. Lastly, Councilman

Patricelli stated that he has the “utmost respect” for the Fire Department but stated the City cant afford to ask the tax payers to pay more when the City has no way of knowing certain increases that are coming in the future, such as health insurance. Councilman Patricelli then stated again that he believed the Council should wait to vote on this contract until the Fiscal Restructuring Board presents its findings.

With a motion to move on the Resolution and a second already being made a vote was taken with Councilman McGrouty and Mayor Manning being in favor and Councilman Patricelli being opposed. The Resolution passed with a 2-1 vote.

**RESOLUTION NO. 9613** - The Council of the City of Watervliet hereby approves an agreement with Tabner, Ryan and Keniry, LLP, 18 Corporate Woods Boulevard, Suite 8, Albany, New York 12211, commencing on May 2, 2019 and ending on December 31, 2019.

General Manager Smith explained that this is an annual agreement for any assessment grievances the City may receive.

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

**RESOLUTION NO. 9614** - The Council of the City of Watervliet hereby accepts and approves the proposal from Russ Reeves, CEng., P.E., with an address of P.O. Box 1433, Troy, New York 12181, for engineering services regarding the rehabilitation of 2112 Fourth Avenue, Watervliet, New York 12189, contingent on the purchase of 2112 Fourth Avenue, Watervliet, New York 12189 by the City of Watervliet from the Albany County Land Bank Corporation, and further authorizes the expenditure of \$8,400.00 for said engineering services regarding this project, contingent on the purchase of 2112 Fourth Avenue.

General Manager Jeremy Smith explained this is part of the HOME Grant to acquire, rehabilitate and sell the home located at 2112 4<sup>th</sup> Avenue. Mr. Smith also pointed out that this project is fully grant funded.

Councilman Patricelli asked if Mr. Reeves would put together the specifications for the project. General Manager Smith stated that Mr. Reeves would indeed put the specifications together as well as oversee the project. Councilman Patricelli then asked what the budget for the project was. General Manager Smith stated he believed the total budget was Eighty Thousand dollars, but he would double check.

Councilman McGrouty then made a motion to move on the Resolution which was seconded by Councilman Patricelli and the Resolution passed unanimously.

**RESOLUTION NO. 9615** - The Council of the City of Watervliet hereby accepts the bid and awards the contract for the City of Watervliet Energy Reduction Project – LED Lighting

Replacement Program to Potentia Management Group, LLC, with an office located at 8469 Seneca Turnpike, Plaza 5, Suite 204, New Hartford, New York 13413 in the amount of One Hundred Six Thousand Five Hundred Fifty Eight and 00/100 Dollars (\$106,558.00), the lowest responsible bidder in conformance with the specifications.

General Manager Smith explained that this project was funded with an Eighty Thousand Dollar NYSEDA grant. He went on to explain that this project would replace all the City owned lights with LED lights. Mr. Smith recommended this Resolution to the members of the City Council.

Councilman Patricelli asked how the City planned on making up the difference in the amount of the bid and the amount of the grant. General Manager Smith explained that if the bid is accepted he can negotiate reductions in the price or the project scope itself.

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

**RESOLUTION NO. 9616** - The Council of the City of Watervliet hereby accepts the bid and awards the contract for Roadway Resurfacing through the Consolidated Local Street and Highway Improvement Program (CHIPS) [2019 Capital Street Paving Improvement Project] to Empire Paving of Schenectady, Inc., with an address of 1900 Duanesburg Road, Duanesburg, New York 12056, in the amount of One Hundred Seventy Four Thousand Four Hundred and 00/100 Dollars (\$174,400.00), the lowest responsible bidder in conformance with the specifications.

General Manager Smith explained that seven bids were received with Empire Paving being the lowest. He also pointed out that there have been slight changes to the areas being paved due to future National Grid Gas work that could increase the price of the project but that it would still fall within the budget. General Manager Smith recommended this Resolution to the members of the City Council.

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

**RESOLUTION NO. 9617** - The Council of the City of Watervliet hereby accepts and approves the proposal from Gomez and Sullivan Engineers, D.P.C., with an address of 288 Genesee Street, Utica, New York 13502, for engineering services regarding interconnection upgrades at the Normanskill Hydroelectric facility and further authorizes the expenditure of \$58,100.00 for said engineering services related to this project.

General Manager Jeremy Smith explained that the City had previously entered into an agreement with Gomez and Sullivan for the Hydroelectric facility upgrades but due to National Grid changing some standards, further upgrades are required.

Councilman Patricelli then asked if the City Council could be provided a budget break down for all of the work Gomez and Sullivan have done thus far at the reservoir and hydroelectric facility. General Manager Smith stated he would supply one and noted that the City is still under budget for the Hyrdo Relicensing.

## APPROPRIATIONS AND ACCOUNTING

NONE

Prior to the opening of the Public Comment General Manager Smith announced that Bulk Garbage Week will be held May 6<sup>th</sup> to May 10<sup>th</sup> and that any bulk items would be picked up on residents regularly scheduled garbage collection day. He also stated that the City is currently finalizing a date in June for electronic recycling. Mr. Smith then announced that the City's Memorial Day Parade would take place on Monday, May 27<sup>th</sup> and that the next City Council Meeting would take place on May 30<sup>th</sup>. Lastly, General Manager Smith announced that News Channel Ten (WTEN) will be broadcasting the morning news on Friday, May 24<sup>th</sup> from Hudson Shores Park.

## PUBLIC COMMENT PERIOD

**Paul Huban – 1500 12<sup>th</sup> Avenue** – Mr. Huban asked if the boulevards on Sixteenth Street that were dug up by National Grid were going to be repaired. General Manager Smith explained that he had met with the National Grid restoration crew and that they would be coming back to repair what was dug up and that they had already planted hydroseed in the area. He also pointed out that some of the work in the boulevards was done by Anjo Construction.

Mr. Huban then suggested the City get started on fixing pot holes.

**Paul Hughes – 108 15<sup>th</sup> Street** – Mr. Hughes asked if the City Council could provide updates on questions that are asked multiple times during Public Comment Period.

Mr. Hughes then thanked the Fire Department for the numerous times they responded to calls for his father, who had recently passed away. He stated that his entire family was grateful for all of their hard work.

**Kristen Smeltzer – 2322 12<sup>th</sup> Avenue** - Ms. Smeltzer asked how to have a vehicle weight limit restriction on the north end of Twelfth Avenue. She stated that there is an issue with Gallivan Trucks in that area. General Manager Smith explained that this issue has been looked at in the past, but he would do so again with Police Chief Spain.

Ms. Smeltzer also thanked the Fire Department for responding to numerous calls for her mother who has since passed away.

Lastly, Ms. Smeltzer brought up a problem with the City placing rocks in her alley. She claimed that it hasn't worked and asked if there was anything else that could be done. General Manager Smith explained that he has been in touch with an engineer, but the remedy probably won't be done until the Fall.

**Don Whitehead – 1921 8<sup>th</sup> Avenue** – Mr. Whitehead raised some concerns he had with the recent public information meeting that was held by the Department of Environmental Conservation regarding Admiral Cleaners on Nineteenth Street. Some of the problems he discussed were multiple parking spaces on Nineteenth Street being blocked off, the fence that will be constructed around the property will cut the alley in half, and emergency vehicles and sanitation vehicles being able to fit in the alley as a result. Mr. Whitehead then suggested the City look into this project further and asked if the building really needs to be torn down.

General Manager Smith explained that the building was deemed not structurally sound and that the owner of the property would not take action. He also stated that there is a tank in the ground, located under one of the support beams, that needs to be removed. Mr. Smith then stated that the tear down of the building will take roughly ten days and the parking spaces will be opened back up and the fencing taken down. General Manager Smith also stated that the tentative start date is May 13<sup>th</sup> but due to an issue with a utility pole having to be moved, the project may not start until after Memorial Day.

Mayor Manning requested adjourning into Executive Session to discuss pending legal and personnel matters.

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 8:07 PM.

Councilman Patricelli then made a motion to adjourn the meeting which was seconded by Councilman McGrouty. The regular meeting of the City Council was adjourned at 8:20pm.

**\*Next Meeting: May 30, 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, APRIL 18, 2019**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 8:15pm.

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, Corporation Counsel Yorden Huban, and City Clerk & Clerk to the Council Scott O'Reilly.

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

A motion was made by Councilman Patricelli to adjourn the executive session and re-enter the regular City Council Meeting, which Councilman McGrouty seconded and after a 3-0 vote Executive Session was adjourned at 8:20pm.

Respectfully Submitted,



Scott P. O'Reilly

City Clerk & Clerk to the Council