

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, OCTOBER 17, 2019 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, Councilman Patricelli, and Councilman McGrouty were present.

Also present from City Administration were: City Clerk & Clerk to the Council Dave Wheatley, Director of Finance Mike McNeff, Fire Chief Thomas Garrett, Police Chief Anthony Geraci 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.

**REPORT OF OFFICERS AND COMMITTEES**

There were no reports from Officers and Committees

The Mayor called up Kevin Shufelt, previous owner of the Rusty Anchor Barge and Restaurant in Hudson Shores Park. Mr. Shufelt explained to the council his desire to explore options with the City in regards to developing a permanent restaurant and marina in Hudson Shores Park. The Mayor explained that there was interest by the City to hear more information on this matter and encouraged Mr. Shufelt to continue the discussion with City officials.

**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. 5 of the Year 2019, 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, 2019 to October 31, 2020.

**Rose Donnelly – 293 5<sup>th</sup> Avenue** – Mrs. Donnelly asked if there would be any difference in the proposed rates between single family and two-family homes. The Mayor advised that the rates would be flat for each occupied household.

## **PUBLIC HEARING # 2**

A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Ordinance No. 2013, 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, 2019 to October 31, 2020

The Mayor stated that the City is faced with an 11% increase in the water rates for this period due to assessment increases in school and property taxes in Guilderland of approximately 7-times the current amount. These increases affect the taxes at the reservoir and hydroelectric facility properties. The Mayor advised that at this time a decision was required as to whether to use the City's fund balance to pay for the increase, raise the Water rates 11% for City residents or to use a combination of both.

The Mayor stated that the City has challenged these assessments in court and if the City was successful in their challenge in court they would be able to reset the rates.

**Walt Clickner – 1800 9<sup>th</sup> Avenue** – Mr. Clickner asked what the Council's procedures were for deciding on this issue and whether or not a decision had already been made. The Mayor explained that no decision had been made and this was the reason for this public hearing.

**Lois Gundrum – 600 3<sup>rd</sup> Avenue** – Ms. Gundrum stated that a potential \$40 a year increase in water rates was not a lot and the City should keep the fund balance in place in case any issues arise.

**Becky Williams – 1525 5<sup>th</sup> Avenue** – Ms. Williams stated that the water rates have stayed steady in the City for the previous 7-years and in her opinion the City should raise the rates 11% this year and keep the fund balance where it is.

**Steve Zablonki – 26 1<sup>st</sup> Street** – Mr. Zablonki asked if the rates were raised by 11% this year would that increase be for every year moving forward or would it be only for this year. Mayor Manning indicated that it was hard to predict increases in the rates but the 11% increase being discussed was for this year only.

**Lois Gundrum – 600 3<sup>rd</sup> Avenue** – Ms. Gundrum stated that she felt seniors in Watervliet could afford the 11% water tax increase as these rates were different then if the 11% was imposed on property taxes.

**Pete Torncello – 1214 Hillside Drive** – Mr. Torncello said that the City had been in dark times financially in previous years and has been able to build the fund balance back to its current state with sound financial decisions. He said that the City should look towards the long term and keep the fund balance in place in case a major issue arises and the money is needed. Mr. Torncello also stated that having a healthy fund balance will help the City when borrowing in the future.

**Art Fruscio – 568 6<sup>th</sup> Avenue** – Mr. Fruscio stated he has no problem with the proposed increase but questioned whether or not the City code would need to be amended. Mayor Manning advised that yes it would be and that was on proposed legislation to be voted on later in the meeting.

At this time Councilman McGrouty took a poll of the attendees inquiring as to how many were in favor of raising the rates 11% and not using the fund balance and asked them to stand up. The record shows that 28 out of the estimated 40 people in attendance stood up at this time.

## **NEW BUSINESS**

**Local Law # 5 of the Year 2019** – A local law to amend Chapter 230, Sewers of the code of the City of Watervliet regarding establishing and imposing sewer rents for the sewer billing periods of November 1, 2019 through April 30, 2010 and May 1, 2010 through October 31, 2010.

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

**Ordinance 2013** – An ordinance of the City of Watervliet, New York amending Chapter 266, Water Code of the City of Watervliet regarding establishing and imposing water rates for the water billing periods of November 1, 2019 through April 30, 2020 and May 1, 2020 through October 31, 2020

Councilman McGrouty made a motion to accept the resolution as written which was seconded by Councilman Patricelli. Mayor Manning and Councilman Patricelli voted to approve the resolution and Councilman McGrouty voted against.

Corporation Counsel Yorden Huban advised that per the City Charter since this did not pass unanimously the resolution would need to be read again at the next Council meeting on November 7<sup>th</sup>.

**Ordinance 2014** – An ordinance of the City of Watervliet, New York providing that Chapter 260. Vehicles and Traffic of the Code of the City of Watervliet be amended.

Corporation Counsel Yorden Huban explained that this is an amendment of Chapter 260-58 “Loading Zones” Section 1 of the ordinance repeals language for properties on 6<sup>th</sup> and 7<sup>th</sup> avenues in the City that had designated loading zones but these zones are no longer present. In order to repeal this language this amendment was needed. The next of the amendment deals with loading zones in front of businesses on Broadway and 19<sup>th</sup> Street and makes the hours from 8am to 5pm all days of week to be consistent with previously passed legislation.

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

**Ordinance 2015** - That David Wheatley, City Clerk and Clerk to the Council, be and he hereby is authorized and directed to publish once a week, for three weeks, in the official newspaper of the City of Watervliet, that the City Clerk will sell at public auction on Friday, November 15, 2019 at 10:00 AM in the City Clerk's Office, City Hall, Watervliet, New York 12189, the following described vehicle: 1997 KME Aerial Cat 102' Ladder Tower (T19-6) VIN#1K9AF6481VN058626. The Council of the City of Watervliet shall have and reserves the right to waive any informalities in or to reject any and all bids and such sale is subject to confirmation by the Council.

Fire Chief Tom Garrett explained that the truck was a big expense and it was too large of a vehicle to be used in the City. He advised that this is a second ladder truck and the department does not need a second ladder truck.

Councilman McGrouty asked where the funds received from the sale of this truck would go and was advised by Mayor Manning that it would be placed in the general fund.

Upon a motion by Councilman McGrouty and then a second from Councilman Patricelli this ordinance passed with a 3-0 vote.

**Resolution # 9672** - The Council of the City of Watervliet hereby approves a Memorandum of Understanding between the City of Troy and the City of Watervliet.

Corporation Counsel Huban explained that this MOU pertains to a grant the City was awarded in conjunction with the City of Troy for the Congress Street Bridge Waterfront Access and Connectivity Study by the Department of State. The grant was for \$170,000.00. This MOU is an agreement that the City of Watervliet and the City of Troy will split the local match share evenly for this grant. The total for each municipality will be \$15,000.00.

Councilman Patricelli made a motion to move on this resolution which was seconded by Councilman McGrouty. The council passed the resolution with a 3-0 vote.

**Resolution # 9673** - The Council of the City of Watervliet hereby authorizes the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, for Watervliet Bike Path Project and appropriating funds therefore.

Director of Finance Mike McNeff advised that this was a supplemental resolution for the bike path project that is required by the Department of Transportation for the City of Watervliet to receive the grant funding.

Upon a motion from Councilman McGrouty and a second by Councilman Patricelli this resolution passed with a 3-0 vote.

## **APPROPRIATIONS AND ACCOUNTING**

NONE

### **PUBLIC COMMENT PERIOD**

**Becky Williams – 5<sup>th</sup> Avenue** – Ms. Williams inquired as to the status of the Bike Path project. Mayor Manning advised that the bids were just received by the City and a preliminary review showed that the bids were over the grant amount and needed to be reviewed to address all options. Ms. Williams asked if the taxes would be raised due to the bids being over the grant. Mayor Manning advised that taxes would not be raised.

**Tim Werner – 1436 1<sup>st</sup> Avenue** – Mr. Werner inquired as to the status of the rehabilitation work being performed on the Church and the Historical Society. Mr. Wheatley advised that due to the tower issue the project was deemed as an imminent threat project and as such changed the scope of the project work which caused the delay in the work being completed. Councilman Patricelli inquired as to why the project was not let out to bid to have the roof work completed. Mr. Wheatley explained that the work to secure the building from further deterioration fell under the imminent threat definition and therefore, according to the Office of Community Renewal, would not need to be let out to bid.

**Lois Gundrum – 600 3<sup>rd</sup> Avenue** – Ms. Gundrum inquired as to the status of the 11% water tax vote as it was difficult to hear in the back of the room. She asked the council to investigate the improvement of the acoustics so everyone in the room could hear the discussions. Mayor Manning advised that the vote on the water tax ordinance was 2-1 and as such, per the law, this would need to be re-read at the next council meeting. The Mayor also advised that the City would look in to improving the sound system for the next meeting.

Mayor Mike Manning then requested adjourning into Executive Session to discuss a confidential personnel/union contractual issue. He further requested members of the City Council, Corporation Counsel Huban, City Clerk and Clerk to the Council Dave Wheatley, Director of Finance Mike McNeff and Police Chief Anthony Geraci be present.

Councilman McGrouty made a motion to adjourn into Executive Session which was seconded by Councilman Patricelli. After a 3-0 vote the Council adjourned into Executive Session at 7:47 PM.

**\*Next Meeting: November 7, 2019 7:00pm**

Respectfully Submitted,

David C. Wheatley

City Clerk & Clerk to the Council

**MINUTES OF THE MEETING OF THE EXECUTIVE SESSION  
OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, FEBRUARY 7, 2019**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at  
7:55pm.

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

Also present from City Administration were: Dave Wheatley, City Clerk & Clerk to the  
Council, Corporation Counsel Yorden Huban, Director of Finance Mike McNeff and Police  
Chief Anthony Geraci.

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

A motion was made to adjourn the executive session at 8:13PM.