

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, NOVEMBER 21, 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: Acting City Manager Mark Spain, City Clerk & Clerk to the Council Dave Wheatley, Director of Finance Mike McNeff, 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**

Acting General Manager Mark Spain gave a presentation of the proposed budget for 2020. Mr. Spain announced that the proposed budget increase for 2020 is 1.18%.

Councilman Patricelli inquired about whether or not the issue regarding Internet Sales money for the County and Cities has been changed. Mr. Spain advised that it has not been changed to-date. The City can collect partial Internet sales tax monies but it is only from out-of-state sales.

Mayor Manning advised those in attendance of the Public Hearing to be held at the City Council meeting on December 4<sup>th</sup> and urged review of the proposed budget so if there were any questions they could be asked during the public hearing.

**OLD BUSINESS**

**NONE**

**NEW BUSINESS**

**Resolution No. 9681** – The Council of the City of Watervliet hereby authorizes David Wheatley, City Clerk and Clerk to the Council to advertise once in the official newspaper of the City that sealed bids for furnishing Chlorine for the City of Watervliet Water Department will be received in the City Clerk's Office of the City of Watervliet, City Hall, 2 Fifteenth Street, Watervliet, New York 12189 until 10:00 AM on December 13, 2019. Specifications for said item

will be on file and publicly exhibited at the City Clerk's Office, City Hall, 2 Fifteenth Street, Watervliet, New York 12189 during normal business hours. The Council of the City of Watervliet reserves the right to waive any informalities in the bidding or to reject any or all bids submitted.

Acting City Manager Mark Spain advised that this is the second bidding process for Chlorine as when the City bid for chemicals there was no bids received for Chlorine.

Councilman Patricelli inquired if it would be possible for the City to piggy back on the bid process for the City of Cohoes or Albany to possibly receive lower bids. Mr. Spain advised that the City does not use as much Chlorine as the City of Cohoes so it is possible that it may not be advantageous. Corporation Counsel Yorden Huban advised that this issue would be reviewed.

Upon a motion by Councilman Patricelli which was seconded by Councilman McGrouty this resolution passed 3-0.

**Resolution No. 9682** - The Council of the City of Watervliet hereby approves and establishes a Workers' Compensation Reserve Fund in accordance with the recommendations of the New York State Financial Restructuring Board for Local Government and hereby authorizes \$375,000.00 to be placed in said fund. The Council of the City of Watervliet also hereby approves and authorizes Mayor Michael P. Manning to execute a contract between the New York State Department of State and the City of Watervliet for Workers' Compensation Self-Insurance Assistance.

Director of Finance Mike McNeff advised that while there are certain risks involved in becoming self-insured it is believed that the City could save between \$70-80,000 a year by doing so. Mr. McNeff advised that with the incentive from the Financial Restructuring Board in the amount of \$375,000 and the savings the City could be fully funded, which would mean having an account with \$511,000 in it, within a year if the current trends continue.

Mr. McNeff advised that the City would acquire excess worker's compensation insurance and the City's liability for the worst case scenario would be \$1,000,000. If the City determines this is not the proper move they would have the option of going back with PERMA.

Councilman Patricelli inquired about a risk control plan, training and audit and inspections. Mr. McNeff advised that a cost was included for a Risk Management firm to come in to provide services to help train and mitigate injuries on the job. He advised that he had an upcoming meeting scheduled with a third party administrator to discuss these issues.

Upon a motion by Councilman McGrouty which was seconded by Councilman Patricelli this resolution passed 3-0.

**Resolution No. 9683** - The Council of the City of Watervliet hereby adopts a Self-Insurance Workers' Compensation Benefit Plan and authorizes the completion of notice in accordance with subdivision 4-a of section 50 of the Workers' Compensation Law.

Acting General Manager advised that this resolution allows the City the authority to move forward with the worker's compensation self-insurance plan.

Upon a motion by Councilman Patricelli which was seconded by Councilman McGrouty this resolution passed 3-0

**Resolution No. 9684** – The Council of the City of Watervliet hereby is authorizes Mayor Michael P. Manning to execute a final application on behalf of the City of Watervliet with the Office of Community Renewal for a CDBG Housing Rehabilitation Grant or grants pursuant to Title I of the Housing and Community Development Act of 1974.

Acting General Manager Mark Spain advised this will allow the City to submit a housing rehabilitation grant.

Upon a motion by Councilman McGrouty which was seconded by Councilman Patricelli this resolution passed 3-0.

**Resolution No. 9685** - The Council of the City of Watervliet hereby authorizes and directs David Wheatley, City Clerk and Clerk to the Council, to renumber Ordinance No. 2014 [adopted on November 7, 2019] as Ordinance No. 2016. The adoption date of said Ordinance shall remain as the original date of adoption.

Upon a motion by Councilman Patricelli which was seconded by Councilman McGrouty this resolution passed 3-0.

**Resolution No. 9686** - The Council of the City of Watervliet hereby approves the application of the City of Watervliet for a tree maintenance grant under Round 15 of the Urban and Community Forestry Grant Program pursuant to New York State Department of Environmental Conservation guidelines and authorizes a 25% cash grant match not to exceed \$12,500.00 pursuant to the regulations.

Acting General Manager Mark Spain advised that the resolution gives the City the authority to submit an application for the removal of stumps and hazardous trees in Watervliet.

Mayor Manning inquired if the City match was in-kind services or cash. Mr. Spain advised that it was in cash.

Upon a motion by Councilman McGrouty which was seconded by Councilman Patricelli this resolution passed 3-0.

**Resolution No. 9687** - The Council of the City of Watervliet hereby accepts the bid from Southworth-Milton, Inc., 100 Quarry Drive, Milford, MA 01757 in the amount of Sixty Four Thousand and 00/100 Dollars (\$64,000.00) for the purchase of one (1) HITCHDOC HDS 9200 HYDRAULIC SNOW BLOWER for the City of Watervliet Department of Public Works, the lowest responsible bidder in conformance with the specifications; and Mayor Michael P. Manning be and he hereby is authorized and empowered to execute a contract therefore.

Acting General Manager Mark Spain stated that this gives the City the ability to accept this bid for the hydraulic snow blower which will be attached to the City's loader truck.

Upon a motion by Councilman Patricelli which was seconded by Councilman McGrouty this resolution passed 3-0.

**Resolution No. 9688** - The Council of the City of Watervliet hereby authorizes and directs David Wheatley, City Clerk and Clerk to the Council, to advertise once in the official newspaper that a Public Hearing will be held on Thursday, December 5, 2019 at 7:00pm at the J. Leo O'Brien Senior Citizen Center, 1501 Broadway, Watervliet, New York, for the purpose of hearing those persons who wish to be heard regarding the Estimate of Revenue and Expenditures for the fiscal year 2020.

Mayor Manning stated that this was the announcement for the newspaper to advise that the City was having the public hearing to discuss the proposed 2020 City budget.

Upon a motion by Councilman McGrouty which was seconded by Councilman Patricelli this resolution passed 3-0.

## **APPROPRIATIONS AND ACCOUNTING**

Acting City Manager Mark Spain asked Police Chief Geraci to discuss unfunded mandates that will require equipment to be purchased by the City to meet the new requirements. Chief Geraci advised that due to the criminal justice reforms there is a need for the Police Department to purchase a server to house data that will be generated with the new reform. The department will also be required to install a new workstation, computer line and phone line.

Mr. Spain advised that the City has received two bids for a new server, the computer is approximately \$854.00 and the phone line is approximately \$600.00. He stated that these purchases would be applied under the emergency section of the City's procurement policy. The City has done their due diligence and is advising the council to keep them up-to-date.

Councilman Patricelli asked Chief Geraci if it would help if the City passed a resolution opposing the reform. Chief Geraci advised that there were four parts of the reform and the one that affects the City the most is the discovery reform.

He stated that a resolution opposing the all of the reform would send the wrong message as there is a need for social and criminal justice reform. He would oppose a resolution against the entire reform.

Mayor Manning stated that the City joined NYCOM's opposition to certain sections of the reform and Chief Geraci worked on the City's response for this.

**Prior to the opening of the Public Comment Period the following items were discussed.**

- Councilman Patricelli asked City Clerk Dave Wheatley to report on the status of the work being done on the Church on 1<sup>st</sup> Avenue. Mr. Wheatley advised that work on the roof was scheduled to begin on the 22<sup>nd</sup>.

**PUBLIC COMMENT PERIOD**

**Paul Huban – 1500 12<sup>th</sup> Avenue** – Mr. Huban inquired at the status of the church and inquired about the engineers report regarding the back wall. Mr. Huban stated that he believes the building could be used for additional parking. He disagrees with refurbishing of the building.

City Clerk Dave Wheatley advised that the engineers report indicated that the roof where the bell tower stood would need to be replaced along with the entire roof of the building, there is façade work in the front of the building that needs to be done. He advised that the back wall of the church can be fixed and the engineer believes that the Church is structurally sound.

Mayor Manning advised that the City had a grant but the funding had to be converted to stabilization funds due to the deterioration of the bell tower. He advised that once the building is stabilized the City will reapply for funding to refurbish the church.

**Don Whitehead – 1921 8th Avenue** - Mr. Whitehead stated that the acoustics in the building were terrible and wondered what the building would be used for.

Mayor Manning advised that the building needs to be stabilized first before a final decision on exactly what to do with the building.

Mayor Mike Manning then requested to adjourn in to Executive Session to discuss a personnel and contractual issues. He further requested members of the City Council, Acting City Manager Mark Spain, Corporation Counsel Yorden Huban, City Clerk and Clerk to the Council Dave Wheatley to 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 7:43 PM.

**\*Next Meeting: December 4, 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 7:5pm.

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

Also present from City Administration were: Acting City Manager Mark Spain, Dave Wheatley, City Clerk & Clerk to the Council and Corporation Counsel Yorden Huban.

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

A motion was made to adjourn the executive session at 8:25 PM.