

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MARCH 30, 2017 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, and Councilman Patricelli were present.

Also present from City Administration were: Corporation Counsel Yorden Huban, Acting General Manager/Clerk to the Council Jeremy Smith, Director of Finance Michael McNeff, Fire Chief Conlen and Police Chief Spain.

A motion was made and seconded to dispense with the reading of the minutes and accept the City Council minutes as written for March 2, 2017.

REPORT OF OFFICERS AND COMMITTEES

GENERAL MANAGER REPORT

Acting General Manager Jeremy Smith stated that he would not be reporting on anything specific tonight as there was a very long agenda. Mr. Smith stated that the public would have a chance to speak during the Public Hearing's and during the Public Comment portion of the meeting but asked that all other comments be held.

Mr. Smith replied to a Public Comment from a previous meeting in which Paul Huban asked about a lien on the property at 1236 Hillside Drive. Mr. Smith explained that all city work that was done at the property had been levied onto the property and that the property could not be sold without the levy being paid.

Acting General Manager Jeremy Smith introduced the March 2017 Citizens of the Month, Tom and Mary Lou Ragosta. Mayor Manning presented the Ragosta's with their certificate as well as City of Watervliet Citizen of the Month jackets that were donated by Wicked Smart.

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. 1-I for the Year 2017, a local law to amend the Code of the City of Watervliet by adding a new chapter to be known as “Chapter 100. Alarms, False”

Mayor Manning opened the Public Hearing and Chief Spain explained the background of the Local law.

Paul Huban – 1500 12th Avenue – Mr. Huban asked if the legislation would only cover businesses or residential buildings as well.

Police Chief Spain explained that it includes all alarm systems that report to the Police Department, but there is discretion.

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

PUBLIC HEARING #2 – 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 2017, a local law to amend Chapter 278. Contracts of the Code of the City of Watervliet.

Mayor Manning opened the Public Hearing.

Corporation Counsel Yorden Huban explained that this was an update in this Chapter to change the language to make it more clear.

With there being no comment mayor Manning closed the Public hearing.

PUBLIC HEARING #3 – A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 3-I for the Year 2017, a local law to amend Chapter 253. Taxation of the Code of the City of Watervliet by adding a new Article VIII entitled “Tax on Gross Income or Gross Operating Income of Corporations or Utilities”

Mayor Manning opened the Public Hearing.

Corporation Counsel Yorden Huban explained that this is a Utility Tax and is 1% of gross receipts.

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

PUBLIC HEARING #4 – A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 5-I for the Year 2017, a local law to amend Chapter 273. Stormwater Management and Erosion and Sediment Control the Code of the City of Watervliet.

Mayor Manning opened the Public Hearing.

Corporation Counsel Yorden Huban explained that this was updating the guidelines that have changed since the adoption of this Chapter.

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

ORDINANCE NO. 1974 – An Ordinance of the City of Watervliet providing that Chapter 127. BUILDING Construction and Fire Prevention of the Code of the City of Watervliet be amended. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Ordinance was adopted by a 2-0 vote.

NEW BUSINESS

LOCAL LAW #1-I – A Local Law to amend the Code of the City of Watervliet by adding a new chapter to be known as “Chapter 100. Alarms, False” Prior to voting, Mayor Manning stated that there was a comment in regards to the Local Law but there was no opposition. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Local Law was adopted by a 2-0 vote.

LOCAL LAW #2-I – A Local Law to amend Chapter 278. Contracts of the Code of the City of Watervliet. Prior to voting, Mayor Manning stated that there was no comment during the Public Hearing. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Local Law was adopted by a 2-0 vote.

LOCAL LAW #3-I – A Local Law to amend Chapter 253. Taxation of the Code of the City of Watervliet by adding a new Article VIII entitled “Tax on Gross Income or Gross Operating Income of Corporations or Utilities” Prior to voting, Mayor Manning stated that there was no comment during the Public Hearing. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Local Law was adopted by a 2-0 vote.

LOCAL LAW #5-I - A Local Law to amend Chapter 273. Stormwater Management and Erosion and Sediment Control the Code of the City of Watervliet. Prior to voting, Mayor Manning stated that there was no comment during the Public Hearing. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Local Law was adopted by a 2-0 vote.

ORDINANCE NO. 1975 – An Ordinance of the City of Watervliet, Providing that Chapter 279. FEES of the Code of the City of Watervliet, be amended. Acting general manager Jeremy Smith stated that this was the first reading of this Ordinance and therefore no action was necessary.

RESOLUTION NO. 9347 - The Council of the City of Watervliet hereby appoints the Commissioner of Deeds in the City of Watervliet for the period January 1, 2017 and ending December 31 2018. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9348 - The Council of the City of Watervliet hereby determines that the CDBG Planning Grant Study of the Municipal Water System is a Type II action and that no further action or review relative to this project is required by SEQRA. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9349 – The Council of the City of Watervliet hereby authorizes and appropriates a minimum of 20% match, an amount not to exceed \$5,000.00, in association with the Dry River Gas House Creek Waste Water System Study. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9350 – The Council of the City of Watervliet hereby authorizes and directs Mayor Michael P. Manning to execute the Engineering Planning Grant Agreement on behalf of the City of Watervliet with the New York State Environmental Facilities Corporation for a grant pursuant to the New York State Clean Water State Revolving Fund, and the Mayor is hereby authorized and designated as the official representative of the City of Watervliet. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9351 – The Council of City of Watervliet hereby determines that the proposed Watervliet Waste Water Planning Grant Project is a Type II action in accordance with 6 NYCRR Section 617.5(c)(18): “information collection, water quality and pollution studies, engineering studies” and is therefore not subject to review under 6 NYCRR Part 617. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9352 - The Council of the City of Watervliet hereby authorizes and directs Scott O’Reilly, Acting City Clerk, to advertise once in the official newspaper of the City that the City of Watervliet will issue Requests For Proposals (RFPs) for engineering services for the Watervliet Waste Water Study Grant Project and that proposals must be received in the City Clerk’s Office of the City of Watervliet, City Hall, Watervliet, New York 12189 no later than 10:00 AM on April 24, 2017, 2016. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9353 – The Council of the City of Watervliet hereby authorizes and directs Acting City Clerk Scott P. O’Reilly to advertise once in the official newspaper of the City that sealed bids will be received in the City Clerk’s Office of the City of Watervliet, City Hall, Watervliet, New York 12189 until 10:00 AM on April 18, 2017 for the DWSRF Project No.18231, Comprehensive Water System Improvements, Task Order 1, Phase 1. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9354 – The Council of the City of Watervliet hereby approves Task Order No. DWSRF-2 (Standpipe Reservoir Rehabilitation) and Task Order No. DWSRF-3 (Raw Water Transmission Main Enhancements) between the City of Watervliet and Weston & Sampson, PE, LS, LA, PC, 22 High Street, Rensselaer, New York 12144, for engineering services regarding water infrastructure improvements pursuant to a NYS Water Grant awarded by the New York State Department of Health and New York State Environmental Facilities Corporation. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9355 – The Council of the City of Watervliet hereby approves the Power Purchase Extension Agreement between the City of Watervliet and National Grid for a term commencing on May 1, 2017 and ending on April 30, 2022 and further authorizes and directs Mayor Michael P. Manning to execute same. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9356 – The Council of the City of Watervliet hereby approves That the assessment for the real property at 1259 19th Street, Watervliet, New York 12189 shall remain unchanged for 2015; and the assessment for real property at 1259 19th Street, Watervliet, New York 12189 shall be reduced to \$11,300,000 for 2016; and That William F. Ryan, Jr., Esq. of Tabner, Ryan & Keniry, LLP, special counsel to the City of Watervliet, is authorized and directed to execute the Stipulation of Settlement. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9357 – The Council of the City of Watervliet hereby approves That the assessment for real property at 1238 4th Avenue, Watervliet, New York 12189 shall be reduced to \$175,000 for 2016; and That the execution of the Stipulation of Settlement by William F. Ryan, Jr., Esq. of Tabner, Ryan & Keniry, LLP, special counsel to the City of Watervliet, is hereby ratified and confirmed. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9358 – The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, Acting City Clerk, to advertise in the official newspaper of the City that a Public Hearing will be held in the J. Leo O'Brien Senior Citizen Center, Watervliet, New York on Thursday, April 20, 2017 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 4-I for the Year 2017, a local law to amend Chapter 176. Residential Occupancy of the Code of the City of Watervliet. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9359 – The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Gomez & Sullivan Engineers, D.P.C., 288 Genesee Street, Utica, New York 13502 for engineering services regarding the Watervliet Reservoir and further authorizes and directs Mayor Michael P. Manning to execute same. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9360 – The Council of the City of Watervliet hereby approves a Revocable License Agreement between the City of Watervliet and Upstate Kayak Rentals, Inc., 67 Island View Road, Cohoes, New York 12047, for kayak rentals at Hudson Shores Park in the City of Watervliet and further authorizes and directs Mayor Michael P. Manning to execute the same. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was adopted by a 2-0 vote.

RESOLUTION NO. 9361 – The Council of the City of Watervliet hereby ratifies and confirms the Memorandum of Agreement executed by the City of Watervliet and the Watervliet Uniformed Firefighters Association, Local 590, AFL-CIO; and That Mayor P. Manning be and he hereby is authorized and empowered to execute an Agreement between the City of Watervliet and the Watervliet Uniformed Firefighters Association, Local 590, IAFF, AFL-CIO governing salaries and other economic benefits, terms and conditions of employment for a period of three (3) years, beginning January 1, 2017 and ending December 31, 2019. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was tabled until the April 20, 2017 Council meeting by a 2-0 vote.

APPROPRIATIONS AND ACCOUNTING

NONE

PUBLIC COMMENT PERIOD

Councilman Patricelli stated that he was looking for two pieces of legislation to be looked into. First is changing the egress of 21st Street to be a one way west to 2nd Avenue. Second Councilman Patricelli would like to review Shopping Cart legislation.

Todd Smith – 902 19th Street – Mr. Smith asked if the stumps would be removed from the parks now that trees have been cut.

Mr. Smith asked if Price Chopper should be responsible for their carts and couldn't the City contact them to pick them up.

Mr. Smith asked who would be liable for damage and security to the Upstate Kayak property at Hudson Shores Park and who would be liable if something happened to someone on the Kayak.

Acting General Manager Jeremy Smith stated that when the ground hardened a little more the Loader could then get in and remove the tree stumps from the park. Mr. Smith further stated that Price Chopper was contacted on Thursday to pick up the carts and they were still left there on Monday so the City picked them up. Mr. Smith then stated that all security and liability for the kayak Rentals at Hudson Shores Park was solely the responsibility of Upstate kayak Rentals as per the agreement and not the responsibility of the City.

Kevin Moran – 734 8th Avenue – Mr. Moran thanked City officials for adding 8th Avenue to the snow removal list.

Donnelly Whitehead – 1921 8th Avenue - Mr. Whitehead stated that again he would like some clarification on who should be removing the missing dog signs and others. Mr. Whitehead read the City Code that explains that it is unlawful to place signs like this. Mr. Whitehead further explained that he does not feel it is the City's responsibility to remove these signs but rather the responsibility of the person who unlawfully placed them there originally.

Councilman Patricelli stated that he was looking for two pieces of legislation to be looked into. First is changing the egress of 21st Street to be a one way west to 2nd Avenue. Second Councilman Patricelli would like to review Shopping Cart legislation.

With there being no further business a motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:49pm.

Next Meeting: April 6, 2017 7:00pm

Respectfully Submitted,

Jeremy A. Smith

Clerk to the Council