

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JUNE 15, 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: General Manager Jeremy Smith, City Clerk & Clerk to the Council Scott O'Reilly, Director of Finance Michael McNeff and Corporation Counsel Yorden Huban.

City Clerk Scott O'Reilly read the minutes of the meeting of the Council of the City of Watervliet from May 25, 2017. After hearing the minutes read, Councilman Patricelli pointed out that there was a statement from the previous meeting that was not included in the minutes. The comment by Councilman Patricelli from the previous meeting was that he would not vote in favor of purchasing new city vehicles in the future until a "Vehicle Maintenance Policy" was adopted and followed. Councilman Patricelli then made a motion to amend and accept the minutes from the May 25th meeting. Mayor Manning seconded the motion and it passed with a 2-0 vote.

REPORT OF OFFICERS AND COMMITTEES

GENERAL MANAGER REPORT

ITEM # 1 –General Manager Jeremy Smith reported on the continuing work at 15th Street Park. General Manager Smith stated that the baby pool at 15th Street Park had been removed and that work to level the ground and plant grass seed in the area left vacant by the pool was on going.

ITEM # 2 – General Manager Jeremy Smith announced that the "Big Pool" had passed its New York State Inspection and opening day for the Pool would be Monday, June 26. General Manager Smith also announced that a new play area for younger children was being constructed inside the big pool area.

ITEM # 3 – General Manager Jeremy Smith asked Fire Chief Rob Conlen to give a report on the June 12 structure fire at the Van Rensselaer Village. Chief Conlen gave his report and announced that no civilians were hurt during the fire with one minor injury suffered within the Fire Department.

Mayor Manning then announced that Jeremy Smith and Scott O'Reilly had been appointed to the positions of full time General Manager and City Clerk respectively.

Councilman Patricelli then read a prepared statement regarding the appointments made by Mayor Manning. The statement read as follows, "First I would like to congratulate Jeremy on

his promotion. I look forward to working with you to correct the mistakes and oversight that we have seen in the past 12-years.

Mr. Mayor I would ask that you please let everyone know when this appointment was made? I want it to be clear that I was never informed of the appointment. I was not given the courtesy of a phone call, text or email by either the Mayor or Mr. Smith until officially hearing it tonight. I find that disappointing and troubling. In fact I heard it was official from a member of the press. If you call that working together, then we have a serious issue in the meaning of those words.

I believe Mr. Jeff Foster in the past has inferred that we don't get along. I disagreed with Mr. Foster as I had thought we would be able to work together to improve ALL of Watervliet. Not just a few areas. Sadly now I have to agree with his remarks.

I have heard rumors of this appointment for the past week or so but I believed that as a member of the City Council I would, at the very least, be informed of this important decision. When was Mr. Smith notified of his promotion Mr. Mayor? The only reason I can assume that you did not let me know of this decision was pettiness over the fact that I have not agreed with you, like previous councilpersons before me, with everything you wanted to push upon the residents of our city.

I was elected by these very same residents to represent them with the understanding that I would work with you and the second member of the council to make informed decisions as a group to improve the City. In my opinion your arrogance and pompousness in this process has failed your constituents and gives great cause as to how City business will be conducted for the remainder of your term.

I am extremely disappointed in you and the fact that my 35+ years of management experience was viewed as valueless in this sham of a selection process.

My decision is in no way personal—but Jeremy does not have this experience and will need to learn on the fly. With a more experienced general manager stepping into this position they could have hit the ground running and we would be that much further ahead in our endeavor of digging out of the hole we are currently in after the last GM left.

After I was elected Mike you and I agreed to do a national search through Gregg Carroll's firm in Arizona. I felt we had the opportunity to help raise the bar in a search for an individual with years of experience in public policy, urban development and contract negotiations.

We received letters of interest from many experienced and qualified candidates but the process stopped there. We were even asked to provide a rating of what, at the time Councilman Foglia and I, were looking for in the search for a new GM.

I ask why would we be asked to provide such a rating if our input was meaningless. No candidates were interviewed by myself or the Mayor. Mr. Carroll, a former Watervliet resident and very close personal friend of the Mayor wrote a letter indicating his preferences and the reason why, I ask that that be made public. Why we were not allowed the opportunity to talk with the candidates on the phone at the very least and interview any of them as any normal search would have allowed?

I call on you now Mayor to allow the public to view the applicant information and resumes and let them see for themselves the qualifications and the experience that was available to us as proof of my position that this process was a waste of time as you had made up your mind back in December. I am very sad and disappointed.

Again I must state emphatically that this is not personal towards you Jeremy and I promise I will work with you as much as possible to help you in your new position. I wish you the best of luck.”

OLD BUSINESS

ORDINANCE NO. 1976 - An Ordinance of the City of Watervliet providing that Chapter 175. HOUSING STANDARDS Article X VACANT BUILDING REGISTRY of the Code of the City of Watervliet be amended. General Manager Jeremy A. Smith stated that this was the second reading of the Ordinance and that action could now be taken on the Ordinance. Prior to the vote taking place, Corporation Counsel Yorden Huban explained the Ordinance in detail. Upon a motion my Councilman Patricelli, seconded by Mayor Manning, this Ordinance was unanimously approved and adopted.

NEW BUSINESS

RESOLUTION NO. 9389 – The Council of the City of Watervliet hereby approves, authorizes and consents to the proposed settlement in an action filed against the City and authorizes Jonathan M. Bernstein, Esq., attorney for the City of Watervliet, to effectuate the settlement and further authorizes the payment of Twenty Five Thousand Dollars (\$25,000.00) to HCC Public Risk Claim Services, the deductible for the settlement. After a motion by Councilman Patricelli, seconded by Mayor Manning, Corporation Counsel Yorden Huban explained the details of the settlement. A vote was then taken and the Resolution was unanimously approved and adopted.

RESOLUTION NO. 9390 - The Council of the City of Watervliet hereby approves Task Order No. 225 between the City of Watervliet and Weston & Sampson, PE, LS, LA, PC, 22 High Street, Rensselaer, New York 12144, for engineering services regarding the Combined Sewer Overflow (CSO) Study and Report. Prior to voting, General Manager Jeremy Smith stated this Task Order would allow Weston & Sampson to update and add to a previous report regarding the separating of CSO's. General Manager Smith further stated that this report would be used in the grant application process and if awarded, the grant would save the city "hundreds of thousands of dollars." Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was unanimously approved and adopted.

RESOLUTION NO. 9391 - The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, 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, June 29, 2017 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 6-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 233. Shopping Carts." Prior to a vote, Corporation Counsel Yorden Huban, stated that after hearing comments from the public at a previous meeting, changes have been made to Local Law No. 6-I, and that those changes can be discussed at the upcoming Public Hearing on June 29. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, this Resolution was unanimously approved and adopted.

RESOLUTION NO. 9392 - The Council of the City of Watervliet hereby approves and authorizes the City of Watervliet Vehicle Maintenance Policy. Prior to voting General Manager Jeremy Smith explained that this was a new policy requiring regular documentation being completed and scheduling of preventative maintenance for city vehicles in order to keep vehicles in the city fleet longer. Upon a motion made by Councilman Patricelli, seconded by Mayor Manning, the Resolution was unanimously approved and adopted.

RESOLUTION NO. 9393 - The Council of the City of Watervliet hereby approves and authorizes the revised City of Watervliet Vehicle Policy. Prior to voting, General Manager Jeremy Smith stated that this was an updated version of a policy that had already been in place. General Manager Smith also stated that language has been added to the policy with regards to employees with 24 hour vehicles. Upon a motion by Councilman Patricelli, seconded by Mayor Manning, the Resolution was unanimously approved and adopted.

RESOLUTION NO. 9394 – This resolution was proposed from the floor by Mayor Michael P. Manning. The proposed Resolution would appoint Former City Councilwoman Ellen Fogarty to the vacant City Council seat until the December 31, 2017. A motion was made to

vote on the Resolution by Mayor Manning and seconded by Councilman Patricelli. The vote resulted in a 1-1 tie with Councilman Patricelli opposed and Mayor Manning in favor therefore the Resolution did not pass.

Councilman Patricelli requested a status update on the city lawn mower that caught fire and had to be repaired. General Manager Jeremy Smith stated that the lawn mower was currently at Menands Hardware for repairs and that the repairs would cost between \$800.00 (Eight Hundred Dollars) and \$1,500.00 (One Thousand Five Hundred Dollars). Councilman Patricelli asked if a determination had been made to find who was at fault. General Manager Smith explained that the employee that was operating the lawn mower when it caught fire was not made aware of the potential for the brush under the mower to catch fire. Mr. Smith also stated the city has been in contact with the lawn mower manufacturer because it seems to be a manufacturer defect. General Manager Smith went on to explained that he has instructed city employees to clean all equipment and apparatuses after each use to avoid this issue going forward.

Councilman Patricelli requested an update on the status of public Wi-Fi being offered at the DOME. General Manager Jeremy Smith stated that he and Corporation Counsel Yorden Huban have not met to discuss the potential liability to the city as of yet but would do so in the near future.

Councilman Patricelli requested an update on the status of the Gramercy Contract being made available to him. General Manager Jeremy Smith stated that he did not have a copy of the contract with him but would get it to Councilman Patricelli as soon as possible. Councilman Patricelli then asked if General Manager Smith knew of anything that Gramercy had recently worked on for the City. General Manager Smith stated Gramercy worked with the city and the media on the issue of sanitary lateral lines being replaced in multiple areas throughout the city.

Councilman Patricelli asked if the city held a public concert on June 6, 2017 and how it was attended. General Manager Jeremy Smith stated that the concert did take place and was put on by the band, "Let's Be Frank," but that it was not well attended being that it was a cold and rainy evening. General Manager Smith then stated that no rain date for this performance had been set but in the future that may change in order to avoid having concerts on evenings with poor weather.

Councilman Patricelli asked if the code violations that were found at the DOME had been rectified. General Manager Jeremy Smith stated that the city did not have any written violations for the DOME but a 3rd party electrical inspection had been ordered. General Manager Smith

also stated that some of the walls of the DOME had been removed and more work could be done to utilize the DOME to its fullest potential for the City.

Councilman Patricelli brought up concerns about the City Pool being used by non-residents this summer due to other municipalities not opening their City Pools this season. General Manager Jeremy Smith explained that anyone who wishes to use the City Pool would have to obtain a City Pool Pass and would be charged a higher fee than City of Watervliet Residents.

Councilman Patricelli requested an update on the status of the Hero Banners that have been showcased throughout the city. General Manager Jeremy Smith stated that all the banners were now on display and that an inventory was currently being constructed for the location of each banner. General Manager Smith took full responsibility for the Hero Banners not being displayed in a timely enough manner.

Councilman Patricelli requested an update on a recent health inspection of the Watervliet Senior Center. General Manager Jeremy Smith stated that the majority of the health code violations were located in the kitchen of the Senior Center and that cleanliness of the kitchen is not the City's responsibility because it is used by an outside entity. General Manager Smith went on to explain that the city is responsible for cleaning all floors and bathrooms in the Senior Center as well as removing any garbage. City Clerk Scott O'Reilly stated that prior to the report coming out the floors in the Senior Center were cleaned twice a week but now it would be done three times a week, on Mondays, Wednesdays, and Fridays.

Mayor Manning announced that there would be a fundraiser at the DOME on Tuesday June 20, 2017 from 4pm-8pm to raise money for the families affected by the Van Renssealer Village fire on June 12.

PUBLIC COMMENT PERIOD

Paul Hughes – 108 15th Street – Mr. Hughes thanked the City for placing benches in 15th Street Park. Mr. Hughes stated that he appreciated the work that went into removing the baby pool from the park and the rest of the continued work being done in 15th Street Park.

Peg Germano – 1124 7th Avenue- Ms. Germano congratulated General Manager Jeremy Smith on his appointment.

Ms. Germano, in regards to the shopping cart issue in the city, stated that she went to Price Chopper and observed many new carts that would stop moving once they went beyond a

certain point on the premises. Ms. Germano acknowledged Price Chopper for taking steps to alleviate the ongoing issue.

Ms. Germano stated that she had recently visited the City Reservoir after hearing from two citizens and observed a good deal of algae and water chestnuts in the Reservoir. Ms. Germano asked what the City has done in the past or, was doing currently, to keep the City Reservoir clean.

General Manager Jeremy Smith stated that the City has recently taken over an “Aeration System” that was donated from the Town of Altamont. Once the system is put into place it will help keep the algae out of the Reservoir by keeping the water moving constantly. General Manager Smith went on to state that the city has expanded its copper sulfating at the Reservoir to further reduce the organics, including algae, in the water. Mr. Smith also explained that the city would be conducting a “Drinking Water Quality Study,” which will tell the city the best course of action to keep the water chestnuts out of the reservoir.

Amanda Austin – 4 Grotto Court – Ms. Austin congratulated General Manager Jeremy Smith and City Clerk Scott O’Reilly on their appointments. Ms. Austin also wanted to thank everyone who attended the Relay for Life and announced that so far \$41,000.00 (Forty-One Thousand dollars) had been raised and that donations could still be made.

Frank McGrouty – 436 8th Avenue – Mr. McGrouty stated that he believes changes need to be made to the laws concerning campaigning in the City, specifically the law limiting the length of time a campaign sign can be displayed.

Mr. McGrouty also asked if the City Pool would be open six or seven days a week this summer. General Manager Jeremy Smith stated that as of right now the pool is scheduled to be closed on Sundays but that the city is looking into opening the Pool on Sundays.

With there being no further comment Mayor Manning made a Motion to adjourn into executive session to discuss a pending legal matter. Mayor Manning asked that Corporation Counsel Yorden Huban, Director of Finance Mike McNeff, General Manager Jeremy Smith, City Clerk & Clerk to the Council Scott O’Reilly and Police Chief Mark Spain be present for the session. Councilman Patricelli seconded the motion and the meeting was adjourned into executive session at 8:26pm.

EXECUTIVE SESSION

*Next Meeting: June 29, 2017 7:00pm

Respectfully Submitted,

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, JUNE 15, 2017**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 8:33 P.M.

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

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

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

A motion was made to adjourn the executive session at 9:19 pm.

Respectfully Submitted,

Scott P. O'Reilly

City Clerk and Clerk to the Council