

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, JANUARY 4, 2018 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, City Clerk & Clerk to the Council Scott O'Reilly, Director of Finance Michael McNeff, Corporation Counsel Yorden Huban, Police Chief Mark Spain, and Fire Chief Rob Conlen.

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

General Manager's Report

General Manager Jeremy Smith announced that various City departments would give reports to the City Council in the coming months, starting with the Fire Department on January 18th. These reports will culminate with the year-end financial report from the Director of Finance in March. Mr. Smith stated a final schedule for these reports would be available at the next meeting.

Councilman McGrouty asked Fire Chief Conlen how many calls the Fire Department responded to in 2017. Chief Conlen informed him that they responded to two thousand thirty-two (2,332) calls in 2017. Councilman McGrouty also asked Police Chief Spain how many calls the Police Department responded to, to which Chief Spain informed him that the Police Department averages roughly one thousand eight hundred calls (1,800) per month.

General Manager Smith then explained that this portion of the City Council meetings is specifically for reports from various department heads and official committees of the City. Currently, he explained, the City has no official committees. In order to create a committee the City Council has to establish that there is a need for the committee to exist. Second, each committee has to have a formal and specific mission, summarizing its purpose and goals. Each committee must have a chairman who can report to the City Council when asked. The City Council, or its designee, will appoint the chairman and the committee members.

OLD BUSINESS

RESOLUTION NO. 9443 - The Council of the City of Watervliet hereby appoints Steve Jamrosz, residing at 1213 4th Avenue, Watervliet, New York 12189, as a member of the City of Watervliet Board of Ethics for the unexpired term to April 30, 2019.

Mayor Manning made a motion to table the Resolution because nor he or Councilman McGrouty had an opportunity to speak with Mr. Jamrosz as of yet. Councilman McGrouty seconded the motion and the Resolution was tabled with a 3-0 vote.

NEW BUSINESS

RESOLUTION NO. 9447 - The Council of the City of Watervliet hereby approves and authorizes Mayor Michael P. Manning to execute an agreement between the City of Watervliet and the Town of Colonie for use of the Town of Colonie Police Range and Training Facility by the City of Watervliet Police Department for a period of two (2) years commencing on January 1, 2018 and ending on December 31, 2019.

Chief Mark Spain explained that the Police Department does fire arms training twice a year as well as other assault rifle training. The City of Watervliet does not have its own firing range therefore has to use another municipalities. Chief Spain stated that the fee for using Colonie's range is two hundred fifty dollars per year for the entire department.

RESOLUTION NO. 9448 - The Council of the City of Watervliet hereby approves the 2018 Animal Shelter Agreement between the City of Watervliet and the Mohawk and Hudson River Humane Society, 3 Oakland Avenue, Menands, New York 12204 for a period of one (1) year commencing on January 1, 2018 and ending on December 31, 2018.

General Manager Smith explained this is an annual agreement for stray dogs that are picked up in the City.

Police Chief Spain expressed some concerns with the Mohawk and Hudson Humane society. He stated that if a civilian finds a stray dog and brings him to the shelter, the fee to retrieve that dog is thirty-five dollars per day. If a police officer brings a dog the fee is almost twice as much. If that dog's owner is not found or the dog isn't claimed, the City has to pay then fee for housing the animal. He stated that he has attempted to contact the humane society to get an answer as to why there is such a difference in the fee but has not received an answer yet.

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

RESOLUTION NO. 9449 - The Council of the City of Watervliet hereby authorizes and directs Scott O'Reilly, City Clerk and Clerk to the Council, 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, January 18, 2018 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 1-I for the Year 2018, a local law to amend Chapter 176. Residential Occupancy of the Code of the City of Watervliet.

Corporation Counsel Yorden Huban explained that significant changes have been made to this specific section of the city code. The amendment states that a "rental unit compliance certificate" will not be issued until all fees are paid on a specific property and the property owner provides names and birth dates for all occupants.

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

RESOLUTION NO. 9450 – The Council of the City of Watervliet hereby designates Pioneer Commercial Bank the official depository for City funds during the Year 2018.

Upon a motion to move on the Resolution by Councilman Patricelli, seconded by Councilman McGrouty, the Resolution passed with a 3-0 vote.

RESOLUTION NO. 9451 - The Council of the City of Watervliet hereby authorizes that the regular meetings of the Council during the year 2018 be held at the J. Leo O'Brien Facility, 1501 Broadway, Watervliet, New York or the Watervliet City Court, #2 – 15th Street, Watervliet, NY 12189 at 7:00 P.M. on the first and third Thursday of each month.

After a motion by Councilman Patricelli which was seconded by Councilman McGrouty, the Resolution passed unanimously.

RESOLUTION NO. 9452 - The Council of the City of Watervliet hereby designates the Order of Business for the Council for the year 2018.

With no changes being proposed to the Order of Business, a motion to move on the Resolution was made by Councilman Patricelli and seconded by Councilman McGrouty. After the votes were cast, the Resolution passed with a 3-0 vote.

RESOLUTION NO. 9453 – The Council of the City of Watervliet hereby designates "The Record" as the official newspaper of the City of Watervliet for the Year 2018.

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

RESOLUTION NO. 9454 - The Council of the City of Watervliet hereby authorizes and permits City Officials to attend meetings and conferences held during the year 2018.

After a motion was made by Councilman Patricelli and seconded by Councilman McGrouty, the Resolution passed with a 3-0 vote.

RESOLUTION NO. 9455 - The Council of the City of Watervliet hereby adopts the City of Watervliet Procurement Policy for the year 2018 pursuant to General Municipal Law Section 104.

General Manager Jeremy Smith explained that the procurement policy was the same as it had been in 2017.

Councilman Patricelli asked if it was necessary to approve the procurement policy each year. Corporation Counsel Yorden Huban explained that it has always been a standard practice for the City but that he would research the issue to determine if it was in fact, necessary.

Upon a motion by Councilman Patricelli and seconded by Councilman McGrouty, the Resolution passed unanimously.

RESOLUTION NO. 9456 - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc., for a period of one (1) year commencing on January 1, 2018 and ending on December 31, 2018 for IT at the Watervliet Police Department.

General Manager Smith explained that the Police Department has much different IT needs than City Hall does which is why we have two separate contracts. Mr. Smith stated that the cost for the Police Department is twelve thousand dollars (\$12,000.00) for the year and the contract for City Hall is twenty-two thousand eight hundred dollars (\$22,800.00).

Councilman McGrouty asked if there are other IT costs the City incurs that fall outside the contracts. General Manager Smith stated that other costs do arise but are usually budgeted for. For example, in 2017 the City had a new server installed and switched its email system from Microsoft Office to the cloud.

Councilman Patricelli asked if the City looked for any other bids or proposals for these services. General Manager Smith explained that the City did not due to Capital Region IT having built the City's IT infrastructure.

After a motion by Councilman Patricelli, seconded by Councilman McGrouty, the Resolution passed with a 3-0 vote.

RESOLUTION NO. 9457 - The Council of the City of Watervliet hereby approves an agreement between the City of Watervliet and Capital Region IT, Inc., for a period of one (1) year commencing on January 1, 2018 and ending on December 31, 2018.

Councilman Patricelli made a motion to move on the Resolution which Councilman McGrouty seconded. A vote was taken and the Resolution passed unanimously.

RESOLUTION NO. 9458 - That the Council of the City of Watervliet hereby approves an agreement for legal services with Goldberger & Kremer, 39 North Pearl Street, Suite 201, Albany, New York 12207 commencing on January 1, 2018 and ending on December 31, 2018.

Corporation Counsel Yorden Huban explained that Brian Kremer, of Goldberger & Kremer, was currently representing the City in a legal matter and also had in the past in legal matters Mr. Huban had to exclude himself from.

Councilman McGrouty asked Mr. Huban how long Mr. Kremer had worked on legal matters for the City. Corporation Counsel Huban stated he believed Mr. Kremer had been used by the City for five years.

Councilman Patricelli then asked what Mr. Kremer's hourly rate was. Mr. Huban informed him that the hourly rate is One Hundred Ninety-Five Dollars per hour (\$195/hr.).

Upon a motion by Councilman Patricelli, seconded by Councilman McGrouty, the Resolution passed unanimously.

APPROPRIATIONS AND ACCOUNTING

NONE

Prior to the opening of the Public Comment period Councilman Patricelli asked Director of Finance Mike McNeff how many residents took advantage of pre paying their 2018 property taxes. Director McNeff stated the City collected around two percent, or one hundred forty thousand dollars (\$140,000.00).

Councilman Patricelli asked for an update on the damaged fence on 787 located near City Hall. General Manager Smith explained that a temporary fix had been done and that the Department of Transportation would be coming back in the spring for a more permanent fix.

Councilman Patricelli then asked for an update on the fire truck that the City purchased from Clifton Park. General Manager explained that the grant to pay for the truck had been approved by the State of New York's Ways and Means and that it was being sent to the State Dormitory Authority who will disperse the funds.

PUBLIC COMMENT PERIOD

Paul Huban – 1500 12th Avenue – Mr. Huban wanted to follow up on a comment he made at a previous City Council meeting regarding the tanks in the ground at the old school 9 on Twenty Fourth Street and the Third Avenue property which used to be owned by the Elks Club.

Police Chief Spain stated that a notice of violation has been sent to the owner of the Third Avenue property. Also, the owners planning rights were revoked as of October 26, 2017. Chief Spain explained that the issue with that property is one of jurisdiction. Until the City does personal service of the individual, the City does not have jurisdiction over him. Once the

personal service is done, Chief Spain noted, the individual must appear at his next scheduled court date on January 10, 2018, or the Police Department could issue a warrant for his arrest.

General Manager stated that the property located on 24th Street has not changed hands as of yet. The individual who is interested in purchasing the property is still getting “his ducks in a row,” to be able to present to the Planning and Zoning boards but he has been made aware of the environmental issues pertaining to the tanks that are in the ground at that location.

Mr. Huban then asked what the status of the former gas station on the corner of Second avenue and Twenty-Third Street. Chief Spain explained that he believed a letter had been sent to the property owner but that he would double check to confirm that.

Frank Soucy – 1569 2nd Avenue – Mr. Soucy stated he believed the condition of the Christmas tree in Veterans Park, and the park itself, was “shameful.” He then stated that the Christmas tree located outside the Fire House was done beautifully.

Mr. Soucy then thanked Police Chief Spain for having a patrol car stationed on Second Avenue near the City Pool to deter speeding.

Mr. Soucy voiced a complaint about the dumpster located at McDonalds, being emptied between two and four in the morning.

Mr. Soucy then noted that the finial at the top of the Flag Pole in Veterans Park was missing and needed to be replaced.

Councilman Patricelli asked if the finial was something the City could order and if he knew of a company that sold them to let him know and it would get taken care of.

With there being no further comments Mayor Manning closed the Public Comment period.

A motion was then made to adjourn into executive session, which was seconded, and the meeting was adjourned into executive session for personnel and legal matters at 7:46pm.

At 9:12pm Mayor Manning re-opened the City Council meeting. At this time new legislation was proposed.

RESOLUTION NO. 9459 – The Council of the City of Watervliet hereby approves and agreement between the City of Watervliet and Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C. located at 20 Corporate Woods Boulevard Albany, NY 12211 to perform legal services on behalf of the City of Watervliet in connection with a dispute between the City of Watervliet and Albany Engineering Corporation and James Beisha and further authorizes Mayor Manning to execute same, not to exceed five thousand dollars (\$5,000.00).

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Councilman Patricelli stated, for the record, that he has had a professional relationship with James Beshia of Albany Engineering. However the relationship does not pose a conflict of interest on this issue.

Upon a motion made by Councilman Patricelli, seconded by Councilman McGrouty, the Resolution passed with a 3-0 vote.

Councilman Patricelli then made a motion to adjourn the meeting, which was seconded by Councilman McGrouty. The meeting was adjourned at 9:17pm.

***Next Meeting: January 18, 2018 7:00pm**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott P. O'Reilly", written in a cursive style.

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, JANUARY 4, 2018**

The meeting of the Executive Session was called to Order by Mayor Michael P. Manning at 7:52pm.

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

Also present from City Administration were: Jeremy Smith, General Manager, Scott O'Reilly, City Clerk & Clerk to the Council, Yorden Huban, Corporation Counsel, Chief of Police Mark Spain, and Fire Chief Rob Conlen

The Council and administration discussed a personnel matter as well as 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 9:12pm.

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