

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, FEBRUARY 15, 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.

The Council of the City of Water Vliet honored Charles Jeseo as the February 2018 "Citizen of the Month." Charles has been a volunteer member of the Water Vliet Housing Authority for over Thirty years. In this capacity he has offered his experience as an accountant to the administration which has helped the organization succeed. Charles has also been active in the Water Vliet Democratic Committee and a strong supporter of Water Vliet fundraisers and events.

REPORT OF OFFICERS AND COMMITTEES

Police Department Report

Police Chief Mark Spain gave a report on the workload handled by the Police Department in 2017. Chief Spain stated that his department received Eighteen Thousand Eight Hundred Twenty Four (18,824) calls for service in 2017 which is roughly a Forty-One Percent (41%) increase from 2015. Chief Spain attributes the rise in call volume to the Department being more accessible to residents. By advertising the Police Departments non-emergency phone number residents feel more comfortable calling than if they could only call 911. Also, the Police Department, when possible, stations and officer at the front desk of the Police Station to handle any walk up complaints, which were not done in past years.

Chief Spain broke down the types of calls which the Police Department responds to. From 2016 to 2017 the number of traffic stops nearly doubled. Property Checks, which are voluntary, saw a significant decrease from 2016 to 2017. One reason for this that Chief Spain pointed out was that vacant properties are now part of normal patrols therefore do not classify as individual Property Checks. Walk-ins to the Police Station have also nearly doubled from 2015 to 2017, due to the fact that there is an officer stationed at the front desk.

In addition to breaking down the types of calls the Department receives, Chief Spain announced that Five Thousand (5,000) traffic tickets were written in 2017. As a result, the City Court has actually had to add a second traffic court date each month, when in the past traffic court was once a month. In 2017 the Police Department also issued Five Hundred Ninety-Three parking tickets, which accounts for more than Thirty Five Thousand Dollars (\$35,000.00) in

finer. Chief Spain also noted that in 2017 there were Seven Hundred Eighty-Seven arrests in the City of Water Vliet.

Also included in this report was an explanation of the types of trainings the department will be utilizing in the coming year. The training includes active shooter training, training with the Arsenal Police Department on specialized weapons, and in house trainings.

General Managers Report

General Manager Jeremy Smith announced that the next Department Head report would take place on March 1, 2018 at which point, Chris Daus, head of the Sanitation Department will be presenting on the activities of his department in 2017.

OLD BUSINESS

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

Councilman Patricelli made a motion to move on the Resolution. Councilman McGrouty then made a motion to table the Resolution. Mayor Manning seconded the motion to table the Resolution and the Resolution was tabled with a 3-0 vote.

PUBLIC HEARING - A Public Hearing for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 2 for the year 2018, a local law to amend the Code of the City of Water Vliet by adding a new chapter to be known as "Chapter 245. Trees.

Corporation Counsel Yorden Huban explained some changes and provisions that have been added to the Local Law since the Law was initially introduced. As a result, Mr. Huban recommended tabling the Local Law once it comes up for vote and holding an additional Public Hearing at the next City Council Meeting, on March 1, 2018, so that anyone interested would have the opportunity to familiarize themselves with the changes.

Mayor Manning officially opened the Public Hearing.

Don Whitehead – 1921 8th Avenue – Mr. Whitehead raised some concerns with sections of the Local Law. One concern was the fact that residents would need to buy a permit to trim a branch on a tree and that they would need insurance to do so. Corporation Counsel Huban informed him that was not true, residents are not required to buy a permit and acquire insurance in order to trim a branch of a tree.

Mr. Whitehead also brought up the issue of tree roots that damage sidewalks and asked if existing roots are grandfathered in. Mr. Huban explained that it would be up to the City's Code Enforcement Department to identify potentially hazardous roots, and if they do, the roots would have to be removed, regardless of if they were there prior to the law or not.

Mr. Whitehead then asked if a resident was required to get approval from the Code Enforcement Department in order to remove a tree from their property. Mr. Huban informed him that approval is not required if the tree is on private property, however, trees that are located in between a curb and sidewalk are considered to be on public property, which would require approval.

Mr. Whitehead then stated that he had no issue with the part of the Law that deals with stump removal but asked if home owners who inherited stumps on their property were responsible for removal of the stump. Mr. Whitehead stated that he believed these stumps should be grandfathered in as long as they don't pose a hazard to the public.

Mayor Manning then asked Corporation Counsel Huban to take a look at the "preexisting" issues within the law before the next Public Hearing. General Manager stated that he disagreed with his comment about stump removal because he believes they are hazardous and can be a liability and therefore should be removed no matter what.

With no one else wanting to be heard, Mayor Manning closed the Public Hearing.

NEW BUSINESS

LOCAL LAW #2 - 2018 – A local law to amend the Code of the City of Water Vliet by adding a new chapter to be known as "Chapter 245. Trees.

After a recommendation by Corporation Counsel Huban to table this Local Law, Councilman Patricelli made a motion to table which was seconded by Councilman McGrouty. The Local Law was then tabled by a 3-0 vote.

RESOLUTION NO. 9464 – The Council of the City of Water Vliet authorizes and appropriates a minimum of 20% local match as required by the NYS EFC Engineering Planning Grant Program for the Water Vliet Sanitary Sewer Study Project - ID 73019. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated is subject to any changes agreed to by Mayor Michael P. Manning and shall not exceed \$6,000 based upon a total estimated project cost of \$30,000. The Mayor may increase the local match through the use of in kind services without further approval from the City Council.

General Manager Smith explained that this is part of an EFC grant awarded to the City to camera roughly forty percent of its sanitary sewer lines. This grant is for Thirty Thousand Dollars (\$30,000.00) and will allow the City to camera the highest risk sanitary lines in the City. Mr. Smith also pointed out that the majority of the 20% match will be done with "in kind

services” by the City’s workforce.

Upon a motion by Councilman Patricelli to move on the Resolution, which was seconded by Councilman McGrouty, the Resolution passed unanimously.

RESOLUTION NO. 9465 – The Council of the City of Water Vliet hereby authorizes Mayor Michael P. Manning to execute the Water Vliet Sanitary Sewer Engineering Planning Grant Agreement on behalf of the City of Water Vliet with the New York State Environmental Facilities Corporation for a grant pursuant to the New York State Clean Water State Revolving Fund and that the Mayor is hereby authorized to execute any contract and/or agreement with the New York State Environmental Facilities Corporation in connection with the Application.

General Manager Smith explained that this Resolution was required for the Mayor to follow through with the grant referred to in the previous Resolution.

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

RESOLUTION NO. 9466 – The Council of the City of Water Vliet hereby determines that the proposed Water Vliet Sanitary Sewer System Engineering Study 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.

General Manager Smith explained that because this is a study, there is no environmental impact.

A motion was made to move on the Resolution by Councilman Patricelli and seconded by Councilman McGrouty which led to the Resolution passing unanimously.

RESOLUTION NO. 9467 - A Resolution for SEQR Review pursuant to the New York State Environmental Quality Review Act related to a CDBG Planning Grant Study of community housing needs.

General Manager Smith explained that this was a separate grant received by the City to address housing needs throughout the City and that the study could be used in the future to secure additional grant funding.

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

RESOLUTION NO. 9468 - The Council of the City of Water Vliet hereby supports the “Think Differently” Initiative and further encourages City of Water Vliet residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for and support those living on the Autism Spectrum and with special needs.

General Manager explained that the City recently received a letter from Dutchess County Executive Marcus J. Molinaro asking the City to join this initiative.

Councilman Patricelli then asked what else the City planned to do as a part of this initiative. General Manager Smith explained that Mr. Molinaro has offered to come to the City and provide guidance moving forward. Once this Resolution is adopted the City can then reach out to him and set up a meeting.

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

RESOLUTION NO. 9469 - The Council of the City of Water Vliet hereby authorizes and directs 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 Water Vliet, City Hall, Water Vliet, New York 12189 until 10:00 AM on March 8, 2018 for the DWSRF Project No.18231, Comprehensive Water System Improvements, Task Order 1, Phase 2. Plans and specifications for the proposed work will be on file and publicly exhibited as of February 16, 2018 at the Office of the City Clerk, City Hall, Water Vliet, and New York 12189. The Council of the City of Water Vliet reserves the right to waive any informalities in or to reject any or all Bids submitted.

General Manager Smith explained that this was the next phase of the Water System Improvement Grant the City received from EFC. Mr. Smith also announced that due to much of the feedback received during and after Phase One of this project, the City will hold a Public Meeting with the Contractor that is awarded the project. In that meeting, the time line of the project as well as the affected areas of the City will be outlined, so that the public is aware.

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

RESOLUTON NO. 9470 - The Council of the City of Water Vliet hereby acknowledges receipt of the Report of Examination from the Office of the New York State Comptroller regarding an audit of the fiscal affairs of the City of Water Vliet for the period of January 1, 2014 to June 30, 2017 and that The Council of the City of Water Vliet hereby authorizes Scott P. O'Reilly, City Clerk and Clerk to the Council, to advertise once in the official newspaper the following: "Notice is hereby given that the fiscal affairs of the City of Water Vliet for the period beginning on January 1, 2014 and ending on June 30, 2017 have been examined by the Office of the State Comptroller and that the Report of Examination prepared by the Office of the State Comptroller has been filed in my office where it is available as a public record for inspection by all interested persons. Pursuant to Section Thirty-Five of the General Municipal Law, the Council of the City of Water Vliet may, in its discretion, prepare a written response to

the Report of Examination prepared by the Office of the State Comptroller and file any such response in my office as a public record for inspection by all interested persons not later than May 16, 2018.”

General Manager Smith explained that the City had asked the State Comptroller’s Office to give some guidance with regards to the City’s finances after the State’s Fiscal Stress report came out. Once the State came in and conducted their audit, they supplied the City with six recommendations. At the time of the audit being made public, five of the six recommendations had already been addressed. Currently the sixth and final recommendation is being implemented. Mr. Smith pointed out that the Comptroller’s report is available in the City Clerk’s office as well as on the State Comptroller’s website for anyone who may be interested.

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

RESOLUTION NO. 9471 - The Council of the City of Water Vliet hereby authorizes and directs Scott P. 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, Water Vliet, New York on Thursday, March 1, 2018 at 7:00 PM for the purpose of hearing those persons who wish to be heard regarding proposed Local Law No. 2-I for the Year 2018, a local law to amend the Code of the City of Water Vliet by adding a new chapter to be known as “Chapter 245. Trees

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

APPROPRIATIONS AND ACCOUNTING

NONE

Prior to the opening of the Public Comment Period, Councilman Patricelli asked General Manager Smith to explain the garbage pick-up policy for the City and what happens if bags are left out. Mr. Smith explained that per the City Code, any garbage or recycling is required to be placed in the proper bins. He pointed out that garbage which has been placed in bags but not placed in a garbage can is violation of the City Code. Anyone not adhering to this part of the code risks being ticketed by the Code Enforcement Department.

Councilman Patricelli suggested having the Sanitation Department report any violators to the Code Enforcement Department. General Manager Smith stated that the Sanitation drivers do

in fact keep track of houses that are in violation so that Code Enforcement can go out the following week to see if the house is once again in violation.

PUBLIC COMMENT PERIOD

Kevin Bush – 14 Letter Drive Niskayuna, NY – Mr. Bush addressed the Council as a member of the Albany County Conservation Alliance. Mr. Bush spoke about recreational access to the Water Vliet Reservoir. Mr. Bush stated that this access was allowed in the past and he believed the reservoir could be a great place for canoeing, kayaking, and fishing once again. He offered his groups help to the City to make this happen.

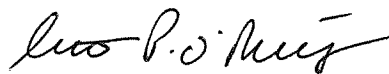
General Manager Smith explained that the City was currently working with the Town of Guilderland to create a trail system around the reservoir, and to reestablish the fishing, from the shore, at the reservoir as well. Mr. Smith pointed out that canoeing and kayaking would take a little more work because the reservoir is a public water supply but that it is possible. Mr. Smith thanked Mr. Bush and his association for reaching out to the City and said the City would be in touch with them.

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

A motion was made by Councilman Patricelli to adjourn the City Council meeting, which was seconded by Councilman McGrouty. The meeting was adjourned at 8:18PM.

***Next Meeting: March 1, 2018 7:00pm**

Respectfully Submitted,



Scott P. O'Reilly

City Clerk & Clerk to the Council