

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
THURSDAY, MARCH 6, 2008 AT 7:00 P.M.**

The meeting was called to order by Mayor Michael P. Manning at 7:00 P.M.

Roll call showed that Mayor Michael P. Manning, Councilman Charles J. Diamond and Councilwoman Ellen R. Fogarty were present.

Also present from City Administration were: Mark E. Gleason; General Manager, Rosemary Nichols; Deputy General Manager, Yorden C. Huban; Corporation Counsel, Police Chief Ron Boisvert, Christopher S. Daus; Recreation Supervisor and Mark R. Gilchrist; Assessor/Bldg. Inspector.

A motion was made and seconded to dispense with the minutes from the previous meeting until March 20, 2008.

The following agenda was presented to the Council by Bruce A. Hidley; City Clerk and Clerk to the Council.

**REPORT OF OFFICERS AND COMMITTEES**

**ITEM #1** – Mark Gleason; General Manager explained that the City Council has agreed to move forward with the proposed plan for the City to pick up its own refuse/recycling. The committee held its 4<sup>th</sup> workshop meeting prior to the Council Meeting. Mr. Gleason noted that the City will hold its first City wide meeting on Tuesday, March 11, 2008, at the Watervliet Elks Lodge beginning at 6:00PM. There will also be additional meetings on March 13, Watervliet Senior Citizen Center, Wednesday March 19, Watervliet Elementary School, Wednesday, April 2, Watervliet Elementary School, Tuesday, April 8, Watervliet Elks, Thursday, April 10, Senior Citizen Center. Mr. Gleason encouraged the residents of the City to attend these meetings. Mr. Gleason thanked the refuse/recycling committee for their hard work to date. Mr. Gleason further explained that on February 29<sup>th</sup> he attended a meeting with the Albany Landfill Committee. Clough Harbour who serves as the engineers for the Albany Landfill thanked all the municipalities who sent in the landfill survey forms which the City of Watervliet completed. Clough Harbour reminded all municipalities that the Department of Environmental Conservation is moving towards source separation for recyclables that municipalities will be responsible for the enforcement. Mr. Gleason stated that source separation is basically that DEC will demand that recyclables will be separated at the household level. This mandate is a state law. The law states that the City must have a recyclable coordinator appointed and must comply with General Municipal Law Section 128aa. The City of Watervliet passed the applicable law related to this issue in January 1991. The landfill requirement will require each municipality to file an annual recycling report. The Albany Landfill will also be spot checking trucks for recycling products. This is another reason the City should actively pick up its own refuse/recyclables. The next refuse/recycling committee meeting will be held on March 28, 2008.

Councilman Diamond requested an up date as to what the City will be doing for the yard waste collection for the upcoming spring season. Mr. Gleason stated that there will be no change to this program, City forces will pick up the yard waste.

**ITEM #2** – Mark Gleason; General Manager informed the Council that on February 19, 2008, he met with the representatives of Clough Harbour Associated along with the utility companies involved with the 19<sup>th</sup> Street Project. The project will be awarded to a General Contractor on April 14, 2008. The winning contractor will be made aware that there may be additional work related to the replacement of laterals connections for home owners in that area. Mayor Manning will be sending letters to the homeowners along that area regarding this lateral project. The lateral changes need to be coordinated with the contractor who will be doing the 19<sup>th</sup> Street Reconstruction Project. The item which needs to be stressed to the homeowners in this area is that it is recommended that a five year moratorium be placed on digging in this area unless it is an emergency. Mr. Gleason stated that new mains will be going into this area and that the only piping which could go wrong would be the laterals. The City is trying to make the lateral replacement as in expensive as possible for homeowners in that area. Mr. Gleason concluded by noting that the 19<sup>th</sup> Street reconstruction project may begin in May or June of this year. The only time the contractor will need to close down 19<sup>th</sup> Street completely will be during the railroad track replacement, new gates and a state of the art system will be put in. The railroad figures it will take approximately 72 hours. The contractor will only be allowed to work in a three block area at one time. A discussion has been held about replacing the water main in the Ball, Grotto and Hillside areas. Mr. Bulmer reported to Mr. Gleason that the main is very old and needs to be replaced. It will cost approximately \$300,000.00 for the main replacement in this area which will also include the engineering. There is \$100,000.00 in multi model money available for this project.

**ITEM #3** – Mark Gleason; General Manager requested Bruce A. Hidley; City Clerk to discuss an election issue with the Council. Mr. Hidley informed the Council that he met with Commissioners Matt Clyne and John Graziano of the Albany County Board of Elections. The meeting was to discuss the possibility of consolidating polling places in the City. It was noted in the meeting that effective 2008 all polling places must have a voting machine for the disabled. The reason consolidation of the polling places were considered an option was due to the fact that each disability voting machine would cost the City approximately \$6,100.00 per machine. The total cost to City taxpayers for the new disability voting machines would be approximately \$61,000.00. Mr. Hidley proposed to the Council the following suggestion for consolidation. The Watervliet Elks Lodge would house all three election districts in ward one, the Watervliet Senior Citizen Center would hold all three districts in Ward two and the Watervliet High School, Ward 4 District 4, would move to the Ancient Order of Hibernians. Mr. Hidley explained that if the proposed consolidations were made that the cost to the City to purchase the disability voting machines would drop to \$36,600.00. This would prove to save the taxpayers nearly ½ of the original cost without consolidation. The Council requested Mr. Hidley to put the consolidation proposal in writing for consideration and questions.

### **OLD BUSINESS**

Mayor Manning requested Mark Gleason; General Manager to file a report for the next Council Meeting related to the parking issue brought to the Council's attention by Mr. John Ebenhoch during the February 28, 2008 meeting.

Mayor Manning asked Corporation Counsel Huban about the status of the Public Nuisance Law. Mr. Huban replied by stating that his office is revising the PNL to include to other areas where the City can assess points for the violation of the law. In addition he his drafting Social Host Liability Law, this will prohibit certain gathering of individuals who are underage. It places the responsibility on the landlord. This is the civil end where the City can prosecute the homeowner also for not managing the property appropriately. Councilman Diamond asked Mr. Huban if the City Council can legislate the fines applicable to this law. Mr. Huban stated yes. The primary change to the PNL is to assign points for non-arrest violations.

### **NEW BUSINESS**

**RESOLUTION NO. 8217** – The Council hereby authorizes the purchase of a Loader/Backhoe from Milton CAT in the amount of \$99,015.00. Before voting Mayor Manning requested General Manager Gleason to provide the Council with an update on this purchase. Mr. Gleason stated that this loader/backhoe is being purchased with CHIP's money. This purchase is being leveraged with the \$100,000.00 from Assemblyman Canestrari. By purchasing the loader/backhoe the City will be able to repair our own mains, additionally a plow will be attached. We will now be able to plow while the salt trucks are being loaded. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted

**RESOLUTION NO. 8218** – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with William S. Sheehy for grass cutting services on the boulevards of 16<sup>th</sup> Street and 23<sup>rd</sup> Street for the year 2008. Before voting Councilman Diamond requested that Mr. Sheehy take care of the tree pruning services on the boulevards also. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

**RESOLUTION NO. 8219** – The Council of the City of Watervliet hereby authorizes the purchase of 3,000 new recyclable bins from CEJJ Inc., Rt. 9 and Rt. 90, Schodack Landing, NY 12156 in the amount of \$16,770.00. Before voting Mayor Manning requested Mr. Gleason to explain this acquisition. Mr. Gleason noted that the City plans on picking up its own refuse/recyclables on May 1, 2008. Mr. Gleason noted that recycling will be a top priority, the more we educate our residents on recycling the less expensive our landfill costs will be. The recyclable bins will be distributed to residents then a strong public relations program related to recycling. The cost the new bins came in approximately \$3,000.00 less than expected. Christopher Daus who will be the Refuse/Recycling Supervisor stated that there will be reimbursement for the recycling program from the NYS Department of Environmental Conservation. Mr. Daus stated that it will take approximately two years to apply for the funding from DEC. DEC informed Mr. Daus to save all the information related to the purchase of the truck and bins as a 50 – 50 match will be available. Mayor Manning asked Robert A. Fahr; Director of Finance if this is part of the expected savings in the budget. Mr. Fahr stated that this was a part of the budgetary savings. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

Bruce A. Hidley; City Clerk provided the Council with a copy of a Ordinance related to the Code of Ethics for the City of Watervliet. Mr. Hidley requested that the Council review the proposed Ordinance and provide either Corporation Counsel Huban or himself with any comment. If the Council finds that the Ordinance fulfills all the Code of Ethics issues, he will place this Ordinance on the March 20, 2008 Council Meeting. Mayor Manning asked Corporation Counsel if this was City employee ethics information. Corporation Counsel Huban stated that this is to regulate ethics for employees of the City, he also stated that this is mandated by state law that a municipality adopt a Code of Ethics policy. Mayor Manning noted that this Ethics law will bring the City of Watervliet into complete compliance.

#### **APPROPRIATIONS AND ACCOUNTING**

**NONE**

**PUBLIC COMMENT PERIOD**

1.) Matt Ethier – 1522 5<sup>th</sup> Avenue – Judy Ethier 1605 12<sup>th</sup> Avenue – Watervliet, New York discussed a problem with water that backed in her cellar and backyard. The neighbors had landscape work done which took away some trees and shrubs. The neighbor also had the area graded to take some of the drainage issues which have now been created. There has always been water but not as much as there is now. The Ethiers are requesting to see if a member of the City could come to take a look at the area in question. The High School personnel will be there tomorrow morning. The Ethiers are asking if someone from the City staff could also be there. General Manager Mark Gleason informed the Ethiers that a staff member will be there at 9:00 AM to review the situation with the School District. Additionally, Mr. Gilchrist will review the permit to be sure the neighbor didn't do more than they were allowed to do by the City. The Ethiers thanked the entire City Staff for their prompt attention to the water problem to date.

There being no further business to come before the Council, a motion was made and seconded to adjourn into Executive Session. The meeting was adjourned into Executive Session at 7:50 PM.

Respectfully Submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET  
EXECUTIVE SESSION  
THURSDAY, MARCH 6, 2008 AT 8:00 P.M.**

The meeting was called to order by Mayor Michael P. Manning at 8:00 P.M.

Roll call showed that Mayor Michael P. Manning, Councilman Charles J. Diamond and Councilwoman Ellen R. Fogarty were present.

Also present from City Administration were: Mark E. Gleason; General Manager, Yorden C. Huban; Corporation Counsel, Bruce A. Hidley; City Clerk and Clerk to the Council and Robert A. Fahr; Director of Finance.

**ITEM #1** – Mark Gleason; General Manager informed the Council that the City is in negotiations with the Uniformed Firefighters Association (U.F.F.A.) Mr. Gleason discussed specific details of the negotiations with the Council for their consideration.

**ITEM #2** – Mark Gleason; General Manager discussed with the Council two items related to the Police Benevolent Association (P.B.A.) contractual negotiations. Mr. Gleason detailed all aspects of the two items under consideration.

**ITEM #3** – Mark Gleason; General Manager discussed a Department of Public Works Water Department financial transaction with the Council. Upon conclusion of the discussion the Council authorized Mr. Gleason to spend the applicable money for this project.

There being nor further business to come before the Executive Session, a motion was made and seconded for adjournment. The meeting was adjourned at 8:20 PM.

Respectfully submitted,

Bruce A. Hidley  
City Clerk and Clerk to the Council