

**MINUTES OF THE MEETING OF THE COUNCIL OF THE CITY OF WATERVLIET
THURSDAY, MARCH 20, 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, Fire Chief Don Clickner, and Mark R. Gilchrist; Assessor/Bldg. Inspector.

A motion was made and seconded to accept and dispense with the minutes from the previous two Council Meetings.

The following agenda was presented to the Council by Deputy City Clerk

REPORT OF OFFICERS AND COMMITTEES

ITEM #1 – Mark Gleason; General Manager requested that Robert A. Fahr; Director of Finance to address the Council regarding the City of Watervliet four (4) year financial plan. Mr. Fahr presented to the Council a copy of the thirteen (13) page four (4) year financial plan. Mr. Fahr noted with the City of Watervliet receiving an additional \$100,000.00 in State Aid that this 4 year plan is required to submit this plan to the Director of Budget in the NYS Comptrollers Office each year. Mr. Fahr discussed the General Fund Expenditures, in 2003 the City paid 1.4 million in employee benefits. In 2008 the City is paying 2.4 million dollars for employee benefits. This proves to be an annual increase of 14% per year. Part of doing this project was to find ways to reduce the tax burden to taxpayers. Mr. Fahr noted in the report how many employees the City had in 2003 projected out to 2011. Mr. Fahr discussed the General Fund balances in the report from 2003 up to 2007. In 2003 the City had a \$514,000.00 deficit. At the end of 2007 Mr. Fahr estimates a \$400,000.00 surplus. A part of the report discusses elimination of the Water Fund deficit. In 2003 the Water Fund deficit was \$180,000.00, conservatively the deficit in 2007 will be approximately \$100,000.00. Mr. Fahr explained that part of this is plan is to come up with ways the City is going to reduce this cost. There are three major factors which have already been done. The City has increased the co-pays and deductibles to employees to reduce the premiums paid by the taxpayers, starting in may the City will be collecting its own garbage saving \$80,000.00 from the General Fund budget and finally the City went to a once a year tax collection which will reduce the Revenue Anticipation Note cost and increase the investment income. The financial plan was filed this week with the NYS Comptrollers Office. Mr. Fahr received the newest release from the New York State Conference of Mayors stating that Governor Patterson's is looking for a 2% reduction in State Aid. That will be a \$26,000.00 decrease to the City which would mean a 1% tax increase. Mr. Fahr is working with Owen Goldfarb from the State University of Albany, Rockefeller College which is promoted by the NYS Comptroller Office. Mr. Fahr is using data from this project to plot different budget items for 2009 and future years.

ITEM #2 – Mark Gleason; General Manager informed the Council that on Wednesday, March 19, 2008 he attended an Albany County Shared Services Meeting. The meeting focused on two subjects, county wide assessments and the county health insurance. Mr. Gleason noted that Susan Sanvidge from the NYS Office of real Property Services discussed the grant application regarding the county wide assessment. Ms. Sanvidge pointed out that in NYS there are over 1,128 assessing units statewide. Most states have less than 100 assessing units. The example which NYS should follow was that the State of Indiana was up to over 1,100 assessing units. Now the State of Indiana has a plan under way which the state will only have 92 counties doing the assessing. The problem in NYS is that there are a number of Assessors who are getting ready to retire. In the western part of the state one full time person is being hired as an Assessor who will be handling several areas. Mayor Manning and Mayor John McDonald have been lobbying very hard for the Albany County grant as the Governor announced that Albany County will receive a grant in the amount of \$50,000.00. The grant money will be used to help resolve assessment in Albany County.

Mr. Robert Conway; Commissioner of Human Resources for Albany County discussed ways that municipalities in Albany County to participate the self funding for health insurance. Mr. Gleason specified self funding which the City would administer the plan not self insured the City would fund the plan. Mr. Gleason noted the Albany County uses Empire Blue as the administrator of their health insurance plan. Mr. Gleason stated that Albany County has saved over \$2,000,000.00 since 2003 in health insurance costs. The county has been awarded a grant of \$150,000.00 to study whether it would be feasible to allow municipalities to participate in the county pool. Mayor Manning has been a very strong advocate of this program and has explained that the City of Watervliet would support this plan along with being apart of the plan.

ITEM #3 – Mark Gleason; General Manager informed the Council that his office has received several complaints about the signs on the fence along I 787. Mr. Gleason stated that in accordance with city policy which was revised in June of 2003 only public service, civic functions, not for profits and election signs are the only signs allowed on the fences. The signs for the organizations noted above are only allowed for a certain period of time. Mr. Gleason noted that the commercial signs on the fence have been removed.

ITEM #4 – Mark Gleason; General Manager informed the Council that the City Council Meeting on April 3, 2008 will be held at the Watervliet Senior Citizen Facility. Mr. Gleason explained that the City will be honoring the Bowling Team and Girls Basketball Team who were Section II Champions at this Council Meeting.

OLD BUSINESS

Mayor Manning requested Mark Gleason; General Manager to update the Council related to the parking issue brought to the Council's attention by Mr. John Ebenhoch during the February 28, 2008 meeting. Mark Gilchrist; Assessor/ Building Inspector explained to the Council that he looked into the 1963 Assessment Roll. This was the Assessment Roll produced prior to the Zoning Laws went into effect. Mr. Gilchrist noted that Zoning controls the type of uses of property throughout the City. An example is the Lucky Thirteen Tavern which in a residential district, it is grandfathered in due to this business being up and running prior to the Zoning Laws. The six units on 12th Avenue in question the Building Department is trying to find out if it was converted into six units after 1964 or prior to 1964. If it was prior to 1964 this unit would be grandfathered in and legal. The 1963 Assessment Roll does state that this property was a six unit, it is a legal pre-existing prior to 1964 non-conforming six unit in that area. Unfortunately, for the neighborhood in question it is a legal use. The Building Department has a scheduled Certificate of Occupancy next week for one of the apartments, Mr. Gilchrist will speak with the owner about the parking impact of his apartments. Mr. Gilchrist stated that the City can do nothing about the situation.

Mayor Manning requested Yorden Huban; Corporation Counsel to update the Council on the Tigon Academy proposal. Mr. Huban explained that he has been attempting to reach the attorney for the New York State Athletic Commission. Mr. Huban is looking for his input with respect to the specific position proposal from Tigon Academy. Mr. Huban stated that his position at this time is to deny the proposal until more specific information is obtained from the NYS Athletic Commission.

NEW BUSINESS

ORDINANCE NO. 1819 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinances, City of Watervliet be amended by revising Section 28, Code of Ethics. Before voting Councilman Diamond stated that this Ordinance should be amended to include elected officials, General Manager, Corporation Counsel, Director of Finance and the City Clerk should inform the General Manager should provide in writing their sources of income. Councilman Diamond stated that this would make our employees more transparent and opens up anything related to income. Mayor Manning noted that the way it is written now would be doing this on a case by case basis. Mayor Manning also noted that each employee will sign a document stating they received the Ethics Code. Yorden Huban requested that Councilman Diamond narrow down his proposal regarding sources of income with respect to what situation. Councilman Diamond noted not the amount of income just the source of income. Mayor Manning pointed out Section 28-4, Paragraph 7, financial or other private interests discussed this point. Mr. Huban stated that we can approve this as it reads now then amend the language at a later date. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Ordinance was approved and adopted.

ORDINANCE NO. 1820 – An Ordinance of the City of Watervliet, New York providing that the Code of Ordinances, City of Watervliet be amended by revising Ordinance No. 1732, Chapter 202, Article II, Section 202-4(D) of said code, “Assessment of Points”. Before voting Mayor Manning stated that this Ordinance changes the PNL to assess points for multiple Police visits where there is no action taken. Yorden Huban; Corporation Counsel also revised the Ordinance to include the Lice Musical Entertainment Ordinance. There is a provision to allow assessment of points when an appearance ticket is issued by the Police Department. Mayor Manning noted that the PNL was not reaching certain nuisances when the police were called. This Ordinance will add multiple visits to the law. . Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Ordinance was approved and adopted.

RESOLUTION NO. 8220 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to file an application under the Community Development Block Grant Program and authorizing Mayor Michael P. Manning to accept and receive a grant for Community Development purposes. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted. Before voting Mayor Manning explained that this is part of the process to file for the CDBG grant for the Rt. 32 corridor. Mayor Manning explained that this is similar to what was done on the 19th Street corridor two years ago. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8221 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with the Civil Service Employees Association, Local 1000, and the City of Watervliet for the period January 1, 2007 thru December 31, 2008. Mark Gleason; General Manager explained that this is the final document from the MOA agreement in the winter. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8222 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement with Conroy and Son Construction, 2517 4th Avenue, Watervliet, New York, 12189, in the amount of \$12,500.00. Councilman Diamond asked if this agreement added a penalty clause for work not done on a timely manner. General manager Gleason stated yes. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8223 – The Council of the City of Watervliet hereby authorizes the amendment of Resolution No. 1817 authorizing Polling Places for the year 2008. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8224– The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an agreement for a professional services contract with David Perino, Esq. for the duties of Vehicle and Traffic Prosecutor for the City of Watervliet for the year 2008. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted.

RESOLUTION NO. 8225 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute a Purchase and Sale agreement with Energetix for the purchase of all electricity service requirements for identified City of Watervliet facilities. Councilman Diamond asked about the name on the contract stated Mark Gleason not the Mayor for signature. Mr. Gleason stated that he has the new contracts with Mayor Manning’s name on it. Upon motion of Councilwoman Fogarty, seconded by Councilman Diamond, this Resolution was approved and adopted.

RESOLUTION NO. 8226 – The Council of the City of Watervliet hereby authorizes Mayor Michael P. Manning to execute an Architectural/Engineering Consultant Agreement No. 2 with Clough Harbour & Associates, Albany, New York 12205 for the 19th Street Reconstruction Project. Before voting Mark Gleason; General Manager explained that this agreement was to cover the construction inspection and all field work. There will be three employees involved and 95% reimbursable. Mr. Gleason noted that the 2nd part of this agreement is the \$29,000.00 for the water line extension work for Grotto, 12th and Wiswall. The \$29,000.00 will provide mapping and ground survey and the overall design. There is an estimate of \$300,000.00 for this project of which the City will receive no reimbursement. The philosophy is while the City is replacing the main, the City does not want to connect to pipes that are very aged and may break in the future. Councilman Diamond asked if the railroad had any responsibility for the reconstruction of that roadway area. Mr. Gleason noted that the railroad will replace the area where the tracks go across the 19th Street area. Upon motion of Councilman Diamond, seconded by Councilwoman Fogarty, this Resolution was approved and adopted. Mayor Manning stated that Clough Harbour is working up details for additional parking in the area in front of St Patrick’s Church.

APPROPRIATIONS AND ACCOUNTING

NONE

PUBLIC COMMENT PERIOD

- 1.) Bob Gusberti – 1212 Hillside Drive, Watervliet, New York 12189 – Mr. Gusberti explained that a deer was hit on Southside Hillside Drive. The deer was found dead in the backyard of a neighbor of Hillside Drive. Mr. Gusberti explained that Ward Stone of DEC was contacted and explained that the deer was definitely hit by a car.
- 2.) Erin Franco - 1915 8th Avenue – attended a neighborhood watch meeting in the City of Cohoes, New York. Ms. Franco explained that at the request Mayor Manning she attended this Neighborhood Watch Meeting. The City of Cohoes has had this program for over ten years. Ms. Franco stated that if anyone was interested to let her know about beginning a Neighborhood Watch Program in the City of Watervliet. The next step would be to have a meeting with Chief Boisvert and a representative from the District Attorneys Office. Mayor Manning noted that the next hurdle would be the availability of an Officer from the Police Department. The Albany County District Attorney's Office is in favor of this program with equipment and guidance. Mayor Manning will discuss this issue with Chief Boisvert and provide Ms. Franco with a contact name from the District Attorney's Office.

There being no further business to come before the Council, a motion was made and seconded to adjourn into Executive Session. Mark Gleason; General Manning requested Deputy General Manager Rosemary Nichols, The meeting was adjourned into Executive Session at 7:40 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, David Wheatley; Deputy City Clerk and Robert A. Fahr; Director of Finance.

ITEM #1 – Rosemary Nichols; Deputy General Manager of Economic Development discussed Council a Local Development Corporation issue with the Council.

ITEM #2 – Mark Gleason; General Manager provided the Council with a complete update related to the Civil Service Employees Association contract negotiations.

There being nor further business to come before the Executive Session, a motion was made and seconded for adjournment. The meeting was adjourned at 8:30 PM.

Respectfully submitted,

Bruce A. Hidley
City Clerk and Clerk to the Council