

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, North Main Street, Mechanicville, NY on Wednesday, September 19, 2012. Mayor Sylvester opened the meeting at 7:00 p.m.

Roll Call: Mayor Sylvester - present
Comm. Seber - present
Comm. Chauvin - present
Comm. Higgins - present
Comm. Hipwell - present

Sam Carabis led the Pledge of Allegiance to the Flag.

Mayor Sylvester, seconded by Comm. Hipwell, moved that the minutes of the regular meeting of September 5, 2012 and the special meeting of September 10, 2012 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said he would read a proclamation on bullying a little later in the meeting.

Comm. Seber said the water bills will go out the first of October. Said they will be holding two public hearings at the October 3rd meeting. Said the first hearing is to change Chapter 42 of the City Charter to Amend the Procurement Policy, there have been a lot of changes within the State Laws for purchasing and things so they are going to bring it into compliance with the law so there will be a public hearing on October 3rd.

Comm. Chauvin said they will have a public hearing on Local Law No. 1 authorizing a public tax levy in excess of the limit established in General Municipal Law 3-C. Said that means they will hold the public hearing to see whether they can raise taxes more than 2%.

Comm. Seber said he had said this before but they have changed the way they get billed for their garbage pickup. Said beginning July 1st when they bid the garbage pickup this year, it's a 3 year contract, they bid just to pick up the trash in your homes and they will get charged for that. Said then they made a deal with Colonie Landfill for the tonnage to do the dumping in that landfill and instead of their hauler getting the rebates for the recycling the city will get the rebates for the recycling. Said the first two months of billing were pretty successful. Said recycling can use some improvement, they've gotten a couple of checks for over 5 or \$600.00 over a couple of months which is okay but what they are going to do is make a real effort over the next few weeks to encourage people to recycle because it is an advantage to the city not only environmentally but financially if they get more people involved. Said Comm. Higgins did a great job with this bid, it looks like we can save 30 or \$40,000 on the bid this year. Asked Harold to put something in the Express on this.

Comm. Higgins said with the recycling we will pay less for the garbage we are hauling so we are saving money.

Comm. Seber said beginning July 1st the new billing started and the first two bills were substantially less so they are pretty happy with it. Said again, they will be going forward with some kind of program for recycling.

Joyce DiVirgilio, 270 South Main Street, said doesn't everyone recycle, they have the green bins.

Comm. Higgins said his secretary at the garage said she gets a lot of calls saying their tenants don't recycle, they don't care.

Emilia Izzo said she thought everybody recycled.

Mayor Sylvester said they are supposed to but some just throw it in a garbage bag and tie it.

Comm. Seber said he doesn't see it as a huge problem with people not recycling but the more people they can get to buy into the program; the better it is for the city. Said as Dave said, when you get more people recycling the tonnage on the dumping goes down so it's a win win.

Nick Izzo said a lot of people that throw away metal have no trucks to get rid of it, can they call the city to pick it up.

Comm. Higgins said yes, we get paid for it now.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said he wanted to say thank you to the State. Said it anybody was wondering what they were doing on Central Avenue, the State was here last week and the beginning of this week taking the bumps out of Central Avenue.

Comm. Hipwell had nothing to report at this time.

City Attorney Serbalik had nothing to report at this time.

Mayor Sylvester read a Proclamation on Bullying Awareness Month (see attached).

Mayor Sylvester made a motion to close the regular meeting at 7:10 p.m. to go into a public hearing TO RECEIVE INPUT FROM THE PUBLIC ON WHETHER AN INFORMATIONAL, NON-BINDING REFERENDUM SHOULD BE CONDUCTED ON NOVEMBER 6, 2012 TO ABOLISH TERM LIMITS FOR CITY COMMISSIONERS AND MAYOR , seconded by Comm. Chauvin. Roll Call: Affirmative – all. Negative – none.

Emilia Izzo asked what non-binding means.

Mayor Sylvester said non-binding means you are going to vote in an election but they don't have to follow the way the people vote because their Charter says it's up to this council to make those decisions. Said if it was a binding one it would be illegal to do that. Said they would not do this on their own, they want the public's input. Said to make it legal they are doing it as a non-binding referendum, they will do what the people say and won't do it on their own even though they have the right to do it.

Mrs. Izzo said so it means whether it's yes or no they have the last say anyway so even if it's no, they can say yes.

Mayor Sylvester said right, they have that right.

Mike Nann, Saratoga Avenue, said theoretically they don't need the input from the public to out sway their vote.

Mayor Sylvester said they want to do what the public wants and not step on anyone's toes.

Dennis Baker, Broadway, said he is just curious why they are doing this again because they voted on this once.

Mayor Sylvester said he thinks the climate has changed in the city and they have so much going on and he's afraid the next guy won't be as nutty as he is being here the hours he is here and doing what he does. Said between him and his wife if he can't make a meeting at night, his wife goes to it. Said he loves this city and wants to see it move forward, he wants to see his grandchildren stay here and have jobs here, that's his motivation.

Man in audience asked if the whole board wants to do this or just one or two of them.

Comm. Seber said they will find out in a minute.

Mayor Sylvester said they will find out when they vote on it.

Katherine Lynch gave the Mayor petitions that were signed from people who could not make it here tonight.

Mr. Baker asked if the petitions were in favor of it or against it.

Mayor Sylvester said in favor of .

Carol Hildreth, Broadway, asked if it was in favor of term limits or abolishing them.

Mayor Sylvester said abolishing them.

Mrs. DiVirgilio said she thinks that is a good thing because if people don't want someone they can vote them out.

Mayor Sylvester said right, if people don't want you they will vote you out. Said we're not like NYC where millions of dollars are spent on campaigns.

Mrs. Izzo asked how long they have to be in to be eligible for health insurance for the rest of your life.

Comm. Seber said ten years.

Mayor Sylvester said now the person who is insured pays 25% of the cost of insurance. Said he doesn't take insurance as he has it through his GE retirement and has no intention of changing as he has a better policy than the city does.

Mr. Baker asked if this is for people sitting now.

Mayor Sylvester said yes.

Mr. Baker said he thought the last time they said it wouldn't be for anyone sitting on the board then.

Attorney Serbalik said there is no restriction on any member of the council to run for that 3rd term.

Mayor Sylvester said the only one this would affect is him because the others have another term to go.

Comm. Seber said he doesn't but he is self-terminating.

Mayor Sylvester read a letter from Supervisor Tom Richardson in favor of abolishing term limits to let the voters make their choice.

Mr. Baker said isn't there a term limit on the President of the US and are we putting ourselves above that.

Mayor Sylvester said he thinks it's a big difference, he is over the whole country and we are just a small city.

Sam Carabis, 908 Elizabeth Street, said he's familiar with the Mayor's position which is part time and he knows for a fact that the Mayor spends many, many hours there, he spends 30 to 40 hours there and makes around \$10,000 and probably half his salary goes back into public affairs here. Said he's really impressed with the Mayor, he's doing a great job.

Mayor Sylvester said when he first started here he was still working at the GE but still put the same number of hours in here. Said the flowers for the Gazebo here he pays for out of his own personal pocket and he paid for a window in the XO Tower.

Mr. Nann said he is 100% for getting rid of term limits and as that woman said if we don't like Mayor Sylvester we will vote him out of office, it's that simple but if he's doing a great job and the city likes him you have the option of keeping him. Said to him it makes a lot of sense to get rid of these term limits.

Mayor Sylvester made a motion to close the public hearing at 7:20 p.m. to reopen the regular meeting, seconded by Comm. Chauvin. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester opened up the meeting to public comment.

Mr. Carabis asked how South Street is coming along.

Mayor Sylvester said they are moving along pretty good. Said they had a little problem yesterday with all the heavy rain that got into Mrs. DeMarco's cellar which they pumped out.

Stephanie Proper asked if they are on schedule.

Mayor Sylvester said they are 3 days behind but they will be able to make it up.

Comm. Seber said he went to a contractor's meeting today and they seem to think they will make it up.

Man from Express asked how the reservoir was doing with the rain.

Comm. Higgins said it helped a little bit but it's still down low.

Mayor Sylvester read RES. NO. 67-12 AUTHORIZING A NON-BINDING VOTE TO BE CONDUCTED ON NOVEMBER 6, 2012 ON THE QUESTION AS TO WHETHER TERM LIMITS SHOULD BE ELIMINATED FOR THE MAYOR AND COMMISSIONERS

Introduced by Mayor Sylvester, seconded by Comm. Chauvin.

Comm. Seber said before he votes he wants to say he is voting no because they did have two referendums on this and both were overwhelmingly, about 60%, in favor of term limits, he is personally opposed to term limits but people probably want it so he is voting no.

Roll Call: Mayor Sylvester - yes
Comm. Seber - no
Comm. Chauvin - yes
Comm. Higgins - yes
Comm. Hipwell - yes

Comm. Hipwell said the reason he voted yes is because he had asked if the council would change this and he told the rest of the council he would not do it that way, it's up to the people if they want the change so that is why he is voting yes for the people to make the change or keep it the same.

Comm. Seber read RES. NO. 68-12 GRANTING AN USDA SMALL BUSINESS
LOAN TO BLU TEA AND KELLY RAE HAIR DESIGN

Introduced by Comm. Seber, seconded by Mayor Sylvester. Roll Call:
Affirmative – all. Negative – none.

Mayor Sylvester read RES. NO. 69-12 ADOPTING A FEE SCHEDULE AND
CLASSIFICATION OF PERMITS TO BRING THE
BUILDING FEES IN LINE WITH CURRENT PRACTICES
CONSTRUCTION COSTS AND FEES BEING CHARGED
BY OTHER MUNICIPALITIES

Introduced by Mayor Sylvester, seconded by Comm. Hipwell.

Comm. Seber said he feels make fees higher will stop people from fixing their homes and he doesn't want to discourage them.

Roll Call: Mayor Sylvester - yes
Comm. Seber - no
Comm. Chauvin - yes
Comm. Higgins - yes
Comm. Hipwell - yes

Comm. Chauvin read RES. NO. 70-12 PAYROLL AND VOUCHERS

Introduced by Comm. Chauvin, seconded by Mayor Sylvester. Roll Call:
Affirmative – all. Negative – none.

No old or new business.

Mayor Sylvester, seconded by Comm. Chauvin, moved that the meeting be adjourned at 7:32 p.m. Roll Call: Affirmative – all. Negative – none.