

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, North Main Street, Mechanicville, NY on Wednesday, August 7, 2013. Mayor Sylvester opened the meeting at 7:09 p.m.

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

Chief Waldron led the Pledge of Allegiance to the Flag.

Mayor Sylvester, seconded by Comm. Chauvin, made a motion to accept the minutes of the regular meetings June 5, 2013 and July 3, 2013 as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said they have had a little problem up on South Street Hill, some cracks in the wall and a crack on the sidewalk. Said they are starting to repair them with calking and neither he nor anyone thinks that calking is the way to go. Said Monday the 12th they were supposed to pave the road but that might be put off. Said he talked to B & L today and said why pave the road when there is cracking going on.

Comm. Seber said tonight there will be a public hearing on half the code updates. Said at the next meeting on September 4th they will have another public hearing on the remainder of the code updates. Said if anyone is interested in the code changes, they are on our website, the changes are in blue. Said the plan is the first meeting in October is to have an official meeting on the Charter and the entire code and the goal is to vote that night but if there are changes it may or may not take place. Said at the last meeting they approved a resolution allowing the sale of a piece of land that's 10 ft. wide that goes between First and Second and it's adjacent to a property owned by a new property owner. Said when they did a survey they noticed that this lane was available and until they got a hold of him he didn't know this lane was owned by the city and it is. Said they will put it up for public auction which they authorized at the last meeting and it will be at 10:00 a.m. here on August 15th and the minimum bid is \$500.00 for anyone who wants to bid on it.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said the Terminal Street Pump Station is up and running but they are having some problems with the solids settling so they are looking to put flush valves in it to stir it up and break up the solids, so hopefully that will work. Said hopefully Monday they will start putting the roof on the fire house if the weather permits and they should have it done in a couple of weeks.

Comm. Hipwell said last month he said the Park Avenue Playground was 90% done, thanks to Dave Higgins and his guys it's 100% done. Said last month on July 25th they had 110 kids there, his staff did an outstanding job. Said today they had hot dog

day and they had over 50 people up there eating hot dogs.

City Attorney Serbalik asked for an executive session after the meeting to discuss litigation issue. Said also in conjunction with the pending motion for SEQRA the city was required to send out notice to the County Planning Board for comments for the project. Said at the Planning Board meeting on Monday night he told them that Mike Valentine from the County Planning Board was going to give the city a letter for favorable recommendation which he just got this afternoon which will be filed with them for the Planning Board.

Chief Waldron said the brand new car is totaled; it was involved in a vehicle crash last week. Said the officer was injured and the person in the other car was injured, both are out and okay. Said the car is down at the auto body shop getting checked to see how much damage was done to the car. Said they are waiting for the estimate.

Comm. Higgins said then they don't know if it's totaled.

Chief Waldron said they don't know for sure at this point in time, the city's carrier hasn't gotten back to him, the insurance carrier for the other car did but they are not going to weigh in until the city's carrier weighs in.

Comm. Seber said he was told Friday by the carrier that they would send an adjuster going there but they didn't tell him when.

Chief Waldron said they don't want to touch the car or pull anything off of it until the adjuster goes there.

Comm. Seber said if it's totaled and they need to get another car can all the lights, the radio and all the computer equipment be salvaged out of this one. Said he knows it's costly to equip a car with all that.

Chief Waldron said absolutely. More discussion was held on the equipment. Said Spacial Dynamics, the old school, was broken into on August 1st. Said the police officers responded to a suspicious vehicle parked by the Post Office which happened to be the getaway car with a person inside. Said during their investigation they discovered that 5 additional people were inside the building stealing things. Said they called the State Police and the Sheriffs of Saratoga County and Rensselaer who brought in their canine unit and they all surrounded the building, when they realized the building was surrounded they all jumped out of windows and started a foot chase but they were all apprehended. Said a lot of damage was done and they stole a lot of things they were all arrested and are in the county jail. Said two were from Mechanicville and 4 from Stillwater and they are all 16 or over. Said his department is operating short staffed but things are going well and they are still running.

Supervisor Richardson had nothing to report at this time.

Fire Chief Alonzo said the year is going along good, steady, up to the end of July they are at 186 total calls which includes emergency medical calls as well. Said as they all know, they have some aging equipment so they have been doing some investigation on newer apparatus and meeting with some different vendors, looking at some different things so by the September meeting they will have a more formal presentation on where they think they need to be.

Mayor Sylvester said they have people from The Esplanade Project here to give them an update on how this project is going.

Pat Mitchell, Creighton Manning Engineering, said he just wanted to give a brief overview of the project on what's changed with it sense they were last here in front of the public. Said demolition is going on now so the project is becoming real. Said they originally were approved for 219 residential units with 29,000 sq. ft. of commercial and a 150 seat restaurant. Said the new proposal is 294 residential units with a 50 seat café, they got rid of the commercial because they found that it just was not viable. Said they moved a lot of the parking now underneath the buildings so that each one of the 6 buildings has parking underneath it, it's at grade parking. Said that enabled them to pull the buildings back from the river a little bit and from Route 4. Explained about how they will do the parking. Talked about how they added community space giving it a boardwalk like feel, gathering space that overlooks the river and there is a gazebo, fire places, fire pits which is open to the public. Said they will also add a reflecting pool/skating rink. Said they will also add EB charging stations for people that have electric cars so they can charge them at no cost. Said those are the changes they put in front of the Planning Board. Said at this time they will talk about SEQRA issues.

Comm. Seber asked if they have any SEQRA issues, knows they have the final SEQRA document to approve tonight.

Don Fletcher, Barton and Loguidice, said there are no issues, there are two resolutions in front of the City Council, one is to establish themselves as Lead Agency which is the first half and then one is consideration of the negative declaration, said they have SEQRA and final approval.

City Attorney Serbalik said a project like this is subject to SEQRA which is the State Environmental Equality Review Act. Said there has to be a lead agency on the project, the last lead agency was the City and what was decided by the City and the Planning Board is that the City would continue as the lead agency. Said back in June the Council passed a resolution saying they were going to act as the lead agency and they were required to send all of these notices out to all of the involved agencies, anyone that may have any interest in the project and they had an opportunity to respond within 30 days as to whether or not they objected to the City Council being the lead agency, if so, why. Said all notices were sent and there hasn't been any objections from any of the entities which were about 15 of them, there were a couple of concerns raised by DEC and DOT involving relatively minor issues and our engineer and Pat Mitchell have addressed them. Said as far as the city adopting the first resolution which says essentially that they will be the lead agency and they will make sure that everything is in compliance with

SEQRA. Said there has been no objection to that and it's appropriate if the council wants to act on it. Said the second resolution, now that they are lead agency you have the authority to make these SEQRA determinations, make sure that there are no adverse environmental impacts on the project. Said once they review that they have to make a determination, one is a negative declaration, as Don said it was a statement saying the project has no negative or substantial adverse affects on the environment. Said that was done the last time. Said they can vote on that today. Said what has been done over the past month with our engineers and with the developer's engineers was to review the SEQRA process to make sure there were not any changes that would create an adverse use. Said our engineer went over everything and apparently there are no problems. Said the whole issue of the project, the site plan, is entirely in the jurisdiction of the Planning Board so once they make this determination everything is kicked back to the Planning Board for the approval process.

Comm. Seber asked the fire chief and the engineers if they are satisfied as far as firefighting, emergency vehicles that have to get in, the layout, are they all set with that?

Fire Chief Alonzo said yes, they met about 4 times over the last couple of years and they are keeping them in the loop and they are satisfied.

Mr. Mitchell said they met early on in the process and this past Friday he met again with Jeff for the final review of the plans. Said he told Jeff that they will continue to work with the fire department because the next step after the potential Planning Board approval is building permits and that certainly requires some involvement from the fire department as well.

Mayor Sylvester made a motion to close the regular meeting to go into a public hearing for informational purposes only to discuss proposed changes to the City Code Sections 1-34 as part of the 2013 Code update at 7:31, seconded by Comm. Higgins.

Comm. Seber duly advertised the public hearing.

City Attorney Serbalik said the last time this code us updated was in 1999, it was implemented in 2000, from then up until now our existing Code Book not only didn't incorporate the changes from 1999 but it also didn't address any issues or any changes that the council or the various departments of the council wanted incorporated into it to bring it up to date. Said the Code is posted on line and any proposed changes are reflected in blue. Said tonight is just a review of Chapters 1-34 and basically what they have provided other than the fire department changes is to bring it up to date. Said the code will be published on line and it will be required to be updated anytime there are changes to the Code. Said the other Chapters are revising freedom of information laws, fire department changes.

Mayor Sylvester opened the hearing to the public.

Kim Dunn, 50 South Main Street, said she noticed that the time limit to speak at the meeting was now three minutes and it used to be five. Is it going to be 3 now?

Attorney Serbalik said the original code allowed 3 minutes on each topic, now the council said they would allow 5 minutes for the whole period.

Mrs. Dunn asked what the changes were to the fire department.

Attorney Serbalik said there were a number of meetings with the fire department heads and the council and as a result there were proposed changes.

Mrs. Dunn asked if they will vote on everything in one night in one night or have it retroactive.

Comm. Seber said the goal is on the first meeting in October they will have a public meeting on the Charter and Code and then possibly vote on it that night unless there are changes.

More discussion was held on the Charter and Code.

Mayor Sylvester, seconded by Comm. Hipwell, moved that the public hearing be closed at 7:40 p.m. to re-open the regular meeting.

Mayor Sylvester read the Proclamation on Mary Grace Izzo who resigned from the Planning Board after 16 years of dedicated service.

Mayor Sylvester opened up the meeting to public comment.

Sam Carabis asked if the afternoon meeting of the City Council will start again in September.

Mayor Sylvester said yes.

Kim Dunn asked about John Ahearn merging with Halfmoon and how will that work as far as the city paying \$170,000 a year, what will happen down the road.

Comm. Seber this is a private organization, they do fund it, we own the building but this arrangement is between Clifton Park/Halfmoon Emergency Corp. and the John Ahearn Rescue Squad. Said tonight the council will vote on a resolution endorsing this because without this, with all respect to the rescue squad, they may have some financial issues. Said they did have a meeting with Clifton Park and they have to negotiate what our commitment will be going forward. Said they are looking for us to keep our commitment in terms of finances to their organization. Said the only responsibility the city has is whether to keep our financial obligation to this and what we will do with the building. Said he put this out to the council that there will be some work to be done on the current John Ahearn building, he put it to the individually the possibility of moving the rescue squad to Station 2 because he thinks it's in better shape than the rescue squad building in terms of what their needs are. Said there would be a need to do some work there, they need sleeping facilities for both males and females but there are bathrooms there, there is a shower there, there is a small kitchen, the bay has the appro

priate exhauster and that type of stuff. Said he would like to see the city, if that were to happen, sell the building on Central Avenue because to him there is more value in terms of somebody purchasing the building on Central Avenue than the one on the West Side. Said it's only an idea that he has, he mentioned it to the council today or yesterday so it's something is in early stages. Said the conversations they have had with both John Ahearn and Clifton Park/ Halfmoon is that there will be an ambulance stationed here in the city.

Larry Whalen, President of John Ahearn, said this is something they have worked on this last year as some of them have been there 60 something years and the rest of them 50 years of more. Said the need help. They went to Clifton Park/Halfmoon and they will take over their ambulances and their building, it's something they definitely need to do.

Joe Santiago, Director of Clifton Park Ambulance, said there is a lot of confusion because a lot of organizations take on a neighboring municipality that they support. Said Clifton Park/Halfmoon Ambulance is an independent not for profit organization, they are not a municipal entity and neither is John Ahearn. Said essentially what they did was two not for profits, with the Attorney General's Office, got together and had conversations on consolidation. Said a municipality's responsibility is the provision of emergency medical service to police and fire. Said actually by law they are only required to provide it to the police and fire, that's the law, they don't actually have to provide ambulance service although it's the right thing to do. Said that being said, their obligation is to essentially contract with the provider to provide ambulance service. Said that relationship with John Ahearn was done in 1950. Said they ran into some financial difficulties like everyone has felt with the down turn of the economy. Said with minimum call volume it's very difficult as a small not for profit to continue to operate so Clifton Park being a much larger organization they have bigger call volume and a lot more resources so the thought was the entire community of Clifton Park and the City of Mechanicville are all better served by consolidating services, bring all their resources together, all of their ambulances, all of their personnel and all of their support. Said the cost for this is what the City of Mechanicville has been paying John Ahearn. Said their intent is to provide seamless integration, seamless transition for Clifton Park and John Ahearn. Said they really want to do the right thing here, they need the public to support this. Said this is a hard thing, John Ahearn has been around for a long time. Said they are in the same spot, they really need the support of their community to make a decision like that. Said he thinks Larry and the board made a good choice.

Stephanie Proper asked if they would need the current personnel.

Mr. Santiago said they have interviews set up for the next week or two. Said John Ahearn is a not for profit entity so to make this happen they have to dissolve the corporation according to the Attorney General's Office and they did that, the corporation ceases to exist. Talked about hiring and screening process. Said they will be more than happy to take anybody that wants to volunteer. Said to run an ambulance 24 hours it takes 14 people. More discussion was held on the operation.

Mayor Sylvester thanked him.

Comm. Seber read RES. NO. 59-13 THE CITY COUNCIL ASSUMES LEAD AGENCY STATUS FOR THE ESPLANADE MIXED USE DEVELOPMENT AMENDED PROJECT

Introduced by Comm. Seber, seconded by Comm. Chauvin. Roll Call: affirmative – all. Negative – none.

Comm. Seber read RES. NO. 60-13 JOHN H. AHEARN RESCUE SQUAD AND CLIFTON PARK & HALFMOON EMERGENCY CORPS CONSOLIDATION – CERTIFICATE OF NEED

Introduced by Comm. Chauvin, seconded by Comm. Hipwell. Roll Call: affirmative – all. Negative – none.

Comm. Seber read RES. NO. 61-13 SEQRA NEGATIVE DECLARATION AND FINDINGS STATEMENT ON APPLICATION OF EMPIRE WAREHOUSING CORP. THE ESPLANADE MIXED USE PROJECT

Comm. Seber said they went through this at some length before they started the meeting so they are going to waive the reading of the actual document, it's quite lengthy. Said he thinks everyone hopefully understands it.

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

Comm. Chauvin read RES. NO. 62-13 PAYROLL AND VOUCHERS

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

Mayor Sylvester asked if Bill McNeary had anything to say.

Mr. McNeary had nothing to say.

Mayor Sylvester, seconded by Comm. Seber made a motion to close the regular meeting at 8:04 p.m. to go into executive session. Roll Call: Affirmative – all. Negative – none.

Comm. Chauvin, seconded by Mayor Sylvester, moved that the executive session be adjourned at 8:45 to re-open the regular meeting. Roll Call: Affirmative – all. Negative – none.

Comm. Hipwell, seconded by Comm. Seber, moved that the regular meeting be adjourned at 8:46. Roll Call: Affirmative – all. Negative – none.

