

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, 178 North Main Street, Mechanicville, NY, on Wednesday, October 2, 2013. Mayor Sylvester opened the meeting at 7:02 p.m.

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

Comm. Seber led the Pledge of Allegiance to the Flag.

Mayor Sylvester, seconded by Comm. Chauvin, moved that the minutes of the regular meeting of September 4, 2013 and the special meeting of September 23, 2013 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said he had nothing to report at this time, there wasn't much mail.

Comm. Seber said water bills went out on Monday and you have until the end of the month. Said the foreclosure procedure has begun, Val's office is doing the searches on the properties. Said at the last meeting they had 69 properties on the list but one has since paid so now there are 68. Said some are businesses, some are landlords that are out of the area of non-owner occupied homes but there are some on there that are struggling and just haven't paid their taxes and they live in the homes. Said they are still going to go very aggressively after the taxes but he has had a couple of conversations with the Community Center to set up a foreclosure counseling program for some of these people that maybe can't afford this. Said the purpose is not for them to get out of paying taxes, the idea is to counsel them, send them in a direction perhaps to find where they can get the funds to pay their taxes. Said as he has told people since he got here, he doesn't want their property, he wants their money. Said if this helps one or two people out and helps the city by not putting it on the tax rolls, he thinks it's worth it. Said the Center has contacts that can put people in touch with the right people. Said right now they have over \$900,000 that is outstanding in taxes. Said delinquent school taxes will be sent to them sometime in mid November. Said he thinks many of these people will be on that list as well. Said the foreclosure sale takes a long time, it probably won't be until late winter or next spring that they actually go to sale on any properties that are left. Said by the time this is over it will probably be well over a million dollars that they will be pursuing. Said once people get the notices, it will motivate a lot of them to pay their taxes. Said they will try to help people but no one's taxes will be forgiven. Said he was approached by the Community Center, March is Domestic Violence Awareness Month which is represented by the purple ribbon. Said the Community Center has a program on Domestic Violence and counseling on it and what they would like the city to do is allow them to put their purple ribbons and literature on the light poles from Main Street to Stewart's on Park Avenue and on some of the benches in Tallmadge Park just to get the word out and give people the opportunity to look at what resources are available through the Center. Said in addition because October is Breast Cancer

awareness month, they are going to put a pink ribbon out to represent that as well. Said he doesn't have a formal resolution to do this because he didn't get this until 3:45 today but he's looking for the blessing of the council to do this. Everyone was fine with it.

Comm. Chauvin had nothing to report at this time.

Comm. Hipwell said he reported last month the caught a fox and it was not rabid. Said they found a kitten up on Park Avenue that was dying, it was not rabid, it was underfed. Said if anyone sees kittens being dropped off, call his office.

City Attorney Serbalik said in conjunction with that tax sale, it's really the first time they've had appreciable amounts of properties going to tax sale. Talked about pricing out for tax searches and how he called the County Attorney to see what he does and he said the county has a staff member on staff all year just for searching and the county averages around 600 or 700 foreclosures and we have about 10% of that so we can probably get these out for \$80.00 or so, he will run them out of his office and pass it on to the city.

Comm. Seber said and they will pass the cost on to the delinquent tax payer.

Supervisor Richardson said on Res. No. 72-13 tonight the county would like the last sentence to read, if possible, Be It Further Resolved that the City shall not be responsible to construct the trail but will maintain if necessary.

Comm. Seber said he knows he has talked to him about this, typically the county maintains these trails so we would have to maintain it if the county for whatever reason couldn't provide the maintenance.

Supervisor Richardson said that was right.

City Attorney Serbalik said if they amend that resolution it should be clear as to who has the responsibility for insurance purposes, liability purposes, whatever.

Supervisor Richardson said all the communities through the county are signing on that they will maintain the trails.

Mayor Sylvester said next is a presentation by Barton & Loguidice on the South Street Hill.

Tom Baird of Barton & Loguidice said a lot of them probably have questions on what happened to the road and the washout that occurred. Said that when the original construction was done it was done in a proper fashion. Said when the road developed a crack and the sidewalks heaved was when we had a very big storm in June and one of the pipe sections was damaged by the contractor at some point after the pipe was originally installed and inspected and signed off on. Said the storm washed out all of the base material and the stone that was underneath the sidewalk and the road in that area

and the road started to sink. Said they talked to Dave Higgins and came up the next day and used the city's truck and camera that they let go down the pipe 160 feet to the next basin. Said at the 135 foot mark they noticed a very large opening gash in the pipe where the water that was flowing came straight out from the pipe right into the stone and base material that was holding up the sidewalk and the road in that location. Talked more about the water and the pipe and the repairs that were done. Said it was repaired at the contractor's expense and there was no dispute on it. Said the wall and the road are not going anywhere, that system was designed with a factor of safety so a bus or a car can't go through it. Talked about the wall and the rigidity. Said they are very, very concerned about the long term use of the wall, the road, the whole project itself, they want them to know that. Said they have made sure that everything is engineeringly sound on the wall and that all the repairs were done properly. Said he would be happy to answer any questions they may have.

Dennis Baker said he said the camera went in 135 feet and that's when they saw the hole, how does he know if past that some of the earth underneath the wall hasn't been washed away or whatever because a lot of water came through that hole. Said if it fails underneath, that will crash, correct?

Mr. Baird said that was correct. Said when the area that was in question was excavated out, they went beyond the limits of where the disturbance was, went out from that and worked in from the bad part, pretty much like you cut out the bad part of an apple. Said all the other pipes were checked with this camera on the line throughout the entire system to make sure there were no other breaks anywhere. More discussion was held on the camera being watched and everything else they did to correct the problem. Said they have a one year warranty on the project and the project isn't done yet so the warranty hasn't started. Said they have had DOT acceptance.

Kim Dunn said this past winter when she was coming down the hill there was a huge ice blockage, will that be rectified.

Mr. Baird said yes, a lot of the clay material got clogged up into the stone and a lot of water drained into the stone to get into the drains, that was all removed and replaced with clean stone and stabilized. Talked about why that happened and that it shouldn't be a problem this year. Asked if there were any questions from the council.

Comm. Seber said they have been over this with them and they thought it would be a good opportunity for you to come down and answer any questions. Thanked him for coming.

Mayor Sylvester, seconded by Comm. Chauvin, moved that the regular meeting be closed to go into public hearings at 7:36 p.m. Roll Call: Affirmative – all. Negative – none.

Comm. Seber said the first public hearing is for public input on raising the water rates. Said they haven't had a raise in the rates since 2009. Said he hates raising stuff but unfortunately they are in a position now where the water fund is very stressed and

there is a need to bring in additional revenue. Said they don't have big water users anymore, it's primarily residential so the resolution is to increase water rates 10% which is they will go from \$2.81 to \$3.09 100 cubic feet which makes the minimum rate go from \$92.70 to \$102.00. Said the outside users, Rt. 67 primarily, from \$5.04 to \$5.54 a 100 cubic feet and the minimum will go from \$166.32 to \$182.95.

Mr. Baker asked how is the water fund almost broke.

Comm. Chauvin said they are very short of money on it because they have a lot of expenses up there and like Mark said, we're not getting the revenues like we did before. Said they have to look at dredging water up there in the future so there will be a lot of expenses up there.

Jim Peluso asked if this increase will cover the current operating expenses as well as the debt service.

Comm. Seber said he believes it will be sufficient short term to cover all the obligations for the water fund. Said debt service is part of the water fund budget. Talked about the budget being flush before and the change in the budget. Said hopefully the Esplanade Project will bring in \$80,000.

Mr. Peluso said the water fund is supposed to be self-sustained.

Comm. Seber said yes. More discussion was held on the water fund.

Mary Lou Anatriello said one of the criticisms of the audit was the co-mingling of funds, water, sewer. Asked if those two funds were separate from the general fund.

Comm. Chauvin said no, they should be but they are not, everything is funded through the general fund, everything is paid through the general fund.

Mrs. Anatriello asked why.

Comm. Chauvin said because that's the way it was set up when he got here and it's being corrected. Said they have an accountant from Cusack and supposedly getting them all straightened out.

Comm. Seber said he asked the accountant whether they needed separate funds and she told him as long as they are accounted for they can work out of one checking account.

More discussion was held on funds and accounts and audits.

Mrs. Dunn said she is concerned about all the houses for sale in the city.

Mayor Sylvester said there are a lot of different reasons why people sell their homes, sometimes they are too small and other times they go where the jobs are.

Comm. Seber talked about the water fund, replacing all water meters in the city to stop the loss of water.

Discussion was held on apartments, absentee landlords, tax sales and water.

John Enzien said we should negotiate with Cascades to try to get them back to buy water from us rather than Halfmoon.

Comm. Seber said he has no problem with talking to them.

Mayor Sylvester opened up the public hearing on Code Changes.

Comm. Seber said they've had 3 public hearings, one in August, one in September and tonight and have gone over various parts of the code. Said they asked John Holland to be here tonight if anyone had any questions.

John Holland said anything being built now that is over 144 sq. ft. has to go to Planning. Said anything 12 x 12 or under as long as they meet the setbacks can get a permit. Said they went from \$50.00 to \$250.00 to \$1,000.00 for an offense. Said they moved accessory construction from 2 feet to 5 feet and anything closer to 5 feet they have to go to Planning or Zoning. Said they put definitions in the code now.

Mr. Enzien asked if there is anything in the code preventing people from building sideways from a street, said it alters the character of the locality.

City Attorney Serbalik said up to now with this change, people didn't have to go to Planning so they could face their house the way they wanted to. Now Planning will have the say.

More discussion was held on the codes.

Mayor Sylvester, seconded by Comm. Chauvin, made a motion to close the public hearings to re-open the regular meeting at 8:25 p.m. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester opened up the meeting to public comment.

Mrs. Anatriello said in the month of October and November they start their budget workshops and she has some concerns regarding the state of finances and wanted to know if they can assure her they will work with valid representatives.

Comm. Chauvin said they are working with an audit firm.

Discussion was held on budgets and audits and moving the ambulance to Station 2.

Comm. Seber read FINAL CONSIDERATION OF ORDINANCE 2013-2  
TO AMEND SECTION 194-28(a) OF THE MECHANICVILLE  
CITY CODE

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

Comm. Seber read FINAL CONSIDERATION OF LOCAL LAW 2013-2  
AUTHORIZING ENACTMENT AND PASSAGE OF A  
REVISED CITY CODE CONSISTING OF ARTICLE 1  
CHAPTER 1 SECTIONS 1-13

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

Comm. Seber, seconded by Mayor Sylvester, made a motion to table Res. No. 72-  
13. Roll Call: Affirmative – all. Negative – none.

Comm. Chauvin read RES. NO. 73-13 PAYROLL AND VOUCHERS

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

No new or old business.

Comm. Hipwell wanted to remind the senior that on the 19th of this month is the  
Chicken Barbecue.

Mayor Sylvester, seconded by Comm. Chauvin, moved that the meeting be  
adjourned at 8:37 p.m. Roll Call: Affirmative – all. Negative – none.