

The regular meeting of the Mechanicville City Council was held at the Central Fire Station, North Main Street, Mechanicville, NY, on Wednesday, November 20, 2013. Mayor Sylvester opened the meeting at 3:00 p.m.

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

Dennis Baker led the Pledge of Allegiance to the Flag.

Mayor Sylvester, seconded by Comm. Chauvin, moved that the minutes of the regular meeting of November 6, 2013 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said he got a letter from Time Warner, they are not going to raise the rates right now but they have other services you can buy.

Comm. Seber paid his condolences to the family of the former Mayor Higgins. Said his limited experience with him was that he was a great guy and he will be deeply missed. Said he needs to introduce a local law that they will be having a public hearing on at the December 4th meeting to allow the council to exceed the tax cap, the constitutional tax cap for the State of New York. Said it's a local law authorizing the property tax levy in excess of the limit established by General Municipal Law Section 3C. Said he's introducing it today, they will have a public hearing and it will probably be on for a vote at their December 4th meeting, it will now allow them to pass a budget before the 18th or 20th of December because it needs to be filed with the State and everything else. Said it's being introduced today and he has already made arrangements for it to be in the newspaper to advertise their December 4th meeting.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said this morning he and Anthony met with the engineers on South Street Hill, they had a little water problem. Said its kind of bleeding water where they put the new blacktop where it meets the old blacktop. Said they really aren't sure what it is but they think it might be an under drain that is plugged, if not he doesn't know what they will do. Said they are also having problems with the new pump station, they have been down there about 30 times unlogging it. Said they are working on that too with the engineers.

Comm. Hipwell had nothing to report at this time.

City Attorney Serbalik had nothing to report at this time.

Supervisor Richardson had nothing to report at this time.

Chief Waldron said he wanted to take a moment also to recognize Tom Higgins, he was a very good friend, he was very good to the police force and very wise and he's very sad that he passed away. Said he wanted to state in public that he was a very honorable man, somebody he enjoyed working for and he will be truly missed. Said as everybody knows, they had a robbery occur at the Rite Aid in the Park Plaza. Said it occurred at 9:07 a.m., the police were on the scene within minutes. Said a lot of males that were around 6 feet and wearing baseball caps were around that morning and they were stopped and frisked. Said they had several law enforcement agencies here and he wanted to thank them for their cooperation. Said within 24 hours of the robbery they had a name and within 48 hours they had an arrest of the actual person. Said he stole hydrocodone and some other pills. Said he had an addiction to that kind of medicine, the only way to fix his knee he thought was to steal them.

Comm. Higgins asked if he had a gun.

Chief Waldron said a gun was implied, the teller behind the counter felt his actions reflected he had something, she saw something black in his hand and thought it was the stock of a gun. Said he denied he had any weapon but they went with it because by the end of the day the pharmacist was scared to death and there were old people in the back who felt that the guy had a gun. Said everyone came to the scene and he wanted to extend a big appreciation to the Sheriff's Department, the State Police, the DEA, the ATF, everyone who really jumped in and got involved in this case. Said they all work together and he had a nice telephone conversation with Sheriff Bowen and thanking his guys for coming down here, he gave them everything. Said he wanted to thank the businesses, they went to every business that had a camera and viewed it. Said the video cameras within our business district solved the case. Said he had asked everyone to put a camera in the plaza, talk about timing, this is the reason, it helps them solve cases at a much quicker pace and that's why you see Schenectady with 161 cameras and us alone have 17 cameras. Said everybody has to get used to this, that's what is out there, it helps in solving crimes. Said a simple Laundromat on

Main Street which is way away pretty much broke the case. Said it was a great job and it's very rare that you solve cases like this especially when they are not from here. Said they are from outside, they come in here to commit the crime and they take off to another area. Said it was a phenomenal job from his own guys and all the other agencies that assisted, wanted to thank them. Said the car is almost complete, there's a couple of minor things that need to be done from Larose's but it will be here within a week or so.

Mary Lou Anatriello asked where he was caught.

Chief Waldron said in Cohoes.

Deputy Comm. Proper asked if they recovered everything that was stolen.

Chief Waldron said no, none of the drugs were recovered.

Comm. Higgins asked if he got a lot.

Chief Waldron said yes, over 1,000 pills, maybe a street value of 3 to \$5,000.

Mayor Sylvester said extend a thank you from the City Council to everyone involved. Said looking at cameras we better buy the same ones that Billy has up there, those were the clearest pictures he has ever seen on cameras. Said usually you can't make out a face or anything.

Chief Waldron said it's like the same he does for his house, buy quality, buy good, it will always give you the end result.

Comm. Seber said today they sent out about 198 certified letters to property owners and lien holders on about 64, 65 properties that were are foreclosing on for tax purposes. Said the clock starts, they have 90 days to redeem and then they get a court date so it will be late spring if and when they get to a sale.

City Attorney Serbalik said the lawsuit was filed on Monday, certified letters and regular letters have to go out to the property owners, you have to publish the notice listing all of the taxpayers that owe.

Mayor Sylvester opened up the meeting to public comment.

Dennis Baker, Broadway, asked Mark if the meeting he's having is opened end on how much they can raise taxes.

Comm. Seber said yes.

Mr. Baker said then they don't have to put a certain percentage in.

Comm. Seber said just exceed what the property tax is, they say 2% but that fluctuates, there is a formula.

Mr. Baker said the two projects we're having problems with are they common construction people, common engineers.

Comm. Higgins said one of the engineers today was from the State who specializes in drainage, he was kind of scratching his head, he said it could be perforating through the pavement that's there and hitting the base pavement which has a tack coat on it and then hitting that bump and coming up through the ground. Said what's going to happen in the winter when it freezes. Said down here he thinks it's a design flaw. Said what's happening is the baby wipes are getting stuck in the pipes, usually it was on the weekend but now it's both pumps every couple of days clogging up.

Mr. Baker said then they need to change the pump grinders.

Comm. Higgins said they are saying we should educate the public. Said they never had that problem with the old pump station or the Ferry Street pump station. More discussion was held on this.

Mr. Baker said when we send those letters out, do we usually get a good response.

Comm. Seber said this is an unusually high number. Said it's not so much when a property owner gets it but when a lien holder gets it they tend to put some pressure on the property owner. Said they are talking about large sums of money now in many cases. Said they make people pay all of their taxes to get off the list. Said they are still

waiting on the school tax delinquent list which will add to this group that is already out there. Said some people owe 30 or \$40,000 to get off the list. Said yes, they typically get a response. Talked more on this. Said two weeks ago he ran clinic with the Community Center on foreclosure counseling which they held at the library. Said he sent letters out to all the people on the foreclosure list saying this was available to them. Said there was an organization that provided a counselor and an attorney to help work through the process. Said they got a lot of phone calls but only 2 people showed up at the session. Said they tried to help them and like he says, he doesn't want their property, he wants their money.

Mary Lou Anatriello said the last time that was done and there was quite a bit of money collected, what percentage would you say we did collect.

Comm. Seber said since he's been here he's never had to auction a property for taxes not being paid with the exception of a house on First Street that many years ago there was a murder there and they couldn't find an owner, that property was sold at auction and at that same auction they sold a lot of city property and brought in about \$90,000.

Mrs. Anatriello said wasn't there close to a million dollars brought in.

Comm. Seber said since '08 it's well up to a million dollars the way they collect taxes. Said before someone could pay the year they were foreclosed on and they were always 2 or 3 years behind and the city always had that receivable on the book. Said this alone is over 1 million in taxes. More discussion on held on taxes.

Sam Carabis said he received a letter from Bank of America saying they were closing their bank here in Mechanicville as of the 28th of February, is there anything we can do to encourage them to stay.

Mayor Sylvester said he already made a call to Saratoga National Bank and there is great interest in coming to Mechanicville.

Comm. Seber said he hopes they at least keep an ATM in the city.

Mayor Sylvester said he and Mark met with them about 3 weeks ago and they are interested in coming here, hopefully they will.

Kim Dunn asked when they will hold a budget meeting and when does the budget have to be adopted by.

Comm. Seber said by the end of the year.

Mrs. Dunn asked about the tax cap.

Comm. Seber said they will hold a public hearing at their next meeting and probably a vote on whether they want to allow the city to pass a local law to allow the city to exceed the cap and then they will see what happens when the budget comes.

Mrs. Dunn asked if they will have any budget information prior to that so they know where we stand with it.

Comm. Seber said yes, the notice has already gone out to the newspapers. Said that isn't a budget workshop.

Mrs. Dunn said then you only had that one about a month ago.

Jodie Gilheany said hopefully they will have some numbers next week so you will at least know where we stand right now, what we are looking at. Said somehow she will speak with Pete and Jim, she doesn't know what the procedures are for the city but she will have something to look at as far as numbers.

Mrs. Dunn asked about John Ahearn and the building.

Attorney Serbalik said there was a meeting this morning with John Ahearn and Halfmoon and Clifton Park and first they have to do their consolidation between them which involves a number of state agencies. They feel they should be able to resolve that in short order. Said it won't be an issue that the consolidation will occur because both entities want it and the state has approved it. Said the delays are more paperwork and it will happen. Said the city gave Halfmoon and Clifton Park a proposed lease and they are negotiating that as well as a service agreement. Said they want to lease or buy the old Station 2. Said we proposed to give them a 5 year lease and they came back today and said they want a lease on it but they will be putting a lot of money into it so they would like an option to buy it. Said they are also working on a five year service agreement. Said it won't be done by January 1st but according to

them there will be no lapse in service to the community.

Mrs. Dunn said last year you gave them \$170,000 and you're not sure if it will be the same amount or more.

Comm. Seber said in 2014 it will be \$170,000; going forward is a matter of negotiation with the service agreement. More discussion was held on this.

Jodie Gilheany asked the council, during the financial condition they are in, to refrain from making any financial obligations on behalf of the city. Said for example, the fire truck that was brought up the last time seeing the condition they are in right now. Said also she wants them to consider implementing a spending freeze until the end of the year, hoping they can make up a little bit of the lost they have right now.

Mrs. Anatriello said she had many concerns with safety. Said with the John Ahearn Squad in the end we don't want to be short changed. Said she made a call into the Public Safety Office regarding a large gap that exists at the corner of Francis Street and North Main and that hole is still there.

Comm. Higgins said that was his fault, Tim told him about it but things have been crazy.

Mrs. Anatriello said her concern is she walks her dog and there are children on that street and any of them can fall through it right into the creek. Anyone can look at after the meeting. Said her other question has to do with the boundaries of the railroad tracks, she is concerned about the number of tankers that go through our community and the fact that it would be quite a disaster if the perimeter of the track isn't properly maintained. Said the railroad has done something with the weeds and debris along Stewart's on Park Avenue to the trestle but there are a lot on both sides. Said she asked the question before who owns and no one knows, not only is it unsightly, it's unsafe. Asked if there is an emergency plan, an evacuation plan in place if those trains were to explode, what is it and where is it.

Comm. Hipwell said as far as the fence, that day when she called the office he and John Holland went up and fixed that fence. Said as far as the safety evacuation thing, he got it from Mark, they are going to update it because the one he has right now goes all the way back to when Paco Izzo, Charlie Wheeler and Pete Clements was Fire Chief so all that is outdated. After the holidays, he has Jimmy Thompson who is in charge of emergency response and they will update that whole list. Said right now if something happens in the city it's the high school they will look at, the Senior Center and the Legion down on South Main Street, there are three locations.

Mayor Sylvester said they have a study going on with the high school that includes the Town of Stillwater and Halfmoon, a generator will light that whole school up, there will be heat, ovens, the whole nine yards to keep people up there.

Mrs. Anatriello said she was aware of Barton & Loguidice looking into that with generators for the high school but she hasn't heard of any plan that the public was aware of if there was such an explosion.

Mayor Sylvester said they all kicked in \$2,000 a piece to do the study. Said as soon as that comes back they will do something.

Mrs. Anatriello asked if that orange fence was the repair to the hole which now has a hole in it.

Comm. Hipwell said no, they got another new piece that they put in there, it's all strapped up, he and John Holland did it and it was a okay and he doesn't know what happened to it after that.

Comm. Higgins said he doesn't know if that is our property or not.

Mrs. Anatriello said whoever owns the property there is a need for that to be closed. More discussion was held on the railroad property and the problems with it.

Comm. Higgins said DOT will be paving Central Avenue within the next couple of years. Said he met with the engineer on Monday and they are looking at the underpass for the flooding so they will be working on that.

Comm. Chauvin read RES. NO. 79-13 PAYROLL AND VOUCHERS

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

No new or old business.

Mayor Sylvester made a motion to adjourn the meeting at 3:50 p.m., seconded by Comm. Chauvin. Roll Call:
Affirmative – all. Negative – none.