

The regular meeting of the Mechanicville City Council was held at the Senior Center, 178 North Main Street, Mechanicville, NY, on Wednesday, May 7, 2014. Mayor Baker opened the meeting at 7:00 p.m.

Anthony Accetta led the Pledge of Allegiance to the Flag.

Roll Call:	Mayor Baker	- present
	Comm. Seber	- present
	Comm. Gilheany	- present
	Comm. Higgins	- present
	Comm. Hipwell	- present

Comm. Higgins, seconded by Comm. Seber, moved that the minutes of the regular meeting of April 16, 2014 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Baker said the Veterans Celebration will be Thursday, May 22nd at 6:00 p.m. at the Monument in front of the old school on North Main Street.

Comm. Seber said people may have seen the signs up, the County has advised us that starting June 2nd Central Avenue will be closed down but there will be local access, William Street will be open, Frances Street will be open, probably from around William Street to DiSiena property in there, he is not exactly sure where they will shut it down but it will be closed for several months while they replace the bridge. Said William and Frances will be opened, he doesn't think it will go as far as Frances. Said he was emailed the detour routes today but it really wasn't certain. Said as soon as they get those they will post it on the website. It will be several months so it will be kind of an inconvenience. Said the truck detours are massive, they are quite lengthy but local traffic will manage we've all got to get around.

Comm. Higgins said since they last met they have had 3 water main breaks, doesn't know why they are breaking now but its better in the summer than the winter. Said they had a bad one on Park Avenue which destroyed the road, they will be paving that and the lights on Park Avenue are fixed. Said the other electrical problem they are having is on the overpass.

Comm. Hipwell said the senior's book was audited, it came back from the State and everything was A-Okay for the books down here. Said they got good news working with Supervisor Richardson, the Park Avenue Playground, the basketball court will be all redone in about 6 months and it's all donated for free. Said on the movies in the park this year he is looking for help. Said in the last couple of years he has written a letter to the Governor through his office about all of the railroad accidents. Said a lot of them probably don't remember back in the '70s they had an accident a car went through the old railroad station so he wrote the Governor a letter saying we are concerned.

Comm. Gilheany had nothing to report at this time.

Attorney Serbalik had nothing to report at this time.

Chief Waldron thanked the City Council for moving forward on the computer upgrades from XP to Word 7. Said the transition has been smooth and the City is well protected against attacks to our system. Said Sergeant Louis Rocco retired and April 26th and he extended his sincere appreciation for his 22 years of service to the City of Mechanicville. Said Officer John LeClaire with 20 years of service has been promoted to Sergeant to fill the void. The State of New York has awarded the City of Mechanicville a sum of money to crack down on aggressive driving such as speeding, cell phone use, improper lane change, running red lights, etc. from April 10-15th. The Mechanicville Police Department participated in the statewide crackdown and issued over 54 tickets during this crackdown. Said on April 29, 2014 officers of the Mechanicville Police Department attended specialized training in Albany on the emergency administration of Naloxone in cases of suspected opioid overdose. At the conclusion of the training officers were each issued the potentially lifesaving drug and they carry it with them while on duty. Officers are usually the first personnel on scene during an emergency and will be prepared to deal with opioid users in crisis. Said opioids are drugs derived from, or are similar to, opium such as Heroin, Morphine, Oxycodone and many others. When administered, Naloxone (Narcan) reverses opioid overdoses and has already been proven to work in the field when administered by police. This new program, combined with existing first aid equipment and AEDs allow the MPD to continue to provide a high level of care to the citizens of Mechanicville.

Comm. Higgins asked if someone didn't have an overdose, what would happen.

Chief Waldron said zero, nothing, just a wide nose.

Comm. Gilheany said so they are carrying it in addition to the ambulance also carrying it.

Chief Waldron said yes, it's a matter of minutes; if they stop breathing then you do CPR. Said May 19th through June 1 will be a statewide initiative on "Click it or Ticket" for seatbelt enforcement. Mechanicville has received five thousand dollars in grant money for aggressive driving and a certain amount towards the seatbelt enforcement. Said they will be out in force. Please remember to buckle up before driving. Said Saratoga County will be sponsoring a DWI patrol from May 22-27 and Mechanicville has been awarded \$800.00 to put extra patrols on.

Supervisor Richardson said the basketball court at the Park Avenue Playground will be closed as it's something that they will start working on on May 20th and hope it will be finished by Labor Day. Said today at the Capital District Transportation Committee the passed a resolution. Said as they know, the money on the two bridges, they had swapped some of the money in the wrong spots. Said the resolution passed today was to straighten that out. Said the county this month will be voting on starting an LDC which will be the economic engine to go to people entertaining to come to Saratoga County as far as economic development is concerned. Said thanks to Dave the building on the dock is completed. Said the only thing they have to worry about is they have some lights going to the streets if they should be shorted. Said he's been down on the dock with Cornell Cooperative Extension and they planted some trees for the city. He thinks the police have it on video. Said they will be back tomorrow, they have to be watered every few days, that's being taken care of.

Comm. Seber said he has Jeremy Bordeaux and Rob Simpson here from Barton and Loguidice. Said they have two resolutions tonight allowing a public hearing at our next meeting which is an eminent domain procedure hearing. Said they don't have a public hearing tonight but he asked them here just to explain what the resolutions are about and why they are doing them now so people have an understanding of the timing on this whole thing.

Mr. Bordeaux said they were asked to come to give you an overview. Said they submitted all of their environmental studies, they are just waiting for one last approval from FHWA which they expect to have in the next two weeks because they can't actually have a public hearing until they have that. Said they will that in hand so the preliminary design will be complete. Said what's on the agenda tonight is just authorizing conducting the public hearing, the resolution sets the date and time which is two weeks from tonight at the city council meeting. Said it outlines the procedure for notifying both the property owners that are affected and the general public so the notice will be published in the Gazette he believes.

Comm. Seber said the Express the next two weeks.

Mr. Bordeaux said each property owner that acquired property on each bridge project that actually surrounds it will get a notice themselves about the hearing.

Mr. Simpson said as far as what the hearing entails, it is a legal requirement for a public works project where they are acquiring private property. Said quite often on more rural projects where there are temporary easements they kind of get around it but with this one they have a full property acquisition, an urbanized area, etc. it's not a good idea to not hold it because they can't go back and retrieve it after the fact, it really isn't a requirement of the process. Said they will be providing information on the project background, a lot of the same things you heard at the public meeting when you attended that, describe the project, the use, the benefit and the purpose. They will again explain the property acquisition process and where they stand with that. Said there will be time for public comment, the City Council can comment, etc. but anything that is stated at that meeting whether it be a comment or reports will be entered into it as exhibits so everything will become legally on the books as far as holding the hearing. Said as a result of the hearing they will prepare a determination and findings document which is what the city council will vote to accept in order to move the project forward. What's in that determination and findings you would say yes we accept that as the preferred alternative, depending on what the results of those comments, the discussions at the meeting and all those environmental studies that will be officially entered into public record. Said also at the meeting they will describe what the next steps after that are. Said another thing the council wanted him to mention, doesn't know if any property owners that are affected are here, the property owners have all been notified, they have had preliminary meetings with them, he actually just talked to the appraiser today and all the appraisals for North Main Street are done and 3 of the 4 for Frances are done, the last one being full property acquisition will be finalized in the next couple of days. Said at that point they have to be viewed by a certified appraiser as part of the process, completed by an appraiser and viewed by an appraiser so that is probably a couple of weeks process. Said the actual evaluation will be about 3 weeks out and at that time they would have held a public hearing.

Comm. Seber said he is saying properties but there really is only one building he's talking about, correct?

Mr. Bordeaux said correct, the other ones, for intense purposes, the wing walls, the concrete walls that come off of the corners of the bridge all have to be reconstructed for some length just to tie into the bridge so they just need some small acquisition areas and temporary easements for construction. Said he thinks he cited in their notice that they sent the city council that it was 80% aside from the full property acquisition on Frances Street, every other acquisition was from 75 to 80% of the bearings actually underwater. Said for the Federal rules on a public works project you can't deal with private property regardless if it's underwater or above water. Said they are taking only one building and only one full property all the other ones are 10 x 10, 10 x 20 areas.

Comm. Seber thanked the two men for coming.

Attorney Serbalik said he wants to make sure that the council understands that this is the first step, if necessary for the city to proceed in eminent domain proceedings, correct?

Mr. Bordeaux said correct.

Attorney Serbalik said and if the property owners that are affected do not appear or do not object, not come to the meeting and voice their opinion, they are precluded in raising any issues at a later date, right?

Mr. Bordeaux said he didn't know, that might be a tricky question, they definitely are not precluded from objecting to the valuation of the property but once the document and the determination findings are accepted they can always object but that's when the city council has decided that they're moving forward with that alternative so you couldn't object on some grounds that were not entered as exhibits at that meeting. Said as a result of that meeting there will probably be this much paper of exhibits with all of their reports. Said they can always object to any of those exhibits, you just couldn't come out of left field and say you should have considered 10 more alternatives for the project. Said these are bridge replacements so there are only a few alternatives, said they couldn't come back at the last minute and say why didn't you move the highway three miles that way, if you didn't bring it up at that meeting it's ended. Said it's kind of a not straight answer whether they can object at all.

Mr. Simpson said what they understood in talking to their consultant the rights of the property owners are protected all the way through and they can actually voice an objection or their concerns at any point. Said as far as the hearing goes information that is presented is documented as the legal information from that, that's what they object to or comment on. More discussion was held on this.

Mr. Bordeaux said they encourage them to give their comments good or bad. Said the public hearing isn't designed to be like the public meetings, not as conversational, their comments will be entered into the record but you probably won't get a response right there because the response will end up in the determination and findings. It's not a conversational thing. Discussed how the hearing will be held to make everything official.

Mayor Baker opened up the meeting to public comment stating they have 5 minutes.

Emilia Izzo, Mulberry Street, said all this public hearing is for **is** to make it legal, correct?

Mayor Baker said yes.

Mrs. Izzo said they've had that other meeting so it's going to go, right?

Mayor Baker said maybe something is going to change.

Comm. Seber said unless something they are not aware of needs to be done. It's part of the legal process.

Mrs. Izzo asked if they are replacing Lou Rocco.

Chief Waldron said that is up to the Mayor, it's his call. Said he's been replacing officers with dispatchers.

Mrs. Izzo asked if that would save money.

Chief Waldron said they are.

Dave DeMarco, 52 Warsaw Avenue, asked why did they consider on that bridge, instead of tearing down a building unless that building is in danger with that bridge. Said why not abandon that and don't do nothing, move over to that lot next to the fire house, just move the road that way you can construct the bridge, put it up, have it all done and you can have parking on Frances Street. It's probably too late.

Comm. Higgins said the building is still on the bridge.

Mr. DeMarco said it wouldn't be the city's responsibility.

Mayor Baker said yes it is because we own the bridge and that building is still on the bridge.

Mr. DeMarco asked what Esplanade is doing over there, is that stone they are bringing in.

Mayor Baker said they are supposed to be finishing taking stone out of the ground and once they are done they will do the project.

Mr. DeMarco said he brought some material down to the side of the road, he had things damaged by the wind, he called the city and they told him they had a full dumpster and that they would be up again. Said 3 weeks went by and he called again and they said they don't pick up construction stuff. Said he's lived here all his life, he pays his taxes on time, spends over \$100.00 in each one of these store in Mechanicville, do they want people like him or people that don't do that. Said he got two nasty letters from the city saying pick it up or else.

Comm. Higgins said they can't do it; they would be filling the dump.

More discussion was held on this.

Kim Dunn, 250 South Main Street, gave kudos because she went on the website and the agenda was on there so she could see what was on the agenda. Talked about the John Ahearn

building and appraisal. Sees cars at Station 2. Asked if the rates would stay the same for 5 years or are they at liberty to adjust them as they see fit.

Comm. Seber said they can't without consultation with the city.

Discussion was held on this.

Mrs. Dunn talked about the police department and people retiring and being replaced with dispatchers but eventually will have to put on more police officers.

Comm. Seber said they just got the appraisal today and its \$95,000 for the rescue squad building. Said they haven't set a date yet for the sale but probably sometime after the 15th of June because there are a couple of other parcels that will be included in that sale. Certainly by the first of July the sale will take place.

Mrs. Dunn asked if they have any updates on Clifton Park, Halfmoon.

Mayor Baker said they have signed a contract with their building contractor and they are looking at August sometime.

Dave Hicks, 1st Avenue, said he understands from before that we pay property tax on an old dump, a combination between us and Waterford. Asked how that was negotiated, it's for their stuff too.

Comm. Seber said we own property down there that we pay taxes on.

Mr. Hicks said when Halfmoon was trying to obtain the canal; if we let them take it under eminent domain we wouldn't have owed anybody anything.

Mayor Baker said it was before his time but he thinks even if they let him take it they would have to pay because of people putting stuff in that dump.

More discussion was held on this.

Comm. Seber read RES. NO. 46-14 SETTING A DATE FOR A PUBLIC HEARING REGARDING THE FRANCES STREET OVER THE ANTHONY KILL BRIDGE REPLACEMENT

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

Comm. Seber read RES. NO. 47-14 SETTING A DATE FOR A PUBLIC HEARING REGARDING THE NORTH MAIN STREET OVER THE ANTHONY KILL BRIDGE REPLACEMENT

Introduced by Mayor Baker, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Comm. Seber read RES. NO. 48-14 ESTABLISHING THE CITY OF MECHANICVILLE AS LEAD AGENCY AND DETERMINING THAT THE PROPOSED REPLACEMENT OF THE BRIDGE CARRYING FRANCES STREET OVER ANTHONY KILL IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

Introduced by Mayor Baker, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Comm. Seber read RES. NO. 49-14 MECHANICVILLE CITY COUNCIL RE-APPOINTING JAMES THOMPSTON TO THE MECHANICVILLE CIVIL SERVICE COMMISSION FOR A NEW SIX YEAR TERM

Introduced by Mayor Baker, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Comm. Seber read RES. NO. 50-14 AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH FLATLEY-READ LLC TO DO LEAD TESTING FOR A HOME GRANT

Comm. Seber said this is the home grant they received for people to do construction on their homes. The contractor doesn't get paid until they get paid by the state.

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

Comm. Gilheany read RES. NO. 51-14 PAYROLL AND VOUCHERS

Introduced by Comm. Gilheany, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Mayor Baker said 411 big yellow truck is out of service. It's been a backup truck in the Central Station and has a leaky gas tank. Said it isn't cost effective to fix it. They will probably sell it.

No new or old business.

Mayor Baker asked for an executive session after the meeting and said no action will be taken.

Comm. Gilheany, seconded by Comm. Hipwell, moved that the regular meeting be closed to go into executive session at 7:49 p.m. Roll Call: Affirmative – all. Negative – none.

Mayor Baker, seconded by Comm. Seber, moved that the executive session be closed at 8:05 to re-open the regular meeting. Roll Call: Affirmative – all. Negative – none.

Comm. Hipwell, seconded by Comm. Higgins, moved that the regular meeting be adjourned at 8:06 p.m. Roll Call: Affirmative – all. Negative – none.

