

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, 178 North Main Street, Mechanicville, NY on August 6, 2014. Mayor Baker opened up the meeting at 7:00 p.m.

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

Tom Mahoney led the Pledge of Allegiance to the Flag.

Comm. Gilheany, seconded by Comm. Hipwell, moved that the minutes of the regular meeting of July 2, 2014 be accepted as prepared. Roll Call:

Mayor Baker had nothing to report at this time.

Comm. Seber said we haven't had a re-val in the city for at least 20 years. Assessments are all over the place. We need to start preparing for a re-val this year; it's expensive, 65 or \$70,000 so as the budget progresses they can talk about it. There is a lot of work to be done; it will be done the end of '15 part of '16. The first tax bill won't be effective until March 2017. The State has mentioned to them that it's probably time. The council will have to really focus in that direction. They will have to deal with it in the budget and see what happens. It's time to move forward. He put that on the floor as kind of an opener and they will go from there.

Mayor Baker said he knows Mark touched on it but he has the detail, he said it was equalization, its real property, thinking they should look into it.

Comm. Seber said he thought he would bring it up because the Assessor reports to him certain things within our structure. They closed on the John Ahern Building today; Bill Connors was the high bidder at \$95,000 so Bill is now the owner of the building on North Central Avenue. Tomorrow Val goes to court on our tax foreclosure list, there are 14 properties currently on the list however one is in the river which is Alexander Avenue and the other is so small that they will not pursue those two so there will be twelve properties that they will ask for title to. When they get the ruling from the court in a week or two then they will schedule a sale, probably after Labor Day.

Attorney Serbalik said what will happen is it will be scheduled at 1:30 at County Court for any person with outstanding taxes they will have to appear there. On previous occasions within an hour of the sale if bankruptcy is filed it prevents them from going ahead with that. Right now they are going ahead with all the parcels but something can change tomorrow at 12:00. What happens after that the court will allow Mark as an agent to transfer the properties to the city and the city is now the owner and can conduct an auction after 3 or 4 weeks of advertising that is required.

Mayor Baker said he knew up to the time we went to court that they could file bankruptcy so we couldn't proceed but can they do it even after we've gone to court?

Attorney Serbalik said if a bankruptcy proceeding is filed prior to the time the city takes title they can.

Comm. Seber asked what happens if they get title the day before they go to sale, can they file bankruptcy then?

Attorney Serbalik said no because their ownership interest had ceased.

Comm. Higgins asked when they could pay up.

Attorney Serbalik said right up to the date of sale.

Comm. Seber said he received many calls on this in the last week or two and he told them we don't want your property, we want your money. He's been here 7 years and they have had tax foreclosure proceedings every year and they only sold one property which is a good thing he thinks; people have been able to redeem their properties. With that property the owner just was not found. Our collection rate has been pretty successful, he hopes it continues but if not they will go to sale. On Sunday there is a bike tour coming through town on lower Park Avenue. There are a whole lot of bicycles taking a trip from Schuylerville and they are stopping here for lunch, they will be encouraged to use our restaurants and those type of things.

Comm. Gilheany said she has a treasurer's report for everybody which shows the cash position, they've got it down 1.3 million. Basically a million of that was due to payment of monies borrowed. They had a tax anticipation note of 1 million dollars so that brought that down quite a bit. In the month of July you will see another hit of 1.1 million for paying off a BAN which is a bond anticipation note; they renewed it for \$300,000 so that's the cash. She also left a statement of revenues and expenditures, we're looking pretty good, we had some additional revenues that we didn't expect which is good. We spent less than half our budget in half the year, the council has been conscientious in their spending. They can peruse that in their leisure and if they have any questions either email her or call and leave a message because she isn't there during the day and she will get back to them. The State Comptroller's Office came back to visit them, basically they were just following up on their recommendations to see if we followed through with their recommendations, they were impressed with what we had gotten done, they didn't think we would get through as much as we did but there are stellar items that need to be addressed. They will be issuing a letter saying whether we implemented the different recommendations, we have done some, some departments have done that and there is one or two that say not implemented. For the most part it went well.

Comm. Higgins had nothing to report at this time.

Comm. Hipwell said he has a notice up by the high school steps, they are doing an outstanding job, planting flowers and everything, its Troop #1514. They want to do a lot more work up there to try to clean up by the high school stairs. Wanted to thank all the parents and

grandparents that have been working with him on the Park Avenue Playground about shutting it down at 8:00. He talked to the council and it's almost positive that in July and August only the hours will be from 9 a.m. to 9 p.m. From August 11<sup>th</sup> through the 15<sup>th</sup> Park Avenue will be shut down because the railroad is doing the crossing.

Mayor Baker said he doesn't know where they are with it but maybe we can use it at night.

Attorney Serbalik said Mark said we collected \$80,000; actually it was \$80,000 today, \$95,000 is the actual charge. Asked to go into executive session to discuss that mortgage disclosure which just started. Resolution No. 68-14 provides for the acquisition of a couple of easements by the city, Joe and June Phelps, 33-35 Phelps Proper, LLC, he doesn't have anything to do with negotiating and he doesn't represent them but Joe and June are his brother-in-law and sister.

Chief Waldron said Family Day went very well, they had a very quiet night because of the rain, the quietest they had in a long time. The Feast of the Assumption is coming up on August 15<sup>th</sup> and parts of Grove Street will be shut down for it because it's just so hectic over there for everything that takes place between Grove and William. There will be a small parade which will take place right out of the church, down Main Street, up Saratoga Avenue, Central Avenue and back down William. It's just a short route but they are trying to keep it alive and they are doing a great job. The Mayor and he met with them. Just so everyone is aware, Grove Street will be shut down on August 15<sup>th</sup>, nobody ever uses it.

Mayor Baker said they did a traffic study last Friday just to see if there is a lot of traffic on Grove Street during the hours they want to be closed down, only 4 or 5 cars went down so it won't be any problem. As far as Main Street it will be less than 5 minutes away because the church and Saratoga Avenue are 5 minutes away.

Chief Waldron just wanted everyone to know since the construction of the bridge they have been actively going after trucks, they can't catch them all, they have issued over 30 tickets to trucks. Some just don't care, they take the risk.

Mayor Baker made a motion to close the regular meeting to go into public hearings at 7:15 p.m., seconded by Comm. Higgins. Roll Call: Affirmative – all. Negative – none.

Comm. Seber said the notices were duly published.

Comm. Seber said they have two public hearings tonight:

- 1) TO DISCUSS AND VOTE ON THE ENACTMENT OF AN AMENDMENT TO SECTION 183.28B OF THE CITY CODE RAISING THE FINES FOR ILLEGAL TRUCK TRAFFIC WITHIN THE CITY LIMITS
- 2) TO DISCUSS AND POTENTIALLY ACT ON AMENDMENTS TO THE CITY CODE ARTICLE 200 PROVIDING FOR: THE ABOLITION OF THE CITY PLANNING BOARD THE CREATION OF A BOARD KNOWN AS THE ZONING BOARD OF APPEALS/PLANNING COMMISSION

Comm. Seber said if anyone has anything to say about No. 1, speak and then we will go onto No. 2 to keep these things in order.

Chief Waldron said he wanted everyone to understand that it is raising the fines but its bringing them back to what they were. The old code was \$250.00; they made a mistake with the new code in putting in only \$50.00.

Mayor Baker asked if anyone had any comments on that.

Dave Hicks, First Avenue, said talking about the fines he asked about them before and he said the judge wants to see them weighed as far as to overloading on 18 wheelers that they wanted to have scales on them.

Mayor Baker said he didn't say that, they talked about bringing scales in but they didn't.

More discussion was held on truck limits and scales.

Comm. Seber said now is public hearing No. 2 to amend the City Code to abolish the City Planning Board. There is an Ordinance to create the Zoning Board of Appeals/Planning Commission. Later there will be a resolution to discontinue the Planning Board. Asked if anyone had any comment on that.

Mayor Baker wanted to add that they are not getting rid of the Zoning or Planning Board, they are just combining them, they have to abolish what they have in order to do that. It's been difficult to get people for those boards; hopefully it will be easier to get 7 people instead of 14. Feels it will be an easier transition for people going before those boards because first they had to go to Zoning Board and then the Planning Board so they feel it will be faster bringing them together. Asked if anyone had any questions.

Mr. Hicks asked how they will find out who will be on them.

Comm. Seber said the Mayor appoints the board.

Comm. Higgins, seconded by Comm. Hipwell, moved that the public hearings be closed at 7:48 p.m. to re-open the regular meeting. Roll Call: Affirmative – all. Negative – none.

Mayor Baker opened up the meeting to public comment.

Mr. Hicks said on page 4 you are talking about the cleanup behind Momentive giving them 6 month extension, they are borderline for going belly-up. You understand what is going on down there.

Mayor Baker said he did.

Mr. Hicks said in their ordinance they are saying noise, how will you regulate noise.

Mayor Baker asked if there was something in there on noise.

Attorney Serbalik said not that he is aware of.

Comm. Seber said he's talking about the Planning/Zoning Ordinance, there's about 30 pages here of code but there are 27 or 28 changes that need to be done within those articles relating to planning and zoning so as a part of this they allow us to do this so there may be things in there that are not related to planning or zoning for change.

Mr. Hicks said this is a merger that he is talking about.

Comm. Seber said they have provided all these sections of the code that are to be changed as a result of proposed change they are making tonight. Said if they read through it there are things that don't pertain to it at all.

Mr. Hicks said they said in 2016 taxes will go up again.

Comm. Seber said he didn't say that, he said the city needs to start discussing re-evaluation.

Mr. Hicks asked if they set up a tax rate on the John Ahern Building yet.

Attorney Serbalik said the assessment is \$127,000.

Comm. Seber said the Assessor sets the assessment. It won't make the September tax roll because the tentative rolls were in on the first part of June, on August 15<sup>th</sup> the final roles are in and this won't get recorded for another 3 or 4 weeks so the assessment will be next year. Right now it's \$127,000.

Sam Carabis, 908 Elizabeth Street, talked about lower Park Avenue. Said there's only parking on one side of the street because the bridge is closed up there. It's a very narrow street and he has experienced problems coming down that street over the years because it is very narrow. The may want to consider putting it before the Traffic Commission to keep parking on one side like it is now.

Comm. Seber asked if he talked to the merchants.

Mr. Carabis said you can talk to them but you can go before the Traffic Commission and let them consider it.

Mayor Baker said he talked to a couple of merchants and they want diagonal parking which would make more parking on that side of street.

Comm. Seber said the council would make the final decision.

More discussion was held on parking.

Emilia Izzo said they have the same problem on Viall Avenue; there was an accident last night there because they park on both sides of the street. Said when there is a freight, forget it. They should have parking on one side even if it's just until the bridge is done. You can barely get through there. It's terrible down by Fraternal Hall, that's where the accident was.

Comm. Seber read **ORDINANCE 2014-3 AMENDING SECTION 183-28B OF THE CITY CODE RAISING THE FINES FOR ILLEGAL TRUCK TRAFFIC WITHIN THE CITY LIMITS**

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

Comm. Seber read **ORDINANCE 2014-4 AMENDMENTS TO THE CITY CODE ARTICLE 200 PROVIDING FOR THE ABOLITION OF THE CITY PLANNING BOARD – THE CREATION OF A BOARD KNOWN AS THE ZONING BOARD OF APPEALS/PLANNING COMMISSION**

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

Comm. Seber read **RES. NO. 67-14 THE MAYOR IS AUTHORIZED AND DIRECTED TO PRESENT OFFERS OF PURCHASE TO THE RESPECTIVE PROPERTY OWNERS AND ACQUIRE THE NECESSARY PROPERTY INTERESTS IN REPLACING THE FRANCES STREET BRIDGE**

Comm. Seber said 3 of these are just interests and the other is an acquisition.

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

Comm. Seber read **RES. NO. 68-14 AUTHORIZING AND DIRECTING THE MAYOR TO PRESENT OFFERS OF PURCHASE TO THE RESPECTIVE PROPERTY OWNERS AND ACQUIRE THE NECESSARY PROPERTY INTERESTS ASSOCIATED WITH THE NORTH MAIN STREET BRIDGE PROJECT**

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

Comm. Seber read RES. NO. 69-14 CITY COUNCIL RECOGNIZES THAT COMMISSIONER GILHEANY HAS SUCCESSFULLY COMPLETED THE REQUIREMENT ESTABLISHED FOR THE NEW YORK STATE RETIREMENT SYSTEM

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

Comm. Seber read RES. NO. 70-14 CITY COUNCIL WILL CONDUCT (2) TWO MEETINGS PER MONTH EACH MONTH DURING THE ENTIRE YEAR

Introduced by Mayor Baker, seconded by Comm. Seber.

Roll Call:	Mayor Baker	- yes
	Comm. Seber	- yes
	Comm. Gilheany	- no
	Comm. Higgins	- no
	Comm. Hipwell	- no

Comm. Seber read RES. NO. 71-14 CITY OF MECHANICVILLE WILL ADJUST ITS MILEAGE REIMBURSEMENT RATE ON AN ANNUAL BASIS USING THE RATE SET BY THE FEDERAL GOVERNMENT IN JANUARY OF EACH YEEAR

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

Comm. Seber read RES. NO. 72-14 AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT GIVING MOMENTIVE THE 6 MONTH EXTENSION TO CLEAN THE CANAL BED BEHIND THEIR BUSINESS

Comm. Seber said we get this every 6 months.

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

Comm. Seber read RES. NO. 73-14 DISSOLVING THE PLANNING BOARD AS OF AUGUST 20, 2014 AND TRANSFERRING ANY MATTERS TO THE ZBA/PLANNING COMMISSION FOR HEARING AND/OR DETERMINATION

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

Comm. Seber read RES. NO. 74-14 CITY COUNCIL AUTHORIZES THE MAYOR TO SIGN THE NEW 5 YEAR CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM FOURTH JUDICIAL DISTRICT

Comm. Seber said just as a point, the amount could change every year, it's not a five year locked in on this \$35,100, that number can change and it will be reviewed on an annual basis. We should get some consideration from the state.

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

Comm. Gilheany read RES. NO. 75-14 APPROVING BUDGET AMENDMENTS FOR THE 2013 BUDGET

Comm. Gilheany said it states what they are recovering here.

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

Comm. Gilheany read RES. NO. 76-14 PAYROLL AND VOUCHERS

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

Mayor Baker under new business thanked Comm. Higgins because we have someone interested in purchasing the Industrial Park; it's been on our backs for a lot of years with us having to maintain it. Nothing has been signed on that yet but we are in serious negotiations with somebody that wants to purchase it. Asked if there was any other new business. None. No old business.

Comm. Gilheany, seconded by Comm. Higgins, moved that the regular meeting be closed at 7:45 p.m. to go into executive session. Roll Call: Affirmative – all. Negative – none.

Comm. Higgins, seconded by Comm. Gilheany, moved that the executive session be adjourned at 8:10 p.m. 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 8:11 p.m. Roll Call: Affirmative – all. Negative – none.