

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, 178 North Main Street, Mechanicville, NY, on Wednesday, September 17, 2014. Mayor Baker opened the meeting at 7:00 p.m.

Bill Clayton led the Pledge of Allegiance to the Flag.

Comm. Gilheany, seconded by Comm. Hipwell, moved that the minutes of the regular meeting of September 3, 2014 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Baker had nothing to report at this time.

Comm. Seber said they will have an executive session for two personnel items they have to discuss relating to contracts. There will be no action taken. They scheduled a tax sale for October 9th which we will hold here at 2:00 p.m., there are still five properties on the list so if they don't redeem them they will be up for auction. Water bill readings are pretty much done and the bills will be going out on or before October 1st. As everybody knows we've been discussing the reservoir for the last 4 or 5 years, the infrastructure system when it comes to water. Perhaps we will replace all water meters in the entire city because we have an unusually large amount of uncounted for water in the city and they suspect that a lot of it has to do with meters that are broken or working improperly, a series of things. They have been looking for funding sources because this is very expensive proposition. Today they met with the Environmental Facilities Corporation which is part of the State Department of Environmental Conservation and also the United States Department of Agriculture which has an office up in Greenwich and perhaps they also have some money available, low interest loan money that may be available for that kind of work. There is a late resolution, it's 84-14 and it's over there if anyone needs it, they had a meeting this afternoon, in order to apply for a grant you have to do a pre-application application. To do that they need authorization for the Mayor to apply for the pre-authorization authorization which is a \$7,500 matching grant so there would be a \$7,500 gift from the Department of Agriculture if we are successful and the city would have to match that. The purpose of this is to do a full application so hopefully we would get several hundred thousand dollars and some assistance on these projects we want to do. The resolution is late but he doesn't think there is any objection with the council in putting this on the agenda tonight. They finished their meeting at 2:15 today so they didn't have time to get it on the regular agenda.

Comm. Gilheany said they are starting to discuss the budget for 2015 already. Hopefully she will have for the Mayor and Commissioners budget sheets to fill out by the end of next week giving them comparisons of 2012 and 2013 and where we are today for 2014. Hopefully we will start hearings in October.

Comm. Higgins had nothing to report at this time.

Comm. Hipwell thanked the summer program kids, they had no accidents up at the playground, and everything went good. The Community Center served meals up there every Monday, Wednesday and Friday, they served 348 free meals for the kids in the city.

Comm. Higgins, seconded by Comm. Gilheany, made a motion to close the regular meeting to go into a public hearing at 7:05 p.m. to GET PUBLIC COMMENTS REGARDING A PROPOSED CHANGE IN SECTION 144-23 OF THE CITY CODE TO CHANGE THE HOURS OF THE CITY'S PLAYGROUNDS. Roll Call: Affirmative – all. Negative – none.

Comm. Seber said they have Ordinance 2014-5. In the existing Code book there were some inconsistencies in terms of the hours of the parks and playgrounds of the city, they are addressing that and making it consistent. Now they are open until 8:00 p.m. except during July and August they will be changed from 8:00 p.m. until 9:00 p.m., it's lighter later in July and August so that's the reason for the ordinance change.

Mayor Baker asked if anyone had any comments. No one did. Asked for a motion to close the public hearing.

Comm. Higgins, seconded by Comm. Hipwell, made a motion to close the public hearing at 7:07 p.m. Roll Call: Affirmative – all. Negative – none.

Mayor Baker opened up the meeting to public comment, giving 5 minutes to speak. Said we have no podium tonight, stand where you are and speak loud.

Dave Hicks, First Avenue, Mechanicville, asked if anyone has investigated the showers and stuff down there for completion. Someone told him there was a lot of stuff left uncompleted.

Mayor Baker said the only thing that wasn't done was the ramp and that will be finished, the DPW did a lot of work on that.

Comm. Higgins said they go in there when they are slow; a lot of things have to be done.

Kim Dunn, 250 South Main Street, said kudos for putting the city council meeting dates on the front page of the website as she suggested. Wanted to know the status of Clifton Park/Halfmoon moving into Station 2, she hasn't seen anything going on there, they were originally supposed to move in there June, July or August. Asked about the status of the two bridge projects. Said she was looking back at the August 6th minutes that she missed and there was a discussion of Park Avenue keeping the parking on one side like it is now. She totally agrees with it. She thinks diagonal parking would be the worst thing that they consider.

Mayor Baker said Clifton Park/Halfmoon had a meeting a week ago, they are just dealing with contractors and they will be starting soon, before the weather gets cold they will be in there. Their response time really hasn't been hampered by where they are, they are here almost as fast as the fire department. Said they are staying on top of it and have a representative on their board that gets back to them with all the information.

Comm. Seber said the Mayor and he went down to DOT last week and had a nice conversation with them. They needed all the paperwork and everything that needs to be done regarding both Francis Street and North Main Street by last Friday morning. DOT has received the information that they requested and they are just waiting on the plan, is it still to do both

bridges and is the plan still to start construction in the spring. Unless something changes between now and then, that's the city's plan, still at this point it hasn't changed. All of the information that they requested is in their hands now. Whether they have some questions about those, it remains to be seen. They are hoping, all things going well, bids going out after the first of the year some time and as soon as they get the ground, start working on the bridges. More discussion was held on the bridges and the firehouse on Main Street.

Mary Lou Anatriello, Gilbert Street, said she has many concerns that she would like answers to. One of her main concerns is something she has advocated for 10 years is sidewalks on Central Avenue, anytime you walk in that area you are apt to be hit, there is no crossing. There is no place to cross and sidewalks should be in the works too. She's had articles in the Express about the burned out structure on Penrose Avenue, it's awful looking, it smells. The person who bought it has cleaned it up, put a lot of debris in the dumpster and for two weeks no work has been going on. Asked if he has been given some kind of a time line to make their quality of living in that area a little bit better. Has a concern about \$1,300.00 that was put in last year's budget for Beautification, the Mayor said he has abolished the Beautification Committee but two members of the committee that were still on it were never notified. She is wondering if the council can see fit to spend some money on the trees that Dave Mastropetro and she put in along the overpass last year. It's an investment the city has already made and there are 4 dead trees there now. She is also concerned about the number of oil tankers that are going through Mechanicville in both directions; it went from 400 a day to maybe 4,000 a day, that's all crude oil going through our town. More discussion was held on this. Talked about sidewalks, replacing poor sidewalks and the creation of non-existing ones. Said her sister-in-law comes to Mechanicville for doctor appointments and lawyer's appointments that she can't get up the curb. She has similar concerns as Miss Sullivan here. Asked if they can comment on anything she talked about.

Comm. Seber said on the North Central Sidewalk situation, they had received a grant last year of \$400,000 to do sidewalk work from Hill Street to Saratoga Avenue. The problem is it's a \$100,000 match and right now they are trying to find other avenues of revenue to make that match. We don't have the \$100,000, we have about 3 ½ years left into this 5 year grant so we have a couple of years left to figure out if we want to pursue it. Said if they can match it without raising taxes or those types of things.

Mrs. Anatriello asked if we are moving in the right direction.

Comm. Gilheany said yes, she has been doing a monthly treasurer's report since May, she can email her what she has, she does it the first meeting of the month.

Comm. Seber said the homeowners are responsible for sidewalks, if they are cited; they are responsible for changing the sidewalk which could cost several thousands of dollars to do so. That's something the city, in most cases, probably will not have the expense in terms of doing the work, the homeowners are responsible for their own sidewalks.

Mrs. Anatriello asked if there was anything the city could do regarding if it's dangerous or impassable.

Mayor Baker because they are under possible litigation they can't comment on it.

Comm. Seber said whatever happens, ultimately if work has to be done on the sidewalk the property owner is responsible not the city.

Mayor Baker said they have been talking to the railroad about a couple of bridges that they have and that they have done inspections on because of the crude oil tankers. They are working on it but haven't gotten an answer nor has anyone else.

Mrs. Anatriello talked about her concern of all the shrubs behind the Verizon Building.

Comm. Higgins said he thinks they were there yesterday. More discussion was held on the shrubs and crude oil.

Mayor Baker said the city has emergency action plans regarding chemical things. Said on the burning building they don't give time limits.

Mary Sullivan, 913 Broadway, said again regarding the issues brought up at the last meeting regarding the city's compliance with the ADA regulations. She wanted to comment on the letter that they responded on back to their office, thanked them for the response. Said they cited several projects that were done under ADA regulation. Said she is a little confused by the South Street Hill renovations, that was not due to improper sidewalks that was due to the collapsing.

Mayor Baker said it was because the sidewalks were sliding into the road.

Ms. Sullivan said right but that's not a project that was based off an ADA revelation, correct.

Mayor Baker no, he doesn't think that is right, what its saying is the projects they did apply for ADA.

Ms. Sullivan said it reads a little confusing, it mentions the Industrial Park expansion many years ago, the Visitor's Center at the City Dock, they spoke with Tommy last week and it's not handicapped accessible.

Comm. Higgins said it wasn't in the specks but they will take care of it.

Ms. Sullivan said in the city's ongoing sidewalk improvement program she is not aware of that. She did look at the city budget, she did notice that there was about \$1,100 allocated for that it's never been used. Asked if they could elaborate on it.

Mayor Baker said the sidewalk program is not in existence anymore, it's from before.

Ms. Sullivan said so they are talking about things in the past. She's a little bit saddened by this letter, it sounds like they are getting towards litigation and they don't want that. Told a story of a group of girl scouts out of Latham that are known for "One Ramp at a Time" that are going around and making sure that areas of Latham that need ramps and what not, are getting them. It tears her up to think that this younger group of women understands the importance of handicapped accessibility. She came to the council and talked to them at a personal level and they don't see what they see. It really makes her feel sad; maybe they should take a lesson from these young girls. Mark, I don't want to misconstrue your comment as far as you telling them to sue the city, he told me flat out to take a number and sue the city she's not sure how that can be misconstrued, it's pretty straight forward to her.

Comm. Seber said he's not telling anybody anything.

Bill Clayton, 36 Underwood Avenue, said there was a piece in the Express about the city selling the Industrial Park and he was curious whether the city made any money on that, what the future will be for that.

Comm. Seber said they sold the property for about \$45,000, there was 17. something acres. In 1994 the city bought it for \$100,000. It hasn't closed yet, they are still waiting for DEC approvals which they don't see as a problem, it will now go back on the city's tax roll and will start generating tax revenue, which it hasn't done for 20 years, as the developer develops the Industrial Park which he has plans of doing, it's kind of upscale. He would like to put an office building up there, that type of thing. As it develops the assessments will increase and hopefully over time it will start paying for itself. They had a brownfield that needed to be remediated which could have cost the city 100s of 1,000s if not millions to do that.

Mr. Clayton said in other words does the gentleman who bought have the right to sublet that out to the highest bidder.

Comm. Seber said absolutely.

Comm. Higgins said with DEC approval.

Comm. Seber said right. They changed the zoning a couple of years ago to a planned development district which gives them more control of what actually goes in there. It's a residential neighborhood right next to it so they don't want manufacturing in there because of the noise and that type of stuff, that's restricted. When he does something with the property, whether he remediates it, builds something, whether he sells, he has to go back to the Department of Environmental Conservation, they have a site management plan, they issue a record of decision which tells you about your brownfield, what the problems are and what you should do to remediate it. As a site management plan it says going forward you have to do X, Y and Z if you do these certain things then either an engineer or DEC has to sign off. So the answer to his question is yes they can sell it but it has to be in compliance with the site management plan and the record of decision so you can't just give it to someone arbitrarily.

Mr. Clayton asked if anything catastrophic happened to city hall and you are looking for another location would that forbid them from building up in that industrial park.

Comm. Seber said we don't own the property.

Tom Mahoney, Express, the remedial work that the city would have to do, does he have to do it now?

Comm. Higgins said if he builds his buildings on it.

Mayor Baker said it depends on how he builds his buildings.

Comm. Seber said there will be no cellars, it will be slabs. There are several ways to remediate it, on the front portion you can put a foot of soil, you need a demarcation barrier to differentiate between the two soils; you can put a foot of clean soil on top of that, that's one way. Another way is if you put a building up, you put a slab down you have to put several inches of concrete in, there is a specific spec on the thing, your blacktop, you're going to have 8 paved areas, we'll have to have so many inches of blacktop, it's very specific in the site management plan. He can remediate it as he develops it. That's a conversation he will need to have with DEC on how long they will give him to do this. They've had some preliminary conversations with him, DEC and the city to make sure everyone is on the same page. They were very helpful the last time. There are several ways to remediate this and if he develops this it's different than the city having to go and put a bunch of top soil on it. To answer his question, yes it has to be remediated but not necessarily with a bunch of clean soil, concrete or blacktopping, it can be a combination of things.

Mr. Hicks asked when they sell something, isn't there codes or something that says they have to put it up for auction.

Comm. Seber said an ordinance was developed a couple of years ago to deal with brownfields. They changed the city codes just to deal with brownfields to be able to sell it without going out to auction.

Mrs. Anatriello asked how the John Ahearn Rescue Squad was dissolved financially and became a part of Clifton Park/Halfmoon. Where do you look to find out where all the money went?

Mayor Baker said it's all John Ahearn stuff, it's not theirs. You would have to call Larry or someone. He does know the comptroller is involved with it.

Comm. Seber said the AG Office is involved as well.

Mrs. Anatriello said wasn't there a large sum of money that the council allocated in 2013?

Comm. Seber said \$170,000 which was a contract to operate in the city. We had no control or knowledge of what they did with it.

Ms. Sullivan asked what the \$100,000 match grant was for.

Comm. Seber said sidewalks from North Central Avenue to Hill Street to Saratoga Avenue. It's a \$500,000 grant that they have to match \$100,000 so \$400,000 would be the grant money, \$100,000 would be local share.

Comm. Higgins said he feels sorry for the people that have to pay to put in sidewalks.

More discussion was held on the grant money.

Mrs. Anatriello asked about the money the city was given for low income housing and she hasn't seen that money being used.

Mayor Baker said they are doing inspections and stuff and are working on the program.

Comm. Seber said there are 4 properties that are ready to be done, the bids are in, it's been a long process working with the State, they are understaffed and a lot of people want this money. Said there are 60 properties that need to be done and they have to be done by next August. More discussion was held on this.

Discussion was held on trains in the city and how dangerous it is with the crude oil that goes through. Also how fast the trains go through the city.

Comm. Seber read FINAL CONSIDERATION OF ORDINANCE NO. 2014-5 AMENDING SECTION 144-23 OF THE CITY CODE CHANGING THE HOURS OF THE CITY'S PLAYGROUNDS.

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

Comm. Seber read RES. NO. 82-14 THE CITY COUNCIL OF THE CITY OF MECHANICVILLE ACCEPTS THE RETIREMENT NOTICE' FROM SERGEANT DECELLE

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

Comm. Gilheany read RES. NO. 83-14 PAYROLL AND VOUCHERS

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

Comm. Seber read LATE RES. NO. 84-14 CITY COUNCIL OF THE CITY OF

MECHANICVILLE AUTHORIZES THE MAYOR TO SIGN
ANY AND ALL DOCUMENTS NECESSARY FOR THE
FOR THE APPLICATION FOR THE USDA PRE-PLANNING
GRANT

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

Comm. Seber said the deadline is October 1st so they couldn't wait until the next meeting
which is October 3rd.

Mayor Baker new business. The other day the Chief of Police asked him to say
something because he isn't here tonight. He wanted to thank Dave DeCelle for his service all
these years. In addition to being the Sergeant now he's been the Investigator, he's been the
DARE Officer, he's been the Information Officer, he's done a great job for us and he will be
missed. Asked if there was any more new business or old business. There was none.

Comm. Higgins, seconded by Comm. Gilheany, made a motion to close the regular
meeting at 7:45 p.m. to go into an executive session on personnel items relating to contracts.
Roll Call: Affirmative – all. Negative – none.

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

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