

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, 178 North Main Street, Mechanicville, NY, on Wednesday, May 5, 2010. Mayor Sylvester opened the meeting at 7:04 p.m.

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

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

Mayor Sylvester, seconded by Comm. Seber, moved that the minutes of the regular meeting of April 21, 2010 and special meeting of April 23, 2010. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said they had a special meeting last week because they had to have a quick resolution to send an application in for CDBG for help for housing. Said they forgot to do it at the last meeting. Said there were only three of them there and the only thing they did was pass the resolution and close the meeting. Said the other day he went up to Congressman Murphy's office with Bill McNery of Logistics One and his lawyer and asked the Congressman to kind of give them a hand because they are applying for some loans; want him to write letters and make phone calls for them. Said he was very enthused about the project and he would do that.

Comm. Seber said the May 19<sup>th</sup> Council meeting which is normally scheduled for 3:00 in the afternoon at the fire house is re-scheduled for 7:00 p.m. here and it will be a joint meeting with the Planning Board. Said the representatives from Logistics One will be here to discuss the Esplanade Project. There have been some changes to the project so they hope people that are interested will come down and listen to what they have to say. Said after a long wait they will get the new tax software installed and hopefully it will improve it. The water and sewer bills are due on the 31<sup>st</sup>.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said their sweeper has been down for the last week and a half. Hopefully be next week they will have it up again. Wanted to warn everybody about the new recycling cans they got, if anyone puts garbage in then, they won't pick them up. Said some people took the stickers off of them and filled them up with garbage and they won't take it.

Comm. Seber asked about the other garbage pickup thing he discussed, robotic truck or something.

Comm. Higgins said hopefully in June or July they will try that out and see what happens. He thinks it will do a good job in the city but not everywhere but it will save quite a bit. Said the recyclable cans we got will save us money too.

Comm. Hipwell had nothing to report.

Mr. Serbalik requested an executive session regarding Stillwater matter.

Chief Waldron said last week they taught driver safety at the high school was very successful. Said it was from 9:00 to 12:00, they were able to get 12 cars to see if they had the ability to drive after they had a couple of beers. Said it went very well, the speaker sent the message loud

and clear to the 12<sup>th</sup> grade. He was very glad they could get this in Mechanicville. Said last week the little league and lassie league had a parade for opening day and all went well. Said on April 15<sup>th</sup> he, the Lieutenant, the Investigator and Sergeant attended an informational and training on video tape. Said Jim Murphy decided that he wanted to put something together and they will try to work very hard as a team to come up with a county wide plan on videotaping at each police station in the county. Said it was an all day event and right now they are in the process of reviewing and following procedure county wide. Yesterday he attended a regional homeland security meeting at the Historic International Guard Base down in Newburgh. Basically it was about things they are working on, learned about things that are happening. Said they are going to try to push, "if you see something, say something". They want to make sure the public is aware of a suspicion, if it doesn't feel right, report to them. May 11<sup>th</sup> is Police Officer Memorial all week for fallen police officers. Said this year they will have mass in St. Mary's in Albany and proceed from there to the actual monument. Details will take place immediately to crack down on speeding, cell phones, red lights. Seat belt enforcement will also take place from May 24<sup>th</sup> to June 2<sup>nd</sup>. Said they are reviewing an application for special law enforcement through the COPS Fast Grant.

Supervisor Richardson said they started to move forward with the dock grant. Said they engineers looking at the dock and putting a building down there. Said the XO Tower has had a lot of work done on it, it will be in good shape. Said he was with the Director of the Canal Corporation last Monday and she told me that the city will pass a resolution to support navigation and dredging of the Hudson River. Said as they all know, they are dredging the river for PCBs and she wants to attach her dredging and navigational analysis with that. Said one of the reasons being is that the PCBs will have to be sent to a dewatering plant. Said what will happen is the canal corporation will have to build another watering plant and all that sort of thing. Said she's hoping to get resolutions from all the communities to support her. She would be very grateful. Said she was very helpful in us being granted a couple of grants down at the dock. As the Mayor said they were at Congressman Murphy's Office yesterday regarding the Esplanade Project. Said the South Street Hill project is still in place. Said they have been meeting with the school district over recent months regarding if we have an emergency we have the fire house, this building with the generator they got this year and the American Legion to use in case of a major disaster. They want to get a generator in the school to use that also.

Comm. Seber said he was hoping the Fire Chief would be here. The fire department was able to obtain a \$175,000 grant from Congressman Murphy's office which is terrific. However, they have to understand that they will have to spend it under the council's rules; they have to go into the bidding process and everything else that needs to take place. Said this is more for the record than anything else. They have to understand that, it's not just \$175,000 that they can spend by themselves; we need to have some control over how that's done and spent and everything else in his opinion.

Mayor Sylvester made a motion to close the regular meeting at 7:20 p.m. to go into a public hearing on ORDINANCE 2010-4 TO AMEND SECTION 200-51C3c OF THE MECHANICVILLE CITY ZONING ORDINANCE DELETING REQUIREMENT THAT SEASONAL OUTSIDE/OUTDOOR SALES AREA WILL HAVE TO BE REVIEWED ON A YEARLY BASIS, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Comm. Seber attested to the fact that the legal ad was duly published in the newspaper.

Mayor Sylvester said the purpose for this hearing is that every year they have basically the same people come back like Debbie and B.J. Farms who come to the same place year after year and go through the process of having to have a meeting with the Planning Board to get approval. Said they want to change that to doing it once, once you do it and you are here all the time, the following year you would just come in and see our building inspector and get the permit from him.

He will inspect your place. Said that's where they are heading with that.

Mr. Serbalik said the only time they need to go back before Planning is if they came in with a different site plan or they were moving things around. If they are doing the same thing, the same location, the same criteria or whatever, they don't have to come back.

Mayor Sylvester asked if anyone wanted to comment on this.

No one did.

Mayor Sylvester made a motion to close the public hearing at 7:22 p.m. to re-open the regular meeting, seconded by Comm. Hipwell. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester opened up the meeting to public comment.

Nick Izzo, Mulberry Street said this past weekend was graduation and confirmation for his grandchildren so he was sorry he couldn't help him.

Mayor Sylvester said he had him covered and thanked him.

Mr. Izzo said he had a question for the fire department but they are not here. Said he didn't understand what he read in the paper that you can have a fire here, have one there in Mechanicville. Just wanted to voice his opinion, he doesn't believe that the City of Mechanicville would allow anybody to have an open fire in the city. Said number one is you can't control it and if you can control it you can't control the smoke. If someone near my house builds a fire, where does the smoke go, in my house. Said they shouldn't allow fires and maybe they can look into it.

Mayor Sylvester said he doesn't know if he goes on the computer or not but NYS Rules are on there. Said he doesn't agree with them himself because you know what happens, we wind up with treated lumber which has arsenic in it and if someone decides to burn garbage which stinks and smolders. Said he will talk it over with Val if we can do our own thing about burning. Said he doesn't believe in big bon fires and stuff like that in people's back yards.

Steve DeFelce also complained about fires in the city and said the council should pass a resolution that there be no fires except for homecoming and firemen exercises.

More discussion was held on this.

Mayor Sylvester said this will be taken into consideration because he doesn't like this burning outside himself.

Man on 130 North Main Street asked if we had an animal control officer.

Mayor Sylvester said we did.

Man said good because they get woodchucks and they don't know what to do with them.

Mayor Sylvester said he would take care of that tomorrow as he will call the animal control officer himself.

Dennis Baker, Broadway, said he sees a lot of people working on their houses to make them look really nice. Said about 6 months ago he received a letter from the building department which went out to all people with rental property. Thinks it's a great idea and it's the only way to get people to keep up their property.

Mayor Sylvester said he's getting a lot of response to it and if they don't do it, he will go back after them again.

Mr. Baker said also every house should have a number on it and he feels that it is the landlord's responsibility. It should be a law.

Mayor Sylvester said a lot of things they got like that, asking for the numbers and stuff has come out of Troy and Watervliet where John has worked before as a building inspector. He started bringing a lot of that stuff in to increase our code enforcement.

Comm. Seber said he's heard some places have a point system, if your house gets so many points, whatever it might be, then whatever the next level is, they take it to the next level.

More discussion was held on this.

Mayor Sylvester read ORDINANCE 2010-4 AMENDING THE CODE FOR OUTDOOR SALES.

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

Mayor Sylvester read RES. NO. 48-10 CITY COUNCIL OF CITY OF MECHANICVILLE  
AUTHORIZES THE MAYOR TO SUBMIT ANY AND ALL DOCUMENTS  
REQUIRED TO COMPETE FOR MICRO-ENTERPRISE PROGRAM FUNDS

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

Mayor Sylvester read RES. NO. 49-10 AUTHORIZING THE MAYOR TO AMEND A CONTRACT  
WITH THE FIRM OF WHITEMAN, OSTERMAN & HANNA, LLP TO COVER  
FURTHER SERVICES REGARDING THE CITY RESERVOIR AND THE TOWN  
OF STILLWATER

Introduced by Mayor Sylvester, seconded by Comm. Hipwell.

Comm. Seber said this has to do with the situation where construction is going on around the reservoir and all we are trying to do is get the Town of Stillwater to give us some sort of indemnification or insurance policy for any environmental damage that might occur during construction into the reservoir. Said unfortunately this hasn't come to fruition and unfortunately the taxpayers of Mechanicville have to spend money to resolve this issue. Said it annoys you that they deceive us.

Roll Call: Affirmative – all. Negative – none.

Comm. Chauvin read RES. NO. 50-10 PAYROLL AND VOUCHERS

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

No new or old business.

Mayor Sylvester made a motion to close the regular meeting at 7:39 p.m. to go into executive session for the purpose of discussing litigation with the Town of Stillwater over our reservoir, seconded by Comm. Seber. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester, seconded by Comm. Hipwell, moved that the executive session be closed at 8:10 p.m. to re-open the regular meeting. Roll Call: Affirmative – all. Negative – none.

Comm. Seber, seconded by Mayor Sylvester, moved that the regular meeting be adjourned at 8:11 p.m. Roll Call: Affirmative – all. Negative – none.