

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
NOVEMBER 9, 2016

The regular meeting of the Mechanicville City Council was held at the Senior Center, North Main Street, Mechanicville, New York on Wednesday November 9, 2016.

Roll Call:	Mayor Baker	Present
	Commissioner Duell	Present
	Commissioner Gilheany	Present
	Commissioner Higgins	Present
	Commissioner Hipwell	Present

Mayor Baker: Called the meeting to order at 7:00 P.M.
Gina Kenyon led the Pledge of Allegiance to the Flag.

Motion to accept the October 12, 2016 Minutes:

Motion:	Commissioner Duell	Seconded by:	Commissioner Gilheany
Roll Call:	AYES: 5	NAYS:	0

Commissioner Reports were as follows:

Mayor Baker stated that one (1) of the metal buildings that are being put up in the City was put up behind the firehouse and the other two (2) are going behind the DPW building and the other near the police station. The fire department is the only one up at this time but, the others are due to start tomorrow. The overpass is open, they finished striping today and he stated he has a walk through tomorrow morning. Mayor Baker stated that on November 26, 2016 the Christmas Train will be coming into town by the Elks Club, and there will be some street closings in that area. There was a huge crowd last year and is assuming there will be again this year. Last year was the first time the train was in Mechanicville and they learned that both sides of the box car opens so that is way the section of Railroad Street alongside the Elk's will be closed. Also, this coming Saturday November 12, 2016 is the rededication of the monument in the park at 11:00 A.M. hopefully anyone around can come. Mayor Baker stated its looks great, Commissioner Higgins people and all the people involved did a great job and he would like to thank them all.

Commissioner Duell informed everyone that the water collection has ended and that they are actually ahead of where they were last year. Also, stated that the county is looking to increase their rate for the sewer. We are currently \$187 and it is going to go up to \$202 if everything gets approved. There are USDA loans and grants that the Accounts Department has for business loans which is up to \$10,000 with 0% interest. The City recently had there audit with the USDA and they actually us Mechanicville when they go to other communities to talk about the business loans because ours has been so successful. Commissioner Duell informed the public that there are now two (2) notaries in the accounts department. Commissioner Duell also stated that there are currently no permits in the community for anybody to be going door to door. If anyone shows up at your door to sell you energy, cable, telephone, please call the accounts department or please notify the police department.

Commissioner Gilheany stated that she will be holding budget workshops on November 20, 2016 and December 7, 2016 at 7:00 at the Senior Citizen Center.

Commissioner Higgins informed everyone that they finished paving for this year and that hopefully in March or April NYSEG will start running new lines on South Main Street and hopefully be done by June or July and then we can get South Main Street paved.

Commissioner Hipwell stated that the ringing of the Salvation Army bell will begin either the Friday or Saturday after Thanksgiving and that he is in need of volunteers to sign up.

Attorney Val Serbalik stated there are two issues pending with the industrial park. First, there was a mortgage issued by Universal to the City of Mechanicville that was due in payable last May. They were in default and spoke with their attorney and gave them a demand letter in which the entire amount was due. They closed on that property on Friday and we should have a check on that which will resolve the issue of mortgage foreclosure. The other issue is that according to the agreement with DEC, the City of Mechanicville, and the buyer, they were to start a remediation within a year and that has not been done so DEC has put that on notice and there will be a sit down with DEC, lawyers and the City. Attorney Serbalik also stated that the 2013 tax sale are scheduled and the last day of redemption is at the end of the year.

Chief Waldron gave his department stats through September were as follows:

Accidents Investigated	141
Open doors or Windows	54
Police calls investigated	7746
Total call volume	8363
Total Arrest	534
Total Traffic Tickets	1617
Total Parking Tickets	198

The overall revenue brought to the City at this point is \$98,396 so to say that the Police force is busy is an understatement and he would like to congratulate his staff for working hard. We are now having more than one call at a time and having to make priorities and wants everyone to understand that they are working hard. Chief Waldron asked the Council for their support on the resolutions submitted requesting two (2) female officers to take a civil service exam that they would otherwise not be able to because of their age. Chief Waldron state that they have tried very hard to diversify the Department to meet the Community they serve however Mechanicville is equally divided by male and female yet the department has 95% male officers. Chief Waldron stated the female officers on the agenda are members of the MPD and have paid for their own training which has saved the City thousands of dollars. They still have a long road ahead of them, a bill still needs to be introduced to the legislature which we have a Senator and Assemblyperson willing to do, then it will need to be signed by the governor, then the females will need to take the exam and pass it. Chief Waldron stated this is very common and is done frequently and felt we owe it to our women that work for us to give them the opportunity.

Chief Alonzo stated that the month of October was busy for the Fire Department, there were a total of 56 calls responded to, 5 of which were mutual aids 1 being a structure fire that the ladder truck responded to in Clifton Park. The Fire Department is up to 622 total calls for the year compared to 518 calls in 2015. Fire prevention was a success providing it to multiple classes at the elementary school

and various preschools in the City. Chief Alonzo stated that the Mechanicville Fire Department was proud to honor Trooper Pratt with the ladder truck and flag in his procession up the Northway from the hospital and in his funeral procession. Chief Alonzo gave his appreciation for the building that was put up behind the firehouse and stated his guys were moving stuff in already. He stated that on November 27, 2016 the fire department would be participating in Sheriff Zurlo's Toys for Tots convoy.

Mayor Baker stated that there will now be a public hearing in reference to code amendment.

Commissioner Duell stated that it is for the parcels that were discussed at last month's meeting to change from residential and industrial to commercial so they are all in line with one another. It includes the rescue squad building, XO tower, railroad station, and Bove's building. Commissioner Duell asked if there were any comments in reference to this.

Moved by: Commissioner Duell Seconded by: Mayor Baker

AYES: 5 NAYS: 0

Commissioner Duell stated we also have the MS4 which is the separation of water. The storm water management plan that needs to be in place by early December, it is a State requirement. Once the county was listed as a MS4 every community within that county has to fall under this. It is bringing into compliance and making sure we have our storm drains cleaned, make sure there are no chemicals being dumped into our storm drains, things to try and not pollute our water. Commissioner Duell state this is just a public hearing for this.

David Hicks from 241 First Avenue asked how it was going to be administered, what personal is going to be used, and what type of training will be involved to do these duties. Will this be subcontracted or will a new committee be created?

Commissioner Duell informed him that this will be administered out of the DPW Department. There is monthly training with Blue from Saratoga County and there are people picked to go to the training: Marty Garland, John Holland, and John Vandenburg.

David Hicks stated that he read through the information and it is very expensive and there will be an additional expense to perform the investigations. Asked how the DPW will handle this because it is going to get so big that they won't be able to handle it.

Commissioner Duell stated that Blue at Saratoga County will be the head contact and will do all of the training and our Engineers will also be involved.

Kim Dunn from 250 South Main Street asked who the storm water management officer is going to be.

Commissioner Duell stated that as of right now it is Commissioner Higgins but because Dave is an elected official and would be changing they picked three (3) people that are employees from the City and are going through trainings and then we will have people here that have been through the steps.

Kim Dunn asked about the financial impact of this, how much is the training.

Commissioner Duell informed her that the training right now it is all free and through a grant that was set up because everyone in the State has to comply.

Public Comment:

Emily Morelli from Girl Scout Troop 1114 asked that if they have an update from the last meeting as to where the location for the proposed dog park might be.

Mayor Baker stated that right now it looks like it might be South Main Street but that is not positive yet. He stated that he was aware of the time constraints for fund raising but it probably won't be until December or January.

Peter Keegan from 50 Calvary Course commented on the "Esplanade Project" and feels that the City will be eating its own infrastructure with too many section 8 kids going to our schools, too many section 8 families in our City and just wanted to voice his strong opposition of the project. Peter felt that more mixed use buildings would be more beneficial here. He also stated that Mechanicville could not afford this and hopes the Council would oppose it also.

Pat Greenhall from 2868 Hudson River Road, Melrose posed her concerns in reference to the traffic light at the intersection of Main Street and Hemstreet Park. Her concern is that 3 or 4 cars go through the red light and that maybe the light is not synced correctly.

Commissioner Higgins stated that he has looked into this issue and that the light is in synch.

Chief Waldron also stated that he has checked this situation out and that people are actually going through the red light. Chief Waldron believes it is more of an enforcement issue and will put up a detail and do enforcement there.

James Welch who lives in Hemstreet Park stated that the light off William Street only has a 2 second switch and if there was a longer switch you won't have so many people going through. James also asked if the line on the bridge side for cars to stop behind would be repainted since cars are pulling all the way up.

Mayor Baker stated the he went over to check the situation out with a gentleman from the state and Commissioner Higgins and it is an old box and it really needs to be replaced but the funds are not available at this time but that they are working to get it more balanced so you are not waiting too long on one side. He stated that unfortunately it is not computerized so it can't be set differently throughout the day. Also, he stated that he is hoping to get some assistance through DOT because anything connected to a bridge is DOT. Mayor Baker stated he would check to make sure the line is painted on the bridge side of the road.

Tom Mahoney from the Express 138 Second Avenue asked if it is correct that there will be three (3) levels of rent payments for the apartments at the "Esplanade Project", and the lowest level is for people making around \$30,000 a year.

Commissioner Duell stated that from her understanding from what she has read is that you have to earn \$30,000 to qualify to rent an apartment there.

Tom Mahoney stated that if that is the case then the talk of section 8 is really not true. He also asked that if the highest rent level is for people making \$80,000 a year why is there a cap on how much you can make to live there.

Commissioner Duell agreed and stated there is no section 8 housing in there.

Mayor Baker stated that the cap has to do with who they are borrowing the money from. It is the financing through HCR (Housing and Community Renewal). There are 227 apartments but that they do not have the breakdown of apartments.

Mr. Mahoney asked why the IDA is involved even though this is not industrial.

Mayor Baker told him that he brought up that he did not feel this is an IDA project but the attorneys for the State and the IDA attorney both said it does qualify and that is where we are at. He stated that they had it as a 20 year IDA project and they are looking to make it a 10.

Mr. Mahoney asked if the project still needed Zoning and Planning approval and that it is actually not subsidized housing.

Mayor Baker stated that it does. He also stated that in the sense of section 8 it is not but in the sense it is based on salary. He also stated there are 28 apartments set aside for Veterans and Domestic Abuse.

David Hicks of 241 First Avenue asked how the company was obtained to conduct the energy audit.

Commissioner Duell stated that they have partnered with NYCOM (New York Conference of Mayors) to give all the communities a discount.

David Hicks asked what has been determined about the utility poles.

Commissioner Duell told him she has not gotten through that as of yet.

David Hicks asked if anything has been done in reference to the flooding issue on Central Avenue and First Avenue.

Commissioner Duell stated that she believes the engineers are still in the process of looking at that with the Cumberland Farms project.

David Hicks stated that the paving was good but under the dutch gap needs to be addressed.

Mayor Baker stated that NYSEG is running lines there and along South Main Street and the roads will be fixed after that.

David Hicks asked if there was any commercial in the “Esplanade Project”.

Mayor Baker stated it was all residential.

David Hicks stated that if it is all residential it will be an awful strain on the infrastructure and the school system.

Commissioner Duell said they actually met with Rocky from Capital District Regional Planning and they do studies and he is going to do a study on the impact of the schools, and the community and we will receive those items.

David Hicks asked why the police officers were not allowed to take the civil service exam prior to the age maxing out in case they were allowed to go full time in reference to the resolutions for the police officers to extend the age.

Commissioner Duell stated that Marie actually took the test when she was 33 years old and part time and she had turned 35 years old before a position came open. So she had actually aged off the list.

Dave Hicks asked what the proposal was that had the “big guns” for returns.

Commissioner Duell let him know it was for the people going to the county fighting their assessments.

Kim Dunn of 250 South Main Street asked if Resolution 104-16 is a onetime thing or utilize their services yearly.

Commissioner Duell informed her it is a onetime thing that they go through and any type of money we have been overcharged we will receive a refund for that and they insure any future charges are in place.

Kim Dunn stated that resolution 107-16 was done previously this year and asked why it was being done again.

Commissioner Duell said that New York State Retirement came back and stated that Commissioner Duell actually worked more days than what was listed on her sheet so they require a new resolution to reflect the true number.

Kim Dunn asked in reference to 108-16 how many properties will we have to go to court over and how much is the new law firm charging us.

Commissioner Duell informed her that there are three (3) properties.

Attorney Val Serbalik stated they are paid an hourly rate.

Commissioner Duell informed her that the hourly rate is \$230 per hour.

Kim Dunn stated she thinks it is important for the public to let everyone know how they feel on the “Esplanade Project” and wants the council to know she is strongly against the project. She feels it will be a burden on the Police Department, Fire Department, and EMS and a detriment to the tax payers. Traffic is also going to be a problem. She asks that someone really thinks this through and see if this is the best fit for Mechanicville.

Val Serbalik stated that there are no requests for any zoning variances for this project and certainly the council has input on this project but the appropriate board to voice and opposition or support of it will be through the Zoning and Planning Commission. The Council has no part in this decision making. He stated that they will be the ones to make the ultimate decisions.

Kim Dunn stated that she has looked at the zoning map and it is hard to read but states it doesn't look like the area is “residential” and wants to know how you can put a residential building there without having it rezoned.

Val Serbalik stated that when the initial project came in it was re-zoned by the City Council to a water front mixed use development. Mixed use can be both residential and commercial.

Kim Dunn stated that she disagreed with the Council having no say in the project. She stated they were elected to do what is in the best interest of the City, the residents, the taxpayers.

Commissioner Duell wanted to inform the public that it is the Council's duty to sit down and listen to what is being proposed before they can decide if it is good for the community or not. She also stated that at this point that is exactly what they are doing. They are sitting, listening, and asking questions to be informed so that the right decision can be made. Commissioner Duell is asking that everyone give the Council time to overlook the project before anyone jumps to conclusions that they are all in support of this project.

Joseph Micklas who owns a business at 30 Central Avenue asked if the project was turned down last year in its first round or funding.

Commissioner Duell confirmed that it was.

Mr. Micklas wants to know who approves the application.

Mayor Baker stated that at the end of the process he would be the one to sign it.

Mr. Micklas asked what happened to last year's application to make it get refused.

Commissioner Duell stated that she doesn't believe it was the Council that turned it down but, it was the funding that got turned down.

Mr. Micklas asked this “affordable housing” it is affordable to whom.

Mayor Baker informed him it was to people who make \$30,000 per year or more.

Mr. Micklas stated that if you can't have more than 30% of your income go to your rent so then they cannot meet the criteria so then it is technically subsidized. Mr. Micklas asked what will happen to the ratio of homes/apartments to the City. He stated there will definitely be some sort of subsidies here. Mr. Micklas asked the Council if they have seen the application.

Commissioner Duell stated that the application was received in her office today. I have a copy of the application that he submitted to the HCR. Commissioner Duell informed Mr. Micklas that she has not gone through the application yet. She told Mr. Micklas that she would look into see if that if it a document that can be foiled.

John Enzien stated that from listening to the community he can tell there is a lot of confusion about the true nature about the scope of the development of the apartments and the affects it will have on the community down the road. He stated that this is a tax credit project which in the affordable housing industry that means it is designed to assist low income families. He stated that the rents are not subsidized but the developer is being subsidized. He informed everyone that when the developer receives the tax credits he enters into a regulatory agreement with the government and he agrees to set aside a number or units for low income families. Since 1982 The Mechanicville Housing Authority has adequately met the needs of public and subsidized housing therefore the City does not need anymore. The City of Mechanicville has already done its part in providing this. Mr. Enzien stated this project will be overwhelming to our infrastructure, our services, our school district, and police. Mr. Enzien stated that he feels the Council has not been given the correct information in terms of how the rents are structured. It is being based on the median average income. Mr. Enzien is confident that the residents of the City of Mechanicville do not want this project to happen.

Ordinances:

Ordinance 2016-02: Illicit Discharges, Activities, and Connections to The City's Storm Sewer System

Moved by: Commissioner Higgins Seconded by: Mayor Baker

AYES: 5 NAYS: 0

Resolutions:

Resolution 104-16: Compel Consultants audit City Utility Bills and Charges

Moved by: Commissioner Duell Seconded by: Mayor Baker

AYES: 5 NAYS: 0

Resolution 105-16: Age Restriction to be Lifted for Marie Abraham To Take The Civil Service Exam

Moved by: Mayor Baker Seconded by: Commissioner Higgins

AYES: 5 NAYS: 0

Resolution 106-16: Age Restriction to be Lifted for Kimberly Cooney To Take The Civil Service Exam

Moved by: Mayor Baker Seconded by: Commissioner Duell
AYES: 5 NAYS: 0

Resolution 107-16: New York State Retirement Regulation Met

Moved by: Mayor Baker Seconded by: Commissioner Higgins
AYES: 5 NAYS: 0

Resolution 108-16: Reassessment of All Property by E. Stewart Jones,
Hacker, Murphy

Moved by: Commissioner Duell Seconded by: Mayor Baker
AYES: 5 NAYS: 0

Resolution 109-16: Budget Transfers

Moved by: Commissioner Gilheany Seconded by: Commissioner Higgins
AYES: 5 NAYS: 0

Resolution 110-16: Payroll and vouchers

Moved by: Commissioner Gilheany Seconded by: Commissioner Duell
AYES: 5 NAYS: 0

New Business:
None

Old Business:
None

Mayor Baker Announces they will be accepting a motion to go into executive session and will be returning to regular session but will not be taking any action.

Motion to except Executive Session 8:05 Commissioner Duell
Seconded by: Commissioner Higgins
Roll Call AYES: 5 NAYS: 0

Back in at 8:49 P.M.

Motion to return Commissioner Higgins
Seconded by: Commissioner Gilheany
Roll Call AYES: 5 NAYS: 0

Meeting Adjourned at 8:50 P.M.

Motion by Commissioner Duell
Seconded by Commissioner Higgins

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE
TRANSCRIPT OF THE PROCEEDINGS OF THE CITY COUNCIL
AT A MEETING DULY ASSEMBLED THIS 14th DAY OF

December, 2016

Michelle L. Duell
CITY CLERK