

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
FEBRUARY 8, 2017
7:00 P.M.

The regular meeting of the Mechanicville City Council was held at the Senior Center, North Main Street, Mechanicville, New York on Wednesday February 8, 2017.

Roll Call:	Mayor Baker	Present
	Commissioner Gilheany	Present
	Commissioner Higgins	Present
	Commissioner Hipwell	Present
	Deputy Commissioner Foard	Present

Mayor Baker: Called the meeting to order at 7:01 P.M.
Emilia Foard led the Pledge of Allegiance to the Flag.

Motion to accept the January 11, 2017 Minutes:

Motion: Commissioner Hipwell Seconded by: Mayor Baker
Roll Call: AYES: 4 NAYS: 0 1 abstain- Commissioner Higgins

Motion to accept the December 21, 2016 Minutes

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

Commissioner reports were as follows:

Mayor Baker informed the public that the City is progressing with the Grant Program for the reservoir and Mr. Fletcher is at the meeting to talk about it.

Commissioner Gilheany stated that she received 2014 and 2015 draft financial statements from the auditors and she needs to review them and they will be out and available shortly.
Commissioner Gilheany stated that her office is plugging away at the 2016 year end and hopefully next month she will have a year-end report to share.

Commissioner Higgins stated that tentatively the first part of March NYSEG is going to start putting the gas lines in on South Main Street and hopefully will be done by the end of June or July and then the City will pave the roads.

Mayor Baker added that NYSEG will be working with DPW to get the road paved at their cost.

Commissioner Hipwell had nothing to report.

Deputy Commissioner Foard stated that we are almost coming up on the busiest time of the year for the Accounts office. She stated that the clerk activity was up for 2016 almost \$1000 from last year which was mostly due to the increase in the diligence of Commissioner of Public Safety's office with the dog licensing. The increase went from 184 to 201 dog licenses this year. Deputy Commissioner Foard also stated there was an increase in tax searches this year and an increase in certificates that deal with death, birth, and marriage licenses which was up from 119 to 192. For 2015 the office had 304 notaries and in 2016 they did 395. Deputy Commissioner Foard stated she just completed the re-levy for water and sewer going on the 2017 City and County property taxes. Approximately 225 accounts were re-levied for a total of \$111,278.37. She added that all of the paperwork went to the County the beginning this week and she received a call from Joanne Bosley who is the Director of Saratoga County Real Property and our taxes are being printed and should be in the Accounts office by the beginning of next week. Deputy Commissioner Foard stated that taxes are due on March 15, 2017 and if not paid by that date there will be a 1% increase from March 16, 2017- March 31, 2017, and if you don't pay it by March 31, 2017 it jumps to a 4% penalty. The Accounts office has notified The Express that the office will be open March 4, 2017 and March 11, 2017 for tax collection.

Attorney Val Serbalik stated that the USDA lawsuit has been filed but due to the fact that they all reneged on them we are having a bit of difficulty serving them. He stated they were Blue Tea Company, Nickelback Bottle Return, and Top Cat. Mr. Serbalik stated they are no longer in town and there has been some difficulty serving them.

Commissioner Higgins mentioned that he thought Nickelback was still operating in the City.

Attorney Val Serbalik stated that the gentleman that owned the company died.

Mayor Baker stated that his wife is still operating the business.

Attorney Val Serbalik stated that the \$10,000 Nickelback loan was taken with the deceased gentleman as the sole proprietor, his wife was not a member or party to the agreement, so therefore she individually has no responsibility to pay the debt. Mr. Serbalik stated the claim is against the estate. Mr. Serbalik stated he did a search in Washington County where he resided but nothing has been probated. He stated as a practical matter if the estate is not probated that claim is essentially dead. Mr. Serbalik stated they will run another check in a month or so.

Mayor Baker asked that if the wife is allowed to continue to run the business why isn't the business responsible to pay back the loan.

Attorney Serbalik stated that it was because Nickelback was a DBA so essentially the loan was taken out in his name alone so only he is responsible for it.

Commissioner Gilheany asked that if in the future we can make them put up collateral.

Attorney Serbalik said that the USDA loans were generally secured with inventory and business equipment, which has been removed from the properties. He stated that of the 3 or 4 suits filed he is unsure if the money will ever be collected, although judgments will be taken. He stated

that as a matter of USDA protocol we have to serve them or it can affect the ability of the City to secure additional loans.

Mr. Serbalik also stated that on the 2013 tax sale everyone has paid, there is only one (1) outstanding entity and the total amount of the taxes owed is about \$16,000 and the last day of redemption was December 31, 2016 and at the last council meeting that there was talk of the gentleman paying the money but that has not happened. He stated that the City doesn't lose income by deferring the collection and combining it with the 2014 sale because the City is receiving 1% a month but, he stated he believes 2013 should be closed out. There is still \$16,000 owed and with Council permission he would like to go forward with the suit and proceed with court action.

Mayor Baker informed him that when we do have that sale he would like to include the ones that didn't get sold last year and he would like to do them all together.

Attorney Serbalik stated that he was informed by Deputy Commissioner Foard for the 2014 delinquency there are about 60 outstanding properties, 36 of them are by one (1) entity and that we have to start the searches since they take about a month. If the City wants to have a sale by the end of the year the searches should be started right now.

Mayor Baker asked if the searches that were done previously on these properties needed to be updated or redone all together.

Attorney Serbalik stated that is has to be updated but to do it properly to make sure no one is missed a full search should be done.

Chief Waldron gave an end of the year report in a power point presentation, which has been included in the meeting minutes.

Tom Mahoney asked why there were more arrests overall but the drug arrests were lower.

Chief Waldron stated that sometimes drug arrests are lower in number because sometimes they are booked at the county so if they are not booked here in Mechanicville it is not considered an arrest here. Also, he stated there are drug operations that are going on every day and sometimes they take six (6) months to one (1) year before they break.

Mr. Mahoney asked if it was safe to say that just because drug arrests are down it doesn't mean drug use is down.

Chief Waldron told him don't think for one second that drug use is down.

Paul Loatman stated that in the Chief's presentation level 2 and level 3 sex offenders can be publicized with flyers and etc. Mr. Loatman stated that he has never seen any publicity about these sex offenders. He was wondering why the school district does not send out flyers to inform the public about this. He asked if the Chief uses any publicity and if so where do you publicize it.

Chief Waldron stated that they do not publicize it and that they do not have their own website but if the department did have one that would be where they would post it. When people call they do give them the information. There is a public website that anyone can go on and check to see where they live.

Paul Loatman stated that he walks daily and will not cross Central Avenue. He stated that in reference to the roughly 260 texting and cellphone use tickets, if he had a nickel every time he saw a person talking or texting on the phone while they were driving he could retire, it would be like hitting the lottery. He stated 260 is a ridiculous number, he could make that many arrests in a week.

Chief Waldron said that when he is driving his personal vehicle he always sees people on their phones and people blatantly talk or text on their phones but, when the police are around people drop their phones. They don't talk on them when police are present.

Mr. Loatman asked about getting a sign for Central Avenue like the one on Rt. 67 that shows the speed the cars are going. He stated that this may slow the traffic down.

Chief Waldron stated that at this time he is looking into getting one of the trailers and is hoping that through the Assembly we could get a grant for that. Chief Waldron did state that it would be a big help if some of the businesses on Central Avenue would let them run radar on their property when they are not open but they don't allow it.

Chief Alonzo was not present due to training he needed to be at but his monthly report has also been included in the meeting minutes.

Public Comment:

Tom Mahoney from the Express asked in reference to the USDA loan he stated there was \$99,999 in the kitty and asked for the businesses that defaulted on the loan is that subtracted from the kitty.

Attorney Serbalik stated that if the monies aren't received per the loan then that is less money in there.

Paul Loatman of 607 Park Avenue stated that on January 26, 2017 public notification per haloacetic acid exceedance for the City of Mechanicville drinking water system was published in the Pennysaver. He stated that it was not clear who wrote it and he contacted the EPA in Albany and the Department of Health that deals with the issues and he asked the Council if they know who wrote it.

Commissioner Higgins stated that the Department of Health wrote it.

Commissioner Higgins stated it came from the Department of Health at the State level.

Mr. Loatman stated that it reads public notification and asked if the City had to pay for it to be published.

Deputy Commissioner Foard stated that the City did pay to have it published.

Mr. Loatman asked if it was the first and only one that has been in the paper.

Deputy Commissioner Foard and Mayor Baker stated that it was.

Paul Loatman said that it is stated within the document that the public is supposed to be notified within 30 days of exceedance. Mr. Loatman stated that the document states that the exceedance was established in August of 2016 and November of 2016 and it seems to him that this was at least a month late. Mr. Loatman also read that according to the recommendations of the EPA and the Department of Health that community systems must use one of the following forms of delivery to inform the citizens: hand or direct delivery, mail or a separate notice or included in the bill. Mr. Loatman stated that publishing it in the Pennysaver, he believes, is not an effective way to notify the public. Mr. Loatman asked the City Attorney and the City Council if any of them read the notification before it went out.

City Attorney Serbalik stated he didn't even know about it. Deputy Commissioner Foard stated that the State Department of Health recommended that it be put out this way. She also stated that they couldn't publish it in The Express or the Gazette because not everyone receives those papers but, everyone receives The Pennysaver.

Mr. Loatman suggested that if there is a water issue robo-calls would be a good way to contact people.

Mayor Baker stated that by the time the City was notified of the problem everything was fine with the system therefore; the City would have been alarming people for no reason.

Mr. Loatman stated that he has been drinking the water for over 50 years and he is just trying to be constructive. He also stated that if there is a problem contacting citizens he would be willing to organize volunteers to take a notice and deliver it door to door. Mr. Loatman asked if someone in the City had filed the reports that it was in exceedance.

Commissioner Higgins stated that the water is tested in a private lab.

Mr. Loatman stated that he feels that in the future, transparency is a cliché in these things. He also stated that he understands the sensitivity of not alarming people but, when you say you don't want to alarm people, sometimes you alarm people by taking the attitude that you don't want to alarm people.

Mayor Baker reiterated that what he was saying was that by the time the City would have alarmed the public it was all corrected.

Mr. Micklas business owner in Mechanicville wanted to know what is happening with the Riverview Apartments.

Mayor Baker stated that he has not received anything from them since the last meeting.

Mr. Micklas asked if a SEQR has been started by anyone.

Mayor Baker stated there had not been.

Attorney Val Serbalik stated that the status as he understands is there was a request for an information meeting which Frank Scirocco set for the first or second week in January and then there was a further request from the developer that they wanted an adjournment for that meeting for whatever reasons that he was not aware of. Attorney Serbalik stated that at this point there hasn't been a request from the developer to reschedule the meeting since January.

Mr. Micklas asked the Council if they were in contemplation of taking any action. He is aware that a letter was written and sent in but wanted to know if the Council was contemplating any other actions of any other kind.

Mayor Baker stated that as of now they were not contemplating taking any other kind of action.

Mr. Micklas stated that was an open ended answer.

Mayor Baker agreed that it was.

Commissioner Gilheany stated that it was brought up at the last meeting it is really not up to the Council. She affirmed that the Council does not support it but it is ultimately up to the Planning/Zoning committee if they get approved to actually do the building.

Mr. Micklas stated that there are things the Council could do and there are things that the Council must be aware that the master plan is not conforming to what is going on there. He stated the City spent a great deal of money developing the master plan so he is guessing that the Council is not contemplating anything that would bring that plan into conformity.

Mayor Baker stated that where Mr. Micklas is going is if the Council should look into putting a moratorium on any apartment buildings in the City. Mayor Baker stated that his concern was that they would cause a litigation to be brought against the Council because these people have already started the process, granted that process has stopped now but they have already shown intent to do it. Mayor Baker stated that his fear was that if the Council said they were going to put a moratorium on all buildings they would be able to have a law suit against them and he is not personally willing to put the City in that liability.

Mr. Micklas asked if the Council felt the same way.

Attorney Serbalik stated that he didn't feel there should be any comment on what the Council was going to do.

Mayor Baker said we could change our mind in the future but that was what Mr. Micklas was looking for.

Attorney Serbalik stated that he is asking for the Council, in effective, to vote on it and he stated that was not appropriate.

Mr. Micklas stated that Mayor Baker was reading his mind and that secondly Mr. Serbalik was answering for him. Mr. Micklas stated that he did not say any of that and that it was Mayor Baker's putting words in his mouth.

Mayor Baker questioned that a moratorium if what Mr. Micklas asked him about.

Mr. Micklas stated he did indeed ask him about that but not here at the meeting. Mr. Micklas stated he just wants to know what the Council is going to do. Mr. Micklas stated he is not trying to be combative; all he wants is general information on how it is going between the builders and the City. Mr. Micklas asked if the Council is aware that the public relation's agent and other people are going around button holing people with information that is certainly open for argument.

Commissioner Gilheany stated she recalls hearing it from Mr. Micklas at the previous meeting that they hired a public relations firm and that Chief Waldron had attended a meeting but that she hasn't heard of anyone else in the city being invited.

Mr. Micklas stated that there is a lawyer that is contacting business people. Mr. Micklas stated he was aware of this and was curious if the Council was aware of this.

Commissioner Gilheany responded that she was not aware of that.

Mr. Micklas thanked the Council for giving him the opportunity to speak.

Tom Mahoney from The Express stated that Chris Dirr the Vice President of the development company was interviewed in his office last week and that the results of the interview will be in tomorrow's edition.

Mr. Loatman stated that he has investigated the Hudson Riverview Apartment issue to a certain degree and has found that NRP has been involved in development in Cleveland. Mr. Loatman stated that the peculiar thing was that one (1) year after they developed the property and built the apartment they sold the land in which the property was built to one company and the buildings themselves to someone else. Mr. Loatman stated there was not a clear understanding of what was going on but it had to do with lowering with assessments. He stated one of his concerns that if this project goes forward are there any legal binding requirements for them to stay with the project beyond the initial year.

Resolutions:

RESOLUTION 03-17: Yearly Appointments

Moved by: Commissioner Gilheany

Seconded by: Commissioner Higgins

AYES: 4 NAYS: 0 1 Abstain: Commissioner Hipwell

RESOLUTION 06-17: Storm Water Management and Erosion and Sediment Control agreement with Cumberland Farms Inc.

Moved by: Commissioner Higgins

Seconded by: Commissioner Hipwell

AYES: 5 NAYS: 0

RESOLUTION 07-17: Memorandum of Agreement changes between the City and CSEA

Moved by: Deputy Commissioner Foard

Seconded by: Commissioner Higgins

AYES: 4 NAYS: 1 Commissioner Gilheany

RESOLUTION 08-17: Sasha's Run Along the Hudson April 29, 2017

Moved by: Commissioner Hipwell

Seconded by: Commissioner Higgins

AYES: 5 NAYS: 0

RESOLUTION 09-17: Bond Resolution

Moved by: Commissioner Higgins

Seconded by: Mayor Baker

AYES: 5 NAYS: 0

RESOLUTION 10-17: Assistant Fire Chief Cell Phone Reimbursement

Moved by: Commissioner Gilheany

Seconded by: Mayor Baker

AYES: 5 NAYS: 0

RESOLUTION 11-17: Authorization of payment to the IDA

Moved by: Commissioner Gilheany

Seconded by: Deputy Commissioner Foard

AYES: 5 NAYS: 0

RESOLUTION 12-17: Payroll and Vouchers

Moved by: Commissioner Gilheany

Seconded by: Commissioner Higgins

AYES: 5 NAYS: 0

NEW BUSINESS: None

OLD BUSINESS: None

ADJOURNMENT: Time 8:03

INTRODUCED BY: Commissioner Gilheany

SECONDED BY: Commissioner Higgins

AYES: 5 NAYS: 0

Mechanicville Fire Department

36 North Main Street
Mechanicville, New York 12118
Tel: (518) 664-6121 Fax: (518) 664-6123

Chief
Jeffrey Alonzo

Deputy Chief
Matthew Dunn

Assistant Chief
David Zecca

February 8, 2017

January 2017 Chief's Report

Alarms YTD - 64 total (60 - 2015)

City Alarms - 57	Mutual Aid - 7
Structure Fire - 1	Howland Avenue
Furnace - 1	
Fire Alarm Act. - 2	
Cooking fires - 2	
EMS Assist - 50	
Vehicle accidents - 1	
Wires down - 2	
Good intent call - 2	
Cover assignments - 3	
<hr/>	
Month Total - 64	

Training

Drills: 5
Details: 5

Drills: (5) - Mandatory OSHA training, Residential drug manufacturing and associated hazards, Bailout Class, CPR and Continuing medical education.

Details: (5) Annual MFD Banquet, Station Safety, Equipment/ Apparatus check, Work detail and structure fire critique.

**MECHANICVILLE POLICE DEPARTMENT
2016 ANNUAL REPORT**

Chief Joseph D. Waldron

January 29, 2017



Mechanicville Police Department



**Mechanicville Police Department
2016 Accidents**

▪ Accidents Investigated:			
	2014	2015	2016
▪ Fatal	0	0	1
▪ Property	233	228	186
▪ Leaving Scene	<u>55</u>	<u>46</u>	<u>44</u>
▪ TOTAL:	288	274	231

**Mechanicville Police Department
Accident Data:**

- Street with Most accidents:
 - South Central
- Most Likely to be injured:
 - South Central – Sadly Fatal
- Most Likely to get a ticket:
 - South Central over 800 tickets

Mechanicville Police Department

- Open Doors
- 2014 2015 2016
- 98 26 55
- Business/Property Checks
- **2,387**

Mechanicville Police Department Domestic Violence

- Domestic Violence Calls:
- 2014 2015 2016
- 138 160 174

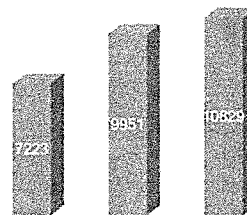


Mechanicville Police Department 2016 Arrest

- Arrests:
- 2014 2015 2016
- Felonies 51 67 66
- Misdemeanors 308 368 443
- Violations 111 140 146
- TOTAL: 470 575 655



Mechanicville Police Department Total Calls



Mechanicville Police Department Sex Offenders In City

- Level 1 – Least dangerous 4
- Level 2 – Moderate Risk 3
- Level 3 – High Risk 2

Mechanicville Police Department Sex Offender Levels

- LEVEL 1 – Low risk to re-offend
 - No community notification permitted
 - CAN NOT put on Web-sites, flyers, police station visits, vulnerable population
 - DO NOT have to register with local law enforcement – only DCJS after release
 - DCJS provides local law enforcement with info – for a *police file only*
 - Police can verify anytime they want!

Mechanicville Police Department Sex Offender Level

- LEVEL 2 – Moderate risk to re-offend
 - Community notification permitted
 - Web-sites, flyers, police station visits, vulnerable population
 - Name/Photo/Zip Code/Basic pedigree/crime/
 - Registers with DCJS – who notifies law enforcement agency
 - Police can verify anytime they want!

Mechanicville Police Department Sex Offender Levels

- LEVEL 3 – HIGH risk to re-offend + threat to public safety
 - Community notification permitted
 - Web-sites, flyers, police station visits, vulnerable population
 - Name/Photo/actual home address/Basic pedigree/crime/vehicle info
 - **REQUIRED** to check in with law enforcement agency every 90 days
 - If they move to a new municipality – it is their responsibility to report to the local law enforcement agency within 10-days
 - Law enforcement agency notifies DCJS
 - Police can verify anytime they want!

Mechanicville Police Department Vehicle and Traffic

	<u>2014</u>	<u>2015</u>	<u>2016</u>
▪ Speeding	203	348	324
▪ Red Lights	40	97	67
▪ Seatbelt	37	44	59
▪ DWI	79	52	58
▪ AUO	101	106	138
▪ Cell Phone	233	240	298
▪ All Other	<u>817</u>	<u>625</u>	<u>1064</u>
▪ TOTAL:	1,510	1,512	2,008

Mechanicville Police Department Parking Ticket



Mechanicville Police Department Animal / Dog Complaints

▪ Dog Complaints:	
- 2015	121
- 2016	107
▪ Animal Complaints:	
- 2015	54
- 2016	44

Mechanicville Police Department F.O.I.L. Request

▪ 2014	93
▪ 2015	120
▪ 2016	159
▪ This Does not include Police/CPS/Court	

Mechanicville Police Department Fines and Money Collected

- Total Revenue V&T: \$74,346.00
- Total Revenue Parking: \$ 3,690.00
- Total Revenue Reports \$ 515.50
- Total Revenue DWI \$ 8,323.14
- Total Driving Grants \$ 3,158.62
- Total Grants Weapons \$10,000.00
- Total Unified Court- Nov \$33,483.00
- - **\$133,516.26**

Mechanicville Police Weekly \$/M			
	2015	2016	% Change
Speeding Unrestricted	267	231	-13%
Open Doors	24	31	13%
Outstanding Checks	216	238	10%
Failure Armed	61	64	5%
Administrators Armed	38	40	5%
Uniform Armed	14	14	0%
Total Armed	574	624	10%
Open Arms	61	45	-26%
Open Parking Tickets	44	26	-41%
Administrative Inquiries	100	112	12%
Total Number of Calls	1052	1023	-3%
Revenue Returned To City General Fund			
	2015	2016	
Total Revenue Expenditures	\$ 120,849.89	\$ 133,516.26	11%
Traffic Enforcement			
	2015	2016	
Speeding	318	271	-15%
Open Doors	27	37	37%
Outstanding	24	29	21%
DWI	57	55	-4%
Administrative Driver	38	40	5%
Uniform Driver	14	14	0%
Total	428	421	-2%
Total Tickets Issued	1512	1365	-10%

**MECHANICVILLE
POLICE
DEPARTMENT**

**THANK YOU FOR YOUR
SUPPORT IN 2016**