

MINUTES OF THE CITY COUNCIL MEETING  
HELD ON  
March 13, 2019  
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 March 13, 2019

Roll Call:	Mayor Baker	Present
	Commissioner Dunn	Present
	Commissioner Gilheany	Present
	Commissioner Gotti	Present
	Commissioner McGuire	Present

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

Motion to accept the February 13, 2019 Meeting Minutes:

Motion: Commissioner Dunn                      Seconded by: Commissioner Gotti

Roll Call:    AYES: 5                      NAYS: 0

Commissioner Reports:

Mayor Baker reminded everyone that the canoe races will be held on April 7, 2019 and there will be an "everything that floats" category. It was also mentioned the duck derby will be held on the same day.

Commissioner Dunn stated the Accounts Office was opened on Saturday March 2, 2019 in which three (3) people paid their taxes in the office and on March 9, 2019 nine (9) people paid in the office. She added the last day to pay in person without penalty is Friday March 15, 2019 and stated the office will be open from 9 to 4. Commissioner Dunn stated that on March 16, 2019 all delinquent accounts will be assessed a 1% penalty. She went on to say that payments received in the mail after March 15, 2019 will be not be charged a penalty as long as the postmark is not later than March 15, 2019. Commissioner Dunn stated she received a letter from Saratoga County Clerk Craig Hayner inviting all Saratoga County municipalities to participate in "Yellow Ribbon Day" and collect for "Freedom Boxes". She added she has put out a challenge to Acting Chief Rabbitt who has accepted the challenge of collecting items that are needed. Commissioner Dunn stated there will be a list of items that need to be collected on Facebook and the website. She went on to say the items will be collected for military deployed personnel and they will accept monetary donations. Commissioner Dunn stated the blue star mothers will ship everything collected to deployed military families. She thanked Acting Chief Rabbitt for agreeing to the competition.

Commissioner Gilheany had nothing to report.

Commissioner Gotti had nothing to report.

Commissioner McGuire stated there will be an Easter Egg hunt in Tallmadge Park on April 13, 2019 from 1pm to 3 pm. She went on to say that Larry Grayson will be the DJ and the Easter Bunny will be there for pictures.

Acting Chief Bill Rabbitt gave his monthly report which is attached to the minutes.

Public Comment:

David Hicks of 241 First Avenue stated the snow control and management this winter has been terrible. He went on to say that he dropped off photos of snow issues in the City and wants to know what was done about it.

Mayor Baker stated the Building Department has sent letters to the people who have not shoveled their sidewalks.

David Hicks asked what the penalty was for people not cleaning their sidewalks.

Mayor Baker stated there is not a penalty.

David Hicks asked if something should be added so that if the sidewalks aren't cleaned in a certain amount of time there is some sort of fine.

Mayor Baker said he absolutely agrees with that idea.

David Hicks stated the cost for snow removal was exorbitant and \$21,955 for outside contractors is totally above and beyond especially since the results were poor. He went on to say that the average cost for just labor for DPW per day is \$1320 and with everything else going on he can't see how it is being balanced. David asked if the State or the City pays for the CHIPS program.

Commissioner Gilheany stated the City pays for it upfront and then is reimbursed 100%.

David Hicks stated there has been two hundred (200) work days since the machine has been purchased and he is wondering why there are still potholes and inoperable roads. David Hicks asked Commissioner McGuire if the hiring of the two (2) new employees was to replace someone.

Commissioner McGuire stated that they will be substitutes and went on to say that at this point there is only one substitute that is used throughout all departments within the City. Commissioner McGuire added that if one of the substitutes is used for the Senior Center building there will actually be a savings in money since they don't get paid when they don't come in and the substitutes make less than they do. Commissioner McGuire stated there is no added expense to the City.

Michelle Eidens of 214 South Second Avenue stated she attended last month's meeting to discuss snow removal at her property and added that two (2) days after the meeting someone came and removed the snow from the curb and threw it on her sidewalk and she would not clean it up since she had already cleaned it prior to that happening. She went on to say that this was the first time in the eighteen years (18) of her owning her home that the sidewalks were not cleared. Michelle stated she asked that someone come to talk to her about where to put the snow but she has not heard from anyone. She also mentioned that at the last meeting that she had been asking since June for someone to look at a tree in the front of property which is located on City property that has been giving her problems with her sewer and she has heard nothing.

Commissioner Gotti asked her if she was referring to the tree that has the power line in it.

Michelle Eidens stated that Commissioner Gotti stated he needed to come look at it and as far as she knows no one has looked at it. She went on to say there is no communication and as a taxpayer and someone who brings income into the community through her rental property she deserves the respect of someone contacting her.

Mark Seber of 45 Hulin Street stated that the City has a labor lawyer and asked why they are looking to hire an outside lawyer in resolution 32-19.

Commissioner McGuire stated it is a conflict of interest and that is all she could comment on.

Mark Seber stated that he obviously isn't questioning what it was about but asked if it had to do with the labor lawyer.

Commissioner McGuire stated she could not answer that and stated that as a Commissioner he should know she could not answer those questions and she can't understand why he is asking them.

Mark Seber stated he understands that and never expected to find out what the issue was.

Commissioner McGuire told him as a past Commissioner he fully knows that these things can't be talked about so she is not sure why he is asking.

Mark Seber reiterated he never expecting to find out what was being investigated.

Commissioner McGuire questioned what he wanted to know.

Mark Seber stated he wanted to know why it was being brought to an outside firm and went on to say they did the same thing last year.

Commissioner McGuire stated she already explained it was a conflict of interest.

Mark Seber stated he didn't understand what that meant.

Commissioner McGuire stated it means what it means.

Tom Mahoney of the Express stated he has heard rumors and wanted to ask the Council directly to see if he could get answers. Tom asked if the lawyer that was hired last year for services has been paid yet.

Commissioner Gilheany stated he has not been paid in full since they have not gotten the report.

Tom Mahoney asked if the lawyer for Mayor Baker has submitted a bill yet and been paid.

Commissioner Gilheany stated that he recently sent a bill but they needed more detail since there was an additional \$1000 from the last time he submitted it so it has not been paid.

Tom Mahoney asked what the amount of the bill was for Mayor Baker's lawyer.

Commissioner Gilheany stated it was \$7500.

Tom Mahoney stated that the total between the two is \$17,500 and asked if there were lawsuits against the City for non-payment.

Commissioner Gilheany stated there were not.

Tom Mahoney asked if the North Main Street and Central Avenue Sidewalk project were still active.

Mayor Baker stated the Main Street project was not but the Central Avenue project was. He went on to say that they had an extension on the Main Street project and it was not completed in time so they will not be completing it but will be trying to obtain another grant.

Tom Mahoney asked how long ago the Main Street grant was issued.

Mayor Baker stated it was before he became Mayor.

Tom Mahoney asked how the City let this free money go.

Mayor Baker stated there were a lot of issues with it, and added the original people designing it changed and went to another engineer.

Commissioner Gilheany added it was a matching grant which required the City to put up \$200,000 and at the time did not have the money to put up. She added they let them use the bridge work as the match which was only done last year.

Mayor Baker added by the time the bridge was completed there was not enough time to finish the project by the end of the year.

Tom Mahoney asked if the City would be getting the \$200,000 that was put up as there portion back.

Commissioner Gilheany stated the \$200,000 was the bridge work that was partially covered by a grant.

Mayor Baker stated the City's share of the bridge work was \$200,000 and they allowed the City to use that same amount and put it also towards the Main Street grant.

Commissioner Gilheany stated that was rather than coming up with an additional \$200,000.

Tom Mahoney stated then it wouldn't of cost any more.

Commissioner Gilheany stated that was correct.

Tom Mahoney asked why the City could not get it complete.

Mayor Baker stated that they would not give an extension since they had several prior.

Tom Mahoney asked if that was New York State.

Mayor Baker stated it was.

Tom Mahoney asked if the grant was received from Assemblywoman Woerner's office.

Mayor Baker stated it was either from CDBG or DOT and not Assemblywoman Woerner's office.

Tom Mahoney asked if the clerk's being hired were just on a as need basis.

Commissioner McGuire stated they are being hired because there is only one (1) substitute and it has happened where more than one is needed on the same day.

Tom Mahoney asked if she still had a Deputy Commissioner.

Commissioner McGuire stated she does.

Nick Rinaldi of 113 Viall Avenue thanked Commissioner Gotti for his help with an owl on his property and gave kudos for their quick response. Nick stated he realized that the information for resolution 32-19 cannot be discussed but it states the cap is \$5000, \$7500 needs to be paid for Mayor Baker's attorney and \$10,000 for the other lawyer's bill and he asked where the City is getting this money from. He went on to say it is costing the residents more money every day. Nick stated he feels the Council needs to forget their personal vendettas against one another and start working for the people in the City of Mechanicville. Nick stated that the Council's salaries are paid by the taxpayers and they are spending money that we don't have.

Commissioner McGuire asked why he would think there is a personal vendetta against someone.

Nick Rinaldi stated you can see the pattern if you attend the City Council meetings on how the votes go. He compared it to Democrats vs. Trump. Nick added if the Mayor says something three (3) people vote no if he says something to go against the other three (3) people vote yes. He went on to say the Council is not looking out for the people but are looking out for themselves and stated he hopes that at election time the people of Mechanicville need to smarten up and realize what is going on in the City. Nick added the money that is being spent for no reason whatsoever is out of control.

Commissioner McGuire stated that if there is anyone that is an advocate for taxpayers in the City it is him but he has no idea what a big advocate she is. She assured him that it is not money that does not need to be spent and it is not a situation that does not need to be looked into. She went on to say that very few people from the City come to the meetings to advocate like he does but she wants him to know that although he may not think so, she appreciates it.

Nick Rinaldi stated he appreciated what they do but they need to bring their heads together and work together to make this City a place to be proud of.

Commissioner McGuire stated that just so he knows this is an issue that needs to be resolved.

Nick Rinaldi asked why the City can't use the lawyer they have.

Commissioner McGuire stated it is the same money.

Nick Rinaldi stated the City is paying double.

Commissioner McGuire stated they are not; it will not cost any more than if they had Paul Aloy do it because he gets paid by the hour.

Nick Rinaldi asked if he is already there why go elsewhere.

Commissioner McGuire stated it is the same money and would have to pay him to handle this.

Nick Rinaldi asked about the other \$17,000 that was spent and no report has still been given. He went on to ask why they paid anything without the report.

Commissioner Gilheany stated it was not fully paid and will not get his final payment until they get the report.

Nick Rinaldi asked why they paid him anything and stated they need to get the report and then give it to the people of the City of Mechanicville. He went on to say this has been going on almost a year and a half (1 ½) and that is crazy, and went on to say that murder crimes are solved quicker.

Mark Seber asked to follow up on a question.

Mayor Baker stated he could not allow him to come up again.

Resolutions:

RESOLUTION 25-19: Execution of Master Contract

Moved by: Mayor Baker  
Seconded by: Commissioner Dunn

AYES: 5      NAYS: 0

RESOLUTION 26-19 CDBG Project

Moved by: Mayor Baker  
Seconded by: Commissioner Dunn

AYES: 5      NAYS: 0

RESOLUTION 27-19: Auction of 8 Burke Avenue

Moved by: Commissioner Dunn  
Seconded by: Commissioner Gilheany

AYES: 5      NAYS: 0

RESOLUTION 28-19 Auction 14 Warsaw Avenue

Moved by: Commissioner Dunn  
Seconded by: Commissioner Gilheany

AYES: 5      NAYS: 0

RESOLUTION 29-19 Nancy Cavotta Holmes Office Clerk

Moved by: Commissioner McGuire  
Seconded by: Commissioner Gilheany

AYES: 5      NAYS: 0

RESOLUTION 30-19: Jeannie Foxvog Office Clerk

Moved by: Commissioner McGuire  
Seconded by: Commissioner Gilheany

AYES: 5                      NAYS: 0

RESOLUTION 31-19: Empire State Trail

Moved by: Commissioner Dunn  
Seconded by: Commissioner Gilheany

AYES: 5                      NAYS: 0

RESOLUTION 32-19: Independent Legal Counsel

Moved by: Commissioner McGuire  
Seconded by: Commissioner Gilheany

AYES: 3                      NAYS: 1 (Mayor Baker)

1 Abstain: Commissioner Gotti

RESOLUTION 33-19: Payroll and Vouchers

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5                      NAYS: 0

RESOLUTION 34-19: Budget Transfers

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5                      NAYS: 0

RESOLUTION 35-19: Budget Amendment

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5                      NAYS: 0

NEW BUSINESS: None



OLD BUSINESS: None

Mayor Baker announced they will be going to executive session and will not be taking any action after.

Close Meeting: 7:30 p.m.

Moved by: Commissioner Dunn  
Seconded by: Commissioner Gilheany

AYES: 5            NAYS: 0

Executive Session began: 7:40 p.m.

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5            NAYS: 0

Executive Session End: 8:20 p.m.

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5            NAYS: 0

Meeting Adjourned: 8:21 p.m.

Moved by: Commissioner Gilheany  
Seconded by: Commissioner Dunn

AYES: 5            NAYS: 0

William J Rabbitt  
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# MECHANICVILLE POLICE DEPARTMENT

36 N MAIN STREET  
MECHANICVILLE, NY 12118



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March 13, 2019

- Totals:
  - Arrests 64
    - 8 Violation
    - 49 Misdemeanor
    - 7 Felony
    - 120 Traffic tickets