

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
December 11, 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 December 11, 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.
Mike Rubino led the Pledge of Allegiance to the Flag.

Motion to accept the November 13, 2019 Meeting Minutes:

Motion: Commissioner McGuire Seconded by: Commissioner Gotti

Roll Call: AYES: 4 NAYS: 0
 Abstain: Commissioner Gilheany

Commissioner Reports:

Mayor Baker stated the holiday train was a huge success and seems to attract more people every year. He went on to thank the community center and the volunteers who were there helping out. Mayor Baker especially thanked the Elks club for their sacrifice. He added it was a bingo night for the Elks but they did not have a problem giving it up so the parking lot could be used for the train. Lastly, Mayor Baker wished everyone a Merry Christmas.

Commissioner Dunn stated the Accounts office stated that on the 1st of each month a five percent (5%) additional penalty is added to unpaid water bills. Commissioner Dunn stated they are looking into a re-levy fee. She explained that there are a lot of customers that do not pay their spring and/or fall water bills through January which then get re-levied onto their taxes. She went on to say some customers do it every single year. Commissioner Dunn stated they are looking to add a re-levy fee which will give an additional charge since they are not taking money in within the year.

Commissioner Gilheany had nothing report.

Commissioner Gotti thanked everyone who cooperated with the snow removal and stated they are still working on the smaller side streets where the big equipment can't get through. He went on to say they are moving forward with a new computerized system at the water plant.

Commissioner Gotti stated they were able to get a beaver problem under control and the reservoir is looking good. He went on to thank his team on a great job during the recent snowstorm. He asked the public to keep in mind that yelling and screaming at the workers who have been out working very hard only creates a more stressful environment for the drivers so he asked everyone to be patient.

Commissioner McGuire stated the memorial tree ceremony was held on Saturday December 7, 2019 along with Santa in the park. She went on to say they had sixty-one (61) trees which was almost double from last year. Commissioner McGuire thanked Jeff from Country Living for partnering with her; she went on to say that Jeff gave the trees to her at cost. She went on to say they had a cut-off date of 11/15 and they needed to stick with that date because if they continually ask Country Living for more trees he would need to give up trees that he ordered to sell himself which in turn will cause him to lose a profit. Commissioner McGuire stated the park looks beautiful at night and she encouraged everyone to go over and see the trees. She gave a special thank you to Kim Noonan, Kim Dunn, Eileen Day, and her son Austin McGuire for their help in making the memorial trees a success. She went on to say the true heroes in all of this is the Mechanicville Fire Department and without them it could not have been as successful as it was, they went to the park and put the trees up even though it was cold and rainy and none of them ever complained. Commissioner McGuire stated that anytime she has ever contacted Matt Dunn for help his response is how many men you need and what time do you want us there. She went on to say there was a Christmas luncheon at the senior center catered by the Endzone and the food was delicious. Commissioner McGuire thanked the senior center staff for doing such a great job putting the luncheon together.

Public Comment:

Dave Hicks of 241 First Avenue read off a list of questions and stated he would then stand and wait for the replies. Mr. Hicks asked: what paper the notifications for First Avenue's direction change would be done, what lead up to the motor replacement for the sweeper, why is meter consolidation not done, is the pipe next to the firehouse to be used for the Central Avenue storm drain, why haven't been various businesses and houses been cited for not clearing their sidewalks, and why wasn't the sidewalks under the railroad underpass and dutch gap cleared.

Commissioner Gotti stated the motor for the sweeper had mechanical failure.

Dave Hicks stated it is a limited use vehicle.

Commissioner Gotti stated that doesn't matter, people buy brand new vehicles and bring them back to the dealership two weeks later because something goes wrong. He went on to say that it was decided at the traffic committee meeting that they would wait until January to put out notifications since the signs needed to be ordered. Commissioner Gotti stated the pipe next to the firehouse is 24 inch.

Dave Hicks stated if the pipes in the lot next to the firehouse belong to the Central Avenue job they are 18 inches.

Bill Claydon of 36 Underwood Avenue asked if the project on South Central Avenue was going along on time and will be completed on time.

Commissioner Gotti stated so far it was moving along on schedule.

Bill Claydon asked if all the permits were in place to complete the project on time.

Mayor Baker stated it will all be done but the city received an extension because the snow will delay the project. He went on to say he had a meeting with Commissioner Dunn and the state earlier in the day which Commissioner Gotti was not yet aware of.

Bill Claydon asked if the asphalt plants were down for the year.

Mayor Baker stated the extension was until June so it will give them enough time.

Bill Claydon asked if the entire Green Street would be black topped or would just the affected area would be done.

Don Fletcher from Barton and Loguidice stated the affected area only would be black topped.

Commissioner Gotti stated that is has been discussed to do the entire street if there were extra funds.

Bill Claydon asked if the piping for the drainage project would be going in the Hudson River.

Commissioner Gotti stated it was going to be running into the same outfall that it ran into previously except it will be a new structure.

Ray Martin of Tallmadge Place handed a copy of the city's zoning map to the council and explained that several areas that were changed are not on this map and stated that this map that is used in the city is from 1954. Mr. Martin stated that an application was recently submitted to Saratoga County for a zoning map change and she received a reply with a disclaimer that if all of the information that was submitted was accurate and meet with the memorandum of understanding then approval for a zoning map change given. He went on to say that if a zoning map change was to be made he feels it is long overdue to change the zoning map. He suggested the city put out a RFP, go to the engineers and have a zoning map updated. Mr. Martin stated the state does not like zoning changes every time there is a change in council or feelings so they put restraints on what can be done for zoning changes. He added this is done indirectly through the SEQRA process. He went on to say that in the response from Saratoga County it responded to the map change but not the zoning change that the council voted. Mr. Martin stated that before the information for the zoning change could be submitted an environmental assessment needs to be done they have to tie what they have done into the comprehensive plan and show how it works with or against the comprehensive plan, a full SEQRA assessment as an unlisted action needs to be done. Mr. Martin stated if they left it as a planned development district it would have given the city a lot more tools.

Tom Mahoney of The Express asked if the Central Avenue drainage project was still on line to be completed by the end of December.

Mayor Baker stated that they received an extension until the end of June and went on to say they issued the extension because of the snow and the fact that the black top plants are closed. Mayor Baker stated it should not take till June but they extended it six (6) months.

Tom Mahoney asked about the cable charter communication that was going to be discussed at the Public Hearing on December 30, 2019.

Commissioner Gilheany stated it was a franchise agreement and a representative would be here to answer any questions.

Tom Mahoney asked if that concerned the homeowners with cable throughout the whole city.

Commissioner Gilheany stated the city is paid monies for having the franchise.

Mayor Baker added it needs to be renewed.

Commissioner Gilheany stated it requires a public hearing.

Tom Mahoney asked if this needs to be done before the end of the year.

Commissioner Gilheany stated they will be having the meeting on the 30th for the budget so they will do it then.

Commissioner Dunn stated there is a copy of the agreement in her office if he would like to look at it.

Nick Rinaldi of 113 Viall Avenue commended Commissioner Gotti and his crew for a great job done during the recent snow storm. He went on to tell Commissioner McGuire that the trees in the park look great and commended her for a job well done. He stated the council is doing a great job getting Mechanicville up to date.

Resolutions:

RESOLUTION 96-19: Michael Burgess temporary full time police officer

Moved by: Mayor Baker
Seconded by: Commissioner Dunn

AYES: 5 NAYS: 0

RESOLUTION 97-19: Executed Settlement Agreement

Moved by: Commissioner Dunn
Seconded by: Commissioner Gotti

AYES: 5 NAYS: 0

RESOLUTION 98-19 Payroll and Vouchers

Moved by: Commissioner Gilheany
Seconded by: Commissioner Gotti

AYES: 5 NAYS: 0

NEW BUSINESS: None

OLD BUSINESS:

Commissioner Dunn: “I wanna address something that keeps coming up and I’d like not to be interrupted by anyone up here while I am making these points. As we all know on April 4th, 2018 there was a major flood here at the senior center. Myself and the Deputy Commissioner of Public Safety were at a free workshop at the Town of Clifton Park, I received a phone call from my Deputy stating that the senior center had a major flood. We immediately left our workshop and came directly to the senior center. On our way back the Deputy Commissioner of Public Safety contacted her Commissioner which was Commissioner McGuire and I reached out to the insurance company as well as then after that Quick Response. I’m sure we all know that Quick Response is a local reputable company that deals with water and sewer damage, fires including smoke and water damage, mold issues etc. They have over twenty-five (25) years of professional restoration experience for homes and businesses. Now I would like to correct some inaccurate statements that keep going around and assumptions that have been floating around again. I received a call the other day from Wendy Liberatore from the Times Union and she left me a message and her message stated that Val and Commissioner Gotti stated that I had signed a check that I was not authorized to sign, and we will get to that in just a minute. So I want to point out this was not the first issue in the bathrooms at the senior center and that can be documented. In late February 2018 there was an issue with the toilet in the ladies room, and I can tell you for a fact, there were issues prior to 2018 in both the bathrooms as well. This is an insurance claim, plain and simple. Unfortunately accidents happen all the time and it is not something that can be controlled, whether it is an accident involving a police car, which we have had a few of, or DPW vehicle, which we have had many of. Both of these things happen and the insurance companies inform you a claim is put in. Sometimes I am informed of these accidents and sometimes I don’t find out until I get a call from an insurance company or I get something in the mail. So, the check, just so everyone knows the process, the insurance claim was put in, and that is my part, dealing with the insurance company, then the insurance company

gets an adjuster and they go back and forth with the company that is fixing the building etc. Now, all of you weren't here at the time but it was a huge massive flood, not a little bit of water, and it was category three (3) contamination. That is not plain water out of the tap, all right, that is bathroom water, and that is documented. So to say that I signed a check that was not authorized is totally not true, what happened was, we got money from the insurance company, that money was received by the City, was deposited into the account by the City, I then vouchered the invoice for payment, which has to go to the Commissioner of Finance for processing, a check is cut, she signs off on the check first, then I sign off on the check. That is the process for any check and payment that is issued from the City. So there was no unauthorized check signed etc. The total dollar amount that the City had to pay was fifty-two dollars and seventy-one cents (\$52.71), that's it. Stuff that was damaged as far as in the storage room, that was all replaced at full value, so I'm really getting a little bit concerned that this keeps coming up and people are stating things that are absolutely not true. As a matter of fact, someone sent Wendy Liberatore on a wild goose chase over to the fire department so she called over there looking for a certain individual who happens to share the same name as a certain individual that owns Quick Response, and she was lead to believe that there was something shady going on. Now, again, the poor gentleman at the fire house had nothing to do with the senior center, the insurance claim, nor Quick Response as a business, so if someone has questions they should come forward but to constantly have this thrown out there making it look like something happened that didn't. Anyone that knows Jodie knows that she is not going to allow something to happen, she is not going to sign the check that is not legitimate etc. and neither am I. So, and the information that DPW could of done the job is no insult to DPW, I have a lot of respect for what they do, but this was a huge job, as I said it was category three (3) contamination which is a biohazard, it needed specialized things to be done and it was a huge job that if DPW even could of done it and I am not going to say they could or couldn't have as far as what their skills are, it would of taken them a long time to do it and who would of done the regular daily workings of the DPW, and that is all I have to say on the matter.

Mayor Baker: Anyone else have old business?

Commissioner Gotti: I would like to respond to some of that. As far as the DPW staff, we weren't given the opportunity to come in to assess it, two times we were in here there was an inch of water on the floors.. I haven't seen anything showing any level three, any type of bacteria, any type of contamination, any documentation of such. I have asked for it and never seen it. Number one I never said you signed a check illegally, all I simply stated was I wasn't given a chance to come and do the work.

Commissioner Dunn: Well I have Wendy Liberatore on a recording and that's her word for word self, and as far as a level three (3) that is something I found out today when I was calling

Quick Response because they yet again got dragged into something that they shouldn't be as did the fire department.

Commissioner Gotti: Believe me I have been receiving the same phone calls that you have been receiving. But far as us coming in here, I do agree with you that there were many times prior to you even being in office there was an issue here. I even put cameras into the lines here from APEX we found grease and Styrofoam and the only problem I had with that there was that the water that the water that was being flooded in here were from faulty toilet mechanisms that wasn't dirty water coming in that was actually clean water the clean water valve would not shut off.

Commissioner Dunn: So you are saying that Quick Response is incorrect in what they are saying.

Commissioner Gotti: I am just saying those are the three (3) valves that Marty changed out. Quick Response is seeing the water that is backing up through the floor pipes that are in the floor that go to the trap.

Commissioner McGuire: It was still level three (3) contamination.

Commissioner Gotti: That is the contamination they were seeing.

Commissioner McGuire: It was still contaminated and if DPW is not certified to handle biohazards. Are they able to do that?

Commissioner Gotti: Let me ask you this question, why wasn't I given an opportunity to look into it and if that was the case we could of just put it out and it would have been handled.

Commissioner McGuire: You are short staffed.

Commissioner Dunn: Um, Anthony, it was an insurance claim.

Commissioner McGuire: How are you going to do this?

Commissioner Dunn: Just like...

Commissioner McGuire: We have an obligation to all our fay.

Commissioner Gotti: Now I am short staffed.

Commissioner McGuire: You said you were this is not my words these are your words.. So how would you have handled this being so short staffed, taking care of all of this, with mold, are you guys certified in handling mold?

Commissioner Gotti: Here is my whole dilemma with it, I got dragged into a lot of things, I got questioned about a lot of things about a building that is under my department, my jurisdiction, I should have been brought into the loop and wasn't. End of story, I have said what I have to say.

Commissioner Dunn: And just to reiterate, it was an insurance claim just like when the police car got hit, just like when DPW hits things, it is an insurance claim and was treated as such.

Commissioner Gotti: Let's get one thing perfectly clear I never once said it wasn't an insurance claim that never came out of my mouth, not once.

Commissioner Dunn: Ok.

Marylou Anatriello: Can the audience respond to any of this?

Commissioner Dunn: Nope

Commissioner McGuire: No.

Mayor Baker: No.

Marylou Anatriello: Thank you.

Mayor Baker: Anyone else have old business?"

Close Meeting: 7:33 P.M.

Moved by: Commissioner Gilheany

Seconded by: Commissioner Gotti

AYES: 5 NAYS: 0

Executive Session Began: 7:41

Executive Session Ended: 9:30 P.M.

Moved by: Commissioner Gilheany

Seconded by: Commissioner Dunn

AYES: 5 NAYS: 0

Meeting Adjourned: 9:31 P.M.

Moved by: Commissioner Gilheany

Seconded by: Commissioner Dunn

AYES: 5 NAYS: 0

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MECHANICVILLE POLICE DEPARTMENT

36 N MAIN STREET
MECHANICVILLE, NY 12118



December 11, 2019

- Totals:
 - Arrests 40
 - 2 Violation
 - 34 Misdemeanor
 - 4 Felony
 - 84 Traffic tickets