

**AGENDA  
REGULAR MEETING OF THE  
MECHANICVILLE CITY COUNCIL  
SENIOR CITIZEN'S CENTER  
178 NORTH MAIN STREET  
MECHANICVILLE, NY  
May 13, 2020**

1. OPEN MEETING: \_\_\_\_\_ P.M.

2. ROLL CALL:

MAYOR BAKER  
COMMISSIONER SEBER  
COMMISSIONER GILHEANY  
COMMISSIONER GOTTI  
COMMISSIONER MCGUIRE

3. PLEDGE OF ALLEGIANCE

4. ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING ON March 11, 2020

MOVED BY:

SECONDED BY:

AYES:

NAYS:

5. PUBLIC ANNOUNCEMENT

6. COMMISSIONER REPORTS:

MAYOR'S REPORT & CORRESPONDENCE  
COMMISSIONER SEBER  
COMMISSIONER GILHEANY  
COMMISSIONER GOTTI  
COMMISSIONER MCGUIRE

SUPERVISOR RICHARDSON  
CHIEF RABBITT  
MFD CHIEF DUNN

7. Public Comment:

8. RESOLUTIONS:

**RESOLUTION 25-2020 Payment to 96-100 North Main Street LLC, Val Serbalik**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 26-2020 USDA Small Business Loan**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 27-2020 Frank Schaeffer Full-time Police Officer**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 28-2020 Marie Abraham Full-time Police Officer**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 29-2020 Matthew Dunn Promotion to Sergeant**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 30 -2020 Donna Peluso Civil Service Commission**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 31-2020 Commence to Bidding CDBG Water Improvement**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 32-2020 Commence Bidding North Main Street Parking Lot & Fire Station Entrance Improvements**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
                    AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 33-2020 Route 4 Drainage Improvements**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 34-2020 Barton and Loguidice Supplement#2**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 35-2020 Amendment for additional construction observation services**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 36-2020 Water Bill Distribution and Due Date Change**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 37-2020 Volunteer Firefighters Service Award Program**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

**RESOLUTION 38-2020 Payroll and Vouchers**

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_  
AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

9. NEW BUSINESS:

10. OLD BUSINESS:

11. CLOSE MEETING: Time \_\_\_\_\_

Moved by: \_\_\_\_\_                      Seconded by: \_\_\_\_\_

Roll Call      AYES: \_\_\_\_\_                      NAYS: \_\_\_\_\_

12. EXECUTIVE SESSION: Time \_\_\_\_\_

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Roll Call      AYES \_\_\_\_\_      NAYS: \_\_\_\_\_

13. ADJOURNMENT: Time \_\_\_\_\_

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

Roll Call      AYES \_\_\_\_\_      NAYS: \_\_\_\_\_

RESOLUTION NO.: 25-2020

WHEREAS, on or about May 22, 2019, 96-100 North Main Street, LLC, and Val Serbalik, filed a Petition, pursuant to Article 78 of the NY CPLR, against Kimberly Dunn, Records Access Officer, and the City of Mechanicville, (1) compelling compliance with two separate FOIL requests that were filed on March 14, 2019, and April 11, 2019, and (2) awarding Petitioners with litigation expenses and attorney's fees pursuant to Section 89 of the NY Public Officers Law; and

WHEREAS, on or about June 14, 2019, Respondents Kimberly Dunn, and the City of Mechanicville submitted its response in opposition to the Petition; and

WHEREAS, Justice Buchanan, of the New York State Supreme Court, Saratoga County, issued a Decision & Order dated August 28, 2019, awarding Petitioners 96-100 North Main Street, LLC, and Val Serbalik, finding that Respondents Kimberly Dunn and the City did not comply with their obligations under the Public Officers Law, ordering that the documents requested by Petitioners be provided, and granting reasonable attorney fees and costs to Petitioners to be determined by later submission; and

WHEREAS, on March 10, 2020, Petitioners' 96-100 North Main Street, LLC and Val Serbalik provided Notice of Entry of a February 19, 2020 Decision & Order of Justice Buchanan awarding reasonable attorney's fees in the amount of \$2,560.00 to be paid by the City of Mechanicville; and

WHEREAS, on March 10, 2020, the City also received Petitioners' 96-100 North Main Street, LLC, and Val Serbalik request for statutorily authorized costs and disbursements, pursuant to NY CPLR, in the amount of \$855.00, which included filing fees, process serving, and statutorily set costs, and subsequently submitted an Affirmation concerning these costs and disbursements.

NOW, THEREFORE, be it resolved that in accordance with the Decisions and Orders of Justice Buchanan, and pursuant to the CPLR, the Council approves payment in the amount of \$3,505.00 to 96-100 North Main Street, LLC and Val Serbalik, to be paid by no later than the close of business on May 14, 2020.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020

RESOLUTION NO.: 26-2020

WHEREAS THE CITY OF MECHANICVILLE has received funding from the United States Department of Agriculture Business Enterprise Grant Program for the purpose of establishing a city-wide revolving loan program for small businesses within the City;

WHEREAS THE CITY HAS REACHED OUT TO small businesses within the City alerting them to the availability of these funds to help them survive the COVID-19 Pandemic;

WHEREAS THE FOLLOWING BUSINESSES have been awarded funds for their small businesses, Split-Endz \$5,000.00, The Ugly Rooster \$10,000.00, Golden Krust Bagels \$10,000.00, The Express \$5,000.00;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL approves the payment of the above loans to be paid back over a (5) five year period a 0% interest.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Roll Call:

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020

**CITY OF MECHANICVILLE**

Records

RESOLUTION: 27-2020

**WHEREAS**, The Police Department is in need of a full-time police officer; and

**WHEREAS**, Frank Schaeffer has experience in this field and is willing to start immediately; NOW

**THEREFORE BE IT RESOLVED**, that the Mayor is authorized to hire Frank Schaeffer as a full-time police officer, effective May 15, 2020.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020

**CITY OF MECHANICVILLE**

Records

RESOLUTION: 28-2020

**WHEREAS**, The Police Department is in need of a full-time police officer; and

**WHEREAS**, Marie Abraham has experience in this field and is willing to start immediately; NOW

**THEREFORE BE IT RESOLVED**, that the Mayor is authorized to hire Marie Abraham as a full-time police officer, effective May 27, 2020 at the second year patrol rate as it appears in the PBA's contract.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020



**CITY OF MECHANICVILLE**

Records

RESOLUTION: 29-2020

**WHEREAS**, The Police Department is in need of a police sergeant; and

**WHEREAS**, Matthew Dunn has passed the civil service test for sergeant and is currently listed first on the civil service list; and is willing to start immediately; **NOW**

**THEREFORE BE IT RESOLVED**, that the Mayor is authorized to promote Matthew Dunn to the rank of sergeant, effective immediately.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020

Resolution #: 30-2020

WHEREAS, there is a vacancy on the City of Mechanicville Civil Service Commission;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Mechanicville appoints Donna Peluso for a (6) six year term to the City of Mechanicville Civil Service Commission which will began May 14, 2020 and will expire May 13, 2025.

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ROLL CALL:

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

**Resolution 31-2020**

**CITY OF MECHANICVILLE  
RESOLUTION AUTHORIZING ADVERTISEMENT OF BID FOR THE  
CDBG WATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the City of Mechanicville (“City”) is proposing the CDBG Water System Improvements replacing water mains along First Avenue, Elizabeth Street, Mechanic Street, Penrose Avenue, Fitchburg Avenue and Gilbert Avenue in Mechanicville, New York (“Project”); and

**WHEREAS**, the City received notice in December 2018 that grant funds had been awarded in the amount of \$750,000.00 administered through NYSCHR known as a Community Development Block Grant (CDBG) for this Project; and

**WHEREAS**, Barton and Loguidice, DPC has completed the design of Project’s contract documents for Contract 1 General Construction – CDBG Water System Improvements; and

**NOW, THEREFORE, BE IT RESOLVED**, the City Council approves the contract documents for Contract 1 General Construction – CDBG Water System Improvements, and authorizes the advertisement of public bid.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

ROLL CALL:

Mayor Dennis Baker \_\_\_\_\_  
Commissioner Mark Seber \_\_\_\_\_  
Commissioner Jodie Gilheany \_\_\_\_\_  
Commissioner Anthony Gotti \_\_\_\_\_  
Commissioner Barbara McGuire \_\_\_\_\_

The foregoing resolution was thereupon declared duly adopted.

Dated: May 13, 2020

I hereby certify that this resolution was adopted on \_\_\_\_\_ and is recorded in the Meeting Minutes of the City of Mechanicville’s City Council.

\_\_\_\_\_  
Commissioner of Accounts/City Clerk

**Resolution 32-2020**

**CITY OF MECHANICVILLE  
RESOLUTION AUTHORIZING ADVERTISEMENT OF BID FOR THE  
NORTH MAIN STREET PARKING LOT & FIRE STATION ENTRANCE IMPROVEMENTS  
PROJECT**

**WHEREAS**, the City of Mechanicville (“City”) is proposing the North Main Street Parking Lot and Fire Station Entrance Improvements Project in the City Mechanicville, New York (“Project”); and

**WHEREAS**, the Project requires that an individual be duly authorized by the City to sign applicable documents related to the Project that include, but may not be limited to, the following: funding agencies, SEQRA review, agencies having jurisdiction of applicable permits, engineering design services and construction activities for this Project; and

**WHEREAS**, Barton and Loguidice, DPC, as the Designated City Engineer, has completed the design and prepared contract documents for public bidding; and

**WHEREAS**, the City received notice that grant funds have been awarded from DASNY known as State and Municipal (SAM) Facilities program for design services and construction of this Project; and

**NOW, THEREFORE, BE IT RESOLVED**, the City Council hereby authorizes the Mayor to be the signatory authority for documents related to this Project; and

**BE IT FURTHER RESOLVED**, the City Council approves the contract documents for Contract 1 – General Construction and authorizes the advertisement of public bid; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**ROLL CALL:**

Mayor Dennis Baker \_\_\_\_\_  
Commissioner Mark Seber \_\_\_\_\_  
Commissioner Jodie Gilheany \_\_\_\_\_  
Commissioner Anthony Gotti \_\_\_\_\_  
Commissioner Barbara McGuire \_\_\_\_\_

The foregoing resolution was thereupon declared duly adopted.

Dated: May 13, 2020

I hereby certify that this resolution was adopted on \_\_\_\_\_ and is recorded in the Meeting Minutes of the City of Mechanicville’s City Council.

\_\_\_\_\_  
Commissioner of Accounts/City Clerk

RESOLUTION NUMBER: 33-2020

Authorizing construction work on PIN 1089.78, Route 4 (South Central Avenue) Project-Drainage Improvements, City of Mechanicville, Saratoga County on the State Highway System, the performance and funding in the first instance 100% of the costs of design, investigation and construction or reconstruction thereof, to be reimbursed by the State and appropriating funds therefore.

WHEREAS, the State of New York has requested City of Mechanicville to incorporate improvements (the "State Reverse Betterment") to Route 4 Project-Drainage Improvements;

NOW, THEREFORE, the City Council, duly convened does hereby;

RESOLVE, that the City Council hereby approves such project inclusive of the State Betterment (collectively the "Project"); and it is hereby further

RESOLVED, that the City Council hereby authorizes the City of Mechanicville pay in the first instance 100% of the costs of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$180,000.00 will be appropriated and made available to cover the cost of participation in the Design and Construction phase of the Project; and it is further

RESOLVED, that the Mayor of the City of Mechanicville be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of City of Mechanicville with NYSDOT in connection with the implementation of the Project, and reimbursement of the approved costs associated with the State Reverse Betterment, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, it was adopted by the following vote:

ROLL CALL:

Mayor Dennis Baker \_\_\_\_\_  
Commissioner Mark Seber \_\_\_\_\_  
Commissioner Jodie Gilheany \_\_\_\_\_  
Commissioner Anthony Gotti \_\_\_\_\_  
Commissioner Barbara McGuire \_\_\_\_\_

The foregoing resolution was thereupon declared duly adopted.

Dated: **May 13, 2020**

I hereby certify that this resolution was adopted on \_\_\_\_\_ and is recorded in the Meeting Minutes of the City of Mechanicville's City Council.

STATE OF NEW YORK )  
 ) S.S:  
COUNTY OF Saratoga )

I, \_\_\_\_\_, Clerk of the \_\_\_\_\_ New York, do hereby certify that I have compared the foregoing copy of the resolution with the original resolution of file in my office and that the same is a

true and correct transcript of said original resolution and of the whole thereof as duly adopted by said \_\_\_\_\_ at a meeting duly called and held at \_\_\_\_\_ on \_\_\_\_\_ by the required necessary vote of the members to approved the resolution.

WITNESS, my hand and the official seal of the \_\_\_\_\_ of \_\_\_\_\_, New York, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Resolution 34-2020**

**CITY OF MECHANICVILLE**

**WHEREAS**, the City of Mechanicville (“City”) is mandated to comply with New York State Rules and Regulations regarding stormwater control and illegal discharges; and

**WHEREAS**, engineering services are required to assist in effectuating compliance with the applicable rules and regulations; and

**WHEREAS**, Barton and Loguidice, DPC, as the Designated City Engineer, has completed these services to date for the City; and

**WHEREAS**, Barton & Loguidice, DPC has submitted a proposal to provide those services for a not to exceed \$10,000; and

**NOW, THEREFORE, BE IT RESOLVED**, the City Council hereby authorizes the Mayor to sign the contract for a not to exceed amount of \$10,000; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

ROLL CALL:

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

ROLL CALL:

Mayor Dennis Baker \_\_\_\_\_  
Commissioner Mark Seber \_\_\_\_\_  
Commissioner Jodie Gilheany \_\_\_\_\_  
Commissioner Anthony Gotti \_\_\_\_\_  
Commissioner Barbara McGuire \_\_\_\_\_

The foregoing resolution was thereupon declared duly adopted.

Dated: May 13, 2020

I hereby certify that this resolution was adopted on \_\_\_\_\_ and is recorded in the Meeting Minutes of the City of Mechanicville’s City Council.

\_\_\_\_\_  
Commissioner of Accounts/City Clerk

**Resolution 35-2020**

**CITY OF MECHANICVILLE**

**WHEREAS**, the City of Mechanicville (“City”) is completing a drainage improvements project known as the South Central Avenue Drainage Improvements Project; and

**WHEREAS**, engineering services are required to assist in effectuating compliance with the applicable rules and regulations as the project is funded by CDBG and NYSDOT funds; and

**WHEREAS**, Barton and Loguidice, DPC, as the Designated City Engineer, has completed these services to date for the City; and

**WHEREAS**, the contractor schedule has been delayed due to various reasons including COVID-19, materials delivery delays and weather delays;

**WHEREAS**, Barton & Loguidice, DPC has submitted a proposal to provide additional construction observation services for a not to exceed \$16,000; and

**NOW, THEREFORE, BE IT RESOLVED**, the City Council hereby authorizes the Mayor to sign the contract amendment for a not to exceed amount of \$16,000; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

ROLL CALL:

Mayor Dennis Baker \_\_\_\_\_  
Commissioner Mark Seber \_\_\_\_\_  
Commissioner Jodie Gilheany \_\_\_\_\_  
Commissioner Anthony Gotti \_\_\_\_\_  
Commissioner Barbara McGuire \_\_\_\_\_

The foregoing resolution was thereupon declared duly adopted.

Dated: May 13, 2020

I hereby certify that this resolution was adopted on \_\_\_\_\_ and is recorded in the Meeting Minutes of the City of Mechanicville’s City Council.

\_\_\_\_\_  
Commissioner of Accounts/City Clerk



RESOLUTION NO.: 36-2020

WHEREAS THE CITY OF MECHANICVILLE sends water bills to the City water customers on May 1 and October 1 each year;

WHEREAS DUE TO THE COVID-19 VIRUS obtaining the water meter readings and preparing the bills due to the lack of staff and accessibility to properties to get the water meter readings made meeting the May 1, 2020 billing date a virtual impossibility;

NOW THEREFORE BE IT RESOLVED THAT the Mechanicville City Council is authorizing the distribution of water bills to the City water customers to occur on or before June 1, 2020 and allow the water customer to have until July 31, 2020 to make their payments without penalty. This authorization is for the first billing cycle of 2020 only and will not change future billing periods unless the City Council takes additional action to authorize such a change.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Comm. Seber \_\_\_\_\_

Comm. Gilheany \_\_\_\_\_

Comm. Gotti \_\_\_\_\_

Comm. McGuire \_\_\_\_\_

May 13, 2020

RESOLUTION NO: 37-20

WHEREAS ARTICLE 11-A of the New York State General Municipal law requires a list of members of the Fire Department must be certified under oath by the Fire Department indicating service credit during calendar year;

WHEREAS ONCE COMPLETED the list of members must be presented to the City Council for approval of service;

NOW THEREFORE BE IT RESOLVED that the Mechanicville City Council herein Approves the Volunteer Firefighters Service Award Program list of all 2019 active Volunteer Firefighters of the Fire Department.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Baker \_\_\_\_\_

Commissioner Seber \_\_\_\_\_

Commissioner Gilheany \_\_\_\_\_

Commissioner Gotti \_\_\_\_\_

Commissioner McGuire \_\_\_\_\_

May 13, 2020

RESOLUTION NO. 38-2020

Whereas: Payroll, General, Water, Sewer and Capital Project Fund Vouchers Contained Within

ABSTRACT			
PAYROLL #	12-20	3/19/20	\$ 82,618.05
PAYROLL #	14-20	4/02/20	\$ 87,155.56
PAYROLL #	16-20	4/16/20	\$ 86,087.74
PAYROLL #	18-20	4/30/20	\$ 85,403.49
			<u>\$ 341,264.84</u>

With an expenditure breakdown by fund as follows:

GENERAL A0 FUND	\$ 1,239,114.28
WATER FX FUND	\$ 64,199.97
SEWER G0 FUND	\$ 715,343.89
CAPITAL PROJECTS H0 FUND	\$ 128,616.28
PAYROLL TA FUND	\$ 341,264.84
<b>TOTAL</b>	<u><b>\$ 2,488,539.26</b></u>

Now, therefore be it resolved that said payroll and vouchers are hereby allowed in order to be paid.

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call: Mayor Baker \_\_\_\_\_  
Comm. Seber \_\_\_\_\_  
Comm. Gilheany \_\_\_\_\_  
Comm. Gotti \_\_\_\_\_  
Comm. McGuire \_\_\_\_\_

Dated: \_\_\_\_\_ May 13, 2020