

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

OCTOBER 7, 2015

1. OPEN MEETING: _____ P.M.

2. ROLL CALL: MAYOR BAKER _____
COMM. SEBER _____
COMM. GILHEANY _____
COMM. HIGGINS _____
COMM. HIPWELL _____

3. PLEDGE OF ALLEGIANCE

**4. ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING
OF SEPTEMBER 16, 2015:**

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

5. COMMISSIONERS REPORTS:

MAYOR'S REPORT & CORRESPONDENCE	
COMM. SEBER	CITY ATTY. SERBALIK
COMM. GILHEANY	SUPERVISOR RICHARDSON
COMM. HIGGINS	MPD CHIEF WALDRON
COMM. HIPWELL	MFD CHIEF CORRIGAN

6. PUBLIC HEARING:

MOTION TO CLOSE REGULAR MEETING TO CONDUCT THREE PUBLIC HEARINGS:

MOVED BY: _____ SECONDED BY: _____

ROLL CALL: AYES: _____ NAYS: _____

- A. PUBLIC HEARING REGARDING LOCAL LAW 1-15 TO CHANGE ASSESSMENT VALUATION DATE.
- B. PUBLIC HEARING REGARDING LOCAL LAW 2-15 TO CHANGE TAXABLE STATUS DATE.
- C. PUBLIC HEARING REGARDING ORDINANCE 2-15 TO CHANGE DATE OF WATER BILLING.

MOTION TO CLOSE PUBLIC HEARINGS TO RETURN TO REGULAR MEETING:

MOVED BY: _____ SECONDED BY: _____

ROLL CALL: AYES: _____ NAYS: _____

7. OPEN TO PUBLIC COMMENT

8. ORDINANCES/LOCAL LAWS:

ORDINANCE: 2-2015
CHANGE WATER COLLECTION DATE

MOVED BY: _____ SECONDED BY: _____

ROLL CALL: AYES: _____ NAYS: _____

LOCAL LAW 1-2015
LOCAL LAW 1-15 TO CHANGE ASSESSMENT VALUATION DATE.

MOVED BY: _____ SECONDED BY: _____

ROLL CALL: AYES _____ NAYS: _____

LOCAL LAW 2-2015

LOCAL LAW 2-15 TO CHANGE TAXABLE STATUS DATE.

MOVED BY: _____ SECONDED BY: _____
 ROLL CALL: AYES _____ NAYS: _____

9. RESOLUTIONS:**RES. NO. 93-15**

AUTHORIZING THE COMMISSIONER OF ACCOUNTS TO ISSUE CHECKS FROM THE HOUSING TRUST FUND CORPORATION GRANT:

MOVED BY: _____ SECONDED BY: _____
 ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 94-15

APPROVAL TO PAY CHARLES WHEELER, SR., FIREFIGHTER, A LUMP SUM PAYMENT FOR HIS SERVICE DUE TO HIS PERMANENT DISABILITY:

MOVED BY: _____ SECONDED BY: _____
 ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 95-15

CITY COUNCIL TO DECLARE ITSELF LEAD AGENCY TO BECOME COMPLIANT WITH NYSDOH WATER SYSTEM REQUIREMENTS:

MOVED BY: _____ SECONDED BY: _____
 ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 96-15

CONFIRM RE-APPOINTMENT OF PAUL MICKALONIS TO A NEW (5) YEAR TERM ON THE MECHANICVILLE HOUSING AUTHORITY BOARD:

MOVED BY: _____ SECONDED BY: _____
 ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 97-15

AUTHORIZING THE COMMISSIONER OF ACCOUNTS TO ISSUE CHECKS FROM THE HOUSING TRUST FUND CORPORATION GRANT:

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 98-15

DPW APPOINTMENT

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 99-15

SALE OF TAX DELIQUENT PROPERTY

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 100-15

SALE OF CITY OWNED PROPERTY

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 101-15

2015 BUDGET TRANSFERS:

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

RES. NO. 102-15

PAYROLL AND VOUCHERS:

MOVED BY: _____ SECONDED BY: _____
ROLL CALL: AYES: _____ NAYS: _____

9. NEW BUSINESS

10. OLD BUSINESS

11. ADJOURNMENT:

INTRODUCED BY: _____
SECONDED BY: _____
ROLL CALL: AYES _____ NAYS: _____

ORDINANCE No. 2-15

WHEREAS A public hearing was conducted on October 7, 2015 regarding amending Section 194-18 and Section 194-19 of the City Code.

WHEREAS The proposed amendments were properly introduced and the Notice of Hearing properly published, and after due deliberation:

IT IS HEREBY ORDAINED that Section 194-18 of the City Code is amended to read as follows:

§ 194-18. Reading meters.

Meters will be read twice a year, the first reading to commence in March of each year and the second reading to commence in August of each year. The readings shall be made by an authorized agent of the Water Department wearing a badge inscribed "Inspector, Water Department of the City of Mechanicville." Only persons wearing such badge should be recognized.

IT IS HEREBY ORDAINED that Section 194-19 of the City Code is amended to read as follows:

§ 194-19. Water bills.

Bills for water shall be due and payable at the Office of the Commissioner of Accounts without penalty in May and October of each year.

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker	_____
Commissioner C. Mark Seber	_____
Commissioner Jodie Gilheany	_____
Commissioner Dave Higgins	_____
Commissioner Timothy Hipwell	_____

Dated: October 7, 2015

Local Law 1-2015

WHEREAS, a Public Hearing was conducted on October 7, 2015 for the purpose of seeking public comment regarding enacting Local Law 1-2015 authorizing revisions to Section 33 of the City Code regarding the preparation of the assessment roll and valuation date for real property,

WHEREAS, such Notice of Public Hearing was properly published in the appropriate newspapers: and

WHEREAS, after Public Hearing, the members of the City Council voted on the adoption of the proposed Local Law as follows:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MECHANICVILLE THAT THE FOLLOWING LOCAL LAW IS HEREBY ENACTED, EFFECTIVE UPON FILING PURSUANT TO LOCAL AND STATE LAW.

§ 33. Preparation of assessment roll.

The Assessor shall cause to be prepared, in manner and form as nearly as may be prescribed by the tax laws of the state, an assessment roll of all property within the City, and the Assessor shall, in addition to the information required by law, state separately the value of the land exclusive of the improvements thereon and the value of the land with the improvements thereon. The valuation date upon which the value of property is established shall be July 1 of the previous year.

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker _____
Commissioner C. Mark Seber _____
Commissioner Jodie Gilheany _____
Commissioner Dave Higgins _____
Commissioner Timothy Hipwell _____

Date: October 7, 2015

LOCAL LAW 2-15

WHEREAS, a Public Hearing was conducted on October 7, 2015 for the purpose of seeking public comment regarding enacting Local Law 2015-__ authorizing revisions to Section 35 of the City Code regarding the date of completion of the assessment roll,

WHEREAS, such Notice of Public Hearing was properly published in the appropriate newspapers: and

WHEREAS, after Public Hearing, the members of the City Council voted on the adoption of the proposed Local Law as follows:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MECHANICVILLE THAT THE FOLLOWING LOCAL LAW IS HEREBY ENACTED, EFFECTIVE UPON FILING PURSUANT TO LOCAL AND STATE LAW.

§ 35. Completion of assessment roll; notice.

The Assessor shall complete the assessment roll on or before the first day of May in each year and shall deposit said roll in his/her office and cause to be published in an official newspaper a notice that the assessment roll is completed and on deposit in his/her office and that it may there be examined during the hours said office is regularly open for business during the 10 days next after the publication of said notice, and that the Board of Assessment Review will attend at the Assessor's office for the last two of said 10 days from 2:00 p.m. until 8:00 p.m. to review the assessments and make any corrections therein

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker _____
Commissioner C. Mark Seber _____
Commissioner Jodie Gilheany _____
Commissioner Dave Higgins _____
Commissioner Timothy Hipwell _____

Dated: October 7, 2015

RESOLUTION No. 93 -2015

WHEREAS the Housing Trust Fund Corporation has awarded the City a \$400,000 grant providing for loans to City residents to fund residential home improvements and

WHEREAS the homeowners have applied for loans for improvements to real property owned by him/her within the City; and

WHEREAS the applicants and loans have been approved by an independent committee, which loans are properly secured with a mortgage upon the real property subject to the improvements; and

WHEREAS there is no cost to the City and it is hereby

RESOLVED that the above loan is hereby approved and the Commissioner of Accounts is hereby authorized to issue the following checks from the loan proceeds:

\$9,945.00 I&A Industries (Sommer Project)

\$8,595 S&G Contracting (Guilianelli Project)

\$1333.33 to the City of Mechanicville (Administration Fees)

\$300.00 Flatley Read LLC (Guilianelli Project)

\$10,332.00 I&A Industries (Ponzillo Project)

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Baker _____

Comm. Seber _____

Comm. Gilheany _____

Comm. Higgins _____

Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 94-2015

WHEREAS THE CITY OF MECHANICVILLE SERVICE AWARD PROGRAM allows for those Fire Department members who have accumulated enough points to qualify for LOSAP payments to collect a lump sum payment if they become totally disabled;

WHEREAS CHARLES WHEELER Sr. HAS ACCUMULATED ENOUGH points to allow him to receive a monthly LOSAP benefit when he reaches the age of 65;

WHEREAS CHARLES WHEELER Sr. HAS A PERMANENT DISABILITY under the rules of the United States Social Security Administration;

NOW THEREFORE BE IT RESOLVED THAT THE MECHANICVILLE CITY COUNCIL approves a lump sum payment to Charles Wheeler Sr. in the amount of \$17,582.93. By accepting this buyout Mr. Wheeler removes himself from the active roster as it relates to accumulating additional points toward future LOSAP payments.

Introduced By: _____

Seconded By: _____

Mayor Baker _____

Comm. Seber _____

Comm. Gilheany _____

Comm. Higgins _____

Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 95-2015

WHEREAS THE CITY OF MECHANICVILLE is under consent order by the New York State Division of Health (NYSDOH) to address deficiencies in their water system;

WHEREAS THE CITY wishes to address the deficiencies in their water system and become compliant with NYSDOH;

WHEREAS, THE CITY is seeking to achieve the needed improvements in the most cost effective manner possible; and,

WHEREAS, THE CITY is proposing to construct improvements throughout the City's water system, known as the City of Mechanicville Water System Improvements Project (Project). The Project includes a connection to the Saratoga County Water Authority system as an alternative source, reservoir improvements to Mechanicville Reservoir and the terminal reservoir, water treatment plant improvements, storage tank improvements, replacing undersized water mains, replacing and installing new water meters, and replacing the raw water main from Mechanicville Reservoir; and,

WHEREAS, THE CITY has declared its intent to be the Lead Agency through resolution and has classified the action to be an Unlisted Action; and,

WHEREAS, THE CITY has notified involved agencies of the City's intent to declare itself as lead agency and a minimum of 30 calendar days were provided, and each of the Involved Agencies or Interested Agencies has agreed to or raised no objections to the City Council serving as lead agency of the Project; and,

WHEREAS, in compliance with SEQRA, the City Council wishes to declare itself the Lead Agency.

NOW THEREFORE, it is resolved by the City Council as follows:

1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.
2. Pursuant to and in accordance with the coordinated review requirements of SEQRA, the City Council establishes itself as Lead Agency for the Project; and it is further
3. Resolved, that the City Council, as Lead Agency, will continue to progress the SEQRA process associated with the Project, including the completion of Parts 2 and 3 of the EAF and declaring the Project's Significance Determination by resolution at a future meeting.
4. This Resolution shall take place effective immediately.

INTRODUCED BY: _____
SECONDED BY: _____

Mayor Baker _____
Comm. Seber _____
Comm. Gilheany _____
Comm. Higgins _____
Comm. Hipwell _____

RESOLUTION NO. 96-2015

WHEREAS THE TERM OF PAUL MICKALONIS ON THE City of Mechanicville Municipal Housing Authority expired on September 30, 2015;

WHEREAS THE MAYOR HAS RE-APPOINTED Mr. Mickalonis to a new (5) year term on the Mechanicville Housing Authority Board;

NOW THEREFORE BE IT RESOLVED THAT THE City of Mechanicville City Council confirm the re-appointment of Paul Mickalonis to new (5) year term beginning October 1, 2015 and ending September 30, 2020 to the Mechanicville Housing Authority Board.

Introduced By: _____
Seconded By: _____

Mayor Baker _____
Comm. Seber _____
Comm. Gilheany _____
Comm. Higgins _____
Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 97-2015

WHEREAS the Housing Trust Fund Corporation has awarded the City a \$400,000 grant providing for loans to City residents to fund residential home improvements and

WHEREAS the homeowners have applied for loans for improvements to real property owned by him/her within the City; and

WHEREAS the applicants and loans have been approved by an independent committee, which loans are properly secured with a mortgage upon the real property subject to the improvements; and

WHEREAS there is no cost to the City and it is hereby

RESOLVED that the above loan is hereby approved and the Commissioner of Accounts is hereby authorized to issue the following checks from the loan proceeds:

\$10,998.00 S&G Contracting (Dragonette Project)

\$9,180.00 S&G Contracting (Welch Project)

\$1333.33 to the City of Mechanicville (Administration Fees)

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker _____

Commissioner C. Mark Seber _____

Commissioner Jodie Gilheany _____

Commissioner Dave Higgins _____

Commissioner Timothy Hipwell _____

October 7, 2015

RESOLUTION NO. 98-15

WHEREAS THERE IS A VACANCY FOR A LABORER IN THE City Department of Public Works;

WHEREAS THIS POSITION NEEDS to be filled with a qualified individual;

WHEREAS SEAVER HIGGINS, 2 Riverside South, Mechanicville, has all of the qualifications needed to fill this position;

NOW THEREFORE BE IT RESOLVED THAT Seaver Higgins is hereby appointed to the position of full-time Laborer at an hourly rate of \$15.62, 40 hours per week per the CSEA contract. His appointment will effective October 8, 2015.

Introduced By: _____

Seconded By: _____

Mayor Baker _____

Comm. Seber _____

Comm. Gilheany _____

Comm. Higgins _____

Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 99-15

WHEREAS THE CITY HAS ACQUIRED TITLE to the parcel of real property located at 126 North Second Ave. designated as tax map parcel 262.61-1-15 pursuant an In Rem foreclosure proceedings;

WHEREAS THE COMMISSIONER OF ACCOUNTS conducted a public sale of such parcels on October 5, 2015;

WHEREAS WILLIAM CONNERS AND ELYSIA CONNORS were the highest bidder for the property offering \$70,000

NOW THEREFROE BE IT RESOLVED THAT such bid is hereby accepted and the Mayor shall, by Quit Claim deed transfer the City's interest in the property to William and Elysia Connors in accord with the approved terms of sale.

Introduced By: _____
Seconded By: _____

Mayor Baker _____
Comm. Seber _____
Comm. Gilheany _____
Comm. Higgins _____
Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 100-15

WHEREAS THE CITY OF MECHANICVILLE HAS TITLE TO (2) PARCELS, 12 New York Ave. tax map parcel 262.61-1-15 and tax parcel no. 261.60-2-10 a vacant parcel located on Elizabeth St;

WHEREAS THE COMMISSIONER OF ACCOUNTS CONDUCTED a public sale of the (2) two parcels on October 5, 2015;

WHEREAS SUSAN McNEIL AND STEVEN STREETER were the highest bidder for both properties offering \$20,000 for New York Ave. property and \$16,500 for the vacant parcel on Elizabeth St;

NOW THEREFORE BE IT RESOLVED THAT SUCH BIDS are hereby accepted and the Mayor shall, by Quit Claim deed, transfer the interest in the property to Susan McNeil and Steven Streeter in accord with the approved terms of sale.

Introduced By: _____

Seconded By: _____

Mayor Baker _____

Comm. Seber _____

Comm. Gilheany _____

Comm. Higgins _____

Comm. Hipwell _____

October 7, 2015

RESOLUTION NO. 101-15

WHEREAS, the Mechanicville City Council adopted their 2015 Annual Budget on December 17, 2014; and

WHEREAS, the City Council now wishes to amend said Ordinance with the following transfer of budget balances:

THEREFORE BE IT RESOLVED, that for the 2015 budget we wish to approve the following budget amendments:

AMOUNT	FROM BUDGET CODE	TO BUDGET CODE	FROM	TO
5,000.00	A0-5010-100	A0-5010-402	Highways - Personal Services	Highways - Materials & Supplies
To cover Highways - Materials & Supplies for remainder of the year.				
781.19	A0-5630-100	A0-5630-105	Bus Operations - Personal Services	Bus Operations - Overtime
300.00	A0-5630-402	A0-5630-407	Bus Operations - Materials & Supplies	Bus Operations - Repairs & Maintenance
437.72	A0-6772-402	A0-6772-410	Programs for Aging - Materials & Supplies	Programs for Aging - Contracted Services
To cover Bus Operations overtime, Repairs & Maintenance and Programs for Aging copier expense.				
3,000.00	A0-3120-407	A0-3120-410	Police Department - Repairs & Maintenance	Police Department - Contracted Services
To cover Police Department copier expense, originally budgeted in Repairs & Maintenance.				
315.00	A0-1364-410	A0-1950-410	Property Acquired for Tax	Tax/Assess on Property - Real Estate Tax
3,455.00	FX-1910-404	FX-1950-401	Unallocated Insurance - Insurance - Other	Tax/Assess on Property - Real Estate Tax
To cover Real Estate Taxes.				
297.00	A0-1325-410	A0-1325-411	Finance - Contracted Services	Finance - Conference Expenses
To cover conference expenses.				
150.00	A0-1210-411	A0-1210-410	Mayor - Conference Expense	Mayor - Contracted Services
678.00	A0-1210-411	A0-1210-410	Mayor - Conference Expense	Mayor - Contracted Services
760.00	A0-1210-411	A0-8020-410	Mayor - Conference Expense	Planning & Zoning - Contracted Services
To cover stenographic minutes & Planning & Zoning dues.				
5,800.00	A0-5010-100	A0-5010-104	Highway - Personal Services	Highway - Summer Salaries
To cover Highway PT Staff.				
12.19	A0-3510-413	A0-3510-402	Animal Control Officer - Phones	Animal Control Officer - Materials & Supplies
To cover shortage in ACO Supplies.				
150.00	A0-1210-410	A0-1210-411	Mayor - Contracted Services	Mayor - Conference Expenses
1,041.00	A0-1210-430	A0-1210-411	Mayor - Phones	Mayor - Conference Expenses
To cover dues & conferences.				
50.00	A0-1315-405	A0-1315-411	Accounts - Travel	Accounts - Conference Expenses
To cover conference expense.				
35.00	A0-1325-410	A0-1325-411	Finance - Contracted Services	Finance - Conference Expenses
To cover conference expense.				
9,335.40	A0-5010-100	A0-5112-407	Highway - Personal Services	Road Construction - Repairs & Maintenance
To cover street paving.				

Introduced by: _____

Seconded by: _____

Roll Call: Mayor Baker _____
 Comm. Seber _____
 Comm. Gilheany _____
 Comm. Higgins _____
 Comm. Hinwell _____

RESOLUTION NO.

102-15

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

ABSTRACT		
PAYROLL #	39-15 9/24/15	\$ 88,910.54
PAYROLL #		\$ -
PAYROLL #		
		<hr/>
		\$ 88,910.54

With an expenditure breakdown by fund as follows:

GENERAL A0 FUND	\$223,474.91
WATER FX FUND	\$69,957.97
SEWER G0 FUND	\$2,840.93
CAPITAL PROJECTS H0 FUND	\$37,725.28
PAYROLL FUND	\$ 88,910.54
TRUST & AGENCY T&A FUND	\$ -
	<hr/>
TOTAL	\$422,909.63

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. Higgins _____
Comm. Hipwell _____

Dated: October 7, 2015