

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
December 13, 2023

The regular meeting of the Mechanicville City Council was held at the Senior Center, 178 North Main Street, Mechanicville, New York on Wednesday December 13, 2023.

Mayor Butler called the meeting to order at 6:01 P.M.

Mayor Butler led the Pledge of Allegiance to the Flag.

Roll Call:	Mayor Butler	Present
	Commissioner Seber	Present
	Commissioner Martin	Present
	Commissioner Sgambati	Present
	Commissioner Hosley	Present

Motion to accept the November 8, 2023 Meeting Minutes:

Motion: Mayor Butler Seconded by: Commissioner Hosley

AYES: 5 NAYS: 0

City Attorney Lyn Murphy stated Commissioner Martin was not appointed at during the time of the last meeting but was present so therefore verify it is an accurate representation.

Commissioner Reports:

Mayor Butler stated the website was down for several days and it took a few days to get it straightened out. He thanked Commissioner Seber for all he has done for the City for the past 26 years. He went on to say he has been very beneficial to him with the things he did not understand, especially the grants. He also thanked Deputy Commissioner Foard who is also leaving after 25 plus years with the City, she does an amazing job, is more organized than anyone he knows, and whenever he had a question she was able to get him the answers he needed in a timely fashion. Mayor Butler thanked Amanda Brill for her 10 plus years with the City, he reached out to the auditor that has worked with the City for several years and he stated Amanda did a really nice job over the years considering she did not have an accounting background. He added Ken stated that each year the audits got a little better and she did whatever she could to make the City financially stable and over the last 9 years the audits with the State have been good.

Commissioner Seber thanked Mayor Butler for his kind words and wished everyone Happy Holidays.

Commissioner Martin stated she was sworn in on 12/4 and took the oath of office on 12/5. She stated that in her 8 working days she has found the Finance Office in alarming conditions. She went on to say the filing system is in complete disarray, piles of papers were left on desks and on top of cabinets, multiple years were co-mingled in the folders that do exist, many bills are missing entirely from the folders, there is no calendar of when regularly paid items are due, no transfers of accounts into her name prior to her taking office, no current master lists of accounts, she was unable to obtain banking and payroll access until day 4 in office, and no preparations were made for her taking office. She went on to say that since taking office she found that no cash receipts have been entered since 10/31, no journal entries have been done since the second week in November, unopened mail, there were over \$10,000 in mistakes with payroll which included inaccurate pay for comp time, salary paid that was not owed, and a paycheck being issued early for hours not yet worked. Commissioner Martin added there are inadequate time sheets, withholding done incorrectly, gas was going to be shut off at DPW. She listed overdue bills from WB Mason, Governmental Court, National Business, Spectrum, Phone Service, Edmunds, and Country Living. She went on to say that NYSEG had an error in billing and now we have to pay the bill which is over \$100,000 which Mayor Butler and Commissioner Seber negotiated and got the bill down to \$85,000 which was not included in the budget that was proposed at the November meeting. She stated the resolution for the Assessors hourly rate went from \$36.64 to working fewer hours but the rate is \$48.08 which is higher than the County rate for Assessors. Lastly, she stated New York State is going to be auditing the City and she is very excited about it and invited the public up to see the office.

Commissioner Sgambati stated they had 2 additional water breaks and thanked everyone including Evolution for their hard work over the Thanksgiving Eve break where they worked 16 hours. He went on to say they also had 2 sewer breaks and stated they found feminine products, lingerie, and flushable wipes. He stressed the importance to residents that nothing should be flushed down the toilet except toilet paper, and that flushable wipes should not be flushed. He went on to say he has received few applications for MEO and is hoping they can have a special meeting to hire someone and he wished everyone a Happy Holiday.

Commissioner Hosley stated the memory trees lighting was wonderful, he wished the weather was a little better but it was still had a great turn out, he stated they have sold between 300-400 keychains and the last of the banners for this year will be hung Tuesday. He stated that anyone taping the meetings needs to be careful about talking because there were some nasty things said during the last meeting about a certain person that was heard by everyone listening to the meeting. He went on to say that he has been in office 2 years and been through 3 budgets and they were fine with no problems so he is not sure all these problems were found in 6 days and feels there is character assassination going on and he does not want to be a part of it. He went on to say that you may find that some things are not as bad as they seem. Lastly, he stated that although they have not always agreed in the last 2 years they have always moved on from it and thanked Commissioner Seber for his service. He went on to say that anything anyone wants to say nice about Emilia Foard he would second and she has been wonderful to him since he has taken office and the same for Amanda Brill.

Chief Rabbitt stated the new recruit is ready to graduate the academy and will be in field training for the next few months, and there are still a few vacancies. He stated they just scored the Civil

Service test and agility test and there are a few good candidates on the list and will be looking to hire at least one hopefully at the next meeting. He thanked Commissioner Seber for all of his support to the Police Department over the years and for always having an open door.

Chief Matt Dunn gave his report which is attached to the minutes and stated he attended a meeting at Saratoga County about a grant program coming up for 2024 and the State is releasing 250 million dollars for a 2-part grant that can go for equipment or for facility modifications to bring it up to the standard from Building and Codes. He added along with that there is going to be a stipend given for State training which costs nothing to the City as funds are given from the State and he will handle all the paperwork for it.

City Attorney Lyn Murphy wished everyone Happy Holidays and thanked Commissioner Seber for all the work he has done for the City. She thanked Commissioner Hosley for the comment because she also received reports that whoever was livestreaming was picking up some foul language which makes the City Council look less professional than they are.

Public Hearing (Code of Ethics):

Commissioner Seber opened the public hearing for Section 18 of the City Code which has to do with the Code of Ethics, he added they are not making any changes to the current Code of Ethics but these are in addition to what currently exists dealing primarily with financial disclosure reporting.

Kim Dunn of South Main Street stated she tried to compare what was handed out to what is currently in the Charter and stated it was very confusing.

City Attorney Lyn Murphy stated 18 is staying exactly like it is and part of the confusion is they are in the process of dealing with General Code so everything is going to be re-numbered and re-lettered but what is currently listed under Chapter 18 with the additions being added.

Kim Dunn stated she understands what she is saying but when looking at what was handed out it is very hard to understand, she suggested that maybe in the future they should make it so it is easier for people to understand. She added it is very misleading and makes it look like things are being replaces as opposed to just being added. Kim suggested instead of just attaching what is being added they should do a presentation explaining it.

Ray Martin of Tallmadge Place suggested it would be helpful if the definitions be included in a subsection just for the financial reporting.

City Attorney Lyn Murphy stated that next time she could re-type the entire document and italicize or strikeout what is being changed deleted, and or added.

Ray Martin stated that the annual disclosure is required by New York State and the City is just repeating what New York State law says.

City Attorney Lyn Murphy stated that is not true and the difference is if you go by the State Law you have to report to the State but the local communities are permitted to create their own statute so it is reported to the local community.

Ray Martin stated he called the Department of State and they confirmed that local communities don't need to report to the State but do have to report locally.

City Attorney Lyn Murphy stated the City has to have a local law to mandate that and went on to say if they are not codified in Mechanicville the City can not enforce them in Mechanicville.

Ray Martin stated the Department of State told him the City of Mechanicville was already responsible for collecting this information.

City Attorney Lyn Murphy stated it is required that it be reported to the State, this requires it be reported to the City and the City does not now have to report it to the State, it just changes who the reporting agency is. She went on to say if he is asking if the City has been in compliance with the reporting requirements the answer is no.

Darlene McGraw from Halfmoon stated this is very complex.

Commissioner Seber did announce there would be an executive session.

Public Comment:

Tom Mahoney asked if the grant money they are voting on tonight has already been issued to the City.

Commissioner Seber stated it is not here but the City was awarded the grant and the resolution on the agenda is allowing the Mayor to sign the contract for the grant and added they are reimbursable grants.

Tom Mahoney stated that on the night that the holiday train came to Mechanicville there was a train stopped blocking the other tracks on Viall Avenue for quite a while and wondered if there was a time limit as to how long a train is allowed to sit.

Commissioner Seber stated the City has no jurisdiction over the Railroad.

City Attorney Lyn Murphy stated there are many municipalities that have contacted the Federal Government because it is an issue with delaying emergency response to respond to calls and she has not heard of a positive response to a complaint.

Tom Mahoney asked what the third person being hired in the Finance Department would be responsible for.

Commissioner Martin stated Mr. DeVito has an extensive accounting background and would be educating her on putting spreadsheets together, balancing the books, and providing higher level

services of an accountant to the office. She went on to say the Deputy Commissioner has knowledge and training of the computer programs therefore she decided to make it two part-time positions and not spend as much as currently being spent but also get a higher level of knowledge.

Tom Mahoney asked if Mr. DeVito would be short term.

Commissioner Martin stated it would depend on the needs of the office.

Tom Mahoney stated there are other communities involved in the class action involving PFA's and asked if there was any particular reason Mechanicville has not joined.

City Attorney Lyn Murphy stated she has the contract for the Mayor to sign, the issue was that everyone is paying 33 1/3 % contingency and she negotiated down to 25% so it took a little longer.

Tom Mahoney asked if they have tested water in the City.

City Attorney Lyn Murphy stated the next step in the process is to go back 5 years and retrieve all the testing that has been done to compare with the average in the lawsuit.

Bill Connors of Purdy Lane congratulated Commissioner Martin and applauded her recommendations for hire.

Barb McGuire of South Second Street asked the Council if a deal or prior agreement made with CDTA to get rid of the City bus.

Mayor Butler said there was not.

Barb McGuire asked why there was no resolutions to award money to the home grants.

Commissioner Seber stated because the program was approved they did not need to do resolutions.

Barb McGuire asked how many home grants there were.

Commissioner Seber stated the City is funded for 10.

Barb McGuire stated she FOIL'ed all building permits and there were only 4 in there and she asked why.

Commissioner Seber stated because there are only 4 where the work has begun.

Barb McGuire asked if tax liens are filed on the properties.

City Attorney Lyn Murphy stated yes for all the ones she has seen.

Barb McGuire asked what law is in place that allows code enforcement office to mandate inspections be done with no reasonable suspicion that a code violation has taken place, and asked if it is the same as a warrantless search. She also asked why the homeowners are paying him for the service when he is already being paid to work.

City Attorney Lyn Murphy stated that if something is reported that is an emergency in nature they do not need a warrant, if they receive consent they do not need a warrant, if they do not get consent and do not have proof of an emergency they need to get what is called an administrative warrant which is nothing like a criminal warrant.

Barb McGuire stated people have received letters stating they need to let code enforcement in their homes or they will be fined and she wants to know what authority the City has to do that.

City Attorney Lyn Murphy stated she needs to confer with Code Enforcement.

Barb McGuire asked why there was no resolution to pay BW Steel or PJ Baker.

Commissioner Seber stated every meeting they approve vouchers.

Dave Hicks of First Avenue asked if there would be another meeting on the budget.

Commissioner Seber stated the City needs to pass a budget before the end of the year.

Commissioner Martin stated there would be a special meeting.

Dave Hicks stated there is an issue on South Street and Second Street with someone parking in front of a hydrant. He asked if markings were going to be made for handicap parking. He asked where the City was at with the splashpad.

Mayor Butler stated the engineering just completed last week and they are contemplating on going out to bid on the project.

Dave Hicks asked if the parking lot next to the fire house was going to be done this year.

Mayor Butler stated there are no plans at this time.

Kim Dunn of South Main Street asked if the grant in resolution 117-23 was a matching grant.

Commissioner Seber stated it was a CDBG grant and there was no match.

Kim Dunn what raw water improvements will be done.

Mayor Butler stated that is still being worked on and it was for the water plant and cannot be used in the City.

Kim Dunn asked if in resolution 116-23 the money would be coming out of the grant.

Commissioner Seber stated it was a loan with USDA.

Kim Dunn asked about resolution 121-2023.

Commissioner Seber stated before the City can receive the funds they need to have a second public hearing.

Kim Dunn stated the resolution for the hiring of a new Assessor is for 2 less hours per week but if you do the math it is over \$48 per hour which is unacceptable.

Commissioner Seber stated he advertised on the Saratoga County Assessor site, and the New York State Assessor site, they did not have many responses but did have 2 interviews. He said it was not easy to find an Assessor.

Commissioner Martin stated she was also concerned about the \$48 per hour and the County Assessor makes about \$36.13 per hour.

Chad Smith of South Main Street stated he came to a meeting a few months ago about the water quality in the City and to date it has not improved. He went on to say that we have a beautiful water plant that we paid a lot of money for with an infrastructure that can't support it. He added that water quality is important for this community. Chad stated he has been in contact with Commissioner Sgambati about a water issue at his property around August 13th and he provided a sample of water from his property. He said that he requested the results be sent to him but has not heard anything back from anyone.

Commissioner Sgambati stated he recalled letting him know that a sample cannot be taken from a resident and submitted to New York State but it has to be done by the City's water distribution person.

Chad Smith stated that the issue is that although it may be discredited, which is fine, not getting a response to his emails with further information on the result is a problem and he should be informed as to the water results tested from his home.

Commissioner Sgambati stated he will look into the results.

Chad Smith asked for him to reach out to him when as soon as he finds the answers.

Marylou Kling of Lee Street welcomed Commissioner Martin to the Council and went on to say that an incoming Commissioner faces a lot of challenges and hopes the Council can understand the challenges she is facing. She went on to say that she has been asked to be the Deputy Commissioner and was told up front with the challenges the City is facing but feels the Council has a lot of potential and if they can keep the communication going they will be able to do a good job together to resolve ongoing issues.

Darlene McGraw of Halfmoon suggested the City and Police let people know that cars are not allowed to park on sidewalks, it is a public right away. She suggested that Chestnut and Third Street become a 4-way stop. She asked if the City was going to allow the flex bus and CDTA to park at DPW.

Mayor Butler stated that is up to CDTA.

Darlene McGraw stated she is happy the State Comptroller is coming in to audit the City because she is all for transparency.

Ray Martin of Tallmadge Place congratulated Commissioner Sgambati for his quick decision and actions regarding the water main breaks especially over the Thanksgiving holiday. He stated Commissioner Hosley did a great job with the tree lighting in Tallmadge Park. He then asked Chief Rabbitt what was one of his main concerns within the City and how the residents can help. He asked Commissioner Sgambati if he was willing to go to the retailers in the City and ask them to place a sign near their flushable wipes stating they are not allowed to be flushed down the sewer system or actually have them remove them from the shelves.

Police Chief Bill Rabbitt stated the main concern for the past several years is domestic violence related issues and one of the ways to help is if you know someone who is a victim encourage them to reach out to the local authorities for help. He went on to say that he appreciates his compliment on the report as he takes great time and effort to create them and likes to be transparent but also stated that he knows people like to see the pictures of the arrests but sometimes especially during domestic violence arrests when they put that out there then people can identify the victims and don't want them re-victimized. He stated he tries to refrain from putting things on social media unless it has a direct connection to public safety.

Resolutions:

RESOLUTION 115-2023 Animal Shelter Agreement

Moved by: Commissioner Hosley

Seconded by: Commissioner Seber

AYES: 5 NAYS: 0

RESOLUTION 116-2023 USDA Water Additional Engineering Services

Moved by: Mayor Butler

Seconded by: Commissioner Sgambati

AYES: 5 NAYS: 0

RESOLUTION 117-2023 CDBG Grant

Moved by: Mayor Butler
Seconded by: Commissioner Hosley

AYES: 5 NAYS: 0

RESOLUTION 118-2023 Assessor

Moved by: Commissioner Seber
Seconded by: Mayor Butler

AYES: 4 NAYS: 1

NAY: Commissioner Martin

RESOLUTION 119-2023 Part-time Deputy Commissioner of Finance

Moved by: Commissioner Sgambati
Seconded by: Commissioner Martin

AYES: 2 NAYS: 3

Nays: Mayor Butler, Commissioner Seber, Commissioner Hosley

RESOLUTION 120-2023 Part-time Assistant

Moved by: Commissioner Martin
Seconded by: Mayor Butler

AYES: 5 NAYS: 0

RESOLUTION 121-2023 Public Hearing (Stormwater)

Moved by: Commissioner Seber
Seconded by: Mayor Butler

AYES: 5 NAYS: 0

NEW BUSINESS: None

OLD BUSINESS: None

Closed Meeting to go into Executive Session: 7:30 P.M

Moved by: Mayor Butler

Seconded by: Commissioner Sgambati

AYES: 4 NAYS: 0

Meeting Adjourned: 7:46

Moved by: Mayor Butler

Seconded by: Commissioner Sgambati

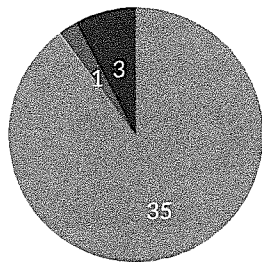
October 2023 Report

October 1, 2023 - October 31, 2023



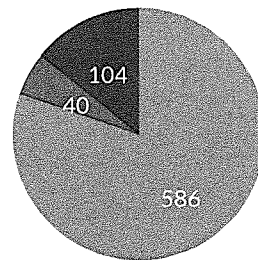
Warrants	EMS/Fire	Arrests	Total Incidents Month	Total Incidents YTD
Active Warrants 54	EMS/Fire Calls 53	Monthly 30	493	4710
	EMS/Fire Calls YTD 652	YTD 492	Domestic Incidents Month 23	Domestic Incidents YTD 233

MONTHLY ARREST CHARGES



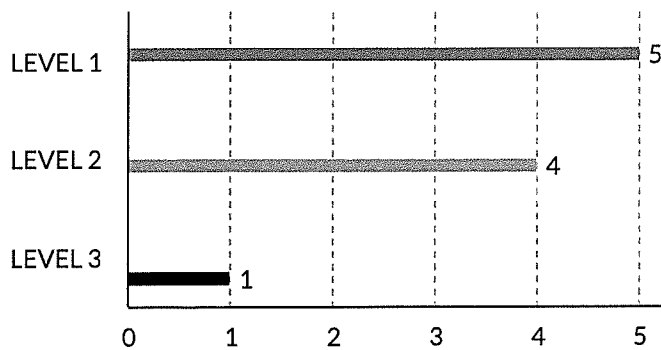
■ Misdemeanor (89.74%) ■ Violation (2.56%)
■ Felony (7.69%)

YEAR TO DATE ARREST CHARGES

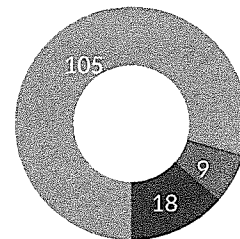


■ Misdemeanor (80.27%) ■ Violation (5.48%)
■ Felony (14.25%)

SEX OFFENDERS

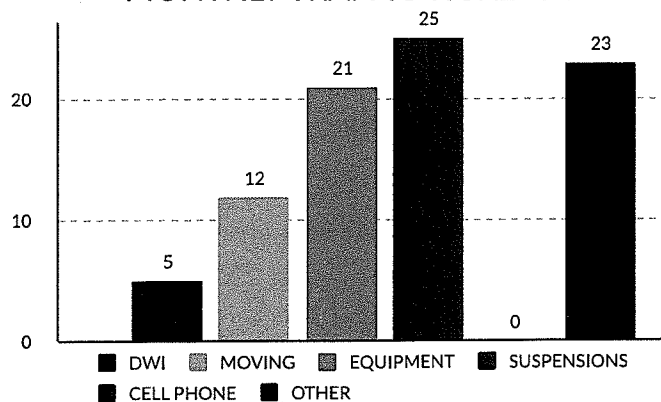


YTD TRAFFIC CRASHES

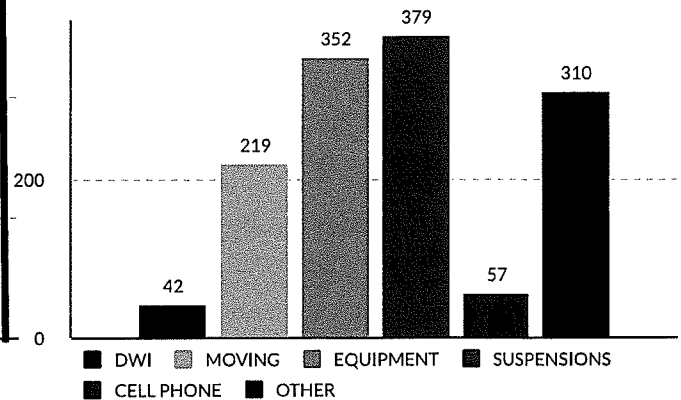


■ PROPERTY DAMAGE (79.55%)
■ PERSONAL INJURY (6.82%) ■ HIT AND RUN (13.64%)

MONTHLY TRAFFIC TICKETS 86



YEAR TO DATE TRAFFIC TICKETS 1359



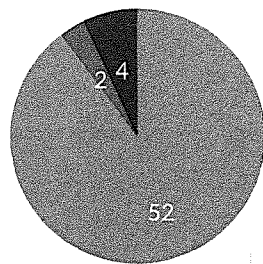
November 2023 Report

November 1, 2023 - November 30, 2023



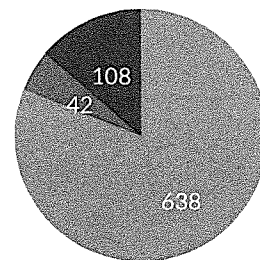
Warrants	EMS/Fire	Arrests	Total Incidents Month	Total Incidents YTD
Active Warrants 50	EMS/Fire Calls 60	Monthly 43	463	5173
	EMS/Fire Calls YTD 712	YTD 535	Domestic Incidents Month 22	Domestic Incidents YTD 255

MONTHLY ARREST CHARGES



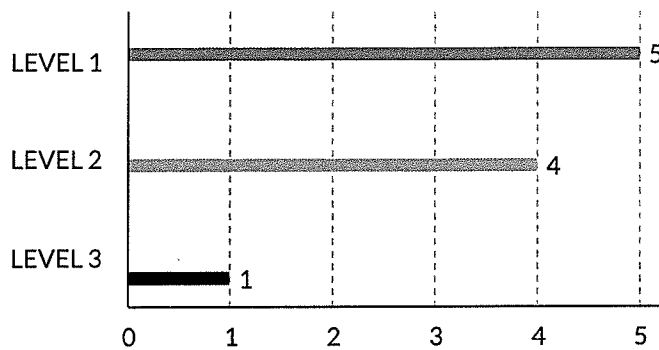
■ Misdemeanor (89.66%) ■ Violation (3.45%)
 ■ Felony (6.9%)

YEAR TO DATE ARREST CHARGES

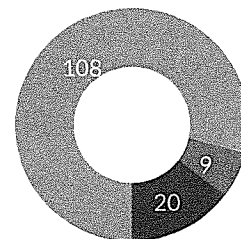


■ Misdemeanor (80.96%) ■ Violation (5.33%)
 ■ Felony (13.71%)

SEX OFFENDERS

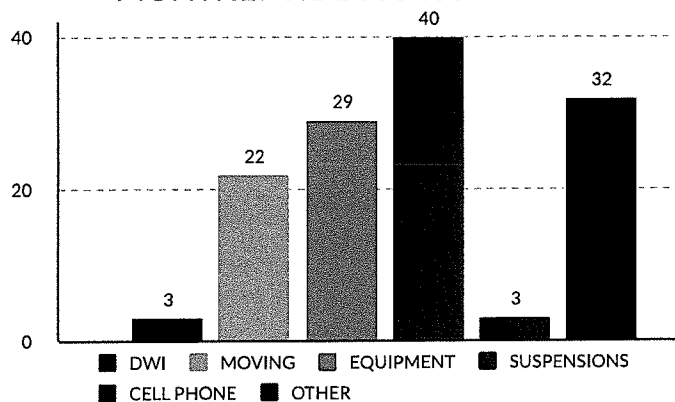


YTD TRAFFIC CRASHES

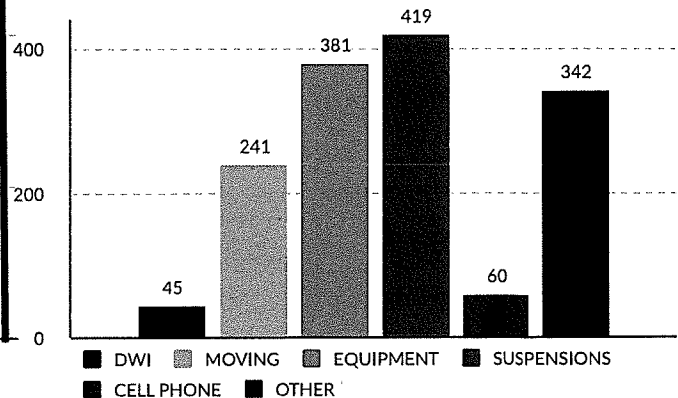


■ PROPERTY DAMAGE (78.83%)
 ■ PERSONAL INJURY (6.57%) ■ HIT AND RUN (14.6%)

MONTHLY TRAFFIC TICKETS 129



YEAR TO DATE TRAFFIC TICKETS 1488



Mechanicville Fire Department

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

**Chief
Matthew Dunn**

**Deputy Chief
Alexander Dunn**

**Assistant Chief
Nickolas Dunn**

November 2023 Chief's Report

INCIDENT TYPE	# INCIDENTS
111 - Building fire	2
114 - Chimney or flue fire, confined to chimney or flue	1
251 - Excessive heat, scorch burns with no ignition	1
311 - Medical assist, assist EMS crew	39
322 - Motor vehicle accident with injuries	1
412 - Gas leak (natural gas or LPG)	4
424 - Carbon monoxide incident	2
632 - Prescribed fire	1
736 - CO detector activation due to malfunction	2
743 - Smoke detector activation, no fire - unintentional	4
745 - Alarm system activation, no fire - unintentional	12
Total Incidents:	69

MUTUAL AID

Aid Type

Aid Given- 8

Aid Received- 4

OVERLAPPING CALLS

OVERLAPPING

5

% OVERLAPPING

7.25