

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
May 12, 2021
6:00 P.M.

The regular meeting of the Mechanicville City Council was held at the Senior Center, North Main Street, Mechanicville, New York on Wednesday May 12, 2021.

Mayor Baker: Called the meeting to order 6:00 P.M.

Mike Butler led the Pledge of Allegiance to the Flag.

Roll Call:	Mayor Baker	Present
	Commissioner Seber	Present
	Commissioner Johnson	Present
	Commissioner Gotti	Absent
	Commissioner McGuire	Present

Motion to accept the April 14, 2021 Meeting Minutes:

Motion: Commissioner Seber Seconded by: Commissioner McGuire

AYES: 4 NAYS: 0

Commissioner Reports:

Mayor Baker announced on May 27, 2021 there will be a Veteran's memorial in Tallmadge Park at 6:00 p.m. in front of the flags. Mayor Baker announced that after discussions with the Chief of Police they are withdrawing the request for the Secretary to the Chief exam.

Commissioner McGuire asked why that is happening.

Mayor Baker stated they don't believe they need someone.

Commissioner McGuire asked who would be at the desk during the day.

Police Chief Rabbitt stated they have been running smoothly without that position and are going to continue to do so.

Commissioner McGuire asked the Chief if he feels the City is well served.

Police Chief Rabbitt stated he feels they are provided what they promised to do and doesn't think there is any lack of service with the position not being filled.

Commissioner McGuire stated she has called several times and no one has answered.

Police Chief Rabbitt stated if you call 518-664-7383 you will get someone every time but if you call 518-664-7384 there will be times you won't speak to an Officer.

Commissioner McGuire stated the plan was to always use a part-time Police Officer and she asked why that is not being done.

Police Chief Rabbitt stated they have found they can provide the same level service without the added expense of having someone there. He added if you want to contact the Mechanicville Police Department you contact 518-664-7383 and someone will always answer.

Commissioner McGuire stated is you call 518-664-7383 and Saratoga County picks up people may be reluctant to talk to Saratoga County instead of what we had with our Police Officers. She added people feel more comfortable with our Officers.

Police Chief Rabbitt said that he would hope that if somebody had something suspicious to report or a complaint they would do so no matter who answered the phone. He added if you call the Saratoga County Sheriff's office you are going to get someone who is specially trained answering the phone.

Commissioner McGuire stated she just thinks people just won't call because they don't think it is serious enough to talk to someone at the County when they could talk to someone local.

Police Chief Rabbitt stated he understands where she is coming from but there is different staff now and they don't necessarily know the residents that are calling.

Commissioner McGuire stated there is the familiarity of Mechanicville and gave the example that if she was walking up near DPW and broke her leg, she may not know there is an actual address to give the person on the other line.

Police Chief Rabbitt stated if that were ever the situation he would hope the person would call 911 and the phone would be tracked. He added he understands there may be a slight difference with the service provided but overall since the switch over and a couple of non-emergency situations it has gone pretty well.

Commissioner McGuire stated that when there was a dispatcher no one was complaining about paying for that service.

Commissioner Seber stated read a statement regarding the MS4 program which is the storm sewer water drainage program. "The City annual MS4 report will be posted online for public review from May 12, 2021 through May 26, 2021 this report is required for the City permit with New York DEC title GP-0-15-003, and it summarizes the City's activities pertaining to stormwater management as required by, and outlined within, the permit. The public may review this report and submit comments at www.mechanicvillestormwater.com through May 26, 2021 at which time the public comment period will close. The final report will be electronically

submitted to the NYSDEC by June 1, 2021.” Commissioner Seber added there is a link on the City website, go to stormwater management there is a link to get to the website that was just mentioned. He added his Department is in the middle of water collection and is going very well. Commissioner Seber stated the City closed on the property located at 237 South Main Street and it is no longer owned by the City and it is scheduled to close on 14 Warsaw next week. He went on to say the Board of Assessment review is scheduled to meet at the Senior Center on May 25, 2021 by appointment but if someone walks in they will take them. He added temperatures and social distancing protocols will be in place and from 9 am to 1 pm on May 22, 2021 the Assessor will be available to discuss their assessment with her and she is there tonight until 8:00 pm if anyone wanted to see her. Commissioner Seber stated that Congressman Tonko is allowed to select six (6) communities within his Congressional District to attempt to get funds for various reasons and Mechanicville is one of the municipalities with the goal being to obtain a 1 million dollar grant which will amount to \$800,000 after the match for infrastructure, water main replacement and others along that line. He added it is a very competitive situation but just being on the list says a lot for the application submitted and he is in hopes we will receive some funds.

Commissioner Johnson stated in the last four (4) or five (5) months there have been eleven (11) fraudulent checks written against the City’s accounts in which only one of them has cleared and was cashed in New Jersey and the Police Department is working to find who did it. He added his Department is working with TD bank to go to a program called positive pay in which when the weekly checks are done they are sent to TD bank and if someone tries to cash a check that doesn’t match the ledger that was sent it will not be able to be cashed. He added there is a charge for positive pay but with working with TD bank to get other expenses eliminating they are actually saving \$250 a year.

Commissioner McGuire stated the playgrounds are open and everything is going well. She mentioned there is a young man who goes to the playground to play basketball before he starts to play he picks up all the water bottles and puts them in the garbage and she wanted to publically thank him. She added she is very pleased with the staff she has working there. Commissioner McGuire added the Senior Center opened on May 5th and is working out very well and there have not been any problems and she is hearing the Governor is loosening up restrictions on May 19th and she is hoping the restrictions here in the City will be loosened as well since 90% of the seniors are vaccinated.

Public Hearing for CDBG monies:

Bob Murphy from Barton and Loguidice explained the purpose of the public hearing is under the community development block program is two-fold. He went on to say annually there is competitive funding for infrastructure and planning money that is offered through the State in which that the City has applied successfully in the past to receive funding and a public hearing is required before an application is submitted. He added the nice thing about the CDBG (Community Development Block Grant) funding is there is no match. Bob Murphy the second fold is that on a one time basis there is additional funding from CDBG related to COVID matters to help stop the spread of infectious disease through building improvements. He went on to explain that the improvements include HVAC improvements, air circulation, and generators

which could be applied to City owned buildings but do not include City Hall. He went on to say this would include DPW, Community Center, Firehouses and any other City owned building. He added the public hearing tonight is to make the City eligible for the grant.

Kim Dunn asked in the response to the COVID grant what the maximum amount the City is able to get.

Bob Murphy stated he does not believe there is a maximum amount for the COVID grant but there is a \$350,000 max for the other grant.

Kim Dunn stated the Police Department is technically is not part of City hall but they have the same address as City Hall so she is wondering if they could be included in the COVID grant.

Bob Murphy stated he does not know the answer to that.

Mayor Baker stated he spoke with Don Fletcher about that and he was looking into it.

Bob Murphy stated as of right now there are two (2) outstanding applications that the City submitted in March.

Kim Dunn asked what the amounts were for each one of those.

Bob Murphy believes one (1) was \$50,000 and the other \$750,000 for the other, he added you can only have two (2) open applications open at a time so if both are awarded they will re-evaluate. He added they should know by June as to where they stand with the outstanding applications.

Dave Hicks asked how many infrastructures will be included.

Bob Murphy stated CDBG funding will fund: water, sewer, and stormwater infrastructures. He added if roadways are impacted by those projects it may include that, parts of the water meter system can also be applied for. He added they need to wait and see what is awarded from the last round and then they can re-evaluate.

Commissioner Seber stated previously they put the bid out and got "X" amount of money and whatever they could fit in with the funds they did.

Dave Hicks stated contractors come into the City to do work and don't realize there was a canal that ran through Mechanicville.

Commissioner Reports Continued:

Police Chief Bill Rabbitt gave his monthly report which is attached to the minutes. He went on to say that the Police Department has a page on the City's new website and he added a lot of information over the last week to it. He added some of the stuff that can be done on the website: you can report anonymous tips, contact Officers directly by sending them a message

and can attach files to it as well, register traffic complaints, and request speed trailer to be placed at a certain location. He went on to say he is downloading more forms so if anyone is interested they should visit the Police Department page.

Commissioner McGuire asked if someone saw something on their ring doorbell it could be uploaded and sent.

Police Chief Bill Rabbitt stated that was correct and any picture, or document could be uploaded and emailed to any Officer, and every Officer in the department is listed on the site. He added crime tips could also be sent on the webpage.

Commissioner Seber added that he has been asked about resolution 33-2021 in reference to prohibiting smoking on public property and added that the law has change in correspondence of the use of recreational marijuana and part of the law is that you can smoke marijuana anywhere you can smoke therefore there will be a discussion on how certain parts of the law are handled but he does not think smoking of any kind should be allowed on City property. He added the purpose of this resolution is to fill that loop hole.

Commissioner McGuire added if that includes smoking in any City vehicles.

Commissioner Seber stated he would say yes.

Commissioner McGuire asked if the resolution needed to say that.

City Attorney Lyn Murphy stated it does not as long as you prohibit it on City property, the vehicle is City property.

Public Comments:

Marylou Cebula of 28 Lee Street stated there is an ongoing issue with receiving responses to emails from the Mayor and Commissioner Gotti. She asked if Commissioner Gotti has resigned and it hasn't been announced.

Mayor Baker stated he spoke to him earlier in the day and he was at a doctor's appointment.

Marylou Cebula asked what the interpretation is in the City Charter as far as the Commissioners obligation to attend the meetings.

Mayor Baker stated there was a previous Commissioner not long ago that missed six (6) meetings in a row and no one had a problem with that.

Marylou Cebula added that her point is he is not emailing back so there is no communication and went on to ask why the Mayor can't answer her questions.

Mayor Baker stated he is not going to answer questions for him and Commissioner Gotti needs to answer his own questions.

Marylou Cebula stated but they are all part of the City Council.

City Attorney Lyn Murphy added this goes back to the form of government, he is responsible for his own department.

Marylou Cebula asked if he can't perform his duties doesn't the Mayor step in.

City Attorney Lyn Murphy stated to her knowledge that is not the case but she would look into it.

Marylou Cebula stated one of the questions was can anyone access a fire hydrant in the City.

Mayor Baker stated they could not.

Commissioner Seber stated that if a contractor uses a hydrant on a job a meter is placed and they are charged.

Marylou Cebula asked she is wondering is a resident or business could hook into it for their own purposes.

City Attorney Lyn Murphy stated sometimes they are metered.

Marylou Cebula asked if the meter goes on the hydrant and if so a City employee would have to be there to put it on.

Commissioner Seber stated that was correct and a bill is sent.

Marylou Cebula asked if the city charter was on the new website.

Commissioner Seber stated it should be and he will look.

Marylou Cebula stated it was stated in the past that the change of the form of government was dropped because it was too late and she is curious if they knew the due date of the Police Reform why that wasn't figured into what was going to be done.

Mayor Baker stated they are still intending to have a committee to look at it but he is not sure when it is going to happen.

Dave Hicks of 241 First Avenue stated although the DPW Commissioner is not in attendance he still has a lot of questions to be answered. He went on to ask: why the park cleanup is being done now, who does road repair and when, does DPW bill contractors when their services are required and if they don't why not, when are the lights going to be updated to LED's, when are the streetlights going to be repaired, only thing wrong with mower that was sold was it needed new belt and spark plugs why did we sell it, why is there no stats for COVID cases in the City and County.

City Attorney Lyn Murphy stated the County posts them on the website every day which shows the City of Mechanicville and the County overall.

Kim Dunn of 250 South Main Street stated she has questions for Commissioner Gotti and has emailed him but has not received a response. She went on to ask what the City's policy is on disposing items and is looking what can be dropped off at times other than the designated days. She also asked if DPW picks up any other items other than brush. Kim Dunn asked what is happening with the \$200,000 that is being saved by not doing curb side pick-up. She asked what is going on in Tallmadge Park and why the work is being done over there. She went to ask is the status of EOC complaint and if there is one or two and how much has it cost in attorney fees so far.

Commissioner Seber stated there is one which is at the State and the City has not heard back from them in a very long time and added he does not know the exact cost of attorney fees.

Kim Dunn asked him if he would get back to her with the cost.

Commissioner Seber stated he would.

Kim Dunn stated she understands NYSEG is doing the projects around the City but the roads are dangerous and they should not be able to leave them in worse condition than they found them.

Mayor Baker stated he spoke with NYSEG earlier in the day and they stated the biggest issue they are having is with the conjoining of pipes and they are unable to do anything about the Park Avenue blacktop until it is fixed.

Fred Hosley of Newman Avenue stated that if you go out to dinner you are allowed to take off your mask at the table so he is wondering why it can't be done at the meetings.

Mayor Baker stated not at this point but hopefully soon.

Fred Hosley asked if anyone is aware ahead of time if the Commissioner that is not present is unable to attend the meeting.

Mayor Baker stated he did not hear from him about the meeting.

Fred Hosley stated as a taxpayer and voter for the upcoming election it is important to know if he is tending to something important or just blowing the meetings off. He asked if there are any plans for any of the roads in town.

Mayor Baker stated once the projects are finished they will do them all at once to get a better price.

Fred Hosley asked if that included Central Avenue.

Mayor Baker stated Central Avenue is a State road and they are supposed to do it this year but they haven't heard from them.

Fred Hosley asked if someone is being paid to work at the playground.
Commissioner McGuire stated that was correct.

Fred Hosley stated next week 40,000 people will be able to go to a baseball game but the City can't have a few kids playing in a playground.

Mayor Baker stated they are there playing.

Fred Hosley questioned why we are paying someone to take their name and temperature.

Mayor Baker stated that is the way it is being done for now.

Fred Hosley stated it is silly and asked whose decision that is.

Mayor Baker stated it is his right now.

Fred Hosley asked if the Mayor knew if anyone on the Council agreed with him.

Commissioner Seber stated he agreed with the decision.

Commissioner McGuire stated she does not agree with it.

Commissioner Seber stated at the ballgames you will need to show proof of vaccinations to sit in a certain section and if not you need to social distance in another section so it is not just open like in the past.

Commissioner McGuire stated she does not feel it is right if she asks someone if they are vaccinated, she isn't even sure it is legal to ask.

City Attorney Lyn Murphy state the Governor signed an Executive Order that mandates you be vaccinated in order to do certain things. She went on to say it has not been litigated.

Commissioner McGuire asked if at this point you can ask someone if they are vaccinated.

City Attorney Lyn Murphy stated the Governor is mandated for certain circumstances that you ask.

Commissioner McGuire stated you have young kids that come into the playground without a parent, can she ask them.

City Attorney Lyn Murphy stated by law they can't be vaccinated.

Fred Hosley asked if it is legal to park on Viall Avenue on the opposite side.

Police Chief Bill Rabbitt stated he would check the City Charter.

Resolutions:

RESOLUTION 30-2021 Bus Radio Agreement

Moved by: Commissioner McGuire

Seconded by: Commissioner Johnson

AYES: 4 NAYS: 0

RESOLUTION 31-2021 Braydon Maruski Recreational Leader

Moved by: Commissioner McGuire

Seconded by: Mayor Baker

AYES: 4 NAYS: 0

RESOLUTION 32-2021 Alexis Pascucci Recreational Leader

Moved by: Commissioner McGuire

Seconded by: Mayor Baker

AYES: 4 NAYS: 0

RESOLUTION 33-2021 Smoking Prohibited on City Owned Property

Moved by: Commissioner Seber

Seconded by: Mayor Baker

AYES: 4 NAYS: 0

RESOLUTION 34-2021 Payroll and Vouchers

Moved by: Commissioner Johnson

Seconded by: Mayor Baker

AYES: 4 NAYS: 0

NEW BUSINESS:

Commissioner McGuire stated her office will be partnering with the Chamber of Commerce to having a fishing clinic on the dock on June 12, 2021. She added the Hudson Valley Fishing Association will bring all the equipment to hold the clinic. She went on to say they are hoping to have vendors there with ice cream and possibly the Fire Department doing hot dogs and hamburgers.

OLD BUSINESS: None

Meeting Adjourned: 7:11 P.M.

Moved by: Commissioner McGuire

Seconded by: Commissioner Johnson

AYES: 4 NAYS: 0

William J Rabbitt
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Alex Dunn
Detective Sergeant
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MECHANICVILLE POLICE DEPARTMENT

36 N MAIN STREET
MECHANICVILLE, NY 12118



May 12, 2021

For April 2021,

78 Traffic Tickets

20 Arrests

409 Calls for service