

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, North Main Street, Mechanicville, NY on Wednesday, June 5, 2013. Mayor Sylvester opened the meeting at 7:00 p.m.

Roll Call:	Mayor Sylvester	- present
	Comm. Seber	- present
	Comm. Chauvin	- present
	Comm. Higgins	- present
	Comm. Hipwell	- present

Deputy Commissioner Stephanie Proper led the Pledge of Allegiance to the Flag.

Mayor Sylvester, seconded by Comm. Seber, moved that the minutes of the regular meeting of May 15, 2013 be accepted as prepared. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester said he's looking at the possibility of putting an antenna on top of St. Paul's Church for the cameras here in the city. Said he's waiting to hear back from their Finance Committee up there and Tenn Chen.

Comm. Seber said they completed water and sewer collection on May 31<sup>st</sup>. Said the sewer warrant for this year was \$254,727.20 and they collected \$192,167.20 which is 75.44% compared to last year's percentage of 75.60% which was very similar. Said they billed \$264,784.72 for the water warrant and collected \$191,374.13 for a percentage of 72.28% compared to 72.40% for the same time period last year which is very similar also. Said on the Industrial Park they went through a whole series with the Department of Environmental Conservation of testing the hot spots and things like that up there. Said they issue a record of decision which talks about the contamination at the Industrial Park and they also submitted a site plan which anyone who develops there will have to follow forever how they handle the soils, how they tests and things along those lines. Said they received a letter from them on May 16<sup>th</sup> saying because we did all this work we are eligible now to apply for a grant of about 1.387 million dollars which will allow them to remediate the entire facility. Said they expressed an interest in applying for the grant, there's still an application process, you have to be selected so it's still a long way to go but it's encouraging because of the work that was done up there that they are in position with about 50 or 20 other municipalities across the state that hopefully we can get all or part of this money for the Industrial Park. Said he just wanted to mention that as a point of interest. Said tonight they are having a public hearing. They are beginning to make changes to the Charter and the City Code in updating the information that is outdated and adding new things. Said each department has been involved in putting this together. Said tonight's public hearing is on the Charter portion of it and there's a packet on the table over there on the changes if anyone wants it. Said the next public hearing will be in August and at the first meeting in September they will take action on the code and the charter. Said there are not huge changes in the Charter. Said if anyone is interested he suggests picking up the code changes because there are interesting things outlined.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said there was a water main break at Tallmadge and Spring Street right after they paved but luckily they didn't have to tear the pavement up it was right at the edge. Said over the weekend they had a lot of flooding on the West Side, they had a storm drain that was plugged, they unplugged it and hopefully it won't happen again. Said the water was about 8 inches deep up on 7<sup>th</sup> and 8<sup>th</sup> Street. Said he talked to the State about the underpass on Central Avenue to see if they can do anything with the flooding because it seems like every time it rains we're there now. Said they have to write them a letter and tell them what's going on and give them some pictures. Said hopefully this will get the ball rolling and they will do something for us.

Comm. Hipwell thanked Adamax for planting flowers in Patenaude Park. Said we had to storms, one on Sunday and one on Wednesday and he wanted to thank the Mechanicville Police Department and Fire Department for doing an outstanding job because we were 3 or 4 hours without power.

Comm. Higgins said he also wanted everyone to know that in the next couple of weeks they will be putting a digital sign in Patenaude Park, where they hang the banners now, to let people know about snow emergencies and community activities going on instead of hanging the banners. Said that should be coming in the next couple of weeks.

Mayor Sylvester said the City Attorney will be late as he is in court.

Chief Waldron said he would like to get some power there for that sign to put a camera there that would help them out. Said they are kind of behind on it, in every community you see on police stations they have their own cameras so they can assess areas. Said this is an area the Mayor spoke briefly about, they are looking to do it because the police can't be there every second, it's just not going to happen, it's not realistic. Said it will help them understand and see things they may not otherwise see when they have a crime. Said they will have a camera in the Plaza too, to cut back on some of the issues that occur there. Said everything that they do helps the businesses, the residents, that's what it's about. Said their car seatbelt wave is now complete and they are doing much better than they used to do, they issued 14 tickets for seatbelt noncompliance in the month of May. Said it's a success because they used to issue 30 to 60 tickets so it's a big difference. Said New York has turned into a very compliance state out of the entire country. Said last year they were at 90% success and he predicts they will be again this year. Said 90% is a really good number. Gave kudos to Mechanicville and surrounding areas because they are complying and they really appreciate that. Said they did the Special Olympics, it really is a worthy cause. Said being a parent of a child with special needs it's personal to him so he's very active in it and he really appreciates all that everybody does to put this all together. Said the only thing he misses is they took the school out of downtown, they used to bring all the kids out, that was great, but again, the message is out there and people are aware of what's going on with the children.

Comm. Seber said next year he should run the torch up the hill personally.

Chief Waldron said yeah. Said they have some issues with the brand new car, the gas cap light came on right off the bat, they couldn't get it off, it was just a big problem. Said they brought it down to Jack Byrnes who warranted it, they said it was the gas cap and a new part came in yesterday and it was installed. Said another car the gas cap light came on so Dave and Ernie tried to figure it out, they brought it to the garage.

Comm. Higgins said they did put a gas cap on it; they did the same thing at Zapone.

Chief Waldron said yes, Zapone came back today; they smoked it and found the leak coming out of the gas cap. Said other than that the cars are running good. Said they've had some arrests regarding drugs and child pornography possessions, a lot of time consuming things. Said they do have a specific case, asked the press to put their pens down, they are very fortunate that they have a DNA on an old case and it's really awarding to see one of those come out. Said it pays off when they process a crime scene and they get DNA. Explained how DNA works. Said he doesn't want it released with the press. Said hopefully they will make a successful case and arrest off of this. Asked everyone to watch out for motorcycles. Said they had a motorcycle crash on South Central, the subject broke his leg, broke both arms, a spinal fracture of the neck, the guy was in shock, they had to do surgery and put pins and rods. Said to please be extra careful with motorcycles. Said congratulations to Officer Dave Altamura who is retiring from the police force effective immediately. Said he's been with them since 1998. Said he got a new promotion with GE so he will be unable to work for us. Said they wish him the best. Said also Officer Tom Sawyer resigned today and they wish him the best. Said they have a pending resignation from a part time police officer which he can't announce until he gets his letter. Said part timers are a huge money saver and he stresses that. Said you can hire 15 and it won't cost you anymore or any less, they only get paid when they work. Said this Friday they will have a detail come through with the Patriot Guard who bury and protect military personnel who died in service. Said this procession will be carrying the remains of roughly 14 soldiers who were killed between WW1 through now that were discovered. Said they will bring them up to the Saratoga National Cemetery so they will have a big procession coming through and the fire department will be helping with traffic with the police. Said they anticipate coming into the city around 11:40 on Central Avenue.

Comm. Higgins asked if he needed any cones or anything.

Chief Waldron said in speaking with the fire police they seem to have everything covered. Said their big job will be the overpass near Price Chopper intersection so if they want to help over in that area that would be good.

Mayor Sylvester made a motion to close the regular meeting at 7:17 p.m., seconded by Comm. Higgins, to go into a Public Hearing for informational purposes only to discuss proposed changes to the city charter as part of the 2013 code update. Roll Call: Affirmative – all. Negative – none.

Comm. Seber said the legal ad was duly published in the newspaper according to law. Said the purpose of the hearing is to update and change and bring into compliance the City Charter as well as the City Code. Said they will have 3 or 4 public hearings on this. Said they talked about this internally, the department heads met with our attorney to go over changes that they would like to see. Said they are not cast in stone things to be changed. Said it's long overdue, the last time it was done was in 2002. Went over a few things as it related to the Charter, they took out some areas that related to the city going from a village to a city in 1950, how the funds and debts were handled which have all been resolved in the 100 years so all that is coming out. Said there aren't a tremendous amount of changes, there are some changes relating to the Civil Service Commission, they updated water rents making them more compliant with what they are. Said there's a suggestion that they appoint a Deputy Mayor, said all Commissioners have an opportunity to have a deputy in their office and two of the four of them have it, Tim has one and Dave has the opportunity to have one if he wants one. Said in most situations the deputy works in the office just like anybody else but when the Commissioner isn't there, they act in the absence of the Commissioner. Said the current Charter says when a Commissioner comes in and appoints a deputy that deputy would have to get council approval to serve. Said he sees that as a potential problem down the road from a political standpoint because say if you get either a republican or democrat come in in an opposite party council and they want to appoint a deputy, the way it's structured now the council can say no. Said deleting with consent of council language in the Charter so if a new Commissioner comes in and wants to appoint a deputy, they can. Said he doesn't think it has happened, certainly with this group it wouldn't happen, but going forward there is a potential there that it could be a problem. Said this would allow a Commissioner that comes in to appoint their own deputy and that's it. Said that's probably the biggest change in the Charter.

Amelia Izzo, Mulberry Street, said if they appoint a deputy and the Commissioner isn't here and there's a vote, the deputy can vote?

Comm. Seber said yes they can. Said it's happened since he has been here, Stephanie has done some, his deputy voted for him at an emergency meeting one time.

Mrs. Izzo asked who has a deputy now.

Comm. Seber said he does and so does Pete.

Mrs. Izzo asked who his deputy is.

Comm. Seber said Emilia.

Mrs. Izzo said Anthony doesn't have a deputy.

Comm. Seber said no, that's the question. Said Tim had a Deputy but when she left he chose to go back the Civil Service route. Said the deputy is an additional person, you can either have a deputy or someone through the Civil Service rank. Said say Emilia wasn't a deputy and he wanted to bring in a deputy, he couldn't do that, it would have to be someone in the office.

Mrs. Izzo said Anthony has to have someone in the office.

Comm. Seber said he doesn't know, right now there is no provision for a Deputy Mayor, that's new, they would have to define what a Deputy Mayor would be. Said right now he is the Deputy Mayor, the Commissioner of Accounts is the Deputy Mayor right now in his absence.

Mrs. Izzo asked if they need a Deputy Mayor.

Mayor Sylvester said who knows what the city will be like 10 years from now.

Comm. Seber said the question is, will the Deputy Mayor be like their offices, Judy, for example, would she be the Deputy Mayor, whoever sits in that seat or will it be a separate position, paid separately.

Mrs. Izzo said then that would mean more money.

Comm. Seber said yes.

Mrs. Izzo said unless it's Judy, she's getting paid already.

Comm. Seber said that's an area they will have to decide on.

Kim Dunn said right now there's no Deputy Mayor.

Comm. Seber said the Commissioner of Accounts is.

Mrs. Dunn asked why that isn't that sufficient enough because if they add someone else they would be adding to it financially

More discussion was held on deputies and their duties

Mayor Sylvester asked if anyone else had anything to say. No one did.

Mayor Sylvester, seconded by Comm. Higgins, moved that the public hearing be closed at 7:29 p.m. to re-open the regular meeting. Roll Call: Affirmative – all. Negative – none.

Mayor Sylvester opened the meeting up to public comment.

Mrs. Dunn talked about police officers resigning and that they were having problems with getting part timers to work, asked how that was working.

Chief Waldron said currently they are interviewing for part time police officers and the council prefers somebody that is already certified so they are taking that route. Said the unfortunate part is that a lot of them are from other areas. Said for one of the vacancies the City Council has expressed an interest towards a dispatcher rather than a police officer and that is waiting to be hammered out by the city council, their attorney and the PBA.

Mrs. Dunn asked when that is hammered out if they will announce that at a meeting after that.

Mayor Sylvester said they should.

Comm. Seber said they had this conversation a couple of meetings ago that they are waiting on tests and the tests probably aren't until October.

Chief Waldron said he hates to fill a job before someone takes the Civil Service test because if they fail it they are out of job.

Mrs. Dunn said at the next meeting on July 3<sup>rd</sup> you are not having a public hearing on the charter?

Comm. Seber said no but they will be having a regular meeting.

Mrs. Izzo said a few weeks ago there were people in town promoting some kind of electricity

Chief Waldron said he knows just what she is talking about, energy efficiency.

Mrs. Izzo asked if they had a permit.

Chief Waldron said they didn't.

Mrs. Izzo talked about her two grandchildren were in their house and this fellow opened the door and took a step in and the kids went crazy because they didn't know what was going on, they screamed at the guy to get out which he did right away but they called 911 around 3 or 3:30 and the police never called them back. Said her daughter who was at work called the police at 5:00 to explain what was going on. Said it seems to her the police should have called the kids back and told them what was going on.

Chief Waldron said he hears her and said there were several groups so his officers weren't just on Saratoga Avenue, South Main Street where several people called and on

the West Side and none of them got called back, they handled the situation, they escorted them out of the city.

Mrs. Izzo asked how people were supposed to know they handled the situation, someone should have called back and said what those guys were doing.

Chief Waldron said when someone dials 911 they don't get the calls, it goes right to the county. Said he will look into it for her because that is what he does. Said she makes a valid point and you want a follow-up. More discussion was held on this and using 911.

Comm. Seber read RES. NO. 47-13 MECHANICVILLE CITY COUNCIL  
AUTHORIZES THE CITY ASSESSOR, RACHEL HOLBROOK,  
TO ATTEND THE NEW YORK STATE ASSESSORS  
ASSOCIATION CONFERENCE AND THE CITY WILL PAY  
THE APPROXIMATELY \$550,000 FEES AND EXPENSES  
RELATING TO THE CONFERENCE

Comm. Seber said Rachel is also the Assessor of Charlton and they are splitting some of the costs on this.

Introduced by Comm. Seber, seconded by Mayor Sylvester. Roll Call:  
Affirmative – all. Negative – none.

Comm. Seber said that Rachel makes \$3,000 less than the former Assessor so there will be some money in the account to pay for this now.

Comm. Seber read RES. NO. 48-13 THE CITY OF MECHANICVILLE CITY  
COUNCIL HAS DECLARED ITS INTENT TO CONTINUE TO  
ACT AS LEAD AGENCY UNDER THE SEQRA FOR THE  
EXPLANADE PROJECT AND THE COUNCIL SHALL SEND  
NOTICE OF ITS INTENT TO ACT AS LEAD AGENCY TO  
ALL INVOLVED AND INTERESTED AGENCIES ON THE  
ATTACHED LIST

Introduced by Comm. Seber, seconded by Comm. Chauvin.

Comm. Seber said to make this understood of what's happening. Said this is the Esplanade Project which is the Empire Warehousing where you see they are starting to take the building down. Said originally when they came to them 3 or 4 years ago they had composed a project of 225 apartments and 37,000 sq. ft. of retail space. Said over the last 3 or 4 years just by seeing how the market has reacted in driving through Malta and seeing the Ellsworth Commons up there, they realized that the retail part was probably not a good idea so they came to them again with a proposal to change the units from 225 residential to 294 residential and they will have basically about 2,500 sq. ft. of retail space which will be a little restaurant there but to do that they have to go back to

the City's Planning Board with their plans that have to be relooked at and the Planning Board has to give their blessing for the project. Said part of this is the Environmental Quality Review Act that the City is involved with. Said as far as the project itself, we are out of it. Said other than this it's more of a technical thing. Said that's the reason they have to revisit this because the project has changed.

Roll Call: Affirmative – all. Negative – none.

Comm. Chauvin read RES. NO. 49-13 PAYROLL AND VOUCHERS

Introduced by Comm. Chauvin, seconded by Mayor Sylvester. Roll Call:  
Affirmative – all. Negative – none.

No new or old business.

Mayor Sylvester made a motion to adjourn the meeting at 7:47 p.m., seconded by Comm. Higgins. Roll Call: Affirmative – all. Negative – none.