

The regular meeting of the Mechanicville City Council was held at the Senior Citizen's Center, North Main Street, Mechanicville, NY on Wednesday, July 3, 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

Comm. Chauvin led the Pledge of Allegiance to the Flag.

Mayor Sylvester said the minutes of the last City Council meeting on June 5<sup>th</sup> have not been typed yet as Judy has been out because of shoulder surgery and should be back in a week or so. Said Family Day has been moved out of the park over to Depot Square because of the condition of the park, they don't want to tear up that lawn.

Comm. Seber said they are in the process of redoing the Charter and the Code. Said they didn't have a public hearing tonight because of the date. Said their next meeting on August 7<sup>th</sup> they will have a public hearing on Sections 1-34 which includes the fire department; September 4<sup>th</sup> they will do Sections 39 – 200 which include the Building Code changes so there are some significant changes and the October 2<sup>nd</sup> plan is to have the official public hearing on the entire Charter and Code document and probably vote on the document that evening. Said the changes are available on the website if anyone wants to look them up.

Comm. Chauvin had nothing to report at this time.

Comm. Higgins said if they are wondering what happened on South Street Hill, an 18 inch storm drain was damaged when they put it in which caused the sidewalk and rode to erode. Said the pipe has been repaired and replaced. Said it was a good thing the rain happened when it did or the road would have taken a lot longer to happen so thank heaven it happened now than when they paved the road again.

Comm. Hipwell said the Park Avenue Playground is 99% done. Thanked the DPW people because they had a problem with the swimming pool and now it's up and running. Said if they get time to check out the new cabinets for the Senior Citizen's Building over here, the brand new kitchen is all done. Said starting on July 12<sup>th</sup> they will have movies in the park again for 7 weeks.

City Attorney Serbalik said he got a call from our insurance carriers, he wasn't aware of it up until now that we had a couple of claims on our decorative street lights on Park Avenue that the city owns has some damage to them and the adjustor told him there is no city coverage for any type of lighting devices owned by the city unless the devices are on a city owned insured property. Said that's what he is saying, he hasn't gotten an official response yet.

Comm. Seber said when he gets an official response let him know and they will talk to their insurance agent.

Comm. Higgins asked if he will go after them.

Attorney Serbalik said yes, they will submit the claim to our carrier and have the carrier pay the city then relegate it to them. Said they will have to go against the person that did the damages.

Comm. Seber said aren't these lights on city streets owned by the city?

Attorney Serbalik said yes, he didn't get it.

Mayor Sylvester opened up the meeting to public comment.

Dennis Baker, Broadway, said he was at the meeting but he didn't hear it at all, we changed the amount of money that we charge for demolition.

Mayor Sylvester said yes.

Mr. Baker asked why they did that, we had a chance of making money up here and now we are making nothing.

Mayor Sylvester said we're making a \$1,000.00.

Mr. Baker said it probably would have been closer to 15, \$20,000 if we left it the way it was.

Mayor Sylvester said that will be the only project around that will be that way and then we're going to be after homeowners for that kind of money too?

Mr. Baker said no, it would be the value of the property on how you would assess that amount. Said he missed that, thinks it was at the meeting where they honored Tony Luciano.

Mayor Sylvester said legally it would look like they were going after one person. Save a lawsuit.

Mr. Baker said on the hill, who decided on how to put the Stop Signs, the city or DOT? Said to him it should be a 3 way stop, there have been a lot of close calls.

Comm. Higgins said it was between them, DOT and the engineer.

Comm. Seber said it was the city's call ultimately and that was part of the conversation Dave wanted a 3 way sign.

Comm. Higgins said he thought it should be a 3 way stop because when they first put the sign there he looked up and didn't look down and he almost pulled out.

Mayor Sylvester said maybe in the future they can look at maybe changing it. Said it will have to do with the school buses also not to have the school bus have to stop down at the bottom in the winter time then try to go up the hill.

Mr. Baker said that makes sense.

Comm. Seber read RES. NO. 50-13 MECHANICVILLE TRANSPORTATION  
ENHANCEMENT PROGRAM GRANT RESOLUTION

Comm. Seber said this is to authorize an application for a grant from the Department of Transportation to get up to \$500,000 in funds to do sidewalks between Hill Street and Price Chopper on Central Avenue. Said this authorizes the writing of the grant at a cost not to exceed \$2,800 to write the grant which will come out of the Revitalization Line of the Budget.

Motion made by Mayor Sylvester, seconded by Comm. Seber.

Roll Call:	Mayor Sylvester	– yes
	Comm. Seber	- yes
	Comm. Chauvin	– yes

Comm. Higgins said the Code Book says everyone should have sidewalks and everything. Said he really doesn't think its right that some people get free sidewalks and other people are putting sidewalks in and paying for them. Said he will vote yes on it but he really doesn't agree with it. Said he knows this gentleman over here put in his own sidewalk. Said it bothers him to vote yes on this but he knows it is needed.

Comm. Seber said apply for the grant.

Mayor Sylvester said when the grant is here you might as well grab it some other town is going to get it. Said Stillwater got a nice one, they got sidewalks all the way up to their school and beyond. Said Lake George has brand new sidewalks on both sides.

Comm. Higgins	- yes
Comm. Hipwell	- yes

Comm. Seber read RES. NO. 51-13 AUTHORIZING AND DIRECTING THE  
MAYOR TO ENTER INTO AGREEMENT TO SELL THE  
2009 DOUBLE K TROLLEY "AS IS" TO ESSEX COUNTY  
FOR THE SUM OF \$5,472

Introduced by Comm. Hipwell, seconded by Comm. Chauvin.

Comm. Seber said just for the record, in 2009 they received a grant for \$137,000 for the trolley. Said the city's share was \$15,321. Said when this was negotiated the state sets the price, the use of life on this vehicle is 7 years, all they do is straight line depreciation. Said we have 2 1/2 years left on the vehicle so on their contribution of \$15,321 was \$5,472, it wasn't negotiated, the State said this is what the deal is.

Mayor Sylvester said and the State gets the money anyway, we don't even get the money.

Roll Call:	Mayor Sylvester	- no
	Comm. Seber	- yes
	Comm. Chauvin	- yes
	Comm. Higgins	- yes
	Comm. Hipwell	- yes

Mayor Sylvester said he voted no because the same people that complained about it, it's rough riding, will go to Boston, Family Day on the bus, they will ride around 6 hours on one of these and not complain a bit, Washington DC or Lake George, Saratoga has one. Said he thinks it was an enhancement to the city, it made the city look nice.

Attorney Serbalik asked if they are going to pick it up.

Comm. Seber said the next thing they have to do is send the resolution to the State, they do whatever they have to do with it and then they authorize it. Said this is going to the Village of Lake Placid, they came down with a check last week. Said they are antsy but there is a process, it goes to the State first, they need to approve and then the transaction takes place.

Attorney Serbalik said he did the agreement that he sent to him, do they give it to Essex County now?

Comm. Seber said as he understands it, everything goes to the State including a copy of the certified resolution and the agreement.

Attorney Serbalik said he talked to a State rep and asked him if we do this is the city responsible in anyway if Essex County defaults on the terms of that and he said no, once you approve the agreement to transfer that bus then you are out of completely for the amount of the grant. Said he asked if they could get that in writing and he said to send a copy of the contract that we have between us and Essex. More discussion was held on this.

Comm. Seber read RES. NO. 52-13 SELLING CITY OWNED PROPERTY  
KNOWN AS AN UNUSED LANE LOCATED BETWEEN  
1<sup>ST</sup> AVENUE AND SECOND STREET AT PUBLIC AUCTION  
WITH A MINIMUM BID OF \$500.00

Comm. Seber said this parcel is 10 feet wide and a couple hundred feet deep between 1<sup>st</sup> and 2<sup>nd</sup>. Said we have no need for it, it will be back on the tax roll as little as it may be.

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

Comm. Seber read RES. NO. 53-13 THE CITY COUNCIL ITSELF AND ON BEHALF OF THE MECHANICVILLE PLANNING BOARD REFERS THE ACTION AND THE ESPLANADE MIXED USE PROJECT TO THE SARATOGA COUNTY PLANNING BOARD FOR REVIEW AND RECOMMENDATION PURSUANT TO GENERAL MUNICIPAL LAW 239

Comm. Seber said The Esplanade came in with an amended plan and what we are doing before it comes to our Planning Board referring it to the County Planning Board.

Attorney Serbalik said before the project can be approved it has to be sent to the County Planning Board, Said Mike Valentine from Planning in Saratoga called him the other day and said if we get them a certified copy of this resolution a week before July 17<sup>th</sup>, they will put it on the county agenda for July 17<sup>th</sup>.

Comm. Seber said he was going back to the office and will do it then.

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

Comm. Seber read RES. NO. 54-13 AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER 32 IN THE AMOUNT OF \$20,311.10 FOR TRINITY CONSTRUCTION FOR THE REPLACEMENT AND RENOVATION OF TWO SEWER PUMP STATIONS ON TERMINAL AND FERRY STREETS

Introduced by Comm. Seber, seconded by Mayor Sylvester.

Comm. Seber said this is grant with a 15% match and even after the change order there is about \$30,000 left in the grant, the project came in under budget but like in any project there are change orders. Said Dave did an excellent job getting that number down.

Roll Call: Affirmative – all. Negative – none.

Comm. Seber read RES. NO. 55-13 AUTHORIZING THE MAYOR TO HIRE ALEXANDER J. DUNN AS A FULL TIME POLICE OFFICER TO FILL IN THE VACANCY LEFT BY PATROLMAN

CHRISTOPHER TOLEMAN WHO RESIGNED AS A FULL  
TIME POLICE OFFICER EFFECTIVE JULY 16, 2013

Comm. Seber said he wants to tie it into Civil Service telling them that he's eligible. Said he's not opposed to hiring an individual but feels it's an opportunity for them to sit down and look over the budget, look over the entire operation and maybe make some changes or not but feels this is the time to do it and his vote has no reflection on the individual.

Introduced by Mayor Sylvester, seconded by Comm. Higgins.

Roll Call:	Mayor Sylvester	- yes
	Comm. Seber	- no
	Comm. Chauvin	- yes
	Comm. Higgins	- yes
	Comm. Hipwell	- yes

Comm. Chauvin read RES. NO. 56-13 PAYROLL AND VOUCHERS

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

Comm. Seber read RES. NO. 57-13 AUTHORIZING THE MAYOR TO  
EXECUTE ANY AND ALL DOCUMENTS AND  
INSTRUMENTS FOR BIKE TRAIL EASEMENT

Comm. Seber said there's a trail being built from Waterford into Mechanicville; it will be built with the Zim Smith Trail which will be from Ballston, Saratoga into Mechanicville. Said they are giving an easement to the county to build the trail. Said we have no construction or maintenance cost relating to this project.

Attorney Serbalik said the County passed a resolution asking that the City and the Town of Waterford give an easement so they can put this trail in. Said the resolution says we have to get approval from the city because there may be grant funds to fund the construction but the easement that the county passed says that the city will be responsible for the maintenance of the trail when it is done and it also implied that the city would be responsible to construct this. Said they can pass this resolution that says there won't be any cost to the city but he doesn't know if anyone spoke to the county to see if that is the true agreement.

Comm. Seber said the conversation he had with our Supervisor was exactly that there would be no financial responsibility from the city to either construct or maintain. More discussion was held on this.

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

Comm. Seber read RES. NO. 58-13 THAT THE CITY OF MECHANICVILLE  
FULLY SUPPORTS A FEASIBILITY STUDY FOR THE  
CHAMPLAIN CANAL REGIONAL BARGE TERMINAL  
INITIATIVE

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

Mayor Sylvester said last Wednesday morning at the Rotary Club there was a gentleman from Burlington, Vermont that filled a sail boat with a tiny tub that goes along side of it, they are going to start bringing farmers stuff that isn't very perishable to New York City. Said October will be the first trip they will be making down there and then come back with stuff. Said they hope to do this on a constant basis and possibly stop at different stops along the way to sell farmers goods or pick them up. Said they figure it will be a success, Vermont's behind them, they have the money to do it. Said he hopes it works, it's good for the river to come back.

No new or old business.

Mayor Sylvester, seconded by Comm. Higgins, moved that the meeting be closed at 7:33 p.m. Roll Call: Affirmative – all. Negative – none.