

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
November 13, 2019
7:00 P.M.

The regular meeting of the Mechanicville City Council was held at the Senior Center, North Main Street, Mechanicville, New York on Wednesday November 13, 2019

Roll Call:	Mayor Baker	Present
	Commissioner Dunn	Present
	Commissioner Gilheany	Absent
	Commissioner Gotti	Present
	Commissioner McGuire	Present

Mayor Baker: Called the meeting to order at 7:00 P.M.
Gene Vermilyea led the Pledge of Allegiance to the Flag.

Motion to accept the October 9, 2019 Meeting Minutes:

Motion: Commissioner Gotti Seconded by: Commissioner Dunn

Roll Call: AYES: 4 NAYS: 0

Motion to accept the October 18, 2019 Special Meeting Minutes:

Motion: Commissioner Gotti Seconded by: Commissioner McGuire

Roll Call: AYES: 4 NAYS: 0

Commissioner Reports:

Mayor Baker stated that during the public speaking part of the meeting the public needs to go to the podium, identify themselves and where they live. He went on to say the public has five (5) minutes to speak and if they have more to say than the five (5) minutes allows they need to come back to the next meeting to discuss it. Mayor Baker stated that personal attacks are not allowed and that he has spoken with acting Chief Rabbitt, if personal attacks continue the person will be removed from the meeting. Mayor Baker stated that Commissioner Dunn, Commissioner McGuire, Commissioner Gilheany and himself all attended the Veteran's Day ceremony which was held in Tallmadge Park and stated the committee did a great job and it went very well. He went on to say The CP Holiday Train will once again be making a stop in Mechanicville to raise food and funds for the Mechanicville Area Community Services Center. The train is scheduled to arrive on Tuesday, November 26th at 5:50pm, and the show will run from 6:00 – 6:30pm.

Mayor Baker stated the traffic committee met on October 28, 2019 for an organizational meeting and have set up a meeting for our first public session on November 19, 2019 at 9am at DPW. He went on to say that Commissioner Gilheany asked him to announce the budget workshop will be December 5th @ 7:00 at the Senior Citizen's Center. Mayor Baker briefly described that the public hearing later in the meeting was to change the zoning of parcels in the Industrial Park from a PDD which is a planned development district to light industrial which will help enhance the development.

Commissioner Dunn stated the Accounts office is still collecting water bills and the five percent (5%) penalty went into effect on November 1st. She went on to say that on the 1st of each month a five percent (5%) penalty will be added until the bill is paid. Commissioner Dunn stated that although she doesn't have the statistics yet she does feel that it was helpful as a lot of property owners paid their bills the last week of October to avoid the penalty. She added the deadline was repeatedly posted on facebook and was posted on the city sign so the communication was out there. She went on to say reminder letters would be sent out to anyone with delinquent water accounts to attempt to get the money sooner than later. Commissioner Dunn stated she enacted the five percent (5%) penalty is because there are a lot of water accounts that go unpaid therefore it needs to be treated as a business and she would like to not have to up the water rate due to lack of funding because people are not paying their bills.

Commissioner Gotti asked Mayor Baker if he knew the exact date the overflow on Central Avenue was going to begin.

Mayor Baker stated it would be starting any day.

Commissioner Gotti stated he believes they were going to start on Green Street. He stated they were able to clear many of the storm drains and a lot of the patching done within the past few weeks. He went on to say they will continue to patch the remaining streets when the weather is a bit warmer at the end of the week. Commissioner Gotti stated he foresees a few things coming up with the piping and the dam and went on to say the extra foliage from the dam has been removed and are actually ahead of schedule at the dam.

Commissioner Dunn asked if there would be advanced noticed if parts of Central Avenue would need to be shut down.

Commissioner Gotti stated that the information would need to come from AnJo and he would check to see what their calendar schedule is and hopefully they will give him notice and he could pass it on.

Mayor Baker stated his understanding was they would be giving a weeks' notice before they began.

Commissioner Gotti asked everyone to keep in consideration the weather will pay a big factor in the timing.

Acting Chief Rabbitt gave his monthly report which is attached to the minutes.

Commissioner McGuire stated they have received a lot of orders for the memory which will be put up next week in Tallmadge Park. She stated they will notify the purchasers when their trees are up and where it is located so that they may begin decorating them. Commissioner McGuire state the dedication of the trees will be at 12:00 p.m. on December 8th which is the same day as Santa in the park. She went on to say that she collects for Wreaths Across America (which places wreaths on the graves of the Veteran's at the National Cemetery) and if anyone would like to donate they could do so at her office or call her. Commissioner McGuire stated it is \$15 per wreath and if you purchase two (2) wreaths they give you one (1) free which ends up costing \$10 per wreath. She went on to say that in the past enough money has been collected to provide a wreath for each grave at the National Cemetery.

Mayor Baker stated they would now be going into Public Hearing to seek input and comment with regard to changing the city zoning map changing the zoning of the parcels of the property located in the Industrial Park from Planned Development District to Light Industrial.

Mayor Baker closed the meeting and opened the public hearing and asked if anyone had comments on the re-zoning.

Mark Seber of 45 Hulin Street stated he wanted to give perspective how the PDD came about. He went on to say that seven (7) or eight (8) years ago the city received a grant to explore and lay out a marketing plan for the various brownfields within the city and the primary focus was the Industrial Park and they created a committee to go over various zoning options. He went on to say they were concerned about the flexibility of the development of the property and the residence that lived across from the property. They decided PDD was the best option at the time and added it may not fit the purpose now but he wanted to add prospective on how the PDD came about. He went on to say that prior to PDD it was zoned as heavy industrial.

Tom Mahoney from The Express stated he received a letter from a citizen who was also a zoning board member who brought up some questions and he did not know the answers therefore Tom was hoping he could get some information. He went on to say that the zoning map on the City's website is not legible.

Mayor Baker stated that there is a map from DEC which is delineated very well.

Tom Mahoney asked if the boundary lines are legible.

Commissioner Gotti stated the parcels have been divided and surveyed.

Tom Mahoney stated another point brought up was the city does not have a comprehensive plan and have not had one for twenty (20) years.

Mayor Baker stated there is one but it is the one they did twenty (20) years ago and is in need of being re-done, and they have been thinking about but it is very costly.

Tom Mahoney stated what is decided in the Industrial Park needs to fit in with the comprehensive plan but, if there isn't a plan then it can't fit. He went on to ask if comprehensive plans last twenty (20) years.

Commissioner Gotti stated it was irrelevant; it just needs to be updated. He went on to say the changing the PDD to light industrial releases some of the constraints of development in the area.

Mayor Baker stated that he was going to close the public hearing and go back into regular session. He stated they would now be opening the meeting for public comment. He stated they were allowed five (5) minutes and there were to be no personal attacks.

Dan Hayner of Grand Street stated he feels the Council does a great job but he has a problem with the Park Avenue playground. He went on to say the playground has been closed two (2) times in the past year and the last time it was closed for three (3) or four (4) days. Dan stated he was informed there was vandalism, the toilets were overflowing, and he was informed it was unsafe.

Commissioner McGuire stated it was never unsafe.

Dan Hayner stated he is only stating what he was being told. He stated that he went to another council member who was unaware of any vandalism in the playground. Mr. Hayner stated by the time he returned home the part of the playground that was vandalized was re-opened but the basketball court remained closed. He went on to say that he feels the basketball kids were paying for something they did not do. Mr. Hayner said he has heard that the bathrooms were being used for personal use and there was not any vandalism. He asked why the surveillance cameras aren't used to find out who is causing the issues in the playground. He went on to say he is certain the cameras were very expensive and stated there is no point in having them if they are not going to be used. Mr. Hayner stated all the kids are being penalized for a few bad kids and no one wants to sacrifice, no one wants to go through the chain of commands. He added there is no communication in the form of government the city has and if he didn't inform two (2) of the Commissioners they would have not known about it and the playground would have probably been closed longer. Mr. Hayner asked what would be done to rectify the situation instead of locking up the playground. Mr. Hayner stated he was informed the handicap swings were broke and there was a service order to remove them. He went on to say he watched a mother at the playground explain to her handicapped son that there is no longer a swing there for him to use. Mr. Hayner stated he would like to know why this isn't addressed but instead a van was purchased for \$15,000. He went on to say that he has brought up multiple times that he is

disgusted that no money is put into the South Main Street playground which is dedicated to a hero (a fallen hero of Mechanicville) and the west side playground and nothing is being done about it but \$15,000 is used for a van. Mr. Hayner mentioned he was informed that they would possibly use the operation hours of 8:00 a.m. to 2:30 p.m. for the playground but that is when the kids are in school so there is no sense in having a playground. Mr. Hayner said he has had many great memories at the playground so it is something worth fighting for. He went on to suggest that someone be hired part time to monitor the playgrounds which would cost the city a lot less than paying for the cameras.

Commissioner McGuire stated that there were massive amounts of garbage in the basketball courts in which she has numerous times stopped there and asked the kids to pick up the garbage and most of the times the kids are very respectful and helpful so that the playground is kept nice. She added that she has thanked them and most of the times they are really good kids but there are occasions where the playground is disgusting. Commissioner McGuire stated when it gets bad she will shut it down for a few days and at one point the basketball courts were shut down and she received a call from DPW stating the bathroom doors had been vandalized and broken into and there were rocks and a stick in the toilet and used the bathroom.

Commissioner Gotti stated the call came from Marty Garland Rich Allen who stopped at the playground for a normal check and found feces in the toilet and notified the Public Safety Office and then flushed the system, turned the water back on, cleared the toilets, and re-shut the park back down. He went to say there was a stick in one of the men's bathroom locks that they freed up but there were no rocks. Commissioner Gotti stated he reached out to Acting Chief Rabbitt to see if there were any vandalism reports so that he may do some research on it but there were no reports. He stated the feces were found in the girl's bathroom on a normal routine check not only once but again a week ago. Commissioner Gotti stated the doors are not jimmied and the locks are not broken so someone with a key is entering the building; he added that he only has a few employees who have keys to the buildings.

Commissioner McGuire stated what her Deputy told her was that the door had been broken into and all of the stuff had gone on in which she stated she would have to lock the playground until she could get up there and see what was going on. She went on to say she went to the playground the same day they received the call and saw there was nothing wrong with the door and the bathrooms were fine so she unlocked the playground. Commissioner McGuire stated the playground was locked for two (2) days and then the vandalism happened and she unlocked it. She went on to say there was garbage on top of the garbage can, water bottles stuck in the fence holes, garbage all over the place, alcohol, vaping apparatus, and clothing all over the place. Commissioner McGuire stated her Deputy goes to the playground every morning opens the playground and cleans everything up before going to the office and added when it gets really bad they need to shut it down for a few days. She went on to ask Chief Rabbitt what happens to a fourteen (14) or fifteen (15) year old that does damage to the playground.

Acting Chief Rabbitt stated nothing can be done.

Commissioner McGuire re-stated that nothing can be done.

David Hicks of 241 First Avenue asked why the one-way signs have not been put up on First Avenue yet. He also stated the new flags that were just put up are a mess. Mr. Hicks asked why the motor was replaced in the sweeper since it is used limitedly equipment that is not overworked and he suggested the Mayor ride around on the city bus to experience the city streets. He asked why meter consolidation has not been done and stated he has received information that he does not believe and added there is no consideration for taxpayer's money. Mr. Hicks asked who did the specs for Central Avenue by Kearney's because he was informed that it was only going to be an eighteen (18) inch drain.

Commissioner Gotti stated that specs were done by an engineering firm and he asked Don Fletcher how big the line would be.

Don Fletcher (Barton and Loguidice) stated it was a twenty-four (24) inch line.

Fred Hosley of 36 Newman Avenue asked if the rules of five (5) minutes public comment rule and no comments from the floor are a city charter rule.

Mayor Baker stated in the beginning of the terms they go to state training and they advise you to set meeting limits and that public comments don't need to be allowed at meetings. He went on to say that the council feels that the public should be able to speak but it should not be abusive towards anyone directly.

Fred Hosley stated he understands that but feels that saying someone's name is not a personal attack.

Mayor Baker stated the person being spoken about is an hourly employee and does not deserve to have their name brought up.

Fred Hosley asked if the rules were visible somewhere for the public to view.

Mayor Baker stated they could be commented on them at meeting, he went on to say the Mayor's job is to set the agenda and the rules for the meeting.

Fred Hosley asked if they were written down somewhere.

Mayor Baker stated he did not know.

Fred Hosley stated he wanted it to go on record he thinks it is ridiculous and one of the gentlemen speaking previously had a legitimate question and the Commissioner couldn't speak while he was and he couldn't speak while she was.

Mayor Baker stated she could have spoken but it would have taken up his time.

Commissioner McGuire stated he has more time to speak if she doesn't speak during his time.

Fred Hosley stated that it is ridiculous that once she comments on what he is speaking about if he has another question responding to him that he has to wait until the following month to bring it up at the next meeting.

Commissioner McGuire stated she can be reached in her office.

Fred Hosley stated that the new van is not handicapped accessible.

Commissioner McGuire stated the van was not meant to be the only van for the city but it was for overflow. She went on to give an example of if there was a play at Cohoes Music Hall and there was not enough room on the bus the remaining people who do not need a handicapped accessible vehicle could go in the van in which she could drive since there is no special license to drive it. Commissioner McGuire added the van cools down and heats up a lot quicker than the bus and stated the bus is not very comfortable.

Fred Hosley closed by saying there was a problem in the playground and one Commissioner said one thing and another Commissioner said another thing he wants to know if there is any communication between the Commissioners.

Commissioner McGuire stated there was communication between them.

Fred Hosley asked why they had totally different stories. He went on to ask if there were rocks in the toilets.

Commissioner Gotti stated there were no rocks in the toilets.

Fred Hosley stated there obviously was no communication.

Commissioner McGuire stated she did not receive the call, her deputy did.

Commissioner Gotti stated there was clearly miscommunication and he only found out about the issue when Mr. Hayner called him and asked about the vandalism, to which he reached out to his staff to investigate where the problem was. He went on to say he was then advised there was not any vandalism, but there was a toothpick in one of the padlocks and someone entered the girl's bathroom and used the toilet in which there was no water to flush. He went on to say this happened a second time after that.

Rita Hosley of 36 Newman Avenue asked if the question asked about the handicap swing could be answered and she went on to ask if the van is used if the bus is not available.

Commissioner McGuire stated it could be.

Rita Hosley stated she knows that it was and that it was used for a ninety-four (94) year old woman who was not able to get into it and was being pushed from behind to try and get her into the vehicle and then was put into the front of the vehicle.

Commissioner McGuire stated she had not heard anything about that but will look into it.

Rita Hosley asked again about the handicap swing.

Commissioner McGuire stated there was a major problem with the handicap swings, not that it was defective but, kids would wreck the strap that holds the kids into the swing. She went on to say the only company that makes the swing went out of business. She added she can't make a strap and they do the best they can with the money they have for the playground.

Resolutions:

RESOLUTION 94-19: Re-zoning of the Industrial Park

Moved by: Mayor Baker
Seconded by: Commissioner Gotti

AYES: 4 NAYS: 0

RESOLUTION 95-19 Payroll and Vouchers

Moved by: Commissioner Dunn
Seconded by: Commissioner McGuire

AYES: 4 NAYS: 0

NEW BUSINESS: None

OLD BUSINESS: None

Close Meeting: 7:39 P.M.

Moved by: Commissioner Dunn

Seconded by: Commissioner Gotti

AYES: 4 NAYS: 0

Executive Session Began: 7:41

Executive Session Ended: 9:25 P.M.

Moved by: Commissioner Dunn

Seconded by: Commissioner Gotti

AYES: 4 NAYS: 0

Meeting Adjourned: 9:26 P.M.

Moved by: Commissioner Dunn

Seconded by: Commissioner Gotti

AYES: 4 NAYS: 0