

MINUTES OF THE CITY COUNCIL MEETING  
HELD ON  
July 14, 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 July 14, 2021.

Commissioner Seber announced there is not a quorum for the meeting. He added himself and Commissioner Johnson were in attendance and Mayor Baker and Commissioner McGuire were absent and added that there is a crushed sanitary sewer line on East Saratoga Avenue and Madigan Avenue and they are down there pumping sewage so it doesn't flow into the streets. He went on to say that they cannot take action on anything but they will have the public hearing, Commissioner Reports, and public comment and then adjourn. He added he will reach out to the Council tomorrow and reschedule a special meeting just to vote on the resolutions since there are some timely resolutions that need to be handled.

Commissioner Seber: Called the meeting to order 6:00 P.M.

Tom Mahoney led the Pledge of Allegiance to the Flag.

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

**Commissioner Reports:**

Commissioner Seber stated the City was notified by New York State division of budget that part of the local COVID recovery funds and the City is scheduled to get \$514,000.00 over the next two years, adding half (1/2) will be issued this summer and the other half (1/2) next summer. He added there are rules as to how these funds need to be spent and most has to do with infrastructure, and they would do an analysis of what the monies can be used, get input, and move forward in spending the money. Commissioner Seber went on to say the trash bid will be going out next week to be opened on August 30<sup>th</sup>. He announced that there will be a pop-up COVID vaccine clinic at the Mechanicville Community Center on Thursday July 15, 2021@ 10:30 a.m. with the Johnson and Johnson vaccine. He went on to say you must be 18 years old or older.

Commissioner Johnson had nothing to report.

Police Chief Rabbitt gave his monthly report which is attached to the minutes. He went on to announce that there were two (2) incidents of note that he feels should be addressed, one of the incidents occurred when his Officers were dispatched to what ended up being a juvenile seeing a stray cat, picked up the kitten in which the kitten bit him and in the effort to get the cat off of him it landed on the grass. He went on to say that on a Mechanicville Facebook site posted grossly inaccurate information disparaging the child and his family. Chief Rabbitt stated he was with the child when all the comments started rolling in and stated the child could see all of the comments. The Chief added he was shocked by the comments to the point where he felt compelled to put something out there for everyone to see he went on to say he wants to make it very clear that the child did not harm the cat, he didn't stomp on the cat, and he obviously didn't kill the cat. Chief Rabbitt stated there was an domestic incident on Park Avenue in which it was reported the person inside was threatening with an assault style rifle, Police Officers responded that when the gentleman came out of the house he was holding the assault rifle in which the Officers deescalated the situation and were able to disarm him and take him into custody all without incident but there was a child involved as well. It was found the rifle was loaded and he had a large capacity magazine attached to it. Chief Rabbitt added this is the second situation this year that they have encountered a domestic with an assault style weapon was displayed, he wanted to make it clear he feels these are isolated incidents but they do happen here in the City and he went on to say if anything can come of this it is a reminder if you see something say something. He added there were things that led up to this particular situation that if they had prior information it might have been a little different.

Fire Chief Matt Dunn was unable to attend the meeting but his monthly report is attached to the minutes.

### **Public Hearing**

Commissioner Seber stated the City is applying for two (2) CDBG grants: one to fund an update of the City's comprehensive plan. He added he will let Don Fletcher give an overview of the grants. He added they need to be in by July 30<sup>th</sup>.

Don Fletcher from Barton and Loguidice stated one of the grants in which the City is applying for a study of the City wide drainage which is a planning study in which the City could receive up to \$50,000 with a 5% match and the second CDBG application which is a implementation to continue doing water line work, and there is a third CDBG application that was discussed in the past that is for the mechanical improvements in the City owned buildings which is due in August.

Commissioner Seber stated the water system work was the one in which the City was not able to get in the last round and a conversation was had with CDBG about the strengths and weaknesses of the application in which changes have been made and he added that they were not discouraged from submitting another application and he is hoping they are successful this time around.

### **Public Comment for the Public hearing:**

Kim Dunn of 250 South Main Street stated she is in favor of the City getting grant funds.

She went on to say the main reason for the denial is because of the water study that was used in 2013/2014 and asked if we are in the process of doing a new study.

Commissioner Seber stated at the last meeting there was a resolution passed to authorize the update to the study.

Kim Dunn asked if it would be completed in time to submit with the application.

Commissioner Seber stated it would be.

Kim Dunn asked what the funding amounts were for the updated comprehensive plan and if there is a match for it.

Don Fletcher stated he believes it is around \$90,000 and the match is 25%. He added the study for CDBG is a 5% match; the implementation on the water line will be \$1,000,000 with no match.

Kim Dunn asked if the fact that the City received extensions on other CDBG grants had any effect on the denial of the application.

Commissioner Seber stated his understanding is that was not part of their scoring. He added the competition has always been tough but it is even more so now.

Don Fletcher added he thinks that is the bigger issue. He added they did not knock the score down because of the age of the report he added the report was appropriate for it but to go after this round in 2021 you have to have an updated report. He added they advised the City to keep trying because they know the City has had a positive record in getting the work and spending the money but the competition is fierce.

Kim Dunn asked if the fact that the City received grants and someone else didn't hurt.

Don Fletcher stated that it is not something that is stated but it would not shock him.

Kim Dunn stated that the City has done as much as they could in communicating to help our chances of receiving the grant. She went on to say she knows the application deadline is July 30<sup>th</sup> but asked what the turnaround time would be for the City to find out if they received the grant.

Don Fletcher stated December.

Tom Mahoney of The Express stated the City will be receiving \$257,000 from the Federal Government.

Commissioner Seber stated there are different things you can use it from, you can use it to reimburse yourself for any loss of revenue for example state aid, but most of it is infrastructure, water, and broadband.

Tom Mahoney stated one grant is for \$50,000 and the other for \$90,000 the City could probably use the \$257,000 to pay for those.

Commissioner Seber stated that although the City has done a lot of infrastructure work in the city there is still a lot that needs to be done. He added that they probably could use that money but there is so much more that needs to be done the City needs to look for money wherever they can.

Tom Mahoney asked about the \$257,000.

Commissioner Seber stated that would be up to the Council. He added his personal opinion is to get as much money as the City can. He added there is no match on the \$514,000. He went on to say that if the Council wants to do something different with the money that is within the rules then that is the Council's decision.

Dave Hicks asked if smart growth is what Commissioner Seber mentioned earlier with the water line.

Commissioner Seber stated this something different.

Commissioner Seber stated the floor is now open for public comment.

**Public Comment:**

Dave Hicks of 241 First Avenue asked why the City is worried about the dock while the infrastructure in the City needs work. He went on to say that city wide street flooding because of storm drains is not being addressed. He asked what happened on Sixth Avenue that the City needed to approve additional expenditure.

Commissioner Seber explained it was part of a grant program where work was being done on a home in which the City signed off on that was in error. He added to fix it, it will be a maximum of \$500 and the City needs to fix the mistake.

Dave Hicks asked where the reservoir dredging is at.

Commissioner Seber stated the short term financing of \$970,000 will be closed on within the next few weeks. He went on to say with this grant the money is received at the end therefore the City needs to borrow short term money to pay for the work being done. Commissioner Seber asked Don Fletcher if he could provide a timeline of when the work will actually begin.

Don Fletcher stated the intent is that the City closes on the short term financing, one more approval is needed from DEC and the hope and intent is to go out to bid in August so it could be awarded at the September meeting and it is envisioned that this fall and next spring is when the work would be completed at the lower reservoir to dredge it, replace a portion of the raw water line going up, and fix the dam.

Commissioner Seber added the dam is not a structural issue; it is just to meet today's regulations.

Dave Hicks stated the City has not addressed the lighting up grade or fixed the lights that do not work.

Commissioner Seber stated himself and Commissioner Johnson are working on it.

Commissioner Johnson stated he sent in copies of bills and square footage for the City buildings.

Commissioner Seber stated he is hoping by fall they will have something to work with.

Dave Hicks asked why the City is selling so much equipment.

Commissioner Seber stated it is his understanding that either the equipment isn't working properly, substandard, or just old.

Kim Dunn of 250 South Main Street while referring to resolution 53-2021 stated she thinks it is great that the water revenue is going to be increased and asked if this is the only contract that the City currently has where a resident or business utilizes the hydrants and were there previous contracts for use of water through our hydrants.

Commissioner Seber stated that to his knowledge the only use that the City has had people using the hydrants is for construction and a meter is placed on the hydrants and they are billed the outside rate.

Kim Dunn asked why this particular one needs a contract.

Commissioner Seber stated this is more of an ongoing/long term situation.

Kim Dunn stated she noticed a meter on the hydrant across from DPW so she is presuming that is the hydrant that will be used.

Commissioner Seber stated he is being informed that it is to be just used for that.

Kim Dunn asked how you would stop anyone else from hooking up to the hydrant.

Commissioner Seber stated he can't answer that but is being told there is surveillance on it.

Kim Dunn asked what New York State Department oversees the home grant projects.

Commissioner Seber stated he will let her know he can't remember the name.

Kim Dunn asked how a code violation was discovered after the inspection and why isn't the company that was hired to do the work being made accountable for it, was it because it was already signed off on?

Commissioner Seber stated that was correct.

Kim Dunn asked how the City plans on changing how they oversee these projects so this doesn't happen again.

Commissioner Seber stated that anytime a mistake is made it brings things to your attention and will be more aware, he added he is not making excuses but this was all done last year during the height of COVID and we made a mistake and we are aware of it and will pay more attention to it.

Kim Dunn stated it says the City will be handling the work and she asked who that would be.

Commissioner Seber stated DPW is more than capable to do the work and would be doing it.

Kim Dunn stated that the work that is being done in the City by Dekatherm is more than unsatisfactory and someone from the City needs to make them accountable for the work that is being done. She went on to say the City should be made aware of the schedule as to where they are planning to work especially for the Police and Fire Department.

Commissioner Seber stated he does not disagree with her and that technically it goes through NYSEG but he added the City has an arrangement with NYSEG that the City will be doing the paving and NYSEG will be funding it but he is not sure when that will be happening.

Kim Dunn asked if he could explain the details about resolution 50-2021.

Commissioner Seber stated it was what they just spoke in reference to and he would email her the information.

Marylou Cebula of Lee Street stated at the last meeting she brought up the issue of communication, she has sent communications to Commissioner Gotti in which he has not answered, and the Mayor asked her to forward the communication to him and she did not receive an answer from him. She stated can't understand the dwindling communication and now the dwindling attendance. She asked how this is a function Council and what their views are.

Commissioner Seber stated that no one has authority over one another so they can't require anyone to do anything.

Marylou Cebula went on to say the City Charter states the Mayor can compel City Council members to attend meetings.

Commissioner Seber stated he tries to answer as many questions as he can but although he thinks they should there is no obligation that the Commissioners have to answer questions. Marylou Cebula asked as a Council Member how he thinks it should be viewed.

Commissioner Seber stated ultimately it is up to public to decide if members are elected.

Marylou Cebula went on to say the City handbook has a section under rules of conduct about habitual tardiness and absences.

Commissioner Seber stated he thinks Council members should attend the meetings unless there is a reason they can't attend.

Marylou Cebula asked if they knew if Commissioner Gotti would be attending anymore meetings.

Commissioner Seber stated he hoped everyone attended all of the meetings and he is not happy there isn't a quorum at the meeting.

Marylou Cebula asked if the Commissioners need to keep a time card and the charter says they have to keep office hours.

Commissioner Seber stated that was correct.

Marylou Cebula added it says the Commissioner has to keep office hours not the office needs to be open so there is no way to know if he (meaning Commissioner Gotti) is working.

Commissioner Seber stated in Commissioner Gotti's particular case he is probably rarely in his office because there is work to be done around the city but the office is open.

Marylou Cebula says there is not accountability for the Commissioner's time.

Commissioner Seber stated that was the case for any of the Commissioners.

Marylou Cebula added that other Commissioners answer their phone calls and or emails which is accountability to the residents.

Commissioner Seber stated he would reach out to the Council to see who might be available in the short term and his plan is to have a special meeting just to vote on resolutions since public comment was already completed at this meeting.

Meeting Adjourned: 6: 37 P.M.

William J Rabbitt  
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# MECHANICVILLE POLICE DEPARTMENT



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36 N MAIN STREET  
MECHANICVILLE, NY 12118

July 14, 2021.

Mayor and Council Members,

For June, we:

- Responded to 450 calls for service,
- Made 40 arrests that include 4 (V) 23 (M) and 13 (F),
- Issued 75 traffic tickets.
- We recorded (1) use of force.

Non-Emergency: (518) 664-7383  
Fax: (518) 664-7867  
Emergency: 9-1-1  
[www.mechanicville.com](http://www.mechanicville.com)