

MINUTES OF THE CITY COUNCIL MEETING  
HELD ON  
October 13, 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 October 13, 2021.

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

Fred Hosley led the Pledge of Allegiance to the Flag.

Roll Call:

Mayor Baker	Present
Commissioner Seber	Present
Commissioner Johnson	Present
Commissioner Gotti	Present
Commissioner McGuire	Present

Motion to accept the September 8, 2021 Meeting Minutes:

Motion: Commissioner Seber      Seconded by: Commissioner Gotti

AYES: 5      NAYS: 0

**Commissioner Reports:**

Mayor Baker announced that he received notification that the CP Rail Holiday Train would be virtual again this year but still would be donating to the Community Center. He went on to announce there will be a job fair at the Senior Center on October 26<sup>th</sup> from 3pm to 7 pm and on November 4<sup>th</sup> there will be a vaccination clinic for the Pfizer booster from 10 am to 2 pm also at the Senior Center for people ages 65 and older and that fliers were being prepared.

Commissioner Seber stated the water bills are out and since 10/31 is on a Sunday residents have until 11/1 to pay without penalty.

Commissioner Johnson stated his office will be sending out budget worksheets to the Commissioners and department heads on November 1<sup>st</sup>. He added there will be highlighted areas that need to be imputed by the Commissioners and will need them back to his office no later than November 12<sup>th</sup>. He went on to say that there will be budget workshops on November 17<sup>th</sup> and November 24<sup>th</sup> with the plans to hopefully adopt the

budget at the December Council meeting. Commissioner Johnson stated he has been working with the company to replace all the inside and outside lights in every city owned building. He went on to say NYSEG gets a budget and will help the City offset the cost of the new fixtures for the LED lights and once they get the budget they say the City is on the top of the list and after the contract is signed it is a 30 day turn around to get everything done.

Commissioner Gotti asked the residents to be patient with the streets being dug up and explained he pushed the timeline with Dekatherm up so they are being more aggressive. He added there are still 40 houses on 3<sup>rd</sup> Street that need to be done and as soon as they are done they will get that paved. He went on to say they are paving as quickly as they can but they can only pave once Dekatherm turns the street over to them. He did say they are still quite a few houses they need to get in addition to Third Street. Commissioner Gotti stated that Central Avenue was tentatively going to be done at the end of this year but he is thinking more realistically it will be spring of the upcoming year.

Mayor Baker confirmed he heard the State will not be doing Central Avenue this year.

Commissioner McGuire stated they had Sgambati sings Sinatra at the Senior Center in which they had a great turnout and added he volunteered to come back and sing at the Christmas party. She personally thanked Brut Sgambati for coming. She added she will once again collect money for Wreaths Across America and wreaths are \$15 and will be placed on graves the National Cemetery. She added if you purchase 2 wreaths you will get one free and all of the donations she received will go to Cindy Cowin of Stillwater who belongs to the Henry F. Lefco American Legion who also gives all of her donations directly to the National Cemetery in Schuylerville. She added money can be dropped off in her mailbox, mail it to her, dropped off in her office or at the Senior Center and a receipt can be provided, she did ask if writing a check to make it out the Wreaths Across America and stated the deadline is December 1<sup>st</sup>. Commissioner McGuire stated her department will be doing the memory trees again this year and she ordered 70 trees from Country Living and added Country Living does not make any money off the trees. She stated it will be handled the same way as it was last year where you can go into her office and pick the location of your tree off a map and for an extra fee the Fire Department will put the trees as part of a fundraiser, last year they were given over \$700. She went on to say once the trees are up everyone will be notified and then they can be decorated for the dedication on December 5<sup>th</sup> which is the same day as Santa in the Park. Commissioner McGuire stated she will be purchasing a tree and invited anyone who wants to can place a picture on the tree and her office will laminate them but did ask that the pictures be no bigger than 4 x 6 and to make sure there is a name on the back so the picture many be returned.

Police Chief Bill Rabbitt gave his monthly report for the month of September. There we 36 arrests, 125 traffic tickets, and 467 calls for service.

Commissioner Seber stated they are adding a late resolution as they are hopefully selling 96 Saratoga Avenue where they did an online auction where they received a final bid which was received later in the day therefore a resolution was added to the agenda to accept the bid.

**Public Comments:**

Marylou Cebula of Lee Street in reference to resolution 61-2021 asked if this contract was for the blue hydrant.

Mayor Baker stated it was.

Marylou Cebula stated she thought it was for Kingsbury Fuels or Evolution Construction but the contract is for 10 Industrial Park LLC and asked what that was.

Mayor Baker stated that was the address and he has a few companies.

Marylou Cebula asked who the contract was with.

Mayor Baker stated Mr. Pickett.

City Attorney Lyn Murphy stated it is the LLC that is contracting.

Marylou Cebula asked if the hydrant has been billed.

Mayor Baker stated the bills went out yesterday.

Marylou Cebula asked the timeframe the bills were based on.

Mayor Baker stated they are going to be monthly but this one was longer because they were dealing with getting the contract passed.

Marylou Cebula asked Commissioner Seber to get her a date.

Commissioner Seber stated he does not have a date.

Marylou Cebula asked if the home grants in resolution 74-21 were the ones awarded in 2020 or the ones rolled over in 2019.

Commissioner Seber stated the resolution is to hire someone to write the grant. He added the grants are available but you need to apply for them. He added there is a line item in the budget for grant administration so this is all budgeted for.

Marylou Cebula stated at the last meeting Commissioner Seber stated it would be run through his office but previously things were being submitted to Gina Kenyon in the Mayor's office and asked how it is going to be processed.

Commissioner Seber stated he does very little of the work for the grants. He added Gina and Camoin do 99% of the work so it will be funneled through his office and will be lined up to them.

Marylou Cebula stated the information she received was for 2018 and 2019 and were processed from an application from 2015.

Commissioner Seber stated this is a State grant that the City administers and the rules are set by them and the grants take years to complete.

Marylou Cebula asked what facilitated the need for the hiring of a heavy equipment operator to be hired now.

Commissioner Gotti stated there is currently only one and he has been trying to hire another for a while now even during the CSEA negotiations so it isn't something new.

Marylou Cebula asked if the money is budgeted.

Commissioner Johnson stated it is not budgeted for 2021.

Marylou Cebula asked if it was going into effect this week.

Commissioner Gotti confirmed that.

Marylou Cebula asked what classifies as a Heavy Equipment Operator.

Commissioner Gotti stated street sweeper and snow blower.

Marylou Cebula asked if the office of aging contract through the Senior Center is to just bring food in or is it for anything else.

Commissioner McGuire stated it was just for food.

Marylou Cebula asked if there are any current employees working from home.

Mayor Baker stated there were not.

Commissioner Seber stated some have the capabilities to work from home if circumstances require it but no one is assigned to work from home.

Commissioner McGuire asked what circumstances would require someone to work from home.

Marylou Cebula stated it might be if someone is sick and has to wait for a negative test.

Darlene McGraw of Halfmoon stated she has been working really hard with different groups on the issue of sidewalk accessibility and the sidewalks in the City are ridiculous. She added the ADA law has been in effect for 31 years and in 2014 an article stated the Mayor was informed of the sidewalk inaccessibility. She asked why the City has not maintained the accessibility.

John Snyder of 706 Park Avenue stated he sent an email in reference to the non-working lights at the Park Avenue playground. He went on to say that he sent a request to the Chief of Police for more patrols in which there has been. He asked if DPW is responsible to maintain the property by the State and if so they are not doing it. He added this came about before Commissioner Gotti and it needs to be addressed. He went on to say the building is in disrepair and needs to be worked on or else the City will need to buy a new building.

Commissioner McGuire stated the only problem with the building is the garage door needs to be fixed but other than that it is in good shape.

Commissioner Seber asked how the building was structurally.

Commissioner McGuire stated it was fine.

John Snyder said the roof looks like it might need work.

Commissioner Gotti stated the building is in good shape and it is very neat and kept well. He added they have fixed some of the lights but the underground wires are an issue for some of them.

John Snyder stated he does underground wiring and the problem can be solved. He went on to say the next problem is there are no sidewalks on that property and the kids walk down there from the school and they all have to walk on the street. John Snyder asked Chief Rabbitt if there was any update on the neighborhood watch.

Chief Rabbitt stated he is still receiving applications.

John Snyder asked for additional Police presence at the playground.

Commissioner McGuire stated she is at the playground a lot.

John Snyder asked if the lights would be part of the NYSEG grant.

Anthony Gotti stated the grant was for interior lighting only.

Dave Hicks of First Avenue asked why and at whose expense are the streets being paved. He added that while the streets are being paved nothing is being done about the flooding issues that is an ongoing problem. Dave Hicks asked where the City was with upgrading the lights. He

asked if there is any training set up for the fire department with the newer cars not being able to turn the batteries off. he asked when the dredging was going to happen.

Commissioner Seber stated in the spring.

Dave Hicks state the City does not maintain the City sidewalks but expects the homeowner to maintain theirs. He asked who is in charge of the Senior Center, the City or the County.

Commissioner Gotti stated that the paving is going to correct some of the flooding. He went on to say that as far as contractors coming in to do the work and then going in and paving doesn't make sense because if he has to ask a contractor to immobilize his equipment 4 or 5 times to get the streets done it just cost more money.

Dave Hicks stated the streets don't need to be paved they just need to be repaired.

Commissioner Gotti stated when they are paving they are redirecting the water to the appropriate catch basins and storm drains.

Dave Hicks stated Park Avenue has been done 5 times.

Commissioner Gotti said he understands what he is saying, it ripples and is ripping up the trolley tracks would be an excessive amount of money the City is not prepared to pay.

Kim Dunn of South Main Street in reference to resolution 72-21 stated that the City continually re-appoints people instead of opening it up and giving other residents a chance which has been brought up at multiple meetings.

Mayor Baker stated the people that were there did a good job and he wants them back.

Kim Dunn in reference to resolution 73-21 which amends resolution 52-21 for the cost of repairs on North 6<sup>th</sup> Street from \$500 to \$1000 she asked how they know \$1000 will be enough and if the money is coming out of the home grant funds.

Commissioner Seber stated it was not coming out of the home grant funds it was coming out of the budget.

Commissioner Johnson stated he was not sure what line it would be coming from.

Kim Dunn asked if the City worker did the work or if any of the work was done by someone hired outside.

Commissioner Seber stated DPW did the work.

Kim Dunn in reference to resolution 77-21 with the job created it was stated the money was not in the budget so she asked where it was coming from.

Mayor Baker stated there is an employee that resigned from DPW and there is money left from there.

Kim Dunn stated there was no resignation.

Mayor Baker stated there was.

Commissioner Seber stated there is no need to do a resignation by resolution.

City Attorney Lyn Murphy stated with certain positions you do have to file a resignation with the clerk's office and be accepted by resolution but not everyone does. If someone quits you don't need to accept it they just quit.

Kim Dunn stated it has been done in the past.

City Attorney Lyn Murphy sometimes they resign with recognition as in great job that has been done.

Commissioner Seber stated there is no requirement.

Kim Dunn stated at the last meeting it was stated there was an investigation being done by law enforcement and she was wondering the status of the investigation.

City Attorney Lyn Murphy stated the Saratoga County Sheriff's Department conducted the investigation and it is her knowledge the investigation has been closed with a no arrest situation.

Kim Dunn stated that anyone can hook into a City hydrant and asked what happens the next time someone does.

Mayor Baker stated there would have to be an investigation.

Commissioner McGuire asked if the money used for the DPW position means they are not going to fill the position of the person who resigned.

Mayor Baker stated it would not be filled this year but maybe next year.

Commissioner McGuire asked if they would be hiring more employees eventually.

Mayor Baker stated he is sure they would they always had more employees in the past.

## **Resolutions:**

RESOLUTION 61-2021 Water Purchase 10 Industrial Park Road LLC

Moved by: Commissioner Seber  
Seconded by: Mayor Baker

Commissioner McGuire stated she can't understand how a contract could be signed without a date when it started on the contract.

City Attorney Lyn Murphy stated you can't back date a contract so the contract officially comes into effect the date it is signed and the back dated issue is what the Sheriff department investigated.

Commissioner McGuire asked how we know when the first date the water was metered.

City Attorney Lyn Murphy stated she assumes the first date they put the meter on.

Commissioner McGuire asked for the date.

City Attorney Lyn Murphy stated she did not know but by a legal standpoint the contract goes into effect the date it is signed and no other dates are relevant.

No one knew the exact date but said they would get it.

AYES: 4    NAYS: 0

Abstain: 1 Commissioner McGuire

#### RESOLUTION 72-2021 Zoning Board of Appeals re-appointments

Moved by: Mayor Baker  
Seconded by: Commissioner Johnson

AYES: 5    NAYS: 0

#### RESOLUTION 73-2021 Home Grant Amendment

Moved by: Commissioner Seber  
Seconded by: Mayor Baker



Commissioner Johnson asked if the work is done and the cost is final.

Commissioner Seber stated it was.

Commissioner McGuire asked how much more over the \$500 it was.

Commissioner Seber stated over \$400 for materials.

Commissioner Johnson stated he saw the bill it was for sections of railing and vinyl posts.

Commissioner McGuire asked if DPW did all the work.

Commissioner Seber stated the work that was done by DPW; there was a bottom porch and an upstairs porch. He added DPW did the bottom porch and the City supplied the materials for the upstairs porch and they homeowner was having additional work done so he was going to pay the contractor to finish the upstairs work.

Commissioner Gotti stated that Marty and Rich raised the railing that needed to be raised and lowered the railing that needed to be lowered and there was a section of rail on the second floor that took a while to be shipped and when it finally came in the homeowner said he had a contractor there and not to worry about it he would have him put it in.

Commissioner McGuire asked if someone else finished the job at no cost to the City.

Commissioner Seber stated that was correct except for the cost of the materials.

AYES: 5    NAYS: 0

#### RESOLUTION 74-2021 Agreement with Camoin Associates

Moved by:        Commissioner Seber

Seconded by:    Commissioner Johnson

AYES: 5    NAYS: 0

#### RESOLUTION 75-2021 Public Hearing to adopt local law

Moved by: Commissioner Seber  
Seconded by: Mayor Baker

Commissioner Johnson asked if the City has to make a decision

Commissioner Seber stated a decision need to be made for it not to be allowed.

City Attorney Lyn Murphy stated the local law allows for on-site consumption at retail establishments unless you opt out if not they are allowed.

Commissioner Johnson stated so basically if we do nothing they are allowed.

City Attorney Lyn Murphy stated that was correct.

AYES: 5      NAYS: 0

#### RESOLUTION 76-2021 Sidewalk Amended Resolution

Moved by: Commissioner Seber  
Seconded by: Mayor Baker

AYES: 5      NAYS: 0

#### RESOLUTION 77-2021 Heavy Equipment Operator

Moved by: Commissioner Gotti  
Seconded by: Mayor Baker

Commissioner McGuire asked if there are 2 pieces of heavy equipment, the street sweeper and the snow blower and there is already a HEO why does there need to be 2 people since you don't run the sweeper in the winter or the snow blower in the summer.

Commissioner Gotti stated one thing is redundancy it gives flexibility to cover positions when people are off.

Commissioner McGuire stated if there is already 1 HEO and something happened and someone has to jump in to cover then the City just pays him for the day

instead of paying 2 people every day when they may or may not be in a piece of heavy equipment.

Commissioner Gotti stated you would have to be in the department to see how things work and added there is definitely a need for another HEO and a need for at least 2 MEO's and at least 1 or 2 more laborers to have 2 effective crews to stay on top of the maintenance and infrastructure but he can't get anyone else to see it because everyone has their own opinion on it.

Commissioner Johnson asked if they are not filling the vacancy of the person that resigned and if it would be coming off the budget for 2022.

Commissioner Gotti stated he was not intending of taking off the 2022 budget but there are three months left of this year to compensate for the HEO position. He added he would like to budget for it and a laborers position next year. He went on to say that everyone looks at DPW numbers but that number is for everything and 3 of them are at the water plant, 1 is a mechanic and 1 a clerk so the workforce on the streets is not effective. She state the department used to have 10 to 15 people.

Commissioner Johnson stated he isn't arguing the point that he doesn't need more people.

Commissioner Gotti stated he plans on getting more equipment and there will be a need for 2 HEO's and 3 or 4 MEO's. He invited Commissioner Johnson to go up and sit with him to go over everything.

Commissioner McGuire asked why not wait to hire someone until the equipment is purchased.

AYES: 3      NAYS: 0

Abstain 2: Commissioner Johnson and Commissioner McGuire

RESOLUTION 78-2021 Budget Amendment

Moved by: Commissioner Johnson

Seconded by: Mayor Baker

AYES: 5    NAYS: 0

RESOLUTION 79-2021 Budget Transfer

Moved by: Commissioner Johnson  
Seconded by: Mayor Baker

AYES: 5    NAYS: 0

RESOLUTION 80-2021 Payroll and Vouchers

Moved by: Commissioner Johnson  
Seconded by: Mayor Baker

AYES: 5    NAYS: 0

RESOLUTION 81-2021 Bid acceptance 96 Saratoga Avenue

Moved by: Commissioner Seber  
Seconded by: Commissioner Gotti

AYES: 5    NAYS: 0

NEW BUSINESS: None

OLD BUSINESS: None

Meeting Adjourned: 6:55 P.M.

Moved by: Commissioner Gotti  
Seconded by: Commissioner Seber

AYES: 5    NAYS: 0