

MINUTES OF THE CITY COUNCIL MEETING
HELD ON
JANUARY 11, 2017
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 January 11, 2017.

Roll Call:	Mayor Baker	Present
	Commissioner Gilheany	Present
	Commissioner Higgins	Absent
	Commissioner Hipwell	Present
	Deputy Commissioner Foard	Absent

Mayor Baker: Called the meeting to order at 7:01 P.M.
Emily Morelli led the Pledge of Allegiance to the Flag.

Motion to accept the December 14, 2016 Minutes:

Motion:	Commissioner Gilheany	Seconded by:	Commissioner Hipwell
Roll Call:	AYES: 3	NAYS:	0

Motion to accept the December 21, 2016 Minutes

Motion:	Commissioner Gilheany	Seconded by:	Commissioner Hipwell
Roll Call:	AYES: 2	NAYS:	1

Commissioner reports were as follows:

Mayor Baker informed the public that there was a meeting held in Clifton Park in reference to the “Esplanade” or Hudson Riverview Project. He stated that none of the Council members were invited to the meeting and as of this evening the Council still stands firm that they do not support this project. He also stated that he has received a lot of calls at his office and that there is a lot of talk on Facebook and that the people who have been talking about being opposed to the project haven’t changed their minds at all and if anything because of the way things are being conducted he thinks more people have swayed to being opposed to the project. He wants it known and on the record that the City Council as it sits is still opposed to the project. Mayor Baker stated that the way he understands it that in order for this project to proceed they would need to go through the whole thing all over again. He said there was originally a six (6) month extension but that has since gone so they will need to present the entire project again.

Attorney Val Serbalik added that since this new project came in he has been in contact with a number of people like the developers attorney, the owner’s lawyer, Mr. Dirr and they are taking

the position that the project that was just submitted is only a modification to a prior approved project. Mr. Serbalik stated that he spoke with Frank Scirocco earlier in the day and that is not the case. The project that was submitted by Empire Warehouse was only conditionally approved back in August of 2013. He stated that although some of the contingences were taken care of, the project never received final approval, it just wasn't signed off. Mr. Serbalik also stated that even if it was signed off at that point an approved project only has a year window to begin construction. He stated that Mr. Scirocco notified them today that this needs to be treated as any other new project and go through all the processes.

Commissioner Gilheany had nothing to report.

Commissioner Higgins was absent but Mayor Baker stated that he spoke to him previous of the meeting and that in the last month there has been four (4) water main breaks. He stated that the change in temperatures shifts the earth and breaks the pipes. Today they had two (2) on South Street approximately 25 feet apart. Mayor Baker added that Commissioner Higgins and his crew have done a terrific job! He also stated to be advised because of the way the temperatures are so far there could be many more.

Commissioner Gilheany stated that she noticed that the South Street breaks were right at the bottom of the hill and she was wondering if that had anything to do with the pipes that were put in when they put the wall up.

Mayor Baker said it was not related because the only pipes that were put in for the hill were drainage pipes.

Commissioner Hipwell thanked the people who helped out with the Salvation Army bell and also thanked the people who adopted a family at Christmas.

Attorney Val Serbalik stated there is only one (1) parcel on the 2013 tax roll and the last day of redemption was December 31, 2016 and would like to talk with the counsel at the next meeting to discuss if it is not paid whether the Council would like to proceed with foreclosure or put it on the 2014 tax roll.

Chief Waldron stated that there was a miscommunication as to the meeting in reference to the Hudson Riverview Apartments. Chief Waldron said when he received the message about the meeting he called the Mayor to see if he should attend and the Mayor said he should absolutely be there not knowing they were talking about two different meetings. The Mayor thought he meant the January 9, 2017 Zoning/Planning meeting because the Mayor didn't know about the January 5, 2017 meeting. Nonetheless Chief Waldron attended the meeting and he spoke about the citizens concern about crime being increased. Chief Waldron did state he represented the City and the Police Department. Chief Waldron stated that the Police Department has been very busy and he will be presenting the annual report in February. Chief Waldron informed everyone that they are exploring body warrant cameras and we have received a grant for \$5000 to

implement it unfortunately the cost is much more than expected. Chief Waldron said he was trying to do six (6) cameras and that came out to be around \$33,000 so the \$5000 wouldn't cover them. Even though Chief Waldron stated that the payments would be broken over a five (5) year period he still feels it is too expensive.

Chief Alonzo stated that they, in the Fire Department, also had a very busy year. The Fire Department finished out the year with a total 746 calls which was an increase of 115 calls from the total of 631 calls in 2015. In the month of December alone Chief Alonzo stated they responded to 74 total calls, six (6) of which were mutual aids. Chief Alonzo informed everyone that one of the mutual aid calls was on Christmas Day in Waterford. He stated he had 28 guys left their families on Christmas to help with this fire. He stated that he had a variety of calls over the month. Chief Alonzo stated that through careful budgeting they purchased a fire reporting software that will benefit the entire City. Once the database is filled the Police Department and Code Enforcement can use this for emergency contact information. There will be photographs on the database so they can refer to the picture before entering the building. He stated the Fire Department is very excited about this program and that it is in the very early stages.

Mayor Baker closed the regular meeting for a Public Hearing on the USDA Water Project.

Don Fletcher from Barton and Loguidice stated that the application is for the City of Mechanicville looking for a \$1 Million low interest loan with USDA for improvement to the existing water source, which includes work on the dam which the City is under compliance to do with the Department of Environmental Conservation. It is to do work on the raw water line that takes water from the upper reservoir down to the treatment plant and it is also to dredge the lower reservoir and to do a little bit of work around the upper reservoir. Mr. Fletcher stated that it will replace the lower portion that is underneath the lower reservoir and it will spot repair where there are fairly significant leaks in the line. He did state that this is not part of the county water line. Mr. Fletcher stated that the full application has not been submitted and it is a rolling deadline so there is no specific deadline.

David Hicks of 241 First Avenue asked if the dredging of the lower reservoir is going to be done conventionally or exotically and also asked while the dredging is being done will the line be being repaired.

Mr. Fletcher stated that we are not to that point yet but that it is a smaller reservoir so they would stick dredge it with an excavator and the intent would be to relocate the line first and then dredge.

Mayor Baker asked for a motion to continue work on the reservoir project.

Moved by: Commissioner Hipwell Seconded by: Mayor Baker

AYES: 3 NAYS: 0

Mayor Baker stated that the State and the Federal Government have been after the City for a while to do work on the reservoir and in the past the City was in the financial shape to do it. Mayor Baker stated that the City is in better shape now so he feels it is an appropriate time to do it.

Mayor Baker opened the floor to public comment.

Tom Mahoney from the Express Newspaper asked that presuming that the company for the Hudson Riverview Apartment goes through with the project without using the IDA do they need the approval of the Governmental Officials to get the project through or is it more of a private enterprise.

Attorney Val Serbalik stated that the only thing the City is involved in in terms of the project is Site Plan Approval which goes before the Zoning Council. He stated that the City Council has nothing to do with the approval process to the actual development. He stated that how they fund the project is up to them the only thing the City has to do with the project at this point is the Zoning Commission and the Council has nothing to do with it.

Mr. Mahoney asked if the disapproval from the State Senator, the Assemblywoman, and the Mayor was more of a factor when it was IDA compared to when it is private.

Mayor Baker stated that when Community Housing Renewal was in his office they stated that the project would not go on if the Council did not approve it.

Joe Micklas owner of a business on Hill Street wants to know what the Supervisor's position is to the board or to the approval of the Hudson Riverview Apartment project. He stated that Supervisor Richardson is quoted in the Daily Gazette and the Business Journal as though he has some status. Mr. Micklas wants to know because he is a part of the opposition group and feels he needs to know "who is directing the band".

Mayor Baker stated that the only thing he could tell Mr. Micklas is that the Supervisor has no voting power in the City; he is our representative at the County level.

Mr. Micklas stated that we have a PR Firm that represents the NRP Group that is calling up the Police Chief of Mechanicville inviting him to a meeting and it appears to him that if the City has the position they do on this project then the City needs to have someone that is comfortable with PR to let the citizens know their views. He feels it is appearing that there is an element in the City of Mechanicville that is in favor of this. Mr. Micklas concluded by stating that Mr. Enzien is very knowledgeable and has great resources and could help the City out and that the City should use him.

Commissioner Gilheany stated that people are getting the impression that Supervisor Richardson has some say over the City Council, so the public is taking what he is saying and assuming it is the City Council's feelings also.

Mr. Micklas said that is exactly what he is trying to say. Mr. Micklas added that everyone has a right to their own opinion but they do not have the right to say they represent the City or the County of Saratoga for that matter. He asked that if this project has to go to another complete review who will be the lead agent for it.

Attorney Serbalik said it would be treated like a new project. They will have to go through the planning process which is through the Zoning Commission. Because the Council has nothing to do with this project at this time the application goes to the Zoning Commission and they would apply for the lead agency status. Basically they make a statement that they want to act as lead agency for the project. Then, all the interested involved agencies around the area will need to be notified. He stated the bottom line is the Zoning Commission will be the lead agency for SECR purposes and they make the decision on Site Plan Approval.

Mr. Micklas said that the application that has been submitted now is for nothing because there is not project. He asked if this is correct.

Attorney Serbalik told him that it is incorrect. He stated the City Council or any member of the Council has nothing to do with whether that building project will be placed on that site. He stated that what the Mayor has said and the Council has said is that they do not approve the project for funding purposes. The developer has a chance to receive some tax credits if the Council approved funding so they can still go forward with the project it is just site plan.

Mr. Micklas stated that there are people who have read the application (not him personally) and there are facts that are misstated on the application which makes it acceptable for approval.

Mr. Serbalik stated he had no idea what that involves.

David Hicks 241 First Avenue asked if the "Esplande Project" could go through without the City's approval.

Mr. Serbalik stated that any project has to go through the approval process of the Zoning Commission. So he stated that it could be approved and it is not unusual for an applicant to go through the approval process, get there permits, get there approvals and sell them. He also reiterated that this project has nothing to do with the City Council. He informed the public that Site Plan approval has nothing to do with the City Council.

Mr. Hicks stated that resolution 01-17 states the City is going to sign an agreement to pay the Community Center \$10,000 for providing Mental Health Services to Mechanicville Residents.

Mr. Hicks looked back at old resolutions and there was not a price was on them and he was wondering if this fee is new or the same as previous years.

Mayor Baker informed Mr. Hicks that the Community Center receives the same amount every year.

Mr. Hicks asked when it was paid in the previous year.

Commissioner Gilheany informed him that quarterly payments were made.

Mr. Hicks asked what the information was on the garbage bids.

Mayor Baker stated that the bids will be starting soon.

Mr. Hicks asked what the status of the DPW property.

Mayor Baker informed him the property has been sold and there was a meeting with DEC and the owner of the project a few weeks ago because neither the City nor DEC has been happy with how he has been progressing.

Mr. Hicks wanted to know that in resolution 02-17 if we step forward and pay for the whole cost on this, what happens if we need money for something else. He stated we would then have to borrow money and pay interest on that so he would like to know how this would benefit the city.

Mayor Baker stated that this was a grant. We have the grant and it has already been approved. Kathy Marchione has contributed \$100,000 which is our share of it. He stated it is no different than the bridge project; we will pay for it as it goes along and be reimbursed. He also stated we will not pay interest on it.

Mr. Hicks wanted to know why, in resolution 03-17, the City is changing the City's official newspaper from the Times Union to the Daily Gazette.

Commissioner Gilheany informed Mr. Hicks that our official paper has always been the Daily Gazette but we added the Times Union in the middle of the year last year because there was a problem getting a meeting in the paper quick enough so to we needed to add the Times Union.

Mr. Hicks asked what the position master was that was referred to in Resolution 03-17 and if the public has access to that.

Commissioner Gilheany stated it lists all the positions in the City and their salaries and it can be foiled.

Mr. Hicks asked about the transfer of money from snow removal to repairs and maintenance in resolution 05-17.

Commissioner Gilheany informed him it is just moving money around. More money was spent in repairs and maintenance than was budgeted for and there was extra money in snow removal.

Kim Dunn from 250 South Main Street made a comment in reference to the “Esplande” that perception is a big thing. She stated that she interpreted that Tom Richardson is not representing himself as Citizen Tom because the article clearly states Supervisor Richardson. She feels it does give the appearance that he speaks for the Council and she thinks that a lot of the people who don’t understand how things work are also thinking that. Kim Dunn suggested that Council strengthen the message that Mr. Richardson is not representing the Council. Kim Dunn stated that there was one (1) property left for tax sale and that if the Council decides to wait until the following year then that may be a ripple effect and the people the following year may say that if they were given an extra year previously they should receive the same extension.

Mayor Baker stated he is leaning towards keeping it how it is supposed to happen.

Commissioner Gilheany added that you don’t want to have them sitting another year on the tax roll because the City has to pay the school taxes on them.

Kim Dunn asked if the \$5000 grant for the body cameras could be used for anything else or if there is a period of time that we have to use that money within.

Chief Waldron stated he was hoping to use the money elsewhere. There is live scan that needs to be upgraded and that is costly so he stated he will be calling the Division of Criminal Justice and Assemblywoman Carrie Woerner’s office to see if we can reallocate the funds to perhaps buy software or something just as essential.

Kim Dunn stated that she feels that when they are voting on a position the salary should be listed on the resolution. She understands it is listed in the Position Master but it should be on the resolution for a tax paying resident to view.

Mayor Baker informed her that he agrees with that and will look into it.

Kim Dunn asked about the rental of the Senior Center that was brought up at the last meeting. She wanted to know if there was a determination on this as to if you need insurance or not or who you call to rent it etc.

Mayor Baker said that he spoke to Commissioner Gilheany about it but they have not talked to the other Commissioners about it and he hopes by the next meeting it will be straightened out.

Mr. Hicks asked what liability is attached to the manufacturer if the body cameras malfunction.

Chief Waldron stated that is part of why the expense is there. They will replace them for free so if something goes wrong they will have an extra camera in the Police Station to use and they will come take the defective one. In addition to that every two (2) years they will replace all the cameras with the newest and updated ones. Chief Waldron stated it is a great plan, and a great company it is just expensive.

Resolutions:

RESOLUTION 01-17: Agreement with the Mechanicville Area Community Services Center, Inc. providing Mental Health Services to Mechanicville Residents

Moved by: Mayor Baker Seconded by: Commissioner Gilheany
AYES: 3 NAYS: 0

RESOLUTION 02-17: North Central Ave Pedestrian Safety Project

Moved by: Commissioner Hipwell Seconded by: Mayor Baker
AYES: 3 NAYS: 0

RESOLUTION 03-17: Yearly Appointments

Moved by: Commissioner Gilheany Seconded by: Commissioner Hipwell
AYES: 2 NAYS: 0 Commissioner Hipwell: Abstain

RESOLUTION 04-17: Payroll and Vouchers

Moved by: Commissioner Hipwell Seconded by: Mayor Baker
AYES: 3 NAYS: 0

RESOLUTION 05-17: Budget Transfers

Moved by: Commissioner Gilheany Seconded by: Mayor Baker
AYES: 3 NAYS: 0

NEW BUSINESS: None

OLD BUSINESS: None

ADJOURNMENT: Time 8:00

INTRODUCED BY: Commissioner Gilheany
SECONDED BY: Commissioner Hipwell

AYES: 3 NAYS: 0