

MECHANICVILLE CITY COUNCIL MEETING

MECHANICVILLE SENIOR CITIZEN'S CENTER

178 NORTH MAIN STREET, MECHANICVILLE, NEW YORK

AUGUST 5TH, 2015

7:00 P.M.

MECHANICVILLE CITY COUNCIL MEMBERS:

PRESENT:

MAYOR BAKER
COMMISSIONER SEBER
COMMISSIONER GILHEANY
COMMISSIONER HIPWELL

ABSENT:

COMMISSIONER HIGGINS

ALSO PRESENT:

VAL SERBALIK, ESQ.
CITY ATTORNEY

1 MAYOR BAKER: We're going to open the
2 meeting at 7 p.m. local. Roll call.

3 COMMISSIONER SEBER: Mayor Baker here,
4 Commissioner here, Commissioner Gilheany,
5 Commissioner Higgins is absent and Commissioner
6 Hipwell.

7 COMMISSIONER HIPWELL: Yes.

8 MAYOR BAKER: Scott Davenport, would you
9 lead us in the pledge.

10 (Scot Davenport led the Pledge of
11 Allegiance to the Flag)

12 MAYOR BAKER: We have a stenographer
13 here tonight. There is no hidden reason for this.
14 Mrs. DiVirgilio is incapacitated, unable to be
15 here, so we had this firm come in and take our
16 minutes for us. She's here for minutes of the
17 meeting.

18 Can I have a motion to accept the
19 minutes of the previous meeting?

20 COMMISSIONER HIPWELL: I'll make that
21 motion.

22 MAYOR BAKER: Tim Hipwell. Second?

23 COMMISSIONER SEBER: I'll second. Is

1 that better? Roll call for the minutes. The
2 motion was given by Commissioner Hipwell, seconded
3 by Commissioner Seber. Mayor Baker?

4 MAYOR BAKER: Yes.

5 COMMISSIONER SEBER: Commissioner Seber,
6 yes. Commissioner Gilheany, abstained; right?

7 COMMISSIONER GILHEANY: Yes, I wasn't
8 here.

9 COMMISSIONER SEBER: You weren't here.
10 Commissioner Hipwell?

11 COMMISSIONER HIPWELL: Yes.

12 MAYOR BAKER: We are going to the
13 Commissioner reports now. Mine is first.

14 I wanted you to know the bridge has been
15 started on Main Street. It appears to be a lot of
16 people that can't read signs, but hopefully,
17 because it's only been a couple of days, they will
18 get used to it and we won't have to worry about
19 that anymore. But, example, yesterday we had four
20 camping trailers from Deer Run make a left and
21 come down a closed street. I don't know where
22 they thought they were going, but they didn't get
23 very far. So that's underway.

1 Rescue squad is now in its building on
2 Elizabeth Street, the old firehouse. There is an
3 open house there and I thought one of them was
4 going to be here tonight, but I don't see them.
5 So there is an open house there tomorrow from
6 10:00 a.m. to 2 p.m. Everybody is invited. There
7 is going to be a ribbon cutting.

8 I don't think I have anything else.
9 Mark, do you have anything?

10 COMMISSIONER SEBER: Just next Friday,
11 on the 14th, Val goes to court on the two
12 properties we still have left on the tax
13 foreclosure sale. One is on Second Street and one
14 is on Saratoga Avenue and hopefully, shortly after
15 the court does what the court does, we will be
16 able to schedule a tax sale probably sometime the
17 latter part of September, first part of October.

18 Also as part of that, there's two or
19 three properties that are city owned that we're
20 looking at the possibility of selling. We're
21 probably now, at this point, putting -- I wasn't
22 going to do it this way, but I'll probably put
23 them on the same day as that sale, so there will

1 be a tax foreclosure sale as well as a property --
2 city property sale on whatever that date may be.

3 That's all I have.

4 MAYOR BAKER: Commissioner Gilheany?

5 COMMISSIONER GILHEANY: I just want to
6 address the comptroller's office came out and they
7 had come back to review their recommendations from
8 the original audit back in 2012. Out of ten
9 items, they recommended five were fully
10 implemented.

11 In the current report he is showing two
12 as partially implemented and the two are the plan
13 to address financial records and the budget
14 preparation and monitoring, and basically, all
15 they're looking for is formal policies and
16 procedures on those, which we are working on.

17 Two other items that are fully
18 implemented since this came out, was monthly
19 reports to the council. After every check run
20 every week, every council gets copies of their
21 budget and expenditures and -- oh, budgetary
22 amendments. We're doing them every month now.

23 The only thing that has not been

1 addressed is the short and long-term plan for
2 fiscal stress, which council will discuss on what
3 we are going to do there.

4 Other than that, that really takes care
5 of the comptroller.

6 I also left the treasurer's report for
7 the month of June and I did expenditures and
8 revenue reports for the six months ending
9 June 30th for the General Fund and the Water and
10 the Sewer Fund and you can peruse them at your
11 leisure. If you have questions later on, you can
12 e-mail me or call my office and I will address
13 them.

14 MAYOR BAKER: Commissioner Hipwell?

15 COMMISSIONER HIPWELL: I have two. I'm
16 still looking for a part-time driver. Anybody
17 that wants to become a part-time driver, come down
18 to my office, bus driver.

19 And the bridge up on Round Lake Avenue,
20 Mark got a letter, it's been changed. It's going
21 to start on 9/8, it's going to end on 11/3 of this
22 year.

23 That's all I got.

1 MAYOR BAKER: Okay. Commissioner -- or
2 Supervisor Richardson, is he here? I don't see
3 him. Chief Waldron is not. Chief Corrigan?

4 CHIEF CORRIGAN: Good evening, Mayor.
5 Jim Corrigan, Fire Chief, City of Mechanicville.
6 We answered 357 calls for the year so far to date,
7 51 calls in July. 31 of them were EMS calls. We
8 had two requests for landing zones in Hemstreet
9 Park.

10 We did take on two new EMTs this year,
11 they passed the state mandated test.
12 Congratulations to them, it's a very long course.
13 I have one fire fighter currently enrolled as
14 Firefighter I. Our phone is in service now.
15 We've had two calls already for assistance, so
16 it's definitely worth the money invested in our
17 program.

18 And we are getting a huge rescue truck
19 from the Round Lake Fire Department at a cost,
20 which includes a set of jaws of life, which we
21 don't really have right now, a light tower and
22 generator. It's a really good deal for us. We're
23 expanding our capabilities to assist many people

1 that might be in a car wreck or some kind of need
2 for rescue. We're very thankful we were able to
3 save the money to get that vehicle. And Clifton
4 Park is here in town. We are going to continue to
5 answer calls as we have been with our EMTs and we
6 won't see any change, other than there is more
7 help and I think it benefits the citizens to see
8 local faces as the fire department showing up.

9 That's all I have to offer.

10 MAYOR BAKER: Thank you.

11 Our city attorney, Mr. Serbalik?

12 MR. SERBALIK: Yes, Mayor, I would like
13 an executive session on the ongoing litigation
14 that we have, please.

15 MAYOR BAKER: Okay.

16 COMMISSIONER SEBER: I forgot myself.
17 We want also as part of that, the deal with the
18 water contract -- can you hear me? The water
19 contract with -- potential water contract with the
20 Town of Stillwater.

21 UNIDENTIFIED VOICE: I can't hear you.

22 COMMISSIONER SEBER: The potential water
23 -- it's a contract with the Town of Stillwater.

1 MAYOR BAKER. All right. The purpose of
2 -- we're going to have a joint meeting here and
3 the purpose of this joint meeting is -- the
4 council, the ZBA and planning board, NYSEG, our
5 engineers, and the purpose of it is informational
6 only. We're not going to take any action tonight.

7 There's a lot of questions running
8 around town. Hopefully, we can answer some of
9 them tonight. If you have questions for the
10 Zoning and Planning Board, go to their next
11 meeting and present your questions there. That
12 public meeting will be coming up. I don't know
13 when. Do you have a date when?

14 UNIDENTIFIED SPEAKER: I will at the end
15 of this meeting.

16 MAYOR BAKER: Okay. All right. We are
17 going to go to the agenda for that. The
18 representatives of the city engineering firm of
19 Barton Loguidice, we would like you to make some
20 comments on this project please and identify
21 yourselves so our steno has that information.

22 MR. GRANT: Be glad to. My name is Brad
23 Grant. My name is Brad Grant, Senior Project

1 Manager with Barton & Loguidice, retained by the
2 City to provide review services for the NYSEG and
3 the Station project.

4 We are in a current round of review,
5 having received some materials from LaBella
6 Associates responding to our July 13th review memo
7 and we are about two-thirds of 75 percent through
8 that memo, still reviewing it.

9 A number of detailed responses have been
10 offered by the applicant's engineer and provided
11 some clarity. There are some additional items
12 that we are still going to comment on and I don't
13 think tonight is to go through this entire memo,
14 but to give a general overview of where we're at
15 with the -- with our review in the project in
16 itself.

17 But essentially the -- there is a
18 moratorium on providing gas services to users in
19 this area. There just isn't enough pressure and
20 capacity in the pipeline and this is a --

21 MR. DAVENPORT: Bless you. Sorry, I
22 apologize. I heard somebody sneeze.

23 MR. GRANT: Okay.

1 MR. DAVENPORT: My apologies.

2 MR. GRANT: No problem. They're in --
3 the project is to provide, in a temporary sense,
4 typically during cold weather, winter months,
5 additional capacity to the pipeline by use of
6 truck trailer mounted tanks of compressed natural
7 gas that would be pumped into the pipeline to be
8 able to give additional capacity in lieu of --
9 there are other alternatives that have been
10 offered and looked at by the consultant, the
11 applicant's consultant. Some of them are very
12 expensive and heavy duty projects. I think the
13 upper one was a \$20 million upgrade to the
14 pipeline itself and would take years to complete.

15 So this is, essentially, a temporary
16 solution for capacity of the natural gas system in
17 this area that could potentially lift the
18 moratorium and get the new gas applications in
19 process and be able to furnish them with adequate
20 service.

21 The questions that have come up -- they
22 have a tough site up there. It's a small site
23 next to the Anthony Kill. It's in a flood zone

1 that they're able to raise the site enough to stay
2 out of the flood zone. The recent bridge
3 improvements were completely necessary. It took a
4 twin culverted type of structure that could get
5 flood blockage and debris blockage and is able to
6 pass through much higher flow than before. As
7 such, the flood plain has been revised and -- but
8 there is still some fill proposed for the site.

9 The applicant's in the process with
10 FEMA. I think one round of it is complete and
11 there is a second round that they are processing
12 applications.

13 FEMA is involved, New York State DOT is
14 another agency that is involved. They -- on a
15 periphery I should say -- they're on a periphery
16 of a review process, but they are involved in the
17 transportation of the trailer via truck to the
18 site. Once it's on the site, it's other parties.

19 The New York State DEC is involved.
20 This was a contaminated site that was cleaned up,
21 has monitoring wells on it. Those monitoring
22 wells will stay and be raised actually, as the
23 fill is brought in, and continue to exist.

1 DEC has commented on the conceptual plan
2 and basically has no objections. They had about
3 five bullets that they're looking for the
4 applicant to provide detail on, including any
5 proposed changes to the groundwater monitoring
6 program, schedule the work, site specific health
7 and safety plan and community air monitoring plan,
8 the identification of the disposal facilities for
9 potential waste streams and identification of
10 sources of any anticipated backfill.

11 The development scenario, I think, is to
12 minimally disturb the site. There's no need to
13 excavate, they shouldn't, so I think the plans
14 that we reviewed, there's a few areas that might
15 or might not be in contaminated soil areas,
16 particularly the fence was of concern, but
17 basically just some notification on the plans that
18 they may need things and that, you know, the plans
19 that the DEC has asked for, that there be a plan
20 in place that will take care of any contaminated
21 soils.

22 The Saratoga County Planning has seen
23 the plan. They've had one meeting and had some

1 comments, basically minimal, but we've done the --
2 done a number of review tasks and basically CNG is
3 a -- is being used in a lot of commercial fleets,
4 particularly on buses, you see the CNG compressed
5 natural gas used. It differs in gasoline and
6 diesel fuel, in that it's a gas, not a liquid. If
7 there was a leak, it generally dissipates to the
8 air as opposed to flowing over ground surfaces and
9 potentially to water bodies or contaminating soil
10 or be an explosion hazard.

11 So again, I'm not going to go through
12 all of the comments here, but the recent
13 developments here, I think the applicant said that
14 they are going to -- correct me if I'm wrong,
15 Brendan -- supply a security camera on the site.
16 That was one of our concerns, that the -- there is
17 a 24-hour monitoring of gas pressure in the tanks
18 and various pertinences of the station itself,
19 that in real time they can tell if there's
20 fluctuation, and if there is a significant one,
21 they can send somebody out to check it out.

22 Part of -- part of our concern and
23 review is going to be on the emergency response

1 plan that that be as complete as possible and have
2 training for city staff that might be the first
3 responders to emergency events and that's
4 submitted to us in draft form.

5 There's a few things that they're
6 working on there. The storm water plan, the
7 applicant's engineers have reduced the site
8 disturbance a little bit. That was initially
9 proposed to be less than an acre, as such there
10 will be essentially not a full SWIFT required but
11 the erosion and settlement control plan, we look
12 for that to be -- as it's being developed.

13 MR. BYSTRAK: We are going to go ahead
14 and do a formal SWIFT.

15 MR. GRANT: Okay.

16 MR. BYSTRAK: We will have over an acre
17 of total disturbance. DEC, actually, that was one
18 of their questions too. We are so close to that
19 one acre threshold, we thought it was more
20 appropriate to go ahead and actually get the
21 SWIFT, do the inspections, get that filed, and
22 Mr. Higgins is your coordinator.

23 MR. GRANT: Yes.

1 MR. BYSTRAK: We'll submit a report and
2 get a letter of acceptance before we submit that
3 to DEC, but we are intending to do that.

4 MR. GRANT: Okay. Great. The Anthony
5 Kill receives all the drainage, so that will be a
6 good thing.

7 One of the other things that came up at
8 the planning board meeting last time, there is an
9 existing siren and pole on that site. Apparently,
10 the siren has been damaged by lightning.

11 MAYOR BAKER: Uh-huh.

12 MR. GRANT: But the intent always was to
13 move that siren off of that site to an area,
14 relocate it to somewhere where the fire department
15 would rather have it. I think there's been
16 discussions about that and essentially that pole
17 would be coming down.

18 MAYOR BAKER: Right.

19 MR. GRANT: Insurance may cover the
20 lightning strike on the siren.

21 MAYOR BAKER: Yep.

22 MR. GRANT: Some of the other concerns,
23 the -- in the overpressurization situations, the

1 tank can -- essentially, it vents out at the top.
2 Pressure sensors would -- before a tank would
3 explode, it would release the gas, generally spray
4 it up into the air and it would be a loud event.

5 One of the responses we were looking at
6 would be about 85 decibels, but I think that
7 refers to the normal operations, as opposed to the
8 tank venting scenario. I don't know how loud that
9 would be, but I think the response is that it
10 would be over 100 decibels.

11 UNIDENTIFIED SPEAKER: Yes.

12 MR. GRANT: One of the things that we
13 have been discussing and discussed at the last
14 planning board meeting was, if the tank does vent,
15 that triggers a signal back to the 24-hour
16 monitoring personnel that something is happening
17 that deserves attention. Still we'd like to see
18 that that signal also sends not a public address
19 announcement or anything, but essentially a signal
20 to emergency response teams, likely the fire
21 department, just so some calls can be made.

22 This is a unique facility, but often
23 times when the city does own a dam, people within

1 the inundation zone are on a list and emergency
2 action plan so if something does happen, there's a
3 call list. A call may be, yes, loud. If we have
4 emergency response, however, there might be a need
5 to relocate for a period of time.

6 There are leak detection monitors
7 throughout in the compressor room and the station
8 itself. Station safety and security measures, the
9 emergency response plan is going to tie a lot of
10 this together and there will be, as I said,
11 training for first responders. That's the
12 highlights of that.

13 Part of our review, there's going to be
14 a standard that can apply here. There was an
15 original reference to an FDA 52, which is more --
16 in our interpretation of it, it's more about
17 fueling the facilities, as opposed to liquified
18 gases in storage. There will be some back and
19 forth with the applicant's engineer, but we have
20 some references to an FDA 55 inspection. I don't
21 think it's really going to have a tremendous
22 effect on what's being proposed, but I want to get
23 the ducks in a row and the right references and

1 site plans have been submitted.

2 There's, as I said, the erosion
3 semi-control plan is in the status of development.
4 There are some particular notes that we would like
5 to see included on the plans that basically covers
6 everyone's, you know what.

7 We did receive some pictures from the
8 applicant's engineer. There was a question of
9 where are there any of these facilities near
10 populated areas. There is compressor stations on
11 many pipelines. They're generally out in the
12 sticks and far away from developed areas. The
13 applicant has provided us some photos of some
14 state university which does have a CNG facility
15 near its dormitories and, yeah, those trailers are
16 right in the middle of everything up on that
17 campus.

18 My interpretation of that is, as I
19 understand it, they're using that for their power
20 plant. They're using it as a fuel, as opposed to
21 a pipeline boosting situation, but the photos and
22 the example was provided as an example of these
23 type of tanks being in a populated area and they

1 are fairly close to those facilities.

2 The applicant's provided some
3 information, a fully loaded trailer, if it were to
4 vent in an emergency situation, would vent in
5 approximately one hour. They are seeking some
6 answers from Lincoln Hexagon as to how loud that
7 would be, but in all likelihood --

8 COURT REPORTER: I'm sorry, I cannot
9 hear you.

10 MR. GRANT: The applicant's engineer is
11 trying to get some information from Lincoln
12 Hexagon on the venting trailer and what the
13 decibels of that sound would be if there was an
14 emergency venting of the tank. It's likely over
15 100 decibels, and just want a specific number on
16 that. So that's in the process.

17 The electrical controls within the
18 facility are explosion proof and intrinsically
19 safe. In other words, they are designed not to
20 allow any sparks in a gaseous environment. You
21 often see these where there are sewage facilities
22 or where there are potential explosive gases.

23 Some other questions that came up

1 particularly in the first planning board -- or the
2 second planning board meeting, the end of June,
3 some neighborhood safety concerns. Electrical
4 transformers are in the area and there's been
5 anecdotal reports of them exploding in the past.
6 You know, if this were to happen during a tank
7 venting scenario, what is the likelihood of
8 catastrophes. So there is some research being
9 done to the instances of transformers in the area
10 exploding and the distance from electrical
11 infrastructure being adequate to basically, as the
12 gas is diluted in the air, at what point or what
13 length away from these tanks is there explosion
14 potential.

15 That question also came up as a first
16 responder truck parked next to it, that started
17 it, if there is a potential for a spark. There is
18 going to be a setback distance where vehicles and
19 any sources of ignition would want to keep back
20 from.

21 Power lines fall down occasionally, what
22 are the consequences? These tanks will have a
23 grounding system. We are looking for some details

1 of that grounding system. There are clamps that
2 connect to the tank, but there's usually ground
3 rods that can discharge any final electrical
4 discharge.

5 Another question that came up is
6 protection against hacking, you know, on the
7 internet. If some outside force was trying to get
8 control of operations and valves and the controls
9 on the site, how are they protected. There are --
10 NYSEG has security protocols, fire walls, I'm not
11 sure what else is being offered there, et cetera,
12 but it sounds as though it's typical computer
13 safety. I think many people have been hacked once
14 or twice before, but on this particular scenario
15 we would not want to see that.

16 The plans have definitely progressed
17 from a concept level in February. We will have
18 some comments on the -- on the plans themselves.
19 Generally, inclusions of some qualifying notes and
20 protections for the people that would do the
21 project and folks nearby, and that's essentially
22 what I have.

23 MAYOR BAKER: Thank you.

1 MR. GRANT: I will leave this on.

2 MAYOR BAKER: NYSEG, it's your turn. Do
3 you have anything to say? You don't have to.

4 MR. BOVEE: My name is Dave Bovee. I'm
5 a project manager for NYSEG and I think that
6 Barton & Loguidice did a really good job of
7 explaining what the project is at this point.

8 MAYOR BAKER: That's it?

9 MR. BOVEE: That's it.

10 MAYOR BAKER: Nothing else?

11 MR. BYSTRAK: Brendan Bystrak with
12 Labella Associates. The one item that maybe was
13 over missed is this station is only in operation
14 from November 1st through April 1st, so basically
15 it's during the heating season, so from basically
16 April 1st through the end of October these trucks
17 will not be staged on site. It's only those four
18 months during the heating season, so it is
19 basically just a seasonal use.

20 MAYOR BAKER: Is that it?

21 MR. GRANT: That's it.

22 MAYOR BAKER: Any city council people
23 have questions for these --

1 COMMISSIONER HIPWELL: I have one. We
2 all talked about the gas coming in, and power
3 lines and everything like that. If there is a
4 leak up there, is that going to affect Bove's,
5 right behind there? Is anything going to happen
6 to Bove's? I'm concerned about our citizens, our
7 first responders and everything. If something
8 happens to that gas line, is Bove's going to be
9 involved? If they are, I think the fire
10 department, excuse me, and the Mayor should be
11 notified.

12 MAYOR BAKER: And they will; right?

13 MR. BOVEE: Obviously there always is a
14 possibility, and it could be reversed too, if
15 there was ever an event at Bove's Fuels, there is
16 a potential that our station could be affected
17 also.

18 MAYOR BAKER: Right.

19 MR. BOVEE: And I believe that that
20 would be addressed into the emergency response
21 plan that we would provide the city?

22 MAYOR BAKER: Thank you.

23 COMMISSIONER SEBER: Mark Seber. You

1 talked about the decibel levels if you have to
2 vent for any particular reason being very high.
3 And what about under normal operating conditions,
4 are they going to be -- is it going to be noisy
5 and what about odors that are potentially from the
6 -- I'm more worried about in those cases, you
7 know, about the neighbors and that type of thing.

8 MR. BYSTRAK: Brendan Bystrak again.
9 Again the station would only function in the event
10 that the entire franchised area's pressure dropped
11 extremely low.

12 COMMISSIONER SEBER: Right.

13 MR. BYSTRAK: So that system would only
14 operate under the coldest of nights, coldest
15 conditions --

16 COMMISSIONER SEBER: Right.

17 MR. BYSTRAK: -- and I believe that
18 timeframe is usually from about 5 o'clock in the
19 morning to about 7 in the morning when most, you
20 know, homes are warming, people are getting ready
21 for work, businesses are warming up. I believe
22 the average decibel rating is around 85 decibels.
23 Correct me if I'm wrong.

1 MR. BOVEE: Yes, less than 85 decibels.

2 COMMISSIONER SEBER: I don't --

3 MR. BYSTRAK: As it --

4 COMMISSIONER SEBER: I don't know what
5 that means, that means nothing to me. I mean, is
6 that like a truck going down the street or is it
7 like a car going down the street or is it just --

8 MR. BYSTRAK: The conversation that's in
9 this room is about 65 decibels. We try to --
10 obviously try to design to a level of 80 decibels.
11 That is the EPA's limit for hearing protection for
12 workers. So we always try to maintain that 80, 85
13 as the maximum decibel level. So from the OSHA
14 standpoint, if you had a work environment that was
15 averaging over 85 decibels, hearing protection
16 would be required for your workers.

17 COMMISSIONER SEBER: What about the, you
18 know, the adjacent, like on James Street and some
19 of those streets immediately adjacent to the
20 property, are they going to be adversely affected
21 by noise?

22 MR. BYSTRAK: I would -- my opinion is
23 there would be no significant impact from noise.

1 Again, they only generate from that 5 to 7 o'clock
2 in the morning on, again, the coldest days.

3 COMMISSIONER SEBER: All right. What
4 about odors, anything, any -- and again, excuse my
5 terminology, any off gas or anything that might
6 be, you know, coming out of there that might be an
7 issue?

8 MR. BYSTRAK: The gas is odorized at the
9 time that it is loaded into the trailers and it
10 has Mercaptan, that's a chemical that's added to
11 natural gas to give it the odor. That is checked,
12 I believe, on a weekly basis from these trucks
13 during their storage on site. If there's a
14 release, you would smell that odor, if it was to
15 come to ground, but again being natural gas, it
16 will vent straight up.

17 MR. GRANT: Yes, generally the purpose
18 of that substance is to, if you smell that, then
19 you know that there --

20 MAYOR BAKER: Right. Because there is
21 no odor normally, you have to put something in it
22 so you smell it.

23 MR. HANSON: It's just like your normal

1 natural gas that you have in your houses now. If
2 it all stays in the pipe, you don't smell it.
3 Doug Hanson with Xpress Natural Gas. So the
4 natural gas is just like the gas in your pipes
5 already. That's what we use there to odorize,
6 just like that gas is, and if it stays within the
7 pipes, you're not going to smell it.

8 COMMISSIONER SEBER: And the reason I
9 ask that question, the last couple of weeks
10 there's been articles in the Gazette about it and
11 I know it's probably a different technology,
12 through Schoharie County, and I guess they are
13 booster stations or something. I'm not -- again,
14 clearly, I don't know what I'm talking about, but
15 there is some concerns in those areas about odors,
16 you know, coming from those facilities.

17 MR. HANSON: Some of those facilities
18 have condensed odor tanks where they actually
19 inject it into the gas and so they measure at each
20 of those stations. So if the Mercaptan level has
21 decreased it in, they add extra at those
22 compressor stations.

23 There is no compressors running at our

1 site, so we don't have any machinery running, like
2 you have a compressor station where it's
3 physically just increasing the gas pressure in the
4 line. Our system of flowing out of a high
5 pressure tank into a low pressure line, so it's
6 kind of like, use the analogy of your air
7 compressor tank gets compressed up when you're
8 filling your tire with the -- flowing from the
9 high pressure tank into a lower pressure pipe
10 line, you just have gas being let down and heated
11 at the same time as we keep the pressure in the
12 pipeline.

13 MR. GRANT: Those compressor stations,
14 those engines can be very loud --

15 UNIDENTIFIED SPEAKER: That's why those
16 are out in the woods or --

17 COMMISSIONER SEBER: Yeah, I know,
18 they're in rural areas, I understand that, but
19 just coincidentally there was a couple of articles
20 in the Gazette and --

21 MR. BOVEE: If I could say, if everybody
22 could remember -- Dave Bovee, project manager --
23 we currently operate a regulator station on this

1 site. So you would -- I mean during a peak day in
2 the wintertime, in the morning, when everybody is
3 using their hot water tanks, if you were to walk
4 by that regulator station, you would probably hear
5 the sound of gas flowing through that station.
6 And I would expect you to hear the same noise that
7 you currently hear today coming out of the station
8 that we will be building in the future.

9 In the same right with -- if we were to
10 have a gas leak, you would also smell the
11 Mercaptan from that gas leak, we would also see
12 with this new station.

13 MAYOR BAKER: Okay. Thank you. Is that
14 all you guys have to say? All right.

15 The zoning and planning, what do you got
16 for us?

17 MR. SCIROCCO: Frank Scirocco, Zoning
18 and Planning Chair. I don't want to hear the case
19 here tonight. I think it's best left for my
20 colleagues on the board.

21 We've had two hearings, this being the
22 third, there will be one more. There were many
23 concerns and many e-mails sent back and forth over

1 a period of three months. What I would like to
2 see is a plan that, whatever questions are left
3 unanswered, I would like to see that on or before
4 the 25th of August, because I would like to
5 convene a hearing and come to a resolution on this
6 one way or the other.

7 MR. GRANT: Yes, that won't be a
8 problem.

9 MAYOR BAKER: Okay.

10 MR. SCIROCCO: Thank you.

11 MAYOR BAKER: Nobody else has anything?

12 UNIDENTIFIED VOICE: No.

13 MAYOR BAKER: Chief Corrigan, do you
14 have any questions?

15 CHIEF CORRIGAN: No.

16 MAYOR BAKER: No questions. Okay. Are
17 we done? All right. With that, we're going to
18 adjourn this portion and we're going to take a
19 2-minute break so that anybody that wants to leave
20 can leave and we'll re-adjourn -- we'll reconvene
21 our meeting after that.

22 (Recess taken from 7:39 to 7:44 p.m.)

23 MAYOR BAKER: We are going to reconvene

1 the meeting now. So anybody that's got
2 discussions, please take them outside.

3 COMMISSIONER GILHEANY: Excuse me.

4 MAYOR BAKER: Okay. Let's go. Okay.
5 We're back in session. I'm going to open it to
6 public comments. Five minutes. Identify yourself
7 and your address, please, and step to the
8 microphone so that the young lady over there can
9 hear what you're saying.

10 Go ahead, Mrs. Dunn.

11 MS. DUNN: Kimberly Dunn, 250 South Main
12 Street, Mechanicville. Okay. To revisit an item
13 from the last meeting, at this time, I'm looking
14 for an update on how it's looking for the
15 insurance money, has a replacement been ordered,
16 what's the time table for it being installed and
17 operational --

18 COURT REPORTER: Can you slow down a
19 little, please, ma'am?

20 MS. DUNN: I'm sorry, we only have five
21 minutes. I wanted the status of the insurance
22 money, if a replacement has been ordered, what the
23 time table is for it being installed and

1 operational and where's the new location for the
2 new siren?

3 MAYOR BAKER: New location is behind the
4 firehouse. Insurance is going to pay all but
5 \$1,000, and yes, it's been ordered.

6 MS. DUNN: And what's the timetable for
7 installation and operational --

8 MAYOR BAKER: When it gets here. When
9 it gets here.

10 MS. DUNN: You're being difficult.

11 MAYOR BAKER: No, I'm not. No, he did
12 not. He said he can't tell me how fast it will be
13 here. When it gets here --

14 MS. DUNN: Want me to call?

15 MAYOR BAKER: No. -- he'll put it in.
16 Thank you.

17 MS. DUNN: Okay. Next question. Chief
18 Corrigan had referenced they're buying a used
19 rescue truck, I was wondering how much we're
20 buying that for?

21 MAYOR BAKER: \$25,000 from Round Lake
22 Fire Department.

23 MS. DUNN: And how are we paying for

1 that?

2 MAYOR BAKER: Out of the fire department
3 budget.

4 MS. DUNN: This current year?

5 MAYOR BAKER: Existing, yes.

6 MS. DUNN: Okay. What are we giving up?
7 Is that replacing something or --

8 MAYOR BAKER: They were very careful
9 with managing their funds this year and they were
10 able to save enough money to be able to buy this
11 truck and they asked me, if they could save it, if
12 I would authorize it, and I did.

13 MS. DUNN: I have no problem with that.
14 What I'm saying is, I'm trying to make sure we're
15 not giving up anything --

16 MAYOR BAKER: No.

17 MS. DUNN: -- like a rescue truck van or
18 anything?

19 MAYOR BAKER: Oh, yes. It is -- the van
20 is going. It's actually going to become the
21 animal control van, so we will be keeping it in
22 the city.

23 MS. DUNN: Okay.

1 MAYOR BAKER: The trailer may be going.
2 We're in discussions on that. I think that's it,
3 though.

4 MS. DUNN: Where would it be going,
5 selling it?

6 MAYOR BAKER: Yes.

7 MR. CORRIGAN: If it helps the Mayor, we
8 are selling our current rescue truck. We do have
9 a buyer.

10 MAYOR BAKER: Yes.

11 CHIEF CORRIGAN: Another fire
12 department. So half the money for this new rescue
13 truck will be funded through this sale.

14 MAYOR BAKER: Right, because they're
15 offering us \$12,000 for that pickup.

16 MS. DUNN: Okay. So you're selling the
17 current utility truck and --

18 MAYOR BAKER: Yes.

19 MS. DUNN: -- and buying a bigger one?

20 MAYOR BAKER: Yes, much bigger.

21 MS. DUNN: Okay.

22 MAYOR BAKER: And better.

23 MS. DUNN: How old is it?

1 MAYOR BAKER: I forgot the number of
2 years, but it's got about the same amount of miles
3 as what we have now, much more equipment,
4 including jaws of life, lighting stations and all
5 of that.

6 MS. DUNN: But it's like an 18-year old
7 truck; right?

8 MAYOR BAKER: No, it's not quite that
9 old.

10 CHIEF CORRIGAN: I think it's 13.

11 MAYOR BAKER: 13 years, I think, yeah.

12 MS. DUNN: Okay. So we're giving up --
13 we're selling the utility truck and giving up the
14 animal control --

15 MAYOR BAKER: Van.

16 MS. DUNN: Van.

17 COMMISSIONER HIPWELL: No, you're not
18 giving up the animal control, you're giving up the
19 fire police to me, to my office.

20 MS. DUNN: Okay.

21 MAYOR BAKER: Go ahead.

22 MS. DUNN: All right. So I had
23 questions on the bridge replacements, so in

1 looking at the Express, I got some information
2 which was very helpful, but I was a little bit
3 surprised because every meeting I've been to for
4 the past couple of years that it's come up, it's
5 been talked about trying to do both of them
6 together, 6-month project, but yet the Frances
7 Street one is not going to open until next July,
8 so I was wondering kind of what happened because
9 we went from a five to six months to 12 months;
10 right --

11 COMMISSIONER SEBER: Yes.

12 MS. DUNN: -- on that one?

13 COMMISSIONER SEBER: Pretty much. What
14 happened was we were delayed probably at least
15 three months on the easements, purchases,
16 acquisitions, moving. It was no one's fault, it's
17 just the process took much longer.

18 MS. DUNN: Right.

19 COMMISSIONER SEBER: We had hoped to get
20 in the ground around April, obviously we just got
21 in the ground this week. Our focus and our
22 priority is to get the Main -- North Main Street
23 bridge open by sometime, certainly hoping

1 December. So what's going to happen is, they are
2 going to do the work that needs to be done along
3 Frances Street that kind of runs parallel with
4 North Main while the North Main Street is -- the
5 building will be demolished. There's some work
6 that needs to be done with the wall across, you
7 know, between the --

8 MAYOR BAKER: Creek.

9 COMMISSIONER SEBER: -- the creek, over
10 the creek and some things like that along Main
11 Street and then they are going to shut down for
12 the winter and as soon as they can get in the
13 summertime they'll -- or, excuse me, in spring
14 they'll finish that one up.

15 MAYOR BAKER: And I don't think it will
16 be July --

17 COMMISSIONER SEBER: No, I don't think
18 it will either, but --

19 MS. DUNN: I'm just surprised only
20 because --

21 COMMISSIONER SEBER: Well, if it started
22 in April, I think it might have -- we had a
23 chance.

1 MS. DUNN: Okay.

2 COMMISSIONER SEBER: The concern with
3 these bridges, and the county is facing it up on
4 the Round Lake Avenue bridge, is steel. There is
5 so many projects going on. Tappan Zee is sucking
6 all of the steel out of everybody's project --

7 MS. DUNN: Not being able to get the
8 stuff you need --

9 COMMISSIONER SEBER: So that -- you
10 know, we are -- prioritized North Main Street for
11 obvious reasons and we said, okay, we're willing
12 to live the winter with Frances Street closed as
13 long as we can get North Main Street open.

14 MS. DUNN: Okay. One of your
15 Resolutions, 75-15, I was a little bit surprised
16 to see -- that's the one with Girvin Ferlazzo
17 versus Honeywell. So you have a current contract
18 with Girvin Ferlazzo, I'm assuming, because you
19 agreed to pay them \$15,000 -- you got it down from
20 25 to 15. So has that been canceled or they
21 agreed to say see you later, that's fine?

22 COMMISSIONER SEBER: All this resolution
23 does is give the Mayor the authority to sign a

1 contract with Honeywell once we work out all the
2 details. Here's the problem, the problem is we
3 have a police negotiation coming up. The problem
4 is we don't hold a meeting for another month. So
5 we need --

6 MS. DUNN: I agree that's a problem.

7 COMMISSIONER SEBER: I agree it's a
8 problem also. But, anyway, it is the way it is.
9 And so we need to have an attorney on board to go
10 ahead with this negotiation. If in fact it turns
11 out we're locked into this contract with Girvin
12 and Ferlazzo, and clearly we won't -- you know,
13 until the first of the year, we won't make the
14 change, but all this does is give the Mayor the
15 authority to sign a contract with them. We're not
16 going to pay two law firms; okay?

17 MS. DUNN: Well, I'm not trying to be
18 obnoxious or anything, but you're not going to
19 sign it until you verify for sure that you're
20 going to be released from the other one?

21 COMMISSIONER SEBER: Yes, that's
22 correct.

23 MS. DUNN: Because that's --

1 COMMISSIONER SEBER: That is correct.

2 MRS. DUNN: Reading the resolution it
3 made it seem like there's -- okay.

4 COMMISSIONER SEBER: No.

5 MS. DUNN: So let's say that tomorrow
6 you get the okay, yep, go ahead, we release you
7 from the contract, you're paying \$15,000 prorated
8 for the rest of the year or --

9 MAYOR BAKER: Yes.

10 MS. DUNN: Okay. I have one last
11 question if you don't mind.

12 COMMISSIONER SEBER: Yes, it's actually
13 the July 1 -- August 1 to August 1 contract as it
14 sits right now. If it goes beyond that, it will
15 be September 1, whatever it might work out to be
16 with Honeywell, I'm talking about.

17 MS. DUNN: Okay. So you're not going to
18 do it like the rest of the year and --

19 COMMISSIONER SEBER: No.

20 MS. DUNN: -- all right. That's easy.
21 Another quick question. The 100th Anniversary
22 fund raiser money, I was wondering how much was
23 raised, how much was spent on what and if there's

1 a remaining balance, what are the plans? People
2 have asked about that, that was -- you raised
3 money from, like, the Ugly Rooster and then the
4 book; right?

5 COMMISSIONER HIPWELL: We made \$6,400.
6 It's been in the Express three times already. The
7 other numbers, what we spent out and all of that,
8 off the top of my head, I don't remember, I could
9 get you copies, but we did make \$6,400 for a
10 playground. I'm working on something through two
11 other big businesses, right now I don't want to
12 give their names out, for extra money to do South
13 Main Street, raise Paul Luther's playground down
14 there.

15 MAYOR BAKER: Thank you.

16 MS. DUNN: Okay. Well, let's assume I
17 don't read the Express and I don't get it, I
18 wouldn't have known that and that's why I come and
19 asked that and I shouldn't have to come here and
20 ask --

21 COURT REPORTER: You have to slow down a
22 little, ma'am.

23 MAYOR BAKER: Kim, your time is up

1 anyway.

2 MS. DUNN: Okay.

3 MAYOR BAKER: All right?

4 MS. DUNN: Yes.

5 MAYOR BAKER: Next.

6 MR. HICKS: Dave Hicks, 241 First
7 Avenue, Mechanicville. Your Web site is a
8 disaster. It's too involved to find stuff on
9 there. It's not always listed what you're looking
10 for, the category is not correct and it's not
11 up-to-date. You're not the Mayor, Higgins and
12 Sylvester is.

13 MAYOR BAKER: You're welcome.

14 MR. HICKS: And there's a lot of stuff
15 that's in there that's PDF that can't be pulled
16 off and doesn't want to print unless you've got
17 Windows 7 and up; okay? A lot of that stuff is
18 incomprehensible; all right? No category and
19 stuff.

20 Where are we at with the reservoir
21 issues?

22 MAYOR BAKER: Still working on them.

23 MR. HICKS: Okay. I told you about

1 talking with the guy about reverse flow and all
2 that stuff?

3 MAYOR BAKER: Yes.

4 MR. HICKS: Okay. Are the dispatcher
5 jobs filled on all three shifts?

6 COURT REPORTER: I'm sorry, sir, what
7 did you just say? Can you repeat that?

8 MAYOR BAKER: She didn't hear you.

9 MR. HICKS: Dave Hicks --

10 COURT REPORTER: No, no, no, your last
11 --

12 MAYOR BAKER: The last question about
13 the dispatchers, she didn't hear you.

14 MR. HICKS: Are the dispatchers' jobs
15 filled on all three shifts?

16 COURT REPORTER: Thank you.

17 MAYOR BAKER: They're filled with two
18 full-timers and we have some part-timers and we
19 still don't have one on the 4 to 12 shift yet, but
20 we're working on it.

21 MR. HICKS: Okay. All right. Now I
22 already got the information on Round Lake bridge.

23 Has an energy audit been done yet and if

1 not, why?

2 COMMISSIONER SEBER: No, it hasn't.

3 MR. HICKS: I didn't hear you.

4 COMMISSIONER SEBER: No.

5 MAYOR BAKER: No.

6 MR. HICKS: And why hasn't it been done?

7 COMMISSIONER SEBER: Haven't gotten
8 around to it, I guess.

9 MR. HICKS: Well, the city is bleeding,
10 you know what I'm saying, and you're not taking
11 care of it, of the blood loss; okay?

12 What about the meter consolidation,
13 where are we at on that? The electric meters?

14 COMMISSIONER SEBER: Probably not going
15 to do it.

16 MR. HICKS: Why? You want to spend the
17 \$15,000 --

18 COMMISSIONER SEBER: Dave, you keep
19 saying that. You know, I don't know these numbers
20 off the top of my head, but it will cost us a fair
21 amount of money.

22 MR. HICKS: No, it won't --

23 COMMISSIONER SEBER: Yes, it will.

1 MR. HICKS: I --

2 COURT REPORTER: One at a time. I can
3 only take one at a time, please.

4 COMMISSIONER SEBER: You can't argue,
5 that's not fun.

6 MR. HICKS: All you do is push pencils.
7 Okay? That's the whole thing --

8 COMMISSIONER SEBER: Okay.

9 MAYOR BAKER: You --

10 MR. HICKS: Okay. Resolution 65-15,
11 that was a pretty poor move --

12 MAYOR BAKER: Resolution 65-15. Go
13 ahead.

14 MR. HICKS: It's a very poor move and
15 should be amended due to the city -- city's fiscal
16 issues. Originally voted on adding the animal
17 control officer to the person's present duties.
18 It was stated that there wouldn't be any conflict
19 with his present responsibilities and the
20 obligations would stay separated and the time,
21 hours adjusted accordingly when called out while
22 performing his regular tasks.

23 The animal control officer is listed as

1 a part-time service and is paid as such. It's not
2 to be had with vacation and sick time. Just
3 because it was added through another profession
4 doesn't entitle the sick or vacation time. And
5 why are you trying to combine the two jobs when
6 they're supposed to be separated to begin with?
7 Right now we're paying for dual services because
8 you've got Town of Halfmoon on duty. Okay.

9 I've asked you before for a copy of the
10 control officer -- the animal control officer and
11 what goes on with that, how is this job
12 administered, who takes the calls, what is done,
13 how is it done, what records are kept, what
14 equipment is available for the job, what
15 insurances are involved with the jobs? How are
16 the animals transported to Saratoga and what --
17 and what do we provide for the animal control
18 officer to do his duties?

19 COMMISSIONER HIPWELL: I want to answer
20 that. Commissioner Hipwell. Number one, Nick was
21 in the hospital, that's why we had to get somebody
22 from Halfmoon. Nobody wanted the job. Somebody
23 had to do it, number one.

1 Two, she's no longer doing the job,
2 Nick's back. When Nick gets a call, Nick at the
3 time was using his own vehicle, transferring the
4 animal either from here to the city garage or from
5 here to Ballston Spa. Now I have the old code
6 enforcement vehicle, that's what Nick's using,
7 until I get the van from the fire department.

8 Nick is out 24/7, the hours I can't tell
9 you. You want the paperwork, Dave, come to my
10 office. He's got a binder that big of all the
11 paperwork. The state lady came in, I can't think
12 of her name, Nick got a Class A record, he's doing
13 an outstanding job, so I don't know what the issue
14 is, besides at the time, the lady -- let me get
15 done.

16 MR. HICKS: Okay.

17 COMMISSIONER HIPWELL: Until the lady
18 from Halfmoon was helping the city out. I called
19 everybody around, nobody wanted to come in the
20 city. They didn't want it. This lady told me to
21 call the Town of Halfmoon supervisor and we got
22 her. And I think she was in here maybe four
23 times, maybe six, tops. I thought she did an

1 outstanding job. So I don't know what the issue
2 is with Nick -- Nick.

3 MR. HICKS: Okay. The whole idea of it
4 is there's a 9,100 -- or a \$9,200 job a year,
5 okay, that's paid whether he does -- whether he
6 goes after any animals or not. It's a -- it's a
7 fee that he collects for the year, right, whether
8 he does 10 calls, 100 calls or 400 calls, okay, so
9 that shouldn't be involved in any sick or vacation
10 time, okay, because he doesn't have to do any
11 calls because he's still going to get paid.

12 COMMISSIONER HIPWELL: Nick was doing
13 custodial work for 40 hours a week. Let me get
14 done. Hear me out. So we added ten more hours
15 and made him a 40-hour thing. So he was getting
16 vacation and all of that before he became
17 full-time animal control. So he was getting his
18 pay and all of that.

19 MR. HICKS: Well, why was the 65-15 put
20 in as vacation time for him on the animal control
21 officer?

22 COMMISSIONER HIPWELL: I would have to
23 check. Top of my head.

1 MR. HICKS: I got the agenda if you want
2 to check what you put in --

3 COMMISSIONER HIPWELL: No. I got stuff
4 down at my office. You want to stop down my
5 office --

6 MR. HICKS: Okay.

7 COMMISSIONER HIPWELL: -- come on down.

8 MR. HICKS: Now, the insurances and
9 stuff like this, you said he transported with his
10 own vehicle, that you're going to get another
11 vehicle for him?

12 COMMISSIONER HIPWELL: Right.

13 MR. HICKS: There's a lot of insurances
14 involved in this and riders that he should have if
15 he does use his vehicle, so you should be very
16 careful with the city, because if he gets in an
17 accident, it's going to go right across everybody,
18 okay, that's the biggest problem right there.
19 There's got to be some sort of rider and overlook
20 on that.

21 MAYOR BAKER: You're close to your end
22 of time, so you might want to change subjects.

23 MR. HICKS: That's it.

1 MAYOR BAKER: That's it. All right.

2 Anybody else?

3 UNIDENTIFIED SPEAKER: Not interested.

4 Thank you.

5 MAYOR BAKER: Mr. Davenport, did you say
6 yes? Identify yourself at the microphone.

7 MR. DAVENPORT: Absolutely. I would
8 prefer if other people want to speak first.

9 MAYOR BAKER: They're done. Go ahead.

10 MR. DAVENPORT: Thank you.

11 COURT REPORTER: Your full name, please,
12 sir?

13 MR. DAVENPORT: Yes. My name is Scott
14 Michael Davenport. I am a Mayoral appointment of
15 the Mechanicville Housing Authority under former
16 Mayor Anthony Silvester and I am currently serving
17 a 5-year term of which is up 9/30, 2018.

18 Mr. Mayor, with respect, I got to first
19 of all tell you, I never knew you before you came
20 to my door to ask for my vote.

21 MAYOR BAKER: Uh-huh.

22 MR. DAVENPORT: You have a different
23 political background than I do. You are a

1 Republican.

2 MAYOR BAKER: Yes.

3 MR. DAVENPORT: I am a Democrat. I have
4 been a registered Democrat all my life. You have
5 treated me with kindness, fairness and respect.
6 You came to my door, you asked for my vote and you
7 answered the questions with absolute honesty to
8 the best of your ability and you have done an
9 excellent effort to do that.

10 MAYOR BAKER: Thank you.

11 MR. DAVENPORT: And I just --

12 MAYOR BAKER: People don't talk that
13 nice about me, so go ahead.

14 MR. DAVENPORT: Well, I apologize, but
15 because of the fact, that even though we do not
16 have shared political beliefs on certain respects,
17 we have a belief to -- to be honest and respectful
18 of each other and the 5-minute rule that you
19 imposed here is actually something out of --
20 actually, like Robert's Rules of Order. It's a
21 rule that can be changed, four minutes, three
22 minutes --

23 MAYOR BAKER: Yes.

1 MR. DAVENPORT: -- we want to give
2 everybody respect.

3 MAYOR BAKER: Yes.

4 MR. DAVENPORT: I have here a letter in
5 response to something that's been going on at the
6 Mechanicville Housing Authority with regards to
7 me, my tenancy as a -- as a tenant there.

8 MAYOR BAKER: Yes.

9 MR. DAVENPORT: And as a -- as a
10 citizen --

11 MAYOR BAKER: Board member.

12 MR. DAVENPORT: Yes, as a board member,
13 but also as a citizen of the City of Mechanicville
14 and of this country.

15 MAYOR BAKER: Okay.

16 MR. DAVENPORT: And I really don't want
17 to get too involved. I can -- I actually have it
18 written out, but one of the responses was actually
19 to the -- an employee of the housing authority who
20 I have complete respect for, as I have you. I
21 have told you in private about an issue with
22 Christopher Sgambati, former --

23 MAYOR BAKER: We can't have any personal

1 attacks here.

2 MR. DAVENPORT: No, no, no, no.

3 MAYOR BAKER: Or you can't even talk
4 personal, you can't do that.

5 MR. DAVENPORT: I -- no, no, no. I -- I
6 have absolute respect, I honor him coming --

7 MAYOR BAKER: I know you do.

8 MR. DAVENPORT: Okay.

9 MAYOR BAKER: But if I allow that, I
10 have to allow the others, so we can't talk about
11 personal.

12 MR. DAVENPORT: Okay.

13 MAYOR BAKER: You can't do that.

14 MR. DAVENPORT: Okay. Then -- and I'm
15 not here to talk about personal, I then -- I would
16 just like to make the following announcement: I
17 live on Social Security Disability.

18 MAYOR BAKER: Okay.

19 MR. DAVENPORT: I have no problem with
20 that. I am considered disabled by the federal
21 government and I uphold my constitutional rights
22 and my sworn office for the city, the state and
23 for the federal government. I have been denied my

1 right to due process for something that I'm being
2 -- um, I'm being denied my right to due process
3 because of issues with a paid agency that we pay
4 for and they are a private for profit company
5 treating me with disrespect and I will deal with
6 that matter on my own.

7 Are you comfortable? I don't want to
8 make you uncomfortable. I deeply respect
9 everybody's --

10 MAYOR BAKER: I --

11 MR. SERBALIK: Mayor --

12 MAYOR BAKER: -- honestly think --

13 MR. SERBALIK: Mayor, I think two days
14 ago there was -- there's a pending matter
15 involving Mr. Davenport --

16 MAYOR BAKER: Right.

17 MR. SERBALIK: -- with Mechanicville
18 Housing Authority, and pursuant to state law you
19 will be acting as a arbiter on that matter, so I
20 don't suggest you make any comments on that at
21 this point.

22 MAYOR BAKER: Thank you.

23 MR. DAVENPORT: And I don't want you to

1 make any comments outside of I -- I am asking for
2 my right to due process. I am asking for a HUD
3 appointed attorney to represent me, as is my
4 right.

5 MAYOR BAKER: The only thing I will say
6 is I think that this all should come up at their
7 meeting before it comes up out here.

8 MR. DAVENPORT: Okay. So -- and I would
9 like to do so, but I have not been given that
10 right to talk about it openly at the meeting.
11 Every time I do bring it up, I am told to not
12 speak about it please, let's go on, and that's
13 fine, and then I get letters in the mail that look
14 official, but they're not and --

15 MAYOR BAKER: Well, I would go to the
16 next meeting. I would tell them that -- what you
17 want to do, you want to speak, and if they tell
18 you no, I --

19 MR. DAVENPORT: Oh, I have no problem --

20 MAYOR BAKER: You have a right to do it.

21 MR. DAVENPORT: I have no problem --

22 MAYOR BAKER: It's a public meeting, so
23 you can speak.

1 MR. DAVENPORT: Absolutely and I'm also
2 a board member --

3 MAYOR BAKER: Right.

4 MR. DAVENPORT: -- an active board member
5 and they take no legal action at the board
6 meetings.

7 MAYOR BAKER: Okay.

8 MR. DAVENPORT: And -- and they have
9 made note of that multiple times, because I have
10 brought it to their attention --

11 MAYOR BAKER: But --

12 MR. DAVENPORT: -- so -- but I would like
13 to offer this. There is no personal attack. I
14 have removed the one name of a former Commissioner
15 that --

16 MAYOR BAKER: Okay.

17 MR. DAVENPORT: -- and I would like to
18 have that admitted onto the record.

19 MR. SERBALIK: It's not appropriate,
20 Mayor.

21 MAYOR BAKER: Can't do that.

22 MR. DAVENPORT: If you don't feel it's
23 appropriate, that's fine.

1 MAYOR BAKER: That's my legal advice.

2 MR. DAVENPORT: And I understand that,
3 and, Mr. Serbalik, you have been an attorney and I
4 respect you and I respect that and I respect your
5 legal opinion. Okay?

6 MAYOR BAKER: Thanks, Scott.

7 MR. DAVENPORT: And I'm grateful to
8 everybody here. If anybody has any questions,
9 they can talk to me personally after the meeting.
10 I would be happy to discuss the matter --

11 MAYOR BAKER: Okay.

12 MR. DAVENPORT: -- on the record for the
13 paper or for the press. I've also offered to have
14 -- I make donations constantly to the American Red
15 Cross and I've offered to have my blood tested for
16 toxicology results --

17 MAYOR BAKER: Time's up, Scott. You got
18 to get off of that. All right?

19 MR. DAVENPORT: Well, I apologize for
20 that.

21 MAYOR BAKER: I know.

22 MR. DAVENPORT: That offended me deeply.

23 MAYOR BAKER: Okay. Thank you.

1 MR. DAVENPORT: I'm, you know.

2 MAYOR BAKER: Anybody else?

3 MR. DAVENPORT: Thank you.

4 (No response)

5 MAYOR BAKER: Nobody? All right. We
6 will go to the resolutions, right?

7 COMMISSIONER SEBER: All right.

8 Resolution 71-15. Again, I'm just going to quick
9 explain it and I'll read the important part here.

10 This is a resolution dealing with the
11 two bridge projects. It had to do with the
12 funding and making sure all of the appropriate
13 numbers fit into the appropriate categories, so we
14 get our aid. This is actually written by the
15 Department of Transportation, we just need to kind
16 of put our name on it and the figures in. So I'm
17 going to read it to you.

18 RESOLVED, that the Mayor of the City of
19 Mechanicville be and is hereby authorized to
20 execute all necessary agreements, certifications
21 or reimbursement requests for Federal Aid and/or
22 Marchiselli Aid on behalf of the City of
23 Mechanicville with New York State Department of

Transportation in connection with the advancement or approval of the Project and providing for administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not eligible.

Again, we're -- this is a 95 percent funded project. The federal government funds 80 percent, the state government, through this Marchiselli Aid, funds 15 percent and the city's local share is 5 percent on this project.

I need a motion. I'll make this motion.

MAYOR BAKER: I'll second it.

COMMISSIONER SEBER: Mayor Baker?

MAYOR BAKER: Yes. Commissioner Seber,
yes. Commissioner Gilheany?

COMMISSIONER GILHEANY: Yes.

COMMISSIONER SEBER: Commissioner
Hipwell?

COMMISSIONER HIPWELL: Yes.

COMMISSIONER SEBER: Resolution 72-15.

1 WHEREAS the Board of Assessment Review
2 meets on the second Tuesday of July;

3 And WHEREAS due to a scheduling conflict
4 it is necessary to change the date of the 2016
5 Board of Assessment Review meeting;

6 NOW THEREFORE BE IT RESOLVED that the
7 Mechanicville City Council authorizes a change in
8 the Board of Assessment meeting from its original
9 scheduled date of July and now it's supposed to be
10 12th -- I'm sorry -- to July 19th, 2016.

11 I'll introduce.

12 MAYOR BAKER: I'll second.

13 COMMISSIONER SEBER: Mayor Baker?

14 MAYOR BAKER: Yes.

15 COMMISSIONER SEBER: Commissioner Seber,
16 yes. Commissioner Gilheany?

17 COMMISSIONER GILHEANY: Yes.

18 COMMISSIONER SEBER: Commissioner
19 Hipwell?

20 COMMISSIONER HIPWELL: Yes.

21 COMMISSIONER SEBER: Let's see.

22 Resolution 73-15.

23 WHEREAS Momentive Performance Materials

1 has requested a six month extension from July 1st,
2 2015, until December 31st, 2015, to clean the
3 canal bed behind their business;

4 NOW THEREFORE BE IT RESOLVED that the
5 Mechanicville City Council authorizes the Mayor to
6 sign the agreement giving Momentive the six month
7 extension.

8 MAYOR BAKER: I'll move.

9 COMMISSIONER HIPWELL: Second.

10 COMMISSIONER SEBER: Mayor Baker?

11 MAYOR BAKER: Yes.

12 COMMISSIONER SEBER: Commissioner Seber,
13 yes. Commissioner Gilheany?

14 COMMISSIONER GILHEANY: Yes.

15 COMMISSIONER SEBER: Commissioner
16 Hipwell?

17 COMMISSIONER HIPWELL: Yes.

18 COMMISSIONER SEBER: Resolution 74-15.

19 WHEREAS, the one year terms of four --
20 I'm sorry, 74-15 it should be.

21 MAYOR BAKER: The other one was 74 --

22 COMMISSIONER SEBER: Yeah, so it will be
23 74-14, excuse me.

1 WHEREAS the one year terms of four
2 members of the City of Mechanicville Zoning Board
3 of Appeals and Planning Board expires on August
4 31, 2015;

5 NOW THEREFORE BE IT RESOLVED that the
6 City Council of the City of Mechanicville
7 reappoint Richard Delaney, Edward Marccone, Joel
8 Depeaux and Adelynn Waldie to one year terms
9 beginning September 1st, 2015.

10 MAYOR BAKER: I'll move.

11 COMMISSIONER HIPWELL: Second.

12 COMMISSIONER SEBER: Mayor Baker?

13 MAYOR BAKER: Yes.

14 COMMISSIONER SEBER: Commissioner Seber,
15 yes. Commissioner Gilheany?

16 COMMISSIONER GILHEANY: Yes.

17 COMMISSIONER SEBER: Commissioner
18 Hipwell?

19 COMMISSIONER HIPWELL: Yes.

20 COMMISSIONER SEBER: Resolution 75-15.

21 WHEREAS the City of Mechanicville is
22 currently represented by the Law Firm of Girvin
23 and Ferlazzo for labor related matters;

1 WHEREAS Mr. Jeffrey Honeywell, one of
2 the partners in the firm, has left the group and
3 formed his own firm;

4 WHEREAS Mr. Honeywell was the primary
5 attorney when it came to labor issues affecting
6 the City;

7 NOW THEREFORE BE IT RESOLVED that the
8 City Council of the City of Mechanicville
9 authorizes the Mayor to enter into an agreement to
10 retain the Firm of Honeywell Law Firm, PCL --
11 PLLC, located at 111 Winner Circle, Albany, New
12 York at a fee of \$15,000 per year.

13 MAYOR BAKER: I'll move.

14 COMMISSIONER SEBER: Second. Mayor
15 Baker?

16 MAYOR BAKER: Yes.

17 COMMISSIONER SEBER: Commissioner Seber,
18 yes. Commissioner Gilheany?

19 COMMISSIONER GILHEANY: No.

20 COMMISSIONER SEBER: Commissioner
21 Hipwell? Commissioner Hipwell?

22 COMMISSIONER HIPWELL: Yes, I'm sorry.

23 COMMISSIONER GILHEANY: Resolution

1 76-15, approve payroll and vouchers totaling
2 \$647,568.14 and I'll introduce.

3 COMMISSIONER SEBER: I'll second. Mayor
4 Baker?

5 MAYOR BAKER: Yes.

6 COMMISSIONER SEBER: Commissioner Seber,
7 yes. Commissioner Gilheany?

8 COMMISSIONER GILHEANY: Yes.

9 COMMISSIONER SEBER: Commissioner
10 Hipwell?

11 COMMISSIONER HIPWELL: Yes.

12 COMMISSIONER GILHEANY: Resolution
13 77-15.

14 THEREFORE BE IT RESOLVED, that for the
15 2015 budget we wish to approve the following
16 budget amendments. And these are just to cover --
17 it's just moving money around the budget to cover
18 expenses and I'll introduce it.

19 COMMISSIONER SEBER: I'll second it.
20 Mayor Baker?

21 MAYOR BAKER: Yes.

22 COMMISSIONER SEBER: Commissioner Seber,
23 yes. Commissioner Gilheany?

1 COMMISSIONER GILHEANY: Yes.

2 COMMISSIONER SEBER: Commissioner
3 Hipwell?

4 COMMISSIONER HIPWELL: Yes.

5 COMMISSIONER GILHEANY: And last, but
6 not least, Resolution 78-15.

7 THEREFORE BE IT RESOLVED, that for the
8 2015 Budget we wish to approve the following
9 amendments. This is just increasing the revenues
10 and increasing the expenditures for unexpected
11 revenues that we receive and they're basically the
12 gifts and donations for the 100th Anniversary and
13 also for the playground for the basketball courts
14 and I'll introduce.

15 COMMISSIONER HIPWELL: Second.

16 COMMISSIONER SEBER: Commissioner
17 Gilheany and Commissioner Hipwell. Mayor Baker?

18 MAYOR BAKER: Yes.

19 COMMISSIONER SEBER: Commission Seber,
20 yes. Commissioner Gilheany?

21 COMMISSIONER GILHEANY: Yes.

22 COMMISSIONER SEBER: Commissioner
23 Hipwell?

1 COMMISSIONER HIPWELL: Yes.

2 MAYOR BAKER: Is that it? That's it.

3 New business? I don't believe I have
4 anything. Anybody else have anything?

5 COMMISSIONER SEBER: No.

6 COMMISSIONER GILHEANY: No.

7 COMMISSIONER HIPWELL: No.

8 MAYOR BAKER: Old business? Old
9 business? Nobody has anything? Okay.

10 Can I have a motion to adjourn?

11 COMMISSIONER SEBER: No, go into
12 executive session.

13 MAYOR BAKER: Oh, I'm sorry.

14 COMMISSIONER SEBER: Hopefully it won't
15 take too long.

16 MAYOR BAKER: I'm going to adjourn to go
17 into executive session. I can tell you no action
18 will be taken in executive session, there will be
19 no votes coming out of it, so we will adjourn to
20 go there.

21 COMMISSIONER SEBER: We need a motion --

22 COMMISSIONER GILHEANY: I'll make the
23 motion.

1 COMMISSIONER SEBER: -- to Executive
2 session. Commission Gilheany makes the motion.
3 I'll second it. Mayor Baker?

4 MAYOR BAKER: Yes.

5 COMMISSIONER SEBER: Commission Seber,
6 yes. Commissioner Gilheany?

7 COMMISSIONER GILHEANY: Yes.

8 COMMISSIONER SEBER: Commissioner
9 Hipwell?

10 COMMISSIONER HIPWELL: Yes.

11 MAYOR BAKER: Thank you.

12 (Meeting was adjourned at 8:13 p.m. to
13 go into executive session)