

**AGENDA
REGULAR MEETING OF THE
MECHANICVILLE CITY COUNCIL
SENIOR CITIZEN'S CENTER
178 NORTH MAIN STREET
MECHANICVILLE, NY
February 10, 2021**

1. OPEN MEETING: _____ P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

MAYOR BAKER
COMMISSIONER SEBER
COMMISSIONER JOHNSON
COMMISSIONER GOTTI
COMMISSIONER MCGUIRE

4. ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING ON January 13, 2021

MOVED BY:

SECONDED BY:

AYES:

NAYS:

5. PUBLIC HEARING (CDBG)

6. COMMISSIONER REPORTS:

MAYOR'S REPORT & CORRESPONDENCE
COMMISSIONER SEBER
COMMISSIONER JOHNSON
COMMISSIONER GOTTI
COMMISSIONER MCGUIRE

CHIEF RABBITT
MFD CHIEF DUNN
SUPERVISOR RICHARDSON

7. Michelle Duell (Chairperson Mechanicville Police Reform and Reinvention Collaborative Committee)

8. Public Comment:

9. RESOLUTIONS:

RESOLUTION 05-2021 Backhoe Purchase

Moved by: _____ Secoded by: _____

AYES: _____ NAYS: _____

RESOLUTION 06-2021 RS Bond \$109,440 (Backhoe – DPW)

Moved by: _____ Secoded by: _____

AYES: _____ NAYS: _____

RESOLUTION 07-2021 Backhoe Rebid

Moved by: _____ Secoded by: _____

AYES: _____ NAYS: _____

RESOLUTION 08-2021 Adoption of Section 18 of NYS Public Officers Law

Moved by: _____ Secoded by: _____

AYES: _____ NAYS: _____

RESOLUTION 09-2021 Payroll and Vouchers

Moved by: _____ Secoded by: _____

AYES: _____ NAYS: _____

10. NEW BUSINESS:

11. OLD BUSINESS:

12. CLOSE MEETING: Time _____

Moved by: _____ Seconded by: _____

Roll Call AYES _____ NAYS: _____

13. EXECUTIVE SESSION: Time _____

Moved by: _____ Seconded by: _____

Roll Call AYES _____ NAYS: _____

14. ADJOURNMENT: Time _____

Moved by: _____ Seconded by: _____

Roll Call AYES _____ NAYS: _____

RESOLUTION NO.: 05-2021

WHEREAS THE CITY OF MECHANICVILLE PUBLIC WORKS DEPARTMENT is in need of a new Backhoe to replace the (2) two backhoes that were sold or are about to be sold at auction; and

WHEREAS THE FINAL BOND PAYMENT FOR THE STREET SWEEPER purchased in 2010 was contained in the 2020 City Budget with a total annual payment of \$20,286.00; and

WHEREAS THE COMMISSIONER OF PUBLIC WORKS HAS identified a new Backhoe with the appropriate attachment(s) at a cost of \$109,440.00 from State Contract number Pc67265 to be purchased from Monroe Tractor 423 Old Loudon Rd., Latham New York; and

WHEREAS IT IS THE INTENT OF THE CITY to procure a serial bond to finance the backhoe for a ten year period at an approximate annual bond payment of \$13,128.00 which has been included in the 2021 City Budget;

NOW THEREFORE BE IT RESOLVED THAT THE MECHANICVILLE CITY COUNCIL authorizes the purchase of a new 2020 Case Model 580SN WT with the appropriate attachment(s) at a cost of \$109,440.00 to be bonded over a ten year period.

Introduced By: _____

Seconded By: _____

Mayor Baker _____
Commissioner Seber _____
Commissioner Johnson _____
Commissioner Gotti _____
Commissioner McGuire _____

February 10, 2021

**EXTRACT OF MINUTES OF MEETING OF COUNCIL OF
THE CITY OF MECHANICVILLE ADOPTING A BOND
RESOLUTION**

At a regular meeting of the City Council of the City of Mechanicville duly held at the Senior Center, North Main Street, Mechanicville, New York on the 10th day of February, 2021:

Present:

Absent:

_____, presented the following resolution and moved that it be adopted:

RESOLUTION NO. 06-2021

**BOND RESOLUTION DATED FEBRUARY 10, 2021 OF
THE CITY COUNCIL OF THE CITY OF
MECHANICVILLE AUTHORIZING NOT TO EXCEED
\$109,440 AGGREGATE PRINCIPAL AMOUNT OF SERIAL
GENERAL OBLIGATION BONDS TO FINANCE THE
ACQUISITION OF MACHINERY, AT AN ESTIMATED
MAXIMUM COST OF \$109,440, LEVY OF TAX IN
ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE
EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE,
AND DETERMINING OTHER MATTERS IN
CONNECTION THEREWITH.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MECHANICVILLE AS
FOLLOWS:

Section 1. The City is hereby authorized to (a) acquire one (1) backhoe and related equipment; and (b) issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$109,440 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes to be financed pursuant to this Resolution is the acquisition of a backhoe and related equipment (collectively, the “Purpose”).

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Council, is \$109,440, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the City plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 28 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. A copy of the Council’s designation of the Commissioner of Finance as the chief fiscal officer has been duly filed with the State Comptroller.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Commissioner of Finance. The Commissioner of Finance is hereby authorized to sign and the City Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution,

and the City Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the City.

Section 7. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This Resolution shall constitute the declaration of the City's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the bonds and notes, as required by United States Treasury Regulation Section 1.150-2. Except as otherwise permitted by United States Treasury Regulation Section 1.150-2, the City will not use proceeds of the Bonds or notes to reimburse itself for prior expenditures for the Purpose unless: (1) the original expenditure was made not more than 60 days prior to the adoption of the Resolution, (2) the reimbursement will be made within three years after the later of the date the original expenditure was paid or the date the Purpose is placed in service or abandoned.

Section 9. This Resolution, or a summary thereof, shall be published by the City Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the City. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or the provisions of law which should be complied with at the

date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 10. Barclay Damon LLP is hereby appointed bond counsel to the City in connection with the issuances of Bonds and bond anticipation notes authorized herein.

Section 11. This Resolution shall take effect immediately upon its adoption.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

Mayor Baker
Commissioner Seber
Commissioner Johnson
Commissioner Gotti
Commissioner McGuire

February 10, 2021

LEGAL NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on the 10th day of February, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Mechanicville is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

A complete copy of the bond resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the City of Mechanicville for a period of twenty days from the date of publication of this Notice.

Mark Seber
City Clerk

BOND RESOLUTION DATED FEBRUARY 10, 2021 OF THE CITY COUNCIL OF THE CITY OF MECHANICVILLE AUTHORIZING NOT TO EXCEED \$109,440 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE ACQUISITION OF MACHINERY, AT AN ESTIMATED MAXIMUM COST OF \$109,440, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

Class of objects or purposes:	one (1) backhoe and related equipment
Maximum Estimated Cost:	\$109,440
Period of probable usefulness:	Fifteen (15) years
Amount of obligations to be issued:	\$109,440

RESOLUTION NO.: 07-2021

WHEREAS AT IT'S January 13, 2021 CITY COUNCIL MEETING THE Mechanicville City Council adopted resolution No. 3-2021 accepting the bid for a 1986 Ford/New Holland 555B Backhoe w/Hammer at a bid price of \$5,100.00; and

WHEREAS THE SUCCESSFUL BIDDER WITHDREW THEIR bid after the resolution was adopted. The second highest bidder bid a price of \$5,000.00;

NOW THEREFORE BE IT RESOLVED THAT THE MECHANICVILLE CITY COUNCIL accept the bid of \$5,000.00 for the 1986 Ford/ New Holland 555B Backhoe w/ Hammer.

Introduced By: _____

Seconded By: _____

Mayor Baker _____

Commissioner Seber _____

Commissioner Johnson _____

Commissioner Gotti _____

Commissioner McGuire _____

February 10, 2021

RESOLUTION NO.: 08-2021

WHEREAS, there is a need to provide for the defense of City Officers and employees and to commit to indemnify and save harmless City Officers and employees provided that the act or omission from which such judgement or claim arose occurred while the City Officer or employee was acting within the scope of their public employment or duties; and

WHEREAS, the City Council hereby agrees to reaffirm and confer the benefits of New York State Public Officers Law (POL) §18 upon its employees and City Officials and to be liable for the costs detailed in POL §18 as described above; and

WHEREAS, these provisions shall be in addition to any other statutes, local law or enactment providing legal defense and indemnification in civil actions brought against such City Officer or employee;

NOW THEREFORE BE IT RESOLVED:

Mechanicville City Council hereby reaffirms and adopts §18 of the New York State Public Officers Law and confers the benefits thereon upon all City Officers and employees and hereby agrees to be held liable for the costs incurred pursuant to §18 of the New York State Public Officers Law and agrees that the City of Mechanicville shall provide for the defense and indemnification of any City Officer or employee in any action as detailed in Public Officers Law §18. Such legal defense and indemnification shall be provided where the City Officer or employee at the time of such alleged act or omission was acting in good faith and within the scope of their public employment, powers, or duties. The provisions of this section shall be in addition to any other statutes, local law or enactment providing legal defense and indemnification in civil actions brought against such City Officer or employee.

Introduced By: _____

Seconded By: _____

Mayor Baker _____

Commissioner Seber _____

Commissioner Johnson _____

Commissioner Gotti _____

Commissioner McGuire _____

February 10, 2021

RESOLUTION NO. 09-2021

Whereas: Payroll, General, Water, Sewer and Capital Project Fund Vouchers
Contained Within

ABSTRACT	1/21/2021	\$ 84,158.78
PAYROLL #	2/4/2021	\$ 78,148.01
		<u>\$ 78,148.01</u>

With an expenditure breakdown by fund as follows:

GENERAL A0 FUND	\$ 425,628.39
WATER FX FUND	\$ 50,445.34
SEWER G0 FUND	\$ 7,942.29
CAPITAL PROJECTS H0 FUND	\$ 201,502.60
PAYROLL TA FUND	\$ 89,282.40
TOTAL	<u>\$ 774,801.02</u>

Now, therefore be it resolved that said payroll and vouchers are hereby allowed
in order to be paid.

Introduced by: _____

Seconded by: _____

Roll Call: Mayor Baker _____
Comm. Seber _____
Comm. Johnson _____
Comm. Gotti _____
Comm. McGuire _____

Dated: _____ February 10, 2021