

**AGENDA
REGULAR MEETING OF THE
MECHANICVILLE CITY COUNCIL
SENIOR CITIZEN'S CENTER
178 NORTH MAIN STREET
MECHANICVILLE, NY
OCTOBER 10, 2018**

1. OPEN MEETING: _____ P.M.

2. ROLL CALL:
MAYOR BAKER
COMMISSIONER DUNN
COMMISSIONER GILHEANY
COMMISSIONER GOTTI
COMMISSIONER MCGUIRE

3. PLEDGE OF ALLEGIANCE

4. ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING ON SEPTMEBER 12,
2018

MOVED BY:

SECONDED BY:

AYES:

NAYS:

COMMISSIONER REPORTS:

MAYOR'S REPORT & CORRESPONDENCE

COMMISSIONER DUNN

CITY ATTY SERBALIK

COMMISSIONER GILHEANY

SUPERVISOR RICHARDSON

COMMISSIONER GOTTI

MPD ACTING CHIEF RABBITT

COMMISSIONER MCGUIRE

MFD CHIEF DUNN

5. Public Comment:

6. RESOLUTIONS:

RESOLUTION 92-18 CVS Litigation

Moved by: _____

Seconded by: _____

AYES: _____

NAYS: _____

RESOLUTION 93-18 Mason Batchelder Retirement

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

RESOLUTION 94-18 Hire Patrick Bruno II as Laborer Department of Public Works

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

RESOLUTION 95-18 Payroll and Vouchers

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

RESOLUTION 96 -18 Budget Transfer

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

RESOLUTION 97 -18 Castertino Compensation

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

RESOLUTION 98 -18 Proof of Loss for Claim #18673

Moved by: _____ Seconded by: _____
AYES: _____ NAYS: _____

7. NEW BUSINESS:

8. OLD BUSINESS:

9. CLOSE MEETING: Time _____

Moved by: _____ Seconded by: _____

Roll Call AYES _____ NAYS: _____

10. EXECUTIVE SESSION: Time _____

Moved by: _____ Seconded by: _____

Roll Call AYES _____ NAYS: _____

11. ADJOURNMENT: Time _____

INTRODUCED BY: _____

SECONDED BY: _____

Roll Call AYES _____ NAYS: _____

RESOLUTION 92-18

WHEREAS, the City of Mechanicville, New York and its Assessor have been engaged in litigation with CVS Albany, LLC #226-01, over a claimed excessive assessment on parcel 262.61-3-22 (12-14 South Central Avenue) situate within the City; and

WHEREAS, the City of Mechanicville has relied upon the services of E. Stewart Jones Hacker Murphy LLP, Cathy L. Drobny, of counsel, to assist it in the defense of contested assessment proceedings on the subject parcels; and

WHEREAS, the City Council had previously authorized Cathy L. Drobny, Esq., to engage in negotiations with the petitioner, to effectuate a settlement; and

WHEREAS, a settlement proposal has been recommended to the City Council for adoption which, in the view of its outside attorneys and valuation consultants, is a fair and equitable assessment and will save the City further costs of litigation and the uncertainty of a decision after trial; and

WHEREAS, draft documents of settlement for submission to the Court have been prepared by the attorney and petitioner in the case;

NOW, BE IT THEREFORE RESOLVED that Cathy L. Drobny, Esq., is authorized to enter into a formal assessment agreement between the City of Mechanicville and petitioner, agreeing to the following assessment change for the parcel indicated below for the year 2017:

PARCEL 262.61-3-22 (12-14 South Central Avenue)

2017	\$2,400,000	\$2,200,000	(\$200,000)
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AND BE IT FURTHER RESOLVED that Cathy L. Drobny, Esq., is authorized by the City Council to take all other steps necessary to effectuate this negotiated settlement, it being determined by the Council that said settlement is fair and equitable, and that said settlement will also save the City substantial attorney's fees, expert consultant costs, and court costs.

Dated: _____, 2018

VOTING YES

VOTING NO

RESOLUTION#: 93-18

WHEREAS, Mason Batchelder was a Laborer at the Department of Public Works;
and

WHEREAS, Mason Batchelder has submitted a letter of resignation for retirement
purposes; and

WHEREAS, an agreement has been entered into regarding the resignation, subject
to Council Approval and the agreement is attached hereto,

THEREFORE BE IT RESOLVED, that the agreement attached hereto, is hereby
ratified and Commissioner Gotti is authorized to accept the resignation for
employment with the City of Mechanicville effective September 21, 2018 for the
purpose of retirement.

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker _____

Commissioner Kimberly Dunn _____

Commissioner Jodie Gilheany _____

Commissioner Anthony Gotti _____

Commissioner Barbara McGuire _____

Dated: October 10, 2018

RESOLUTION#: 94-18

WHEREAS, Mason Batchelder retired and was a Laborer; and

WHEREAS, the Department of Public Works is in need of a full time Laborer;
and

WHEREAS, the money is budgeted for the position; NOW

THEREFORE BE IT RESOLVED, that Commissioner Gotti is authorized to hire Patrick Bruno II as a full time laborer at the rate of \$17.06 per hour at 40 hours per week. Appointment will be effective October 11, 2018.

INTRODUCED BY: _____

SECONDED BY: _____

ROLL CALL:

Mayor Dennis Baker _____

Commissioner Kimberly Dunn _____

Commissioner Jodie Gilheany _____

Commissioner Anthony Gotti _____

Commissioner Barbara McGuire _____

Dated: October 10, 2018

RESOLUTION NO. 95-18

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

ABSTRACT			
PAYROLL #	38-18	9/20/18	\$ 82,430.96
PAYROLL #	40-18	10/4/18	\$ 80,351.64
			\$ 162,782.60

With an expenditure breakdown by fund as follows:

GENERAL A0 FUND	\$ 163,742.28
WATER FX FUND	\$ 76,823.97
SEWER G0 FUND	\$ 2,485.92
CAPITAL PROJECTS H0 FUND	\$ 675,548.08
PAYROLL TA FUND	\$ 162,782.60
TOTAL	\$ 1,081,382.85

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. Dunn _____
Comm. Gilheany _____
Comm. Gotti _____
Comm. McGuire _____

Dated: _____ October 10, 2018 _____

RESOLUTION No. 96-18

WHEREAS, the Mechanicville City Council adopted their 2018 Annual Budget on December 13, 2017; and

WHEREAS, the City Council now wishes to amend said Ordinance with the following transfer of budget balances:

THEREFORE BE IT RESOLVED, that for the 2018 budget we wish to approve the following budget amendments:

AMOUNT	FROM BUDGET CODE	TO BUDGET CODE	FROM	TO
2,750.00	A0-5132-402	A0-5010-402	Garage - Materials & Supplies	Highways - Materials & Supplies
To cover cost of Highways Materials & Supplies.				
795.59	A0-1440-410	A0-7550-402	Engineering Services - Contracted Srvc	Celebrations - Materials & Supplies
930.39	A0-7550-410	A0-7550-402	Celebrations - Contracted Services	Celebrations - Materials & Supplies
To cover cost of bottled water for residents.				
17,500.00	A0-1990-400	A0-3120-110	Contingent Account	Police - Retirement Incentive
12,000.00	A0-3120-100	A0-3120-102	Police - Personal Services	Police - Part-time
10,000.00	A0-3120-100	A0-3120-105	Police - Personal Services	Police - Overtime
12,000.00	A0-3120-100	A0-3120-125	Police - Personal Services	Police - OIC pay
1,500.00	A0-3120-100	A0-3120-111	Police - Personal Services	Police - Holiday pay
To cover cost of Chief retirement, part-time, OIC, overtime and holiday pay.				

Introduced by: _____

Seconded by: _____

Roll Call: Mayor Baker _____
 Comm. Dunn _____
 Comm. Gilheany _____
 Comm. Gotti _____
 Comm. McGuire _____

Dated: October 10, 2018

RESOLUTION #: 97-18

WHEREAS, the City of Mechanicville (“City”) and the Mechanicville Police Benevolent Association, District Council 82, AFSCME, AFL-CIO (“PBA”) are parties to a collective bargaining agreement; and,

WHEREAS, Police Officer Gerald Casertino (“Employee”) is employed by the City as a part-time Police Officer and is a member of the PBA; and,

WHEREAS, Police Officer Casertino attended the Zone 5 Regional Law Enforcement Training Academy (“Academy”) as a representative and employee of the City of Mechanicville, as required for employment as a police officer by the New York State Division of Criminal Justice Services; and,

WHEREAS, Police Officer Casertino was not fully compensated with hourly wages while attending the Academy by the City of Mechanicville, and the Mechanicville City Council wishes compensate him for such attendance in the amount of \$6,453.44,

WHEREAS, THEREFORE BE IT RESOLVED THAT the Mechanicville City Council approves the October 2018 MOA and authorized the Mayor to sign the October 2018 MOA on behalf of the City.

INTRODUCED BY: _____

SECONDED BY: _____

MAYOR BAKER _____

COMMISSIONER DUNN _____

COMMISSIONER GILHEANY _____

COMMISSIONER GOTTI _____

COMMISSIONER MCGUIRE _____

OCTOBER 10, 2018

RESOLUTION #: 98 -18

WHEREAS the City of Mechanicville had another flood at the Senior Center on 4/5/18 with this one being a major flood that resulted in extensive damage to the building which necessitated it being closed immediately due to public health and safety hazards and immediate action had to be taken to prevent further damage and hazards; and

WHEREAS the City of Mechanicville's OPS per our contract with OFA, the obligation and responsibility for sanitation of the restrooms and common areas shall be within the site; and

WHEREAS the City of Mechanicville's insurance company was immediately notified of damage and a claim was opened for this incident; and

WHEREAS the City of Mechanicville's insurance company has finalized the claim and is ready to make payment to the City and requires a signed Proof of Loss before payment can be issued;

THEREFORE, BE IT RESOLVED that the Mechanicville City Council authorizes the Mayor to sign the Proof of Loss for Claim #18673 so that the Commissioner of Accounts can provide the signed document to the City's insurance company in order to receive payment.

INTRODUCED BY: _____

SECONDED BY: _____

MAYOR BAKER _____

COMMISSIONER DUNN _____

COMMISSIONER GILHEANY _____

COMMISSIONER GOTTI _____

COMMISSIONER MCGUIRE _____

OCTOBER 10, 2018