



July 19, 2016

**CITY OF SARATOGA SPRINGS**  
**City Council Meeting**  
**City Council Room**  
**7:00 PM**

**6:55 PM – P.H. – Amend Chapter 165**  
**Peddling and Vending**

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**PRESENTATIONS**

1. Parking Task Force Update
2. Preservation Foundation 2016 Update

**CONSENT AGENDA**

1. Approval of 6/28/16 Special City Council Meeting Minutes
2. Approval of 7/5/16 City Council Meeting Minutes
3. Approval of 7/5/16 Pre-Agenda Meeting Minutes
4. Approve Resolution for the Use of the Insurance Reserve – 10
5. Approve Budget Amendments – Insurance Reserve - 10
6. Approve Budget Amendments (Increases)
7. Approve Budget Transfers – Regular
8. Approve Payroll: 07/15/16 \$506,730.40
9. Approve Payroll: 07/08/16 \$488,594.78
10. Approve Payroll: 07/13/16 \$56,750
11. Approve Warrant: 2016 Mid – 16MWJUN1: \$109,980.72
12. Approve Warrant: 2016 REG – 16JUL2: \$1,528,361.23

**MAYOR'S DEPARTMENT**

1. Appointment: Open Space Advisory Committee
2. Appointment: Special Assessment District
3. Appointment: Design Review Commission
4. Appointment: Preservation Foundation
5. Discussion and Vote: Correction Re: 6/21/16 Establishment of a Full Time Civil Service Clerk in the Civil Service Department Effective June 22, 2016
6. Discussion and Vote: Authorization for Mayor to Sign Climate Smart Community Grant Application Excelsior Avenue Greenbelt Downtown Connector
7. Discussion and Vote: Authorization for Mayor to Sign Application for Funding Through New York State Consolidated Funding Application

8. Announcement: Keeping the Fizz in the Saratoga's Bizz
9. Discussion: Ethics Board Opinion and City Ethics Code

#### **ACCOUNTS DEPARTMENT**

1. Discussion and Vote: City Archives Records Handling, Researchers and Collection Development Policy
2. Discussion and Vote: Settlement of Article 7 Case

#### **FINANCE DEPARTMENT**

1. Discussion: Smart City Forum and Showcase – July 14, 2016
2. Discussion and Vote: 2016 Finance Policies and Procedures Update
3. Discussion and Vote: Letter of Intent for Contribution to Affordable Housing Study
4. Discussion and Vote: Budget Transfers – Contingency for Affordable Housing Study
5. Discussion and Vote: Budget Transfers – Payroll
6. Discussion and Vote: Accept the Board of Ethics Inquiry Finding #6-2016 Regarding the Mayor

#### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: Resolution In Response to the Board of Ethics Inquiry Finding #6-2016 Regarding the Mayor

#### **PUBLIC SAFETY DEPARTMENT**

1. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Saratoga Springs City School District
2. Discussion and Vote: Rate of Pay for Part Time Parking Enforcement Officer
3. Discussion: Nelson Avenue Bridge Over the Northway
4. Discussion: Assault on Police Officers
5. Discussion: Sidewalk Ordinance
6. Discussion: Gun Shows
7. Discussion: Short Term Rentals

#### **SUPERVISORS**

##### Matthew Veitch

1. Saratoga County Local Emergency Planning Committee
2. County Route 64 Nelson Avenue Bridge Over Northway
3. Update on Brown's Beach on Saratoga Lake

##### Peter Martin

1. Saratoga County Fair
2. Public Health/Mental Health
3. Social Programs

#### **ADJOURN**



July 19, 2016

**CITY OF SARATOGA SPRINGS**  
**City Council Meeting**  
**City Council Room**  
**7:00 PM**

**PRESENT:** Joanne Yepsen, Mayor  
Michele Madigan, Commissioner of Finance  
John Franck, Commissioner of Accounts  
Anthony Scirocco, Commissioner of DPW  
Christian Mathiesen, Commissioner of DPS

**STAFF PRESENT:** Lynn Bachner, Deputy Commissioner, Finance  
Maire Masterson, Deputy Commissioner, Accounts  
Tim Cogan, Deputy Commissioner, DPW  
Eileen Finneran, Deputy Commissioner, DPS  
  
Vincent DeLeonardis  
  
Matthew Veitch, Supervisor  
Peter Martin, Supervisor

**RECORDING OF PROCEEDING**

The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

**PUBLIC HEARING**

Amend Chapter 165 Peddling and Vending

Mayor Yepsen opened the public hearing at 6:58 p.m.

Commissioner Franck explained the changes to the code. It will allow special event organizers to allow vendors to participate in a special event without incurring any extra fees for the event. Insurance language in the ordinance has been updated. He will carry over the public hearing to the next meeting and have a vote at that time.

No one spoke.

Mayor Yepsen concluded the public hearing at 7:00 p.m. and kept it open.

**CALL TO ORDER**

Mayor Yepsen called the meeting to order at 7:00 p.m.

## **PUBLIC COMENT**

**Mayor Yepsen said the public comment period is limited to a total of 15 minutes and individuals are limited to two minutes.**

Mayor Yepsen opened the public comment period at 7:00 p.m.

Mayor Yepsen introduced her new deputy mayor, Meg Kelly.

Susanne Balet of Malta stated she is here regarding the elimination of the Nelson Avenue bridge over the Northway. She would like the Council to pass a resolution opposing the elimination of this bridge. It will negatively impact the community. She is worried about emergency vehicles, bicyclists, etc, using an alternate route. They started a petition at Balet and all are welcome to go sign it.

Pat Tuz of Saratoga Springs and coordinator for the NYAGV stated the gun industry is selling more guns to the same people where there are now 8 – 10 guns per household. The industry is crooked. The gun manufacturers have found a way to sell a version of assault weapons that gets around the law. These guns are sold at the gun show. Why should we allow the City Center to be used for that? People can go to a local dealer to buy guns.

Molly Corbett of Saratoga Springs (letter read by Pat Tuz) stated when the City Center was renovated it increased its capacity and attractiveness to a larger rental market. Now they are building a parking garage – with changes comes the need to re-evaluate policies and procedures. Gun shows require notice to local law-enforcement to patrol adjacent parking areas to prevent illegal gun sales. No other event creates an atmosphere that makes multi-use unattractive.

Joy Canfield of Broadalbin stated she is here again about the Saratoga Music Hall. She provided a copy of an article (attached) about Troy demolishing Uncle Sam's home. She would hate to see the City of Saratoga go the same route as the City of Troy.

Mark Lawton of Saratoga Springs stated a number of citizens are concerned about the continued attempt to smear and humiliate the current mayor. There are more serious matters that should be of concern to each member of this Council. No one of you is above fault or mistrust in this case.

Phil Diamond of Saratoga Springs stated the Commissioner of Finance and the Commissioner of Public Works each have an item on their agenda regarding ethics finding #6-2016. He doesn't understand why those 2 people have this on their agendas. Both of these commissioners are being investigated.

Eddie Miller of Saratoga Springs stated he loves this time of year. He commended the Department of Public Works for the streets being clean and the flowers look good. It is show-time in Saratoga Springs....how can we be trusted when the face of the city, the mayor, was caught guilty of an ethics code violation. He asked the mayor to do the right thing and step down.

Bill McTygue of Saratoga Springs stated Mr. Miller should have disclosed his political affiliation. He too supports what Mr. Lawton and Mr. Diamond said. This resolution is tough talk coming from the Commissioner of Public Works who is under investigation. Where was the other commissioners' concern over ethics when the Commissioner of Public Works waived another \$500,000 in water connection fees for a project on Division Street? This is nothing more than political retaliation.

Darlene McGraw of Saratoga Springs stated we should leave politics out of this. She wanted to thank all the police officers and first responders for what they do for us every day.

John Ellis of Saratoga Springs asked when the last time a full assessment of the City was done.

Commissioner Franck stated it was 2005.

John Ellis asked why it has been so long since a full assessment has been done.

Commissioner Franck advised it is mainly due to the cost. It would cost approximately from \$5 - \$10 million dollars.

Marie Balet of Malta stated she is very concerned about the Nelson Avenue bridge. It has been there over 150 years. Since this bridge is in the City's jurisdiction, but she would like to see the City take the lead. Richard Filkins of NYSDOT is the project engineer.

Mayor Yepsen closed the public comment period at 7:31 p.m.

Commissioner Franck advised the last time a full assessment was done was 2004 by Commissioner Towne. That caused 1,600 grievances to be filed out of 10,000 parcels. The cost for outside services to do a full re-assessment is \$5 million dollars or more. It also hurts those who have been here for a long time. We are well within the law. We are at 78%; the lower the percentage the higher the value of the home.

Mayor Yepsen stated she has offered to facilitate a meeting with DOT and our supervisors. The Nelson Avenue bridge needs to be repaired if we are going to keep it and the funds aren't there.

Commissioner Scirocco stated he is going to do a resolution regarding the Nelson Avenue bridge. He feels that is a good way to address it. He too believes there are more cars that go over that bridge than what is presented.

Commissioner Madigan stated the state Phil Diamond made about her being a subject of investigation by the Comptroller's Office is absolutely false. The vote to waive the water connection fees was a 4 – 1 vote. She also does not feel she has done anything to smear anyone at this Council as stated by Mr. Lawton.

## **PRESENTATIONS**

### Parking Task Force Update

Mayor Yepsen introduced Harvey Fox and Mike Ingersoll. They are members of the Parking Task Force – a 5 member committee.

Harvey Fox listed all the members of the task force. Mike Ingersoll and his company donated their service of creating a map. They inventoried 7,000 spaces of which 4,250 are private parking. They provided items for discussion (copy attached). They recommended an advisory commission made up of someone from each of the following: City Center, Special Assessment District, Convention and Tourism Bureau, the Chamber of Commerce, and the Downtown Business Association. They should get RFPs for professional management companies.

Mike Ingersoll advised the next logical step is to get people to find their ways around via car.

Mayor Yepsen stated the Chamber of Commerce supports this plan as well as Sustainable Saratoga.

Harvey Fox stated the DBA and the Saratoga Convention and Tourism Bureau also support it.

Commissioner Mathiesen confirmed there are professional management companies that will manage the parking resources in the City.

Harvey Fox stated he has spoken to Newport, Rhode Island and Ithaca who did this. It was done at no charge to the community. Some did it on flat fee and some did it on a percentage.

Commissioner Scirocco commended them on a job well done. He asked if they discussed additional parking decks being put up in the City.

Mike Ingersoll advised they did not include the City Center structure in the count.

Preservation Foundation 2016 Update (copy of presentation attached)

Mayor Yepsen introduced Samantha Bosshart of the Preservation Foundation.

Samantha Bosshart explained their mission. They were founded in 1977 and have been funded through the City of Saratoga Springs. They provided \$400,000 in grant funding for over 20 downtown buildings. That is part of how our downtown was restored. There are national historic landmarks, national historic districts, and architectural review districts. They raise funds through various methods such as a pub crawl, art show, historic homes tour, etc. They maintain over 1200 property files, advocate for endangered buildings, advocate for best preservation practices, monitor work being done without authorization, and comment on design review applications.

Barbara Glaser, co-chair of the fundraiser for the Spirit of Life, stated she moved here 40 years ago. For years this organization has worked to engage the civil population and the city. It contributes to the economic vitality of this city. We received the NYS Award for the Adapted Re-use of a Historic School. She presented the Preservation League of New York's Certificate of Excellence for the Spirit of Life.

## **CONSENT AGENDA**

**Mayor Yepsen moved and Commissioner Mathiesen seconded to accept the consent agenda as follows:**

1. Approval of 6/28/16 Special City Council Meeting Minutes
2. Approval of 7/5/16 City Council Meeting Minutes
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4. Approve Resolution for the Use of the Insurance Reserve – 10
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**Ayes – All**

## **MAYOR'S DEPARTMENT**

Appointment: Open Space Advisory Committee

Mayor Yepsen advised 4 members have been serving on the Open Space Advisory Committee since the previous administration but never had their oath of office signed. These people have resigned from position and are being re-appointed tonight effective to their original date of appointment. These people are Matthew Veitch, Bonnie Sellers, Jim Martinez, and Dave Miller.

Appointment: Special Assessment District

Mayor Yepsen re-appointed Harvey Fox and Mike Ingersoll and newly appointed Toby Milday to the Special Assessment District. Each will serve for a term of 4 years.

Appointment: Design Review Commission

Mayor Yepsen appointed Chris Bennett and alternate Bob West to the Design Review Commission.

Appointment: Preservation Foundation

Mayor Yepsen appointed Caroline Cardone Burke to the Preservation Foundation for a 1 year term.

Discussion and Vote: Correction Re: 6/21/16 Establishment of a Full Time Civil Service Clerk in the Civil Service Department Effective June 22, 2016 (16-274)

Mayor Yepsen stated at the 6/21 meeting she made a motion that stated the salary was \$34,820 when in fact the correct annual salary is \$35,820.

**Mayor Yepsen moved and Commissioner Franck seconded for the Council to establish the position of a full time Civil Service Clerk within the Civil Service Department to be an exempt employee with the annual salary of \$35,820 effective June 22, 2016.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Climate Smart Community Grant Application Excelsior Avenue Greenbelt Downtown Connector (16-275)

**Mayor Yepsen moved and Commissioner Mathiesen seconded for the mayor to sign a Climate Smart Community Grant Application for the Excelsior Avenue Greenbelt Downtown Connector.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign Application for Funding Through New York State Consolidated Funding Application (16-276)

Mayor Yepsen advised this relates to recreation.

**Mayor Yepsen moved and Commissioner Scirocco seconded for the mayor to sign an application for funding through New York State Consolidated Funding Application.**

**Ayes – All**

**\*\* Mayor Yepsen moved and Commissioner Mathiesen seconded to add an item to her agenda to authorize for the mayor to establish the pay rate for the Charter Review Commission Clerk. (16-277)**

Commissioner Madigan advised the proper title is senior stenographer.

**Ayes - All**

Commissioner Madigan advised the motion should be revised to say the item is being added to set the salary for a senior stenographer.

**Mayor Yepsen moved and Commissioner Franck seconded to add an item to her agenda to authorize for the mayor to establish the pay rate for the senior stenographer who will serve the Charter Review Commission. (16-278)**

**Ayes – All**

**Mayor Yepsen moved and Commissioner Franck seconded to authorize the establishment of pay at the rate of \$150 per meeting for the Charter Review Commission senior stenographer. (16-289)**

**Ayes - All**

Announcement: Keeping the Fizz in the Saratoga's Bizz

Mayor Yepsen stated the Albany Business Journal will be presenting their 5<sup>th</sup> power breakfast of the year this Thursday at the Excelsior Springs.

Discussion: Ethics Board Opinion and City Ethics Code

Mayor Yepsen advised they disagree with the Ethics Board's interpretation of 13-3i of the Code. Mayor Yepsen provided a copy of the correspondence (attached) from her outside legal counsel. She recused herself from taking any action on the hospital's application. The interpretation by the Ethics Board of doing business with the City will make it difficult to nearly impossible for part time employees and volunteers to serve the City as it applies to them as well as full time employees. Prior to this review and opinion issued, no definition of doing business with the City existed. She recommended the Ethics Board stop being used as a political tool; make improvements to the City's Ethic Code language to leave little room for interpretation; and she will call for an independent exploration into what is standard practice on the state level.

Commissioner Madigan thanked Mayor Yepsen for her comments. The Ethics Board was clear that as a matter of law the mayor violated the code. It is not the role of the Ethics Board to advise disciplinary action. She doesn't believe the mayor's unethical actions should taint this Council. The residents deserve better.

Mayor Yepsen stated her biggest regret is they passed the Code of Ethics without checking the general municipal law.

\*\* Council took a break at 8:41 p.m.

\*\* Council returned at 8:47 p.m.

**ACCOUNTS DEPARTMENT**

Discussion and Vote: City Archives Records Handling, Researchers and Collection Development Policy (16-279)

Commissioner Franck advised that last October the City Council approved a non-matching grant from the New York State Archives for a records management project in the city archives to satisfy a number of recommendations made as a result of a grant funded records survey. One of the recommendations was to establish official policies for the handling of archival records, rules for researchers and collection development. Drafts have been previously distributed and they have been reviewed by the city historian, the temporary archivists, the city attorney and the director of risk and safety. These policies are subject to annual review by the City Council.

**Commissioner Franck moved and Commissioner Madigan seconded for the City Council to approve and accept the City Archives Records Handling and Researchers Policy, the Researcher Registration Form, and the Collection Development Policy as distributed with the agenda.**

**Ayes - All**

Discussion and Vote: Settlement of Article 7 Case (16-280)

**Commissioner Franck moved and Commissioner Mathiesen seconded for the City Council to settle the Article 7 case for parcel # 165.83-1-7 for the years 2014, 2015 & 2016 as follows:**

Parcel # 165.83-1-7	Original Assessment	Negotiated Assessed Value	Reduction Amount	Refund Amt
2014	\$1,458,700	\$1,333,332	\$125,368	\$761
2015	\$1,458,700	\$1,299,999	\$158,700	\$962
2016	\$1,458,700	\$1,249,999	\$208,701	\$0

**The grand total of refunds for the parcel listed is \$1,723.**

**Ayes - All**

**FINANCE DEPARTMENT**

Discussion: Smart City Forum and Showcase – July 14, 2016

Commissioner Madigan stated the forum was held at the City Center. It was hosted by IgniteU. They had approximately 200 people attend. At the forum she discussed the Saratoga Springs Smart City Roadmap and where we are right now.

Discussion and Vote: 2016 Finance Policies and Procedures Update (16-281)

Commissioner Madigan reviewed some of the changes made to the policies and procedures. All policies and procedures were attached to the agenda.

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2016 finance policies and procedures as distributed with the agenda.**

**Ayes - All**

Discussion and Vote: Letter of Intent for Contribution to Affordable Housing Study (16-282)

Commissioner Madigan advised the Housing Authority signed a contract with GAR and Associates. GAR's fees are \$7,200 of which the Housing Authority has asked for a contribution from the City in the amount of \$1,800. She will bring an intermunicipal agreement to the next Council meeting.

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the commissioner of finance's signature on the letter of intent to contribute to an affordable housing study as distributed with the agenda.**

**Ayes - All**

Discussion and Vote: Budget Transfers – Contingency for Affordable Housing Study (16-283)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2016 budget transfers – Contingency for Affordable Housing Study as distributed with the agenda. The current amount in that line is \$239,811 and will remain \$238,011 after this motion.**

**Ayes - All**

Discussion and Vote: Budget Transfers – Payroll (16-284)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2016 budget transfers – payroll which were distributed with the agenda.**

**Ayes - All**

Discussion and Vote: Accept the Board of Ethics Inquiry Finding #6-2016 Regarding the Mayor (16-285)

Commissioner Madigan provided background of the issue in chronological order. The letter to the Ethics Board was written on behalf of Commissioners Madigan, Scirocco, and Mathiesen. The Ethics Board sent a letter to the mayor stating she violated the code of ethics.

**Commissioner Madigan moved and Commissioner Scirocco seconded to accept and approve the Board of Ethics inquiry finding #6-2016 regarding the mayor as distributed with the agenda.**

Commissioner Mathiesen stated he is not sure why the mayor would be in disagreement with the determination of the Ethics Board. Any member of a Council or a board would understand that if there is an applicant before the Council or a board there is a conflict of interest if a member of the Council or board is working with the entity on the private contract. He and Commissioner Madigan could be looked upon to not be doing their job if they didn't bring this to the Ethics Board. He has had a lot of issue in terms of her judgment.

Mayor Yepsen stated she brought this to the Ethics Board because she wanted to be sure she was following proper procedure and process. She asked for a full review early on. Their advice was to recuse.

Commissioner Madigan stated the recusal is not the issue; it is the behavior. This is not easy for this Council.

Commissioner Franck stated he doesn't have an issue voting yes on this. To be consistent we should do the same with what Commissioner Mathiesen brought forth regarding NYRA.

**Ayes – 4**

**Nays - 0**

**Abstentions – 1 (Mayor Yepsen)**

**PUBLIC WORKS DEPARTMENT**

Discussion and Vote: Resolution In Response to the Board of Ethics Inquiry Finding #6-2016 Regarding the Mayor (16-286)

**Commissioner Scirocco moved and Commissioner Mathiesen seconded to accept and forward this resolution in response to the Board of Ethics inquiry finding #6-2016 regarding the mayor and forward a copy to the New York State Attorney General Public Integrity Bureau and the New York State Joint Commission on Public Ethics.**

Commissioner Scirocco read the following resolution into the record:

A RESOLUTION OF THE  
SARATOGA SPRINGS CITY COUNCIL

WHEREAS, the Saratoga Springs City Charter, Title 2, Section 2.7 "Code of Ethics," provides that the City Council "shall adopt a Code of Ethics to guide the actions of elected and appointed City officers and employees;" and  
WHEREAS, the Saratoga Springs City Code, under Part I "Administrative Legislation" and Chapter 13, "Ethics, Code Of" establish rules pursuant to the provisions of Section 806 of the New York State General Municipal Law, "... to promulgate these rules of ethical conduct for officers and employees of the City of Saratoga Springs. These rules shall serve as a guide for official conduct of officers and employees of the City of Saratoga Springs;" and

WHEREAS, the City's Ethics Code Section 13-3(l) prescribes, "Outside Employer or Business. Officers and or employees shall not engage in, solicit, negotiate for or promise to accept work for an outside employer or business who does business with the city which creates an implied conflict with or impairs the proper discharge of his official duties or results in personal gain;" and

WHEREAS, the Saratoga Springs Board of Ethics was approached by Joanne D. Yepsen, Mayor as well as Commissioners Madigan, Mathiesen, and Scirocco concerning discussions between the Mayor and the Saratoga Hospital Foundation about a possible private contract during a time period when the Saratoga Hospital was "doing business" with the City within the meaning of Section 13-3(l);  
and

WHEREAS, Mayor Yepsen requested an advisory opinion from the Board of Ethics on January 14, 2016 regarding recusal from matters pertaining to the Saratoga Hospital's business with the City. Further on February 1, 2016 Commissioner Madigan sent a letter to the Board of Ethics Chairman, Justin Hogan, requesting additional information on the January 19, 2016 recusal of Mayor Yepsen from a discussion and vote on the Hospital PUD; and

WHEREAS, on July 14, 2016 the Board of Ethics provided "Inquiry Findings #6-2016" (attached hereto), in a letter to Mayor Yepsen that outlined their review of the inquiry and stated "it must find, as a matter of law, that any efforts to solicit or negotiate for outside employment with one who does business with the city, within the meaning of that section, including your described efforts with the hospital foundation, constitute a violation of Section 13-3(l) of the Code of Ethics;" and

WHEREAS, the findings also state that the Hospital Foundation was an inseparable part of Saratoga Hospital, and Saratoga Hospital was doing business with the city within the meaning of Section 13-3(l) of Ethics. Further, the findings state that the fact that the discussions failed to result in a contract did not affect its conclusions; and

WHEREAS, the Saratoga Springs City Council recognizes its paramount responsibility to address violations of the Code of Ethics;  
and

WHEREAS, in instances where the violation is made by a member of the City Council, and in this case Mayor Yepsen; the City Council requests the investigation and recommendation of a higher legislative or legal authority.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Saratoga Springs, New York, as follows:

1. That the City Council censures Mayor Yepsen for her violation of Section 13-3(l) of the Saratoga Springs Code of Ethics as outlined by the Board of Ethics Inquiry Findings #6-2016. The power of censure is a serious one. It is a harsh rebuke and severe warning, used rarely and with gravity.
2. That the City Council requests the New York State Attorney General's Public Integrity Bureau to thoroughly investigate and review the violation of the Saratoga Springs Code of Ethics by Joanne D. Yepsen, Mayor, as outlined by the Board of Ethics Inquiry Findings #6-2016.
3. That the City Council requests the New York State Joint Commission on Public Ethics to thoroughly investigate and review the violation of the Saratoga Springs Code of Ethics by Joanne D. Yepsen, Mayor, as outlined by the Board of Ethics Inquiry Findings #6-2016.

A copy of this resolution shall be forwarded to the New York State Attorney General's Public Integrity Bureau and the New York State Joint Commission on Public Ethics.

Commissioner Scirocco thanked the Ethics Board for their efforts in reviewing this matter. Elected officials are held to a higher standard and are expected to be transparent. The Council has been placed in a difficult position. This is not a political effort. The Council was compelled to take action. It is important to have other independent bodies review this matter to keep politics out of it.

Commissioner Madigan stated they received the letter today from Harris Beach, the mayor's attorney. She is in support of the resolution but disagrees with the mayor's attorney letter. The state agencies were contacted and they said they did not know if this was in their jurisdiction and they needed to have more information. She is in support of censure. She is willing to support sending this resolution on to the additional entities.

Commissioner Mathiesen stated we have a question of bad judgment. He doesn't feel there is anything wrong with sending this to an outside entity to look at.

Commissioner Franck stated this is something he does have issue with. He remembers Tony Izzo saying the only way to censure or impeach at this level is through the governor. There is no fraud, corruption, or criminal activity. This is over reaching.

Commissioner Madigan stated she did contact the Joint Commission on Public Ethics which is actually the governor's committee. They said they may have jurisdiction. She also suggested amending the resolution to include if the entities listed are not the right entities to move this forward to a higher authority than who is and as a result move it there.

Commissioner Scirocco made a friendly amendment to the resolution that if this is not the right state entity than it be forwarded on to the property entity or at least the recommendation of who should be the right agency.

**Ayes – 3**

**Nays – 2 (Commissioner Franck and Mayor Yepsen)**

## **PUBLIC SAFETY DEPARTMENT**

### Discussion and Vote: Authorization for the Mayor to Sign Agreement with Saratoga Springs City School District (16-287)

Commissioner Mathiesen advised this is an annual agreement for the school district for the resource officer. The school district will pay 65% of the officer's salary.

**Commissioner Mathiesen moved and Commissioner Scirocco seconded to authorize the mayor to sign the agreement with the Saratoga Springs City School District.**

**Ayes - All**

### Discussion and Vote: Rate of Pay for Part Time Parking Enforcement Officer (16-288)

**Commissioner Mathiesen moved and Commissioner Franck seconded to set the pay rate for a part time parking enforcement officer at \$17.13 per hour.**

Commissioner Scirocco stated he would like to bring back to the table a discussion that would set a pay scale for part time people. With the restaurants paying \$15 per hour, he is having a hard time finding people to work part time for \$10.50 an hour.

**Ayes - All**

### Discussion: Nelson Avenue Bridge Over the Northway

Commissioner Mathiesen stated this bridge is entirely in the City of Saratoga Springs. The City has invested in the Blodgett property which will be extremely hard to get to without this bridge. It would be appropriate to ask the DOT to come to the City Council and try to work something out.

### Discussion: Assault on Police Officers

Commissioner Mathiesen expressed his sympathy for police officer's families across the country. People are undermining security of our country by assaulting police officers and making attacks like this.

### Discussion: Sidewalk Ordinance

Commissioner Mathiesen stated the purpose of the ordinance to prevent pedestrian obstruction. He spoke with Tony Izzo about making some modifications to the ordinance.

### Discussion: Gun Shows

Commissioner Mathiesen stated he had a letter in the Times Union a few weeks ago regarding assault weapons. He doesn't have problems with guns shows like other people do. He has been told by the Police Department that in the 30 years the guns shows have been in our City there has not been any increase or decrease in crime on those weekends of the shows. He feels the City Center needs to decide for themselves what type of operations they have there.

### Discussion: Short Term Rentals

Commissioner Mathiesen stated people are concerned about the short term rentals. They are trying to come up with an ordinance that will protect the residents from this commercial operation.

## **SUPERVISORS**

### Matthew Veitch

#### Saratoga County Local Emergency Planning Committee

Supervisor Veitch reported they passed a resolution to accept funding from New York State Division of Homeland Security.

#### County Route 64 Nelson Avenue Bridge Over Northway

Supervisor Veitch stated this is also a county road. The Town of Malta supervisor stated they are getting a lot of comment on this at their meetings. If the bridge is taken down people will trailer their boats on Kaydeross Avenue East, which is not a good road for that.

#### Update on Brown's Beach on Saratoga Lake

Supervisor Veitch reported there is no swimming at Brown's Beach due to the high levels of e-coli. There may be an issue with people who have facilities on their boats and illegally dumping. He believes the Town of Stillwater is going to pass a resolution to prohibit that.

### Peter Martin

#### Saratoga County Fair

Supervisor Martin reported the Saratoga County Fair started today. It is the 175<sup>th</sup> anniversary of the fair.

#### Public Health/Mental Health

Supervisor Martin reported they amended the mental health contract to provide for one more housing bed. They also authorized the Committee to set and approve each vaccine fee. They also accepted prevention funds from the state for lead poisoning.

#### Social Programs

Supervisor Martin reported they authorized the 2016 youth bureau funding. This year, funding from the New York State Family Services increased by 15%. They spread that evenly across all the agencies they support for youth services.

## **ADJOURNMENT**

There being no further business, Mayor Yepsen adjourned the meeting at 10:40 p.m.

Respectfully submitted,

Lisa Ribis  
Clerk

Approved:  
Vote: