

February 20, 2018



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

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. 2017 West Avenue Special Assessment District Annual Report

CONSENT AGENDA

1. Approval of 2/1/18 State of the City Address Minutes
2. Approval of 2/5/18 Pre-Agenda Meeting Minutes
3. Approval of 2/6/18 City Council Meeting Minutes
4. Approve Use of Insurance Reserve Resolution #1 and #2
5. Approve Budget Amendment – Use of Insurance Reserve #1 and #2
6. Approve Budget Amendments – Regular (Increases)
7. Approve Budget Transfers - Regular
8. Approve Payroll 2/9/18 \$517,148.72
9. Approve Payroll 2/16/18 \$538,279.10
10. Approve Warrant - 2017 17MWDEC7 \$5,097.67
11. Approve Warrant - 2018 18MWFEB1 \$859,302.83
12. Approve Warrant 2017 – 17DEC8 \$114,008.69
13. Approve Warrant - 2018 18FEB2 \$269,980.13

MAYOR'S DEPARTMENT

1. Discussion and Vote: Ethics Board Member Appointment - Motion Correction
2. Discussion and Vote: City Center Authority Appointment
3. Discussion and Vote: Civil Service Commission Appointment
4. Appointment: Recreation Commission Appointment
5. Announcement: Recreation Programs and Leagues
6. Discussion and Vote: Approval of Introduction to Ice Promotion
7. Discussion and Vote: Authorization for Mayor to Sign Goldberger and Kremer Contract Renewal
8. Discussion and Vote: Authorization for the Mayor to Sign Amendment to DPW Contract

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Approval of Purchasing Policy for 2018
2. Discussion and Vote: Approval of Resolution to Appoint Marriage Officer
3. Appointment: Clarification of Appointments to Board of Assessment Review

FINANCE DEPARTMENT

1. Set Public Hearing: Local Law #2 of 2018 to Establish “Energize NY PACE Finance” in the City of Saratoga Springs
2. Discussion: 2017 Sales Tax Review
3. Discussion and Vote: Resolution for the Members of the City Council
4. Discussion and Vote: Budget Transfers – Contingency

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Agreement with SCS Field Services for the Weibel Avenue Landfill Gas Collection and Control Systems Operations, Monitoring, and Maintenance Services
2. Set Public Hearing: 2018 Water & Sewer Rates Resolution

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign a Contract with Pittsfield Communications, Inc.
2. Discussion and Vote: Authorization for Mayor to Sign Change Orders 6, 7, and 8 for Crown Molding Repair, Hazardous Material Survey, and Removal of Asbestos in the Dispatch Area of the Police Department
3. Discussion and Vote: A Resolution of the City Council of the City of Saratoga Springs, New York Supporting the Adirondack Aquatic Center in Its Endeavor
4. Discussion and Vote: A Resolution of the City Council of the City of Saratoga Springs, New York Condemning Organizations Condoning Hate Speech and Reaffirming the City’s Commitment to Diversity

SUPERVISORS

Matt Veitch

1. Economic Development Committee
2. STOP-DWI Grants
3. Saratoga County Employment & Training Job Fair

Tara Gaston

1. Upcoming Board of Supervisors Meeting
2. Proposed Local Law
3. 2018 Legislative Agenda

ADJOURN



February 20, 2018

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

PRESENT: Meg Kelly, Mayor
Michele Madigan, Commissioner of Finance
John Franck, Commissioner of Accounts
Anthony Scirocco, Commissioner of DPW
Peter Martin, Commissioner of DPS

STAFF PRESENT: Lisa Shields, Deputy Mayor
Mike Sharp, Deputy Commissioner, Finance
Maire Masterson, Deputy Commissioner, Accounts
Joe O'Neill, Deputy Commissioner, DPW
John Daley, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor
Tara Gaston, 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.

CALL TO ORDER

Mayor Kelly called the meeting to order at 7:01 p.m.

Mayor Kelly asked for a moment of silence for the victims of the mass shooting in Parkland, Florida.

PUBLIC COMMENT

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

Mayor Kelly opened the public comment period at 7:03 p.m.

Sam Brewer of Saratoga Springs stated he is here regarding 2 issues. He urged the City to have restraint regarding tolling and metering human behavior. Installing parking kiosks/meters will inhibit free commerce. He also stated he attended the presentation of the Recreation Master Plan and was very disappointed in the LA Group's presentation and they had some references that were insulting to the City.

Darlene McGraw of Saratoga Springs stated paid parking isn't going to help; it will actually make it worse. Worth Street is not safe and we need to get on the ball.

Mayor Kelly closed the public comment period at 7:07 p.m.

PRESENTATION

2017 West Avenue Special Assessment District Annual Report

Commissioner Madigan introduced Matthew J. Jones of the Jones Law Firm to present the 2017 West Avenue Special Assessment District Annual Report.

Mr. Jones stated each year the Special Assessment District makes a bond payment to the City. The payment is about \$49,000 per year. He explained the history of the development of the Special Assessment District.

CONSENT AGENDA

Mayor Kelly moved and Commissioner Madigan seconded to accept the consent agenda as follows:

1. Approval of 2/1/18 State of the City Address Minutes
2. Approval of 2/5/18 Pre-Agenda Meeting Minutes
3. Approval of 2/6/18 City Council Meeting Minutes
4. Approve Use of Insurance Reserve Resolution #1 and #2
5. Approve Budget Amendment – Use of Insurance Reserve #1 and #2
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12. Approve Warrant 2017 – 17DEC8 \$114,008.69
13. Approve Warrant – 2018 18FEB2 \$269,980.13

Ayes – All

MAYOR'S DEPARTMENT

Discussion and Vote: Ethics Board Member Appointment – Motion Correction (18-052)

Mayor Kelly stated this is a motion correction.

Mayor Kelly moved and Commissioner Madigan seconded to approve Eileen Venn as a member of the Ethics Board to complete the term vacated by Courtney DeLeonardis effective February 20, 2018 expiring December 31, 2018.

Ayes – All

Discussion and Vote: City Center Authority Appointment (18-053)

Mayor Kelly moved and Commissioner Martin seconded to approve the appointment of Rosemary Ratcliff to the City Center Authority. A term of 6 years will commence on February 20, 2018.

Ayes – All

Discussion and Vote: Civil Service Commission Appointment (18-054)

Mayor Kelly announced Paul Kisselbrack will finish the term of Robert Mains who is resigning on February 23, 2018.

Mayor Kelly moved and Commissioner Madigan seconded to approve the appointment of Paul Kisselbrack to the City Civil Service Commission effective February 24, 2018.

Ayes – All

Appointment: Recreation Commission Appointment

Mayor Kelly appointed Michelle Merola as a member of the Recreation Commission effective 2/20/18 for a term of 7 years.

Announcement: Recreation Programs and Leagues

John Hirliman of the Recreation Department advised early bird registration ends February 26th. Registration for Camp Saradac for City residents begins Monday, February 26th and for all on March 19th. All information can be found on the recreation webpage.

Discussion and Vote: Approval of Introduction to Ice Promotion (18-055)

John Hirliman stated they are looking to have the kids do some artwork in the spirit of the Olympics. If a child does some artwork to be put up around the ice rink, they will be provided a pass for open public skate. The maximum amount the passes would equate to is \$900.

Mayor Kelly moved and Commissioner Franck seconded to approve the promotion of introduction to ice skating program.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Goldberger and Kremer Contract Renewal (18-056)

Mayor Kelly moved and Commissioner Madigan seconded to approve the mayor to sign a one year contract renewal for labor and employment legal services with Goldberger and Kremer as attached to this agenda.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Amendment to DPW Contract (18-057)

Mayor Kelly moved and Commissioner Scirocco seconded to approve the mayor to sign a memorandum of agreement to the DPW contract.

Commissioner Madigan advised this relates to the CDL licenses (overtime) and there is a budgetary impact of approximately \$1,000 per year.

Ayes – All

ACCOUNTS DEPARTMENT

Discussion and Vote: Approval of Purchasing Policy for 2018 (18-058)

Commissioner Franck advised a copy of the purchasing policy has been distributed to all the commissioners, mayor, and deputies. The Federal Government updated the Uniform Guidance for Federal Awards which affect procurements made with Federal Funds. The purchasing policy was updated to capture the update requirements. These include the addition of ethics of purchasing, federal purchasing requirements, employee fraud, and vendor performance. Also added to the 2018 purchasing policy is a process for the leasing of property via a RFI (request for information) and the process to do a RFI.

Commissioner Franck moved and Commissioner Madigan seconded to approve the purchasing policy for 2018 as distributed with the agenda.

Ayes – All

Discussion and Vote: Approval of Resolution to Appoint Marriage Officer (18-059)

Commissioner Franck advised this resolution is to allow Landon McCord Moore III of Saratoga Springs, to officiate a marriage on May 5, 2018.

The resolution is as follows:

A RESOLUTION OF THE CITY OF SARATOGA SPRINGS, NEW YORK
Mayor Meg Kelly
Commissioner John P. Franck
Commissioner Michele Madigan
Commissioner Anthony Scirocco
Commissioner Peter Martin

WHEREAS, Section 11-C of the Domestic Relations Law of the State of New York provides that the governing body of any village, town or city may appoint one or more marriage officers who shall have the authority to solemnize a marriage in accordance with other provisions of law; and

WHEREAS, Landon McCord Moore III, resident of the City of Saratoga Springs and being over 18 years of age, has requested the Council to duly appoint him as marriage officer for the purpose of performing a marriage in accordance with the applicable provisions of law;

NOW BE IT RESOLVED as follows;

1. That this Council hereby appoints Landon McCord Moore III of Saratoga Springs, New York, to be a marriage officer as provided in Section 11-C of the New York State Domestic Relations Law,
2. That the term of the appointment is for one day, May 5, 2018, for the purpose of solemnizing one marriage, specifically the Nastasi/Coulombe marriage,
3. That the appointee shall receive no salary, wage or compensation of any kind from the City of Saratoga Springs, New York.

Commissioner Franck moved and Commissioner Scirocco seconded for the City Council to approve the resolution allowing Landon McCord Moore III to officiate a marriage on May 5, 2018 as distributed with the agenda.

Ayes – All

Appointment: Clarification of Appointments to Board of Assessment Review

Commissioner Franck advised that the County has requested he clarify the appointments he made this year to the Board of Assessment Review. Two board members, Alexandra Besso and Lou Schneider, have moved out of the City of Saratoga Springs, therefore, they are no longer eligible to serve on the Board of Assessment Review. I appointed Sheila Sperling to replace Alexandra Besso and complete her term which will expire September 30, 2018. I appointed Joseph Ribis to replace Lou Schneider and complete his term which will expire September 30, 2019.

FINANCE DEPARTMENT

Set Public Hearing: Local Law #2 of 2018 to Establish “Energize NY PACE Finance” in the City of Saratoga Springs

Commissioner Madigan set a public hearing for Tuesday, March 6, 2018 at 6:55 p.m.

Discussion: 2017 Sales Tax Review

Commissioner Madigan stated earlier this month the Finance Department received its final 2017 sales tax distribution from the state for \$860,000; the largest total December distribution in the City's history. It is up 6.5% from 2016.

Deputy Mike Sharp advised sales tax ended on a high note at the end of 2017; total 2017 sales tax was \$11.88 million. This was a 3.3% decrease from what was budgeted for 2017. In May, 2017 there was a distribution adjustment by the state for previous overpayments which took the City from being up 8% year to date to down 8% year to date. There was a county business that incorrectly flagged their revenue as city revenue rather than county revenue and there was an audit that was completed resulting in \$300,000 of refunds from 2015 and 2016. All of this was deducted from the sales tax payment of 2017. The City had a great year subsequent to that and ended the year down 0.9%. The City out-performed 2016 in 9 of the 12 months in 2017. A positive sign for the future is Governor Cuomo's proposal to broaden state sales tax laws.

Discussion and Vote: Resolution for the Members of the City Council (18-060)

Commissioner Madigan stated the Finance Department and the City Attorney's Office worked on the resolution to include dental plan language and to remove sections that no longer applies.

The resolution is as follows:

**RESOLUTION
MEMBERS of CITY COUNCIL
Amended February ____, 2018**

A RESOLUTION to amend a previous resolution for the members of the City Council of Saratoga Springs (herein after know as "Members"), New York entitled "RESOLUTION" adopted at the City Council meeting on December 6, 1993.

WHEREAS, On December 6, 1993, the City Council adopted a resolution entitled "RESOLUTION", and said resolution amended and established certain retirement and hospitalization benefits for the Members.

NOW THEREFORE BE IT RESOLVED as follows:

- A. The terms of this resolution shall take effect on February __, 2018, and shall supersede Resolutions dated December 18, 1989 and December 6, 1993.
1. **Retirees:** Retirees shall be defined as Members who have served the City of Saratoga Springs for at least ten (10) consecutive years and retire from the New York State Employee's Retirement System Section 75i of the New York State Retirement Law.
 2. **Health Insurance:** Members shall be entitled to participate in the MVP25 health insurance plans offered by the City to the various bargaining units, at no cost to the Member. The City shall provide the plans to the Member, their dependents, and retired Members and their dependents and the City shall pay one hundred percent (100%) of the cost of the aforementioned insurance plan.

For all Medicare eligible retirees residing within the geographic network served by MVP, the City shall offer the MVP Medicare Advantage Preferred Gold as the sole plan. For all Medicare eligible retirees residing outside the geographic network served by MVP, the City shall offer the MVP Preferred PPO Plan as the sole plan. For all retirees not eligible for Medicare residing within the geographic network served by MVP, the City will offer the MVP Co-Plan 25 HMO as the sole plan. For all retirees not eligible for Medicare residing outside the geographic network served by MVP, the City will offer the MVP Preferred PPO Plan as the sole plan. The City shall provide these plans to the retired Members and their dependents. The City shall only be obligated for this additional benefit during the life of the retiree.

In the event that federal or state legislation, rules and/or regulations issued in relation to the Patient Protection and Affordable Care Act ("PPACA"), the Health Care and Education Reconciliation Act of 2010 ("HCERA") and/or any other legislation, rule or regulation:

- a) impact in any way the health insurance plans, costs or benefits provided for in this Resolution (including but not limited to contractual benefits such as health insurance buy-outs or stipends); or
- b) raise a question as to whether the health insurance benefits provided for herein meet certain standards contained in such legislation, rules and/or regulations (including, but not limited to, compliance with legislation, rules,

City Council Members Resolution – 2018

regulations, or any legislation, rules, or regulations which may cause the City to be charged any penalty, or those that govern whether plan benefits meet the "minimum essential benefits" standard or a similar standard, whether the City premium contribution levels are adequate and/or meet legal requirements, or whether the individual household affordability standard is satisfied); or
c) permit an individual or group of individuals to receive benefits, subsidies, or credits through a health insurance exchange program (or any other government subsidy or benefit provided pursuant to the PPACA, HCERA, or any state or federal regulations or rules implementing health insurance reform laws).

The City may immediately implement changes as necessary to comply with federal and/or state laws, rules, and regulations and/or to avoid or eliminate penalties, potential penalties, or taxes. Such changes may include, among others, modifications for individual Members, including modification to individual or group coverage, benefits, contributions or wages, to the extent necessary to comply with federal and/or state laws, rules, and regulations and/or to avoid or eliminate penalties, potential penalties, taxes, or cessation of payments toward the cost of benefit(s) if such benefit(s) are not compliant with the PPACA/HCERA or if such compliance would cause the City penalty or cost associated with avoidance of penalty.

For Anyone choosing coverage under a health plan other than the primary indemnity health insurance program, where such other health plan covers City employees pursuant to an agreement between employees and the health plan provider, the City shall only be obligated to pay for the premium of such other health plan up to the amount of the premium for the City's primary indemnity health insurance program.

These insurance benefits shall only be provided to the Mayor and Commissioners who were actually in service on December 18, 1989, and those in service subsequent to December 18, 1989, and shall not apply to Mayors and Commissioners who have resigned or left office prior to December 18, 1989.

3. **Vision:** The City agrees to pay one hundred percent (100%) of the cost of the Members Benefit fund Vision Plan Platinum 12 for all Members and their dependents.
4. **Disability:** New York State Disability Insurance shall be offered to the Member.
5. **Life:** The City shall provide group term life insurance for the Member in the amount provided to full-time members of the CSEA – City Hall Employees.
6. **Dental:** The City agrees to provide dental plan(s), within ninety (90) days of the passage of this Resolution in which Members may participate, at the sole expense of the Member.
B. This Resolution supersedes all previous resolutions and shall be reviewed by the City Council annually on the Commissioner of Finance's agenda, by no later than the first meeting in August of each year.

Commissioner Madigan moved and Commissioner Martin seconded to approve the resolution for the members of the City Council as distributed with the agenda.

Commissioner Franck asked what was removed from the resolution.

Vince DeLeonardis advised nothing was removed that is currently in place. They took the opportunity to remove language that no longer applies.

Commissioner Madigan advised she has no problem bringing this back if Commissioner Franck would like to see a red-lined version.

Commissioner Martin asked if this could still be effective February 20 if they bring this back.

Commissioner Madigan amended her motion and Commissioner Martin seconded if there are any issues with the subsequent language that was modified she will bring it back to Council for a discussion and vote.

Ayes – All

Discussion and Vote: Budget Transfers – Contingency (18-061)

Commissioner Madigan moved and Commissioner Franck seconded to approve the budget transfers – contingency as previously distributed with the agenda.

Ayes – All

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Agreement with SCS Field Services for the Weibel Avenue Landfill Gas Collection and Control Systems Operations, Monitoring, and Maintenance Services (18-062)

Commissioner Scirocco stated this will provide the gas collection and control systems operations, monitoring, and maintenance service at the Weibel Avenue Landfill. This agreement is in effect from 2/21/18 – 12/31/18.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign an agreement with SCS Field Services for the Weibel Avenue Landfill Gas Project in the amount of \$23,600.

Ayes – All

Set Public Hearing: 2018 Water & Sewer Rates Resolution

Commissioner Scirocco set a public hearing for Tuesday, March 6, 2018 at 6:50 p.m.

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign a Contract with Pittsfield Communications, Inc. (18-063)

Commissioner Martin advised this is a renewal of an existing contract for service, repair, and maintenance of radios in the police department. This is a one year contract in the amount of \$7,980.

Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a contract with Pittsfield Communications Systems, Inc. in the amount of \$7,980.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Change Orders 6, 7, and 8 for Crown Molding Repair, Hazardous Material Survey, and Removal of Asbestos in the Dispatch Area of the Police Department (18-064)

Commissioner Martin advised change order #6 for the crown molding is in the amount of \$2,610; change order # 7 is for the hazardous material survey in the amount of \$4,388.86; and change order #8 is for the additional asbestos removal in the amount of \$1,710.

Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign change orders 6, 7, and 8 with Bonacio Construction, Inc.; total amount of \$8708.86 for the repair of crown molding, hazardous material survey; and removal of asbestos from the dispatch area of the Police Department.

Ayes – All

Discussion and Vote: A Resolution of the City Council of the City of Saratoga Springs, New York Supporting the Adirondack Aquatic Center in Its Endeavor (18-065)

Commissioner Martin moved and Commissioner Franck seconded:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, NEW YORK SUPPORTING THE ADIRONDACK AQUATIC CENTER IN ITS ENDEAVORS

Be it resolved by the City Council of the City of Saratoga Springs, New York as follows:
WHEREAS, the Adirondack Aquatic Center (AAC), a 501(c)(3) corporation formed in 2014, envisions an aquatic center with a location at the heart of Saratoga County near the I87 Exit 12 interchange, providing convenient access to residents of Saratoga County; and
WHEREAS, activities envisioned by AAC include learning to swim, aquatic exercise, aquatic therapy and aquatic competition; and
WHEREAS, the City of Saratoga Springs City Council finds that the addition of this new recreational opportunity enriches the County and the region;
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Saratoga Springs fully supports the Adirondack Aquatic Center in its endeavors.

Ayes – All

Discussion and Vote: A Resolution of the City Council of the City of Saratoga Springs, New York Condemning Organizations Condoning Hate Speech and Reaffirming the City's Commitment to Diversity (18-066)

Commissioner Martin moved and Commissioner Franck seconded:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, NEW YORK CONDEMNING ORGANIZATIONS CONDONING HATE SPEECH AND REAFFIRMING THE CITY'S COMMITMENT TO DIVERSITY

Be it resolved, by the City Council of the City of Saratoga Springs, New York as follows:
WHEREAS, On Sunday February 11, 2018, several residents of Saratoga Springs discovered vile, racist pamphlets on their cars and their front porches containing information about the Klu Klux Klan.
WHEREAS, We as a City Council believe in the value of diversity in our community and are welcoming to people of all races, religions and beliefs. Organizations condoning hate speech or other hateful activities do not have a home in our City.
WHEREAS, The residents of our community have a proven history of supporting and standing up for one another, and this attempt to spread a sickening ideology will be silenced by voices of positivity in Saratoga Springs.
WHEREAS, it is the hope of this City Council that our community uses this incident as an opportunity to re-affirm the open-minded and welcoming nature of our City and its residents.;
NOW, THEREFORE, BE IT IS RESOLVED that the City Council of the City of Saratoga Springs condemns organizations condoning hate speech and reaffirms this City's commitment to diversity, inclusivity, and love.

Ayes – All

SUPERVISORS

Matt Veitch

Economic Development Committee

Supervisor Veitch reported they had a public meeting on the Agriculture District #2 expansion. This expansion includes Pitney Farms and the Ruggles Road property. These properties are being added to District #2.

STOP-DWI Grants

Supervisor Veitch reported each year the County gets revenues to prevent further DWI offenses and help for those with alcohol problems. The City's Police Department will receive approximately \$41,000 from this grant for enforcement activities.

Saratoga County Employment & Training Job Fair

Supervisor Veitch reported job fairs are the 1st Thursday of every month. There will be a new business every month on hand to interview for positions.

Tara Gaston

Upcoming Board of Supervisors Meeting

Supervisor Gaston reported the next Board of Supervisor's meeting is February 27th at 4 p.m.

Proposed Local Law

Supervisor Gaston reported at the next meeting a local law will be proposed to declare the opioid epidemic and its affect on the County a public nuisance. This will help establish a cost recover procedure.

2018 Legislative Agenda

Supervisor Gaston reported 2 items of interest on this agenda is Laree's Law and to not promote early voting.

Supervisor Gaston advised there will be lottery for plots at Pitney Farms on March 5, 2018.

Mayor Kelly stated she, Commissioner Madigan, and Commissioner Martin have been receiving phone calls regarding what they are going to do about the gun show in the City. This Council is committed to working on that.

ADJOURNMENT

There being no further business, Mayor Kelly adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved: 3/6/18
Vote: 5 - 0