

March 5, 2019



**CITY OF SARATOGA SPRINGS**  
**City Council Meeting**  
**Recreation Center**  
**15 Vanderbilt Avenue**  
**7:00 PM**

6:55 PM P.H. – 2019 Water and Sewer Rates

P.H. - Amend 2018 CDBG Entitlement Action Plan

P.H. – Amend Chapter 225 - Stop Signs on Ash Street

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**PRESENTATIONS**

1. 2018 WASAD Annual Report
2. Saratoga Springs Downtown Recycling Attitudes, Expectations and Challenges

**EXECUTIVE SESSION**

1. Pending litigation: Matters of City of Saratoga Springs v. Village of Ballston Spa; Saratoga Springs Water Company; and Pompay.

**CONSENT AGENDA**

1. Approval of 2/19/19 City Council Meeting Minutes
2. Approval of 2/19/19 Pre-Agenda Meeting Minutes
3. Approval of 2/27/19 City Council Meeting Minutes
4. Approve Budget Amendments – Regular (Increases)
5. Approve Budget Transfers - Regular
6. Approve Payroll 02/22/19 \$555,609.92
7. Approve Payroll 03/01/19 \$513,972.02
8. Approve Warrant - 2018 18MWDEC8 \$31,662.35
9. Approve Warrant – 2019 19MWFEB3 \$22,210.09
10. Approve Warrant – 2019 19MAR1 \$984,296.79
11. 2018 WASAD Annual Report

**MAYOR'S DEPARTMENT**

1. Announcement: Planning Department Staff
2. Announcement: Joint Design Review Committee/Planning Board Meeting on Flat Rock Centre Parking Structure
3. Discussion and Vote: Accept Ice Rink 25<sup>th</sup> Anniversary Donations
4. Discussion and Vote: Authorization for Mayor to Sign Saratoga Central Catholic Event Form
5. Discussion and Vote: Waive Fees for Ice Time for the Firefighters Charity Game

**ACCOUNTS DEPARTMENT**

1. Announcement: Liberty Affordable Housing Update

**FINANCE DEPARTMENT**

1. Announcement: 2019 Budgetary Savings Due to Healthcare Plan Change
2. Announcement: Economic Development Lunch & Learn Series Update
3. Discussion and Vote: Authorization for Mayor to Sign Renewal Agreements for Fiber Services with Crown Castle
4. Discussion and Vote: CSEA City Hall Union Employee to Withdraw up to 75 Hours from the Sick Bank
5. Discussion and Vote: Sick Time Donation
6. Discussion and Vote: Budget Transfers – Insurance
7. Discussion and Vote: Budget Amendment – Insurance
8. Discussion and Vote: Budget Transfers - Payroll

**PUBLIC WORKS DEPARTMENT**

1. Appointment: Saratoga Springs Arts Commission
2. Discussion and Vote: Authorization for Mayor to Sign Change Order with Aktor Corporation
3. Discussion and Vote: Authorization for Mayor to Sign Change Order with Bellamy Construction
4. Discussion and Vote: Accept Donation from Sustainable Saratoga for Trees
5. Discussion and Vote: Authorization to Adopt 2019 Water and Sewer Rate Resolution

**PUBLIC SAFETY DEPARTMENT**

1. Set Public Hearing: To Amend Chapter 225 of the City Code with Respect to Changes to Time Limit Parking in City Owned Lots & Garages
2. Set Public Hearing: To Amend Chapter 225 of the City Code, Vehicles & Traffic, with Respect to Alternate Side of the Street Parking on Persimmon Place
3. Discussion and Vote: Amend Chapter 225 of the City Code, Vehicles & Traffic, with Respect to Stop Signs on Ash Street
4. Announcement: Retirement

**SUPERVISORS**

Matt Veitch

1. Nothing at this time.

Tara Gaston

1. Nothing at this time.

**ADJOURN**



March 5, 2019

**CITY OF SARATOGA SPRINGS**  
City Council Meeting  
Recreation Center  
15 Vanderbilt Avenue  
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

**EXCUSED:** 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.

**PUBLIC HEARINGS**

2019 Water and Sewer Rates

Mayor Kelly opened the public hearing at 6:55 p.m.

Commissioner Scirocco advised there is no increase to the water rates; they will remain the same as 2018. The sewer rates do have an increase of 2% increase for most household users, 3%, and 4%. These increases are due to the increase in the County sewer rates.

No one spoke.

Mayor Kelly closed the public hearing at 6:57 p.m.

Amend 2018 CDBG Entitlement Action Plan

Mayor Kelly opened the public hearing at 6:57 p.m.

Mayor Kelly stated this is the second public hearing on this. They plan to move \$70,000 from the 2018 CDBG Residential Rehabilitation Program to the 2018 CDGB Rebuilding Together and moving \$200,000 from the CDBG Revolving Fund Loan to fund a new 2018 CDBG award to Saratoga Springs Public Housing Authority for its affordable housing project.

No one spoke.

Mayor Kelly concluded the public hearing at 6:58 p.m. and left it open.

#### Amend Chapter 225 – Stop Signs on Ash Street

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

Commissioner Martin stated this is the final public hearing.

No one spoke.

Mayor Kelly closed the public hearing at 7:00 p.m.

#### **CALL TO ORDER**

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

#### **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 7:01 p.m.

Darlene McGraw of Saratoga Springs stated she is here to speak about the flooding on Worth Street. On Circular/Broadway we have trucks not following the truck route signs. She did see our Police Department issuing tickets to those trucks who are not abiding by the truck route.

Mayor Kelly closed the public comment period at 7:02 p.m.

#### **PRESENTATIONS**

##### 2018 WASAD Annual Report

Commissioner Madigan introduced Matt Jones of the Jones Steve Law Firm to present the annual West Avenue Special Assessment District. A copy of the report is attached to the agenda.

Matt Jones advised this special assessment district was formed in 2001. Since that time they have made annual payments to the City of approximately \$49,500 annually.

##### Saratoga Springs Downtown Recycling Attitudes, Expectations and Challenges

Commissioner Scirocco stated he participated in a research project with political ecology students from Skidmore College regarding downtown recycling. The students along with their professor, Nurcan Atalan-Helicke, Ph.D., are here this evening to present the results of the survey.

Professor Nurcan Atalan-Helicke, Ph.D. stated their students engage in civil projects and work outside regular school hours to address community needs.

William Borowka, student at Skidmore, advised they administered 120 surveys with approximately 50 being done face-to-face. They got a good variety of participants of various ages and a good number of Saratoga Springs residents to participate. About half of their responses stated they go downtown either every other day or a few times a week. Almost all the respondents stated they recycle at home. They found there is a demand for multiple things to be recycled and people will just throw recyclables away when there is no recycling bins are available.

Hannah Paolucci, student at Skidmore, advised she met with Commissioner Madigan, Mayor Kelly, and Commissioner Scirocco. There was a lot of discussion on the need for education and public outreach before implementation.

Alessandro Wedeman, a student at Skidmore, advised the establishment of the program could become costly. Responsibility will need to be divided and a decision will need to be made who will be in charge.

Matthew Cocchi, a student at Skidmore, advised there is a lot of public support and awareness of this initiative. The New York State Solid Waste Management Act of 1988 requires municipalities to adopt local laws or ordinances regarding recyclable materials by September 1, 1992. This is a strong motivator.

Professor Atalan-Helicke stated the next step is identifying the optimal locations for the bins. Skidmore has a successful recycling program and can share their information. Sustainable Saratoga is pursuing a zero waste campaign and will work with the City on the social media campaign.

Mayor Kelly believes this is a great idea.

Commissioner Scirocco thanked everyone for meeting with him and their concern for the City. Having single stream will make it easier for the City to recycle and the City does have the recycling bins. He has ideas of how to get the message out to everyone including putting signs on City vehicles.

Commissioner Madigan stated one of the first articles she wrote after taking office was regarding wanting to recycle downtown. Now we have single stream recycling which will make this much easier. She is glad their class has taken on this initiative. She stated there are other busy locations in the summer off Broadway that may benefit from this.

## **CONSENT AGENDA**

**Mayor Kelly moved and Commissioner Scirocco seconded to approve the consent agenda as follows:**

1. Approval of 2/19/19 City Council Meeting Minutes
2. Approval of 2/19/19 Pre-Agenda Meeting Minutes
3. Approval of 2/27/19 City Council Meeting Minutes
4. Approve Budget Amendments – Regular (Increases)
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9. Approve Warrant – 2019 19MWFEB3 \$22,210.09
10. Approve Warrant – 2019 19MAR1 \$984,296.79
11. 2018 WASAD Annual Report

**Ayes – All**

## **MAYOR'S DEPARTMENT**

### Announcement: Planning Department Staff

Mayor Kelly announced Susan Barden has accepted the position of principal planner and staff to the Planning Board.

### Announcement: Joint Design Review Committee/Planning Board Meeting on Flat Rock Centre Parking Structure

Mayor Kelly announced there will be a joint Design Review Committee and Planning Board meeting regarding the Flat Rock Centre Parking Structure on March 21<sup>st</sup> at 5:30 p.m. in the Council Room at the Recreation Center.

### Discussion and Vote: Accept Ice Rink 25<sup>th</sup> Anniversary Donations (19-074)

Mayor Kelly advised the following donations were made for the 25<sup>th</sup> anniversary of the ice rink: John Boyd donated \$100.00; Stewarts Shops donated 2 Make Your Own Sundae kits valued at \$138.00; Advantage Press donated invitations valued at \$250.00 and programs valued at \$300.00; Barrel House valued at \$250.00; and Eclectic Songs, Linda Terricola, DJ valued at \$150.00.

**Mayor Kelly moved and Commissioner Franck seconded to approve the ice rink 25<sup>th</sup> anniversary donations as described with the agenda.**

**Ayes – All**

### Discussion and Vote: Authorization for Mayor to Sign Saratoga Central Catholic Event Form (19-075)

Mayor Kelly advised this form is for the junior sluggers program.

**Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to sign Saratoga Central Catholic Event Form as included with this agenda.**

**Ayes – All**

### Discussion and Vote: Waive Fees for Ice Time for the Firefighters Charity Game (19-076)

Mayor Kelly advised the Recreation Department is requesting the ice time valued at \$330 for a charity game be waived.

**Mayor Kelly moved and Commissioner Martin seconded to approve the waiver fees of the ice time for the firefighters charity game as described with this agenda.**

**Ayes - All**

## **ACCOUNTS DEPARTMENT**

### Announcement: Liberty Affordable Housing Update

Commissioner Franck announced that in June 2018 the Council requested advisory opinions of the City and County Planning Boards and received their decisions. The original public hearing for the Liberty Affordable Housing Project held on February 5, 2019 has remained open to provide the public additional time to comment on this project. This public hearing will remain open and we will hold another formal public hearing sometime in May.

Commissioner Madigan advised she suggested to Liberty through their legal counsel that they provide better diagrams and to address sidewalks and lighting.

## **FINANCE DEPARTMENT**

### Announcement: 2019 Budgetary Savings Due to Healthcare Plan Change

Commissioner Madigan announced the City is saving \$300,000 with their change in the health care plan. The City is moving to an experienced rated plan from a community rated plan and has the option to go back to the community rated plans should they feel the cost of experienced rated is too high.

### Announcement: Economic Development Lunch & Learn Series Update

Commissioner Madigan announced the second lunch and learn was held on February 28<sup>th</sup>. They had over 70 registrants. The event was recorded and will be shared by the City. The next lunch and learn will be held in April.

### Discussion and Vote: Authorization for Mayor to Sign Renewal Agreements for Fiber Services with Crown Castle (19-077)

Commissioner Madigan advised they have decided to renew 4 of their outstanding agreement with Crown Castle. Services are for fiber and internet services to City Hall, DPW garage, Recreation Center, and the Fire Department. Services will not exceed \$4,165 annually.

**Commissioner Madigan moved and Commissioner Franck seconded to approve the mayors signature and authorization of the renewal agreements for fiber services with Crown Castle as previously distributed with the agenda.**

**Ayes – All**

### Discussion and Vote: CSEA City Hall Union Employee to Withdraw up to 75 Hours from the Sick Bank (19-078)

**Commissioner Madigan moved and Commissioner Martin seconded to approve a CSEA Union employee to withdrawal of up to 75 hours from the sick bank.**

**Ayes – All**

### Discussion and Vote: Sick Time Donation (19-079)

Commissioner Madigan advised 2 City CSEA employees are donating a total of 24 hours of sick time to another CSEA City employee.

**Commissioner Madigan moved and Commissioner Franck seconded to approve sick time donation.**

**Ayes - All**

### Discussion and Vote: Budget Transfers – Insurance (19-080)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the budget transfers – insurance as previously distributed with the agenda.**

**Ayes – All**

### Discussion and Vote: Budget Amendment – Insurance (19-081)

**Commissioner Madigan moved and Commissioner Franck seconded to approve the budget amendment – insurance as previously distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Budget Transfers – Payroll (19-082)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the budget transfers – payroll as previously distributed with the agenda.**

**Ayes – All**

## **PUBLIC WORKS DEPARTMENT**

Appointment: Saratoga Springs Arts Commission

Commissioner Scirocco appointed Crystal Cobert Giddens, owner of skin therapy studio, FACES, to the Saratoga Springs Arts Commission.

Discussion and Vote: Authorization for Mayor to Sign Change Order with Aktor Corporation (19-083)

Commissioner Scirocco advised change orders 1, 3, 6, 7, 8, and 9 total \$64,123. These change orders are for additional asbestos abatement and demolition in various areas of City Hall.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change orders 1, 3, 6, 7, 8, and 9 with Aktor Corporation in the amount of \$64,123 for the additional asbestos abatement and demolition.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign Change Order with Bellamy Construction (19-084)

Commissioner Scirocco advised this is for the extension of time only. Substantial completion time is to be extended to March 30, 2019 and final completion to May 31, 2019.

**Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign change order with Bellamy Construction for the NYS Rt. 9 water main replacement extending substantial completion to March 30, 2019 and final completion time to May 31, 2019.**

**Ayes – All**

Discussion and Vote: Accept Donation from Sustainable Saratoga for Trees (19-085)

Commissioner Scirocco advised the trees will be donated and planted in different locations in the City. The value of the total gift will be up to \$5,000.

**Commissioner Scirocco moved and Commissioner Madigan seconded to accept the donation of trees from Sustainable Saratoga.**

Commissioner Madigan advised she likes this program and the City also budgets \$20,000 per year for tree plantings.

Wendy Mahaney of Sustainable Saratoga stated they are excited for Treetoga. They will work with homeowners to find a suitable place to plant a tree on their property.



**Ayes – All**

Discussion and Vote: Authorization to Adopt 2019 Water and Sewer Rate Resolution (19-086)

**Commissioner Scirocco moved and Commissioner Madigan seconded to adopt the proposed 2019 Water and Sewer Rate as discussed and presented this evening.**

**Ayes – All**

## **PUBLIC SAFETY DEPARTMENT**

Set Public Hearing: To Amend Chapter 225 of the City Code with Respect to Changes to Time Limit Parking in City Owned Lots & Garages

Commissioner Martin set a public hearing for Tuesday, March 19, 2019 at 6:50 p.m.

Set Public Hearing: To Amend Chapter 225 of the City Code, Vehicles & Traffic, with Respect to Alternate Side of the Street Parking on Persimmon Place

Commissioner Martin set a public hearing for Tuesday, March 19, 2019 at 6:50 p.m.

Discussion and Vote: Amend Chapter 225 of the City Code, Vehicles & Traffic, with Respect to Stop Signs on Ash Street (19-087)

**Commissioner Martin moved and Commissioner Madigan seconded to adopt the change to section 225 of the City Code as distributed with the agenda.**

**Ayes – All**

Announcement: Retirement

Commissioner Martin announced the retirement of Chief Veitch. The chief will be retiring May 31, 2019.

## **SUPERVISORS**

**Matt Veitch**

Nothing at this time.

**Tara Gaston**

Nothing at this time.

## **EXECUTIVE SESSION**

**Mayor Kelly moved and Commissioner Martin seconded to move to executive session to discuss pending litigation: matters of City of Saratoga Springs v. Village of Ballston Spa; Saratoga Springs Water Company; and Pompay at 8:03 p.m.**

**Ayes – All**

Council returned at 8:16 p.m.

Mayor Kelly advised decisions have been made and she will be adding items to her agenda as a result of the executive session.

**Mayor Kelly moved and Commissioner Madigan seconded to approve the addition of an item to her agenda entitled “Discussion and Vote: Authorize the Mayor to Execute Settlement Agreement Regarding City of Saratoga Springs vs. Pompay.” (19-088)**

**Ayes – All**

**Mayor Kelly moved and Commissioner Martin seconded to approve the addition of an item to her agenda - “Discussion and Vote: Authorization for Mayor to Execute Settlement Agreement Regarding City of Saratoga Springs vs. the Village of Ballston Spa.” (19-089)**

**Ayes – All**

**Mayor Kelly moved and Commissioner Scirocco seconded to approve the addition of an item to her agenda entitled “Discussion and Vote: Authorization for Mayor to Execute Settlement Agreement Regarding City of Saratoga Springs vs. Saratoga Springs Water Company.” (19-090)**

**Ayes – All**

**Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to execute settlement agreement regarding City of Saratoga Springs vs. Pompay. (19-091)**

**Ayes – All**

**Mayor Kelly moved and Commissioner Martin seconded to authorize the mayor to execute settlement agreement regarding City of Saratoga Springs vs. the Village of Ballston Spa. (19-092)**

**Ayes – All**

**Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to execute settlement agreement regarding City of Saratoga Springs vs. Saratoga Springs Water Company. (19-093)**

**Ayes - All**

## **ADJOURNMENT**

There being no further business, Mayor Kelly adjourned the meeting at 8:19 p.m.

Respectfully submitted,

Lisa Ribis  
Clerk

Approved: 3/19/19  
Vote: 5 - 0