



April 21, 2020

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

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**CONSENT AGENDA**

1. Approval of 4/2/2020 City Council Meeting Transcript
2. Budget Amendments – Insurance
3. Budget Amendments – Regular (Increases)
4. Budget Transfers – Insurance
5. Budget Transfers - Regular
6. Approve Payroll 4/17/20 \$562,154.09
7. Approve Warrant – 2020 20MWAPR2 \$36.26
8. Approve Warrant – 2020 20MWAPR3 \$2,613.21
9. Approve Warrant – 2020 20MWAPR4 \$61,950.00
10. Approve Warrant – 2020 20MWAPR5 \$65,351.68
11. Approve Warrant – 2020 20APR2 \$560,634.25

**MAYOR'S DEPARTMENT**

1. Announcement: 2020 Census Self-Reporting Reminder
2. Announcement: NYCOM Federal Aid Sign-On Letter
3. Announcement: Update on Land Use board Activities
4. Announcement: Update on Building Department Services
5. Appointment: Saratoga Springs Arts Commission
6. Set Public Hearing: Zoning Ordinance Amendment Establishing Emergency Extensions
7. Discussion and Vote: Resolution to Extend Effective Dates for Permits
8. Discussion and Vote: Accept the Donation of Six \$50 DBA Cards from the Saratoga Springs Friends of Recreation for the Recreation Bingo Game
9. Discussion and Vote: Authorization for Mayor to Sign Collaboration Agreement for the Southern Palmetown Area
10. Discussion and Vote: Consolidation of Waterfront Park Grants with New York State
11. Discussion and Vote: Authorization for Mayor to Execute Grant of easement for Niagara Mohawk Power Corporation

### **ACCOUNTS DEPARTMENT**

1. Discussion and Vote: Accept Donation of Cloth Face Masks from Michele Erceg and Dale Walton – Value of \$500
2. Discussion and Vote: Authorization for Mayor to Begin Public Assistance Reimbursement for DR-4480NY
3. Appointment: Elaina Richardson to the Arts Commission
4. Announcement: Remote Marriage Licenses
5. Appointment: Sabrina Lauzon as Commissioner of Deeds
6. Announcement: Update on Grievance Class

### **FINANCE DEPARTMENT**

1. Announcement: Late Fees for City, County and Delinquent School Taxes
2. Update: Finance Department – COVID – 19 and City Finances
3. Discussion and Vote: Budget Transfers – Payroll
4. Discussion and Vote: Budget Amendments - Payroll

### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: Approval to Pay Invoice #7153118708 in the Amount of \$2,106.01 to Schindler Elevator for Woodlawn Ave Parking Garage
2. Announcement: 2020 First Quarter Utility Bills
3. Set Public Hearing: Amend Capital Program & Capital Budget to Include City Hall Renovation

### **PUBLIC SAFETY DEPARTMENT**

1. Announcement: Virus Update
2. Appointment: Saratoga Springs Arts Commission
3. Discussion and Vote: Authorization to Pay American Red Cross Invoice
4. Discussion and Vote: Authorization for Mayor to Sign Memorandum of Understanding with Longfellows
5. Discussion and Vote: Accept Donations from Quick Response and KPM Restoration

### **SUPERVISORS**

Matt Veitch

1. Recent Saratoga County Board Meetings and Upcoming Schedule
2. Saratoga County COVID-19 Update

Tara Gaston

1. COVID-19 Update
2. Board of Supervisors Report
3. Public Forum

### **ADJOURN**



April 21, 2020

CITY OF SARATOGA SPRINGS  
City Council Meeting  
Recreation Center  
15 Vanderbilt Avenue  
7:00 PM  
(via zoom)

**PRESENT:** Michele Madigan, Commissioner of Finance  
John Franck, Commissioner of Accounts  
Anthony Scirocco, Commissioner of DPW  
Robin Dalton, Commissioner of DPS

**STAFF PRESENT:** Lisa Shields, Deputy Mayor  
Deirdre Ladd, Deputy Commissioner, Finance  
Maire Masterson, Deputy Commissioner, Accounts  
Joe O'Neill, Deputy Commissioner, DPW  
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor (joined at 7:51 p.m.)  
Tara Gaston, Supervisor (joined at 7:46 p.m.)

**EXCUSED:** Meg Kelly, Mayor

**Transcriber's note: this meeting is being conducted in accordance with Executive Order 202.1 and is a full transcript of the meeting.**

**Transcript begins at 6:58 p.m.**

**Commissioner Madigan:** Good evening. Let's begin. The mayor is unable to attend tonight's meeting and so I will chair the meeting in her place. As you know, City Hall closed on March 13 at 5:30 p.m. until further notice after calling a state of emergency due to the Coronavirus, also known as COVID-19. City Council meetings will be held as usual throughout this time on the first and third Tuesdays. Meetings are being live-streamed and taped but they are closed to the public. The public is free to submit comments by e-mail relative to any agenda item. Information is available on the City web. Updates have been released to the press and the commissioners have been discussing City status during each agenda and will do so this evening. So, with that there are no public hearings tonight. So, we can call the meeting to order.

**Secretary to the City Council:**

Commissioner Franck – present  
Commissioner Madigan – present  
Commissioner Scirocco – here  
Commissioner Dalton – present

**Commissioner Madigan:** I don't see the supervisors. They are running late so we don't have the supervisors joining us at this time.

**Commissioner Dalton:** I think their meeting is still going on.

**Commissioner Madigan:** Their meeting is still going on so they are going to be a little while. Salute the flag; please rise for the Pledge of Allegiance.

**All:** "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

**Commissioner Madigan:** There is one presentation this evening. There is no public comment this evening pursuant to the procedures adopted under the state of emergency. The public has been asked to submit its comments to the Council by email. We received one comment by email today. There are no executive sessions tonight so next on the agenda is a presentation. The first presentation for this evening, the only presentation, is the 2019 Preliminary Financial Report. So, I will more directly to this report. I am providing that report as Commissioner of Finance.

**Commissioner Dalton:** Commissioner Madigan, sorry, really quick. I think I may have received two public comments. I didn't realize they didn't go to everybody. Should I just forward them on to....

**Commissioner Madigan:** The rest of the City Council. That's what I would recommend. Yes, thank you. And to the secretary. With that I will move forward with the presentation.

City of Saratoga Springs, Office of the Commissioner of Finance, December 31, 2019 preliminary financial report. The annual financial report update document for the City of Saratoga Springs for the fiscal year ended December 31, 2019 was filed with the State Comptroller's Office on April 20, 2020. The Finance Office is preparing the 2019 financial statements. The date for the audit to commence has not yet been set. Upon completion of the audit, the Commissioner of Finance will release the audited figures. Note that all numbers are rounded to the nearest thousand, unless otherwise stated.

In the General Fund 2019, the AFR indicates a \$16,758,000 General Fund balance as of 12/31/19, of which \$8,439,000 is unrestricted and unassigned and \$8,319,000 is restricted, assigned, or non-spendable. The General Fund had an operating deficit of \$856,000. At this time, the unrestricted unassigned fund balance is predicted to fall within the acceptable range of the 10 – 25% as outlined in the fund balance policy adopted by the City Council on November 4, 2019. The amount is calculated by taking the audited balance available in the unrestricted unassigned fund balance of the City's General Fund for the most recently audited fiscal year, divided by the adopted expenditure budget for the ensuing fiscal year for the City' General Fund. Copies of the fund balance policy are available in the Finance Office or on the public drive. The calculation prior to audit is as follows:

- \$8,439,150 was the 12/31/19 unrestricted unassigned fund balance
- \$48,715,918 is the 2020 adopted budget which is the ensuing year
- A over B is 17.32% of the adopted budget. It is in the acceptable/allowable range.

Figures are not audited and could be subject to change. The restricted/assigned fund balance is comprised of the following items:

- \$3,164,000 is restricted in the form of retirement reserve, insurance reserve, capital reserves, tax stabilization reserve, and other miscellaneous reserves.
- \$2,149,000 is appropriated to balance the general fund and debt service fund budgets in 2020.
- \$370,000 is assigned to the City Council for right sizing in future years; \$1,000 is assigned for IT initiatives; \$195,000 is assigned for settlement of tax certiorari cases; \$75,000 is assigned for knowledge training; \$100,000 is assigned for economic development; \$355,000 is assigned for public safety sick payments; \$25,000 for Code Blue; \$200,000 for skate park; \$45,000 for trail maintenance; and \$1,234,000 represents encumbrances. Encumbrances are expenditures committed to on or before 12/31/19 but paid after 12/31/19.

The City also has non-spendable fund balance in the amount of \$1,013,000, which primarily represents the prepayment of the annual retirement bill on 12/15/19 for 1/1/20 – 3/31/20.

The following is a list of items, which contributed to the AFR General Fund financial position for the fiscal year ended December 31, 2019. The general fund revenues are:

- Sales tax increased from 2018 by 5% and exceeded the amount budgeted by \$643,000. 2019 sales tax collections were \$13,443,000 and a \$650,000 increase from 2018 actual collection. Sales tax collections were strong throughout the year.
- Hotel room occupancy tax increased by 2%. 2019 actual collections were \$663,000, and increase of \$16,000 from 2018. Actual amounts were \$33,000 more than the 2019 adopted budget.
- Utilities gross receipts tax decreased in 2018. Amounts received were \$408,000 in 2019 and \$419,000 in 2018. Receipts were \$8,000 less than budgeted in 2019.
- Franchise fees increased during 2019. Actual receipts of \$580,000 exceeded the adopted budget by \$19,000.
- Ambulance fees decreased in 2019 by \$199,000. \$1,125,000 was collected, a 15% decrease from last year. Still pretty good. Actual amounts were less than the 2018 budget by \$170,000.
- Admission tax decreased \$295,000 or 40% from 2018 as a result of a change in methodology by NYRA for calculating tax. Actual amounts received for 2019 were \$429,000. The budget was \$723,000 for 2019.
- VLT aid was \$2,326,000 for 2019, the same as in prior years.
- Mortgage tax receipts increased in 2019. Actual receipts for 2019 were \$1,969,000, 47% higher than 2018. The budget for 2019 was \$1,300,000.

Overall, total general fund revenues in 2019 were less than 2018. Total revenues for the general fund were \$46.3 million, \$300,000 less than in 2018 and \$2.4 million less than budgeted. However, the City Council approved either at budget adoption or throughout the fiscal year, the use of \$2.3 million in restricted, assigned and unassigned fund balance. Therefore, expectations were to have an operating deficit and budget shortfall of over \$2 million.

General fund expenses:

- Health insurance costs were \$7,264,000 in 2019. This was a decrease of 6% from 2018. 2019 actual expenses were \$416,000 less than the revised budget. This expense represents 15% of the entire general fund expense budget.
- Retirement costs increased 1%. 2019 total actual retirement expenses were \$3,984,000 and were \$68,000 less than budgeted.
- Social security expenses in 2019 were \$1,760,000, \$178,000 less than budgeted but \$62,000 more than last year.
- Utility costs were budgeted for \$566,000 and actual expenses were \$481,000. Actual expenses in 2019 were \$17,000 more than fiscal year 2018.
- Overtime costs totaled \$1,275,000 in 2019, which was a 27% increase from 2018. Overtime was budgeted as \$1,355,000 for 2019.
- Sick leave payments for employees who separate from the City were \$352,000, a \$111,000 from 2018. This was due to the retirement of a number of long-term employees in 2018.
- Payments for compensatory time amounted to \$619,000, a 4% increase from 2018. Compensatory time payouts were budgeted for \$654,000.
- Total personal services costs (excluding social security) were \$874,000 higher in 2019. This was primarily the result of negotiated salary increases for union personnel. These costs represent 51% of the entire general fund expense budget.
- Discount on taxes, which is recorded as an expense in the finance budget was \$12,000 less than last year.

Total general fund expenses were \$1,821,000 more than 2018 and \$3.7 million less than budgeted. It is important to note that of this \$3.7 million, \$1.2 million was encumbered at year-end. Encumbrances are for goods or services which are ordered or committed to in 2019 but will be received and paid for in 2020. Therefore, the actual unspent/uncommitted variance was \$2.5 million. The primary reasons for this budget versus actual variance are noted above.

Other funds:

- The water fund ended 2019 with a positive assigned unappropriated fund balance of \$2,881,000. Total fund balance decreased \$252,000.

- The sewer fund's assigned unappropriated fund balance for 2019 was \$1,275,000 a decrease of approximately \$708,000.
- The City Center's fund balance as of December 31, 2019 was \$16,935,000. \$7,343,000 was restricted for capital projects and the remainder was restricted for City Center operations.

Other items – debt limit. The City's self-imposed debt limit was \$86,329,000 as of December 31, 2019. As of year-end, there were outstanding bonds of \$68,070,000, of which \$20,450,000 represented projects whose debt was excluded from the calculation, leaving \$38,709,000 available for future bonding. The City made \$2,693,000 in regular principal payments during 2019. In June 2019, the City issued \$9,810,000 in new debt for various capital projects.

Long-term liabilities:

- The value of accumulated sick and compensatory time on December 31, 2019 for all City employees was \$4,271,000 and increase of \$133,000 from 2018.
- The City also owes \$258,000 in future lease payments for various pieces of equipment.
- The long-term liability calculated for post-employment benefits provided to employees at retirement was valued at \$111,806,000 as of December 31, 2019, a decrease of \$6,939,000. This is due to a change in health insurance coverage.
- Beginning in 2015, the City was required to report the costs and obligations associated with pensions. This was primarily to increase the consistency and comparability of pension information across governments. The information included in the City's general ledger was provided by the New York State and Local Retirement System since the City is a member of the plans they administer. The net pension liability reported by the City as of 12/31/19 was \$8,727,000.
- These obligations added to the outstanding bonded debt noted above amount to \$193,293,000 in long-term liabilities. Total long-term liabilities in 2018 were \$189,096,000. Therefore, long-term debt increased 2% as a result of post-employment benefits for health insurance.

Cash balances: Cash balances as of December 31, 2019 in the general fund were \$12,682,000, \$2,414,000 less than in 2018. \$2,556,000 of the cash is restricted and can only be used for specific purposes.

Comments for future years: as I present this report, we are in unprecedented times. While the financial condition as of December 31<sup>st</sup>, 2019 is positive, the unrestricted unassigned fund balance is deteriorating fast. We are fortunate to have cash on hand to meet expenses and to have been through our busiest tax collection period when the pandemic occurred. Unfortunately, the cash will run out and local governments are left with almost no options to borrow money to meet operating needs. Revenue and Tax anticipation notes can be issued based on the ability to collect revenue and taxes in the near future. I wish I had the ability to predict with accuracy when the local economy will recover and how much the City will receive in sales tax revenue and how busy future property tax collection dates will be. Sales tax and hotel occupancy tax have already taken a sharp decline in 2020 with numbers reported only through February 29<sup>th</sup>.

Budget notes can be issued for an unforeseeable public emergency. This sounds like our saving grace; however, local finance law limits the amount to 5% of the annual budget. The harsh reality is that payroll and benefits are 79% of the general fund budget. Benefits are social security, health insurance, retirement, etc. Then of course there are operating expenses such as utilities, supplies, gas and oil, service contracts, etc. that also need to be paid in order to keep City services going. 5% of the 2020 general fund budget is \$2.4 million, for the water fund its \$202,000 and the sewer fund is \$281,000. Weekly payroll runs about \$500,000 per week. A maximum budget note would cover about six weeks of payroll. As I give this report, we are in the sixth week of a State of Emergency. If we borrow the maximum amount, how do we pay that back? Property tax increases would fall on the shoulders of citizens who are also struggling. Right now, there is not one simple solution or quick fix. So, I ask each of you to take a hard look at your budgets and see what you can live without in 2020 and 2021 as well. Ask you employees to identify areas of savings or negotiation. I value each City Employee and the services that they provide. I want to try to protect their paychecks but options are limited. Therefore, I ask each of you to reach out to our representatives to ask for relief for local governments. There is still no relief yet for local governments coming from the federal

government. I have made numerous contacts but we all need to act. I want to see the Saratoga Springs economy thrive and keeping people paid is the best way to do that. And that completes the presentation on the annual report.

I don't know if anyone has any comments. It's a lot of information and I know you all received a copy of the annual report but not until 5 / 5:30 this evening or so.

**Commissioner Dalton:** Thank you for the presentation. It is great to have some numbers and knowledge for how we're going to move forward. Definitely, a believer in knowledge is power. Thank you.

**Commissioner Madigan:** Thank you commissioner.

**Commissioner Scirocco:** Commissioner, are you looking for some suggestions from some of the commissioners in regards to where the savings could be? For instance, maybe early retirement incentive – I think we did that back when in the layoffs in 2008. Are you looking for that type of information? I've got idea; sat down with the staff and we have five or six ideas that may have some savings. It's not the end all cure all. For instance, overtime could be taken as comp. That would be some savings. It would require all City departments to take comp time and freeze all payouts for comp time until 2021. We've got a number of unfilled positions that we would not fill until we see the light of day to be able to fund the position. Again, early retirement, we probably have five or seven employees who could retire in the next year or two. An early incentive would allow those people to retire and that would obviously save money in salaries for the new people coming in and insurance. One of the other ones would be, and the unions would have to agree on because of contractual, would be to freeze the step increases for all union and non-union employees. Have the step increase set at zero for 2020 and 2021. It would be negotiable if there were funding provided by the state and government if the economy were to turn around. So, another words we would be able to renegotiate those increases back to the employees. One other real quick one, talking with some of the staff, is deferred compensation like a savings plan where all City employees would contribute between 5 – 10% of their salaries into a savings plan and it would be disbursed in 2020 and 2021. It's a small interest rate will benefit the employee while not having to pay out salaries while there is a lack of cash flow. At 5% the salary deferment s approximately \$1 million dollars. At 10%, the salary deferment is approximately \$2 million dollars. Those are just some quick ideas that I think we can take a look at. I understand it's not a good situation and I understand the City could potentially run out of money.

**Commissioner Madigan:** I have an item on my agenda; it's the update from the Finance Department on City finances. A lot of the options you are outlining I am going to reaffirm in that agenda item. I'm also going to be requesting that each Council member take a look at their budget and send me those ideas like you just went over.

**Commissioner Scirocco:** We have done that so we will be discussing that. Those are just some ideas that I sat down with the staff and we came up with.

**Commissioner Madigan:** If you don't mind, I know that you just brought these all up after the annual report; I would try to bring them back up so that they're on the record when we get on to my agenda item number two. That is going to be a good time to put these things on the record for the public. Thank you.

Let me jump around here; I've got a lot of paper tonight. Back to the mayor's agenda. So, with that we are going to move on and thank you. Unless, Commissioner Franck you had anything to add about the annual report. I don't want to cut you off.

**Commissioner Franck:** No, thank you.

Commissioner Madigan: With that, we will move on to the Consent Agenda. Are there any comments or edits listed on the Consent Agenda?

**I move that we accept the Consent Agenda as listed and described. This is a motion.** Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Any abstentions? The matter passes. Thank you.

On to the Mayor's Department. The first item on the mayor's agenda is announcement: 2020 Census self-reporting reminder. City of Saratoga Springs current response rate is about 51% of New York State self-response rate, which is currently about 45%. So, we are ahead of the statewide average but we would like to see the rate increase even more. The mayor's challenge to our citizens is to have 80% of our population self-reporting by May 1, 2020. We can do that. To complete the census, please visit [2020census.gov](https://2020census.gov).

The second item on the mayor's agenda this evening is announcement: NYCOM federal aid sign-on letter. On April 13, 2020, the mayor signed on to NYCOM's letter for mayors to New York's Congressional Delegation. On behalf of the New York State Conference of Mayors, the voice of New York's 600 cities and villages and representing more than 12 million New Yorkers, the letter urgently requests support for additional federal funding for local governments. Municipalities across New York are extremely concerned about receiving the fiscal relief needed given their falling revenues and the unbudgeted spending necessary to enact extraordinary measures to contain the spread of the Novel Coronavirus. NYCOM requests that congress authorize relief to residents in cities, villages, and town, without regard to population size, as each of them struggles with the lost revenue and rising expenses associated with being on the frontline of this pandemic. This essential revenue stream will not only assist local governments, but it will also help the many small businesses that operate on our main streets and to which we provide essential services. Very important to sign on to this letter. As I mention in the annual report, reach out to your representatives, reach out to our state senators. We really do need some fiscal relief for local government. I want to pause in case anyone wants to jump in. I want to make sure I'm not going too fast.

Item number three is an announcement: update on land use board activities. I'm going to turn this one over to Deputy Mayor Lisa Shields.

**Deputy Mayor Lisa Shields:** Thank you commissioner. Can you hear me okay? Tonight we're announcing we will be resuming our land use board meetings schedule beginning this Thursday with the Planning Board Workshop. The meetings and workshops will be held virtually via Zoom videoconferencing. The health and safety of our employees and the public is our first priority. City Hall offices remain closed to the public. However, the staff continues to be working remotely during business hours and has been reviewing applications received prior to March 13<sup>th</sup>. Effective immediately, new applications to the land use boards can be submitted via US Mail only. Refer to the application forms for submission requirements. Staff has been working through the logistics of hosting land use board meetings virtually with the board members, applicants, and the public. I'm happy to announce that these meetings will resume next week. Meetings will be livestreamed on our website as always and the public can refer to the City website for agendas and participant registration. Thank you.

**Commissioner Madigan:** That's great. Item number four is an announcement: updates on building department services. Deputy Mayor Lisa Shields will also comment on this item.

**Deputy Mayor Lisa Shields:** Okay, thank you again. While ensuring compliance with executive order 202 and considering the guidance from Empire State Development, the Building Department has been providing all services for construction projects in the City with essential authorization. City Hall offices remain closed to the public as I said, however, the staff in the Building Department also has been available and working remotely and reviewing applications, they received prior to the thirteenth of March. While we cannot yet allow the public to check in their applications face to face, I'm happy to announce we will be able to accept new building permit applications also by US Mail effective immediately. We have automated our tracking process for the intake of new applications and the review of permit applications. This will provide the public with improved, timely notifications of their application status, especially in the absence of this in-person



check in with an inspector at the counter. At a minimum, the applicant will get an email notice when we have received their application in the mail, when their application has been checked in and is accepted to the review queue and when it is picked up for review by an inspector. That's all new. At this time, only permits for projects that have been deemed essential business will be issued until further notice from the governor and guidance from the ESD. The same guidance applies to inspections. While we are reviewing and approving permits, we're actually not issuing them if they are non-essential business until that order is lifted. The same thing applies to inspections. We're monitoring that closely. It's also important in addition to the overall COVID guidance; it's important to note that upcoming in May there will be an effective date for the new 2020 New York State Uniform Code. The new building code, which is scheduled May 12<sup>th</sup> to become effective. There is no transition period for this. The effective date for code for each project will be determined by the date that the application is deemed complete and is accepted by the Building Department. In most cases, that date will be different than the date the application is received in the mail. It's important to note that complete applications are important. Incomplete or inadequate applications will only cause delay of not being accepted into the queue. That's all my notes for that item. Thank you.

**Commissioner Madigan:** Thank you. I believe we're on to the fifth item on the mayor's agenda, which is appointment: Saratoga Springs Arts Commission. Tonight the mayor is reappointing Sue Kessler to the Saratoga Springs Arts Commission for a two-year term. Her term will last from 4/21/20 – 4/21/22. The mayor is also reappointing Aili Lopez, Ian Berry, Devra Cohen-Tigor, Belinda Colon, and Pantelis Kodogiannis to the Saratoga Springs Arts Commission for one-year terms. Their terms will last from 4/21/20 – 4/21/21. I apologize if I misstated anybody's name.

Following his professional retirement, Joel Reed has chosen to retire from the Saratoga Springs Arts Commission. We thank him for his many years of public and professional service.

Item number six is to set a public hearing zoning ordinance amendment establishing emergency extensions. We will again turn this over to Deputy Mayor Lisa Shields.

**Deputy Mayor Lisa Shields:** Thank you commissioner. The proposed amendment would extend the expiration dates of specified actions, decisions, and approvals made by the Planning Board, Zoning Board of Appeals, and the Design Review Commission prior to March 13, 2020. The details of that will be provided in the at the next meeting, sorry, during the legal post. I think we just need a few minutes for that.

**Commissioner Madigan:** 6:55?

**Deputy Mayor Lisa Shields:** Yes, that would be fine.

**Commissioner Madigan:** Item number seven is discussion and vote: resolution to extend effective dates for permits and land use board approvals. First, we will turn that over to Deputy Mayor Lisa Shields.

**Deputy Mayor Lisa Shields:** There's a resolution attached to the agenda. I'll summarize a little bit of it here. Essentially, what this resolution does is in reference to building permits expiration dates and effective dates; it extends those. Those are set in the fee schedule, which the Council approved. The resolution address these expiration dates of building permits. A number of services usually provided by the building department staff have been temporarily suspended so this prevents persons who received building permits from completing necessary actions in furtherance of those permits within the timeframes established for their completion. Included in the resolution, the City Council would authorize an extension of time for the expiration dates of all building permits issued prior to March 13, 2020. The extension of time shall continue until the current state of emergency declared by the City has been rescinded. That's in the resolution.

**Commissioner Madigan:** With that, I will move that the City Council approve the resolution to extend effective dates for permits and land use board approvals as included with the agenda. (20-142)

Is there a second?

**Commissioner Franck: Second.**

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Any abstentions? **The matter passes.** Thank you.

Item number eight is a discussion and vote: accept the donation of six \$50 DBA cards from the Saratoga Springs Friends of Rec for the Recreation bingo games. The Recreation Department is asking the Council to accept the donation of six \$50 DBA cards from the Saratoga Springs Friends of Rec for the recreation bingo game. Participants can play by going to our webpage at Saratogarec.com where they will find our recreation bingo cards. Participants who submit a completed game card by April 27<sup>th</sup> will be entered to win one of six Downtown Business Association gift cards donated by Friends of Rec.

**I move that the City Council accept the donation of six \$50 DBA cards from the Saratoga Springs Friends of Rec for recreation bingo game as included with this agenda. This is a motion. (20-143)**

Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

Discussion and vote: authorization for the mayor to sign collaboration agreement for the Southern Palmertown Area. Located at the interface of rapidly expanding urban development and natural landscape of the Adirondack Park, the Palmertown range represents a unique opportunity to shape a sustainable natural urban intersection. The Palmertown Range Project area encompasses 40,500 acres within the southern portion of the Palmertown mountain range beginning in the City of Saratoga Springs and extending up to Moreau State Park. The project aims to conserve land by partnering with municipalities and landowners to purchase land or obtain conservation easements in order to create a recreation corridor with a multi-use trail connecting Saratoga Spa State Park to Moreau State Park. The collaboration agreement includes representation from a number of municipalities; the County; New York State Department of Environmental Conservation; Skidmore College Open Space Institute; and Saratoga PLAN. There is no financial obligation to participate in this project.

**I moved that the City Council authorize the mayor to sign collaboration agreement for the southern Palmertown area as included with this agenda. This is a motion. (20-144)**

Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Any abstentions? **The matter passes.** Thank you.

Item number 10 is a discussion and vote: consolidation of Waterfront Park grants with New York State. This agreement will combine grant award contracts from 2010 and 2012 with the New York State Office of Parks, Recreation, and Historic Preservation. Consolidation of these awards is a formality required of the

City towards its completion of wrap up items needed to secure reimbursement of costs under these contracts. Once the final documentation is provided, the City will receive \$465,665.08 reimbursement.

**I move that the City Council approve the consolidation of waterpark grants with New York State as included with the agenda. This is a motion. (20-145)**

Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion? I'm going to discuss this a little bit. Any time you start seeing dates like 2010 and 2012 it's good to clean this all up. And I will certainly be happy to have a reimbursement of \$465,000.

**Commissioner Dalton:** Agreed.

**Commissioner Madigan:** All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

Item number 11 is a discussion and vote: authorization for the mayor to execute grant of easement for Niagara Mohawk Power Corporation. This easement agreement with Niagara Mohawk Power Corporation will allow for the installation of a new pad mounted transformer on property owned by the City and under lease with the City Center Authority. The work is necessary to incorporate electric services for the new parking facility currently under construction. The City Center has requested this grant of easement and consent to the use of property for the installation of the transformer and associated uses.

**I move that the City Council authorize the mayor to execute grant of easement for Niagara Mohawk Corporation as included with this agenda. This is a motion. (20-146)**

Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion?

**Commissioner Scirocco:** Has anyone seen the schematics on exactly where this transformer is going to go in the parking lot? I don't believe I've seen that.

**Commissioner Madigan:** I have not seen that but I will have Vince DeLeonardis, city attorney, jump over to his Zoom computer and he can provide you with more information. How does that sound?

**Vince DeLeonardis:** Matt Zeno has reviewed this as well. The proposed transformer is to go on property owned by the City but under the lease of the City Center Authority is in conjunction with the parking facility but it is not on the area where the facility is being constructed. It's on the upper facility along Maple Avenue. The narrow lot on the top of Maple Avenue.

**Commissioner Scirocco:** Oh, yeah. I thought they dug into that. I didn't think that it was a piece of property that was left alone.

**Vince DeLeonardis:** They have some equipment there now but relocating it to the area that is being proposed. The map depicting this is actually uploaded with the grant of easement. It's the third page of a three-page document.

**Commissioner Scirocco:** Just so I'm clear, it that the roadway that goes down into the parking lot?

**Vince DeLeonardis:** Yes. It ends. It doesn't connect to Maple Avenue anymore. If you continued to Maple, it would be right on that side.

**Commissioner Scirocco:** Okay. Good. That answers it. Thanks.

**Commissioner Madigan:** Any other discussion? All those in favor say aye.

**Council:** Aye.

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**I would like to make a motion to add an item to the mayor's agenda. It's announcement, 30-day extension of the City's State of Emergency Declaration originating on March 13, 2020. This is a motion. (20-147)**

Is there a second?

**Commissioner Dalton:** Second.

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council:** Aye.

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

So, with that I have an announcement. The State of Emergency Declaration ordered by Mayor Meg Kelly on March 13, 2020 at 5:30 p.m. due to the COVID-19 pandemic is hereby extended 30 days until May 12, 2020.

And that concludes the mayor's agenda. On to accounts.

**Commissioner Franck:** Thank you commissioner. The first item is discussion and vote: accept donation of cloth facemasks from Michele Erceg and Dale Walton for a value of \$500. The City was in desperate need of cloth facemasks for our essential public employees to meet Governor Cuomo's April 15<sup>th</sup>, 8 pm deadline. Marilyn Rivers was given the name of Michele Erceg, owner of Best Dressed Windows in Town, as someone who might be able to sell us cloth facemasks. Michele in partnership with Dale Walton, have been making and donating facemasks to first responders throughout the area. When Marilyn explained how she was not able to obtain the needed masks, Michele saved the day and offered to make the masks and donate them to our essential public employees. I would like to personally and along with the Council thank Michele Erceg and Dale Walton for stepping up and helping us in this trying time.

**Therefore, I move to accept the donation of cloth facemasks from Michele Erceg and Dale Walton, with a value of \$500. This is a motion. (20-148)**

**Commissioner Madigan:** Is there a second? I'll second that. Discussion?

**Commissioner Scirocco:** I want to personally thank the both of them too for the much needed masks. Thank you.

**Commissioner Dalton:** I wanted to say thank you as well. I tried to make one and it was not a success, so I appreciate it.

**Commissioner Madigan:** I agree. I'm like a no sew mask person. This is very generous of them and thank them.  
All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**Commissioner Franck:** Thank you commissioner. The second item is discussion and vote: authorization for mayor to begin public assistance reimbursement for DR-4480NY. In order to begin the reimbursement process from FEMA regarding COVID-19 DR4480NY, the forms attached to the agenda require the mayor's signature.

**Therefore, I move to authorize the mayor to sign all related forms to begin public assistance reimbursement for DR-4480NY as included with the agenda. This is a motion. (20-149)**

**Commissioner Madigan:** Is there a second?

**Commissioner Dalton:** Second.

**Commissioner Madigan:** Any discussion? All those in favor say aye.

**Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**Commissioner Franck:** Thank you commissioner. Number three and four are some appointments. Number three is the appointment of Elaina Richardson to the Arts Council. I am re-appointing Elaina Richardson to the Arts Commission. Her term will run from 04/30/2020 through 04/29/2029.

The fourth item is an announcement relating to remote marriage licenses. On Saturday, April 18<sup>th</sup>, Governor Cuomo, by executive order, has authorized the issuance of marriage license applications. Marriage licensing or witnessing or solemnizing of the marriage ceremony that is required under New York State law to be performed utilizing audio-video technology provided that the following conditions are met:

- The couple seeking the marriage services must present valid photo ID to verify identity whenever required by law during the video conference;
- the video conference must allow for direct interaction between the couple and the town or city clerk, the witness or the person to solemnize the marriage (for example: no pre-recorded videos of the person signing or engaged in the marriage ceremony);
- the couple must affirmatively represent that he or she is physically situated in the jurisdiction where the marriage is legally allowed to occur (i.e. within the State of New York);
- the couple must transmit by fax or electronic means a legible copy of the signed document directly to the town or city clerk, the witnesses, the person to solemnize the marriage on the same date it is signed;
- the town or city clerk, witness or person who solemnizes the marriage may sign the transmitted copy of the document and transmit the same back to the person responsible for the document by law;
- to the extent practicable, all parties will use their best efforts to ensure the document is transferred in the most confidential manner and information, therefore, will not be released to any third party not associated with the marriage license and marriage ceremony; and
- the electronic signed copy of the marriage license application or marriage license will be the official document for purposes of Domestic Relations Law. Local town and city clerks may provide guidance related to how marriage licensure applications and issuance will be implemented in their jurisdictions.

I had to put that all into the record. We are working with Kevin Kling, this is all brand new. This is the number one call of all the things at the Accounts Office since all the municipalities have closed down. We are trying to find a secure way that this will work. In the future it may go back to the way had before when we were doing it in person but I think the new normal is even when things open up again not only with this licensing but with other licensing we are really going to have to start moving towards that direction. We are working with the IT Department and the State of New York to get more information. So, I just wanted to give that update.

Number five there is an appointment for Sabrina Lauzon as commissioner of deeds. Sabrina Lauzon joined the Accounts Department March 9, 2020. Therefore, I am appointing her as a Commissioner of Deeds.

The last item, number six is just a brief update on our grievance class. The Assessment Department holds an annual grievance class. We have been doing this since 2007 to educate our residents on how to grieve their assessment. Due to COVID-19, we are working on options to hold some form of on-line class on May 12, 2020, which was originally going to be done in person. We are looking at various ways of doing such – Facebook Live, etc. where people can ask questions. This is usually a pretty well attended class. We will keep the public informed and update them at the next City Council meeting as detail develop. That's all I have for this evening.

**Commissioner Madigan:** Thank you commissioner. I hope Elaina Richardson enjoys being on the Arts Commission through 2029.

I just wanted to let everyone know that Supervisor Tara Gaston has joined us.

With that, we move on to the Finance Department. The first item on my agenda is an announcement: late fees for City, County and delinquent school taxes. I have received numerous phone calls regarding the waiver of fees and penalties as they relate to tax bills. In an effort to search for ways to accommodate taxpayers during this challenging time, I have looked into potentially a waiver or extending the interest free time period. Unfortunately, the late notices went out to anyone who was late in paying their taxes. That really kicked off quite the firestorm. Unfortunately, legal research shows that the City has no authority to waive these fees. The only person who can do so during a state of emergency is the NYS Governor. The New York Conference of Mayors legal team reports that: "Local governments do not have unilateral authority to extend the interest-free period with respect to the payment of property taxes. This may only be done pursuant to subdivision 2 of section 925-a of the New York State Real Property Tax Law which provides that "during a state disaster emergency, the Governor may, by executive order issued upon the request of the chief executive officer of a county, city, town, village or school district in the affected area, extend by up to twenty-one days the final date for paying taxes without interest or penalty in such county, city, town, village or school district." Additionally, the Governor has the authority, under his emergency powers, to unilaterally provide for such an extension of the interest-free period on a statewide basis. To date, he has taken no such action. With respect to other types of fees or late payments that are established via local law (e.g., water, sewer, garbage), local governments do have the ability to extend or modify late penalties and payments dates by promulgating an emergency order that suspends the relevant local law. Such action may only be taken after a municipality declares a local state of emergency. The City Attorney confirms that, absent action by the Governor, the City cannot waive the penalty at this time. We will continue to press on this matter and look into all means that the City can assist its taxpayers throughout this difficult time. I don't think I need to call the city attorney, I think saying he agrees with what is written here is probably enough.

The second item on my agenda is an update: Finance Department regarding...first I'd like to welcome Supervisor Matt Veitch to the meeting. Both supervisors had a County Board of Supervisors meeting this afternoon that ran late and they have now joined us. Thank you.

I will provide an update on the COVID-19 and as it pertains to City finances. With regard to revenue: the quarterly report is due out but I will not have that to you until the next Council meeting. So, you will get a little bit of quarterly financial information in this report that I have prepared for you tonight, but it is not the

full first quarterly report. The effects of the pandemic are readily apparent at the national, state, and local levels. Hard data is replacing early projections and projections are being fine-tuned going forward. Revenue declines are real and here. We can no longer afford to base our response to COVID-19 on hopes of a turn-around, uptick, reversal, or recovery. It is time to establish plans to cover the City's actual, not potential, revenue gap. Council is required by the City Charter and its oath of office to do so. At the national and state levels: financial markets have plunged and are swinging; debt markets are unstable; economic activity has declined, with both supply and demand sides dropping; a COVID-19 recession is predicted, and a deep recession may follow; and U.S. retail sales suffered the biggest plunge on record in March, dropping 8.7 percent. Declines are predicted for tax and other revenue collections. Banking groups report that the federal stimulus program providing \$349 billion for small business payroll protection has been completely depleted. The \$484 billion legislation that is out there today would increase funding for the paycheck protection program by \$310 billion; boost the separate small business emergency grant and loan program by \$60 billion; direct \$75 billion to hospitals; and \$25 billion to a new Coronavirus testing program. Senate approval is expected today and the president says he will sign the bill. Democrats failed to convince Republicans to allocate more money for states and localities but Senator Schumer said that they had gotten a commitment from the White House that cities and states could use \$150 billion allocated than the earlier \$2 trillion CARES Act to offset some of the lost revenue in local budgets. That money was initially designed to address each state's Coronavirus first response. We are watching this carefully and we are hoping there will be further relief for local governments. National unemployment claims have topped 22 million as of last Thursday – this is 13.5 % of the labor force. The last four weeks of claims in New York State indicate a 1,446% over the same four-week interval last year. Moreover, the state budget includes language that permits the State Budget Director to make mid-year budget reductions to localities pending these circumstances.

At the local level, we are anticipating an annual revenue loss of \$14 - \$16 million, or 33% of our total 2020 operating budget. While this may be a worst-case scenario, revenue collections have already evidenced by a substantial slow down. City sales tax report for January through the end of February 2020 shows a 4.2% decrease from 2019. That was specifically in February, January sales tax was quite good and up over last January 2019. So that 4.2% decrease was specifically in February. Occupancy tax covering December 2019 through end of February 2020 shows a 12.5% decrease from 2019. These time periods barely clip the beginning of NYS COVID-19 experience.

As to expenditures, non-wage purchases and procurement, while it is unlikely that we will remedy a 33% revenue shortfall by way of expenditure cuts, only, we must do our best as our other options are restricted as well as costly. In a April 10<sup>th</sup> memo to Council, I asked all departments to review their budgets for non-mandatory expenditures, trainings and other budget appropriations that can be trimmed or cut. At this time, I am asking each Department to submit to me by April 29<sup>th</sup> an expenditure reductions that may be made part of the plan I will present to Council for the management of the current budget imbalance. I will have a memo out to you tomorrow with more detail about this request to the entire City Council.

In terms of wages and City employees, all City employees, both part-time and full time, have been paid full wages through April 17<sup>th</sup>. As of April 18<sup>th</sup> all part-time employees have been furloughed, unless their departments deemed them essential and they are actually working. A temporary hiring freeze is in effect from April 10<sup>th</sup> until further notice. This includes new hires included in the 2020 budget as well as replacement hires. Until this is rescinded, all hiring will be on an emergency basis only, as approved by the City Council. I have asked departments, Unions, Human Resources, Civil Service, and payroll to assist with creative and equitable ways to reduce or defer the City's payroll liability while retaining employees and employee benefits. It goes without saying that lay-offs are a last resort. However, Council is committed by oath to protect the health, safety and welfare of the City, its citizens and taxpayers. Even the most distasteful options must be considered against long and short-term City sustainability.

Options under consideration: The City has several financial tools in its toolbox to manage the circumstances at hand. These include payroll reductions, loans, using our savings, which is our fund balance that I discussed in detail when I gave the annual report this evening. We are actually using the cash fund balance at this time; experience a deficit and layoffs. No single option will cover the anticipated revenue loss. Utilized together, we can bring the City more safely through this crisis.

As I review these options, bear in mind that payroll supporting the general, water, sewer and City Center funds alone runs about \$500,000 per week, \$2 million per month. Cash on hand is required to pay this liability.

**Shared Work Program:** the NYS Department of Labor (DOL) has offered a Shared Work Program that allows for a reduction of work hours and wage, accompanied by a corresponding partial unemployment payment. Not only do employees receive a greater percent of wage per the hours worked, they retain full health care benefits, paid for by the City, throughout the duration of the program plan. Reductions run from a minimum of 20% to a maximum of 60%; the duration runs for up to 26 weeks. The program can be revised as often and in any way the City sees fit. An application requires the approval of any Union in which participating employees are members. These Unions must also approve any revisions made throughout the plan. The flexibility is maximal. The paperwork is extensive. The benefit of retained health care benefits, regardless of the hours worked, is invaluable. The Shared Work Program fund is not everlasting. It will be tapped out, just as the \$359 billion set aside by the federal government payroll protection plan for small business has already disappeared. To date all seven Unions have declined approval at this time but discussions remain open.

**Layoffs:** in absence of the Shared Work Program, layoffs, pursuant to Civil Service rules and regulations, are the alternative to help meet payroll with the available cash on hand. While they must be addressed, I think there is general agreement that they are the least palatable option but should be reviewed as part of the request that I will be sending you telling you about tonight to reduce expenses. Employees will receive no wage, no health care benefits and no retirement accruals. They will join the ranks for the 22 million who have applied nationwide, and the claims that have overwhelmed the NYS Department of Labor. What seems most critical, they will lose health care benefits, unless they opt to pay COBRA, which is about \$2,000 per month for a family plan.

**Wage reduction deferrals:** Union contracts can be re-opened for negotiations regarding the deferral of wages to 2021 and beyond. Discussions regarding the deferral of raises slated for 2021 has already begun. The conversation and it is only a conversation, is about deferral, not elimination of a potential increase.

**Retirement Incentives:** the City can encourage retirements by waiving the notice required to receive the retirement incentive. While retirements can require cash on hand to cover accrual payouts, new hire training, and information transfer, they can save money by replacing hire salaried employees with lower salaried employees, at the cost of lost expertise.

**Borrowing:** the City may borrow monies via budget notes, tax anticipation notes, revenue anticipation notes, and bond anticipation notes. These are short-term loans, either 18 months or less, with substantial interest rates and they require the backing of either taxes, sales tax revenue, or other revenues. The budget note is one that is looking like a viable option.

Bonding is not available contrary to information stated by the Accounts Department at the 04/07/20 City Council meeting, neither bond anticipation notes nor are available to cover general operating expenses or payroll. This has been extensively researched and corroborated.

**Budget Notes:** pursuant to NYS Local Finance Law, Article 2, Section 29, budget notes are available for up to 5% of the annual general operating fund, which for us is \$48.7M, which totals about \$2.4 million, and must be paid back with interest by the end of the year after which they are established. They can be sold publicly or privately. Interest rates for a public sale are estimated at 3-4%. Interest rates at a private sale are unavailable at this time, but would likely be higher.

**TANS and RANS:** tax anticipation notes and revenue anticipation notes are loans are secured by anticipated tax collection and anticipated Revenue collection, respectively. Each requires the confidence of the lender that they can be sufficiently backed. Both of those revenues are vulnerable at this time, which may affect the availability of these loans and interest rates.



Federal Programs: there are no federal programs available to local governments at this time but there is starting to be much talk about it. I am hopeful that there will be some economic relief for local governments at some point in time. How much that is going to be for the City of Saratoga Springs remains to be seen.

Payroll Protection Program loan covers payroll for eight weeks with built in loan forgiveness subject to conditions. It is for small businesses only. The \$359 billion set aside for this program has been completely depleted. I believe I already discussed the payroll protection program that is expected to be signed by the senate today.

**Commissioner Franck:** I think it has to go to the house; the senate already passed it.

**Commissioner Madigan:** The senate already passed it. Now it has to go to the house. I knew it was one way or the other. Thank you. They are expecting that to pass and I think the president has indicated that he will sign it.

Federal Municipal Liquidity Facility Program: designed for the feds to buy up debt from states, counties, and cities. It has a population threshold that almost no county in NYS meets. Two counties, Queens and Kings and one city, New York City, in the state that meet the population threshold needed to access this facility. It is the case; however, that New York State could issue bonds to this new facility, and then use the proceeds to buy bonds from cities like Saratoga Springs. I have petitioned the state to consider this but I think that's unlikely.

Fund balance: the City currently has between \$8 and \$9 million available in unreserved, unappropriated fund balance. It has additional funds that are encumbered for already committed liabilities and reserves that are limited to restricted uses. These are not freely available for indiscriminate general fund operational costs and cannot be released for these costs. Given a monthly payroll of \$2 million dollars, this will be helpful but not sufficient for a lengthy duration. It must be tapped judiciously in order to remain prepared for 2021 and thereafter, as well as to retain our bond rating. The City may experience a deficit for 2020. This means that expenditures will exceed revenues for the annual 2020 budget year. A deficit will affect fund balance for 2021 and every year thereafter. It may also affect cash available to cover wage deferrals; contractual wage increase deferrals; short term loan interest - TAN, RAN, budget notes; and the myriad of revenue and expenditure increases that the City is sure to see pursuant to the fall-out of COVID-19, including but not limited to VLT Aid; state aid; sales tax; property tax; occupancy tax; mortgage tax; NYRA general admission tax; parking ticket revenue; building permit revenue; health care costs; and outside vendor expenditures. In the event that the City foresees that its budget is out of balance, it is required pursuant to the City Charter to consider a plan for remediation.

I remind each Department that I have asked you, and will follow up with a letter tomorrow, to submit to me by April 29th your expenditure reductions. I will send this email to this effect as soon as possible, and thank you in advance for your resourcefulness and support.

Research, Inquiries and Appeals for Aid: my efforts have been abundant and relentless, and will continue to be until the City has a plan that does not bankrupt our financial health or our invaluable employees. Any recommendations that the Council has to offer, Commissioner Scirocco you some earlier and would love for you to restate them for the record, are more than welcome. We are all in this together. We are all aiming for the same outcome - an intact City with a sustainable plan. That's my report for tonight.

I'll open it up for comments.

**Commissioner Dalton:** So, we are going to be asked to give you the letter by April 29<sup>th</sup> with expense reductions? Is there a certain number that we are going to have to meet? Or, is this just generally looking?

**Commissioner Madigan:** So, right now I want you to....we haven't decided on a certain number. I've been talking about this with the Finance Department. Do we want to come out and say 20%? What I would ideally like right now is for everyone to look through their budget and present me with some options and I

can consolidate that to see where we are at. If I need to come back to you and say we didn't go deep enough, I will.

**Commissioner Dalton:** Thank you.

**Commissioner Scirocco:** I'm going to repeat what I said earlier. Commissioner, I know you touched on some of these points, but I think the early retirement incentive – we have in our department, 5 – 7 employees who could retire in the next year or two. The early incentive would allow the employees to retire early and save the City funds on salary. An immediate savings would be to leave these positions vacant and fill certain positions on a case by case basis as you said. Secondly, the DPW budgetary savings; we have already looked at our budget; and a preliminary review of a budget demonstrated around \$300,000 - \$400,000 in expenditures could be frozen. This would reduce many of the routine projects and services provided by DPW but DPW would be required to focus on projects of low expenditures for tools, supplies, and equipment. There would be some hits in the services but under the circumstances, I don't think we have a lot of choices. Leave unfilled positions vacant. We have a number of positions in our department that are currently vacant and could be left unfilled until the economy turns around. These include the trails crew, which was in this year's budget, utilities clerk, junior engineer, and assistant city engineer. A couple of those are pretty good paying positions. Not to say we don't need them, but I think those are the kind of cuts I think we can make to help us out. Overtime, you mentioned the compensatory time, freeze all payouts for comp time until 2021. This is some contractual comp time caps are in place and would need to be temporarily lifted. That would be through the Unions. The step freezes – everyone gets a step. This is all Union and non-union employees would have their step increases set at zero for 2020 and 2021. This option would be negotiable if funding were to be provided by the state or federal government and if the economy were to turn around. That could come back to the employees but definitely would help us out as far as salaries are concerned. Lastly, this is something we toyed around with, would be a deferred compensation savings plan, which all City employees would contribute between five and ten percent of their salaries into a savings plan that will be disbursed in 2020 and 2021. You can put an interest rate to it. The savings at 5% would be, salary deferment, would be \$1 million dollars based on all the employees; and at 10%, the salary deferment is approximately \$2 million. So, those are some ideas that I sat down with my staff and came up with short of borrowing money. We are trying every which way to survive here. I'm hopeful and optimistic that this thing is going to turn around, but I don't think anyone knows when it's going to happen; if and how all the other cities are going to survive. I'd like to know what everyone else is doing. I haven't heard anyone talking lay-offs, not to say they aren't happening behind the scenes. How are they dealing with any deficits? I'm sure everybody is in the same boat we are in. Those are just my thoughts.

**Commissioner Dalton:** Commissioner Scirocco, I would like to thank you for your thoughts and ideas. We have been having similar conversations in the Department of Public Safety. I am acutely aware of the size of my budget in comparison to the whole City. We have been doing the same thing. Looking at everything we do and what we can cut back but not affect the public safety and prevent layoffs. Really cut things down to the bare minimums. It's not a pretty picture. Losing fire and police is also not something we can do. We are looking at everything and we are going to try to work and do our part to get this number down as far as possible.

**Commissioner Madigan:** I'll turn this over to Commissioner Franck if you have anything. I did get to say after I jump in on a point by Commissioner Scirocco that Christy Spadaro, head of H.R., is in touch trying to determine what other cities and counties are doing. The hard conversation we are having here right now has begun. All are considering layoffs. Many cities are now asking departments to review their budgets and submit plans showing 20, 30, 40% reductions. We have been in touch with our labor attorney to see what other communities are doing. He indicated most are considering layoffs. One is considering the Work Share Program and salary cuts across the board are being considered by the communities that he works with. I see this as the next potential wave if there isn't any real fiscal relief for us. Even with some fiscal relief we already know some revenues are way down, we don't know what we are going to get. I'm hopeful something is going to come to help local governments; we do represent 9% of the United States workforce with \$59 billion monthly payroll. That's a lot of money out there in the economy. I don't think we are a group in terms of local governments that can really be ignored, I hope not, but you just never know. It sounds like conversations are starting at the federal level about relief for local governments.

**Commissioner Dalton:** Just a question Commissioner Madigan out of curiosity; do you know if there is any commonality in the unions not wanting to sign on to the Shared Work Program?

**Commissioner Madigan:** Two of the unions, I don't want to say hard-nosed, wanted to continue the discussion. The big issue that came across to me was would it be implemented fairly across the board. Having these discussions about what police and fire might be doing to reduce expenses if you have CSEA City Hall and CSEA DPW willing to cut back on some of their work hours and work through the DOL program. I'm not the negotiator; I've only been in one meeting that was representative of CSEA City Hall and DPW. The city attorney says that pretty much summarizes the issue.

**Commissioner Franck:** Commissioner, calm breeds calm and panic breeds panic. I know this is a very difficult time but I do think we need to take a step back. Many of the things Commissioner Scirocco brought up we went through about a decade ago and the state also helped us on retirements and made it a little bit easier for some people to retire. I think everything he brought up should be on the table and makes a lot of sense. We have \$8.4 million dollar reserve, and I know we would like to follow the guidelines between the 10 and 25% acceptable amount, but unfortunately in a lot of instances the guidelines are going to get thrown out. I do also agree that we need to look at cutting back on expenses. I think stimulus is on its way but it's not sexy and not a big vote getter. I think the president and both houses (the Senate and the House) did not really push this up front but they will have to push this in the back end. I believe there is going to be stimulus coming. Between all those things, short-term notes and maybe even looking at some of our encumbrances at the end of the year, I don't think it's impossible to change even our restricted assigned balance. I know we've done budget transfers in the past on some of these things. There is approximately \$2.23 million in an item #3 in your handout related to right sizing, \$200,000 for the skate park, trail maintenance. These are all very important things but that's something that maybe at the end we want to see if we have the ability to amend the budget and take some of those items out. I would rather go that direction before laying off police, fire, and public works people. I have a very small department so you could wipe me out. I think we need to look at the worst case scenario as I think we're all doing. To shoot from the hip and just grab a program or do something up front may not make sense. As bad as this is for the City of Saratoga, it's a lot worse for most cities in the United States and in New York State. We are much healthier than other municipalities. We'll get a little influx of capital by June 1<sup>st</sup>, because the next property tax wave will be coming in. Obviously, we get paid more in March because people pay upfront. I do believe property tax will be down but I don't believe it's going to be a large amount because many of the taxes are escrowed and the banks will pay them whether the people are paying their mortgages or not. I think the people who pay their taxes directly, there might be a little discount on that end but there will be a cash infusion there. I don't know what we bring in a year because we don't have the numbers in total here. I don't know if it's \$20 million in property tax, so maybe \$3 or \$4 million on June 1<sup>st</sup>. I think we have enough money to get through the summer even if we don't have the track season. Then we will have to make a decision. A lot of these final decisions are going to be based on what happens with the track this summer. Many sporting events are being cancelled. They have no fans. So we have to be prepared for the worst. It may not be the \$14 - \$16 million either, hopefully it will be less. I think we do what we can to cut back on a lot of these non-employee related expenses via layoffs. Look at the other things the other commissioners have brought up and I think the union would be open to them because they know how bad it is. Twelve years ago they weren't open to these things and we were forced to do layoffs. I think they know that this situation is very difficult across the United States. We'll come in our department with ideas but I think everyone has brought up some very valid points. At the end of the day, we will get through this.

**Commissioner Madigan:** We are definitely not shooting from the hip. I do appreciate some of your comments and reiterating the plan I've been outlining. Rightsizing does not have \$1 million dollars in it; it has about \$300,000 and the skate park does have \$200,000. I have already been looking at them to bring them to Council to potentially break. But the rightsizing is attached to a couple new police officers that were slated to be hired but we do have a hiring freeze right now but they do have police officers in the academy. There a few more complexities to that, rightsizing assignment. There are a lot of things we're looking at. The requests will go out tomorrow to start reductions; expense reductions in your various departments. I'm hopeful there will be relief, but I don't know what the relief would be. One of the reasons I like the Shared Workforce Program is it's easy, let's just say the economy miraculously turns around, it's easy to go everyone's back working 100%. I'm looking for as much expense reduction as I can get right now until we

have a better handle on what we will be looking at in the future. I'm also very hopeful about stimulus coming from the federal government for local governments. I just don't know what it is. There was something yesterday, which was about \$3.1 million or 16 times what we receive in Community Development Block Grant funding; we receive about \$300,000. I couldn't figure out if that could be used for operating expenses and it was not included. It was part of this original package that the House passed today that the Senate is looking to take up. That would have given the county about \$20 million and Saratoga Springs \$3.1 million. I can tell you even with \$3.1 million, and not knowing where the economy is headed, we still need to be looking at reducing expenses. The request will go out tomorrow to start looking at reduction of expenses. We will see what everybody comes back with and we will continue to put a plan together. We are not going to move too quickly; we do have cash and we are in a health financial situation but make no doubt we are using that cash. We are still operating pretty much business as usual. Paying everybody 100%; paying benefits; and 80% of our expenses are salaries, personnel, benefits. There isn't a whole lot to just cut out. When you look at that other 20%, part of that 20% is gas, oil, lights. There are just not a whole lot extra that we do as a city. It's mostly salary and benefits.

**Commissioner Franck:** Commissioner, for the record I would like to state your item #3, it just mentioned a few of them, 370 for rightsizing, 1,000 for IT, 195 for tax turciory cases, 75 for knowledge training, 100,000 for economic...

**Commissioner Madigan:** I'm aware of those numbers.

**Commissioner Franck:** I said that was one of the items. It's \$2.23 million dollars. It's not 370,000, that's just one item and I stated as such. You are correct that 20% in non-payroll expenses but again I'm just brining up based on the figures you gave me, that I'm looking at; approximately \$10.7 million dollars are somewhere in assigned balance. I don't think we need to use all of it but this is a rainy day fund and we have in the past re-assigned some assigned fund balances. We've done it numerous times. I'm just saying this is out there as a possibility. You asked us for examples of things we can do; those are millions and millions of dollars, not hundreds of thousands of dollars. This is our biggest ability to keep the ship afloat during this time-period. I'm not saying use all of it but...

**Commissioner Madigan:** I know what's there. I know what we can use. We're looking at that.

**Commissioner Dalton:** Can I make a quick observation? Commissioner Franck you brought up the track. Obviously, it's going to be a huge indicator of how our local economy is looking. I know that some of us at the City have been in touch with NYRA and wanted to confirm; this is question I get all the time from people, do we know whether or not the track is planning on running this summer? My understanding is the track is, NYRA is really just following the governor's recommendations. They are preparing to be open, run if they have the opportunity to do so; meaning the restrictions on mass gatherings at events would have to be lifted, and there would be no existing public health threat for people to get together like they would at the track. If indeed that has happened, then they will be ready to run in July. Is that the understanding you all have as well?

**Commissioner Franck:** My understanding is that there is also the possibility that they still may have a meet but not have fans for safety purposes. That is a possibility. This is what I hear from various representatives. I guess the reason being because there still will be gambling on line, so there will still be revenues coming into NYRA and the state. You're not going to have 50,000 people at the track all the time. You're talking about baseball games and football games maybe not having fans. I think it's nothing, or they have it without fans, or they have it with fans. In all three situations there's obviously going to be a down turn in the amount of money we get this year. Depending on which of those three scenarios comes through, that has a lot to do with what we plan. We just don't know. We don't know about many of these things. Like I said, the only thing we do know about is what we have in fund balance and approximately what we will get in property taxes. Everything else that is large like sales tax, that's going to be the big dip. We just don't know yet.

**Commissioner Dalton:** I think it would be really unfortunate to see the racetrack open and not have fans. I stress the relationship between the City and NYRA and I hope they would not do that.

**Commissioner Madigan:** Commissioner Dalton, do you mind repeating that? I missed part of that sentence. It kind of broke up a little bit.

**Commissioner Dalton:** No problem. I just said that I hope the races don't run without fans because I think that would stress the relationship between the City and NYRA. I would like to not see that happen.

**Commissioner Madigan:** Thank you. Tomorrow my memo will go out about having all of the departments look through their various budgets for expense reductions. We don't have a crystal ball but we are going to be prepared for the future. We are in a health fund balance situation but make no mistake that was a snap shot picture of the annual report as of 12/31/19. We've been through this for about six weeks now paying expenses with very little revenue coming in. We are fortunate, however, that we had our first tax collection before really the pandemic hit. That is always our largest tax collection because we offer a discount on taxes. This is why I have been telling the Council we are in a pretty health cash position. As additional revenues come in or don't come in, I will ensure the Council is made aware of these things.

With that, I'm going to go on to my remaining items on my agenda.

My item #3 is a discussion and vote: budget transfers – payroll. Lines 1 – 2 from the general fund transfer in the amount of \$35,765 to move the engineering tech to the senior engineering tech; lines 3 – 4 are the general fund transfer in the amount of \$2,000 to move HVAC plumber appropriations to overtime for City Engineer's Office; lines 5 – 6 general fund transfer in the amount of \$5,000 to move wages from City Hall laborers to street laborers.

**I move that the City Council approve the budget transfers – payroll as included with the agenda. This is a motion. (20-150)**

Is there a second?

**Commissioner Scirocco: Second.**

**Commissioner Madigan:** Any discussion? All in those in favor say aye.

**City Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

Thank you. Item #4 is discussion and vote: budget amendments – payroll. Lines 1 - 2 general fund amendment in the amount of \$340 to increase the streets laborers line due to worker's compensation received.

**I move that the City Council approve the budget amendments - payroll, as included with the Agenda. This is a motion. (20-151)**

Is there a second?

**Commissioner Dalton: Second.**

**Commissioner Madigan:** Any discussion? All in those in favor say aye.

**City Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

That completes my agenda. On to Public Works.

**Commissioner Scirocco:** Thank you commissioner. The first item on my agenda is discussion and vote: approval to pay invoice #753118708 in the amount of \$2,106.01 to Schindler Elevator for Woodlawn Avenue Parking Garage. This invoice with Schindler Elevator is for vandalism done to the Woodlawn Avenue Parking Garage elevator on 2/27/2020. The elevator doors were knocked off the track and an emergency service call was placed to Schindler. DPW has been working with the Police Department regarding the on-going property damage to the parking garage.

**Therefore, I move for approval to pay invoice #7153118708 in the amount of \$2,106.01 to Schindler Elevator for the Woodlawn Parking Garage. I put that in the form of a motion. (20-152)**

**Commissioner Madigan:** Is there a second?

**Commissioner Franck: Second.**

**Commissioner Madigan:** Any discussion?

Commissioner Dalton: I just wanted to thank DPW for all their work maintaining and responding to these issues we've had with vagrancy and destruction of property at the parking garage. I know it's been really challenging. The Police Department is doing their best to make sure this doesn't happen but it's been hard. We appreciate DPW and everything they've been doing.

**Commissioner Scirocco:** Thank you commissioner.

**Commissioner Madigan:** All in those in favor say aye.

**City Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**Commissioner Scirocco:** Second item on my agenda is an announcement of the 2020 first quarter utility bills. The first quarter utility bills will have an adjusted due date of May 15, 2020. This change is a result of the COVID-19 pandemic. This authority is conveyed to the Commissioner of Public Works by the Council in both the water and sewer resolutions number 14 which prescribes that the commissioner shall have the authority to establish rules and establish rates in special circumstances. The City is under a state of emergency and I feel this is fair to the customer to allow them this few weeks extra to pay their utility bill. Again, as a reminder, if you pay your utility bill after the 15<sup>th</sup> you will get a penalty. I just wanted to make the Council and the public aware of the situation.

The third item on my agenda is to set a public hearing to amend the capital program and capital budget to include City Hall renovation. The City Hall renovation and restoration project is near completion with some outstanding items to finish. This public hearing will be to amend the capital budget to accomplish this work, which includes IT infrastructure needs, upgrades of the existing elevator, along with current and in progress anticipated change orders for the three prime contractors working on the project. The projected amount for the project completion is \$563,077. I think we need five minutes. If there are no questions or concerns that concludes my agenda.

Commissioner Madigan: We're going to set that for 6:55, the same time as the public hearing being set on the Mayor's Agenda.

**Commissioner Scirocco:** Yes. I'm good with that.

**Commissioner Madigan:** Thank you commissioner. On to Public Safety, Commissioner Dalton.

**Commissioner Dalton:** Thank you Commissioner Madigan. My first item is an announcement with the virus update. This is from the incident commander, Chief Joe Dolan, who is leading our City Emergency Management Committee. I'm going to quickly read this for you all.

"Mayor Kelly and commissioners: I'd like to provide an update from the CEMC. We continue to monitor the impact that COVID-19 has had on Saratoga Springs. We receive regular updates from the County. Call volume overall has remained slightly below average. This is consistent with the County. Fire Department is seeing patients with COVID-19 symptoms on an average of every other day. Currently, we believe the social distancing and other measures are showing a positive impact. The CEMC is attempting to transition to initiating a partial recovery phase. I say partial because we want to proceed incrementally to reduce the chances of a secondary wave of illness. Members of the CEMC are attending webinars, which will assist us with state and federal funding. As a reminder, I encourage all the departments to be sure the proper personnel be required ICS classes. City Hall construction has begun to ramp up. We are developing plans to allow departments to move in. This is a coordinated effort to keep people together and allow others to separate and work independently. In the coming weeks, we will continue to monitor the governor's plan to allow businesses open and at what pace. We will follow up with elected officials in an effort to establish guidance as to when and what extent to open City business. This concludes the update from the CEMC. If you need additional information, please feel free to contact me."

That was submitted by Joe Dolan. On that note, I just wanted to say that I think there is a cautiously optimistic tone to that update. I want to urge the public to really remain vigilant with all of the social distancing measures that they have been so good at doing. I know the weather is warmer and with the slower rate of spread, we've seen here, it seems like maybe we can get back to normal or just start going back outside. The second we start to do that is the second we start to see two steps forward and three steps back. Stay vigilant. Everyone has been doing a tremendous job. That concludes my update unless anyone has any questions.

**Commissioner Madigan:** I appreciate that update because we don't know what's going to happen as we do loosen some restrictions. That's another thing that plays into the economic forecast; we don't really want to see an up tic in the virus. We've been lucky so far here in our community and our county. The rate still seems to be holding fairly low but we don't have any testing and we don't have any antibody testing; not on the scale that we really need to be having to really understand what's going on with the virus. There's a lot of precautions to take and I appreciate these updates.

**Commissioner Dalton:** I will say that the testing has been very challenging and extraordinarily limited. The number of confirmed cases aren't a true reflection of the number of confirmed cases. That being said, I know with the antibody testing, I know something that came up over the weekend that a lot of people asked about, there was antibody testing that happened at a grocery store in Malta on Sunday from about 3 – 7. That was something the State Department of Health did. It happened all over the state and it was meant to be a true random sample of people who might have this antibody. They specifically did it without telling the County or the City because they did not want anyone to know. They wanted to go to the grocery store, ask people if they wanted to be tested for the antibody, and just take a true random sample. Just wanted to clarify that for people. If we know about scheduled antibody testing, we will certainly let the public know as soon as possible. I know a lot of people would like to have that. We would definitely let everyone know ASAP. I want to clarify one other thing. I've gotten a ton of phone calls, emails, everything, about masks and whether or not you should wear a face covering. The guidance from the governor says that if you are leaving the house and going anywhere where social distancing might be an issue; you should wear a cloth mask. If you're going somewhere and know there aren't going to be many people around, you are free to not wear a mask. I know it's hard these days to go somewhere and not have people look at you and glare at you, one way or the other, if you're in doubt put a mask on. There's no negative to wearing a mask; if you're in doubt put it on. All this information is on our website; City's website; social media channels; and the state's page as well. It's all there. When things change, feel free to reach out and ask. I know it's ongoing and ever changing.

**Commissioner Scirocco:** I want to thank you too for the update. As a little update on my own, on Sunday I took a ride through the state park. It was a pretty decent day. I cannot tell you how many people were just walking up and down the paths and there was not social distancing. I was amazed by the number of cars. My wife and I were in the car and I'm looking at it and saying is there something going on down here. It looked like there was a big function going on. There were a lot of people down there. I'm glad they are using the park.

**Commissioner Dalton:** I hear this all the time. The problem is that's not our jurisdiction. I just want the public to be reminded of that. We've been in touch with them. I hear it all the time and I don't know what to do about it. I wish there was something I could do about it. I've walked around our downtown, and I know

this is all antidotal, but I was walking around downtown with my kids on Sunday afternoon and Congress Park and there was no one within 20 – 30 feet of us. That was how the whole park looked. There were groups of people together and there was literally nobody around them. Obviously, the state park is much bigger; people think to go there and assume they have distance and perhaps they're not taking it seriously. I don't know what more we can do. If you guys have any suggestions I'd love to hear them because it's irritating.

**Commissioner Scirocco:** They might want to put signs down there just to remind people.

**Commissioner Madigan:** They have them all over the park. Everybody wants to go to the park. It's not just Saratoga Springs. You can see it on social media; people are like oh yeah the Saratoga Spa State Park – maybe I'll go over there for a hike or a walk. I didn't even get out of my car. I was shocked; I just drove around. I went into the pavilions and there were so many cars there. There was no way I was getting out; there was no way to social distance. There's a sign every 20 feet – stay six feet apart. You couldn't; you would not be able to on the trails.

**Commissioner Scirocco:** It was nice to see people out.

**Commissioner Dalton:** The most depressing/happiest moment of my life was when I walk from this meeting back to my house and I don't see a single person downtown. I'm really happy because it means we are doing the right thing. I wish I had a better idea to handle the state park issue.

**Commissioner Madigan:** It's a zoo over there especially on a nice day on a weekend. Maybe it is every day but it seems like the weekends more so.

**Commissioner Dalton:** That concludes my update on the virus unless anyone has anything to add.

**Commissioner Madigan:** That was great. Thank you.

**Commissioner Dalton:** My second item is an appointment to the Saratoga Springs Arts Commission. Upon recommendation of the mayor and Sue Kessler, chair of the Arts Commission, I am re-appointing Matt Hurff. This is a two-year appointment.

My third item is a discussion and vote: authorization to pay the American Red Cross. This is an invoice for CPR and AED, and rescuers first aid training for the Police Department that went over 1499.

**I make a motion for the Council to for Council approval to pay the American Red Cross invoice in the amount of \$1,860. This is a motion. (20-153)**

**Commissioner Madigan:** Is there a second? I'll **second** it. Any discussion? All in those in favor say aye.

**City Council: Aye.**

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**Commissioner Dalton:** On to my fourth item which is discussion and vote: authorization for mayor to sign a memorandum of understanding with Longfellows. Pursuant to the New York State declared COVID-19 Emergency DR4480-NY, Longfellows has agreed to provide hotel rooms in case they are needed for the City's first responders, specifically for our police and fire personnel at the New York State OGS rate of \$118 per night for the COVID-19 pandemic. The City will be reimbursed by FEMA as an emergency expenditure. I have a couple things to say about this. First, I would like to thank Steve Sullivan from the bottom of my heart for his openness and willingness and desire to work with us on this issue. I'll dial it back for a minute. As we were going through this in March reacting to this pandemic, I was checking in with the police and fire regularly just to check in and see how the moral was and how they were feeling about this whole thing. It started coming up that there were certain members, police and fire department, who had immune



compromised relatives at home and they were really, really worried about how they would self-quarantine in the event they were exposed at work and needed to come home and didn't have any other place to go. When I heard this was a worry, I immediately thought this is something that is the responsibility of the City to be able to provide people on the front lines an option if they can't self-quarantine at home, specifically for those reasons. I reached out to a few hotels and we were sure to follow the FEMA guidelines in doing this to make sure this cost could be reimbursed. Steve Sullivan was just wonderful. Chiefs and I went over there and walked through the hotel and went through the protocols of how this would work and we are just extraordinarily grateful for him doing this. I was very happy to be able to give the police and firemen a little bit of relief in terms of one less thing they had to worry about.

**I make a motion for the mayor to sign a memorandum of understanding with Longfellows hotel. (20-154)**

**Commissioner Madigan:** Is there a second?

**Commissioner Scirocco:** Second.

**Commissioner Madigan:** Any discussion?

**Commissioner Scirocco:** Great idea.

**Commissioner Madigan:** Thank you to Steve Sullivan. All in those in favor say aye.

**City Council:** Aye.

**Commissioner Madigan:** Any opposed? Say no. Any abstentions? **The matter passes.**

**Commissioner Dalton:** The fifth item on my agenda is a discussion and vote: accept donations from Quick Response and KPM Restoration. I would like to thank Quick Response and KPM Restoration for cleaning and decontamination of vehicles and fire stations, fire trucks, and personal protective equipment. Quick Response was just wonderful to do this, we really appreciate it. It is a critical service to provide during this pandemic.

**I make a motion to accept donations from Quick Response valued at \$450 and KPM Restoration valued at \$500. This is a motion. (20-155)**

**Commissioner Madigan:** Is there a second? **Second.** Any discussion? All in those in favor say aye.

**City Council:** Aye.

**Commissioner Madigan:** Any opposed? Any abstentions? **The matter passes.**

**Commissioner Dalton:** Thank you. That concludes my agenda.

**Commissioner Madigan:** Thank you Commissioner Dalton. On to the supervisors. Supervisor Veitch.

**Supervisor Veitch:** Thank you commissioner. I'm not sure exactly where I am right now. It was a long day today down at Saratoga County. I'm going to quickly go through my agenda. I'm sure Supervisor Gaston will have a lot to add on her agenda as well to match mine. There was a lot that happened today so I'm not sure I'm going to cover everything that occurred down at the County today. The first item on my agenda is to talk about recent Saratoga County Board meetings and upcoming schedule. Before I do that, I just want to quickly mention for the record on our agenda tonight, the passing of former Supervisor Mindy Wormuth, her maiden name is Mindy Shepard. That's what she goes by now. She was my colleague on the Board of Supervisors from 2009 up until 2015. She certainly had some issues in terms of her professional life as the supervisor of the Town of Halfmoon. Her and I worked together for several years. After everything that occurred with her and beyond, she has been a good friend over the years. I just

wanted to say that I'm very sorry to hear of her passing. She was the partner of Supervisor Grattidge in the Town of Charlton, so he is certainly having some issues right now. Our thoughts are with him and both of their families at this difficult time. I just wanted to mention that before I start my agenda.

First on the agenda is to talk about our recent meetings. Since our last Council meeting, we did attempt to have a special County Board meeting last Friday. We did that on WebEx; I'll say the County needs to do a lot with technology. I'll keep saying that; been saying that for 13 years. That did not go very well; it was very difficult to hear people; a lot of people were not running on mute; there was a lot of feedback. We were able to get our supervisors together but then promptly did not ratify this special meeting to go forward that day. I think for good reason; I voted not to ratify the meeting. The reason being is when we have a special meeting at the County; you can only discuss the items on the agenda for that meeting. One of the biggest issues we've been talking about for the past month is the time and a half situation with our employees and that was not on the agenda for that special meeting. To really get to the heart of the issue we want to talk about we weren't going to be able to do that on Friday. Beyond that, we already had a meeting scheduled for today. It really didn't make sense to meet on Friday to talk about issues we could talk about today and really just move that meeting to today. I'm actually glad we didn't have that meeting on Friday and I'm glad we had it today. It was a very long meeting today but I think very slowly getting us to a more productive place at Saratoga County at least on the legislative side. Just to go over what we did today, the most important thing from our actual agenda that we had was that we rescinded the resolution paragraph from our former resolution in March that enacted the COVID-19 Committee that was given the authority to make personnel decision and compensation decisions. That was one of the biggest issues from last month meeting was that we gave some authority to a committee that had non-elected folks on it as well as a couple of elected supervisors that kind of made decisions regarding the time and a half pay; took it back. It really wasn't clear what things were going on with that. We've basically cancelled that committee; it no longer has any standing at Saratoga County which was very important. Even though we had some media reports over the last couple of weeks that we were going to appoint a new committee for COVID-19, we did not do that today. We did not put that on the agenda for today. So, there is no now any special COVID-19 Committee at Saratoga County at all. I think that's a good decision. I was scheduled to be on that committee and I supported it; but I think at the end of the day, getting through this with our regular committees and our regular business we can still do that at Saratoga Count. I think it make sense to do that. I will get to more of my role in that a little bit later.

Now comes a little more confusion. We did several other minor items today in our meeting and we also did a memorandum of understanding with our corrections officers. We had to get their contract up to date for 2009; it had been expired since the end of 2018. We did do that MOU. Additionally we gave the sheriff some flexibility in scheduling and also compensated the corrections officers for a waiving of their right to outside employment while the COVID-19 state of emergency is still active. We did the 2019, got them up to speed on that but during this crisis, the sheriff has been wanting to limit the outside employment of the corrections officers. I think for good reason; they need to be working in the jail and they need to be there. Having them outside in public and doing other things could put them at risk for catching the virus. Then it takes them out of commission for a couple of weeks if they do catch the virus. They have to go into quarantine for two weeks. The sheriff was looking for more flexibility in making sure those corrections officers would be on the job during this crisis. They obviously resisted because contractually they are allowed to work in outside employment but this memorandum of understanding clears that up by compensating in a way that satisfies them to forego outside employment at least for the time being corrections officer department.

**Commissioner Dalton:** What is the figure of compensation? Was that disclosed?

**Supervisor Veitch:** It was in the resolution so remember it does include their two percent increase for 2019 so the number is going to be a lot bigger than it actually is for the COVID-19 part. The total compensation was \$372,500. Which again is a two percent increase for the entire corrections department; that's in their contract. The part that's for COVID-19; I don't know that amount; I don't know exactly what that is. It was \$1,500 per employee. The MOU is public so at this point; we put it forward so I can tell you that. That is what we did today with the corrections officers. Sheriff's PBA, CSEA – those unions, we didn't

even deal with that today. Those are other issues that maybe will come up or we'll hear about if you know anybody from those unions. Today we did corrections.

Secondly, I'll let Supervisor Gaston talk more about it in her agenda, but we did get unanimous support from the Board of Supervisors today for entering into the contract with the City for the FEMA reimbursement for the Shelters of Saratoga being at the Holiday Inn. The County on their side was willing to be ready to have a contract available for the City on that issue. I don't know if you guys talked about it in your meeting before now but we did unanimously vote to go forward with that contract. It's going to come to the City and it's up to the City to decide whether or not you want to enter into that agreement or not. I don't want to give too many of the details if you guys didn't really discuss it at the Council meeting today. You'll learn more about that as we go forward.

**Commissioner Madigan:** It was not an item on the agenda nor was it an item added to the agenda. We can provide the mayor with an update from your meeting and we'll take it from there.

Supervisor Veitch: It's an option to be taken up at some point. Here's where I think it gets more difficult. In terms of the one and a half times pay; one and a half times for regular hours, we first put up a resolution to pay the amounts for March 16<sup>th</sup> through the 19<sup>th</sup>, which was already in place, then again for March 20<sup>th</sup> through April 2<sup>nd</sup> because from our understanding that was essentially the timeframe where the County said they were no longer doing time and a half publicly. Many iterations and friendly amendments occurred during the discussion because there was a lot of confusing information coming out of the human resources director today about who is getting comp time and four hours for every day that they worked and other kinds of things. It was really difficult for us to pin down who actually was getting the time and a half even to today and who was getting comp time, or personal time, or other types of benefits throughout this. It was really difficult to pin down exactly what we should do to properly compensate our employees for this time. After all of that, we decided to pull the resolution or pull the motion to set what this policy should be. Another motion was made to have this go through our regular business for next month; the Human Resources and Insurances Committee, then Law and Finance, and then the County Board. Make sense because I think it would take a little bit of time to go through all the information that I don't think anyone has yet clear on. Because of that, we wound up doing a secondary motion or resolution that is ordering an independent investigation into the County and the time and a half issue, as we did not get a lot of good information from H.R. and the administration on the one and a half pay issue. The Board voted narrowly in the majority to actually hire an independent investigator to investigate the Human Resources Department as well as I believe the Administrator's Department and probably anybody else that would be associated with this issue; our payroll and those sort of things to try and determine what happened and to try to figure out where we should go from there. I can tell you and Supervisor Gaston knows I don't use this word lightly, that was definitely an unprecedented move by the Saratoga County Board of Supervisors. Nobody in the room has ever asked or could remember the County ever having an independent investigation done for anything. I am positive anything we've ever done has been internal and never asked for outside investigations. That resolution passed narrowly. I voted for the independent investigation as well as Supervisor Gaston did as well. She can talk about her side of that. Tara likes to joke that I'm the last one that gets to vote because my last name starts with a 'v' but today I was the swing voter on that one. It was a little bit challenging but I think we made the right decision for the County going forward with that one. After a lot more discussion and a lot more things we talked about relating to H.R. we went into executive session twice dealing with the negotiation of corrections as well as potential legal stuff with the time and a half pay and other things, we wound up finally scheduling our H.R. and Insurance meeting for next week; which is ahead of schedule for them to meet. We also scheduled a County Board meeting to meet in two weeks, which is also ahead of schedule on our calendar than we normally would. I think it's good; we need to meet more not less during this crisis and especially with the issues that we have. I would also say from my perspective, we do need to return to regular business as soon as possible. In my role as the chair of Buildings and Grounds Committee and to mirror some of the discussion that the Council is having that the County is not having about our budget, I am still going to have my regular scheduled meeting for next month – Building and Grounds as scheduled. My Committee, Buildings and Grounds has a very large part of the County's capital expenditures in our Committee and we can get a lot of savings through that if we cancel some of our capital projects and things like that through the County. As you may know, the County does not bond for their capital projects, we budget them. If we cancel a project that's actually budget savings into that budget for that year because we don't do any bonds for our capital program. Seems odd for the County to do we've

always done it that way so we don't carry debt on our capital program. Just for example, one of the items have, I know of for this year, that I really wanted to get done this year, but I will cancel, is the County has a building where there is a big solar array in front of it. It was done in 1970s or whatever, it never really worked and it's a big ugly thing in front of one of our buildings. We were scheduled to take that down this year, which I really wanted to get done, and it's about \$350,000 project. If we don't do it that's a pretty big chunk we can put right back into the County budget to help with all of the issues we are going to have. We are going to have all of the same issues that the City is having to produce occupancy tax, sales tax, and all the rest. If I can do a small part of that from my committee, I'm going to.

Lastly, I want to say there was a lot to digest today. It was the longest meeting I've ever been in at Saratoga County. It was as long as City Council meetings used to be. We just got back about an hour ago. It was good overall to have the meeting and start discussing tough issues the County has to resolve. Not all of us supervisors are on the same page; we're having a big disagreement. At the end of the day, I think this is going to be good in the end for us and I think it's going to do a lot of things that will make the County hopefully serve the residents better than it has over the years. Through open government, I think we're going to return back to the Technology Committee and re-establishing that again. I know I worked very hard on that for many years, but that Committee had eventually been dissolved. Getting back to regular business, starting to get back to the Board of Supervisors having the authority to make the decisions at the County, not relying as much on administration. We haven't had a lot of discussions surrounding our budget impacts yet but I know we are going to start having them next month. Hopefully there will be more to come from that. I thought you guys had a great discussion tonight about the City and all the various issues you're facing. We need to get to that business at the County as well. With that, that's the end of my first item.

I don't know if anyone has any questions or maybe we'll wait until Supervisor Gaston goes.

**Commissioner Madigan:** I'll just comment on the financial piece. Now is the time to start planning. The more often you meet I guess; it's good that you had a meeting in April. I definitely appreciate the lengthy update of what transpired today.

**Supervisor Veitch:** It was unique in the history that I've been there for sure.

Second on my agenda is an update, it's the daily update from the County. I would be good to report that for the Council today. At the current date, we have 277 confirmed cases in Saratoga County of COVID-19; we have 11 hospitalizations. The number of increases is slowing a little bit at the County, which is good, but it still keeps increasing. We haven't gotten to that top number yet. Not to get into some of the re-opening type stuff, we are kind of a couple weeks behind New York City, so if they start to decline I think we will be a couple weeks behind them before we decline. Their first cases came a couple weeks before ours. We will see. If the curve matches, we'll be a little bit behind them.

**Commissioner Dalton:** Do you still have the opinion that the limited testing here is affecting the numbers. I look at Albany and I notice their numbers jump so dramatically when they opened up the testing facility at SUNY Albany. If we had a facility like that here would we anticipate seeing the numbers here multiply significantly?

**Supervisor Veitch:** I would say so. I think if we get more widespread testing, I agree with you. I think the thing in Malta for the antibody testing was really not done well. It became a mess on Sunday afternoon. I appreciate you guys letting me know because I didn't even know it was going on, on Sunday afternoon. I got a text from Supervisor Gaston that there is something going on down at Malta Price Chopper and I had no idea. I was not a well-communicated thing, maybe that was their intention all along.

**Commissioner Dalton:** The state's intention was not to publicize it at all. It was somehow picked up on social media and by the media. It was widely reported as general testing and no prescription was necessary and no appointment was necessary. Right now, you need to have a test prescribed and done by a hospital. There were massive lines; it seems like it was a complete mess.

**Supervisor Veitch:** They cancelled it the next day.

**Commissioner Madigan:** I did see it posted on the County Facebook page and I think the website. I did hear that it was supposed to be random. I think once it went out a little more publicly that's when the Price Chopper in Malta started to become overwhelmed. That shows you how desperate people are with this testing, any testing.

**Supervisor Veitch:** Absolutely. That could be a huge issue when that comes out. That's it for my agenda. I guess that's it for me.

**Commissioner Dalton:** I do have some questions and comments on the your first item but I want to wait for Supervisor Gaston to maybe recap and then I can ask.

**Commissioner Madigan:** Supervisor Gaston.

**Supervisor Gaston:** My first item is a COVID-19 update. Supervisor Veitch talked a lot about the numbers. One thing that makes me really happy is our requirements for ventilation have been very low in our County, even given the numbers that we have. Our hospitals are handling this very well. I get a lot a questions about are you talking who gets a ventilation or not. We are not even anywhere near that concept in Saratoga County. I really appreciate and that is all the more reason for us to continue the physical distancing, wearing the face coverings when you are out, and making sure we limit the transmission as much as possible. Right now, our County is doing an amazing job. That said, I went to the Price Chopper in Malta when I saw the chaos on Facebook and the Department of Health has been notified how displeased we are that we didn't know about it ahead of time and also it was discussed that is should not be posted on our Facebook for randomizing purposes and because at one point the manger told me that at one point there were 300 people in there. Just trying to get tested. That's in addition to the people who were actually shopping. It was a very interesting afternoon. Fortunately everyone was very well behaved. Some law enforcement was called incase people got upset when they found out testing was ending. Everyone was great. Price Chopper manager, I have to give them credit, they were fantastic. I think they were very flustered originally. They went with it; gave out water to people and were very calm. My understanding now is that those are going to continue to take place but not in the same spot and they are not going to be announced. My hope is that no one ends up putting it on the calendar, Facebook page, or website. It shouldn't happen but I'm not going to say that it won't. That's our goal. Additionally, everyone should be wearing facemasks as was discussed earlier unless you are under the age of two or has a child under the age of two or if you have a medical indication. For instance, I have a child with asthma so he tends to not wear a mask when we are out unless we are in extremely close contact because it can be more difficult to breathe through it. If anyone has a medical condition that makes it difficult for them to breathe using a mask they shouldn't wear one. That said, if you have such a condition, it is recommended that you not be in a position to be that close to others. Additionally, some symptoms that weren't originally put out as signs of COVID have been put out recently that public health wants to make sure everyone is aware of. In addition to the dry cough and shortness of breath, which the shortness of breath is really a later sign, and fever, a loss of taste or smell, in addition to G.I. issues or a constant headache have now been indicated as signs in a number of people with COVID-19. So if you have those symptoms and don't have another explanation for it might be cause for you to contact your provider or public health.

**Commissioner Dalton:** Everyone I know who has been sick, especially down state, and I know dozens and dozens of people, they've all said the loss of taste and smell. Every single one. Just a note.

**Supervisor Gaston:** I've been making sure I can taste and smell every day. It's been good so far. Here's hoping I don't have anything or never got anything. Our numbers have been great. Tomorrow at 10 a.m. representatives from the County Employment Office, Social Services Mental Health will be doing a Facebook Live on the Office of Emergency Services Facebook page. They are going to be talking about what the career center and employment can do; ways to get through COVID-19 mental health wise. If you are anything like my family of extroverts, it's taking some coping skills to get through it. On social services for assistance that can be provided to individuals especially if you have a loss of job, loss of insurance, that sort of thing. I recommend that everyone tune in to the Office of Emergency Services Facebook page at 10 a.m. tomorrow, the 22<sup>nd</sup>.

The second item on my agenda was discussion of today's Board of Supervisor's meeting. Going back, like Supervisor Veitch, I voted against ratifying the special meeting last Friday. Partially because it limited our ability to discuss issues in the County but also because I think it sets a poor precedent to call a special meeting for items that are not in fact timely. I think that is something we don't want to start doing. Given that there was already a scheduled meeting for today it didn't make any sense to have to go through all of that and not to have access to discuss everything. We did meet today. A little over half were in person and then there were some who were on the phone. We're making sure we are socially distance and no public was allowed although they were able to call in and get muted for the hour-long executive session. One thing that I'm really happy that we did in consultation with some members of the City staff and in talking with the City we moved forward the ability for the County to sign an agreement with the City to request reimbursement from FEMA for non-congregate housing. Because Code Blue and Shelters of Saratoga moved into Holiday Inn in order to provide appropriate distancing, that obviously costs significantly more than the housing cost. It is a public health necessity and as a result of that we could request reimbursement from FEMA. It's up to the City now to decide whether to do that but by moving this forward today, we are preserving the option should the County choose to do so. Obviously there are a number of options available to the City but Supervisor Veitch and I wanted to make sure that that one stayed there. I brought the motion up and after a little bit of a fight with Supervisor Kinowski, Supervisor Veitch seconded it. Supervisor Kinowski I think wanted to get in there. I also voted to approve the corrections 2019 contract. It provides a cost of living increase, which I think is warranted but then it did discuss the consideration for the loss of secondary employment. I'm glad that that took place and I think that we need to make sure that takes place with the remainder of law enforcement. It's a public health need for them to not maintain secondary employment right now in order to make sure they and everyone else are as healthy as possible. Because it was a contracted obligation of ours, we needed to provide consideration for that. I think it was pretty good. The thing that was very important to me was to make it very clear that the time and a half was not a part of this consideration. Therefore, it was still an open topic for the County and we needed to make sure that we dealt with that. To that end, I requested a meeting next week of the Board of Supervisors, that will not be taking place, but we will be meeting in two weeks. At that meeting, the director of H.R. has been directed to provide information on precisely which individuals were eligible for what compensation particularly during the period of time from March 16<sup>th</sup> to April 2<sup>nd</sup>. We want to have those in numbers and in the amount of money it is going to cost us because I believe that we need to get that taken care of as soon as possible. Not only is it a public issue, but I also believe that because of the representation was made by someone with actual authority on behalf of the Board of Supervisors, if we do not actually pay this, we are opening ourselves up to significant legal and financial difficulties. Obviously, as the commissioner talked about earlier, we are entering a period of financial questioning, at a minimum. This is not the time for us to also be opening up legal and financial difficulties for the County. In addition to that, we did vote to send the whole process back to H.R. to have a discussion about that. I supported the outside investigation. For periods of time during the discussion of the time and a half/personal time department heads and other staff members were told to not talk to supervisors and information was not provided that was requested or conflicting information was provided. I understand this is a difficult circumstance and we are all working and changing things day to day but when activities take place that open us up to the kind of risk that this situation is I believe we need to have someone outside review it. Not thrilled about having to open up that other financial bucket in order to have to pay someone to come in and do this but I think it's essential to make sure that we find out where the pitfalls are so we can move forward. It was a very long, very interesting discussion. I will say that the corrections contract was ratified by the union – about 85% of them, which is great. It means that they agree with the compensation they are receiving in terms of giving up the secondary employment and shift changes. So that's good. We are going to be moving forward with regular order. As Supervisor Veitch said, we are going to have an earlier H.R. meeting and an earlier Board of Supervisors meeting but the rest of May should be regular order. I do believe that the chair indicated that all the committees and other meetings would be remote. We'll have to see and I hope our technology challenges are dealt with. That was a very interesting attempt at a meeting last Friday.

**Supervisor Veitch:** I can tell you that buildings and grounds will be fine with technology. I'll make sure that they are.

**Supervisor Gaston:** We'll see about everyone else. One thing I enjoy about that is it will make the committee meetings more accessible than they have been previously. Now individuals who are at their

house will be able to watch or listen, depending on what we go with. I think that's great. Crisis like this bring out the best and the worst. We're seeing both ends of that at the County like we are everywhere else. Like Supervisor Veitch, I'm hoping that moving forward we'll learn some things from it and be better.

The third item is very quick and then any questions any commissioners have.....I'll be having another forum on April 7<sup>th</sup> from 6 – 8 p.m. That should be after our next Board of Supervisors meeting. That should give me more time to have some answers about the pay as well. I'm going to be doing it by Facebook live.

**Commissioner Madigan:** Supervisor, you mean May 7<sup>th</sup>.

**Supervisor Gaston:** I do. April has already happened. Thank you. Is that why you were smiling Commissioner Franck because you realized I was trying to go back in time?

**Commissioner Franck:** I appointed someone for 30 years on a board so I'm ahead of you.

**Supervisor Gaston:** May 7<sup>th</sup> from 6 – 8 p.m. That should be after our next Board of Supervisors meeting. It will be on Facebook live. I tried to do another method last time and I could not get it to stream properly. I know that if you do not have a Facebook account, you can still watch it Facebook live. Then anyone can send me questions either by e-mail or by text or by phone, which is always accessible. I'll make sure that information is posted as well so that if anyone has questions during Facebook live can send them to me, if they don't have a Facebook account as well. That concludes my agenda. I think there are some questions from the commissioners.

**Commissioner Madigan:** Commissioner Dalton indicated she would have some questions for you both after Supervisor Gaston completed her agenda.

**Commissioner Dalton:** I do have questions. That was a lot of information. I'm trying to think of where to begin. I suppose the first is I have questions about the SOS contract that you mentioned, because I'm confused. There was a lot of communication today that I also found confusing about this issue. Is this for the hotel stay that has already happened that we are looking for reimbursement for or is this for extending it at a future cost?

**Supervisor Gaston:** That would have to be determined in the contract between the City and the County. It is my understanding that available for reimbursement are any costs during the period of emergency, which I think right now FEMA is scheduled out to May 10<sup>th</sup>. You can seek reimbursement to May 10<sup>th</sup>.

**Commissioner Dalton:** Has the County given any money towards the Holiday Inn bill?

**Supervisor Gaston:** No. The County is not providing any money but because the County is the lead public health authority, we are the ones who have to apply for it. The agreement would be we are applying for it on behalf of the City for reimbursement. The money would not be coming to the County; it would basically be a pass through. That's why the need for the agreement; for us to work that out to make sure it is clear on everybody's behalf.

**Commissioner Dalton:** Has Shelters of Saratoga expressed their opinion on how they would like us to proceed?

**Supervisor Gaston:** I think there have been a lot of questions. I think Shelters has some questions because in general when you are seeking FEMA reimbursement you have to use all available funds prior to reimbursement. Shelters has engaged in fundraising during this time so there is some question as to whether the entirety of any amount asked for will be reimbursed by FEMA. That is not a decision the County can make. That's a decision that FEMA will make. Our agreement would be with the City, not with Shelters. The City would have to decide if they want to go forward with that or not. We stand ready either way whatever the decision is.

**Commissioner Dalton:** To the rest of the Council, my memory needs to be refreshed. At the Council meeting where we approved the \$61,000 to go to the Holiday Inn, was that something at the time we thought we would be seeking reimbursement for?

**Commissioner Madigan:** If that was not indicated in any agenda notes or anything that I saw posted to the agenda. It was money though, it was a substantial amendment to Community Development Block Grant funds. They are typically considered grant fund money. It sounds like there might be the opportunity to look for reimbursement if the City decides to enter into an agreement with the County with the County acting as the lead going to FEMA and looking for a reimbursement. So it sounds like there may be this opportunity if the City Council takes this up. I would like to say on the record on behalf of Shelters, although I don't work for them, or really have an affiliation with them, this was their annual fundraiser from what I've been able to ascertain throughout the entire day. They may have unwittingly or inadvertently or unfortunately posted an on-line virtual fundraiser in lieu of being able to do their yearly fundraiser, which they usually hold at Longfellows. Then they do another one in the summer time, One Fine Day. It seems that it's unfortunate that they called it a COVID-19 fundraiser but it is under their annual fundraiser; if that helps anywhere down the line in terms of us moving forward with potentially FEMA reimbursement. The issue with Shelters is that they've got sort of several missions. They've got their Shelters of Saratoga where they house people for up to three months, they've got the Code Blue, and now they've entered into also trying to help through COVID-19. The fundraiser and how it went out on-line is probably not a-typical in how maybe other non-profits are also trying to raise funds right now because they can't go out and be involved with the public; like throw a big gala. There is a lot of virtual fundraising going on and I guess it's to be determined, if we enter into this agreement, how that fundraiser might affect them.

**Commissioner Scirocco:** I'm a little confused. Who would receive the money? Would the City receive the money or would Shelters receive the money? The City gave Shelters the money through the Block Grant. That basically was allocated like we would allocate money to any non-profit. That's the confusion I have. Is the City going to get the money back, not that I'm asking for the money back, or is SOS going to get the money?

**Supervisor Gaston:** The agreement that the County and the City would sign would be that the County would seek reimbursement on behalf of the City. The City would end up getting the money. It would pass through the County to the City. What the City chose to do with it; that's not.....

**Commissioner Madigan:** Community Development Block Grant fund or even transfer the money back into the revolving loan fund. I think that's where it went, from the revolving loan fund...

**Supervisor Gaston:** I think that's a great use of money because certainly our businesses are going to need it.

**Commissioner Madigan:** Exactly. I would agree with that.

**Commissioner Scirocco:** I don't have a problem with it. I'm just confused; does the money go to Shelters or does the money come back to the City. So basically, Shelters is out of this.

**Supervisor Gaston:** To be completely honest, Supervisor Veitch and I probably should have been looped in a little bit earlier; when the discussion was taking place. We could have provided a little more advice on how it should happen. Because this is the three different entities working together, it makes it a little bit more complicated. In addition to the fundraiser taking place, we could have perhaps provided more advice on that. Maybe push the fundraiser out a little bit, so that we could specifically rely on this. We have sought advice. We don't know that FEMA would reduce any reimbursement as a result of the fundraiser but for our due diligence, we have to say this is FEMA's guidance because there was a fundraiser it will be reduced. We don't know, and as Commissioner Madigan said, there are a lot of non-profits engaging in fundraising. Many of whom are going to seek FEMA assistance as well. That may change; we don't know.

**Commissioner Dalton:** The difference is they would be seeking FEMA assistance not via the City...correct? Isn't that the difference here?



**Commissioner Madigan:** We would have to be involved, we would have to sign an agreement with the County in order to seek that reimbursement of those funds. In the end, even though they are not City taxpayer funds, they were federal funds. It sounds like there might be the potential to reimburse them on behalf the City via the County.

**Commissioner Dalton:** I'm still not clear on how this matter arose in the last day or two. If our goal here was to support Shelters of Saratoga in a mission of sheltering these folks during the pandemic, but then by requesting reimbursement we may be endangering money that they fundraised and earmarked for other things; that just seems in congress to me.

**Supervisor Veitch:** Right. I think all those things have to be explored by the City, Shelters, and the County to determine whether it's the right decision for the City to go forward. All we did was give you the availability to have that happen by having the County draft up an agreement rather than trying to go back to the County later on.

**Commissioner Madigan:** So the option number two of getting \$15,000.

**Supervisor Veitch:** We didn't talk about option number two.

**Supervisor Gaston:** To be very clear, if we move forward with the City and the County in agreement moving forward to seek reimbursement, that does not take any money from Shelters. They would not have to give up any part of the fundraising that they have done. Now, if they continue to spend money in a certain way, we can't guarantee all of that would be reimbursed. It would not take any money from their fundraising that they have done.

**Commissioner Dalton:** I guess that I'm just confused about how this ties the money that we gave them for the Holiday Inn to their money. It just seems very....too close for comfort in my opinion somehow. Is there any discussion of how the cost would be moving forward for the Holiday Inn? I understand that they are almost at the end of their one month there. Is that correct?

**Commissioner Madigan:** I don't think we have that information. I would like to make a recommendation that if we do want to continue this discussion, that we do it when the mayor is available to also participate in the discussion.

**Commissioner Dalton:** I agree. I think that would be really helpful.

**Commissioner Scirocco:** I don't have a problem with that.

**Supervisor Gaston:** I think I can speak for both of us, Supervisor Veitch and myself, we are both available to discuss this from the County perspective. If any commissioner would like to do so.

**Supervisor Veitch:** Absolutely.

**Commissioner Madigan:** That sounds good.

**Commissioner Dalton:** I know we've been doing this for a long time. I'll try to wrap up. First of all, I want to say thank you for what happened today. I think obviously having a meeting was pretty critical. If you had to wait another month to meet, it would have been that much more challenging. I'm delighted to hear there is an independent investigation happening and I also really appreciate that your acknowledgment that it's once again prompting you to spend money. It seems the County is really great at creating problems that requires more money to solve, and it goes on and on. I'm really delighted to hear that because I've been really disturbed by my experience with contacting the administration and their relationship with their concept of honesty. I think that it is unfortunately reflective of a bigger picture problem with the County. My concern is just that you mentioned that the actions of the administration and H.R. have opened you up to these legal and financial challenges. I think it's amazing that there is a pending investigation happening. That will take time, and while we are waiting for that to happen, the administration/H.R. is still the same personnel. They

still have the same role, presumably, at the County. Will you be scrutinizing their actions to a different degree to make sure nothing like this happens in the coming months?

**Supervisor Gaston:** I think it's safe to say we are watching things a little bit more closely than we were.

**Supervisor Veitch:** That's already happening on a multitude of issues. I can't get into all kinds of details. There is a group of supervisors, including us, who have taken it upon ourselves to take the power back to some degree. One way or the other. That's what we are trying to do here. Administration makes a lot of decisions at the County, not necessarily for the public's benefit. I've been there for a long time. I've seen things happen where we've dismantled the infrastructure at the County that we probably shouldn't have. It's become a place where the quicker you can get out of there, the better and you're not really think much about what's going on. Yes, I was a supervisor during that time, but better late than never to try to make some changes down there and get it to function better for the public overall. That's really who we serve at the end of the day, not ourselves.

**Commissioner Madigan:** I'm going to try to start to wrap things up a little bit. I think both of you gave us an excellent overview of what you encountered and put forward today. Sounds like you are going to try to meet in another couple of weeks. Unless there is really something that we've missed, or there is a very important question one of the commissioners really wants to ask, because I don't want to cut anyone off; I'd like to move forward with adjourning the meeting. No other comments? Thank you supervisors, I know you have a lot going on. Thank you commissioners.

We're adjourned (9:32 p.m.).

Respectfully submitted,

Lisa Ribis  
Clerk

Approved: 7-21-2020  
Vote: 5 - 0