



September 4, 2018

CITY OF SARATOGA SPRINGS
City Council Meeting
Saratoga Springs City Center
522 Broadway
7:00 PM

6:50 PM P.H. – 2019 – 2024 Capital Budget
and Program

6:55 PM P.H. – Zoning Map Amendment Tait
Lane / Allen Drive

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. Charter Review Update
2. 2019 – 2024 Capital Budget Program

CONSENT AGENDA

1. Approval of 8/18/18 Emergency City Council Meeting Minutes
2. Approval of 8/19/18 Emergency City Council Meeting Minutes
3. Approval of 8/20/19 Pre-Agenda Meeting Minutes
4. Approval of 8/21/19 City Council Meeting Minutes
5. Approve Budget Transfers - Regular
6. Approve Budget Amendments – Regular (Increases)
7. Approve Payroll 8/24/18 \$539,727.75
8. Approve Payroll 8/31/18 \$538,572.84
9. Approve Warrant - 2018 18MWAUG3 \$58,150.90
10. Approve Warrant – 2018 18SEP1 \$167,546.13

MAYOR'S DEPARTMENT

1. Discussion and Vote: 2019 – 2024 Capital Budget Program
2. Announcement: 9/11 Remembrance Ceremony – 8:30 a.m. High Rock Park
3. Discussion and Vote: Accept Donations for 9/11 Remembrance Ceremony
4. Discussion and Vote: Authorization for Mayor to Sign Contract with Northern Broadcasting, Inc, aka LookTV to Record Council and Other Meetings
5. Announcement: Update – City Hall Fire and City Hall Functions

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Contract with Alpine Environmental

2. Discussion and Vote: Authorization for the Mayor to Sign Contract with MLB for Demolition in City Hall
3. Discussion and Vote: Authorization for the Mayor to Sign Contract with Spring Electric for Emergency Electric Work at City Hall
4. Award of Bid: Route 9 Water Main Replacement to Bellamy Construction Company, Inc.

FINANCE DEPARTMENT

1. Announcement: 2019 Budget Update
2. Announcement: Response to a Letter in the 9/2 Saratogian Regarding the SiFi Network Agreement
3. Discussion and Vote: Budget Transfers – Contingency

PUBLIC WORKS DEPARTMENT

1. Proclamation Honoring Senator John McCain
2. Discussion and Vote: Authorization for Mayor to Sign Addendum #1 with Surpass Chemical Co.

PUBLIC SAFETY DEPARTMENT

1. Announcement: Public Safety Forum
2. Announcement: DPS Operations Update
3. Announcement: Retirement
4. Announcement: New York Bike Summit 2018
5. Set Public Hearing: To Amend Chapter 118, Building Code Enforcement with Regard to Technical Consistencies
6. Announcement: Response to Newspaper Articles About Anniversary of Daryl Mount Incident
7. Announcement: Public Safety Advisory Panel

SUPERVISORS

Matt Veitch

1. Saratoga County Trails Committee

Tara Gaston

1. Trip to Washington, D.C.
2. NACo Appointment

ADJOURN



September 4, 2018

City Council Meeting
Saratoga Springs City Center
522 Broadway
7:00 PM

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

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

Vincent DeLeonardis

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED: John Daley, Deputy Commissioner, DPS

RECORDING OF PROCEEDING

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

PUBLIC HEARINGS

2019 – 2024 Capital Budget and Program

Mayor Kelly opened the public hearing at 6:51 p.m.

No one spoke.

Mayor Kelly closed the public hearing at 6:52 p.m.

Zoning Map Amendment Tait Lane / Allen Drive

Mayor Kelly opened the public hearing at 6:52 p.m.

Libby Coreno of Carter Conboy presented the zoning map change being proposed. They are looking to re-zone the property from a warehouse district to a T-4 district. This will make the parcel more conforming and increase potential on vacant site. All neighbors are on notice.

Bill Teeter of Saratoga Springs stated he is party to a contract for 2 parcels (1.65.9-1-6 & -7) across from Allen Drive. He would like to see the parcels listed in yellow in the presentation be included in the T-4 zone.

Tim Grande, an adjacent property owner, had questions for the Council to think about regarding the access point and if there is a provision for buffering.

Mayor Kelly closed the public hearing at 6:59 p.m.

CALL TO ORDER

Mayor Kelly called the meeting to order at 6:59 p.m.

PUBLIC COMMENT

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

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

Hollyday Hammond of Saratoga Springs acknowledged Patty Jackson, the mother of Daryl Mount. She extended her condolences to the Mount family for their loss. As a mother, losing a child is her worst nightmare. Her second worst nightmare is not knowing what happened and not getting answers you can trust. She encouraged the City Council to acknowledge the circumstances warranted and still warrant an external investigation as mandated by NYS law.

Don Colosimo of Saratoga Springs stated the City has property at E. Kaydeross Avenue and Crescent Avenue that could be used for the EMS/Fire station.

Doralee Stanley of Saratoga Springs stated she is here to support the family of Daryl Mount and the citizens of Saratoga Springs. She asked what the plans are for the Chief of Police who lied to the citizens. She also asked when the Council will authorize an external investigation by a non-bias party.

Ellen Aimone of Saratoga Springs she is here as a citizen activist and a co-leader of the local group Saratoga Progressive Action. She is concerned about the recent events of Daryl Mount's death. To learn 5 years later that not only was an investigation not completed, but Chief Veitch and Commissioner Mathiesen lied and then covered up that an investigation was not done. She requested a complete investigation be done by an independent group to investigate the original incident and the misleading actions of Chief Veitch and Commissioner Mathiesen. She will be filing a complaint with the Attorney General's Office.

Ron Rucker of Saratoga Springs stated he approached the mayor and Commissioner Scirocco about having John McCain Day on November 10th. John McCain protected the constitution for all of us not just Arizona.

Landon Moore of 144 Crescent Street asked what we are doing about continuing education for our police officers so they can know about police brutality and excessive force.

Darlene McGraw of Saratoga Springs stated the Police Department has other resources when they come into contact with people with autism. She asked again what is the number that equates to affordable housing?

Andrew Bosio stated he was appalled to find Chief Veitch misled the public about the internal investigation. He would like to know what the Council is going to do to hold Chief Veitch accountable and what they are going to do to reinforce their trust.

Ian Klepetar of Alger Street stated he is here to try to put a stop to the building of parking garages. The more we build them the more we are inviting cars.

Sam Brewer of Saratoga Springs stated he spoke about the need for the City to have a police/public safety oversight committee. Those comments were taken by the newspapers and applied to the Mount situation. He did not intend that. He would like to continue to encourage creating an oversight committee.

Mayor Kelly closed the public comment period at 7:18 p.m.

Commissioner Martin stated they looked at the property on Crescent and E. Kaydeross but it is on a very narrow part of Crescent Avenue. For the type of trucks they need to provide the service this is not the optimal spot.

PRESENTATION

Charter Review Update

Vince DeLeonardis, chair, stated the Commission has met; completed their analysis; and voted on the draft document that will go to the voters. Upon thorough review of the draft document he has identified typos that need to be fixed. The next meeting is September 12th where they will discuss education and community outreach.

2019- 2024 Capital Budget Program

Mayor Kelly advised this will not be presenting this tonight.

CONSENT AGENDA

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

1. Approval of 8/18/18 Emergency City Council Meeting Minutes
2. Approval of 8/19/18 Emergency City Council Meeting Minutes
3. Approval of 8/20/19 Pre-Agenda Meeting Minutes
4. Approval of 8/21/19 City Council Meeting Minutes
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Ayes – All

MAYOR'S DEPARTMENT

Discussion and Vote: 2019 – 2024 Capital Budget Program (18-299)

Mayor Kelly moved and Commissioner Martin seconded to approve the 2019 – 2024 capital program as presented and voted by the Capital Committee.

Mayor Kelly stated she will be voting no as we have to look at what financial responsibilities we have due to the fire.

Commissioner Scirocco stated he will not be supporting this either. We need to focus on the restoration of City Hall. He thanked his staff for all their work they put into this.

Commissioner Martin stated due to this unexpected situation he too feels this needs to be put on the back burner.

Commissioner Madigan stated there will be a capital budget put forward for 2019 via the comprehensive budget put out by the Finance Commissioner. The priority now needs to be the building and that will be a large capital expense. The program is a working document and we want to stand by the priorities set. The water and sewer falls outside the capital budget and program and would like to move forward with this.

Commissioner Franck stated he also supports not voting for the Capital Budget and Program right now. The need to take care of the emergency comes first.

**Ayes – 0
Nays - All**

Announcement: 9/11 Remembrance Ceremony – 8:30 a.m. High Rock Park

Mayor Kelly announced the ceremony will be held on September 11th at 8:30 a.m. in High Rock Park.

Discussion and Vote: Accept Donations for 9/11 Remembrance Ceremony (18-300)

Mayor Kelly moved and Commissioner Madigan seconded to accept the donations as attached to the agenda.

Mayor Kelly advised one donation is from Dehn's Flowers for wreaths valued at \$150 and the other donation is from Belmonte & Sons for chairs valued at \$420.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contract with Northern Broadcasting, Inc, aka LookTV to Record Council and Other Meetings (18-301)

Mayor Kelly stated this agreement is in response to being displaced from City Hall. This will be reimbursed by insurance. This agreement is not to exceed \$15,000.

Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to sign a contract with Northern Broadcasting, Inc. aka LookTV to record Council and other meetings.

Ayes - All

Announcement: Update – City Hall Fire and City Hall Functions

Mayor Kelly announced telephone access has not been completely restored. Contact the main number and messages will be passed along. The Police and Fire Departments continue to operate at their respective locations. She listed where each of the other departments can be located with most being at the Recreation Center.

Mayor Kelly moved and Commissioner Martin seconded to approve the addition of an item - discussion and vote to rescind the emergency declaration. (18-302)

Ayes – All

Mayor Kelly moved and Commissioner Scirocco seconded to rescind the declaration emergency effective immediately. By ending the emergency, the emergency management plan is no longer in effect regards to the incident. (18-303)

Aye - All

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Contract with Alpine Environmental (18-304)

Commissioner Franck advised this is for emergency asbestos testing in City Hall after the fire. This expenditure has been approved in advance by our insurance company. Other expenditures will be presented to City Council on a project basis.

Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign the contract with Alpine Environmental as previously described and as approved in advance by our insurance company.

Funding is in A3051964 54779.

Aye - All

Discussion and Vote: Authorization for the Mayor to Sign Contract with MLB for Demolition in City Hall (18-305)

Commissioner Franck advised this is for emergency demolition of the second floor public safety offices, demolition of the Commissioner of Accounts office, Deputy Commissioner of Accounts office and the Accounts Department bathroom ceilings. This expenditure has been approved in advance by our insurance company. Other expenditures will be presented to City Council on a project basis.

Commissioner Franck moved and Commissioner Martin seconded to authorize the mayor to sign the contract with MLB Industries as previously described and as approved in advance by our insurance company.

Funding is in A3051964 54779.

Aye - All

Discussion and Vote: Authorization for the Mayor to Sign Contract with Spring Electric for Emergency Electric Work at City Hall (18-306)

Commissioner Franck advised this is for emergency electric work. This expenditure has been approved in advance by our insurance company. Other expenditures will be presented to City Council on a project basis.

Commissioner Franck moved and Commissioner Martin seconded to authorize the mayor to sign the contract with Spring Electric as previously described and as approved in advance by our insurance company.

Funding is in A3051964 54779.

Aye – All

Award of Bid: Route 9 Water Main Replacement to Bellamy Construction Company, Inc. (18-307)

Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for the Route 9 Water Man Replacement to Bellamy Construction Company, Inc. in the amount not to exceed \$1,066,782.00.

Ayes - All

FINANCE DEPARTMENT

Announcement: 2019 Budget Update

Commissioner Madigan announced the deputy finalized and uploaded the requested budgets. Each department will receive a copy for verification. The operating budget expense requests are in excess of \$50 million; a 10% increase over 2018 adopted budget. She will be meeting with each of the departments over the next few weeks. We need to look at contractual expenses, health care costs, and retirement costs.

Announcement: Response to a Letter in the 9/2 Saratogian Regarding the SiFi Network Agreement

Commissioner Madigan stated the person who wrote the letter works for the Albany-based “Business Council of New York State”, an advocacy group that represents the interests of businesses state-wide. Recent articles on their site include a strong position against State pension fund, fossil-fuel divestment, and for a veto against paid family leave expansion. Mr. Pokalsky did not expose one of the directors is also a senior executive at Time Warner Cable.

Two main claims he made are: that the agreement is unnecessary, and that that it is too risky. For many City residents and businesses there is only one option for broadband services. She has consistently heard complaints about broadband availability and customer service in the City during her time in office. The goal with this recently-signed agreement is to foster a more competitive broadband marketplace, where City residents and businesses receive excellent service at a price they can afford. She agrees with Mr. Pokalsky that this agreement has some risks, but that is true with just about every agreement or contract they sign.

As for the franchise fee mentioned in the letter, Spectrum currently pays the City a franchise fee based on “cable services” provided in the City not for internet or broadband service; which is what SiFi will be providing. In terms of future franchise fees, the amount the City is to receive going forward is likely to decline even if the City did not approve the SiFi Agreement, as more people cut the cord on their cable service. The research firm eMarketer recently stated that in 2018 they estimate the number of cord-cutters in the U.S. will increase 33%, with “too little value for their money” being the largest driver.

Mr. Pokalsky didn’t reach out to anyone in City Hall about the Agreement, as they could have addressed some of his concerns had he simply asked.

Discussion and Vote: Budget Transfers – Contingency (18-308)

Commissioner Madigan advised this is for City Center repairs. The balance prior to the transfer is \$4,750 and the balance that will remain after the transfer is \$0.

Commissioner Madigan moved and Commissioner Scirocco seconded to approve the budget transfer – contingency as stated and previously distributed with the agenda.

Ayes – All

PUBLIC WORKS DEPARTMENT

Proclamation Honoring Senator John McCain

The proclamation was read as follows:

A PROCLAMATION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS

IN MEMORIAM
SENATOR JOHN MCCAIN 1936 – 2018

WHEREAS, John S. McCain, United States Senator from Arizona, died on Saturday, August 25, 2018; and
WHEREAS, Senator McCain was a veteran of the United States Navy, a prisoner of war in Vietnam, a congressman and senator, a two time candidate for President, and a man of unsurpassed courage and character who never failed to stand up and speak out for what he believed was right. He believed in the things that matter – respect, honesty, integrity, family, and country. Perhaps the greatest thing about him was that he could appreciate and respect people who strongly disagreed with him. To him, that was what living in a free and diverse nation was all about; and
WHEREAS, although Senator McCain maintained no regular ties to our city, we mourn his loss just as all America mourns his loss. We remember his trust in the people, his speaking the truth regardless of party or politics, and his constantly reminding us that, while we have our differences on issues, there are far more things that unite us as Americans than can ever possibly divide us,
NOW, THEREFORE, BE IT RESOLVED, that this City Council hereby honors the memory and the legacy of Senator John McCain and declares November 10, 2018 as the Honorable John S. McCain day.

Discussion and Vote: Authorization for Mayor to Sign Addendum #1 with Surpass Chemical (18-309)

Commissioner Scirocco stated the contract was approved in June for \$40,000. Due to the weather this summer the Water Treatment Plant is in need of additional chlorine and will be increasing the amount to \$56,000.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign agreement addendum #1 with Surpass Chemical in the amount of an addition of \$16,000 for chemicals at the Water Treatment Plant.

Ayes - All

PUBLIC SAFETY DEPARTMENT

Announcement: Public Safety Forum

Commissioner Martin announced the Public Safety Forum will be held on Monday, September 17th at the City Center at 7:00 p.m.

Announcement: DPS Operations Update

Commissioner Martin announced the code enforcement staff is up and running.

Announcement: Retirement

Commissioner Martin announced the retirement of Sergeant Mark Leffler effective Friday, August 31st after 24 years of service. He will be missed.

Announcement: New York Bike Summit 2018

Commissioner Martin announced the New York Bike Summit 2018 will be held at the Gideon Putnam on September 27th and 28th.

Set Public Hearing: To Amend Chapter 118, Building Code Enforcement with Regard to Technical Consistencies

Commissioner Martin set a public hearing for Tuesday, September 18, 2018 at 6:55 p.m.

Announcement: Response to Newspaper Articles About Anniversary of Daryl Mount Incident

Commissioner Martin stated he is concerned about the injury or death of anyone who had interaction with our Police Department. He is aware of and sensitive to the impact of race issues across the United States. Due to the civil lawsuit, his words will have to be measured and brief. The family made inquiries for investigation to the FBI and the NY Attorney General; both of which decided not to conduct any further investigation. None of these outside agencies require the invitation from the City to conduct an investigation; they have the ability to investigate as they see fit. The department did conduct a thorough broad-based investigation of the incident but did not designate it as an internal investigation.

Announcement: Public Safety Advisory Panel

Commissioner Martin stated publically that he does not believe a citizen review board would be beneficial to the City or its residents. Once area the boards run into is disclosure of many types of records and polygraph testing. He will be instituting an advisory board to help himself and the police obtain feedback from citizens. His thoughts are the board should meet 2 times per year and then as required.

SUPERVISORS

Matt Veitch

Saratoga County Trails Committee

Supervisor Veitch reported they met last week to award their grants for the 2018 Grant Trails Program. They have awarded grants totaling \$153,000 to date across the county. This year they had \$50,000 in their budget allotted to the Trails Grant Program. The Trails Committee has awarded all the money to various areas requested.

Tara Gaston

Trip to Washington, D.C.

Supervisor Gaston reported she went to the White House with other county officials in New York and met with the White House Office of Intergovernmental Affairs. A number of officials were there to talk about the President's policies and how they are going to be enacted.

NACo Appointment

Supervisor Gaston reported she was appointed to the Veteran's and Military Affairs Committee.

ADJOURNMENT

There being no further business, Mayor Kelly adjourned the meeting at 8:12 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote:

DRAFT