

February 21, 2017



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

6:50 PM P.H. – Amend Chapter 225 – Stop Intersections

6:55 PM P.H. – Amend Chapter 225 – Time Limit Parking

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATIONS

1. Pitney Meadows Community Farm

EXECUTIVE SESSION

1. Commissioner of finance request: proposed acquisition sale or lease of real property when publicity would substantially affect the value thereof.
2. Commissioner of Public Safety request: Proposed acquisition sale or lease of real property when publicity would substantially affect the value thereof.

CONSENT AGENDA

1. Approval of 2/6/17 Pre-Agenda Meeting Minutes
2. Approval of 2/7/17 City Council Meeting Minutes
3. Approve Budget Amendments (Increases)
4. Approve Budget Amendments – Insurance Reserve
5. Approve Budget Transfers – Regular
6. Approve Payroll: 2/10/17 \$462,296.42
7. Approve Payroll: 2/17/17 \$501,680.27
8. Approve Resolution for Use of Insurance Reserve - 3
9. Approve Warrant: 2016 – 16DEC7: \$230,536.69
10. Approve Warrant: 2017 – 17FEB2: \$1,554,116.61
11. Approve Warrant: 2017 Mid – 17MWFEB2: \$104.85
12. Approve Warrant: 2016 Mid – 16MWDEC6: \$1,000.00
13. Approve Warrant: 2016 Mid – 16MWDEC7: \$2,782.17
14. Approve Warrant: 2017 Mid - 17MWFEB3: \$138,926.20

MAYOR'S DEPARTMENT

1. Proclamation: Frederick Joseph Allen
2. Discussion and Vote: Merit for Review Zoning Amendment PUD Pitney Meadows Community Farm
3. Announcement: Advisory Opinions from County and City Planning Boards and DRC for Pitney Meadows Community Farm

4. Discussion and Vote: Approval to Seek Lead Agency for SEQR Evaluation – Pitney Meadows Community Farm PUD
5. Discussion and Vote: Authorization for Mayor to Sign Agreement with Saratoga Springs Office of the Aging
6. Discussion and Vote: Approval to Pay Miller, Mannix Law Invoices
7. Discussion and Vote: Approval to Pay Honeywell Law Invoices

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Agreement with Precision Industrial
2. Discussion and Vote: Authorization for Mayor to Sign Agreement with REMO
3. Discussion and Vote: Authorization for Mayor to Sign Contract with Adirondack Security
4. Set Public Hearing: Ballston Avenue Zoning Amendment
5. Award of Bid: Flowers and Miscellaneous Supplies to Dehn's Flowers
6. Award of Bid: Plumbing Services for Department of Public Safety to BPI Mechanical Services
7. Discussion: Safety Committee Report on 1/27/17 DPW Garage Fire

FINANCE DEPARTMENT

1. Announcement: Saratoga Springs Website Named Top regional Website
2. Announcement: Smart City Update – Saratoga Go
3. Discussion and Vote: Resolution for Non-Union Full Time Personnel
4. Discussion: Sales Tax Update
5. Discussion and Vote: Budget Transfers – Payroll
6. Discussion and Vote: Budget Amendment Charter Review Commission Requested Administrative Budget
7. Discussion and Vote: Budget Amendment Charter Review Commission Requested Special Election Budget

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum #2 with Wehran LFG Services, LLC for the Weibel Avenue Landfill Monitoring
2. Discussion and Vote: Sick Bank Request
3. Announcement: Update on the Fire at 19 Van Rensselaer Street – DPW Garage

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Accept Donation
2. Authorization for Mayor to Sign Contract with BPI for Plumbing Services for the Public Safety Department
3. Discussion: Public Safety 2016 Annual Report
4. Discussion: Cherry Street Drug Raid

SUPERVISORS

Matthew Veitch

1. Racing & Gaming Committee Update
2. Veterans Committee

Peter Martin

1. Board of Supervisors
2. Public Health: Open Point of Dispensing

ADJOURN



February 21, 2017

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

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

STAFF PRESENT: Meg Kelly, Deputy Mayor
Maire Masterson, Deputy Commissioner, Accounts
Franck Coppola, Jr., Deputy Commissioner, DPW
Susan Armstrong, Deputy Commissioner, Finance

Vincent DeLeonardis

Matthew Veitch, Supervisor
Peter Martin, Supervisor

EXCUSED: Eileen Finneran, 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 HEARING

Amend Chapter 225 – Stop Intersections

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

Commissioner Mathiesen advised this is to install stop signs in the Meadow Vista subdivision.

No one spoke.

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

Amend Chapter 225 – Time Limit Parking

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

Commissioner Mathiesen advised this is regarding the change in parking time limits on Railroad Place between Division Street and Church Street.

No one spoke.

Mayor Yepsen closed the public hearing at 7:02 p.m.

CALL TO ORDER

Mayor Yepsen called the meeting to order at 7:02 p.m.

PUBLIC COMMENT

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

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

Bonnie Sellers of Saratoga Springs read parts of an editorial (attached) that was in the Gazette on 1/26/17.

Brandon Winchill of Saratoga Springs read his letter that he sent to the City Council. His letter included the request to postpone the vote on the Charter to November. He asked why there is such a rush on this.

Carol Joyce of Saratoga Springs stated it is obvious why they want to push this through. They don't want people to study this because it won't pass if they do.

Marion Trieste of Saratoga Springs stated she spoke to a DEC representative who didn't know about the fire. Why wasn't the DEC notified? It is important to remove the risk.

Bob Turner, Chair of the Charter Review Commission, stated they are an independent and non-political body. They have heard the concern about districts and decided to shift to 6 at large City Council seats. They decided to keep the supervisors status quo; they have figured out how to reduce the cost of the Charter referendum; and investigated section 38 of the state rule law and figured out how the City can apply for a grant to offset the cost of the review work. They are also looking at an early date in June to see if it is feasible.

Barbara Thomas of the Charter Review Commission stated she is part of the Outreach Reach Committee and is confident they will have a good turn-out. They have been receiving good press from various newspapers. She is concerned if the date is moved to the fall they wouldn't get the media with all the candidates running for office.

Simon of Saratoga Springs stated he is in favor of the special election.

Tom Porter of Saratoga Springs stated he is wondering why each time the Charter gets voted down we just don't tweak what we have. Why do they keep trying to re-write? He is opposed to the special election.

BK Kermati of Saratoga Springs and member of the Charter Review Commission stated he has learned a lot. They want to separate this from the regular election so people know what they are running for. It will cost less to do this earlier rather than later.

Gordon Boyd of Saratoga Springs and member of the Charter Review Commission stated the NYS Municipal Home Rule Law gives the Charter Commission the authority to determine when the election will be held. It also requires funds be appropriated to meet reasonable expenses of the Charter review and the referendum.

Ann Bullock of Saratoga Springs and the Charter Review Commission stated she supports the special election. She is concerned about informed voter turn-out. It will be less expensive to educate the voters now.

Minita Sanghvi of Saratoga Springs and member of the Charter Review Commission stated they are a non-partisan commission. Their only concern is the betterment of their city. It does not deserve to be a back of the ballot issue.

Bill Springnether of Saratoga Springs thanked the City Council for Pitney Farm. He also stated having a special election sounds like a good idea; however, May 30th may not be the best date.

Jane Wieh of Saratoga Springs stated this is like a child asking the same question over and over to see if they can get a different answer.

Darlene McGraw of Saratoga Springs stated the City is playing a game of Monopoly.

Mayor Yepsen closed the public comment period at 7:27 p.m.

Commissioner Scirocco stated he will report on the fire during his agenda. All the appropriate authorities including the DEC were there. They have spent \$200,000 at the garage making it safer.

Commissioner Mathiesen asked the community to carefully look at today's Charter and form of government and what the proposed changes are.

PRESENTATION

Pitney Meadows Community Farm

Mike Ingersoll of the LA Group presented the plan for the Pitney Farm land. He advised some of the community aspects will be realized later this year. There are some zoning glitches that need to be rectified. There is a 11.7 acre piece of the parcel that is being addressed here. There are easements in place that depicts what activities can occur. There will be a new education facility, possible work housing, and a children's greenhouse/garden. The plan will be done in phases. There is a meeting at the Universal Preservation Hall on March 5th to review all the plans again.

CONSENT AGENDA

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

1. Approval of 2/6/17 Pre-Agenda Meeting Minutes
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Ayes – All

MAYOR'S DEPARTMENT

Proclamation: Frederick Joseph Allen

Mayor Yepsen read the following proclamation into the record:

A PROCLAMATION
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, FREDERICK JOSEPH ALLEN was born in Saratoga Springs in 1867. His remarkable life began shortly after the Civil War and ended 104 years later during the Vietnam War. His story of dedication to his work, his family, and his community is more than just the story of a noted Saratogian. It is a story about America; and

WHEREAS, Mr. Allen was born at a time when African-Americans were finding new roles in our nation. For many, that meant moving far away from their old homes to cities that offered greater social freedom and a better life. When Mr. Allen took a job as a redcap – a railroad station employee – at Union Station in Albany, he must have realized that he was becoming one of the workers responsible for helping the thousands of families who migrated north in search of greater opportunities. Porters and redcaps were important role models in the Black community. They wore railroad uniforms, had responsibility for their passengers, met important people, and represented their railroad. Although they were usually paid less than their white co-workers, they were the people that African-American travelers trusted to ask about local accommodations, job opportunities, and local customs, and they became a vital link in one of the most important demographic shifts that ever shaped American history; and

WHEREAS, Mr. Allen later went to work for many years here in our city. He is believed to be the first African-American employee of our Department of Public Works, and perhaps even the first in all of City Hall. He served as a custodian as well as a skilled plumber and electrician, and those who worked along with him valued him as a colleague and a friend. Throughout his life, he was extensively active in a wide variety of civic, religious, educational and neighborhood activities in our community. He was a loving family man whose proud descendants, many of whom still reside here in Saratoga Springs, remember him with happiness and joy. In sum, he was one of a generation of honest, hard-working Americans who demanded respect by earning it. Today, the lodge that bears his name still follows its founding principles of Charity, Justice, and Brotherly Love,

NOW, THEREFORE, I, JOANNE D. YEPSSEN, Mayor of the City of Saratoga Springs, am pleased to join with my fellow Saratogians, with Mr. Allen's descendants, and with the members of the Saratoga Springs Improved Benevolent And Protective Order of Elks of the World, Frederick Allen Lodge #609, and Mary A. Carter Temple #362, in celebrating the life and the legacy of Frederick Joseph Allen.

Discussion and Vote: Merit for Review Zoning Amendment PUD Pitney Meadows Community Farm (17-031)

Mayor Yepsen moved and Commissioner Franck seconded that the City Council find that the proposed PUD zoning amendment for Pitney Meadows Community Farm has merit and shall be forwarded to the Planning Board for review.

Ayes – All

Announcement: Advisory Opinions from County and City Planning Boards and DRC for Pitney Meadows Community Farm

Mayor Yepsen announced the City Council will be asking the City Planning Board, County Planning Board and Design Review Commission for an advisory opinion regarding the Pitney Meadows Community Farm.

Discussion and Vote: Approval to Seek Lead Agency for SEQR Evaluation – Pitney Meadows Community Farm PUD (17-032)

Mayor Yepsen moved and Commissioner Madigan seconded the City Council declare itself lead agency for SEQRA evaluation of the Pitney Meadows Community Farm PUD.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Agreement with Saratoga Springs Office of the Aging (17-033)

Mayor Yepsen advised this is an annual agreement with the Office of the Aging.

Mayor Yepsen moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with the Saratoga County Office of the Aging. The Saratoga County Board of Supervisors adopted a resolution – 146 in 1996; which authorized agreements with municipalities for partial funding of nutrition and/or transportation services for elderly operated by the Saratoga County Office of the Aging. The budget line item is for \$1,502 which is food and comes out of A3416784; transportation at \$1,502 out of A3416794.

Ayes – All

Discussion and Vote: Approval to Pay Miller, Mannix Law Invoices (17-034)

Mayor Yepsen stated this is for various departments' use of the law firm.

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve payment of invoices submitted by Miller Mannix Law firm as of this date. Budget line number this will come out of is A3618684.

Ayes – All

Discussion and Vote: Approval to Pay Honeywell Law Invoices (17-035)

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve payment of invoices submitted by Honeywell Law as of this date. Budget line A3011424.

Ayes – All

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Agreement with Precision Industrial (17-036)

Commissioner Franck advised this contract is for the environmental remediation of the DPW Garage as a result of the January 27th Fire. The cost of this service is fully reimbursable by Travelers Insurance. Travelers and the City will receive a manifest of the chemicals disposed of at this location. Travelers has agreed to the vendor and their proposal. Work on this project is tentatively scheduled to commence the first full week of March.

Commissioner Franck moved and Commissioner Mathiesen seconded to authorize the mayor to sign the contract with Precision Industrial as distributed with the agenda.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Agreement with REMO (17-037)

Commissioner Franck advised the Safety Committee recently purchased two automatic defibrillators - one for the Vernon Ice Rink and one for the Water Treatment Plant. This contract renews the City's existing agreement with REMO for its three original defibrillators and adds the two new ones. Dr. Timothy Brooks, the City's Medical Officer will oversee the medical requirement of the arrangement with the NYS Department of Health.

Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign the agreement with REMO as described.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contract with Adirondack Security (17-038)

Commissioner Franck advised this is the Safety Committee's Security Project that will provide and install new software for City Hall, Police and Fire proximity access cards. Additionally, City Hall will receive new panic button technology that will coordinate resources with the City's security camera programming. The cost of this contract is \$42,674.59 and has been budgeted as part of the City's Capital Budget Risk and Safety Security programming.

Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign the contract with Adirondack Security.

Funding is in line: H3141622 / 52000 / 1230.

Ayes - All

Set Public Hearing: Ballston Avenue Zoning Amendment

Commissioner Franck recused himself as one of the applicants is a client of his CPA firm. He left the room.

Mayor Yepsen set a public hearing for Tuesday, March 21, 2017 at 6:45 p.m.

Commissioner Franck re-joined the meeting.

Award of Bid: Flowers and Miscellaneous Supplies to Dehn's Flowers (17-039)

Commissioner Franck moved and Commissioner Mathiesen seconded to award the bid for Flowers and Miscellaneous Supplies to Dehn's Flowers for an amount not to exceed \$25,000.00.

Funding is in line: A3335014 / 54184

Ayes - All

Award of Bid: Plumbing Services for Department of Public Safety to BPI Mechanical Services (17-040)

Commissioner Franck moved and Commissioner Mathiesen seconded to award the bid for Plumbing Services for the Department of Public Safety to BPI Mechanical Services as distributed with the agenda.

Funding is in lines: A3143124 / 54610; A3143314 / 54610; A3143414 / 54610; and A3143014 / 54720.

Ayes - All

Discussion: Safety Committee Report on 1/27/17 DPW Garage Fire

Marilyn Rivers provided the Council with a copy of the executive summary (attached) of the fire at the DPW garage. It is a fully covered insurance claim. A fire investigator was sent by the insurance company; however, the fire is undetermined at this point. We are going to receive actual cash value for expediting expenses. The entire building is going to be taken down. The records stored in the vault at the garage did not get damaged. Other records suffered smoke damage. A salvage effort will begin in the second or third week of March. Travelers will have to approve the new design and construction firm. Personal property of employees is covered by their own insurance. She provided in depth detail of the process and steps the City will need to take from this point until the rebuild.

Marilyn advised the Safety Committee has come up with recommendations.

FINANCE DEPARTMENT

Announcement: Saratoga Springs Website Named Top Regional Website

Commissioner Madigan announced that out of 24 websites reviewed, the City's website was selected as a top website. The Times Union re-evaluated the websites based upon the Empire Center. The only criticism mentioned was it is not easy to find information on our FOIL process. Also, Wilton and Bethlehem provide all their city labor contracts on line. That is something she would like to look into doing here. There is a link to the article on line.

Announcement: Smart City Update – Saratoga Go

Commissioner Madigan announced Saratoga Go is a community partnership. It is a smart city technology competition to create community innovations that will improve the quality of life for residents, businesses, institutions, and visitors to our city. Participants can submit any solution in the following categories: connected community, public services, environmental innovation, education and training, intelligent infrastructure, and a general open category. More details are forthcoming.

Discussion and Vote: Resolution for Non-Union Full Time Personnel (17-041)

Commissioner Madigan advised the CSEA City Hall Union has agreed to remove the executive assistant position to the City Attorney's Office from the union contract. The salary being requested is \$48,454. Appointment to this position will be made effective March 1, 2017.

Council waived the reading of the following resolution:

Resolution For Non-Union Full Time Personnel
Amended February 21, 2017

It is the intent of this resolution to establish changes in compensation and fringe benefits for the following non-union full time employees of the City of Saratoga Springs. Employees and personnel subject to this resolution shall be each hereinafter referred to as "employee", and include:

Executive Assistant, Executive Assistant to the Mayor, Principal Planner, Executive Assistant to the Commissioner of Public Works, Zoning and Building Inspector, Administrative Director – Recreation, Executive Assistant to the Commissioner of Public Safety, Deputy Commissioner of Public Works, Deputy Commissioner of Accounts, Secretary to the Civil Service Commission, Deputy Commissioner of Finance, Civil Service Clerk, Deputy Commissioner of Public Safety, Human Resources Administrator, Deputy Mayor, and Director of Risk and Safety.

This resolution shall supersede all prior resolutions affecting compensation and benefits for said employees. This resolution shall only be effective for stated employees in service as of the date of the resolution adoption and those in service subsequent to the date of adoption and specifically shall not apply to employees who have retired, or left office, prior to date of adoption.

Nothing in this resolution shall be construed to create an employment agreement nor alter the "at-will" status of the Executive Assistant/ Executive Assistant to the Mayor, the Executive Assistant to the Commissioner of Public Works, the Executive Assistant to the Commissioner of Public Safety, Secretary to the Civil Service Commission, Deputy Commissioner of Public Works, Deputy Commissioner of Accounts, Deputy Commissioner of Finance, Deputy Commissioner of Public Safety and the Deputy Mayor.

NOW THEREFORE BE IT RESOLVED as follows:

- A. The terms of this resolution shall take place on January 1, 2007, and shall include such further terms as added by Resolutions dated July 19, 2011, January 15, 2013, August 6, 2013, December 17, 2013, August 5, 2014, September 16, 2014, November 18, 2014, January 19, 2016, June 21, 2016, August 2, 2016, and November 15, 2016.
- B. Unless otherwise stated, the terms added by the September 16, 2014 amendment shall take effect January 1, 2015.
- C. Effective January 1, 2014, the Principal Planner, Zoning and Building Inspector shall no longer be included in or covered by this Resolution, or any terms and conditions contained herein.
- D. Effective July 11, 2014, the Administrative Director - Recreation shall no longer be included in or covered by this Resolution, or any terms and conditions contained herein.

- E. Effective January 1, 2015, the Secretary for the Civil Service Commission shall have a total annual base salary, inclusive of all increases to through January 1, 2015, of fifty thousand dollars (\$50,000.00).
- F. Effective June 22, 2016, the Civil Service Clerk shall be a non-exempt position and have a total annual base salary of thirty-five thousand eight hundred and twenty dollars (\$35,820).
- G. The employees shall not be entitled to overtime compensation, except: 1) employees classified as non-exempt shall be entitled to overtime compensation; and 2) as may be required by federal law.
- H. Effective December 1, 2016, the employees standard workweek shall be 40 hours per week, except that the standard workweek for the Secretary to the Civil Service Commission shall remain at 33 hours per week.
- I. The salary of the Executive Assistant, Executive Assistant to the Commissioner of Public Works and the Executive Assistant to the Commissioner of Public Safety shall be the same as the Executive Assistant to the Mayor. Effective December 1, 2016 the total annual base salary of each aforementioned Executive Assistant shall be \$47,504.

J. The employees shall enjoy and be entitled to the following benefits:

- 1. Vacation: An employee shall earn annual vacation as follows: 10 working days during their first year of service, and during each of the next four years of service; 15 working days upon completion of five (5) years of service; 20 working days upon completion of ten (10) years of service; 25 working days upon completion of fifteen (15) years of service and 30 working days upon completion of twenty (20) years of service. For each employee hired after January 1, 2006, a proration of the 10 days will be granted during the first year of service.

Vacations for the employee shall be scheduled and approved by their respective Council member.

Vacation must be taken by December 31st of the year vacation was earned, or else the time shall be forfeited. If the employee retires, resigns, or is not reappointed, the employee shall be entitled to payment for only those vacation days earned and unused for the period between the employee's last anniversary date and the date of retirement, resignation or other termination.

If a recognized City Hall holiday falls within the vacation period, the vacation period shall be extended by the holiday falling within such periods.

If an employee should die during his or her employment, all vacation time earned and unused for the period between the employee's last anniversary date and the date of death, shall be paid in cash or as employee's death benefit to his/her designated beneficiary or estate.

- 2. Sick Leave: The employee shall be entitled to sick leave with pay for a maximum of twelve (12) working days per year. The employee may accumulate sick leave, but may not use more than 150 days in any given 12 month period. Employee shall use sick leave in no shorter than two hour increments. Each employee hired after January 1st shall be granted a proration of the 12 days allotted during the first year of service.

If an employee is absent because of illness or disability for more than three consecutive days, they may be required by their Commissioner/Mayor to provide a physician's statement of sickness or disability.

Prior to any cash payments for unused sick leave, an employee who terminates his/her service prior to December 31st shall be granted a proration of the 12 days allotted.

Their Commissioner on an annual basis must maintain an employee's records of sick time with a copy submitted to the Commissioner of Finance for each employee's payroll folder.

Cash payments will be made for accumulated unused sick leave remaining in the employee's individual account at termination of employment or upon death of employee while in the employ of the City upon the following basis: Twenty-five percent (25%) of accumulated sick leave up to a maximum of 200 days (cash payment of 50 days). Cash payments upon death of employee while in the employ of the City shall be paid to the employee's beneficiary or estate.

- 3. Personal Days: The employee who works 40 hours per week shall be granted six (6) personal days per year. The employee who works 33 hours per week shall be granted five (5) personal days. Each personal day may be taken at either a full day, one half day, or at a minimum of two (2) hour increments at a time. Such leave shall be requested in writing at least 24 hours in advance of the request time.

The six (6) personal days (or five (5) for employees working 33 hours per week) shall be granted for the year on January 1. Each employee hired after January 1st shall be granted a proration of the six or five days allotted, however, if the employee does not complete the entire year, the pro-rated equivalent daily rate of pay shall be subtracted from any monies due to the employee. Personal days not used in any calendar year shall be credited to accumulated sick leave.

- 4. Holidays: The employee shall be entitled to 12 paid Holidays: New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and Election Day at the November General Election.

5. Bereavement: The employee shall be entitled to three (3) consecutive workdays off per death in their immediate family. Immediate family shall be defined as mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, spouse, grandparent (s), grandchild, step parent, step child, aunt, uncle or other persons living in the household of the employee.
6. Retirement: The employee shall be covered by the New York State Employee's Retirement System known as 75i of the New York State Retirement Law.
7. Health: For employees hired prior to January 1, 2007, the employee shall be entitled to participate in the MVP25 health insurance plans offered by the City to the various bargaining units, at no cost to the employee. The City shall provide the plans to the employee, their dependents, and retired employees and their dependents at the City's own expense. For employees hired after January 1, 2007, the employee shall be entitled to participate in the MVP25 health insurance plans offered by the City to the various bargaining units, at a cost to the employee of 10% of the total cost of his or her health insurance plan not to exceed \$750 per year. The City shall provide the plans to the employee, their dependents, and retired employees and their dependents.

For all Medicare eligible retirees residing within the geographic network served by MVP, the City shall offer the MVP Medicare Advantage Preferred Gold as the sole plan. For all Medicare eligible retirees residing outside the geographic network served by MVP, the City shall offer the MVP Preferred PPO Plan as the sole plan. For all retirees not eligible for Medicare residing within the geographic network served by MVP, the City will offer the MVP Co-Plan 25 HMO as the sole plan. For all retirees not eligible for Medicare residing outside the geographic network served by MVP, the City will offer the MVP Preferred PPO Plan as the sole plan. The City shall provide these plans to the retired employees and their dependents.

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

A) impact in any way the health insurance plans, costs or benefits provided for in this Resolution (including but not limited to contractual benefits such as health insurance buy-outs or stipends); or

B) raise a question as to whether the health insurance benefits provided for herein meet certain standards contained in such legislation, rules and/or regulations (including, but not limited to, compliance with legislation, rules, regulations, or any legislation, rules, or regulations which may cause the City to be charged any penalty, or those that govern whether plan benefits meet the "minimum essential benefits" standard or a similar standard, whether the City premium contribution levels are adequate and/or meet legal requirements, or whether the individual household affordability standard is satisfied); or

C) permit an individual or group of individuals to receive benefits, subsidies, or credits through a health insurance exchange program (or any other government subsidy or benefit provided pursuant to the PPACA, HCERA, or any state or federal regulations or rules implementing health insurance reform laws);;

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

The City shall provide such medical coverage for the widow or widower of the employee or retired employee in this resolution until the widow or widower's death or remarriage whichever occurs sooner. Children shall be covered until age 19 or as stipulated in the appropriate health care contract or otherwise as may be required by law.

"Retirees" shall be defined as full time employees who have served the City of Saratoga Springs for at least twenty consecutive years and retire from the New York State Employee's Retirement System Section 75i of the New York State Retirement Law and were serving as full time employees of the City of Saratoga Springs at the time of retirement. For the purposes of this definition, the commencement date of "full time employment" for the current Civil Service Secretary, Patsy Berrigan, shall be deemed September 4, 1995, and the number of consecutive years of full time employment required is ten, as per prior documentation.

An employee may elect not to participate in a plan of medical and health insurance benefits provided under this agreement and such employee shall be eligible to receive a payment of \$2,200.00 for single coverage, \$2,500.00 for two-person coverage or \$3,000.00 for family coverage per calendar year. No employee shall be eligible to receive such payment unless the employee shall have provided proof to the Finance Office that such employee and such employees' eligible dependents are covered by a comparable plan of medical and health insurance benefits for the entire year that such employee elected not to be covered by a plan provided by the Employer. Payments shall be made on December 15 of each year. The parties understand that participation in a plan of medical and health insurance benefits is mandatory. An election not to be covered shall be made on or about December 15th of each year to the Principal Account Clerk in the Finance Office in charge of City provided benefits pursuant to the regulations of the plan in effect together with

evidence of coverage of such employee and such employee's eligible dependents under a comparable plan of medical and health insurance benefits. Such employee must promptly notify the Employer of termination of alternative medical and health insurance benefit coverage. In the event that an employee reenrolls in a health insurance program, the employee shall be permitted to a prorated portion of the \$2,200.00 (for single coverage), \$2,500.00 (for two-person coverage), or \$3,000.00 (for family coverage), payment but shall not be permitted to again opt-out of the insurance program during the calendar year.

Employees hired before July 1, 2011 shall be entitled to participate in the Health Reimbursement Arrangement as contracted by the City Council and will receive the full benefits of such as are being enjoyed by members of the collective bargaining units under the HRA Plan. The City shall provide this plan to the employee, their dependents, and retired employees and their dependents. Effective January 1, 2015, said employees will no longer be entitled to participate in the Health Reimbursement Arrangement. Employees shall have until March 31, 2015 to submit claims for expenditures incurred in 2014.

8. Vision: The City agrees to pay 100% of the cost of the Employee Benefit fund Vision Plan Platinum 12 for all employees and their dependents.
9. Disability: New York State Disability Insurance shall be offered to the employee.
10. Life: The City shall provide group term life insurance for the employee in the amount of \$5,000.00 while they are employed by the City of Saratoga Springs.
11. All increases in compensation and benefits paid to employees under this resolution shall be drawn from the budget of the employees department, except that if said departmental budget does not contain funds sufficient to pay the employee, the Head of that Department may draw any remaining compensation or payment due to the employee from the City's contingency budget.
12. Each employee shall receive longevity payments as follows:
 - After 5 years of service \$250.00;
 - After 10 years of service \$500.00;
 - After 15 years of service \$1,550.00;
 - After 19 years of service \$1,800.00;
 - and an additional \$250.00 each five (5) years thereafter.

All longevity payments shall be paid upon completion of the specified amounts of consecutive eligible service regardless of the title (s) held during that time.

- K. Effective January 1, 2013, all employees covered by this resolution and who have been employed with the City for the past six consecutive months without interruption shall receive a 2% increase in salary.
- L. Effective January 1, 2014, and for every year thereafter effective on the first of the year, all employees covered by this resolution, with the exception of the Human Resources Administrator for the year 2014, shall receive an increase in salary based on the Bureau of Labor Consumer Price Index - Northeast Region June (12-month) of the prior year. If there is no increase in the Bureau of Labor Consumer Price Index - Northeast Region June (12-month), then salaries remain unchanged. However, employees other than Executive Assistants and Deputies named herein must be employed with the City for six consecutive months prior to January 1 in order to be eligible for the increase in salary described in this paragraph. This section is repealed effective January 1, 2016.
- M. Effective January 1, 2016, all employees covered by this resolution and who have been employed with the City for the past six consecutive months without interruption shall receive a 2% increase in salary. Effective January 1, 2017 all employees covered by this resolution shall receive a 2% increase in salary.
- N. Effective January 1, 2018, and for every year thereafter effective on the first of the year, all employees covered by this resolution will receive the same increase awarded under the CSEA-City Hall bargaining unit contract for that year. In the event that the last CSEA-City Hall bargaining unit contract has expired, and no subsequent contract has yet been ratified, all employees covered by this resolution will receive those increases awarded the CSEA-City Hall bargaining unit upon ratification of a new CSEA-City Hall contract and will receive the associated retroactive pay.
- O. This Resolution shall be reviewed by the City Council annually on the Commissioner of Finance's agenda, by no later than the first meeting in August of each year.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the addition of the executive assistant title to the non-union full time personnel resolution with a salary of \$48,454 and an appointment date effective March 1, 2017. The amended resolution was uploaded and distributed with the agenda.

Ayes – All

Discussion: Sales Tax Update

Commissioner Madigan advised the City has received all sales tax distribution for 2016. Total receipts amounted to \$11,982,273.15 and were 3.2% higher than 2015 receipts but 2% less than what was budgeted.

Discussion and Vote: Budget Transfers – Payroll (17-042)

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the budget transfers payroll which was distributed with the agenda.

Ayes – All

** Council took a break at 8:48 p.m.

** Council returned at 8:53 p.m.

Discussion and Vote: Budget Amendment Charter Review Commission Requested Administrative Budget (17-043)

Commissioner Madigan advised the Charter Review Commission is seeking funds for their administrative costs associated with the preparation of a new Charter. They requested the following: \$20,000 for outside legal consulting services and Tony Izzo, \$20,000 for education and out-reach, and \$6,000 for the clerk for taking minutes.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve Charter Review Commission's requested budget to include \$20,000 for legal consulting fees as outlined in her discussion, \$20,000 for community education and out-reach as outlined in her discussion, and \$6,000 for a clerk for minute taking at meetings. This totals \$46,000 and the budget amendment has been uploaded with the agenda.

Ayes – All

Discussion and Vote: Budget Amendment Charter Review Commission Requested Special Election Budget (17-044)

Commissioner Madigan advised the Charter Review Commission is requested funds for a special election to take place May 30, 2017; the day after Memorial Day weekend. If the vote were to be taken at a regularly scheduled election in November, there would be no additional costs to the taxpayers and we would see a larger percentage of a higher voter turnout. The Charter Review Commission requested: \$5,000 for ballot inspectors; \$11,000 - \$19,000 for election inspectors; \$8,000 for technicians, \$1,200 for transportation; \$2,000 for legal advertising; \$1,000 for absentee and affidavit ballots; and \$500 for sample ballots. The Commission is requesting \$37,000 for a special election.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the Charter Review Commission's special election budget request as distributed with the agenda and as outlined in her discussion as per of their requested budget.

Commissioner Mathiesen stated it was mentioned by Bob Turner tonight for the first time that the special election date may change from May 30th to another date in June. Mr. Turner also mentioned a grant. If money was awarded per the grant; would that money come back to the City?

Commissioner Madigan stated grant funding would come back to the City.

Mayor Yepsen stated everyone at the table appointed someone to the Commission. She believes they have the future of the City in their best interest. They are not being political. It is awkward they are voting on this as it is clear to her that the Commission is to determine what they want to put on referendum and when. It is in our best interest to move forward on this. Everything she is hearing from the state is this is not an unreasonable request.

Commissioner Scirocco stated he is in favor of the work the Commission is doing but it should happen in November. You don't see voters turn out in special elections. This is voter suppression. He can't support this.

Commissioner Mathiesen stated he can support a special election. He can't compare a voter turn-out for a special election as he is not aware of the City ever having a special election. It needs to be decided upon separately and not muddled among our regular election. He believes \$37,000 is worth it.

Commissioner Franck stated he is not voting for this. There is case law contrary to what the mayor has stated. This group has been on TV. and in the newspaper advocating for a change in the form of the government. They are not supposed to be doing this; they are supposed to be educating. You are asking to spend taxpayer money in hope of getting some of it back for a lower turnout. He hasn't seen a document yet. There has been money expended that isn't supposed to be expensed – they are not to incur liability. It was said he should recuse himself based upon a donation of \$100 he made to the SUCCESS group; of which one of the members of the Commission came up with the acronym for SUCCESS; another member of the Commission sued the City. Does that mean they shouldn't serve – no. He stated this information for the record and is stating for the record he is not recusing himself because of that. He suspects this will come down to a lawsuit.

Commissioner Madigan stated she is not voting for this. It is clear we have to take action on this. We are not telling the Commission what to write or say. The chair has put reader's views in the paper condemning this form of government. She was told it was just a courtesy that they ask for a budget as the mayor is going file a certificate.

Roll Call:

Commissioner Franck – Nay
Commissioner Madigan – Nay
Commissioner Scirocco – Nay
Commissioner Mathiesen – Aye
Mayor Yepsen - Aye

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum #2 with Wehran LFG Services LLC for the Weibel Avenue Landfill Monitoring (17-045)

Commissioner Scirocco stated this is for Wehran to provide services from 2/21/17 – 12/31/17.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with Wehran LFG Services LLC for the Weibel Avenue Landfill gas project in the amount of \$31,190.

Ayes - All

Discussion and Vote: Sick Bank Request (17-046)

Commissioner Scirocco moved and Commissioner Mathiesen seconded to request up to 18 ½ days from the DPW sick bank for an employee. This has been approved by the DPW CSEA Union.

Ayes – All

Announcement: Update on the Fire at 19 Van Rensselaer Street – DPW Garage

Commissioner Scirocco thanked Marilyn Rivers for her overview of the fire. No employees injured and no major equipment was lost. The fire has not interrupted any services.

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Accept Donation (17-047)

Commissioner Mathiesen moved and Commissioner Madigan seconded to accept a donation in the amount of \$40 from Susan L. Samuels to the Police Department.

Ayes - All

Authorization for Mayor to Sign Contract with BPI for Plumbing Services for the Public Safety Department (17-048)

Commissioner Mathiesen stated this should be a discussion and vote.

Commissioner Mathiesen moved and Commissioner Scirocco seconded to authorize the mayor to sign a contract with BPI for plumbing services in the Public Safety Department and the Police Department.

Ayes - All

Discussion: Public Safety 2016 Annual Report

Commissioner Mathiesen provided the Council with a copy of the 2016 Department of Public Safety Annual Report. He reviewed some of the highlights of accomplishments. A copy of the report is retained in the City Clerk's Office.

Discussion: Cherry Street Drug Raid

Commissioner Mathiesen advised there was a drug raid on Cherry Street early in the morning. There were 2 buildings involved. In addition to the Saratoga Springs Police Department, there was assistance from the Fire Department, Saratoga County Sheriff Department, the New York State Police, and the DEA. He thanked all for the hard work.

SUPERVISORS

Matthew Veitch

Racing & Gaming Committee Update

Supervisor Veitch reported at their February 7th meeting they set up a resolution opposing the OTB deal with Resorts World Casino.

Veterans Committee

Supervisor Veitch reviewed some of the services they offer such as transition assistance; employment connection and referrals; homeless outreach; military records and metals requests; support of veteran recognition programs.

Peter Martin

Board of Supervisors Meeting

Supervisor Martin reported the monthly meeting will be held next Tuesday. Items up for vote include accepting a grant for the Sheriff's Office for body armor and ballistics. They will also be re-apportioning money for E-911 and renew their agreement with Homeland Security.

Public Health: Open Point of Dispensing

Supervisor Martin reported they will be conducting a drill regarding the dispensing of medical remedies.

EXECUTIVE SESSION

Mayor Yepsen advised both items for executive session relate to the proposed acquisition, sale, or lease of real property when publicity would substantially affect the value thereof.

Mayor Yepsen moved and Commissioner Mathiesen seconded to go into executive session at 10:23 p.m.

Ayes – All

Council returned at 10:59 p.m.

Mayor Yepsen advised no decisions were made during executive session to report.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 11:00 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved: 3/7/17
Vote: 5 - 0