



March 6, 2017

CITY OF SARATOGA SPRINGS
City Council Pre-Agenda Meeting
9:30 AM

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
Susan Armstrong, Deputy Commissioner, Finance
Maire Masterson, Deputy Commissioner, Accounts
Eileen Finneran, Deputy Commissioner, DPS

Vince DeLeonardis, City Attorney

Peter Martin, Supervisor

EXCUSED: Frank Coppola, Jr., Deputy Commissioner, DPW

Matthew Veitch, Supervisor

CALL TO ORDER

Mayor Yepsen called the meeting to order at 9:37 a.m.

PRESENTATION

1. 2016 West Avenue Special Assessment District Annual Report – Matt Jones will be here to present.
2. Saratoga Go! Technology Competition – NYSTEC, IgniteU, and Empire State College will be here to present.

CONSENT AGENDA

1. Approval of 2/21/17 City Council Meeting Minutes
2. Approval of 2/21/17 Pre-Agenda Meeting Minutes
3. Approve Budget Amendments (Increases)
4. Approve Budget Amendments – Insurance Reserve - 4
5. Approve Budget Transfers – Regular
6. Approve Payroll: 2/24/17 \$506,945.98
7. Approve Payroll: 3/03/17 \$492,182.98
8. Approve Resolution for Use of Insurance Reserve - 4
9. Approve Warrant: 2016 Mid – 16MWDEC8: \$6,071.00
10. Approve Warrant: 2017 – 17MAR1: \$364,865.83
11. Approve Warrant: 2017 Mid – 17MWMAR1: \$6,467.67

No comments.

MAYOR'S DEPARTMENT

Set Public Hearing: Acquisition of Parcel 166.23-1-9 and Portion of 166.23-3-9 Utilizing Open Space Bond Funds

Tina Carton advised the Open Space Committee was approached by the land owner with the offer to buy these parcels. The land backs up to Loughberry Lake. GAR Associates did the appraisal of the property.

Discussion and Vote: To Seek SEQRA Lead Agency for Geysers Road Trail

Brad Birge of the Planning Department stated this is up for review by the Council as a Type 1 action.

Discussion and Vote: Authorization to Apply for 2016 Zero-Emission Vehicle (ZEV) and Infrastructure Municipal Rebate Program

Tina Carton advised the DEC released the opportunity for the rebate program. This does not obligate the City to anything; it just puts us in the queue for up to 80% reimbursement.

Discussion and Vote: Approval to Pay GAR Associates, Invoice for Appraisal Services

Vince DeLeonardis, city attorney, advised this relates to the property at 100 Geysers Road. The City is moving forward with eminent domain.

Discussion and Vote: Authorization for Mayor to Sign Contract with Miller, Mannix, Schachner & Hafner, LLC

No comments.

Discussion and Vote: Authorization for Mayor to Sign Addendum to Contract with Honeywell Law Firm, LLC

Mayor Yepsen explained this addendum will allow for Honeywell to finish existing work they have outstanding with the City.

Discussion and Vote: Authorization for Mayor to Sign Contract with Goldberger and Kremer Attorneys at Law for Labor and Employment

Mayor Yepsen advised this is for issues that started in 2017.

Mayor Yepsen advised she is adding one item: Discussion and Vote: Pay Honeywell Law Firm for Invoices from January 2017 – to Present.

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Three Agreements with Plaza 15 Self Storage

Marilyn Rivers, director of risk and safety, advised this is for the rental of 3 storage units for the records that were once stored at the DPW garage.

Award of Bid: Labor and Employment Legal Services to Goldberger and Kremer, Attorneys at Law

No comments.

Award of Bid: Land Use Board Legal Counsel to Miller, Mannix, Schachner and Hafner, LLC

No comments.

Discussion and Vote: Property and Casualty Incidents, Claims and Litigation Protocol

Marilyn Rivers, director of risk and safety, reviewed the changes/additions that were made to the protocol.

Commissioner Scirocco stated he would like it to be made clearer in the document who is supposed to notify risk and safety and within what timeframe the notification is to happen.

Commissioner Franck advised he may be adding an item to his agenda for award of bid for DPW.

FINANCE DEPARTMENT

Announcement: 2 Mega Watt Solar Array on Weibel Avenue Landfill Spa City Solar Park

Commissioner Madigan advised construction is scheduled to start in April.

Discussion and Vote: Budget Transfers – Health Benefits

No comments.

Commissioner Madigan advised she may be adding one item: Discussion and Vote: Re-vote of City Center Authority Lease.

Commissioner Madigan stated Judge Chauvin decided in December 2016 to deny the City's motion to dismiss the Mouzon House lawsuit challenging the City's lease agreement with the City Center. The Council agreed to move forward with the appeal. Her question now is can the Council grant a lease to the City Center Authority or to anyone else for use of City property with a simple majority vote. We seem to be in conflict with our Charter.

Vince DeLeonardis, city attorney, advised NY General City Law states any lease or transfer of City property has to be approved upon a 4/5 vote and separate mayoral approval. It is also clear in NY law that the City of Saratoga Springs is authorized to supersede that section of state law. Our Charter states any state law inconsistent with our Charter is superseded by our Charter; except where supersession is precluded by law. Judge Chauvin denied our motion to dismiss and we have sent our notice to appeal. The Council can consider a re-vote and if it gets the sufficient votes it would render the proceeding mute.

Commissioner Franck stated defending our Charter would be going to court.

Vince stated part of Judge Chauvin's decision was our Charter was not specific enough. We are also facing the cost and time associated with it.

Commissioner Franck stated Judge Chauvin is showing his hand on this; this will end up going to the Appellate Court.

Commissioner Mathiesen hoped members of the Council would re-thing their vote and vote accordingly. Anything we can do to expedite this would be in the City's best interest.

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Contract with CNA Environmental for Laboratory Services

Commissioner Scirocco stated this is laboratory services for water quality.

Discussion and Vote: Authorization to Sign Contract with BPI Mechanical Service

No comments.

Commissioner Scirocco added the following items to his agenda:

- Discussion and Vote: Change Order #2 with Trinity Construction – Adams Street Pump Station
- Discussion and Vote: Change Order #2 with PCC Contracting for Final Plaster Repairs at Casino
- Discussion and Vote: Music Hall Rental
- Discussion and Vote: Sick Bank Request

PUBLIC SAFETY DEPARTMENT

Set Public Hearing: Amend Chapter 225, Article VII, Subsection 225-59 - Redemption of Seized Vehicles

Tony Izzo, assistant city attorney, advised this amendment would update insurance requirements.

Discussion and Vote: Amend chapter 225, Article IX, Subsection 225-87 - Time Limit Parking

No comments.

Discussion and Vote: Amend Chapter 225, Article IX, Subsection 225-77, Schedule XII – Stop Intersections

No comments.

Discussion and Vote: Authorization for Mayor to Sign Contract with SF Cleaning

No comments.

Discussion and Vote: Authorization for Mayor to Sign the Disbursement Agreement with LISC (Local Initiatives Support Corporation)

Commissioner Mathiesen stated this relates to the zombie properties in the City.

Discussion and Vote: Establish Code Enforcement Technician Position

Commissioner Mathiesen stated they are re-organizing code enforcement for when one of them retires. They would like to have once code enforcer oversee 2 technicians.

Discussion and Vote: Authorization for Mayor to Sign Vendor and/or Service Agreement with Vander Molen

Commissioner Mathiesen stated this is for the maintenance of the fire equipment.

Discussion and Vote: Authorization for Mayor to Sign Contract with Pittsfield Communications

Commissioner Mathiesen stated this is for the maintenance of the radio system in the Police Department.

Announcement: Letter to DOT Regarding Traffic Problems in Saratoga Springs

No comments.

City Council Pre-Agenda Meeting
March 6, 2017

Commissioner Mathiesen added the following items to his agenda:

- Announcement – Thank You to Individuals for Set Up at Recreation Center
- Discussion and Vote: Record Management Clerk – Change in Title

SUPERVISORS

Matthew Veitch

1. National Association of Counties Conference: February 25 – March 1, 2017

Peter Martin

1. Greenbelt Trail Alliance
2. Equalization and Assessment
3. NY Farm Bureau

ADJOURN

Mayor Yepsen adjourned the meeting at 11:16 a.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved: 3/21/17
Vote: 5 - 0