



March 16, 2021

CITY OF SARATOGA SPRINGS
City Council Meeting

7:00 PM

(via zoom)

**6:55 PM – P.H. – 2021 Water & Sewer
Resolution**

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

CONSENT AGENDA

1. Approval of 2/16/2021 City Council Meeting Transcript
2. Approval of 2/16/2021 Pre-Agenda Minutes Transcript
3. Approval of 3/1/2021 Pre-Agenda Meeting Minutes
4. Approval of 3/2/2021 City Council Meeting Minutes
5. Approve Budget Transfers – Regular
6. Approve Budget Amendments - Insurance
7. Approval Payroll 3/5/2021 \$580,849.83
8. Approval Payroll 3/12/2021 \$459,914.84
9. Approve Warrant – 2021 21MWMAR1 \$686,965.84
10. Approve Warrant – 2021 21MAR2 \$5,205,886.44

MAYOR'S DEPARTMENT

1. Discussion and Vote: Annual Salary Approval for the Saratoga Springs Housing Authority
2. Discussion and Vote: Appointment to Saratoga Springs Housing Authority
3. Discussion and Vote: Appointment to Civil Service Commission
4. Appointment: Design Review Commission
5. Appointment: Design Review Commission Alternate
6. Appointment: Planning Board Alternate
7. Appointment: Zoning Board
8. Announcement: 2002 Open Space Plan Update
9. Announcement: Woodlawn/Shelters of Saratoga Building Update
10. Discussion: Police Reform Task Force

ACCOUNTS DEPARTMENT

1. Award of Bid: Extension of Bid – Laboratory Services to CNA Environmental, LLC
2. Announcement: Temporary Outdoor Seating

FINANCE DEPARTMENT

1. Update: City Finances Including the American Rescue Plan and NYS VLT Aid
2. Announcement: Department Meetings RE: 2021 Budget Adjustments
3. Set Public Hearing: New York State Power Authority Energy Services Program – Master Cost Recover Agreement for Street Lights (Project #1277)

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with Morbark, LLC for Morbark Wood Hog Horizontal Grinder
2. Discussion and Vote: Authorization for Mayor to Sign Intermunicipal Agreement Between the County of Saratoga and City of Saratoga for the Management of Single-Stream Recyclables Collection
3. Discussion and Vote: Approval to Pay Invoice #014338 to SRI Fire Sprinkler, LLC
4. Discussion and Vote: Authorization for Mayor to Sign Contract with DEC for Phase I Street Tree Inventory and Urban Forest Management Plan Grant Award
5. Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone Corp. for Asphalt Concrete
6. Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone Corp. for Crushed Stone
7. Discussion and Vote: Approval to Adopt 2021 Water and Sewer Rate Resolution
8. Appointment: The Climate Smart Task Force

PUBLIC SAFETY DEPARTMENT

1. Announcement: COVID-19 Update
2. Discussion and Vote: Accept Donation
3. Announcement: Public Safety 2020 Annual Report
4. Discussion and Vote: Increase School Crossing Guard Hourly Rate

SUPERVISORS

Matt Veitch

1. Government Review and Efficiency Update
2. 2021 Legislative Program
3. Buildings & Grounds Update
4. NACo Virtual Legislative Conference

Tara Gaston

1. COVID-19 Update
2. Executive Order 203 Report
3. Local Law Regarding Third-Party Food Delivery Service Fees
4. NACo Conference & County Government Month

ADJOURN



March 16, 2021

CITY OF SARATOGA SPRINGS

City Council Meeting

7:00 PM

(via Zoom)

PRESENT: Meg Kelly, Mayor
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 of Finance
Maire Masterson, Deputy Commissioner, Accounts
Joe O'Neill, Deputy Commissioner, DPW
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

RECORDING OF PROCEEDING

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

PUBLIC HEARING

2021 Water and Sewer Resolution

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

Commissioner Scirocco stated the water rates are remaining the same for 2021. There is now a \$4 on the basic sewer charge for all customers. This is the only increase for 2021 due to the increase in County sewer charges over the past 4 years. They are further reviewing methods to better balance the sewer charges.

No one spoke.

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

CALL TO ORDER

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

PUBLIC COMMENT

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

Mayor Kelly opened the public comment period at 7:01 p.m.

Katherine Dennett of Saratoga Springs stated Saratoga along with the rest of our Country is in a moment of change. She asked time and consideration be taken before voting on the police recommendations. The proposals are not radical but a new way of thinking. Things don't work as well as they could.

Sarah Marlin of Saratoga Springs urged the Council to review the Task Force recommendations. She would like to see the plans of the future meetings leading up to the passing of this plan.

Molly Dunn of Saratoga Springs stated she would like to see more transparency on the voting of the police reform.

Mayor Kelly closed the public comment period at 7:07 p.m.

Commissioner Dalton stated the Council is meeting on March 23rd and then the 31st.

Commissioner Madigan stated in terms of transparency, all meetings will be open to the public.

CONSENT AGENDA

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

1. Approval of 2/16/2021 City Council Meeting Transcript
2. Approval of 2/16/2021 Pre-Agenda Minutes Transcript
3. Approval of 3/1/2021 Pre-Agenda Meeting Minutes
4. Approval of 3/2/2021 City Council Meeting Minutes
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9. Approve Warrant – 2021 21MWMAR1 \$686,965.84
10. Approve Warrant – 2021 21MAR2 \$5,205,886.44

Ayes – All

MAYOR'S DEPARTMENT

Discussion and Vote: Annual Salary Approval for the Saratoga Springs Housing Authority (21-091)

Mayor Kelly advised the Housing Authority will be closing out their fiscal year March 31, 2021.

Mayor Kelly moved and Commissioner Madigan seconded to approve the Saratoga Springs Housing Authority's staff salaries for the 2021 fiscal year.

Ayes – All

Discussion and Vote: Appointment to Saratoga Springs Housing Authority (21-092)

Mayor Kelly suggested the re-appointment of Steve Sullivan to the Saratoga Springs Housing Authority for a term effective 4/1/21 – 4/1/26.

Mayor Kelly moved and Commissioner Franck seconded to approve the appointment of Steve Sullivan to the Saratoga Springs Housing Authority for the term effective 4/1/21 expiring on 4/1/26.

Ayes – All

Discussion and Vote: Appointment to Civil Service Commission (21-093)

Mayor Kelly suggested the appointment of Angela Rella to complete Nurit Sonnenschein's term. Her term is effective 3/16/21 and expires 5/31/24.

Mayor Kelly moved and Commissioner Dalton seconded to approve the appointment of Angela Rella to the Civil Service Commission for the term effective 3/16/21 and expiring 5/31/24.

Ayes – All

Appointment: Design Review Commission

Mayor Kelly re-appointed Leslie DiCarlo to the Design Review Commission effective 3/16/21 and expiring on 6/30/25.

Appointment: Design Review Commission Alternate

Mayor Kelly appointed Chuck Caputo to the Design Review Commission as an alternate. His term will run from 3/16/21 – 6/30/22.

Appointment: Planning Board Alternate

Mayor Kelly appointed Chris Pipia to the Planning Board to complete the term of Jason Doty. Chris will be an alternate and his term will run from 3/16/21 – 12/31/21.

Appointment: Zoning Board

Mayor Kelly appointed Emily Aronstamm Bergmann to the Zoning Board as an alternate. Her term will run from 3/16/21 – 12/31/27.

Announcement: 2002 Open Space Plan Update

Mayor Kelly announced the City will be updating the 2002 Open Space Plan. The Plan will revise the sections that no longer accurately reflect the character needs and goals of the community. The City staff will facilitate the planning process with technical assistance from MJ Engineering and Land Surveying. A dedicated website has been created to keep the community informed.

Announcement: Woodlawn/Shelters of Saratoga Building Update

Mayor Kelly announced Shelters of Saratoga advised her that Code Blue at Woodlawn are no longer in effect.

Discussion: Police Reform Task Force

Vince DeLeonardis, city attorney, stated the task force held their first meeting 7 months ago and completed and released to the City Council 50+ recommendations. The work was thorough and extensive. All should be commended. It is now up to the Council to review and deliberate on which recommendations will be moved forward. He met with each member of the City Council. He read the resolution as follows:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS

NYS POLICE REFORM AND REINVENTION COLLABORATIVE PLAN

WHEREAS, on June 12, 2020, Governor Andrew M. Cuomo, issued Executive Order No. 203 requiring local governments, including the City of Saratoga Springs, to perform a comprehensive review of existing police force deployments, strategies, policies, procedures, and practices and, with input from community members and stakeholders, to develop a plan to improve such deployments, strategies, policies, procedures and practices; and

WHEREAS, Executive Order No. 203 was issued by the Governor in response to an outpouring of protests and demonstrations occurring throughout the country following the police-involved deaths of unarmed black and African-American civilians and the ongoing demand for change, action and accountability for the mistreatment and discrimination of such civilians; and in an effort to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures and practices, to better address the particular needs of communities of color, to promote public safety, improve community engagement, and to foster trust; and

WHEREAS, on August 4, 2020, the Mayor, in consultation with the City Council, established the Saratoga Springs Police Reform Task Force and appointed eleven (11) members of the community, together with the Police Chief and the City Attorney, to serve on the Task Force and develop recommendations for the City Council to improve police force deployments, strategies, policies, procedures and practices in accordance with the Governor's Executive Order; and

WHEREAS, the Task Force held more than a dozen public meetings since its establishment, both in-person and virtually, conducted research, engaged community members and stakeholders through a public forum and a community survey, and encouraged public comment by providing opportunities at each and every meeting and on the City's website; and

WHEREAS, the Task Force established twelve (12) sub-committees in an effort to further enlarge community input and participation, through focused review of identified areas of concern including, among others, police culture, training and education, use of force and related policies, transparency and accountability; and

WHEREAS, following a thorough and extensive review, the Task Force, with involvement and input from community members, developed a "Reinvention Plan: Toward a Community Centered Justice Initiative", which contains a multitude of recommendations for the City Council to consider as part of the overall effort to improve police force deployments, strategies, policies, procedures and practice; and

WHEREAS, the Task Force recommendations have been made available for public review and comment, provided to community entities and stakeholders identified in the Executive Order and reviewed, discussed the deliberated by the City Council, with due consideration of comments from community members and stakeholders.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, in accordance with the Saratoga Springs City Charter and Governor Cuomo's Executive Order No. 203, makes the following findings and determinations on the identified Task Force recommendations as contained in the enumerated sections of the "Reinvention Plan: Toward a Community Centered Justice Initiative" (A true and complete copy of which is annexed hereto):

SECTION ONE: Culture and Training

The City Council agrees with the Task Force and acknowledges the prevalence of racism which has existed throughout history in the United States. The city Council previously adopted a Resolution on February 16, 2021 declaring that systemic racism must be challenged and eliminated and pledged to exercise its authority to promote racial equity and fairness in the City of Saratoga Springs, to develop and cultivate a diverse and inclusive culture and to eliminate discriminatory systems and practices.

The City Council acknowledges that many of the Task Force recommendations contained in Section One have already been undertaken or implemented by the Police Department, including initiatives relating to community based activities and assertive outreach; efforts to partner with local educational institutions to develop program; recruiting activities that target broader markets for racial and cultural diversity; and training that focuses on de-escalation, procedural justice and protests. The Department is also currently seeking accreditation and has already submitted the necessary application to DCJS.

Notwithstanding, the council acknowledges that additional education and training is appropriate and hereby directs the Chief of Police to implement broader educational opportunities and additional training programs consistent with the Task Force recommendations, including the utilization of an independent external consultant, once funding becomes available and budgetary appropriations have been provided. Pending such appropriations, the Chief shall continue efforts to partner with local academic institutions, groups and organizations toward developing educational opportunities and programs that are not dependent upon funding.

SECTION TWO: Policy

The City council agrees with the Task Force recommendations relating to a third-party policy platform to ensure compliance with Federal and New York State standards, enacted laws and judicial rulings; and that the selection of such provider should be through an open and competitive process. The council notes that, consistent with the Task Force recommendations, the police chief has already posted all existing policies on the City's website in an effort to increase transparency and such practice shall be maintained.

With regard to Use of force and Conducted Energy/Control Device policies, the City Council agrees with the general purpose and intent of the Task Force recommendations and, specifically, those which prioritize de-escalation and emphasize alternatives to use of force. The Police Department currently trains officers on such practices and has policies addressing same. However, the Council finds merit in the further action and hereby directs the Chief of Police to review all Use of Force and Conducted Energy/Control Device policies and to update such policies in a manner consistent with applicable law and the Task Force recommendations.

The Council also agrees that monitoring, reporting and early intervention are of critical importance in maintaining adherence to use of force policies and accountability for individuals that do not. The Police Department currently monitors all use of force incidents and complies with reporting requirements for the State database, in accordance with NY Executive Law and applicable regulations. The Department also has procedures in place for retraining officers and, where appropriate, disciplining such officers. The Council also recognizes that the Chief of Police is currently implementing an investigation procedure for use of force incidents where such investigation would be performed by an individual outside the chain of command of the officer under investigation.

Data analytics relative to use of force incidents and Conducted Energy/Control Devices is imperative and the Council agrees with the Task Force recommendations to expand the scope of same. Task Force recommendations relating to Data Analytics is more broadly addressed in Section Four below.

The Task Force's recommendations relative to interagency cooperation during first amendment assemblies is acknowledged. The Police Department currently has policies in place which govern such assemblies and law enforcement response is based upon intelligence gathered by the Department. Gear and equipment utilized by law enforcement is intended to serve a protective purpose and not a militaristic one. The supervisory staff of the agency requesting law enforcement assistance, under existing policy, retains incident command over all officers assigned to the incident.

The City Council, is, however, mindful of the July 30, 2020 incident referenced by the Task Force and hereby directs the Chief of Police to review all policies relative to First Amendment Assemblies and interagency cooperation to ensure clarity and consistency in situations where assistance from outside agencies is requested and to make necessary revisions consistent with applicable law and the Task Force recommendations.

With regard to the Task Force recommendation that the Police Department be precluded from initiating no-knock warrants under any circumstance, the City Council recognizes the debate existing on this issue. No-knock warrants are and should be rarely, if ever, utilized. A no-knock warrant requires an application and review by a presiding member of the judiciary who must be satisfied that either evidence will be destroyed or disposed of or that the officer's life would be endangered through the issuance of an announced warrant. However, the Council is also aware that on March 3, 2021 the U.S. House of Representatives passed a bill, entitled the "George Floyd Justice in Policing Act" which if subsequently signed into law would, among other things, ban no-knock warrants in drug cases. The Council, therefore, finds it appropriate to review this issue further and hereby suspends any determination until such time that the Senate has considered the measure and the bill signed into law. If and when passage of the law occurs, the council will require the Chief of Police to ensure that all policies of the Department are in accordance and consistent with same.

Regarding immigration status of individuals, the council finds that Department policy already prohibits the detention of any individual for civil violations of federal immigration laws and limits the release of protected information to that which is legally permissible by law.

Sharing of information relating to non-criminal immigration violations is currently prohibited. The Council is aware of the Second Department case of *People v. Demarco*, cited by the Task Force and finds that current Department policy is in compliance with same as it prohibits arrest based upon a warrantless request from federal authorities for a civil immigration violation.

SECTION THREE: Community-Centered Reinvention

The City Council acknowledges the Task Force recommendation that a collaborative arrangement be established "where social workers work with, not for law enforcement agencies". Equally acknowledged, however, is the fact that such collaboration currently exists. As well, collaborations specifically addressing other issues identified by the Task Force, including mental illness, substance abuse and homelessness, also currently exist. Such collaborations allow the Department to assist in efforts in reaching out to the homeless population and offer basic human needs, including food, clothing, shelter and other personal needs, as well as medical, mental health, behavioral health and addiction counseling services.

The City Council, therefore, disputes and takes exception to the statement by the Task Force that "unhoused people are regularly subjected to harassment from police" and notes that the Task Force report is devoid of any factual support for such statement.

The Police Department has long developed partnerships with community stakeholders, agencies and non-profit service providers and was an original participator in the Saratoga Collaborative to End Homelessness, which subsequently evolved into the Assertive Outreach Team, and includes collaboration with Shelters of Saratoga, Salvation Army, Saratoga Hospital, Addiction Care Center of Albany, RISE Housing and Support Services, Captain Community Human Services, New Choices Recovery Center, Adirondack Health Institute, Saratoga County Career Center, NYS Department of Family Assistance, and the Saratoga County Economic Opportunity Council. The Police Department is also actively involved with the Mental Health/Substance Use Disorder partnership, which includes Saratoga County Mental Health, Healing Springs Recovery Community and Outreach Center, St. Peter's Addiction and Recovery Center, Mental Health Association of New York State, Saratoga Hospital, Catholic Charities of Saratoga, The Independent Living Center, Northeast Family Resource Center and New Choices Recovery Center, among others. The Department also works closely with Wellspring to provide advocacy and support services for sexual assault and domestic abuse victims; and to ensure that all Department training and policies reflect the most current information and best practices in addressing such issues.

In addition to the myriad efforts of the Police Department, the Council has also long provided financial and other support to numerous non-profit and social service providers, including, but not limited to, The Saratoga Senior Center, Franklin Community Center, Shelters of Saratoga, Saratoga Center for the Family and EOC Soup Kitchen. Such support has consistently been included in adopted City budgets, even during the current fiscal crisis.

With regard to the Task Force recommendation that the Police Department terminate certain training; prohibit the receipt or use of certain retired military weapons or vehicles; and ban any outside department from entering the City with such military equipment, the Council finds that current Police Department training is consistent with state and federal training guidelines and the Department does

not participate in the DOD 1033 Program referenced by the Task Force. The Council further notes that it does not have authority to control the type of equipment or weapons purchased or utilized by county, state or federal law enforcement, nor the authority to ban such entities from entering the municipal boundaries of the City.

Regarding the recommendation to divert seized assets from criminal charges to Community Based Restorative Groups or, alternatively, community service organizations, the City Council notes that expenditures from funds realized through asset forfeiture are strictly governed and, while the City has historically received only minimal funds through asset forfeiture, any and all expenditures must comply with applicable requirements and be used for law enforcement purposes.

The City Council does agree with the Task Force recommendation to evaluate and implement an education pilot program that teaches officers the history of policing in America and the City, with an emphasis on the impact policing has had on diverse communities and directs the Chief of Police to progress toward implementation of such a program.

SECTION FOUR: Transparency and Accountability

The City Council accepts and agrees with the Task Force recommendations relating to Data Analytics. Identifying trends and patterns in police interactions through the collection and analysis of data is helpful in determining whether disparities exist and allows the Department to make necessary changes in response to same. The NYS forms utilized by the Department are limited in their data fields, however, the Chief of Police has since created new procedures and data fields to more thoroughly capture information in line with the Task Force recommendations.

Consistent with the those recommendations and the actions already implemented, the Chief of Police is hereby directed to continue and expand the collection and compilation of data relating to all Departmental investigative activities and to categorize those by types of calls/stops and to indicate the race, national origin, gender and demographic information of involved individuals, excluding any personally identifying information, and to make such data publically available. The Chief shall further ensure that Department policy is consistent with such directive and applicable law.

The Council will consider, if and when budgetary appropriations become available, the creation of a new position of Database Manager as recommended by the Task Force or, alternatively, the expansion of duties under an existing title, subject to compliance with the City Charter and NY Civil Service Law.

The City Council further accepts the revised Complaint Form and Instructions recommended by the Task Force (Appendix "I" and "J") and hereby directs the Chief of Police to implement same and to make available on the City's web-site.

With regard to the Task Force's recommendation to implement a Civilian Review Board, the City Council recognizes the history and debate which has surrounded this issue and finds that while merit may exist for such a program, further review is necessary.

Title 6 of the City Charter vests the Commissioner of Public Safety with the "jurisdiction, supervision, and control of the governance, administration, disposition, operation, and discipline of the Police Department and its officers". Such authority would seemingly include that which the Task Force recommends be provided to the proposed Civilian Review Board and, as such, the City Council may be limited in its ability to act upon such recommendation.

There also remain questions regarding the impact such a Board would have on the existing Collective Bargaining Agreements, including those between the City and the Saratoga Springs Police PBA, Lieutenants and Administrative Officers Unit and, specifically, whether any conflicts exist between the procedures proposed to be under the authority of a Civilian Review Board and those contained in the aforementioned Agreements, sufficient to require negotiations with the respective unions.

Likewise, review of the recommended Civilian Review Board's authority, process and procedures will be necessary to confirm that same do not conflict with or run afoul of the applicable requirements of New York State Civil Service Law including, in particular, Section 75, and to additionally ensure that the rights to due process of any individual who may be subject to such civilian review are not unduly or unlawfully restricted.

The City Council further finds that certain provisions of the proposed Civilian Review Board, as set forth in Appendix "G", also require additional analysis prior to any action or determination. For example, the Task Force recommendations appear to limit the Civilian Review Board's authority to addressing only those complaints which are received "from a resident of the City". Such provision fails to address complaints which may be received from individuals who do not reside in the City, nor does it allow for the ability of the Board to initiate its own review and investigation.

Other areas warranting analysis, and comparison against alternatives, include the scope or type of complaints which a Civilian Review Board should investigate; whether subpoena power is necessary and/or appropriate; whether authority should be limited to an advisory recommendation or expanded to include ability to discipline; the composition and qualification of members and whether such members should be appointed or elected; training requirements; the ability to retain experienced investigators and/or independent legal counsel; and, importantly, a determination of costs associated with implementing a Civilian Review Board.

The Council is aware of a recent NYS Bar Association publication indicating that the funding required by certain municipalities that have implemented a Civilian Review Board ranged from as little as \$75.00 per officer to as much as \$5,000.00 per officer. Given the number employed with the City of Saratoga Springs, such amount would translate to a potential budgetary impact of between \$5,775.00 and \$385,000.00 annually. For obvious reasons, such range in possible funding would need to be sufficiently narrowed prior to the City Council taking any action.

Ultimately, any implementation of a Civilian Review Board would potentially involve renegotiating union contracts, amendments to the City Charter and even litigation. Prior to engaging in same, the Council finds it appropriate to more thoroughly review and define the purpose, scope and function of a Civilian Review Board and, therefore, defers any determination until such review has been completed.

SECTION FIVE: Next Steps

As indicated, the City Charter provides the Commissioner of Public Safety with authority and control over the Police Department, including policies, rules, regulations and orders and to ensure that members of the Department receive necessary and proper training.

In accordance with the Charter, the Council finds that any committees or advisory panels recommended by the Task Force to assist in implementation of the directives contained in this Resolution, shall be as established by the Commissioner. The Council strongly encourages the Chief of Police and the Commissioner of Public Safety to utilize any and all available community resources and advisory input deemed necessary to assist in such implementation.

With regard to the action items identified in Section One through Section Four of this Resolution, the Chief of Police shall report to the City Council and the public on the status and progress of same at the first regular City Council meeting in December 2021, and shall thereafter include such relevant information in the Department's Annual Report, which shall be available for public review.

Commissioner Dalton stated she has been following this topic very closely. She would like to hear what the City Council thinks.

Commissioner Madigan stated she has spent time with the document the Task Force released on March 5th. She feels it would not be appropriate to release the resolution before it is shared with the City Council first. She has some edits she will provide to Vince. We want to be sure to add wording such as 'subject to appropriation' throughout the resolution.

Mayor Kelly suggested the Council each pick one person from the community to put on the Civilian Review Board. We need more information at this point.

Commissioner Dalton stated this needs to be done in a way that there is accountability. It must be clear and simple.

Commissioner Scirocco stated it is a good resolution. Keep in mind this is a draft document and the Council needs to look it over closely.

Commissioner Franck stated it is important that the co-chairs of the Task Force look at this and come up with some recommendations. He would like to hear from the co-chairs of the Task Force to come up with a document that is workable for all.

Commissioner Madigan stated the Civilian Review Board needs to be done right. This may all need to go to referendum. She believes they should consider a workshop for the next meeting.

Commissioner Dalton commented that the Task Force was a process intended to happen without City Council involvement.

Mayor Kelly stated everyone has to understand police reform is going to go on after April 1st.

ACCOUNTS DEPARTMENT

Award of Bid: Extension of Bid – Laboratory Services to CNA Environmental, LLC (21-094)

Commissioner Franck moved and Commissioner Scirocco seconded to award the extension of bid for laboratory services to CNA Environmental, LLC for an additional year under the same terms, conditions, and prices as originally listed in bid 2020-06.

Ayes – All

Announcement: Temporary Outdoor Seating

Commissioner Franck announced the temporary outdoor seating for our local restaurants began yesterday. He thanked D.A. Collins for putting the jersey barriers in place again this year.

FINANCE DEPARTMENT

Update: City Finances Including the American Rescue Plan and NYS VLT Aid

Commissioner Madigan advised the Federal Government has delivered the Federal Rescue Plan. There is a \$7.7 million dollar allocation in this plan for the City of Saratoga Springs. Our budget includes \$5 million in federal aid; so we are receiving \$2.7 million more than budgeted. The Assembly has included VLT aid in one of their bills but we need to be sure the Senate includes it also.

Mayor Kelly stated SPAC and the NYRA are looking at having some sort of spectators this year.

Announcement: Department Meetings Re: 2021 Budget Adjustments

Commissioner Madigan advised we have new revenue information coming in. She plans to meet with each department to discuss budget difficulties departments are having now and see what can be done.

Set Public Hearing: New York State Power Authority Energy Services Program – Master Cost Recover Agreement for Street Lights (Project #1277)

Commissioner Madigan set a public hearing for Tuesday, April 6, 2021 at 6:55 p.m.

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Contract with Morbark, LLC for Morbark Wood Hog Horizontal Grinder (21-095)

Commissioner Scirocco advised the new grinder will be delivered this summer.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign a contract with Morbark, LLC for Morbark Wood Hog tub grinder at a cost of \$564,182.50.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Intermunicipal Agreement Between the County of Saratoga and City of Saratoga for the Management of Single-Stream Recyclables Collection (21-096)

Commissioner Scirocco advised the City agrees to assume responsibility for the collection at the Weibel Avenue site. The County will pay the City \$35,000 annually.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign an intermunicipal agreement between the County of Saratoga and City of Saratoga for the management of single-stream recyclables collection.

Ayes – All

Discussion and Vote: Approval to Pay Invoice #014338 to SRI Fire Sprinkler, LLC (21-097)

Commissioner Scirocco advised SRI made a mistake of believing they could provide quarterly inspections regardless of the year they were done. The invoice amount is \$5,093.12.

Commissioner Scirocco moved and Commissioner Franck seconded to approve payment of invoice #014338 to SRI Fire Sprinkler, LLC in the amount of \$5,093.12.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contract with DEC for Phase I Street Tree Inventory and Urban Forest Management Plan Grant Award (21-098)

Commissioner Scirocco advised this contract is between the City and NYS DEC.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign a contract with DEC for Phase I street tree inventory and Urban Forest Management Plan Grant Award.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone Corp. for Asphalt Concrete (21-099)

Commissioner Scirocco advised this is a piggyback contract off the County.

Commissioner Scirocco moved and Commissioner Dalton seconded to authorize the mayor to sign contract with Pallett Stone Corp. for asphalt concrete.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone Corp. for Crushed Stone (21-100)

Commissioner Scirocco advised this is a piggyback contract off the County.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign a contract with Palette Stone Corp. for crushed stone.

Ayes – All

Discussion and Vote: Approval to Adopt 2021 Water and Sewer Rate Resolution (21-101)

Commissioner Scirocco advised there are no changes for water from the 2020 resolution. The sewer rates now include a \$4 increase to the basic sewer charge.

Commissioner Scirocco moved and Commissioner Madigan seconded to adopt the 2021 water and sewer resolutions.

Ayes – All

Appointment: The Climate Smart Task Force

Commissioner Scirocco appointed Ben Foster to the Climate Smart Task Force.

Commissioner Scirocco moved and Commissioner Dalton second to add an item to his agenda regarding an announcement of the flushing of the water distribution system. (21-102)

Ayes – All

Announcement: Flushing of Water Distribution System

Commissioner Scirocco advised DPW will start flushing the water distribution system. Flushing will begin on the east side of the City. If you see discoloration of your water, run the cold water until it runs clear.

PUBLIC SAFETY DEPARTMENT

Announcement: COVID-19 Update

Commissioner Dalton announced the numbers are down. There are 229 active cases in the County with 38 active cases in the City.

Discussion and Vote: Accept Donation (21-103)

Commissioner Dalton advised this donation is for the Fire Department in the amount \$25 in memory of Delores Walker.

Commissioner Dalton moved and Commissioner Madigan seconded to accept the donation to the Fire Department in the amount of \$25 with thanks and appreciation.

Ayes – All

Announcement: Public Safety 2020 Annual Report

Commissioner Dalton announced the 2020 Annual Report has been provided to the City Council and the City Clerk. It will be placed on the City website.

Discussion and Vote: Increase School Crossing Guard Hourly Rate (21-104)

Commissioner Dalton advised she would like to increase the hourly rate from \$9 per hour to \$15 per hour. The last increase was 2015.

Commissioner Dalton moved and Commissioner Franck seconded to increase the school crossing guard hourly rate to \$15 per hour.

Ayes - All

SUPERVISORS

Matt Veitch

Government Review and Efficiency Update

Supervisor Veitch reported this committee has met for the third time this year. They set up a sub-committee to review the ethics code. They will also look at records management, the budget process, and continue review of local laws and code.

2021 Legislative Program

Supervisor Veitch reported the County adopted their 2021 Legislative Program today. They are working on restoring VLT aid and have the state help fund them for their unfunded mandates. They are also working on having the state fund the Peer to Peer Program for our veterans.

Buildings & Grounds Update

Supervisor Veitch reported they passed a resolution today to extend their lease with the Gateway House of Peace for an additional 5 years with the option to extend for another 5 years after that.

NACo Virtual Legislative Conference

Supervisor Veitch reported this conference will be virtual this year. They continue to advocate for CDBG funding and expanding the eviction moratorium.

Supervisor Veitch advised the County approved \$52,500 in funding for veteran support. Each community can receive up to \$2,500. This is a matching program.

Tara Gaston

COVID-19 Update

Supervisor Gaston reported they approved a contract with a call center. They will also be handling some of the outbound registration calls. About 63,000 County residents have received the first shot of the vaccine and 33,000 have completed the second dose. We continue to receive a low number of vaccines.

Commissioner Madigan asked how a POD is formed? Can you advocate for us to get a POD for employee vaccinations?

Supervisor Gaston advised every public facing workers who has requested an appointment for a vaccine has been scheduled.

Executive Order 203 Report

Supervisor Gaston reported the Board of Supervisors passed a resolution accepting unmodified recommendations of the Executive Order 203 Compliance Group that were submitted in January. She had suggested amendments. She voted 'no' on this resolution.

Local Law Regarding Third-Party Food Delivery Service Fees

Supervisor Gaston reported only during declared emergencies and for the 90 days after, the food service delivery fee would be capped at 15%. During this time, wages may not be reduced and tips cannot be garnished.

NACo Conference & County Government Month

Supervisor Gaston reported on the various Committees she attended. There is support for a national historic sites program.

ADJOURNMENT

There being no further business, Mayor Kelly adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Lisa Ribis
Clerk
Approved: 4/6/2021
Vote: 5 - 0