



April 2, 2019

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

6:50 PM P.H. – Alternate Side Parking  
on Persimmon Place

P.H. – Amend Chapter 225 of  
the City Code – Time Limit  
Parking

P.H. – Amend Chapter 240 –  
Zoning Ordinance – Small  
Wireless Facilities

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**CONSENT AGENDA**

1. Approval of 3/18/19 Pre-Agenda Meeting Minutes
2. Approval of 3/19/19 City Council Meeting Minutes
3. Approve Budget Amendments – Regular (Increases)
4. Approve Budget Transfers - Regular
5. Approve Payroll 03/22/19 \$527,852.95
6. Approve Payroll 03/29/19 \$483,965.46
7. Approve Warrant - 2019 19MWMAR2 \$12,010.96
8. Approve Warrant – 2019 19APR1 \$936,185.27

**MAYOR'S DEPARTMENT**

1. Announcement: Solar for All Sign Up Event
2. Appointments: Saratoga Springs Arts Commission
3. Proclamation: Federal Fair Housing Month
4. Discussion and Vote: CDBG City Contract Template with Regulatory Updates
5. Discussion and Vote: Revocable License for Use of City of Saratoga Springs Fields (Field User Agreement) Template with Regulatory Updates
6. Discussion and Vote: Authorization to Submit Grant Application to AARP Community Challenge
7. Discussion and Vote: Request City and County Planning Board Advisory Opinions for Zoning Map Amendments Re: Compliance with Comprehensive Plan

8. Discussion and Vote: SEQRA Evaluation for Chapter 240: New Section 6.3.2.1 Entitled "Small Wireless Facilities"
9. Discussion and Vote: Amend Chapter 240 to Add a New Section 6.3.2.1 Entitled "Small Wireless Facilities"

#### **ACCOUNTS DEPARTMENT**

1. Award of Bid: Asbestos Abatement – Flower Shop to Clean Air Environmental Services, Inc.

#### **FINANCE DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign A Memorandum of Agreement with Habitat for Humanity
2. Discussion and Vote: Authorization for Mayor to Sign A Memorandum of Agreement Regarding Health Care Benefits with the PBA
3. Announcement: Saratoga Sustainability Fair at Skidmore College (4/6/19 10 am – 4 pm)
4. Discussion and Vote: Authorization for Mayor to Sign Contract with General Code for Laserfiche Upgrade
5. Discussion and Vote: Authorization for Mayor to Sign PILOT Agreement Renewal with Saratoga Area Limited Partnership Regarding 9 Kirby Road
6. Discussion and Vote: Updated 2019 City Fees for Board of Plumbing Examiners Fees
7. Announcement: Economic Development Lunch & Learn Series Update
8. Discussion: Local Impact of New York State Budget

#### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign Agreement with Mahoney Alarm Notify-Plus, Inc. for the Twenty Four Sanitary High Level Alarm Transmitters
2. Discussion and Vote: Authorization for Mayor to Sign Agreement with Clean Air Environmental Services, Inc. for DPW Flower Shop Asbestos Abatement
3. Discussion and Vote: Authorization to Pay Invoice to Stantec for Nelson Ave Drainage Project Phase 5
4. Announcement: 2018 – 2019 MS4 Annual Report

#### **PUBLIC SAFETY DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign a Contract with Henry Schein, Inc.
2. Discussion and Vote: Authorization for Mayor to Sign a Contract with BoundTree Medical
3. Discussion and Vote: Authorization for Mayor to Sign a Contract with Moore Medical Corporation
4. Discussion and Vote: Authorization for Mayor to Sign a Contract with Saratoga County Stop DWI
5. Discussion and Vote: Authorization for Mayor to Sign a Contract with DelSignore Paving
6. Announcement: Institution of Alternate Side Parking on Persimmon Place
7. Discussion and Vote: Amend Chapter 225 of the City Code with Respect to Time-Limit Parking in City Lots & Garages
8. Announcement: Fourth Citizens Advisory Board Meeting
9. Discussion and Vote: Authorization to Pay Invoice from Elliott Enterprises, Inc. for Fire Apparatus Inspection and Repairs
10. Discussion and Vote: Authorization for Mayor to Sign a Contract with Multi-Med Billing Services, Inc.

#### **SUPERVISORS**

Matt Veitch

1. Nothing at this time.

City Council Meeting  
4/2/19

Tara Gaston  
1. NYS Budget

**ADJOURN**



April 2, 2019

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

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

**STAFF PRESENT:** Mike Sharp, Deputy Commissioner, Finance  
Maire Masterson, Deputy Commissioner, Accounts  
Joe O'Neill, Deputy Commissioner, DPW  
John Daley, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor  
Tara Gaston, Supervisor

**EXCUSED:** Lisa Shields, Deputy Mayor

**RECORDING OF PROCEEDING**

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

**PUBLIC HEARINGS**

Alternate Side Parking on Persimmon Place

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

Commissioner Martin stated Persimmon Place is a relatively new street by the high school. It is a narrow street so the property owners have requested we put alternate side parking in place.

No one spoke.

Mayor Kelly closed the public hearing at 6:56 p.m.

Amend Chapter 225 of the City Code – Time Limit Parking

Mayor Kelly opened the public hearing at 6:56 p.m.

Commissioner Martin stated the Chamber of Commerce and merchants from downtown asked him to improve the parking downtown by increasing turnover in the spots. The proposal is to change the time limit for parking in various lots and garages.

No one spoke.

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

#### Amend Chapter 240 – Zoning Ordinance – Small Wireless Facilities

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

Vince DeLeonardis, city attorney, stated this is an amendment in response to recent FCC regulations. This defines small wireless facilities and delegates approval authority to the DRC; outlines application requirements; design requirements; approval procedures; timelines; location requirements; height; setback, etc.

Chip Lawrence, government affairs representative for Verizon in Saratoga, stated they would like to ask for a delay on this vote. They read through the amendment this morning and have some questions and concerns they would like to discuss with the Council/City.

Mayor Kelly closed the public hearing at 7:01 p.m.

#### **CALL TO ORDER**

Mayor Kelly called the meeting to order at 7:01 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 7:02 p.m.

Jennifer Leidig of Saratoga Springs stated she is here to speak on the hospital property. The attorney they hired requested the Council separate this parcel out and set it aside. He has not heard back from the Council on that. She is here to further support that request.

Dave Evans of Birch Run, Saratoga Springs, stated he is 100% against the zoning change. His concern is his deck is 20 feet from the hospital property. He asked the Council to consider the impact on the community.

Ina Harney of Seward Street stated the hospital has turned the whole neighborhood into a parking lot. She asked they don't rezone as business and keep it residential.

Alice Smith of Saratoga Springs stated she would like to emphasize going back to the Comprehensive Plan and separating the hospital parcel from the rest of it. It all should be looked at.

Timothy Holmes of Saratoga Springs stated they do love the hospital and want to see it prosper. They want to participate in its growth and participate in the design of it. They would like to see the concept 5 – 10 years from now.

Mayor Kelly closed the public comment period at 7:11 p.m.

## CONSENT AGENDA

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

1. Approval of 3/12/19 Special City Council Meeting Minutes
2. Approval of 3/4/19 Pre-Agenda Meeting Minutes
3. Approval of 3/5/19 City Council Meeting Minutes
4. Approve Budget Amendments – Regular (Increases)
5. Approve Budget Transfers - Regular
6. Approve Payroll 03/08/19 \$661,266.59
7. Approve Payroll 03/15/19 \$485,723.39
8. Approve Warrant - 2019 19MWMAR1 \$4,730,798.16
9. Approve Warrant – 2019 19MAR2 \$593,880.98

**Ayes – All**

## MAYOR'S DEPARTMENT

### Announcement: Solar for All Sign Up Event

Mayor Kelly announced the City is partnering with the Saratoga Springs Housing Authority. Income eligible residents will be able to apply to receive a no cost solar subscription to help lower their energy costs. A sign-up event will take place on April 23<sup>rd</sup> from 5 p.m. – 7 p.m. at the Recreation Center.

### Appointments: Saratoga Springs Arts Commission

Mayor Kelly appointed the following people to the Saratoga Springs Arts Commission with a term of 5/1/19 – 4/30/20: Ian Berry, Devra Cohen-Tigor, Belinda Colon; Peter Kodogiannis, Joel Reed, and Dee Sarno.

### Proclamation: Federal Fair Housing Month

Mayor Kelly read the following proclamation into the record:

#### A PROCLAMATION OF THE CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, April marks the 51<sup>st</sup> anniversary of the passage of the Fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREASE, the aforementioned federal act ensures fair housing opportunity regardless of race, color, natural origin, religion, sex, familial status, disability; and

WHEREASE, New York State laws cover all the same characteristics but also protects based on religion, marital status, sexual orientation, age, and military status; and

WHEREAS, the Violence Against Women Reauthorization Act of 2013 ensures housing protections for victims of domestic violence, dating violence, sexual assault, and stalking; and

WHEREASE, the ongoing struggle for dignity and housing opportunity for all is not the exclusive province of the federal government; and

WHEREASE, vigorous local efforts to combat discrimination can be as effective, if not more so, than federal efforts; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;

NOW, THEREFORE, BE IT RESOLVED, that in pursuit of the shared goal and the responsibility of providing equal housing opportunities for all men and women, I, Meg Kelly, mayor of the City of Saratoga Springs, New York does hereby join in the national celebration by proclaiming April 2019 as FAIR HOUSING MONTH.

### Discussion and Vote: CDBG City Contract Template with Regulatory Updates (19-121)

Mayor Kelly advised the contract template will now include the regulatory updates as passed at the 3/19/19 City Council meeting.

**Mayor Kelly moved and Commissioner Madigan seconded to approve the CDBG City contract template with regulatory updates as included with the agenda.**

**Ayes – All**

Discussion and Vote: Revocable License for Use of City of Saratoga Springs Fields (Field User Agreement) Template with Regulatory Updates (19-122)

Mayor Kelly advised the contract template will now include the regulatory updates as passed at the 3/19/19 City Council meeting.

**Mayor Kelly moved and Commissioner Martin seconded to approve the revocable license for the use of City of Saratoga Springs Field as included with this agenda.**

**Ayes – All**

Discussion and Vote: Authorization to Submit Grant Application to AARP Community Challenge (19-123)

Mayor Kelly advised this is for the Henry Street Pilot Project and no match is required. The project will showcase and evaluate the merits of impacts of installing contraflow cycle track and converting a two-way street to one-way traffic on Henry Street. The total project amount is \$18,300; the City recently received \$4,814 in funding from the Capital Co-exist Funding Grant.

**Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to submit grant application to AARP Community Challenge as described with this agenda.**

**Ayes – All**

Discussion and Vote: Request City and County Planning Board Advisory Opinions for Zoning Map Amendments Re: Compliance with Comprehensive Plan (19-124)

Mayor Kelly advised the zoning map amendment was presented to the Council at a special Council meeting on March 12, 2019. We need to obtain City and County Planning Board advisory opinions.

**Mayor Kelly moved and Commissioner Madigan seconded to request City and County Planning Boards advisory opinions for the zoning map amendments regarding compliance with the Comprehensive Plan.**

Commissioner Franck asked what the procedure is after the request for advisory opinion. Does the Council get final say?

Vince DeLeonardis advised the Council will get final approval after the advisory opinions. Public hearings will also be held.

Commissioner Franck confirmed the Council will have the ability to carve out the hospital property after obtaining an advisory opinion from the City and County Planning Boards.

Vince advised that is true.

Commissioner Martin asked the Planning Board address each of the 18 items and not just give a blanket statement/advisory opinion.

Commissioner Scirocco stated he believes this should go to the planning boards for their opinion but there are also legitimate issues here. He believes they should do their due diligence and take all of it into advisement, especially the public's input.

Commissioner Madigan agreed this is part of the process and a step in that process.

**Ayes – All**

Discussion and Vote: SEQRA Evaluation for Chapter 240: New Section 6.3.2.1 Entitled "Small Wireless Facilities" (19-125)

(copy of the SEQRA evaluation as completed by the Council is attached)

Vince DeLeonardis advised the Council to move forward and not delay the vote as there is a strict timeline. He also advised the Council can still meet with Verizon as they can amend a future ordinance that gets implemented.

**Mayor Kelly moved and Commissioner Franck seconded upon review of the information recorded on this EAF as noted, and considering both the magnitude and the importance of each identified potential impact, it is the conclusion of the City Council as lead agency that this project will result in no significant adverse impacts on the environment, and therefore; an environmental impact statement not be prepared. Accordingly, a negative declaration is issued.**

**Ayes – All**

Discussion and Vote: Amend Chapter 240 to Add a New Section 6.3.2.1 Entitled "Small Wireless Facilities" (19-126)

**Mayor Kelly moved and Commissioner Franck seconded to approve the amendment to Chapter 240 to add a new section 6.3.2.1 entitled "Small Wireless Facilities" as included with this agenda.**

**Ayes - All**

**ACCOUNTS DEPARTMENT**

Award of Bid: Asbestos Abatement – Flower Shop to Clean Air Environmental Services, Inc. (19-127)

**Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for Asbestos Abatement – Flower Shop to Clean Air Environmental Services, Inc., the lowest qualified bidder, for an amount not to exceed \$10,450.**

**Ayes – All**

**FINANCE DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign A Memorandum of Agreement with Habitat for Humanity

Commissioner Madigan pulled this item from her agenda; it will be brought back at a future meeting.

Discussion and Vote: Authorization for Mayor to Sign A Memorandum of Agreement Regarding Health Care Benefits with the PBA (19-128)

Commissioner Madigan advised the PBA was supportive of the change but unable to sign the agreement in time for the February meeting.

**Commissioner Madigan moved and Commissioner Martin seconded to authorize the mayor to sign a memorandum of agreement regarding health care benefits with the PBA as previously distributed with the agenda.**

**Ayes – All**



Announcement: Saratoga Sustainability Fair at Skidmore College (4/6/19 10 am – 4 pm)

Commissioner Madigan announced a Saratoga Sustainability Fair will be held at Skidmore College on April 6<sup>th</sup> from 10 a.m. – 4 p.m. The City will have a table at this fair.

Discussion and Vote: Authorization for Mayor to Sign Contract with General Code for Laserfiche Upgrade (19-129)

Commissioner Madigan advised this is part of the City's efforts to digitize. The system the City will rely on for document retention is Laserfiche. The upgrade will remove the 25 user limit. The upgrade will cost of \$30,350 and will be funded through the 2019 Capital Budget.

**Commissioner Madigan moved and Commissioner Franck seconded to approve the mayor to sign a contract with General Code for Laserfiche upgrade as previously distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign PILOT Agreement Renewal with Saratoga Area Limited Partnership Regarding 9 Kirby Road (19-130)

Commissioner Madigan advised the agreement is for a senior housing project. There is a correction to the entity name subsequent to the agenda posting; Saratoga BDC Limited Partnership.

Vince advised this is for another 15 year period with increases in the per unit amount each 5 year period.

**Commissioner Madigan moved and Commissioner Martin seconded to approve the mayor to sign the PILOT agreement renewal with Saratoga BDC Limited Partnership regarding 9 Kirby Road as previously distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Updated 2019 City Fees for Board of Plumbing Examiners Fees (19-131)

Commissioner Madigan advised this update to the City fees is for the fees established by the Board of Plumbing Examiners.

**Commissioner Madigan moved and Commissioner Franck seconded to approve the updated 2019 City fee schedule as previously distributed with the agenda.**

**Ayes – All**

Announcement: Economic Development Lunch & Learn Series Update

Commissioner Madigan announced the next lunch & learn series are on maker space and street lighting.

Discussion: Local Impact of New York State Budget

Commissioner Madigan advised the New York State budget was adopted early Monday morning. One of the most controversial items in the budget is the elimination of aid and incentive for municipalities AIM funding. This was for villages only so there will be no impact on the City. Local sales tax is expected to increase. The tax cap was made permanent. An additional \$500 million dollars will be made available for water and sewer infrastructure. VLT funding is included in the budget and a big revenue for the City.

**Commissioner Madigan moved and Commissioner Martin seconded to add an item to her agenda; budget transfer – payroll. (19-132)**

**Ayes – All**

Discussion and Vote: Budget Transfer – Payroll (19-133)

**Commissioner Madigan moved and Commissioner Franck seconded to approve budget transfer – payroll.**

**Ayes – All**

**PUBLIC WORKS DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign Agreement with Mahoney Alarm Notify-Plus, Inc. for the Twenty Four Sanitary High Level Alarm Transmitters (19-134)

Commissioner Scirocco advised this is an annual agreement effective April 1<sup>st</sup> in the amount of \$12,780 paid in 12 equal installments.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign agreement with Mahoney Notify Plus, Inc. for the 24 sanitary high level alarm radio transmitters in the amount of \$12,780.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign Agreement with Clean Air Environmental Services, Inc. for DPW Flower Shop Asbestos Abatement (19-135)

Commissioner Scirocco advised the work includes asbestos abatement in the flower shop in the amount of \$10,450. Removal and disposal of the metal roof is included in this cost.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign agreement with Clean Air Environmental Services, Inc. for the asbestos abatement of the flower shop in the amount of \$10,450.**

**Ayes – All**

Discussion and Vote: Authorization to Pay Invoice to Stantec for Nelson Ave Drainage Project Phase 5 (19-136)

Commissioner Scirocco advised this is for construction support for the drainage project from 11/17/18 – 1/31/18 in the amount of \$14,955.01.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the payment of invoice to Stantec in the amount of \$14,955.01 for the construction support services on the Nelson Avenue drainage project.**

**Ayes – All**

Announcement: 2018 – 2019 MS4 Annual Report

Commissioner Scirocco announced the draft report will be available on the City website for 30 days for review and comment effective April 1, 2019 and a hard copy will be available in the City's Engineering Office.

Commissioner Scirocco announced all flushing of hydrants will start on April 8<sup>th</sup> – May 3<sup>rd</sup>. during the hours of 7 a.m. – 3 p.m. Monday – Friday. People should check their water before doing laundry.

## **PUBLIC SAFETY DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign a Contract with Henry Schein, Inc. (19-137)

**Commissioner Martin moved and Commissioner Scirocco seconded to authorize the mayor to sign a professional services contract with Henry Schein, Inc. in an amount not to exceed \$10,000.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign a Contract with BoundTree Medical (19-138)

**Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a professional services contract with BoundTree Medical in an amount not to exceed \$10,000.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign a Contract with Moore Medical Corporation (19-139)

**Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a contract with Moore Medical Corporation in an amount not to exceed \$10,000.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign a Contract with Saratoga County Stop DWI (19-140)

Commissioner Martin advised this is an annual agreement with Saratoga County Stop DWI.

**Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a revenue contract with Saratoga County Stop DWI in the amount of \$8,000.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign a Contract with DelSignore Paving (19-141)

Commissioner Martin advised this is for the installation of pedestrian improvements at the intersection of Union Avenue and Regent Street.

**Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a contract with DelSignore Blacktop Paving, Inc. in the amount of \$168,000.**

**Ayes – All**

Announcement: Institution of Alternate Side Parking on Persimmon Place

Commissioner Martin announced effective 8 a.m., Tuesday, April 9<sup>th</sup>, alternate side parking will take effect.

Discussion and Vote: Amend Chapter 225 of the City Code with Respect to Time-Limit Parking in City Lots & Garages (19-142)

**Commissioner Martin moved and Commissioner Franck seconded to amend Chapter 225 of the City Code, vehicle and traffic, to reflect those changes as distributed with the agenda.**

**Ayes – All**

Announcement: Fourth Citizens Advisory Board Meeting

Commissioner Martin announced the fourth Citizens Advisory Board meeting will be held on April 18<sup>th</sup> at 7 p.m. at the Saratoga Arts Center.

Discussion and Vote: Authorization to Pay Invoice from Elliott Enterprises, Inc. for Fire Apparatus Inspection and Repairs (19-143)

Commissioner Martin advised this invoice is for inspection services and repairs for a piece of fire apparatus in the amount of \$3,280.54.

**Commissioner Martin moved and Commissioner Franck seconded to authorize the payment of an invoice to Elliott Enterprises, Inc. in the amount of \$3,280.54.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign a Contract with Multi-Med Billing Services, Inc. (19-144)

Commissioner Martin advised this is a renewal for the third party medical billing services. They will receive 7% of all non-Medicaid claims; \$7 per claim where Medicaid is the primary payer; and \$5 on all claims where Medicaid is the secondary payer.

**Commissioner Martin moved and Commissioner Franck seconded to authorize the mayor to sign a professional services contract with Multi-Med Billing Services, Inc. pursuant to the terms distributed with this agenda.**

**Ayes – All**

Commissioner Martin announced the promotion of Sergeant Laura Emenation to lieutenant in the Saratoga Springs Police Department. She has been a member of the department for 17 years.

**SUPERVISORS**

**Matt Veitch**

Nothing at this time.

**Tara Gaston**

NYS Budget

Supervisor Gaston reported in March 2020 New York State will not be able to use plastic bags in most areas. Cash bail has been eliminated for most misdemeanors and non-violent offenses; which has caused some concern. \$10 million dollars was provided for the implementation of early voting in the County. The tax cap was made permanent.

City Council Meeting  
4/2/19

**ADJOURNMENT**

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

Respectfully submitted,

Lisa Ribis  
Clerk

Approved: 4/16/19  
Vote: 5 - 0