



May 4, 2020

CITY OF SARATOGA SPRINGS
City Council Pre-Agenda Meeting
Recreation Center
15 Vanderbilt Avenue
(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
Maire Masterson, Deputy Commissioner of Accounts
Eileen Finneran, Deputy Commissioner of DPS

Vince DeLeonardis, City Attorney

Transcriber's note: this meeting is being conducted in accordance with Executive Order 202.1 and is a full transcript of the meeting.

Transcript begins at 9:35 a.m.

Mayor Kelly: Good morning and welcome to May 4th preliminary agenda for our City Council meeting tomorrow night. We will have two public hearings tomorrow night. The first public hearing is zoning ordinance amendment establishing emergency extensions. I will turn it over to Vince DeLeonardis to give a brief overview.

Vince DeLeonardis: This is a public hearing that will be held tomorrow evening with regard to amendment to the zoning ordinance to allow for extensions to allow for land use board approvals associated with the current pandemic. Extensions will run from the date of the emergency order declaration until the expiration of that.

Mayor Kelly: Are there any questions? We'll move on to our second public hearing to amend capital program and capital budget to include City Hall renovation. Skip, do you want to give us any information on that today?

Commissioner Scirocco: Yes. Thank you mayor. This public hearing will be to amend the capital budget to accomplish the work, which will include IT infrastructure needs upgrades to the existing elevator along with current and in process anticipated change orders for the three prime contractors working on the project. The projected amount for the project completion is \$563,077.

Mayor Kelly: Great, thank you.

Commissioner Madigan: I actually would like to add something to that.

Mayor Kelly: Sure.

Commissioner Scirocco: Go ahead commissioner.

Commissioner Madigan: So the Council is aware how we are funding this, we are using our reserves and we are breaking some of our assignment reserves. At a high level, we are going to use \$167,513 out of the building reserve. We are going to take everything that is left in the skate park assignment, which is \$188,000 approximately. We are going into some capital funding that was for the welding and paint booth – about \$56,000; and capital funding that was available to the Saratoga Arts Council in about \$152,000 to cover these final City Hall renovations and projects and complete the project.

Mayor Kelly: Great. Thank you commissioner. Any other comments? We do not have any presentations at this time. We will have an executive session after this meeting if everybody can hang on for a few minutes. It's to discuss sale, lease, acquisition of property where disclosure would affect the value. Is everybody okay with staying? Great. Thank you all.

Any edits to the Consent Agenda as posted? On to the Mayor's Department.

My first item is an announcement: the 2020 Census self-reporting reminder. My second item is an announcement: UDO update. My third item is an announcement: 2020 CDBG program year entitlement fund application period re-opened and CDBG-CV fund application opened. My fourth item is an appointment to the Complete Streets Advisory Committee. My fifth item is to set a public hearing for the CDBG citizen participation plan amendment. My sixth item is to set a public hearing to amend the City Code 218-15 regarding temporary dwellings in established agricultural districts. I would like Vince just to say a couple of words on that if you could.

Vince DeLeonardis: We have provisions in our Zoning Ordinance that currently allow for temporary dwellings for farm workers on active agricultural districts. There is a provision in our City Code that is somewhat inconsistent with that. It was brought to our attention so we are setting a public hearing to amend that code to align with and allow for temporary dwellings for farm workers on active agricultural districts.

Mayor Kelly: My next item is discussion and vote: authorization for mayor to execute MOA with Habitat for Humanity. I'm going to turn it back over to Vince. We are six feet away. I'm just telling you I'm switching it to him.

Vince DeLeonardis: If you recall, we have an agreement with Habitat for Humanity that originated with the Commissioner of Finance where they took property that was acquired many years ago through foreclosure. The agreement had language in there that Habitat was to transfer title to an eligible homebuyer within a period of time. The MOA last year to extend that period of time. They have sold property at 28 Cherry Street but have not yet finalized the transaction on 26 Cherry Street. This MOA will simply be to allow for additional time for them to consummate that transaction.

Mayor Kelly: Any comments? On to my next item. Discussion and vote: authorization for mayor to execute MOA with CDTA. I'll turn it back over to Vince.

Vince DeLeonardis: Thank you mayor. This is an initiative that Brad Birge has been working on with the Planning Department and relates to the Geyser Road Trail. CDTA has proposed building a bus stop along that trail at their expense. This MOA just outlines the obligations and responsibilities to allow for CDTA to incorporate a bus stop along the Geyser Road Trail.

Mayor Kelly: Thank you Vince. My next item is discussion and vote: resolution to waive letters of credit extension fees. I'll switch it back to Vince again.

Vince DeLeonardis: Thank you mayor. This is a resolution that will allow for a waiver of fees for letter of credit extensions that are due June, July, and August. That is also as a result of the current pandemic. Certain individuals are unable to complete and fulfill the requirements associated with the letter of credit as a result of being unable to work on the construction project during this period of time.

Mayor Kelly: My tenth item is discussion and vote: Zoning Ordinance amendment establishing emergency extensions.

Vince DeLeonardis: This is from the public hearing or the close of the public hearing. Tomorrow evening this will be on the agenda for discussion and vote.

Mayor Kelly: Great. Thank you. My eleventh item is discussion and vote: CDBG language assistance plan. That will conclude my agenda.

On to Accounts.

Commissioner Franck: Thank you mayor. The first item is discussion and vote: accept donation of cloth masks from Saratoga County Office of Emergency Services. The second item is discussion and vote: accept donation of hand sanitizer from Cooperstown Distillery. The third item is discussion and vote: authorization for mayor to sign energy contract. We had to change the way this is building so outstanding credits that the City has can be used to apply to reduce bills. Number four and five relate to grievance day. We are just going to give what we know at this point for an update on the grievance class and the grievance day due to the COVID-19. Number six is an award of bid: pipes, hydrants, fittings, and valves to Ferguson Waterworks. That concludes my agenda.

Mayor Kelly: Thank you commissioner. On to Finance.

Commissioner Madigan: Thank you mayor. The first item on my agenda will be the first quarter 2020 finance report. It comes on the heels of the annual report so Council is sitting with a lot of information in their hand as to the fiscal picture that we're in right now with the annual report and the combination of the quarterly report. That will be presented tomorrow night and uploaded with the agenda. So you will have it later today. Item number two is a presentation: update Finance Department as it pertains to COVID-19 and City finances. I provide this update to the City Council and public on City finances as the COVID-19 experience continues. This will include information about the economy, revenues, expenditures, both wage and non-wage, federal and state programs, and a review of what has been offered to date by finance in terms of a plan including and outline of the memo that was sent to all of you last night. Item number three is an announcement: update on Community Choice Aggregation (CCA), which is on pause. I like that the mayor uses the word on pause. The energy market has basically collapsed at this point in time. Saratoga Springs along with thirteen other municipalities in the Capital Region are involved with the CCA. At this point, I don't know how many have made the choice not to pursue further; but there are a couple and we are one of them. I wouldn't want to enter into an agreement at this point when I look at where energy prices are right now. They are much lower, even for brown energy, than I believe we could get with the CCA program. We'll keep our eyes on this program and at the appropriate time we'll bring it back but for right now it's off the table and I'll go into that level of detail tomorrow evening. Item number four is a discussion and vote about an information security analyst. The title is an essential City position under the current constant threat of cyber hacks and attacks. Police and fire in particular, and City financials are especially vulnerable. These cyber-attacks are daily and regularly. The last one was on the police e-mail server. They are constantly under threat and attack and typically are able to avoid them. An IT employee has been working fulltime as the City's security analyst for a while now but under a different title. He's been doing this for months. So, I will be asking the Council to approve the title, salary, and placement of the employee and the appropriate position for the work that is being required. The annual change in salary is about \$4,370, which will cost the City about \$2,900 for the remainder of 2020. The title that the employee is currently working under will not be backfilled. We have not received yet union approval, so if the union is unable to get back to me by tomorrow evening to accept this position into the union, it will be on the next agenda. Civil Service has agreed and the funds are in the budget. Item number five is a discussion and vote: resolution for the use of the building reserve. This is a request to use building reserve funds as I had just gone over under Commissioner Scirocco's capital budget public hearing for the completion of City Hall. Item number six is a discussion and vote: 2018 fund balance – assignment revision. This is a request to repurpose an assignment to renovate the skate park, which cannot be utilized at this time, for the

completion again of City Hall, which is a higher priority. The remaining items are budget transfers and amendments. Items seven, eight, and nine adjust the capital budget to increase amounts available to cover the completion of City Hall. Amounts from the building reserve and amounts unused for the skate park renovation, DPW welding and paint booth, and the Saratoga Arts Council building, as well as the building reserve will be moved to the higher priority of City Hall. Item number ten is just a payroll transfer.

I do have an item to add to my agenda. That is an appointment to the Arts Council, Ria Curley. I will be re-appointing her. That will conclude my agenda. Thank you.

Mayor Kelly: Thank you commissioner. On to Public Works.

Commissioner Scirocco: Thank you mayor. The first item on my agenda is just an appointment; really it's a re-appointment of Lisa Kolosek to the Arts Commission. Second item on my agenda is just an announcement: 2019-2020 MS4 annual report. I'll have more information on that tomorrow night. Third item on my agenda is discussion and vote. That is to amend the capital budget for the City Hall renovation. I think we've explained that already. The fourth item on my agenda is authorization to sign a contract with Ferguson Waterworks for pipes, fittings, hydrants, and valves. The fifth item on my agenda is discussion and vote. This is for the authorization for the mayor to sign New York State Department of Transportation utility work agreement. This utility work agreement is for DOT is going to do on Church Street. They are working in our right-of-way so we have to sign an agreement with them.

I'm going to add two items to my agenda. One is we are flushing hydrants right now. I want the public to know in the event there is some rusty water they need to call the water treatment plant. I'll have more information on that tomorrow night. I would like to discuss the parking lot down there. That's just a discussion for the north lot. That concludes my agenda.

Mayor Kelly: Thank you commissioner. On to Public Safety.

Commissioner Dalton: Thank you mayor. The first item on my agenda is a virus update from Chief Joe Dolan. The second item on my agenda is a request to amend the City Code chapter 225, which is one of the details in the speed reduction and stop signs that we approved at the last Council meeting. The third item on my agenda is an announcement from Bikatoga about some safety measures and best practices for biking, pedestrian traffic, vehicle traffic, and how to do that safely as people start coming in a little bit more in the nicer weather. That concludes my agenda.

Mayor Kelly: I have a couple questions commissioner. I was told you have to set a public hearing to amend this City Code chapter 225.

Commissioner Dalton: We had one when we did it initially. I think for this change we don't. My understanding is we didn't to make this adjustment but I will check.

Mayor Kelly: Also, there is a kennel, Nero's kennel; do you have to accept that donation?

Commissioner Dalton: Yup. We're going to do that. We have to get some details that we don't have so we'll have that at the next City Council meeting.

Mayor Kelly: Perfect. Thank you. Those were passed on to me. They're not mine.

Commissioner Dalton: It's a nice kennel.

Mayor Kelly: It is. We'll talk about that. There is a lot of people calling me about that. I think someone needs to comment on that to say it is on the keeper's/the K-9 keeper's property. It's not left out in a kennel some place. I've gotten a couple calls on that, so if you can make that clearer when you come next week or in two weeks. That would be great.

Commissioner Dalton: Absolutely. It didn't even occur to me to think about where....

Mayor Kelly: We can't give the location because it's a K-9. I understand that. We have to say it's on the property of the policeman. Thank you. Anything else commissioner?

Commissioner Dalton: No. I'm all set.

Mayor Kelly: Thank you.

Supervisor Veitch has one item – Saratoga County Board of Supervisors update. Supervisor Gaston has two items – board update and public forum.

With that, I'd like to move into executive session.

I make a motion to go into executive session to discuss sale, lease, acquisition of property where disclosure would affect value. This is a motion.

Is there a second?

Commissioner Dalton: Second.

Mayor Kelly: Any discussion: All those in favor say aye.

Council: Aye

Mayor Kelly: Any opposed? Abstentions? The matter passes.

*the Council entered into executive session at **9:56 a.m.**

*the Council returned from executive session at **10:09 a.m.**

Mayor Kelly: We are back live. Before we adjourn, I just want to pull us back out of executive session. No decisions were made at this time. I will turn it back over to Commissioner Madigan to make a correction on her agenda.

Commissioner Madigan: The correction is on my item number four. Discussion and vote: information security analyst. Again, we do need to wait to hear from the union if the position will be accepted. The numbers I presented to you in terms of the annual change in the salary are incorrect. They are not going to go up a lot more but I will correct them and make sure Council is aware of them.

Mayor Kelly: Great. Thank you. Any other business from the Council? Great. Then we are adjourned. Thank you all.

*** Transcription ended at 10:10 a.m.**

Respectfully submitted,

**Lisa Ribis
Clerk**

Approved: 8/18/2020
Vote: 5 - 0