



August 17, 2021

CITY OF SARATOGA SPRINGS
City Council Meeting

7:00 PM

6:55 PM - P.H. – Saratoga Regional YMCA
Zoning Text Amendment
P.H. – 2022 Capital Program and
Budget

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

CONSENT AGENDA

1. Approval of 7/20/2021 City Council Meeting Transcript
2. Approval of 7/6/2021 City Council Meeting Transcript
3. Approval of 8/10/2021 UDO Workshop Minutes
4. Approval of 8/2/2021 Pre-Agenda Meeting Minutes
5. Approval of 8/3/2021 City Council Meeting Minutes
6. Approval of 8/3/2021 UDO Workshop Minutes
7. Approve Budget Amendment - Insurance Reserve #8
8. Approve Insurance Reserve #8
9. Approve Budget Transfers – Regular
10. Approve Payroll 08/06/2021 \$401,799.84
11. Approve Payroll 08/13/21 \$686,882.85
12. Approve Mid-Warrant - 2021 21MWAUG1 \$707,219.59
13. Approve Warrant – 2021 21AUG2 \$495,858.81

MAYOR'S DEPARTMENT

1. Announcement: Proposed 2022 – 2027 Capital Program
2. Presentation: Implementation of Independent Advisory Committee for NYS Police Reform and Reinvention Collaborative Plan Update
3. Discussion and Vote: Approval of HUD Mandated Changes to Template Agreement for Economic Development Revolving Loan Program
4. Discussion and Vote: Designation of Community Development Planner as Fair Housing Officer and as Section 3 Coordinator
5. Discussion and Vote: Naval History and Heritage Command Outgoing Loan Agreement
6. Discussion and Vote: Mayor to Sign Letter of Support for Zim Smith Trail
7. Discussion and Vote: Approve Corrections to PO 171583 for the Geyser Road Trail Project

8. Appointment: Zoning Board of Appeals
9. Announcement: UDO Workshops

ACCOUNTS DEPARTMENT

1. Discussion and Vote: SEQRA Evaluation for Saratoga Regional YMCA
2. Discussion and Vote: Approve Zoning Text Amendment for Saratoga Regional YMCA
3. Award of Bid: Professional Hydrogeological and Construction Service Geyser Crest Well NO. 7 to C.T. Male
4. Discussion and Vote: Authorization for Mayor to Sign Contract with Constellation Energy for Electric Rates

FINANCE DEPARTMENT

1. Update: Mediation with Public Advocacy Groups
2. Update: 2022 Budget and City Finances
3. Discussion and Vote: Authorization for Mayor to Sign Agreement with Look TV for Video Services
4. Discussion and Vote: Budget Transfers – Payroll
5. Discussion and Vote: Budget Amendments – Payroll
6. Discussion and Vote: Budget Transfers - Contingency

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with CT Male Engineering, Surveying, Architecture, Landscape Architecture & Geology, DPC for Professional Hydrogeological & Construction Services for Geyser Crest Well 7

PUBLIC SAFETY DEPARTMENT

1. Set Public Hearing: Set Public Hearing to Amend the Capital Program and Capital Budget for the Fire/EMS Station 3 Project #1217

SUPERVISORS

Matt Veitch

1. Government Review and Efficiency Update
2. 2020 Census Numbers for Saratoga County
3. Saratoga Casino Hotel Foundation Awards

Tara Gaston

1. COVID-19 & Public Health Update
2. Leadership Program
3. Community Resiliency Committee

ADJOURN



August 17, 2021

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway

7:00 PM

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

STAFF PRESENT: Lisa Shields, Deputy Mayor
Deirdre Ladd, Deputy Commissioner of Finance
Maire Masterson, Deputy Commissioner, Accounts
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED: Robin Dalton, Commissioner of DPS
Joe O'Neill, Deputy Commissioner, DPW

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

2022 Capital Program and Budget

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

Mayor Kelly advised there is a link on her agenda to the documents relating to the 2022 capital program and budget.

No one spoke.

Mayor Kelly closed the public hearing at 6:57 p.m.

Saratoga Regional YMCA Zoning Text Amendment

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

Commissioner Franck advised he will be closing this tonight. A SEQRA will also be done tonight.

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 6:58 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 6:69 p.m.

Simira Sangare of Clifton Park stated she is here to talk about a comment made by Commissioner Dalton a few meetings ago that Black Lives Matter put a show on by putting on tactical gear on in Congress Park and wait until dark to march. It's hard to have productive dialogue when untrue statements are made. She would like to feel safe enough to talk about injustice and to worry about violence being directed toward them. They never received an apology for the statements that Black Lives Matters is responsible for the uptick in violence. Since that statement, she has been receiving hate mail at her home address. They are not safe anywhere and will not stop speaking until they are safe and have justice for Darryl Mount.

Angela Kaufman of Saratoga Springs stated she is here on behalf of the People's Voice independent media. There was discussion about mediation. Her hope is that the process will reflect as much of a good faith attempt of unity and healing. Mediation is about two sides finding healing. They would like to invite an honest conversation between the People's Voice and the City officials. She will leave her contact information for the Council.

John Kaufman of Saratoga Springs acknowledged the efforts of the mayor's team working on the UDO. He also wants to acknowledge the Council's concern of maintaining the charm of the City. The UDO is an opportunity to address the southern gateway into the City that has been an eyesore for decades. If the City ends up with designs as bad as Homewood Suites, it will look worse than it does now. He is worried about where the standards are.

Elz Figuereo of Saratoga Springs is beautiful the way it is. We can deal with the real violence in the City. Nothing has been said against the words of a commissioner and Catone. You can have as many police officers as you want and crime and murder is still happening. We should be worrying about this rather than about people who are fighting for justice. If America is not working for him, he is going to question it. If SSPD is not working, he is going to question it.

Andrew Beaty of Saratoga Springs stated it's a shame that we have tons of resources to have a bunch of emergency press conferences relating to people exercising their first amendment rights, but then someone is killed in our streets near City Hall and that is treated like a regular day. He looked into police reports back to 2012 and found aggravated assaults almost doubled in 2014 and has remained that way going forward.

Alexis Brown of Saratoga Springs read an excerpt by MLK Jr.

Anthony Brown Davis of Albany stated during a black event last weekend, some of the residents were yelling America and f**k all ni**ers. He wants to know if that is going to be addressed. Commissioner Dalton was there last weekend and heard this.

Commissioner Madigan stated she has a comment/response for Angela. She stated she received the certified letter sent from Angela.

Mayor Kelly closed the public comment period at 7:15 p.m.

CONSENT AGENDA

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

1. Approval of 7/20/2021 City Council Meeting Transcript
2. Approval of 7/6/2021 City Council Meeting Transcript
3. Approval of 8/10/2021 UDO Workshop Minutes
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13. Approve Warrant – 2021 21AUG2 \$495,858.81

Ayes – All

MAYOR'S DEPARTMENT

Announcement: Proposed 2022 – 2027 Capital Program

Mayor Kelly announced the proposed 2022 – 2027 capital program can be found on the City's website. There will be a brief presentation on September 7th, close the public hearing, and take a vote.

Presentation: Implementation of Independent Advisory Committee for NYS Police Reform and Reinvention Collaborative Plan Update

Jason Golub of the committee stated the goal is to educate the City Council and public about what other cities are doing with CRB (citizen review board). He will provide the Council with enough information to make a determination if a CRB should be put in place in the City. He investigated Ithaca, New York and Salt Lake City, Utah. Both of these cities have had CRBs for about 20 years and have had success with the CRB.

Ithaca is a good comparison to Saratoga Springs as it is a small city and predominantly white city. Ithaca's CRB has 10 members made up of eight adults, one chair, and 1 youth commissioner. Each member serves for 3 years. The community members can contact the CRB to let them know of something good the police have done so that can be passed on or they can contact the CRB to file a complaint. The CRB is a recommending/advisory body, they do not have subpoena power, and they do not have any discipline power. The CRB protect the civilians and the police.

Salt Lake City is completely the opposite in size and predominately white. They have a much higher crime rate of 42.8% compared to Ithaca's 15.7% and Saratoga Springs 15.4%. The CRB was created like Ithaca

by city ordinance – a public vote. Salt Lake City is strictly an advisory role and qualifications are more stringent than Ithaca's. There are 14 members of the CRB. Each member is required to complete training, are subject to a background check, and must be at least 21 years of age to serve. The longer we take to get to a CRB the further we are away from solutions. All reviews, findings, and recommendations are public.

Mayor Kelly asked if this would require a revision to the Charter.

Jason advised he wouldn't be able to answer that.

Commissioner Madigan stated this was a great presentation. She needs to have a better financial understanding and next steps as we go into the budget season.

Jason advised his goal is to provide data for the Council to make a decision regarding if they wish to move forward with this. This time he focused on two cities where a CRB worked. He will look at two cities where the CRB didn't work at the next Council meeting.

Commissioner Franck advised the City's Ethics Board has subpoena power; however, they have not exercised it. Subpoena power was given to them without changing the City's Charter.

Vince DeLeonardis advised there is a distinction between the subpoena power afforded to an Ethic's Board and the potential subpoena power afforded to a Civilian Review Board. The difference is the subpoena power of the CRB potentially falls under the authority granted to an elected official.

Kim Galvin, another member of the Independent Advisory Committee stated she agrees the "shall" in the Charter would make the Commissioner of Public Safety anything other than an advisory CRB require a Charter change. The time to do that this year has passed.

Kim commented on Commissioner Dalton's comments at the last Council meeting. Kim was contacted by Commissioner Dalton on July 29th, just days before the August 3rd City Council meeting. Commissioner Dalton told her they had no transparency and nobody knew what they were doing. Kim advised she gave a detailed update at the July 6th Council meeting. Commissioner Dalton stated she has zero recollection of the details and nowhere to find them. Kim pointed out it was all on video and the conversation went downhill from there.

Kim went on to provide the following updates:

- Transparency (#5 on the list) - police records/information are released at the discretion of the laborer, city attorney, and the District Attorney's Office.
- Accreditation (#7 on the list) - it takes 1 ½ to 2 ½ years to become fully accredited. One lieutenant has completed accredited manager training.
- Mission Statement - will be up in September.
- Allocation of funds (#9 & #11 on the list) for ICAT (Integrating Communication Assessment and Tactics) training - there are no funds to re-allocate for this. The estimated amount needed for this is \$20,000.
- Increase focus on de-escalation (#10 on the list) – every office has gone through training this year for this.
- Annual Report (#17 on the list) – this is provided in February each year.
- Use in Force Policy and Data – there is a committee reviewing all the policies. The Police Department has written a new use of force policy. They are in the process of developing code tables to run reports and provide a more transparent look at what and who is involved. This is expected to be live in October.
- Early Intervention System (#26 on the list) – each office is trained every year on use of force, defensive tactics, firearms, taser, and force on force. There were 10 New York State reportable uses of force last year.

- Tasers (#28 - #30) – task force recommended data analytics and policy. Training is done annually. There is confusion with data analytics. Tasers have been deployed 11 times in 6 years. It is being looked into if there are commonalities across those uses.
- Immigration Policy Review – Chief advised he will have something late September.
- Data Analytics - the department has reached out to see if they can get the reports run at the state level due to lack of staffing.
- Revised Complaint Form – that is up on the website.

Kim commented that the money that may be spent on mediation may better utilized building up the entities that have the problem with each other – the police force and Black Lives Matter group.

Commissioner Madigan thanked Kim for the updates. It is the Council's decision if money will be spent on mediation.

Discussion and Vote: Approval of HUD Mandated Changes to Template Agreement for Economic Development Revolving Loan Program (21-331)

Mayor Kelly advised the Community Development Department requests the approval of the HUD required changes to the template loan agreement for the Economic Development Revolving Loan Program.

Mayor Kelly moved and Commissioner Franck seconded to approve the HUD mandated changes to the template agreement for economic development revolving loan program.

Ayes – All

Discussion and Vote: Designation of Community Development Planner as Fair Housing Officer and as Section 3 Coordinator (21-332)

Mayor Kelly advised any recipient of the CDBG funds are subject to compliance with Fair Housing. A Fair Housing Office must be identified and any municipality that received more than \$200,000 must identify a Section 3 coordinator. Lindsay Connors has been holding these roles.

Mayor Kelly moved and Commissioner Franck seconded to authorize the designation of the community development planner as a fair housing officer and a Section 3 coordinator.

Ayes – All

Discussion and Vote: Naval History and Heritage Command Outgoing Loan Agreement (21-333)

Vince DeLeonardis advised the artifact is on loan and on display on the exterior of the City Center. The agreement to keep this on loan for an additional 3 years.

Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to sign the Naval History and Heritage Command on-going loan agreement.

Ayes – All

Discussion and Vote: Mayor to Sign Letter of Support for Zim Smith Trail (21-334)

Mayor Kelly advised the Saratoga County Planning Department is submitting an application for funding under the 2021 NYSDOT TAP Program to support the design and construction of the Zim Smith Trail. This project is the first phase of a larger regional project.

Mayor Kelly moved and Commissioner Franck seconded to authorize the mayor to sign a letter of support for the Zim Smith Trail.

Ayes – All

Discussion and Vote: Approve Corrections to PO 171583 for the Geyser Road Trail Project (21-335)

Mayor Kelly advised she is submitting a number of corrections.

Mayor Kelly moved and Commissioner Franck seconded to approve the corrections to PO 171583 for the Geyser Road Trail Project.

Ayes – All

Appointment: Zoning Board of Appeals

Mayor Kelly appointed John Daley to the Zoning Board of Appeals effective 8/17/2021 – 8/17/2023 to serve as an alternate.

Announcement: UDO Workshops

Mayor Kelly announced a UDO workshop was held tonight before the City Council meeting and the next UDO workshop is scheduled for next Tuesday, August 24, 2021 at 3 p.m.

ACCOUNTS DEPARTMENT

Discussion and Vote: SEQRA Evaluation for Saratoga Regional YMCA (21-336)

Commissioner Franck advised Vince DeLeonardis will read each question on the Part 2 short form and give the proposed answer. If needed the Council can discuss the answers. (copy of questions and answers attached)

Commissioner Franck moved and Commissioner Madigan seconded that this project will result in no significant adverse impacts on the environment and therefore, the environmental impact statement need not be prepared. Accordingly, a negative declaration will be issued.

Ayes – All

Discussion and Vote: Approve Zoning Text Amendment for Saratoga Regional YMCA (21-337)

Commissioner Franck moved and Commissioner Madigan seconded for the City Council to approve the zoning text amendment proposed by the Saratoga Regional YMCA and as included with this agenda.

Vince stated there is one parcel being removed from inclusion of the PUD. Parcel #178.33-1-17 is being removed.

Ayes - All

Award of Bid: Professional Hydrogeological and Construction Service Geyser Crest Well NO. 7 to C.T. Male (21-338)

Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for Professional Hydrogeological and Construction Service for the Geyser Crest Well No. 7 to C.T. Male for an amount not to exceed \$59,995.

Ayes - All

Discussion and Vote: Authorization for Mayor to Sign Contract with Constellation Energy for Electric Rates (21-339)

Commissioner Franck advised this item was discussed during the client/attorney meeting after pre-agenda yesterday.

Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign a contract with Constellation NewEnergy, Inc. for electric services for the term starting on or about 9/9/2021 through on or about 9/27/2022 at a rate of \$.00165kWh.

Ayes - All

FINANCE DEPARTMENT

Update: Mediation with Public Advocacy Groups

Commissioner Madigan stated she completed research on mediation organizations. She met with four firms and meeting with a fifth firm on Thursday. She will release a request for quotes asking for a description of their services available as well as estimated cost. The City is subject to procurement requirements. She hopes to start meeting facilitation by mid-September.

Update: 2022 Budget and City Finances

Commissioner Madigan stated they have entered and compiled the 2022 budget information into their financial system. A proof copy has been returned to each department for review. There were requests for 47 requests for new hires, which would add \$4.6 million to the 2022 budget expenses. The estimated total amount of the 2022 general operating fund is \$57.65 million. This year she will not be recommending an override to the property tax cap.

Discussion and Vote: Authorization for Mayor to Sign Agreement with Look TV for Video Services (21-340)

Commissioner Madigan advised this agreement will bring LookTV into the room. They have the availability to pan the entire room capturing attendees, presentations, as well as the Council. The agreement runs September through December at \$1,000 per month. This agreement is not in compliance with the Purchasing Policy, as they required a swift solution and the vendor's insurance does not meet our usual requirements.

Commissioner Madigan moved and Commissioner Franck seconded to authorize the mayor to sign agreement with Look TV for video services as included with the agenda.

Ayes – All

Discussion and Vote: Budget Transfers – Payroll (21-341)

Commissioner Madigan moved and Commissioner Franck seconded to approve the budget transfers – payroll as included with the agenda.

Ayes – All

Discussion and Vote: Budget Amendments – Payroll (21-342)

Commissioner Madigan moved and Commissioner Franck seconded to approve the budget amendments – payroll as included with the agenda.

Ayes – All

Discussion and Vote: Budget Transfers – Contingency (21-343)

Commissioner Madigan advised the balance in contingency is \$191,651.70 and \$185,651.70 will remain.

Commissioner Madigan moved and Commissioner Franck seconded to approve the budget transfers – contingency as included with the agenda.

Ayes - All

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Contract with CT Male Engineering, Surveying, Architecture, Landscape Architecture & Geology, DPC for Professional Hydrogeological & Construction Services for Geyser Crest Well 7 (21-344)

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign the contract with CT Mail Engineer, Surveying Architecture, Landscape Architecture & Geology, DPC for professional hydrogeological and construction services for the Geyser Crest Well #7 in the amount of \$59,995.

Ayes – All

Commissioner Scirocco moved and Commissioner Franck seconded to add an item to his agenda discussion and vote approval to adopt a mask resolution. (21-345)

Ayes - All

Discussion and Vote: Approval to Adopt a Mask Resolution (21-346)

Commissioner Scirocco stated the resolution requires everyone wear a mask regardless of their vaccination status while conducting City business, in City buildings, and at City sponsored events.

Mayor Kelly advised the Recreation Department went through this before. She asked if they could start this on Monday, August 23 as they have camp tomorrow morning. This if for recreation only.

Commissioner Madigan stated she believes they are missing a line saying all public facing employees must wear a mask.

Commissioner Scirocco moved and Commissioner Franck seconded to approve to adopt the mask resolution with the friendly amendment from the mayor.

The resolution is as follows:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

BE IT RESOLVED, by the City Council of the City of Saratoga Springs, New York, as follows:

WHEREAS, the Saratoga County Public Health Department has confirmed that our county is now experiencing a high level of COVID-19 community transmission, fueled by the spread of the highly contagious Delta variant of the COVID-19 virus. It is the responsibility of every government and every citizen to make a determined effort to combat the spread of the virus,

NOW, THEREFORE, BE IT RESOLVED, that this Council hereby adopts the requirement that all employees and visitors who are fully vaccinated, partially vaccinated, and unvaccinated wear a face mask when entering City buildings, facilities and/or indoor events sponsored by the City and recommends wearing a mask when outdoors in crowded settings where social distancing is not possible.

Facemasks are to be worn appropriately (over the nose and mouth) at all times while indoors at the Recreation Facility unless players are unable to tolerate a face covering for physical activity (e.g. practicing, playing); provided, however, that coached, trainers, and other individuals who are not directly engaged in physical activity are required to wear a face covering. Upon leaving the activity area for any reason, the facemask must again be appropriately worn. Start time will be next Monday, August 23 for Recreation.

All public facing City employees when facing the public should be wearing a mask.

Ayes - All

PUBLIC SAFETY DEPARTMENT

Set Public Hearing: Set Public Hearing to Amend the Capital Program and Capital Budget for the Fire/EMS Station 3 Project #1217

Mayor Kelly read Commissioner Dalton's agenda in her absence.

A public hearing was set for Tuesday, September 7, 2021 at 6:55 p.m.

SUPERVISORS

Matt Veitch

Government Review and Efficiency Update

Supervisor Veitch reported they had a resolution on their County meeting to update their budget policy. They found the County has to pass a local law to include the capital program within their budget. They plan to do this in September and make it retroactive.

2020 Census Numbers for Saratoga County

Supervisor Veitch reported the numbers have been released for Saratoga County. The County had a large population growth. They have to pass a local law to establish the weighted vote.

Saratoga Casino Hotel Foundation Awards

Supervisor Veitch reported this is an annual grant program. They received \$30,000 this year. Thirty-six agencies applied for grant funding totaling \$122,470.

Supervisor Veitch added an item: Saratoga County paved Geyser Road over the weekend. They did a great job.

Tara Gaston

COVID-19 & Public Health Update

Supervisor Gaston reported the COVID numbers continue to rise slightly but the 7-day positivity rate has come down slightly. We are seeing more individuals hospitalized and three fully vaccinated individuals died from COVID. Saratoga Springs is not having the increase in numbers, as we were earlier.

Leadership Program

Supervisor Gaston reported they graduated 10 women in the Government Leadership Program today.

Community Resiliency Committee

Supervisor Gaston pulled this item from her agenda.

ADJOURNMENT

There being no further business, Mayor Kelly adjourned the meeting at 8:41 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved: 9/7/2021
Vote: 5 - 0