



February 15, 2022

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
7:00 PM

P.H. – 6:30 PM – Amend Chapter 136 –
Outdoor Dining

P.H. – 6:35 PM – Civilian Review Board

P.H. – 6:50 PM – Weibel Avenue PUD
Amendment

P.H. – 6:55 PM – Saratoga Downtown
Connector

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION(s)

1. Black History Exhibit at Brookside Museum
2. Participatory Budgeting

CONSENT AGENDA

1. Approval of 1/31/2022 Pre-Agenda Meeting Minutes
2. Approval of 2/1/2022 City Council Meeting Minutes
3. Budget Transfers - Regular
4. Budget Amendments – Insurance
5. Budget Amendments – Regular (Decreases)
6. Budget Amendments – Regular (Increases)
7. Approve Payroll 2/4/2022 \$462,422.12
8. Approve Payroll 2/11/2022 \$794,462.65
9. Approve Mid-Warrant 2021 21MWDE10 \$5,121.14
10. Approve Warrant 2021 21DEC6 \$295,907.30
11. Approve Mid-Warrant 2022 22MWJAN4 \$3,174.00
12. Approve Mid-Warrant 2022 22MWFEB1 \$49,593.34
13. Approve Warrant 2022 22FEB2 \$1,194,053.78

MAYOR'S DEPARTMENT

1. Announcement: CDBG CARES Block Grant
2. Announcement: Date of State of the City Address
3. Announcement: Feasibility Study Re: Expansion of Spa State Park
4. Announcement: Mayor Has Received Petition by Citizens to Impel an Impartial Investigation into the Injury Suffered by Darryl Mount on 8/31/13
5. Announcement: Infrastructure Committee

6. Appointment: Saratoga Casino Hotel Foundation
7. Appointment: Interim City Attorney
8. Discussion and Vote: Resolution Re: Interim City Attorney
9. Discussion and Vote: Authorization for Mayor to Sign Memorandum of Understanding for CDTA Bike Share Program
10. Discussion and Vote: Authorization for Mayor to Sign Occupational Medicine Services Agreement with the Saratoga Hospital
11. Discussion and Vote: Authorization for the Mayor to Sign the Co-Sponsor Pickleball Workshop Agreement with Kenneth Henderson
12. Discussion and Vote: Authorization for the Mayor to Sign the Co-Sponsor Bowling Agreement with Saratoga Strike Zone

ACCOUNTS DEPARTMENT

1. Announcement: Extension of Outdoor Dining
2. Announcement: COVID-19 Update and Planned City Activities
3. Discussion and Vote: Mask Mandate
4. Discussion and Vote: Application for New York State Film Tax Credit
5. Announcement: Upgrade of Basic STAR Exemption to Enhanced STAR Exemption

FINANCE DEPARTMENT

1. Update: Finance Department
2. Announcement: 2022 Bond Refunding Postponed
3. Announcement: 2021 4th Quarter Financial Report
4. Discussion and Vote: Authorization for Mayor to Sign Agreement with Carousel Industries for City Telephone Maintenance
5. Discussion and Vote: Budget Transfers – Benefits
6. Discussion and Vote: Budget Transfers – Payroll

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with Kubricky Construction Corp. for Pavement Services
2. Discussion and Vote: Approval to Pay Invoice #16909 to BPI in the Amount of \$3,933.28

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Approve Payment of Invoice to Terracon in the Amount of \$22,200.00
2. Discussion and Vote: Approve 2021 Invoice to BPI in the Amount of \$7,492.50 for Emergency Service
3. Discussion and Vote: Approve 2022 Invoice to BPI in the Amount of \$4,455.00 for Emergency Service
4. Discussion and Vote: Authorization for Mayor to Sign Contracts with Matt's of Saratoga and Towaway Towing for Towing Services
5. Discussion and Vote: Resolution Authorizing the Mayor to Write Governor Hochul Requesting an Executive Order Authorizing the Attorney General to Conduct a Grand Jury Investigation Pursuant to CPL Article 90 into the Circumstances Surrounding the Death of Darryl Mount, Including an Investigation of Potential Misconduct on the Part of Public Officers in the Period Following the Events of August 31, 2013
6. Announcement: The Draft Report on the Circumstances Surrounding the Death of Darryl Mount has Been Prepared and is Available on the City's Website
7. Announcement: Maintenance After Snow/Ice Events Per City Code 203-26

SUPERVISORS

Matt Veitch

1. Infrastructure Committee Appointment
2. Saratoga County Airport Public Hearing
3. NACo Legislative Conference Report
4. Not for Profit Grant Program

Tara Gaston

1. COVID-19 Update
2. Infrastructure Committee Assignment
3. NACo Conference

ADJOURN

DRAFT



February 15, 2022

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
7:00 PM

PRESENT: Ron Kim, Mayor
Minita Sanghvi, Commissioner of Finance
Dillon Moran, Commissioner of Accounts
Jim Montagnino, Commissioner of DPS

STAFF PRESENT: Angela Rella, Deputy Mayor
Heather Crocker, Deputy Commissioner, Finance
Stacy Connors, Deputy Commissioner, Accounts
Joe O'Neill, Deputy Commissioner, DPW

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED: Anthony Scirocco, Commissioner of DPW
Jason Tetu, Deputy Commissioner, DPS

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

Amend Chapter 136 – Outdoor Dining

Mayor Kim opened the public comment period at 6:34 p.m.

Commissioner Moran stated this has been publicized through the press. It is their intent to extend outdoor dining for three years. This will bring formality to it. They are coordinating with the County for movement of the blocks and expand it to more businesses throughout the community.

Chris Mathiesen of Saratoga Springs stated this is a great idea and hopes we extend beyond the three years.

Mayor Kim concluded the public hearing at 6:37 p.m. and left it open.

Civilian Review Board

Mayor Kim opened the public comment period at 6:37 p.m.

Commissioner Montagnino asked for this to be carried over to the next City Council meeting as they are working on a draft.

Chris Mathiesen of Saratoga Springs stated he looked into this after the Darryl Mount incident when he was commissioner. He found Civilian Review Boards work well in some cities and doesn't in others. He established a committee of individuals from various aspects of Saratoga Springs. They didn't use the committee a lot, because there wasn't a lot of controversy. He thinks there should be a good balance of on the committee.

Commissioner Sanghvi asked if his committee had a name.

Chris Mathiesen advised he doesn't remember if they had a name. He and Chief Veitch came up with a list of people.

Angela Kaufman of Saratoga stated she hopes the prior comment is what the future review board will avoid. Someone claiming that they and a small group of people couldn't identify a problem, then a problem doesn't exist.

Mayor Kim concluded the public hearing at 6:41 p.m. and left it open.

Weibel Avenue PUD

Mayor Kim opened the public comment period at 6:50 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 6:55 p.m. and left it open.

Saratoga Downtown Connector

Mayor Kim opened the public comment period at 6:55 p.m.

No one spoke.

Mayor Kim closed the public hearing at 7:00 p.m.

CALL TO ORDER

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

PRESENTATION

Black History Exhibit at Brookside Museum

Mayor Kim moved this presentation up as the presenter has another engagement and is pressed for time.

Field Horne, chairman of the Brookside Museum advised a small exhibit was opened a week ago – the Black Experience in Saratoga County 1750-1950. The exhibit is open Thursday – Sunday and will alert

you to people who lived here and should still be recognized. He listed various people such as Francis Johnson (a bandleader), Frederick Douglas (lecturer), and Peter Francis and George Crumb (ran lake house restaurants). This was not a good place for a fugitive to travel through. We were a favorite place of employment for blacks, especially in hotels. Addition people/places you can learn about through this exhibit include: Solomon Northup, who had a home on Congress Street; the Broughton House (a hotel for well to do African Americans) opened in 1862 at William and South Federal Streets; T.H. Sands Pennington came here after the war to work as a pharmacist on Broadway; and Harry T. Burleigh (a soloist). Field also mentioned Hattie.

PUBLIC COMMENT

Mayor Kim advised there are new rules to public comment. People have 2 minutes to use or lose it. He asked all to be kind; we are a community. He also asked the speakers to be factual. The Council members may respond if they choose.

Mayor Kim opened the public comment period at 7:10 p.m.

Chris Mathiesen of Saratoga Springs stated the report by Commissioner Montagnino regarding Darryl Mount reaches the same conclusion they did, the police did nothing wrong that night. There was a criminal investigation, a comprehensive investigation, and an investigation by the City's liability insurance carrier. There is no requirement for an internal investigation when the only witness claiming police wrongdoing is conclusively shown to be lying. He hopes the Council votes in favor of item #5 on the Public Safety agenda, as he wants his name cleared.

Prez of Saratoga Springs stated he knows a lot of prominent Saratogians. He has the evidence that Darryl Mount was murdered.

Angela Kaufman of Saratoga stated black history is now, it's today, and it's what happened on July 14th. How much would we pay consultants to come in and look around to say things are corrupt? Black Lives Matters has done that work voluntarily at the cost of their well-being and safety. In lieu of payment, dropping of charges against them would be nice.

Chris Mathiesen (son) of Saratoga Springs read a sentence from Commissioner Montagnino's Darryl Mount report stating that per the Gaffney's witnesses, there was no physical assault. That is what we've been looking to have answered for eight years. During the course of Commissioner Montagnino's campaign established himself as an authority on the Mount case. The question is why Commissioner Montagnino didn't share the answers he had.

Elz Figuereo of Saratoga Springs stated Jim discussed the report would be coming out. The night of his election his advisor told them, what his mind was of Darryl Mount. His opinion is different than others opinions of what happened to Darryl Mount. They have done their homework. Many people have beliefs contrary to him – cops did do harm to him. Jim Montagnino is not a forensic scientist, a pathologist or a medical examiner. We would love Governor Hochul to go forward with the executive order.

Molly Dunn of Saratoga Springs stated there were a number of FOIL requests for officer disciplinary records that were completely ignored by the previous administration. She would like to get those records soon.

Mayor Kim closed the public comment period at 7:30 p.m.

Commissioner Montagnino asked Ms. Dunn to send the FOIL requests directly to him.

PRESENTATION

Participatory Budgeting

Commissioner Sanghvi stated he held a public forum last Monday. This is in the exploratory phase to make our budget more inclusive. She reached out to Mr. Turner to have a couple of his students work on this.

Olivia Kupiec and Marie Bideiwy, both of Skidmore College worked on this presentation (attached).

Ms. Kupiec stated this is a different process from the traditional budgetary process as it is interactive. People in the community can directly suggest how the funds can be spent in their community.

Ms. Bideiwy stated there are five stages to participatory budgeting. These stages include designing the process; idea generation stage; participatory budget committee vets the ideas; project recommendation stage; and presentation to City Council. She provided a list of cities that participate in participatory budgeting.

Ms. Kupiec stated Vellejo, California is the first place where this was done citywide. They allow their residents to be engaged at every step of this process.

Ms. Bideiwy stated there are many advantages with participatory budgeting. You can generate a lot of enthusiasm for civic engagement, raises awareness of government challenges, and helps to better understand what constituents want.

Ms. Kupiec stated there are a few challenges with the participatory budgeting process. It can be time consuming and expensive and the municipality needs staff to implement.

Commissioner Moran asked if there is a general amount of money allocated each year.

Ms. Bideiwy stated some cities that participate in this kind of budget process gives \$10 million dollars per year and others give \$100,000.

SUPERVISORS

Matthew Veitch

Infrastructure Committee Appointment

Supervisor Veitch reported he is appointing Jason Tepper to the Infrastructure Committee.

Saratoga County Airport Public Hearing

Supervisor Veitch reported the County is in the process of proposing a lease agreement. Not sure if the changes will trigger a new public hearing.

NACo Legislative Conference Report

Supervisor Veitch reported this conference is still on going. He is on multiple committees. In the Community Economic and Workforce Development Committee and had three resolutions: urging the federal government to help increase African American home ownership; enact a creative economy and revitalization act; and preserve funding for CDBG funding. He serves as vice-chair of the International Economic Development and Task Force and serves on the IT Standing Committee.

Not For Profit Grant Program

Supervisor Veitch reported Saratoga County has a \$2 million dollar COVID relief fund for not-for profit organizations. The plan is to disburse the money in the second quarter of the year.

Tara Gaston

COVID-19 Update

Supervisor Gaston reported all metrics for COVID-19 are rapidly improving. The rolling positivity rate is 5.8%. There are 22 people hospitalized with six being vaccinated. We are still considered a high-risk area by the CDC.

Infrastructure Committee Assignment

Supervisor Gaston reported she is appointing Erin Maciel to the Infrastructure Committee.

NACo Conference

Supervisor Gaston reported she has been attending this meeting. She attended the CIO forum where they talked about security and concerns regarding IT. She served on many committees and passed many resolutions. They secured funds and made sure farming resiliency and agriculture remain part of federal action.

Supervisor Gaston stated she will be hosting a short-term rental forum at the City Center this Thursday from 5:30 – 7:30 p.m.

Supervisor Gaston thanked Commissioner Sanghvi for looking into the participatory budgeting.

CONSENT AGENDA

Commissioner Moran moved and Mayor Kim seconded to removed items 1 (Approval of 1/31/2022 Pre-Agenda Meeting Minutes & 2 (Approval of 2/1/2022 City Council Meeting Minutes) from the Consent Agenda. (22-056)

Ayes – All

Mayor Kim clarified the Council is removing items 1 & 2 from the Consent Agenda and the Council is voting on items 3 – 13.

Commissioner Sanghvi moved and Moran seconded to approve the consent agenda for items 3 – 13.

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13. Approve Warrant 2022 22FEB2 \$1,194,053.78

Ayes – All

MAYOR'S DEPARTMENT

Announcement: CDBG CARES Block Grant

Mayor Kim announced the City received notice that the City will be receiving \$250,000 from the CDBG CARES Block Grant. This grant is to assist small businesses in our community. Additional information will be on the website when available.

Announcement: Date of State of the City Address

Mayor Kim announced the State of the City will be held the week of March 7th pending the confirmation of a site and special visitor.

Announcement: Feasibility Study Re: Expansion of Spa State Park

Mayor Kim announced they will be approaching Governor Hochul about potentially extending Saratoga State Park. They will be sending the governor a letter urging her to establish a feasibility study for an extension of our state park.

Announcement: Mayor Has Received Petition by Citizens to Impel an Impartial Investigation into the Injury Suffered by Darryl Mount on 8/31/13

Mayor Kim announced he submitted the petition today with the City Clerk's Office. It is signed by citizens of Saratoga Springs.

Commissioner Moran stated the office is in receipt of the petition.

Announcement: Infrastructure Committee

Mayor Kim announced the members of the Infrastructure Committee: Joanne Yepsen as chair, Jason Tepper, Carol Obloy, Daniel Ratiker, Erin Macy, Mike Sharp, Amy Ryan, and Laura Fox.

Appointment: Saratoga Casino Hotel Foundation

Mayor Kim appointed himself to the Saratoga Casino Hotel Foundation.

Appointment: Interim City Attorney

Mayor Kim appointed Tony Izzo as the interim City Attorney.

Tony Izzo stated 36 years ago this Friday he was appointed temporary acting City Attorney by Mayor Ellsworth Jones. He stated this is a great honor and thanked the Council.

Discussion and Vote: Resolution Re: Interim City Attorney (22-057)

Mayor Kim stated this applies to hours and compensation. Mayor Kim read the addition of item #7 of the resolution into the record as follows: "Construction with Previous Resolutions: If any person appointed as Interim City Attorney under this Resolution shall have previously served as Assistant City Attorney under a prior resolution of this Council, and shall have qualified for benefits as a retiree under the terms of that prior resolution, said benefits shall continue and shall not be affected or superseded by this Resolution."

Mayor Kim also changed the word 'may' to 'shall' in item #4.

The resolution reads as follows:

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

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

It is the intent of this resolution to establish terms, compensation, and benefits for the Interim City Attorney of the City of Saratoga Springs. This resolution shall supersede all prior resolutions, contracts, and Council actions affecting terms, compensation, and benefits for the City Attorney. Nothing in this resolution shall be construed to create an employment agreement nor alter the "at-will" status of the appointed Interim City Attorney.

WHEREAS, Title 8 of the City Charter entitled LEGAL MATTERS, Section 8.1 City Attorney states "There shall be a City Attorney who shall report to the Council regarding all legal matters affecting the City. The Mayor shall appoint the City Attorney, and the Council shall establish his or her compensation. The City Attorney shall serve as general legal advisor and shall be responsible for providing legal services and guidance to the City and all its departments and entities. The City Attorney shall maintain regular and updated records and shall report to the Council on the progress of all legal matters conducted by or on behalf of the City, as required."; and

WHEREAS, The Interim City Attorney provides legal services including but not limited to:

1. Legal services and advice for the benefit of the City Council, Mayor, Commissioners, and City departments;
2. Attendance at regularly scheduled City Council meetings and such other meetings, as determined by the City Council or Council members;
3. Service as the Chief Information Officer for the City for all FOIL requests;
4. Service on various committees in accordance with the City Charter, City ordinances, Council Resolution(s), or as requested by City Council or Council member(s);
5. General supervision of all legal matters conducted by or on behalf of the City in conjunction with the Mayor's office and staff;
6. Maintaining records for all legal matters; and
7. Other tasks in connection with the position Interim City Attorney as may be requested by the Mayor or Commissioners.

NOW THEREFORE BE IT RESOLVED as follows:

1. Term: This resolution shall take effect immediately upon City Council approval and continue for six (6) months.
2. Standard Workweek: The Interim City Attorney's standard workweek shall be no less than twenty (20) and no more than twenty nine (29) hours per week. The Interim City Attorney shall not be entitled to overtime or compensatory compensation. The Interim City Attorney shall provide legal services under the supervision of the Mayor's office.
3. Compensation: The base salary for the Interim City Attorney shall be One Thousand Eight Hundred Dollars (\$1,800.00) per week.
4. The Interim City Attorney shall be an employee of the City of Saratoga Springs, and receive benefits attended thereto, including:
 - a. Retirement: The Interim City Attorney may be covered by the New York State Employee's Retirement System known as 75i of the New York State Retirement Law.
 - b. Health Insurance: The Interim City Attorney shall be entitled to participate in the MVP25 health insurance plans offered by the City to the various bargaining units, at a cost to the Interim City Attorney of ten percent (10%) of the total cost of his or her health insurance plan, not to exceed Seven Hundred Fifty Dollars (\$750.00) per year. The City shall provide the plan to the Interim City Attorney, and his or her dependents. In the event that federal or state legislation, rules and/or regulations issued in relation to the Patient Protection and Affordable Care Act ("PPACA"), the Health Care and Education Reconciliation Act of 2010 ("HCERA") and/or any other legislation, rule, or regulation:
 - (i) impact in any way the health insurance plans, costs, or benefits provided for in this Resolution (including but not limited to contractual benefits such as health insurance buy-outs or stipends);
 - (ii) raise a question as to whether the health insurance benefits provided for herein meet certain standards contained in such legislation, rules, and/or regulations (including, but not limited to, compliance with legislation, rules, regulations, or any legislation, rules or regulations which may cause the City to be charged any penalty, or those that govern whether plan benefits meet the "minimum essential benefits" standard or a similar standard, whether the City premium contribution levels are adequate and/or meet legal requirements, or whether the individual household affordability standard is satisfied); or
 - (iii) permit an individual or group of individuals to receive benefits, subsidies, or credits through a health insurance exchange program (or any other government subsidy or benefit provided pursuant to the PPACA, HCERA, or any state or federal regulations or rules implementing health insurance reform laws), the City may immediately implement changes as necessary to comply with federal and/or state laws, rules, and regulations and/or to avoid or eliminate penalties, potential penalties, or taxes. Such changes may include, among others, modifications for the Interim City Attorney, including modification to individual or group coverage, benefits, contributions, or wages, to the extent necessary to comply with federal and/or state laws, rules, and regulations and/or to avoid or eliminate penalties, potential penalties, taxes, or cessation of payments toward the cost of benefit(s) if such benefit(s) are not compliant with the PPACA/HCERA or if such compliance would cause the City penalty or cost associated with avoidance of penalty.

The Interim City Attorney may elect not to participate in a plan of medical and health insurance benefits provided under this resolution and such Interim City Attorney shall be eligible to receive a payment of Twenty Two Hundred Dollars (\$2,200.00) for single coverage, Twenty Five Hundred Dollars (\$2,500.00) for two (2) person coverage, or Three Thousand Dollars (\$3,000.00) for family coverage per calendar year. The Interim City Attorney shall not be eligible to receive such payment unless the Interim City Attorney shall have provided proof to the Human Resources Office that the Interim City Attorney and such Interim City Attorney's eligible dependents are covered by a comparable plan of medical and health insurance benefits for the entire year that the Interim City Attorney elected not to be covered by a plan provided by the City. Payments shall be made on December 15th of each year.

The parties understand that participation in a plan of medical and health insurance benefits is mandatory. An election not to be covered shall be made on or about December 15th of each year to the Human Resources Specialist in the Human Resources Office in charge of City provided benefits pursuant to the regulations of the plan in effect together with evidence of coverage of the Interim City Attorney and the Interim City Attorney's eligible dependents under a comparable plan of medical and health insurance benefits.

The Interim City Attorney must promptly notify the City of termination of alternative medical and health insurance benefits. In the event that the Interim City Attorney reenrolls in a health insurance program, the Interim City Attorney shall be permitted to a prorated portion of the payment of Twenty Two Hundred Dollars (\$2,200.00) for single coverage, Twenty Five Hundred Dollars (\$2,500.00) for two (2) person coverage, or Three Thousand Dollars (\$3,000.00) for family coverage, but shall not be permitted to again opt-out of the insurance program during the calendar year.

c. Vision: The City agrees to pay one hundred percent (100%) of the cost of the Employee Benefit Fund Vision Plan Platinum 12 for the Interim City Attorney and his/her dependents.

d. Disability: New York State Disability Insurance shall be offered to the Interim City Attorney.

e. Life Insurance: The City shall provide group term life insurance for the City in the amount of Five Thousand Dollars (\$5,000.00) while he/she is employed by the City of Saratoga Springs.

f. Dental: The City agrees to provide dental plan(s), within ninety (90) days of the passage of this Resolution, which the Interim City Attorney may participate in, at the sole expense of the Interim City Attorney.

5. Liability Insurance: The City agrees to hold the Interim City Attorney harmless from professional liability or loss sustained by or from any causes of action, suit, debts, dues, accounts, judgments, proceedings, claims, and demands whatsoever which may be commenced against the Interim City Attorney alleging acts or omissions by him/her while acting in his/her capacity as Interim City Attorney on behalf of the City Council. The City shall provide the Interim City Attorney while acting in his/her capacity as the City's Attorney all statutory workers compensation and liability coverage.

6. Conflicts of Interest: The Interim City Attorney as appointed represents and warrants that he/she has no conflict, actual or perceived, that would prevent him/her from performing the duties and responsibilities of the office and as set forth under this Resolution in accordance with the NYS Public Officers Law and the ethical considerations and rules adopted by NYS Bar Association. The Interim City Attorney may perform legal duties for other clients as long as there is no conflict of interest. In the event a conflict exists, the Interim City Attorney shall notify the City Council by formal written notice within five (5) business days of the conflict being identified. The Interim City Attorney shall recuse himself/herself from participation in any legal matter when such participation may impair the operation of City government.

7. Construction with Previous Resolutions: If any person appointed as Interim City Attorney under this Resolution shall have previously served as Assistant City Attorney under a prior resolution of this Council, and shall have qualified for benefits as a retiree under the terms of that prior resolution, said benefits shall continue and shall not be affected or superseded by this Resolution.

Mayor Kim moved and Commissioner Montagnino seconded to approve the resolution as discussed.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Memorandum of Understanding for CDTA Bike Share Program (22-058)

Mayor Kim advised CDTA is a public authority that focuses on Albany, Rensselaer, Schenectady, and Saratoga Counties. CDTA has contracted with Jump Bicycles to operate the bike share system. The City will reimburse CDTA for part of the operating costs in the amount of \$25,000 for year 2022.

Mayor Kim moved and Commissioner Sanghvi seconded to approve the MOU as included with the agenda.

Commissioner Moran asked if this program will expand beyond the current footprint.

Mayor Kim advised this continues what we are doing but the idea is to expand transportation alternatives.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Occupational Medicine Services Agreement with the Saratoga Hospital (22-059)

Mayor Kim advised this contract with the hospital is for specific occupational medicine services. Fees are only charged to DPS and DPW after requested services are rendered.

Mayor Kim moved and Commissioner Moran seconded to approve the agreement as presented.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign the Co-Sponsor Pickleball Workshop Agreement with Kenneth Henderson (22-060)

Mayor Kim advised pickleball has huge following and is very popular.

Mayor Kim moved and Commissioner Montagnino seconded to authorize the mayor to sign an agreement with Kenneth Henderson to conduct pickleball workshops.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign the Co-Sponsor Bowling Agreement with Saratoga Strike Zone (22-061)

Mayor Kim stated the staff works with the participants and we rent the lanes, balls, and shoes.

Mayor Kim moved and Commissioner Sanghvi seconded to approve the agreement as described.

Ayes - All

ACCOUNTS DEPARTMENT

Announcement: Extension of Outdoor Dining

Commissioner Moran announced the intent is to vote at the next City Council meeting, March 1, 2022 on this. The public hearing has been kept open and his office is open and happy to receive comment.

Announcement: COVID-19 Update and Planned City Activities

Commissioner Moran announced we have had a spike and now on the downward side. We have had giveaways at various locations such as Vanderbilt Terrace, Geyser Road School, the parking garage, and the BOCES on Henning Road this past weekend. We are going to continue to get the tests from our government and continue to put them out into the community. He is targeting February 26th as the next giveaway day.

Discussion and Vote: Mask Mandate (22-062)

Commissioner Moran advised the governor has withdrawn the requirement of mask wearing in all public spaces. We are withdrawing the mask mandate to reflect the current state of affairs. We will still encourage people to wear masks that attend these meetings and we will encourage our employees to wear masks while at work.

Commissioner Moran read the following resolution into the record:

A Resolution of the City Council
of the City of Saratoga Springs, NY

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 the County is now experiencing a significant decrease in the level of COVID-19 community transmission, and the Governor of the State of New York has eliminated the mandate for the wearing of face masks in public places and businesses.

NOW, THEREFORE BE IT RESOLVED, that this Council is eliminating the requirement that all employees and visitors must wear masks when entering City buildings.

In the future, the City Council will continue to monitor our public health organization at the county, state and federal level. Should there be changes necessitating the reimplementation of masking, the City Council will take any and all necessary steps to protect our employees and those visiting our facilities.

Commissioner Moran moved and Commissioner Sanghvi seconded to adopt the resolution regarding the mask mandate as included with this agenda with a change making the resolution effective for not only City Hall but for City buildings.

Ayes – All

Discussion and Vote: Application for New York State Film Tax Credit

Commissioner Moran stated anything that we can do to further enhance folks knowledge of our City and its beauty are steps that should be taken as a City Council.

Commissioner Moran moved to authorize the mayor to sign and submit the application for the New York State Film Tax Credit.

Commissioner Sanghvi stated because there is no information she is trying to understand the tax credit piece and how it works.

Commissioner Moran stated they don't have the application filled out. This is about allowing us to fill out the application.

Commissioner Sanghvi would like to get more information about tax regarding the financial component.

Commissioner Moran stated the production company gets a waiver.

Commissioner Sanghvi stated she would like more information as if there is a waiver of sales tax that impacts our revenue.

Commissioner Moran stated we do not have that level of detail at the moment but will work to get that to you.

Commissioner Moran tabled this until the next meeting.

Announcement: Upgrade of Basic STAR Exemption to Enhanced STAR Exemption

Commissioner Moran announced March 1st is the deadline to apply for Basic STAR property tax exemptions. Some senior citizens are eligible to upgrade their benefit to the Enhanced STAR Exemption. Eligibility requirements include one who is currently receive Basic STAR exemption; one owner of property will be at least 65 years of age by December 31, 2022; and 2020 income equal to or below \$92,000. You can contact Margaret in our Assessment Office at 587-3550 ext. 2552 with any questions.

FINANCE DEPARTMENT

Update: Finance Department

Commissioner Sanghvi advised one of her campaign promises was to have the budget available in an easy to read format on the City website with a supplemental document. That is now complete. It shows where the money comes in and how the money is used in each department. They are actively exploring new sources of revenue. If the participatory budgeting is implemented it will be less than half a percent of our City's budget. The property tax bills were mailed out. There is one more payment of sales tax remaining to close out the 2021 year. We are still waiting to hear how the money from cannabis will be distributed and the how the municipalities will be allocating the revenues. They are also waiting to hear if there are restrictions on how the funds are used.

Announcement: 2022 Bond Refunding Postponed

Commissioner Sanghvi advised the City will refinance its bonds from time to time. Per the advice of the City's bond counsel, we have postponed the refund.

Announcement: 2021 4th Quarter Financial Report

Commissioner Sanghvi announced the report will be posted to the City's website and presented as soon as the fourth quarter is completed, closed, and processed. That will be no later than April 30th.

Discussion and Vote: Authorization for Mayor to Sign Agreement with Carousel Industries for City Telephone Maintenance (22-063)

Commissioner Sanghvi advised this covers a six-month contract for maintenance of the City's phone system.

Commissioner Sanghvi moved and Commissioner Moran seconded to approve the authorization for mayor to sign agreement with Carousel Industries for City telephone maintenance as included with the agenda.

Ayes – All

Discussion and Vote: Budget Transfers – Benefits (22-064)

Commissioner Sanghvi moved and Commissioner Montagnino seconded to approve the budget transfer – benefits as included with the agenda.

Ayes – All

Discussion and Vote: Budget Transfers – Payroll (22-065)

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

Ayes - All

PUBLIC WORKS DEPARTMENT

Mayor Kim presented Commissioner Scirocco's agenda in his absence.

Discussion and Vote: Authorization for Mayor to Sign Contract with Kubricky Construction Corp. for Pavement Services (22-066)

Mayor Kim advised this is for pavement services funded through the CHIPS program. This is a piggyback contract off a Saratoga County bid.

Mayor Kim moved and Commissioner Moran seconded for the mayor to sign a contract with Kubricky Construction for pavement services valid until January 31, 2023 in the amount not to exceed unit bid prices.

Ayes – All

Discussion and Vote: Approval to Pay Invoice #16909 to BPI in the Amount of \$3,933.28 (22-067)

Mayor Kim advised an emergency leak related to a water heater occurred at the Senior Center. A call was placed to BPI without obtaining a purchase order first.

Mayor Kim moved and Commissioner Montagnino seconded to approve payment of invoice #16909 to BPI in the amount of \$3,933.28.

Ayes – All

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Approve Payment of Invoice to Terracon in the Amount of \$22,200.00 (22-068)

Commissioner Montagnino advised this is for geotechnical testing at fire station #3 location.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to approve payment of invoice to Terracon in the amount of \$22,200.

Ayes – All

Discussion and Vote: Approve 2021 Invoice to BPI in the Amount of \$7,492.50 for Emergency Service (22-069)

Commissioner Montagnino advised this was for emergency work as fire station #1 – Lake Avenue in December 2021.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to approve the 2021 invoice to BPI in the amount of \$7,492.50 for emergency services.

Ayes – All

Discussion and Vote: Approve 2022 Invoice to BPI in the Amount of \$4,455.00 for Emergency Service (22-070)

Commissioner Montagnino advised this is for emergency work at fire station 2 in January of this year.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to approve payment of the 2022 invoice to BPI in the amount of \$4,455.00.

Ayes – All

Discussion and Vote: Authorization for Mayor to Sign Contracts with Matt's of Saratoga and Towaway Towing for Towing Services (22-071)

Commissioner Montagnino split this item into two – one for Matt's of Saratoga and the other for Towaway Towing. There is no cost for towing to the City. These two companies rotate each week.

Commissioner Montagnino moved and Commissioner Moran seconded to sign a contract with Matt's of Saratoga.

**Ayes – 3
Abstentions – 1 (Commissioner Sanghvi)**

Commissioner Montagnino moved and Mayor Kim seconded to create an item 4b. (22-072)

**Ayes – 3
Abstentions – 1 (Commissioner Sanghvi)**

Commissioner Montagnino moved and Commissioner Moran seconded to authorize the mayor to sign contract with Towaway Towing for towing services similar to those described earlier. (22-73)

Ayes – 3
Abstentions – 1 (Commissioner Sanghvi)

Discussion and Vote: Resolution Authorizing the Mayor to Write Governor Hochul Requesting an Executive Order Authorizing the Attorney General to Conduct a Grand Jury Investigation Pursuant to CPL Article 90 into the Circumstances Surrounding the Death of Darryl Mount, Including an Investigation of Potential Misconduct on the Part of Public Officers in the Period Following the Events of August 31, 2013 (22-074)

Commissioner Montagnino advised CPL Article is 190 not Article 90. This request mirrors an earlier request. On February 3rd, the district attorney denied the request. We are asking the mayor to ask the governor to issue the executive order.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize the mayor to request the governor to issue the executive order.

Commissioner Sanghvi stated this is something they should do but does this open the floodgates to anyone who wants to go back any number of years to ask Governor Hochul to issue an executive order.

Commissioner Montagnino stated it would be discretionary on the governor's part.

Ayes – All

Announcement: The Draft Report on the Circumstances Surrounding the Death of Darryl Mount has Been Prepared and is Available on the City's Website

Commissioner Montagnino announced the draft report regarding the circumstances surrounding the death of Darryl Mount is now on the City's webpage.

Mayor Kim stated the report is very thorough and grounded. He still believes there should be an independent investigation and glad we are moving forward with that.

Announcement: Maintenance After Snow/Ice Events Per City Code 203-26

Commissioner Montagnino announced Code Enforcement is asking as a friendly reminder that sidewalks and pathways be cleared of snow within 12 hours of a storm. It is important that fire hydrants are cleared.

ADJOURN

There being no further business, Mayor Kim adjourned the meeting at 8:53 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote: