



February 7, 2023

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
Saratoga Springs, New York

7:00 PM

6:40 P.M.

P.H. – Amend Chapter 225 – Schedule
XXXII – Entry to Certain Public Ways
Prohibited

P.H. – Enhancing Union Avenue

P.H. – Amendments 1-4 of the UDO

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

EXECUTIVE SESSION

CONSENT AGENDA

1. Approve Payroll 02/03/2023 \$443,807.67
2. Approve Payroll 01/27/2023 \$1,157,536.64
3. Approve Payroll 01/20/2023 \$428,006.94
4. Approve Warrant – 2022 – 22DEC5 \$998,537.45
5. Approve Warrant – 2023 - 23FEB1 \$737,629.24
6. Approve Mid-Warrant 2022 - 22MWDEC6 \$19,373.10
7. Approve Mid-Warrant 2022 – 22MWDEC7 \$18,661.72
8. Approve Mid-Warrant 2023 – 23MWJAN3 \$43,008.92
9. Approve Mid-Warrant 2023 – 23MWJAN4 \$500.00
10. Approve Mid-Warrant 2023 – 23MWFEB1 \$45,781.01
11. Approve Budget Transfers – Regular
12. Approve Budget Amendments – Regular

MAYOR'S DEPARTMENT

1. Discussion: Homeless in Saratoga
2. Discussion: Appointments to Civilian Review Board
3. Discussion and Vote: MOAs City Unions
4. Discussion and Vote: Mayor to Sign Barton and Loguidice Change Order 176158

5. Discussion and Vote: Authorization for Mayor to Sign Delta Addendum Two (override department approvals)
6. Discussion and Vote: Approval to Have 2022 P.O. Issued in 2023 (Dalton Legal Fees)
7. Discussion and Vote: Approval to Have 2022 P.O. Issued in 2023 (Kelly Legal Fees)
8. Discussion and Vote: Approval to Have 2022 P.O. Issued in 2023 (E. Stewart Jones Hacker Murphy)
9. Discussion and Vote: Approval to Have 2022 P.O. Issued in 2023 (Kirby, Aisner & Curley)
10. Discussion and Vote: Approval to Have 2022 P.O. Issued in 2023 (Miller, Mannix, Schachner & Hafner)
11. Discussion and Vote: Authorization for Mayor to Sign Workforce Housing Deed for 168 Jefferson, Unit One
12. Discussion and Vote: Merit for Review and Referral of 182 Excelsior Ave. Landmark Designation to Design Review Board and City and County Planning Boards
13. Discussion: Proposed Amendments 1 – 4 to the UDO
14. Discussion and Vote: Permission for Poet Laureate to Apply for Academy of American Poets Laureate Fellowship
15. Discussion and Vote: Recreation Department Agreement Templates
16. Discussion and Vote: Recreation Department Request to Waive its Cancellation Policy for Saratoga Sparks AAU Tournament
17. Announcement: City Council Meeting Agenda Deadlines and Procedures
18. Announcement: Enhancing Union Avenue Workshop: February 16
19. Announcement: Appointment of Laura Faulk as Chair of Climate Smart Task Force
20. Proclamation: Rich Ferguson
21. Proclamation: February 1- 7 National Gun Violence Survivor's Week

ACCOUNTS DEPARTMENT

1. Award of Bid: Extension of Bid for New York State Department of Health Certified Instructor Coordinator to Art Breault
2. Award of Bid: Visitor Center Canopy Structural and Roof Repair to LaBella Associates
3. Appointment: Officer William Marshall as Commissioner of Deeds
4. Discussion: Request for Quote Policy and Process
5. Announcement: Business Milestones
6. Announcement: Special Events

FINANCE DEPARTMENT

1. Update: City Finances
2. Discussion and Vote: Approve Project Funds Disbursement for Participatory Budgeting
3. Discussion and Vote: Authorization for Mayor to Sign SOW Agreement with ePlus Technology, Inc. for VxRail Implementation
4. Discussion and Vote: Approval to Pay Voucher Reimbursement to Michael Wangerin in the Amount of \$292.13 for Zimbra Zextras Costs Requiring Credit Card
5. Discussion and Vote: Authorization for Mayor to Sign Addendum One with BST for Additional Audit Procedures in an Amount not to Exceed \$11,500
6. Discussion and Vote: 2023 Annual Tax Resolution
7. Discussion and Vote: Budget Transfers – Payroll & Benefits
8. Discussion and Vote: Budget Amendments – Use of Fund Balance

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with LaBella Associates for Visitor Center Canopy Structural and Roof Repair Professional Services
2. Discussion and Vote: Authorization for Mayor to Sign Addendum #2 with MJ Engineering for Gilbert Road Drainage Improvements (override department approvals)
3. Discussion and Vote: Authorization for the Mayor to Sign Addendum #2 with Designated Engineers (override department approvals)

4. Discussion and Vote: Authorization for Mayor to Sign Contract with Trojan Technologies Group ULC for Repair Wiper System on UV Disinfecting System at the Water Treatment Plant
5. Discussion and Vote: Water Leak Adjustment
6. Discussion and Vote: Water Leak Adjustment
7. Discussion and Vote: Non-Union Resolution Full Time Employees
8. Discussion and Vote: Non-Union Resolution Executive Employees

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign MOU with the Capital District Transportation Committee (CDTC)
2. Discussion and Vote: Authorization for Mayor to Sign Contract with Art Breault – EMS Concepts
3. Discussion and Vote: Authorization for Mayor to Sign Contract with Dr. Angelini
4. Discussion and Vote: Authorization to Pay Invoice to Axon Enterprises
5. Discussion and Vote: Authorization to Pay Invoice to La Rosa's Automotive
6. Discussion and Vote: Authorization to Reimburse Employee #1746 in the Amount of \$81.77
7. Discussion and Vote: Authorization to Reimburse Employee #3138 in the Amount of \$712.53
8. Discussion and Vote: Authorization for Mayor to Sign a Contract with DeNooyer
9. Set Public Hearing: Proposed Ordinance Making Parking Spaces in the Vicinity of 353 Broadway 20 Minute Max 9 a.m. – 6 p.m.

SUPERVISORS

Matt Veitch

1. County Buildings & Grounds Update
2. County Sewer Work to Begin on Railroad Run

Tara Gaston

1. Health & Social Services Update
2. NACo Conference

ADJOURN



February 7, 2023

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
Saratoga Springs, New York

7:00 PM

PRESENT: Ron Kim, Mayor
Minita Sanghvi, Commissioner of Finance
Dillon Moran, Commissioner of Accounts
Jason Golub, Commissioner of Department of Public Works
Jim Montagnino, Commissioner of Department of Public Safety

STAFF PRESENT: Angela Rella, Deputy Mayor
Stacy Connors, Deputy Commissioner, Accounts

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED: Heather Crocker, Deputy Commissioner of Finance
Jason Tetu, Deputy Commissioner, Department of Public Safety

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

Amend Chapter 225 – Schedule XXXII – Entry to Certain Public Ways Prohibited

Mayor Kim opened the public comment period at 6:48 p.m.

Commissioner Montagnino stated his recent research shows there is a deed dating back to 1953 showing the church owns the property where the City is looking to install a do not enter sign. He will consult with the City attorney as to whether they have the authority to put a sign on private property. Commissioner Montagnino stated there are apps that direct people to turn onto this 'paper' street.

Mayor Kim concluded the public hearing at 6:50 p.m. and left it open.

Enhancing Union Avenue

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

Rose Tate of Saratoga Springs stated NYRA is forging ahead with what they are doing, Union Avenue is being enhanced, and Lincoln Avenue is being forgotten. There is an adverse impact on Lincoln Avenue. Sandra Robinson of Saratoga Springs stated she supports the Historic Union Avenue Neighborhood Association. They have seen boilerplate ideas from shared sidewalks and bikes paths to taking parking away, and expanding the curb strip to include a separate bike path and reducing traffic lanes. In theory, the concepts are for the greater good but there are some downsides.

Dr. Judy Harrigan of Saratoga Springs stated safety is her primary concern with some of the ideas that have been presented. Union Avenue is dangerous as it is. The City needs to pause and create a comprehensive plan.

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

Mayor Kim announced the workshop for Union Avenue enhancements will be held on February 16, 2023.

Amendments 1 – 4 of the UDO

Mayor Kim opened the public comment period at 6:56 p.m.

Matt Jones, attorney for Chamber of Commerce submitted a document to the Council (attached) and stated he is here to talk about the process by which the City will move forward. He believes a vote of three members is needed to move forward.

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

CALL TO ORDER

Mayor Kim called the meeting to order at 6:58 p.m.

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. He will also be starting a question period at the end of the City Council meeting. The public must register to present their questions.

Mayor Kim opened the public comment period at 7:00 p.m.

Rose Tate of Saratoga Springs mentioned the gateway to Saratoga Springs has always been Broadway. Saratoga has been known for health, history, and horses. You see the springs, SPAC, and the dances. Union Avenue is not the gateway to the City.

Chris Mathiesen of Saratoga Springs stated he is here to talk about the article in today's Times Union. It is terrible that the people of the Shelters of Saratoga are being threatened. He read a quote from the article and stated the statement is not fair as the parents of the school are concerned with the safety of their kids.

Diogenes of stolen land stated a lot needs to be said about what has transpired recently. She knows the Council cares about their families. When they think about their kids or grandkids, the Woodlawn garage doesn't enter their minds. Homelessness is a possibility for them, their kids, grandkids, and other people they care about. Children are used as pawns to stir hatred and fear when children of this community have used un-housed people for target practice at the Woodlawn garage. Threats of safety do not come from the unhoused but from the parents of Catholic students. No one should be threatened or harassed but appeasement has never worked.

Tracy Krosky of Halfmoon stated she is to speak about a post she saw yesterday with pictures of Saratoga Police at Division Street Elementary School with the children in riot gear. This is less than 10 days after watching a video of Tyre Nichols being beaten to death by police. Ms. Krosky has seen the way the Saratoga police have skirted the law and change things to make them the victim. It is time to defund the police and abolish the police. Abolition is about building your community and taking care of your community. Abolition is about taking the funding from the police and putting it into peaceful things in your community. You don't have any control over your police but have control over the budget.

Andrea Smith is one of the former unhoused and single mother of a six year old. She lost her job as an educator due to the pandemic and became homeless in Saratoga Springs. If it wasn't for Shelters of Saratoga, soup kitchen, and Salvation Army, she would have starved to death or died of exposure. The City can no longer ignore the need for a shelter in Saratoga Springs.

Olden Shorff of Wilton stated he would like to be able to say he is proud of a liberal government but he can't say that. There has been a display of smoke in mirrors. He is transgender, autistic, and Ukrainian so he knows what it is like to have a target on the back of his head. He is ashamed to live in a city where his black and unhoused friends cannot have the same piece of mind he has.

Jaime McCallion of Saratoga Springs stated the first thing he said to his mother when he drove through town for the first time is why are there so many white people in this town. He has spent the last decade being the only person of color in his classrooms or could count the number of people of color in his classrooms on one hand. The Saratoga Springs Police Department has only served to further exclude people of color in this town. He asked the Council if they have thought about protecting his safety every day. He asked how can he enjoy the benefits of this City if he can't be sure he will live to see it.

Joe Schaffer of Saratoga Springs stated he comes to the meeting as a concerned parent, concerned citizen, and concerned member of the Saratoga Catholic community. Mr. Schaffer told a story about how he was stabbed in a neighboring community by a homeless man when he refused to give that person all his spare change. The person who stabbed him has multiple warrants out in other states and was staying in a homeless shelter in that city. After hearing about a low level screening facility less than 150 feet from children, he felt the need to speak out. No screening people is irresponsible at best, criminal and negligent at worst.

Mayor Kim asked the audience to respect each other's right to speak and speak one at a time.

Leo Geoffrion of Saratoga Springs stated he is part of a regional group of volunteers that started Code Blue. It started when Nancy Pitts, a graduate of Saratoga High School died of exposure in December 2013. The first winter, Code Blue was housed in the Saratoga Central School complex and they got through that year with no problems. The next year moved to the Salvation Army and stayed there for a few years again with no problems. After that, they moved to the Soul Saving Station where things worked smoothly and had a good working relationship with the community. The current location is tight and small and can't handle it. Saratoga deserves better than having a homeless, homeless shelter.

Sherri of Saratoga Strong stated she helped open Code Blue. Since then, she has been with the homeless, feeds them, brings them to doctor appointments, and whatever else they need. The homeless are extremely polite. The fights are from the bars not from the homeless. She would like to see a permanent shelter year round. She hopes to help the City Council see what she sees.

Rachel Alderman stated she is here as a parent and teaches of her children to get out of the middle class bubble they live in. This summer she worked with Saratoga Stronger and never had any fear and was only filled with pride. Ms. Alderman is a clinical social worker who believes people need to volunteer and get involved in their community. Not having the shelter near the school is a missed opportunity.

Owen Younkin of Saratoga Springs stated he volunteered over the summer with Saratoga Stronger. He went to the garage multiple times to help feed the homeless and found it to be an amazing experience. The people were genuinely awesome.

Brian Crowth of Saratoga Springs stated he has a keen sense of what it means to be homeless. He was homeless unrelated to addiction, mental illness or as a struggling veteran all while having a job and a car to sleep in. Mr. Crowth offered his support to help the homeless of the goal of a safe place to sleep at night, obtaining job, and overcome whatever lead them to living on the streets. The William Street solution has been sidelined. This is the beginning of all working together.

Adrian Antonlioni of Skidmore College stated when he first visited the school he saw the glaring disparity of wealth. This conversation is frustrating because he doesn't believe that everyone is here to express concerns about the community but is more concerned about if the money is going to stop flowing in. This goes beyond the homeless people in the City. The people on the backstretch are not seeing the money go to them. The Council need to acknowledge your job is to run the City; it is your job to protect its people.

Natalia Lakhtakia of Saratoga Springs started with a quote from Martin Luther King, Jr. Saratoga Springs has the resources but doesn't have the will. The solution to homelessness is homes.

Daesha Harris of Saratoga Springs stated that as a member of the police reform task force, she is disgusted and disappointed by the lack of action by the City Council to implement the plan. Each of this Council supported the 50-point plan and used it as a talking point for your election. The reinvention plan was created as a coordinated plan not an a la carte menu.

Robin Dalton of Saratoga Springs stated that for three winters Code Blue was her neighbor. It was a positive experience and her home value didn't go down. People who don't understand Code Blue or knows what goes on should go volunteer.

Dr. Giovanni Vergiglio, superintendent for the Albany Diocese stated he condones any acts of violence or threat of violence against those looking to bring resolution to a very important issue. To dismiss concerns of parents and not invite them for a dialogue where they can be educated or informed on the issue, and be part of the solution is a missed opportunity. They commit to work with all people to come up with a solution that can satisfy the needs of all who could impacted by the decision.

Volunteer with Saratoga Stronger stated she appreciates that opportunity. She has never felt afraid and people who have concerns probably comes from being misinformed. Homeless people are people like everyone else. She understands people have had bad experiences with some homeless but they are not criminals.

Camille Daniels of Saratoga Springs stated there should be less virtue signaling and more affective altruism. Ms. Daniels commended those who were brave enough to speak about their lived experience in this not particularly safe environment. The people with lived experience need to be the ones invited to participate in the solution gathering process. Whose well-being is the City interested in?

Jordan Angelo stated plans for a homeless shelter near a Catholic school were pulled because of the proposed threat with little to no data. It has also been said that the school and church want to use the land for their own use. It needs to be found out whom the threats came from because those people pose a greater threat to the kids that go to that school. There is data that Catholic priests have posed a greater threat to children. There is even data about the police who have beat people sitting in this room.

Joan McDonough of Saratoga Springs stated that after retiring as a teacher in the school district, she volunteered at the soup kitchen. She has had time to observe and get to know the people who used the soup kitchen. There were times when the homeless got out of order and the police had to be called.

Chandler Hickenbottom asked the Council why three people decided they want to be chief of police. McIntosh was one of the ones that was involved in the execution of Darryl Mount. Promises were made and not followed through. Every person selected for the Civilian Review Board have been tokenized; they are the correct black people. Another person in line is Veitch whose family member covered up the death of Darryl Mount, lied to the press, and lied to all the people in this community. The Council wants to suppress the voices of stakeholders in this community.

Mayor Kim asked Ms. Hickenbottom to wrap up.

Ms. Hickenbottom stated she would not as he asked her to come up to speak and there is a lot to talk about.

Mayor Kim asked Ms. Hickenbottom to allow other to speak and then she can come back to the mic.

Ms. Hickenbottom stated 'no'; she was going to use her 'blackness' to have a conversation with Mayor Kim since he will never have a conversation with Saratoga Black Lives Matter. He has never had a conversation with Saratoga Black Lives Matters. Ms. Hickenbottom stated Mayor Kim had conversations with them in the beginning to get the black vote to put him in power and did he nothing with the power he currently has. He does nothing for the black community. There is one black person on the Council to represent them and he doesn't represent them in any way.

Mayor Kim repeatedly requested Ms. Hickenbottom to wrap up. Ms. Hickenbottom refused, continued to talk and chaos ensued.

Mayor Kim moved and Commissioner Montagnino seconded to adjourn the meeting at 8:13 p.m.

Ayes – 3 (Commissioner Sanghvi, Commissioner Montagnino, Mayor Kim) Could not hear Commissioner Moran or Commissioner Golub.

Ms. Hickenbottom continued to speak, acknowledged Commissioner Moran, and thanked him for his attendance at their events. She continued by calling out Commissioner Sanghvi for showing up for PRIDE events but Commissioner Sanghvi does not show up for anything that pertains to Black Lives Matter. Commissioner Sanghvi makes sure she shows up to women's events but nothing relating to Saratoga Black Lives Matter. Ms. Hickenbottom told Commissioner Sanghvi she didn't care that Commissioner Sanghvi showed up to Saratoga Youth Safe Space because Commissioner Sanghvi sang a random weird song that got Ms. Hickenbottom's group in trouble because the lyrics were found and ruined it for them. Ms. Hickenbottom asked Commissioner Golub where he was for Tyre Nichols.

Commissioner Montagnino left the room.

City Council interacted with the audience to talk one on one with various audience members.

Mayor Kim called the meeting back to order.

Mayor Kim announced the City Council has agreed to meet with Saratoga BLM. A date has to be set and notification has to be published. A meeting will be held as soon as one can be arranged.

Chandler Hickenbottom asked each of the Council members to comment on the death of Tyre Nichols.

Commissioner Moran stated he can't watch anything on Tyre Nichols anymore. It is disgusting.

Mayor Kim stated after he watched the video he stated it is a sad day in America. He is old enough to remember the first beating by police officers in Los Angeles. America has to figure out how to reconcile themselves with the idea that we have this residue of racism throughout our society.

Commissioner Golub stated he doesn't watch it anymore and can't watch it anymore. He has a 10 yr old daughter he has to explain these incidents to and a four-year-old boy who is going to walk down the street someday with a hoodie on. Being a black man doesn't mean you go to the parades or go to the BLM events. He is black whether he follows BLM down the street or not. He may come at it from a different place but he works for change even though it may not be the same manner Saratoga BLM does; but that is okay. It doesn't mean they are not working in the same direction.

Chandler Hickenbottom stated it doesn't matter how many bad apples there are in the Police Department, they have tainted the whole department.

Commissioner Montagnino stated with one exception, he has met with everyone who asked to meet with him. He watched every minute of the footage of Tyre Nichols. He can't come up with the words of what happened. Tyre Nicholas was murdered by a mob, it was a street gang called the Scorpions. Nothing about the conduct of those police officers resembled the conduct of police officers. Everything about the conduct of the scorpions had nothing to do with the trained police officers. He sees layers of screening in the Saratoga Springs Police Department in order to prevent the recruitment people who are at heart thugs. The January class police academy is in session is because he refused to go below a certain level on the civil service list. He would not sent substandard people into the class.

Mayor Kim moved and Commissioner Golub seconded to adjourn the meeting at 8:39 p.m.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, Mayor Kim)

Nays – 0

*Mayor Kim called the meeting back to order at 8:40 to address the Consent Agenda.

CONSENT AGENDA

Mayor Kim moved and Commissioner Montagnino seconded to approve the consent agenda as follows:

1. Approve Payroll 02/03/2023 \$443,807.67
2. Approve Payroll 01/27/2023 \$1,157,536.64
3. Approve Payroll 01/20/2023 \$428,006.94
4. Approve Warrant – 2022 – 22DEC5 \$998,537.45
5. Approve Warrant – 2023 - 23FEB1 \$737,629.24
6. Approve Mid-Warrant 2022 - 22MWDEC6 \$19,373.10
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8. Approve Mid-Warrant 2023 – 23MWJAN3 \$43,008.92
9. Approve Mid-Warrant 2023 – 23MWJAN4 \$500.00
10. Approve Mid-Warrant 2023 – 23MWFEB1 \$45,781.01
11. Approve Budget Transfers – Regular
12. Approve Budget Amendments – Regular

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, Mayor Kim)

Nays – 0

ADJOURNMENT

Mayor Kim adjourned the meeting at 8:41 p.m.

Respectfully submitted,

Lisa Ribis
Secretary to the City Council

Approved:
Vote: