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CITY OF SARATOGA SPRINGS CITY COUNCIL MEETING

PRELIMINARY AGENDA

March 14, 2022

Held at

474 BROADWAY

SARATOGA SPRINGS, NEW YORK 12866

PRESENT:

RON KIM, Mayor

DILLON MORAN, Commissioner of

Accounts

JAMES MONTAGNINO, Commissioner of

Public Safety

ANGELA RELLA, Deputy Mayor

ANTHONY "SKIP" SCIROCCO, Commissioner

of Public Works

JASON TETU, Deputy Commissioner of

Public Safety

TINA CARTON, Parks, Open Space,

Historic Preservation

HEATHER CROCKER, Deputy Commissioner

of Finance

1 TONY IZZO, City Attorney

2 STACY CONNORS, Deputy Commissioner

3 of Accounts

4 MAYOR KIM: We can just get
5 started. And -- sorry, I'm -- so we
6 have a couple of public hearings, the
7 water and sewer rates. Then there's --
8 and I think that's for the first time
9 on, then we have the amendment to
10 Chapter 136, outdoor dining, which has
11 been on previously.

12 Then the Caroline Street Traffic
13 Control public hearing, which again, I
14 think is a first-time Civilian Review
15 Board, which has been previously on, the
16 Unified Development Ordinance, which is
17 the first-time on, and then the Weibel
18 Avenue PUD Amendment, which has been on
19 for several City Council members.

20 I don't know if there any comments
21 about any of those from the City
22 Council? Then we have several
23 presentations. We have the CDTA update.
24 They're going to give us a presentation

1 Saratoga Springs City Council Meeting
on their program, and, you know,
2 cycling. And that'll be about ten, 15
3 minutes. We're also --

4 COMMISSIONER SCIROCCO: Mayor --
5 Mayor?

6 MAYOR KIM: I'm sorry, go ahead.

7 COMMISSIONER SCIROCCO: I'm sorry,
8 I was muted. I did want to comment on
9 the water and sewer rates. I wanted to
10 make a quick statement.

11 MAYOR KIM: Sure.

12 COMMISSIONER SCIROCCO: Regards to
13 that.

14 MAYOR KIM: Mm-hmm.

15 COMMISSIONER SCIROCCO: The -- the
16 water and sewerage resolution
17 establishes the rates and fees charged
18 to the water and sewer customers to
19 support each respective budget. Both of
20 these budgets are completely user
21 supported and have staff assigned to
22 perform work to deliver water sewer
23 services.

24 For 2022, the adopted budget is
25 \$4,446,539, and the adopted sewer budget

1 Saratoga Springs City Council Meeting
is \$5,108,828. (Coughs) Excuse me.

2 The proposed resolutions are designed to
3 raise the revenue necessary to meet
4 expenditure. And I just wanted to read
5 that pretty raw.

6 MAYOR KIM: Appreciate that
7 Commissioner, thank you.

8 COMMISSIONER SCIROCCO: Yes. Thank
9 you.

10 MAYOR KIM: Just going back then to
11 the -- anything else on the -- the
12 public hearings? Hearing none. The --
13 our presentations we -- as I mentioned,
14 we have the CDTA, then the next
15 presentation is a Community Development
16 Block Grant annual report.

17 This is their recommendations. And
18 then our third presentation is the
19 Saratoga Art Center, will be coming in
20 to give us a -- sort of, brief
21 presentation about their activities and
22 some of their future plans, which is
23 very exciting.

24 And I hope -- I think there're
25 really going to be very helpful,

1 Saratoga Springs City Council Meeting
exciting programs for the city at large.

2 And then finally, as required, the West
3 Avenue Special Assessment District will
4 be giving us their annual report to the
5 City Council, and that will wrap up our
6 presentations.

7 COMMISSIONER MORAN: Is that Matt
8 Jones?

9 MAYOR KIM: I believe he is coming
10 in, yes.

11 COMMISSIONER MORAN: Okay.

12 COMMISSIONER SCIROCCO: Mayor?

13 MAYOR KIM: Yeah.

14 COMMISSIONER SCIROCCO: I'll be --
15 I'll be closing my public hearing
16 because we're voting on the rates
17 tonight.

18 MAYOR KIM: Okay.

19 COMMISSIONER SCIROCCO: Or tomorrow
20 night, excuse me.

21 MAYOR KIM: Okay, thank you Skip.

22 COMMISSIONER SCIROCCO: Yeah.

23 MAYOR KIM: After the
24 presentations, we'll go to the -- we
25 have no executive sessions, then we just

1 Saratoga Springs City Council Meeting
2 go to the consent agenda. I don't know
3 if there's anything else that needs to
4 be added to the consent agenda by any of
5 the City Council members.

6 Hearing none. We'll move on to our
7 -- the mayor's agenda. We have a
8 discussion and a vote on the UDO
9 adopting Local Law No. 2. And I think
10 the information we've -- we've
11 distributed to the City Council members
12 if you have any questions feel free to
13 get in touch with us, but we're going to
14 -- we're going to try to -- as I said in
15 the last City Council meeting, we're
16 going to try to put this -- the UDO on
17 firmer footing legally, because of
18 errors that were made in the passage of
19 it the last time.

20 I'm going to be appointing Alice
21 Smith as an alternate to the Zoning
22 Board of Appeals. And that's my second
23 item. My third item is, I'm going to be
24 appointing to the CD to the Advisory
25 Committee, Kristen Dart.

My third is to set a public hearing

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for the Community Development Block

1
2 Grant annual report. As you saw in the
3 presentations, there'll be -- the
4 Mayor's Office will be giving you a
5 report on it, and then we solicit a
6 comment for -- in the April meeting.

7 We have a -- an agreement with the
8 Saratoga County Office for the Aging,
9 and we'll ask this City Council to
10 consider that and vote on it. My sixth
11 item is for the mayor to sign a contract
12 with the Saratoga County Office of Aging
13 for transportation.

14 And our seventh item is
15 authorization for the mayor to sign a
16 construction contract with Rifenburg
17 Contracting Corporation. Our eighth
18 item is an authorization for the mayor
19 to --

20 COMMISSIONER MORAN: Hey, Ron?

21 MAYOR KIM: Yeah.

22 COMMISSIONER MORAN: Just before
23 you do that one, you're going to need to
24 move up my agenda item number two.

25 MAYOR KIM: Yeah. I think we have

1 Saratoga Springs City Council Meeting
a couple of those that we're going to
2 have to move around.

3 COMMISSIONER MORAN: Okay.

4 MAYOR KIM: Tina Carton mentioned
5 that there's some. So yeah, we're going
6 to be doing that. Yeah. And maybe it
7 might be easier for you to do your --
8 the accounts Commissioner agenda before
9 the mayor's just to make it, you know,
10 sort of flow easier, okay.

11 COMMISSIONER MORAN: Whatever works
12 for you, sir.

13 MAYOR KIM: All right. Then we
14 have a contract with Rifenburg
15 Contracting Corporation as our item
16 seven. The eighth item is to sign an
17 addendum with Greenman Pedersen
18 Incorporated.

19 I think this is the one that may
20 have to -- also implies something with
21 accounts. (Indiscernible). No?

22 COMMISSIONER MORAN: I've got one
23 hazardous material testing to
24 environmental. I'm assuming that's for
25 Skip. I don't have the Greenman

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1 Pedersen, so Deputy Connors, could you
2 just verify whether or not that's
3 something that we got to do?

4 DEPUTY MAYOR RELLA: No, I think
5 that that that contract doesn't need an
6 accounts agenda to proceed it.

7 COMMISSIONER MORAN: Okay. Fair
8 enough.

9 DEPUTY MAYOR RELLA: Okay.

10 MS. CARTON: It's not -- it's not an
11 award a bid, so it does not need a -- to
12 be on the account's agenda.

13 COMMISSIONER MORAN: Okay. Great.

14 MAYOR KIM: And then the final
15 item, and we're going to add a couple,
16 is the resolution for the construction
17 inspection for the Downtown Connector
18 Trail. Angela, could you -- so the one
19 item that we wanted to add a couple of
20 items, the one that I want to discuss is
21 we're adding an item discussion about
22 the -- how the city can help in the
23 Ukraine in the war effort.

24 We have some ideas that we want to
25 discuss with the City Council. I've

1 Saratoga Springs City Council Meeting
gotten several letters from individuals
2 in the community who say we should sever
3 our ties, we checkoff Russia.

4 I'm more inclined to grab, send
5 them, the mayor there, a letter from the
6 -- authorized by the City Council to
7 simply say, you know, we would encourage
8 you to, you know, do what you can to
9 essentially do what you can to -- to
10 convince the -- the Russian government
11 to -- to take steps rather than simply
12 cut them off.

13 Because to me the -- I -- you know,
14 there may be some difference in, sort
15 of, opinion about, you know, just
16 cutting off a city where, you know, that
17 we've had a preexisting relationship
18 with at this point.

19 But if they take measures to try
20 to, I don't know, persuade their
21 governmental leaders, I think we would
22 support that. The other issue is there
23 is a city, which we'll be sending some
24 information to you, that's in western
25 Ukraine that is very similar to Saratoga

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2 Springs.

3 It is a -- it is a resort
4 community, about 28,000 people, they are
5 known for their mineral waters. And
6 perhaps we can enter into some kind of
7 relationship with them. I'll be sending
8 the information around.

9 We did a little research this
10 weekend on -- on this issue. So -- so,
11 we're going to add that. I know there
12 are a couple other items. Angela, can
13 you help with those?

14 DEPUTY MAYOR RELLA: Sure. Two
15 other announcements. One, is just in
16 honor of Women's History Month, we
17 wanted to announce that the League of
18 Women Voters is having a Zoom meeting on
19 Wednesday evening about the history of
20 the Equal Rights Amendment and where we
21 stand on that.

22 And then the third is a
23 proclamation about Problem Gambling
24 Awareness Month. So, those will be our,
25 I guess, 11th and 12th items.

MAYOR KIM: So, that's the mayor's

1 Saratoga Springs City Council Meeting
agenda. I don't know if there are any
2 questions, comments?

3 COMMISSIONER MONTAGNINO: If I may,
4 Mr. Kim.

5 MAYOR KIM: Sure.

6 COMMISSIONER MONTAGNINO: In
7 conjunction with your efforts to support
8 Ukraine, I've read that the Ukrainian
9 church of (indiscernible) is making some
10 proactive steps.

11 They're going to be publishing a
12 link where people who can house refugees
13 in our area can sign up and I think that
14 might be something to announce at the
15 meeting. I know Nancy, I have talked it
16 over, our kids are adults and grown and
17 off on their own.

18 And we've got a house and we're
19 happy to -- to host a family of
20 Ukrainian soldiers in our home when the
21 -- when the (indiscernible) can come
22 through.

23 MAYOR KIM: Yeah, there may be some
24 -- some efforts that the city can assist
25 with sort of that kind of effort, I

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1 assume. Sadly, there're gonna be a
2 number of refugees from that war. So --
3 so, I invite all the City Council
4 members to sort of have this discussion
5 and -- and let us know other ideas.

6 I mean, I think what we want to do
7 is try to be, sort of, positive in terms
8 of what we want to do here, and -- and
9 also meaningful and those kinds of
10 suggestion, Commissioner, I think are
11 great. So, in -- in -- that's why I
12 wanted to get it on our -- on our agenda
13 to start the discussion and see where we
14 go from that.

15 I'm -- I'm also going to reach out
16 to Adam Israel. I know he has some
17 contacts in Poland and spend out there
18 and to see what his thoughts are, so --
19 but that's great.

20 Thank you, Commissioner. Any other
21 comments? We'll move to the accounts
22 department and Commissioner Moran.

23 COMMISSIONER MORAN: Thank you,
24 mayor. So, obviously, we talked about
25 moving agenda item number two up, or we

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2 can reverse the order, whatever suits
3 you sir, which would be the award of bid
4 Saratoga Greenbelt Connector Trail
5 Construction to Rifenburg Contracting.

6 The first item actually, if we're
7 going to change the orders, we've got a
8 discussion and vote approval to appoint
9 a marriage officer. Former Mayor Mike
10 Lenz has asked to officiate a specific
11 wedding upcoming, and so that's what
12 that's related to.

13 We have a discussion and vote
14 authorization for mayor to sign records
15 management grant application supporting
16 documents and submit application to the
17 New York State Archives. Obviously, as
18 Ron mentioned, we've got the discussion
19 and vote amending 136 of the City Code
20 Outdoor Dining.

21 We will take that vote this evening
22 and I think we're ready to go with it in
23 terms of not only the detail shared, you
24 know, between Skip and I but then how do
25 we get it done?

26 COMMISSIONER SCIROCCO: What's

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that, sir? Skip, go right ahead.

2 COMMISSIONER SCIROCCO: Yeah. You
3 know, reading the resolution, it's kind
4 of redundant. It's -- it's -- it kind
5 of lets, you know -- I don't have a
6 problem with City Council approving
7 anything, but approval for City Council
8 is going to delay it with approximately
9 two weeks.

10 Think about it. If somebody puts
11 an application in on Wednesday, we don't
12 meet again for two weeks. It already
13 says in the resolution that the City
14 Council is approving the decision for
15 accounts and both public works.

16 You really don't need City Council
17 approval in my opinion to make this
18 happen. I think what we want to do is
19 we want to try to -- to try to take away
20 those layers of bureaucracy and pretty
21 much expedite the process.

22 By -- by having City Council
23 approval, again, I don't have a problem
24 with that. What's going to happen is,
25 is that it's going to delay the process

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two weeks and it really -- it really
2 doesn't do any justice to -- to what
3 we're trying to do, at least in my
4 opinion.

5 And again, if you -- if you read
6 the resolution, it's already there. It
7 already says, it's City Council
8 approving this based on our vote,
9 whether we move forward or not. So,
10 that's my two cents.

11 COMMISSIONER MORAN: That -- Skip,
12 that was in response to a concern that
13 was brought forward by Jim. Do you want
14 to comment on that Commissioner
15 Montagnino? I think you're muted.
16 There you go.

17 COMMISSIONER MONTAGNINO:
18 Commissioner Moran, if you can just
19 refresh my recollection on the specific
20 on the council meeting.

21 COMMISSIONER MORAN: So, basically,
22 this was kind of the start of the
23 termination of the -- the -- issue
24 relating to a governmental, legislative
25 body creating an administrative body

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that's a subset of the legislative body.

2 Skip, and I would have -- the
3 council and Department of Public Works
4 would have the ability to sign off on
5 these permits, and then we created a --
6 a administrative body that is truly from
7 the executive, it's Department of Public
8 Safety, accounts department and public
9 works.

10 The threesome working in
11 conjunction, which, you know, you would
12 assume that kind of covers three fifths
13 of the -- of the council, so I
14 absolutely hear where Skip's coming from
15 on that.

16 The notion that there would be a
17 vote, essentially bringing everything
18 together, had come from a comment that
19 you made, Jim, as we were going over the
20 -- the final language of the bill.

21 The notion would be, it would
22 simply be a list of everything that we
23 had done those two weeks, it would be in
24 the consent agenda, so it wouldn't even
25 be a thing that was up for discussion.

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1 You know, my attitude about it is
2 if somebody has done this two years in a
3 row, we pretty much know what they're
4 doing if their application hasn't
5 changed, that's not even being reviewed.

6 So, to Skip's point, if an
7 application comes in, and literally
8 nothing has to change, if the timing
9 worked out that it would be two weeks, I
10 can understand the reticence there
11 because I think everybody understands
12 everything I'm trying to do is to move
13 things in and out as quick as possible
14 yet cover the bases. So, do you have a
15 thought there, Jim?

16 COMMISSIONER MONTAGNINO: Yeah. I
17 -- I -- I think maybe to allay
18 Commissioner Scirocco's concerns, I
19 think the -- the intent was to have the
20 City Council cede or transfer some of
21 its power to an administrative body
22 while retaining the ability through the
23 consent agenda to ratify what the body
24 ultimately decided.

25 So, really, the vote of the City

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1 Council on the consent agenda is more of
2 a ratification than -- than the act
3 itself, which would go through the
4 administrative agency, which is created
5 by the -- by the change the code.

6 COMMISSIONER MORAN: So, how does
7 that balance off what Skip mentioned
8 with -- with expediency certainly being
9 an element of it? I mean, year two, my
10 department can get very aggressive and
11 in January or December start, get your
12 renewals in and start banging on people
13 and say, here's your due date, or you're
14 going to be pushed back, you're going to
15 be pushed back.

16 So, we can -- we can do that front
17 end marketing, but this year, obviously,
18 we're going to be -- we're going to be
19 (indiscernible) to get these folks open.
20 So, do you have any thoughts about that,
21 Jim?

22 COMMISSIONER MONTAGNINO: Yeah. I
23 think that the -- the -- the -- the
24 permission is granted by the
25 administrative body and the council

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2 simply maintains its legislative
3 authority by ultimately ratifying it at
4 a subsequent meeting via the consent
5 agenda.

6 So, it does -- it does move things
7 along.

8 COMMISSIONER SCIROCCO: Let me
9 correct you there. The -- the charter
10 is pretty clear on right of way, it's --
11 it's -- it's pretty specific, where it
12 says that we, you know, Department of
13 Public Works, manages, operates and
14 maintains, you know, all right of ways
15 in the city.

16 And pretty much the buck stops
17 here. Those are things in the charter
18 that -- that allow each Commissioner the
19 authority to do what they need to do to
20 pretty much expedite a lot of this
21 stuff.

22 So, council approval or not, it's
23 already in the charter. And until we
24 change that, that's -- it is what it is.
25 I don't know if that's a good
explanation of it, but I mean, pretty

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2 much that's the way it worked. And
3 again, the resolution already says that
4 the City Council approves it.

5 So, whether we strike that
6 language, my opinion is, is that we're
7 just putting another layer of
8 bureaucracy on this whole thing, when we
9 don't really need to do that.

10 We've already done it for a year or
11 two and it's worked out pretty good.
12 So, to kind of get this thing behind us,
13 and make it -- make it happen, I think,
14 Commissioner Moran, that's where --
15 that's where you're at, is to pretty
16 much expedite the process.

17 Why put another layer of
18 bureaucracy in here, when in fact, we
19 don't really need it? We absolutely do
20 not need it.

21 COMMISSIONER MORAN: I do see
22 Skip's point in as much as the City
23 Council would be authorizing this
24 process to flow as -- as we indicated.

25 COMMISSIONER SCIROCCO: That's what
we're voting on it.

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1 COMMISSIONER MORAN: Yeah.

2 MAYOR KIM: Tony do you have any
3 thoughts about this in terms of -- it
4 seems like we are approving this in this
5 vote tomorrow night.

6 Do we need to have it on the
7 consent agenda every time these
8 applications or is it enough for the
9 Commissioner of accounts and Department
10 of Public Works to deal with this from
11 there?

12 CITY ATTORNEY IZZO: There's --
13 there's a similar situation that the
14 council deals with on a regular basis
15 mayor, and in this exact same question
16 has come up before relative to the State
17 Liquor Authority actually allows local
18 governments to issue waivers when --
19 when bar owners want approvals, and it's
20 actually saves them 30 days in the
21 process.

22 And for years, the council has been
23 by vote approving those waivers. It's
24 pretty routine usually. Sometimes
25 there's a complication, but not very

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often.

2 And -- and many of the bar owners
3 have -- have indicated dissatisfaction
4 with that, because they said, we going
5 to wait for a council meeting, so what
6 are we really saying from the 30-day
7 period -- period?

8 It doesn't save us very much time.
9 The issue, as -- as all of you have
10 phrased appropriately is that, it's
11 whether or not you want to add another
12 layer of review to a process.

13 There may be reasons to do that.
14 There may -- there may not be in other
15 cases, but the council has been through
16 this once before. Should we delegate
17 someone to -- to exercise the council's
18 authority in -- in these liquor -- State
19 Liquor Authority waivers?

20 Can we do that? It's come up
21 before, it hasn't actually come up for a
22 vote yet to delegate anyone, but the
23 issue is still there. So, it certainly
24 could be on a consent agenda.

25 It's -- it's more or less a

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1 ministerial kind of act once the other
2 city personnel have already conducted
3 their review, pretty basic with the
4 council assembly, review that have their
5 stamp of approval. It could be
6 expedited. I think they were -- they
7 were consent agenda placement, yes.

8 COMMISSIONER MORAN: But that's
9 still not addressing Skips' initial
10 point, which is simply this, we've
11 already been through now what, this is
12 our sixth cycle? I can see how, and to
13 Tony's point, the first couple meetings
14 we had, there were some of those liquor
15 license issues, and we wound up not
16 really resolving them in a timely
17 fashion, whereby they provided that.

18 So, I understand that, that
19 biweekly thing as being an inhibition,
20 is there a way for once that permits
21 issued by -- by Skip and myself, those
22 folks can be off running, then there's a
23 final codification? It's really just a
24 stamp of approval.

25 CITY ATTORNEY IZZO: Well, you're -

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1 COMMISSIONER MORAN: I still kind

2 of suggested such a thing.

3 CITY ATTORNEY IZZO: You're already
4 taking some review time off the front
5 end. Before there were several --
6 several city officials and staff were
7 reviewing on the front end and that was
8 -- that was a threshold review before
9 any applications could even be submitted
10 that the group at the front end
11 determine where the streets were -- what
12 streets would be available for this
13 permit, and that was administrative.

14 Now, that group has been moved kind
15 of a more to the middle of the process.
16 And the Commissioner of the council --
17 Commissioner of the Public Works are at
18 the front of the process.

19 They're saying what streets will be
20 available for outdoor seating, then the
21 application can be submitted and then it
22 moves to this middle group of city
23 staff.

24 So, it -- it -- may already be
25 saving a little bit of time, the way

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2 you've got it. Certainly, the removal
3 of the City Council, which meets
4 routinely every two weeks probably does
5 inhibit the time frame a little bit.

6 I certainly see commissioner
7 Scirocco's point there. It adds a level
8 by which all the departments can
9 participate in the review process.
10 Maybe you could possibly just emphasize
11 whether this works for you or not, I
12 don't know.

13 Could that middle group, the
14 Outdoor Dining Committee, as you call
15 it, possibly have a member from each one
16 of the five departments, so that all the
17 departments are involved at that middle
18 review, and once they've submitted their
19 stamp of approval, they don't -- they
20 don't want to approve accounts with you
21 at that point. Maybe that'll work. I
22 don't know.

23 MALE SPEAKER: I'm sympathetic to
24 Commissioner Scirocco's argument,
25 though, that we shouldn't, you know, add
26 a layer of bureaucracy to this and --

1 Saratoga Springs City Council Meeting
and I mean, legitimately, you know,
2 while Tony, your suggestion is good, you
3 know, we don't -- I mean, there are some
4 departments that just don't have an
5 interest in this, like terms of, you
6 know, and I guess -- I guess what I'm
7 thinking is, is there a way for the City
8 Council annually to just say, we're
9 authorizing the Commissioner accounts
10 and the Commissioner of public works to
11 do this important task, and leave it at
12 that. So, that upfront, we say that and
13 that I think meet some of what
14 Commissioner Montagnino's concerns are.
15 I'm just throwing that out as an idea.

16 COMMISSIONER MORAN: Sure. Well,
17 this does have a sunset clause in it,
18 so, you know, just to restate or levels
19 that everybody, so we understand the
20 direction. First two years, we
21 scrambled to try and help people in the
22 middle of clearly moral and -- and
23 public health driven reasons.

24 We're now in this in between period
25 where I still feel that the -- the --

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1 the -- the moral justification holds
2 weight. Even though as we move forward,
3 hopefully, the effects of -- of COVID
4 decrease the psychology that's been
5 driven by it, will be a lagging type of
6 thing and so, if anything that we can do
7 to facilitate people feel uncomfortable
8 coming out and dining in our community,
9 we have to do it.

10 You know, it is who we are. And
11 you know, Minita Sanghvi is not here but
12 she speaks about \$14.9 million, we could
13 run back down to nine, or six, or seven
14 or eight, if we don't have this during
15 the summertime, whereas we could launch
16 it into 16, 17, if we do.

17 So, to me, we have that sunset
18 clause, we're looking at this as an
19 interim period. I liken this directly
20 to sidewalk cafes. The more I've read
21 the legislation, the more I've compared
22 the two.

23 We're going to be bringing forward
24 a fee schedule next meeting, because
25 we're still waiting for a couple of

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2 details on costs of barriers and things
3 like that, where eventually, the whole
4 notion is this just going to be a solid,
5 just like a special event, it's going to
6 have its own permit, bump -- bump --
7 bump -- bump -- bump, sidewalk cafe is
8 included on that, but that would be the
9 third step.

10 If we go 2024 forward and want to
11 do this permanently, I want to see
12 inclusion of the DRC review as it exists
13 within the -- within the sidewalk cafes
14 and some of these other things, so that
15 everything makes sense.

16 And so, to that point, if you read
17 the sidewalk cafes, DRC and myself,
18 that's it. So, the fact that there is
19 this overlay with -- with the right of
20 way, clearly, that brings Skip into the
21 mix, but to his point, there are certain
22 things in this in the charter that do
23 authorize these departments to do
24 certain stuff.

25 So, I would tend to lean Skips' way
 in -- in -- in saying that what perhaps

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1 we could do on an annual basis is review
2 the actions of everyone who had a permit
3 to say, going into next season XYZ would
4 need to be resolved or so and so is no
5 longer allowed to do it, because they
6 were playing beer pong at 4:00 in the
7 morning, whatever it may be, perhaps
8 that's a workaround to it, or a way to
9 sort of exercise that --that oversight.

10 COMMISSIONER MONTAGNINO: I think
11 I'll jump in the number of my problem,
12 and this goes to what -- what Mr. Kim
13 just said. I don't know that it's
14 appropriate for a legislative body to
15 delegate legislative responsibility to a
16 subdivision that's less than a quorum.

17 It's certainly possible to delegate
18 legislative authority through an
19 administrative body, but to say that the
20 five City Council members are voting to
21 say that two City Council members would
22 have all the authority, I think violates
23 charter.

24 That's the whole idea of having the
25 ultimate decision on the consent agenda.

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1 Now we could in response to what
2 Commissioner Scirocco suggested, we
3 could have something where there's a --
4 where there's an administrative body
5 which has members appointed by all of
6 the Commissioners.

7 That's something I'd be certainly
8 in favor of but having just two members
9 of the City Council make the ultimate
10 decisions because the rest of the City
11 Council has delegated their authority to
12 those two, I don't think it's
13 appropriate. Maybe -- maybe Tony got
14 something to say on that.

15 MAJOR KIM: The -- the decision
16 that the two council members are making,
17 again, I'm referring to this as the
18 front end of the process are basically -
19 - is basically just what streets will be
20 available for applications.

21 Now, I'm not saying that's not a
22 significant decision, but it is in the
23 hands of two council members. I suppose
24 it could be argued that maybe other
25 departments kind of, have an interest in

1 Saratoga Springs City Council Meeting
2 that -- in that determination as well,
3 but it is only a -- it's a preliminary
4 step in the overall process, just
5 deciding what streets will be available
6 for outdoor dining.

7 You raised a good point,
8 Commissioner, I don't know legally, how
9 that would fall out. I -- I do know
10 that legislative bodies do sometimes
11 delegate committees within their own
12 membership to do certain things, the
13 charter.

14 If it is in fact, an ad hoc
15 committee, as the charter calls it, it's
16 probably okay. I probably want to
17 research that and give you a definitive
18 answer, but it's -- it's very possible
19 that it's okay in our case, because of
20 our ad hoc committee for us.

21 The bigger question is, how
22 effective is it? And -- and is it
23 really what you want to do?

24 COMMISSIONER SCIROCCO: How is it
25 that if you're working in the right of
26 way, you have to get a permit from

1 Saratoga Springs City Council Meeting
inside by a Commissioner of Public
2 Works?

3 CITY ATTORNEY IZZO: Yes.

4 COMMISSIONER SCIROCCO: How is it
5 that that is different than this for the
6 most part?

7 CITY ATTORNEY IZZO: As far as the
8 occupancy of the area Commissioner, it's
9 -- it's --it's a -- the component's
10 identical. You're occupying a piece of
11 city property and you're going through a
12 procedure to get permission to do that.

13 Absolutely correct. The activity
14 of -- the activity of conducting an
15 outdoor dining facility out there is
16 more accounts department territory. So,
17 it's a -- it's a hybrid.

18 COMMISSIONER SCIROCCO: And
19 Commissioner Moran, do you have the --
20 the -- I don't have the -- the
21 resolution in front of me, but clearly,
22 it says in the resolution, that the City
23 Council is given approval for this
24 process?

25 COMMISSIONER MORAN: Yes. In

1 Saratoga Springs City Council Meeting
2 general, I think -- I 100 percent agree
3 with -- with your position Commissioner,
4 and like we talked about. As soon as
5 you sort of brought up those -- those
6 charter issues, obviously, I was 100
7 percent receptive to the -- to the
8 collaboration.

9 To me, it seems to -- to get this
10 off the dime, we got two options. We
11 can strike the -- the last approval and
12 add two people to the committee on
13 outdoor dining.

14 To me that shifting bureaucracy
15 from one place to another, but as long
16 as that committee is an odd number of
17 people, I think that's okay. To the
18 mayor's point, does the Mayor's Office
19 have a tremendous amount of interest in
20 this or does finance have a tremendous
21 amount of interest in this?

22 I think, yes, generally, but maybe
23 from the brass tacks, maybe not so much.
24 So, I understand the reticence to
25 wanting to add things to that. But
26 obviously, we've got to come to some

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1 kind of accommodation that is both valid
2 and legal and also, it gets us moving.
3 And I don't want to drag this on for
4 another meeting --

5 COMMISSIONER SCIROCCO: No.

6 COMMISSIONER MORAN: -- because
7 we've got to get going. We've got to
8 get going.

9 COMMISSIONER SCIROCCO: No, you're
10 absolutely right.

11 COMMISSIONER MORAN: Does anybody
12 see a path with what I just laid out?

13 COMMISSIONER MONTAGNINO: I think
14 the quickest path, if I may, is -- is
15 the suggestion that there be an
16 administrative body that there's a
17 member from each of the five City
18 Council departments, and that's clearly
19 constitutional, it follows the charter
20 and it gives a voice to all the
21 departments.

22 COMMISSIONER MORAN: Okay. And
23 then so what we would do is we would
24 strike the line.

25 MAYOR KIM: But, Jim, Commissioner,

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1 wouldn't that sort of -- up sort of up
2 in the statute, as it's written in that
3 -- the City Council's designated the
4 Commissioner --I'm reading from it right
5 now.

6 Commissioner accounts, with the
7 advice and consent of the Commissioner
8 of Public Works. In other words, are
9 you saying then that we would replace
10 that the City Council hereby designates
11 this committee to do that? I mean, it
12 really -- I mean --

13 COMMISSIONER MORAN: No, I don't
14 want to have the committee. I want to
15 have people who are responsible, like
16 Skip and myself to the community.

17 CITY ATTORNEY IZZO: If I may?

18 COMMISSIONER MORAN: That was the -
19 - that was the fundamental change that I
20 made.

21 COMMISSIONER SCIROCCO: Exactly.

22 COMMISSIONER MORAN: Yeah. We --
23 we -- that was -- and that was what Skip
24 and I talked about was, yeah, let's have
25 the people who are boots on the ground,

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1 let them do their job, but let's have us
2 be accountable.

3 So, if business A, B and C gets
4 granted a permit, and they act a fool,
5 it's incumbent upon me to pull that
6 permit, period. And that's -- that's
7 the way I view the accountability loop
8 working.

9 COMMISSIONER SCIROCCO: Again --

10 COMMISSIONER MORAN: Obviously,
11 yeah.

12 MAYOR KIM: So, (indiscernible)
13 City Council.

14 COMMISSIONER SCIROCCO:
15 Commissioner Moran, would you want
16 council approval of every permit that
17 you sign? Because basically, that's
18 what we're talking about here.

19 COMMISSIONER MORAN: No, you're
20 right. And I believe I -- I believe in
21 like you and I spoke --

22 COMMISSIONER SCIROCCO: Yes.

23 COMMISSIONER MORAN: I firmly
24 believe the responsibility to issue the
25 permit belongs to my department, but

1 Saratoga Springs City Council Meeting
with the clear overlay of the -- of the
2 right of way issue, it's a forced
3 compromise by the charter, which --
4 that's what the charter is, let's do it.

5 I'm fine with that. Yup. And I
6 don't see us having an issue working
7 through it because we all have the same
8 goal.

9 COMMISSIONER SCIROCCO: All right.

10 COMMISSIONER MORAN: So, it's
11 really a legal issue, or a legal
12 argument that -- that we're kind of
13 pushing up against, and I'm very
14 respectful of that as well.

15 So, you know, again, we do need to
16 find an accommodation Skip. Do you see
17 a problem with that five-person
18 committee?

19 COMMISSIONER SCIROCCO: No.
20 Actually not.

21 COMMISSIONER MORAN: So, why don't
22 we just do that?

23 MAYOR KIM: So, can we insert then
24 in this paragraph that talks about the -
25 - the accounts Commissioner having the

1 Saratoga Springs City Council Meeting
authority with the advice and consent
2 that we just add -- so, it'd be the City
3 Council hereby designates Commissioner
4 of accounts with the advice and consent
5 of the public.

6 Commissioner of public works, and -
7 - and insert there, and I -- I guess it
8 would be somebody from finance and
9 public safety.

10 COMMISSIONER MORAN: What I would
11 do is go to the second -- go to the
12 second page, Ron.

13 CITY ATTORNEY IZZO: That's a
14 different -- I think we're operating on
15 a different target. Not the front end,
16 which -- which includes the Commissioner
17 of accounts and the Commissioner of
18 public safety. What I'm hearing is that
19 you want to leave that as it is --

20 COMMISSIONER MORAN: Yes.

21 CITY ATTORNEY IZZO: -- but augment
22 the middle part of the process, which is
23 the Outdoor Dining Committee.

24 COMMISSIONER MORAN: Correct.

25 ASSISTANT CITY ATTORNEY IZZO:

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1 Which right -- right now consists of, if
2 I'm remembering correctly, you've
3 already got a member of the Department
4 of Public Safety in there, you've got a
5 member of the Department of Public Works
6 there, and you've got the director of
7 risk and safety from accounts.

8 So, what I'm hearing is, you're
9 suggesting a possible solution, striking
10 the final City Council approved and
11 augmenting the middle part by adding to
12 the Outdoor Dining Committee, a member
13 from the Mayor's Department and the
14 Department of Finance, as an
15 administrative group who would operate
16 in this sort of middle ground here. Is
17 that what I heard?

18 COMMISSIONER MORAN: Yes.

19 CITY ATTORNEY IZZO: Just want to
20 make sure.

21 COMMISSIONER MORAN: Okay. And
22 that's -- that's a workable solution for
23 everybody?

24 COMMISSIONER MONTAGNINO: That's
25 fine.

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1 COMMISSIONER MORAN: Can I bring

2 that up at the table Tony?

3 CITY ATTORNEY IZZO: You can make

4 that a amendment on passage -- amendment

5 on passage -- amendments on passage are

6 -- are sometimes okay. All you're doing

7 now is changing the membership of a

8 committee, you're not changing the very

9 nature of the law itself.

10 You're striking a review process

11 from the -- from council. It's the type

12 of thing that courts generally uphold

13 this thing okay, for amendments on

14 passage.

15 COMMISSIONER MORAN: Okay.

16 Everybody agree with that?

17 COMMISSIONER SCIROCCO: Yeah, makes

18 sense -- makes sense to me.

19 MAYOR KIM: Thank you.

20 COMMISSIONER MONTAGNINO: I'm on

21 board.

22 COMMISSIONER MORAN: Okay, great.

23 I do have just a couple more items,

24 folks. I sent out an e-mail on

25 Saturday. So, once we're past -- and

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1 I'll be very brief on this.

2 The executive order that authorized
3 outdoor dining, and I'm paraphrasing the
4 e-mail, basically stated that, it's
5 going to expire on July 7th. So, we've
6 got two different plans.

7 I've been working with Carrie
8 Woerner on this. Plan A is to try and
9 push and gain extension from the State.
10 It happened last year. It won't be
11 included in the budget.

12 Carrie said the willingness is
13 there within the assembly, though there
14 are issues with New York City and how
15 this is being rolled out. She feels
16 because it's an election year, etc.,
17 that we should be able to get that
18 allowance.

19 In order to start ensuring that I
20 want to push out a letter stating the
21 importance of Saratoga Springs above
22 all. You know, Tom DiNapoli came out
23 and held this up in -- in, you know,
24 lofty regard in terms of our recovery.

25 They want to come back next year

1 Saratoga Springs City Council Meeting
and talk about how we lost revenue
2 because they didn't extend this. And
3 so, I'm simply -- and I wrote a draft
4 Ron just to hopefully make it a little
5 bit easier to move the ball on this, but
6 essentially, I'm just asking a
7 resolution that we approve Ron sending
8 out a letter to the governor, to the
9 legislative leaders, addressed to
10 (indiscernible) and Carl Heastie, to Tom
11 DiNapoli, to Carrie Woerner and to
12 Daphne Jordan. Each individually
13 addressed. So, you know, we can take
14 care of that for you. Anybody have an
15 issue with that?

16 COMMISSIONER MONTAGNINO: I'm
17 completely in favor.

18 COMMISSIONER MORAN: Okay.

19 COMMISSIONER SCIROCCO: Good idea.
20 Me too.

21 COMMISSIONER MORAN: Yeah -- yeah.
22 Plan B is simply this. If we know long
23 term, at least in the near term, we know
24 that we want to control this process,
25 Deputy Connors did a little research.

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1 City of Ithaca is doing what we're
2 doing, but what they actually did was
3 codify into their bill, the extension of
4 -- of the use of and sale of alcohol on
5 that city property within that permitted
6 system.

7 We have, you know, in -- in our
8 code, the opposite. We needed to -- we
9 need to -- we need to do a couple more
10 steps locally to be able to do that, but
11 if we pass a local ordinance that allows
12 that consumption and sale through a
13 permitting process, which would be our
14 permitting process, next year, and all
15 year subsequent to that, there won't be
16 an issue.

17 So, we need to do a little
18 legislative work, that to me seemed a
19 little more involved than -- than we
20 wanted to gather here at the front end,
21 to just enable these restaurants to get
22 open this summer.

23 Because we are changing something
24 and looking at how we may authorize the
25 use of alcohol within legislation, I

1 Saratoga Springs City Council Meeting
2 think that's a topic that we all need to
3 talk, weigh in on and think through.

4 But the plan A, plan B is simply
5 this, appeal to the State, please extend
6 this, we need it, and then plan B, let's
7 get it into our local control, we can
8 make our own choices and never have to
9 worry about that issue again.

10 So, that's -- that will be coming.
11 I've got to do the research. I owe you
12 guys the front-end work on understanding
13 that issue and what the best way to go
14 about it is but that's the background to
15 it.

16 That's what we're -- that's what
17 we're trying to get to, because having a
18 restaurant serve outdoors and you can't
19 have a cocktail, I mean, that's just not
20 the world today.

21 And so, we've even taken a step of
22 Carrie's having conversations with the
23 SLA to see if the State doesn't okay it,
24 can we get a local carve out for
25 Saratoga Springs?

Can the patrons sitting on the

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1 patio go up to the bar and buy a drink
2 and come back and sit out on the patio?
3 Simple silly stuff like that. But
4 that's the world we're in with this
5 COVID stuff.

6 It's you know, it's difficult. And
7 the more you kind of peel the onion the
8 more you find. So, that's the
9 background on that one. And so, I can
10 touch up that letter. We don't have to
11 have the letter.

12 We can just ask for you to sign the
13 letter, but is there any resistance to
14 doing that? Hearing none, I guess I
15 will -- I will add this as an agenda
16 item. And then the last one, I wasn't
17 sure how to go about this, but it struck
18 me over the weekend.

19 You know, my National Heritage Day
20 is coming up on Thursday, and it just so
21 happens that one of our local treasures
22 -- Celtic treasures has been open for 30
23 years, which is a pretty amazing
24 accomplishment in business, especially
25 for a small niche local business.

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1 I would like to make an
2 announcement or if -- if the mayor so
3 does, you know, how do we do
4 proclamations of recognition? Anybody
5 just give me a little bit out of
6 (indiscernible).

7 CITY ATTORNEY IZZO: I've written
8 many of them over the years for various
9 departments and it's often a person's
10 birthday, at first a business has an
11 anniversary, a new business expansion
12 some way some milestone occurs in the
13 business community, and we got -- we got
14 letters, e-mails saying do your
15 proclamation for this.

16 Generally, the mayor signs
17 proclamations on very unusual
18 circumstances the entire council will
19 sign them, but usually it's the Mayor's
20 Office.

21 MAYOR KIM: Okay. We don't always
22 put those on the agenda also.

23 CITY ATTORNEY IZZO: Right. It's
24 like --

25 MAYOR KIM: Sometimes we just have

1 Saratoga Springs City Council Meeting
issued the proclamation. So, if there's
2 something that you want us to do, just
3 let us know, and we're happy to
4 accommodate.

5 CITY ATTORNEY IZZO: Over the
6 years, we got so many requests that it
7 became very unusual for it to be on the
8 council agenda because we just had so
9 many.

10 COMMISSIONER MORAN: Okay. Then
11 maybe what we'll do is, I'll just make
12 an announcement congratulating Paul and
13 his family and recognizing that and then
14 we can follow up with a proclamation or
15 something like that. So, we're clear
16 everybody?

17 COMMISSIONER SCIROCCO: Okay.

18 COMMISSIONER MORAN: Yeah.
19 Awesome. Solving problems together.
20 This is great. Thanks, everybody. And
21 that concludes what my agenda will be.

22 MAYOR KIM: Just moving on to the
23 Finance Department. Heather -- Heather?

24 DEPUTY COMMISSIONER CROCKER:
25 Morning, everybody. We just have two

1 Saratoga Springs City Council Meeting
agenda items for this meeting. Number
2 one, is a discussion and vote
3 authorization for the mayor to sign an
4 agreement with Mindcentric for Zimbra
5 Networking Project.

6 This is related to fixing some
7 issues with our e-mail software and
8 voicemail for public safety. And then
9 number two, is discussion and vote
10 budget transfers payroll.

11 MAYOR KIM: Heather, just on the --
12 the first item, I -- I'm not a huge fan
13 of Zimbra. I mean, I, you know, and --
14 and I don't -- I mean, it -- it -- to
15 me, and particularly when I'm trying to
16 integrate a variety of schedules that
17 I'm sure we all have, because we're, you
18 know, technically under the charter part
19 time, I don't find it -- it actually
20 creates more work for me and my staff.

21 And I guess I'm not in favor of
22 like -- if there's a process and I sort
23 of heard this through the rumor mill,
24 but I don't know, of -- of looking at
25 alternatives, I'm not terribly in favor

1 Saratoga Springs City Council Meeting
of investing more money in Zimbra.

2 So, I guess that's just where I am
3 at this point. I understand that
4 there's other issues, you know, that --
5 but, you know, I just -- I don't
6 understand why the city is using Zimbra.
7 I'll just put it out there.

8 DEPUTY COMMISSIONER CROCKER: Fair
9 enough. We were actually -- the IT
10 Department is in the process of putting
11 together the pieces to migrate us away
12 from Zimbra, but at this point, there's
13 -- when you get your city voicemail, it
14 goes automatically to e-mail, and right
15 now, that's not happening for the police
16 department and the fire department.

17 MAJOR KIM: I see.

18 DEPUTY COMMISSIONER CROCKER: So,
19 it is a small investment, it's a few
20 \$100 in order to make sure that those
21 messages are communicated to them until
22 we can transition.

23 MAYOR KIM: Got it. Okay. Thank
24 you.

25 DEPUTY COMMISSIONER CROCKER: Sure.

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1 MAYOR KIM: Next agenda is

2 Commissioner Scirocco.

3 COMMISSIONER SCIROCCO: Thank you,
4 mayor. So, my agenda is approval to
5 adopt the 2022 water and sewer rate
6 resolution. I do have an explanation
7 here. I don't know if you're going to
8 read it tomorrow night. If you want me
9 to read it today. I can do the reading
10 today.

11 MAYOR KIM: Entirely up to you
12 Commissioner.

13 COMMISSIONER SCIROCCO: I mean,
14 mayor, you know, it's rather lengthy and
15 I can read it if you like.

16 MAYOR KIM: No, I mean, if you
17 want, we can -- I'll review it and if I
18 have any questions, we can contact you.
19 That's fine.

20 COMMISSIONER SCIROCCO: Okay. +

21 MAYOR KIM: Okay.

22 COMMISSIONER SCIROCCO: Yes.
23 Appreciate that. The -- let's see. My
24 agenda is a discussion and vote. This
25 is authorization for the mayor to sign a

1 Saratoga Springs City Council Meeting
contract with Navistar Incorporated for
2 heavy duty class 4-7 and Class 8 heavy
3 duty trucks.

4 This is a to buy four dump trucks
5 for the city. The third item on my
6 agenda is discussion and vote,
7 authorization for the mayor to sign a
8 contract with Ambient Environmental
9 Inc., for hazardous material testing and
10 monitoring services.

11 Again, these have little
12 explanations going along with them. The
13 fifth item on my agenda, is a contract
14 with DeNooyer Chevrolet. It's for the
15 purchase of a Chevrolet Silverado 3500
16 HD regular cab pickup.

17 The sixth item on my agenda is
18 discussion and vote and it's an approval
19 to adopt the Department of Public Works
20 contractual template updates. I'll
21 quickly read it because it's a little
22 confusing.

23 The DPW contract templates Canfield
24 Casino Congress Park Congress or
25 Carousel High Rock Park and the music

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hall have been updated and being brought
2 to council for approval.

3 All five rental agreements were in
4 need of revision. They now have
5 cohesiveness and detail information on
6 products and services offered with each
7 rental. Along with these general
8 revisions, specific updates were made.

9 The casino agreement added the new
10 chivari chairs that are now available
11 for \$7 each and I think we're going to
12 do pretty good with -- with the new
13 chairs for the rentals. Item number
14 six, discussion and vote, approval to
15 reimburse Victoria Garganda for Spirit
16 of Life Plaque.

17 This reimbursement is for a Spirit
18 of Light plaque, and it amounts \$450.
19 This plaque is -- is one of two NT
20 directional plaques for the Spirit of
21 Life in Congress Park. It went missing
22 some time ago, and Miss Garganda found
23 it at an auction being sold by Blue Moon
24 Antiques.

25 She contacted our DPW office and

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was approved, purchased and -- and --
2 and we approved the purchase on the
3 city's behalf. This plaque will be
4 restored to its proper place in Congress
5 Park and these plaques, there's two
6 plaques that -- that face you when you
7 walk toward the Spirit of Life off of
8 Broadway.

9 One of them is missing. They have
10 arrows that point in -- in both
11 directions. So, we were kind of lucky
12 to get that back.

13 COMMISSIONER MORAN: Any idea how
14 long ago it disappeared?

15 COMMISSIONER SCIROCCO: Quite a few
16 years ago. I don't really know that
17 Commissioner.

18 COMMISSIONER MORAN: Interesting.

19 COMMISSIONER SCIROCCO: But yeah,
20 well, obviously somebody stole it and --
21 and think that it went to an auction.
22 They get paid for that. Not very big
23 plaques, but we're lucky to get it back.
24 Every once in a while, you know, you get
25 lucky like that.

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1 COMMISSIONER MORAN: Rather be

2 lucky than good.

3 COMMISSIONER SCIROCCO: And then
4 the last item on my agenda again is a
5 little lengthy compared to the rest, is
6 the Department of Public Works annual
7 report. So, if anybody has any
8 questions on my agenda, any concerns,
9 that concludes my agenda.

10 MAYOR KIM: Thank you,
11 Commissioner. Next up is Commissioner
12 Montagnino with the Public Safety
13 Department.

14 COMMISSIONER MONTAGNINO: Thank
15 you, Mr. Kim. We have item number one,
16 the discussion and vote authorization
17 for the mayor to sign a contract with
18 Dr. Jason Bernad as medical director.
19 He's been providing services to the fire
20 department for training, keeping up the
21 EMT and paramedic certificates of our
22 firefighters.

23 Second item, discussion and vote
24 authorization for the mayor to sign a
25 contract with Metro Ford. This had been

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2 tabled at the last meeting because I
3 didn't at the time have enough
4 information.

5 I'm now satisfied that the bidding
6 process has gone through a -- as a State
7 service that has a number of dealerships
8 as members and there's a mini bid
9 process involved. So, five different
10 dealerships were able to bid on these --
11 the three vehicles involved here.

12 So, I'm satisfied that bidding has
13 been done and would be awarded to the
14 most responsible and responsible bidder
15 here. There are some items that had
16 been on the draft agenda and disappeared
17 from the draft agenda and need to be
18 placed back on the draft agenda.

19 One was the approval of payment to
20 Axon Corporation. This was on the last
21 City Council agenda, and it was tabled
22 at my request again for the same or
23 similar reasons as the other matter.

24 The -- the Axon contract was signed
25 on December 21st of 2021. It's a ten-
year, two and a half million dollar

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contract for services that range from
2 storage of -- cloud storage of data from
3 surveillance cameras and body cams, to
4 tasers and the ammunition for tasers.

5 I think it should be on the City
6 Council's agenda because it involves
7 annual payments of \$250,000, which is a
8 significant amount of money. It's a
9 contract that binds the city for ten
10 years that was signed in the last ten
11 days of the previous administration.

12 And it does have, in the contract,
13 a provision where if the City Council
14 should decide to cease funding, the city
15 can opt out of the contract at the end
16 of the fiscal year. So, I believe is
17 the kind of thing that should be on the
18 City Council's agenda, so that the
19 public is aware of what it is exactly
20 that -- where it is exactly that their
21 tax money is going, particularly since
22 we're talking about \$250,000 for this
23 year and each year following, and -- and
24 because there is that possibility that
25 if we feel that the services are -- are

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not being provided adequately or if
2 there's another competitor who's got
3 better services at better prices, that
4 we can terminate the contract on 90
5 days' notice, provided that we're paying
6 to the end of the fiscal year.

7 Also, we have the public hearing on
8 the Caroline Street school traffic issue
9 and there is some language that the
10 Accounts Department is helping out with
11 to sort of tweak what's already out
12 there with regard to things such as, no
13 parking and no standing signs on an
14 additional block of Caroline Street,
15 extending the one way and the 50-mile an
16 hour speed zone, that -- that should be
17 added to the agenda.

18 Also, this is an item that's been
19 under discussion, I'm told for quite
20 some time there's a draft memorandum of
21 agreement between the city and the
22 firefighters union that involves lateral
23 transfers. And I -- I don't know maybe
24 -- maybe Mr. Izzo can advise as to
25 whether this is better off added to the

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2 mayor's agenda, because the mayor is the
3 individual who does the work with the
4 various unions in -- in working out
5 memoranda of agreement and -- and union
6 contracts and so on.

7 CITY ATTORNEY IZZO: Pursuant to
8 charter, the mayor is the charters' --
9 the council's liaison for those
10 purposes. I'm trying to remember how
11 I've seen it in the past. I can't --
12 honestly, I can't recall.

13 It -- it -- it concerns staff of --
14 of the Department of Public Safety, but
15 it's a mayoral function to engage in the
16 actual dealings with --with -- I -- I
17 can't say for sure that it's more
18 appropriate on one agenda or the other.

19 I'm not sure. There's components
20 of both departments involved in this
21 transaction. For the actual
22 authorization motion to -- to execute
23 the -- the documents, procedurally, I
24 suppose that might fit under the mayor's
25 department, but certainly the Department
of Public Safety is going to be the --

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2 the primary department to bring the
3 information and -- and the initiative to
4 the council.

5 So, I don't -- I don't have a
6 direct answer to that. I don't know
7 what procedurally which one will be
8 better. I believe either way would be
9 acceptable.

10 COMMISSIONER SCIROCCO: Okay. If I
11 could just add a little bit of detail on
12 what this memorandum of agreement
13 involves. We are in the process,
14 obviously, of building the third fire
15 station and that station needs to be
16 staffed.

17 We're currently understaffed. The
18 former City Council did authorize in the
19 2022 budget, the hiring of four
20 additional firefighters. We have a
21 wonderful candidate who has been
22 provisionally accepted as a lateral
23 transfer.

24 He's a gentleman by the name of
25 Michael Welsh (phonetic). He's a seven-
 year firefighter in Amsterdam. And he

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comes with amazing recommendations and
2 great credentials.

3 And the problem is that under the
4 current system, he would have to begin
5 as an entry level firefighter in terms
6 of his salary. And the memorandum of
7 understanding, as negotiated, would
8 allow for pay parity, basically one for
9 one, so he's a seven-year firefighter in
10 Amsterdam, he would be paid as a seven-
11 year firefighter in the City of Saratoga
12 Springs.

13 However, his seniority for purposes
14 of bidding for vacations and so on, he
15 wouldn't be treated as an entry level
16 firefighter there. Similarly, the --
17 the -- any firefighter on a lateral
18 transfer would be treated that way and
19 in addition, a lateral transfer
20 firefighter would need to be 15 more
21 years on the Saratoga Springs Fire
22 Department before he or she would be
23 eligible for the lifetime health care
24 benefits that are now available to
25 firefighters who have completed 15 years

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in service.

2 So, that's -- that's an additional
3 item that should be on the agenda.

4 Also, there'll be an announcement that
5 the annual report for the Department of
6 Public Safety will be -- will have been
7 uploaded to the city's website today.

8 There is another agenda item
9 involving a discussion and vote on the
10 reallocation of resources phase one, and
11 this involves a -- somewhat involved
12 situation. The way the various
13 collective bargaining agreements with
14 the three separate unions in the police
15 department have been negotiated.

16 At present, there are no
17 individuals above the rank of sergeant,
18 who are working on weekends. And as
19 many of us are aware, two weeks ago,
20 Saturday, in the early morning hours, a
21 potential mass shooting was averted by
22 some really good police work that was
23 done in our city, with the cooperation
24 of a sergeant and two patrol officers.

25 You may have heard about it, there

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1 was an individual who had told multiple
2 witnesses that he intended to settle a
3 score that he had with somebody he had a
4 fight with by shooting up one of the
5 bars, and he was intercepted on his way
6 to one of the bars, armed with an
7 illegal handgun that had a 13-bullet
8 clip in it.

9 Anyway, so sorry for being long
10 winded here that. The idea is that
11 resources would be reallocated in such a
12 way that without adding a dime to the
13 budget, we could get an additional
14 sergeant on the street by reducing the
15 number of members of the police force
16 who aren't available on the weekends,
17 and who don't work on the street.

18 Currently, 40 percent of the sworn
19 officers essentially don't leave the
20 station house. And as I mentioned
21 earlier, nobody above the rank of
22 sergeant works on the weekends unless
23 they're specially called in and paid
24 overtime for it.

25 We --we -- we are a weekend city,

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and -- and our population swells
2 enormously on the weekends, and we need
3 those -- those officers with -- with
4 training and ability to be there when
5 the needs arise, which frequently is
6 that weekends.

7 So, that's phase one. I believe --
8 Deputy Tetu, was there anything that I
9 missed there in -- on this?

10 DEPUTY COMMISSIONER TETU: No, sir,
11 you -- you had six items in total on all
12 five discussion and vote and one
13 announcement regarding the annual
14 report. That's -- that's my count.

15 COMMISSIONER SCIROCCO: Okay.
16 Thank you -- thank you. So, that would
17 complete the Public Safety Department
18 agenda.

19 MAYOR KIM: Commissioner just --
20 first, I'm fully supportive of the
21 effort to get more cops on the street.
22 I think that's a great initiative, and I
23 certainly will support anything that you
24 need in that regard.

25 I do think that there's one item I

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2 didn't hear about, which was the
3 authorization for the OGS addendum.
4 This is the contract that would, I
5 guess, the way this -- because it's NYRA
6 property, the third station has to be
7 inspected, etc., etc. by OGS.

8 And I think that contract has to be
9 on. It missed by a whisper last week,
10 the last City Council meeting, but I
11 think that they need to have that on,
12 so.

13 COMMISSIONER MORAN: Is that me,
14 Ron?

15 MAYOR KIM: I think not. It was on
16 -- I think it's the -- it's one of those
17 deals where it's authorization for the
18 mayor to sign the addendum, but it's
19 really on public safety's. But we'll
20 talk. But I just want to put it out
21 there to make sure that everybody --
22 because that one definitely has to be
23 done or we're going to get the fire
24 station, you know, that -- that'll delay
25 some of that, because it's more on the
State side, they have to then run it

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through, I guess, the Attorney General's
2 office and all the rest.

3 That's what's been described to me.
4 So, I just think we need to get that on.

5 COMMISSIONER MONTAGNINO: You're
6 absolutely right Mr. Kim. I agree. And
7 that is something that should be
8 relatively ministerial, because it's
9 really just an extension of a contract
10 that was previously in existence that
11 would expire unless it extended. Is
12 that -- is that your understanding as
13 well?

14 MAYOR KIM: Yes, uh-huh. Yeah,
15 it's a simple matter of just extending
16 it and -- and so -- and so, but it has
17 to be done, I guess, just from a timing
18 standpoint to get it renewed. So,
19 anyone else on agenda items?

20 Questions ready? I didn't want to
21 announce. I just literally got
22 confirmation. Congressman Tonko has
23 agreed to be the master of ceremonies
24 for the State of the city and we're
25 going to be doing it on this Saturday at

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1 11 o'clock in the music hall.

2 So, it'd be great if each of the
3 departments could give me sort of -- a
4 sort of status of the -- the major
5 accomplishments of your department in
6 the last year and will be -- but it'll
7 be 11 o'clock at the music hall, and
8 Congressman Tonko will do some
9 introductory remarks which we'll focus
10 on also the infrastructure bill, etc.
11 So, just wanted to make that
12 announcement and we'll also put that on
13 our agenda, of course. Is there
14 anything else?

15 COMMISSIONER MORAN: Are you going
16 to be asking us to speak, or you just
17 want some bullet points (indiscernible)?

18 MAYOR KIM: Just some bullet
19 points. Yeah, I think since Congressman
20 Tonko is going be there to -- to speak,
21 I think it just will -- you know, one of
22 the things I'm happy to consider, is if
23 we want to have a sort of question and
24 answer session for people after it, but
25 I think we'll just have two speakers,

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1 just make it simpler.

2 Anything else? I'm hearing none.
3 We'll adjourn the meeting, and we'll see
4 you tomorrow night.

5 COMMISSIONER SCIROCCO: Thank you
6 Mayor.

7 MAYOR KIM: Thank you everybody.

8 COMMISSIONER MONTAGNINO: Thanks,
9 everybody.

10 COMMISSIONER MORAN: Thanks
11 everyone. Enjoy your day.

12 Commissioner Scirocco.

13 (End of audio)

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CERTIFICATION

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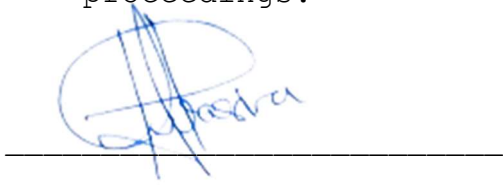
I, Hector Solomon, certify that

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true and accurate record of the
proceedings.



Hector Solomon

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