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CITY OF SARATOGA SPRINGS CITY COUNCIL MEETING

PRELIMINARY AGENDA

June 21, 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

HEATHER CROCKER, Deputy Commissioner

of Finance

JOE O'NEILL, Deputy Commissioner of

Public Works

STACY CONNORS, Deputy Commissioner of

Accounts

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MAYOR KIM: Call the meeting to order. It's 10 o'clock. We are recording this, and it is live. So, the meeting tonight, we're going to have five public hearings. The first is on Section 103 of the Open Meetings Law, and then we have a series of amendments to the UDO, one through four.

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They're in a little bit reverse order there. They're still open. We're waiting to -- I believe we've heard from the Planning Board. I think we're still waiting on the design review.

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COMMISSIONER MORAN: Tony, yeah, we got something back from the county, Mr. Mayor.

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MAYOR KIM: Mm-hmm.

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COMMISSIONER MORAN: That's in receipt. I don't know if it's been circulated yet. Are you speaking of the Local Planning Board that you heard from around?

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MAYOR KIM: I thought we had

1 Saratoga Springs City Council Meeting  
something from the Local Planning Board.

2 COMMISSIONER MORAN: Okay.

3 MAYOR KIM: Maybe not.

4 COMMISSIONER MORAN: Yeah, I -- I  
5 saw something come in, and Lisa's in  
6 possession of it. She thought we should  
7 circulate it when everything came in, so  
8 it was -- didn't get lost in the  
9 shuffle. But we can -- we can circulate  
10 it if anybody want. It was a positive  
11 declaration, meaning, you know, not  
12 favorable, but there was some comment to  
13 it. So, it's definitely worth a read.

14 MAYOR KIM: (Indiscernible).

15 SECRETARY TO CITY COUNCIL RIBIS:  
16 I'm not sure, Mayor, that that response  
17 from the county was for the Weibel  
18 Avenue PUD.

19 MAYOR KIM: Oh. Jeepers, I'm so  
20 sorry, Lisa.

21 SECRETARY TO CITY COUNCIL RIBIS:  
22 That's okay. I don't want to confuse  
23 everybody.

24 DEPUTY MAYOR RELLEA: Has that been  
25 circulated, Lisa?

Saratoga Springs City Council Meeting  
SECRETARY TO CITY COUNCIL RIBIS:

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2 Not yet. I thought it might be easier  
3 if we circulated once we heard back from  
4 our City Planning Board, so that when we  
5 were ready to actually call for a public  
6 hearing, everything would be fresh in  
7 the council's mind, rather than  
8 piecemeal it. But if you guys want me  
9 to circulate it now, I'd be happy to do  
10 that.

11 COMMISSIONER SANGHVI: Is it  
12 possible for you to circulate it now,  
13 and then do both of them together when  
14 the other one comes in too?

15 SECRETARY TO CITY COUNCIL RIBIS:  
16 Absolutely.

17 COMMISSIONER SANGHVI: Thank you so  
18 much.

19 SECRETARY TO CITY COUNCIL RIBIS:  
20 Sure.

21 MAYOR KIM: Oh, those are our  
22 public hearings. We can move on to the  
23 regular agenda. The -- we have a  
24 presentation from the Department of  
25 Public Safety dispatchers. I don't know

1 Saratoga Springs City Council Meeting  
if Jim, Commissioner Montagnino wants to  
2 state anything about that in particular.

3 COMMISSIONER MONTAGNINO: Yeah,  
4 just briefly. The dispatchers have what  
5 I've already seen in long form, they're  
6 going to abbreviate it for purposes of  
7 tonight. It's a PowerPoint presentation  
8 that shows what they do, what their  
9 responsibilities are, and how they  
10 compare with other dispatchers in the  
11 country and in this city.

12 And the short version is -- their -  
13 - their -- their point is, they are  
14 paid, I believe it's \$22.40 an hour,  
15 which is less than what the school  
16 district pays school bus dispatchers,  
17 and less than what the Department of  
18 Public Works pays dispatchers for  
19 snowplows and leaf removal, that kind of  
20 thing. And they're -- they're looking  
21 for some consideration, because among  
22 their responsibilities is, they must be  
23 on call for a number of hours before and  
24 after each of their shifts.

25 They are not paid on any on-call

1 Saratoga Springs City Council Meeting  
2 pay. Other departments that have  
3 workers who are on-call, do get paid on-  
4 call pay, the dispatchers don't. So,  
5 they're -- they're looking for some  
6 consideration there. In particular,  
7 since the governors recognize that 911  
8 dispatchers are first responders in  
9 their own right, so they'll -- they'll  
10 be making that presentation.

11 COMMISSIONER SANGHVI: Is -- are --  
12 are they part of a union? Is this part  
13 of a -- a specific union?

14 MAYOR KIM: I think they're part of  
15 CSEA.

16 COMMISSIONER MONTAGNINO: They are  
17 -- they are CSEA members.

18 DEPUTY MAYOR RELLA: Okay. So,  
19 their on-call pay is not part of the  
20 contract that CSE has negotiated?

21 COMMISSIONER MONTAGNINO: Yeah,  
22 they -- they don't get a penny on-call.

23 COMMISSIONER SANGHVI: Okay.

24 MAYOR KIM: No other presentations,  
25 nothing for executive sessions. So, we  
go on to the consent agenda. Is there

1 Saratoga Springs City Council Meeting  
any questions, comments, or additions to  
2 the consent agenda?

3 COMMISSIONER MORAN: We might have  
4 a couple of meeting minutes to add. I  
5 think we're -- we're reviewing that at  
6 the moment.

7 MAYOR KIM: Okay.

8 COMMISSIONER MONTAGNINO: One --  
9 one minor point, I -- I may have to  
10 abstain on voting on the consent agenda  
11 only because I wasn't present at the  
12 last council meeting. So really, it  
13 wouldn't be appropriate for me to say  
14 that I can approve the minutes of the  
15 meetings because I wasn't there.

16 MAYOR KIM: Okay. So, I -- the --  
17 the only issue, of course, is -- I -- I  
18 assume we won't have this issue,  
19 problem, but we just need to note it is.  
20 When one member's gone, we have to have  
21 -- you know, it's -- it's the same  
22 quorum requirement in terms of voting.  
23 So, if it's a two/two split, it doesn't  
24 pass. So, I don't think we'll have that  
25 problem, but it's just something to

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1 note, you know, when we don't have  
2 somebody present.

3 DEPUTY MAYOR RELLA: Mayor, can I  
4 note something for Commissioner  
5 Montagnino's point? Maybe it makes  
6 sense then to pull whatever he can't  
7 vote on out of the consent agenda.

8 MAYOR KIM: Yeah, it could -- could  
9 be --

10 DEPUTY MAYOR RELLA: So that he can  
11 also vote on --

12 MAYOR KIM: -- (indiscernible).

13 DEPUTY MAYOR RELLA: -- vote on a  
14 percentage of it.

15 COMMISSIONER MORAN: That'll be the  
16 24th, right, Jen, you're worried about,  
17 which currently isn't on there and I  
18 think that's the one we were discussing  
19 earlier this morning, right? Or no,  
20 it's the June -- the June 7th one.  
21 Never mind

22 COMMISSIONER SANGHVI: Because big  
23 part of the consent agenda is just  
24 payroll and stuff, and I want to make  
25 sure that we, you know, pay all our



1           Saratoga Springs City Council Meeting  
employees and that's not caught up in  
2           any issue.

3           COMMISSIONER MONTAGNINO: I think  
4           Angela's point is -- is well taken and  
5           maybe we could just do it that way,  
6           breakout that one item from the  
7           consented agenda, and I'd be happy to  
8           vote on the rest of it.

9           COMMISSIONER MORAN: So that'd be  
10          number 1.

11          MAYOR KIM: Okay. Anything else  
12          about the consent agenda?

13          COMMISSIONER MORAN: May 24th was  
14          the date we were talking about adding,  
15          guys, just so you know.

16          MAYOR KIM: Okay. Moving on to the  
17          mayor's agenda, we have an announcement  
18          about the Saratoga High Drama Club and  
19          their award-winning performance. Our  
20          second item is an appointment to the  
21          Community Development Advisory  
22          Committee. That -- I thought we'd have  
23          somebody.

24          We may have to pull that. We do  
25          have some announcements for the Design

1 Saratoga Springs City Council Meeting  
2 Review Commission, where we are going to  
3 be reappointing the chair and -- and  
4 adding at least one member, and we'll --  
5 we'll reach out to each of you to let  
6 you know about that once I've confirmed  
7 the people.

8 And then finally, on -- for land  
9 use, item number 4, the chair of the  
10 planning board reached out to me the  
11 other day, said that he -- he has not  
12 had a vice chair. For those of you who  
13 are sort of not familiar, the vice chair  
14 is, in all these land use boards plays a  
15 really important role, because you --  
16 you want to have somebody sort of in  
17 training, so to speak. And -- and he's  
18 designated -- he's asked me to designate  
19 -- Angela, I'm drawing a blank on the  
20 name -- the names

21 DEPUTY MAYOR RELLA: Mark Pingel.

22 MAYOR KIM: Mark Pingel. So --

23 COMMISSIONER MONTAGNINO: Oh,  
24 great.

25 MAYOR KIM: -- I'm sorry, Mark. If  
you're listening, I just completely drew

1           Saratoga Springs City Council Meeting  
2           -- it's -- it's -- it's Tuesday morning,  
3           after a long weekend. So, number 5,  
4           NYSERDA has a draft scoping plan that we  
5           are -- we want to share with the City  
6           Council. I think it's attached to the  
7           agenda.

8           Number 6, there is a new effort by  
9           this -- the legislature gave us the  
10          authority to have an open meetings law  
11          change that would allow, permanently, a  
12          video conferencing option. On this,  
13          we're just discussing it at this point.  
14          We would probably do legislation after  
15          the public hearing for the next city  
16          council.

17          The -- the concept here is that as  
18          long as we have a quorum in council  
19          chambers or in, you know, wherever we're  
20          meeting, we can have people as long as  
21          they fit extraordinary circumstances to  
22          be on video conferencing. There's a  
23          couple conditions to that. First of  
24          all, we have the right to basically  
25          define what extraordinary circumstances  
          are.

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1           The NYCOM guidance on this that --  
2           that they've given is that the  
3           legislature's left this open to us. I'd  
4           advocate that we're all part time  
5           commissioners, mayors, etc. One should  
6           be exactly sort of what, you -- you  
7           know, we've seen is people have to go  
8           away for business. So, I think that's -  
9           - the -- the other ones they talked  
10          about were things like, you know,  
11          childcare, adult care.

12                 So, I -- I think we -- you know,  
13          one of the holes we need to fill in on  
14          this resolution is what we would define  
15          as extraordinary circumstances. And  
16          according to NYCOM, that's being left  
17          open to the -- the -- the individual  
18          governor, city councils, town councils,  
19          etc. So, the other thing that is not as  
20          clear, but they talked -- discussed was  
21          how we set up these video conferencing  
22          opportunities.

23                 I don't think that the current  
24          system we have really passes muster,  
25          because the idea here is that not only

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2           does anyone who's observing the meeting  
3           from a video conference have to be able  
4           to see everybody else, but everybody  
5           who's in that room has to be able to see  
6           that person wherever they are.

7           The model that I have seen that  
8           seems to really work well, is that the  
9           county, they have a boardroom where they  
10          have two screens in opposite angles, and  
11          basically, no matter where you sit, you  
12          can see whoever's on that video  
13          conference. We need to do that. I -- I  
14          don't think it's altered.

15          I've talked to Minita, and I know  
16          that her staff is looking at this, but  
17          it seems like that is an important part  
18          of it. So just wanted to sort of -- so  
19          that's a discussion, you know, but I  
20          wanted to note that since it is, I  
21          think, is going to be important as we  
22          move along, to establish this so that  
23          there's some flexibility for it.

24          And by the way, I've talked to the  
25          land use board chairs, because I knew  
26          this was coming down the pike ahead

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opportunities. They're all very much in  
2 favor of this, because as you can  
3 imagine, their own volunteers cued me  
4 they have this issue in spades. Number  
5 7 is a discussion and vote authorizing  
6 this -- the -- the construction phase of  
7 missing sidewalk lanes.

8 This is a continuation of the work  
9 that Tina Carton is doing to sort of get  
10 our sidewalks. It's -- it's part of a -  
11 - a larger plan and we -- we voted on  
12 several of these last city council  
13 meeting. So that's a mayor's agenda. I  
14 don't know if there's any questions. We  
15 can move on to the accounts,  
16 Commissioner.

17 COMMISSIONER MORAN: Thank you, Mr.  
18 Mayor. So, first couple items are  
19 (indiscernible) related to fire station  
20 3, the electrical contract and the GC  
21 contract. Are those the only ones that  
22 you have at this time, Jim, that are  
23 ready to go? I just want to make sure  
24 of that, given you've been out.

25 COMMISSIONER MONTAGNINO: Yeah,

1 Saratoga Springs City Council Meeting  
that's correct.

2 COMMISSIONER MORAN: Okay.

3 COMMISSIONER MONTAGNINO: There are  
4 four bids that have been received. The  
5 way it turns out, because of all the  
6 economic factors that, you know, we  
7 don't need to go through it at this  
8 particular meeting, the -- the numbers  
9 are between 18 and 20 percent higher  
10 than what we originally projected. And  
11 the numbers came in just about  
12 coterminous with the closing of the  
13 bond.

14 So, we're probably going to need to  
15 go through the steps of a -- a, you  
16 know, a bond anticipation note or  
17 something like that, in order to justify  
18 or -- or allow for the other two bids.  
19 These two are the general contractor,  
20 which obviously would be necessary for  
21 groundbreaking and getting the  
22 construction started, and the electrical  
23 work, what would remain would be HVAC  
24 and plumbing.

25 MAYOR KIM: Okay.

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1                   COMMISSIONER MONTAGNINO: Just  
2                   briefly, the plumbing, no one bid  
3                   originally on the plumbing contract, and  
4                   it was then re issued for bid. And  
5                   unfortunately, the way the world works,  
6                   when the plumbing contractors see that  
7                   this wasn't bid on the first go round,  
8                   they had the opportunity of -- of  
9                   putting in bids that might be higher  
10                  than would have happened under different  
11                  circumstances.

12                 So, plumbing in particular is  
13                 significantly higher than what had been  
14                 estimated. As an aside, there are facts  
15                 related to the plumbing that didn't come  
16                 up in the original plans, namely that  
17                 sewer and water have to be extended from  
18                 5th Avenue on to Henning Road, and  
19                 that's going to increase the -- the cost  
20                 there. Sorry for a long-winded answer  
21                 to a short question.

22                 COMMISSIONER MORAN: No, thank you,  
23                 Jim. I appreciate that detail because,  
24                 obviously, it's a big project and  
25                 there's a lot of -- there's a lot of



1 Saratoga Springs City Council Meeting  
coordination. Real quick, just local  
2 business announcements, we have two  
3 tenure anniversaries that have just  
4 passed or are about to be passed.

5 Again, the intent is just to bring  
6 focus to some of those long-standing  
7 businesses. We're going to give just an  
8 update on upcoming special events and  
9 also bring attention to the  
10 (indiscernible) Union event and the  
11 coordination that was necessary by every  
12 department. If anybody went, it was  
13 very, very well received and I think  
14 that it's something that we can be  
15 excited about for the future.

16 Public Safety Department did a  
17 tremendous job supporting us. So, thank  
18 you for that, Jim. Actually, I do have  
19 the HVAC. Is this HVAC services bid  
20 award that's on here, for BPI? Is this  
21 for station 3 or is this for something  
22 different?

23 DEPUTY MAYOR RELLA: That is for  
24 Department of Public Works.

25 DEPUTY COMMISSIONER O'NEIL:

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(Indiscernible) that's (indiscernible).

COMMISSIONER MORAN: Sorry, I lost  
you guys. Is that -- is that for you  
guys, Joe?

DEPUTY COMMISSIONER O'NEIL: Yes.

COMMISSIONER MORAN: Okay. Great.  
Thanks. Just keeping straight,  
everything. We have a request for  
marriage officiant. So that's going to  
go through, and then in terms of COVID,  
this might be an item that I'm going to  
start to pull off of the agenda and  
lessen until we start to get into more  
circumstances warranting it.

Our -- our positivity level has  
gone down quite a bit. I think most  
recently, I just saw 3.85 percent in the  
county. So that's all-great news. So  
that's -- that will conclude my -- my  
agenda, unless there's anything else,  
Stacy, that -- the only thing that might  
be added is the 136 language for the  
exterior -- the -- the personal  
property, ones like (indiscernible) or  
(indiscernible).

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1 I stopped up to see Pat on Friday,  
2 and he was out, so I'm just looking to  
3 get some feedback from him so that we're  
4 all square on the language associated  
5 with that, and we can get that in place.  
6 But we're also fast approaching July  
7 15th, which is where we're going to go  
8 with the UDL special use permit  
9 approach. So, there's some work to do  
10 around there. But that's everything  
11 I've got. Thank you, everyone.

12 DEPUTY MAYOR RELLA: Done?

13 COMMISSIONER MORAN: Yes.

14 DEPUTY COMMISSIONER CONNORS: You  
15 have to add the early voting sites,  
16 please --

17 COMMISSIONER MORAN: Oh, early  
18 voting. Thanks.

19 DEPUTY COMMISSIONER CONNORS: --  
20 when making that announcement.

21 COMMISSIONER MORAN: Yeah, early  
22 voting sites. I was supposed to get at  
23 it last week and didn't. So, I'm just  
24 going to review the hours of -- of -- of  
25 availability. Thank you, Stacy.

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1 DEPUTY COMMISSIONER CONNORS:

2 Welcome.

3 COMMISSIONER MORAN: That's it.

4 MAYOR KIM: We can now move to

5 Commissioner Sanghvi, Finance

6 Department.

7 COMMISSIONER SANGHVI: Thank you,

8 Mr. Mayor. I have an update on

9 participatory budgeting and update on

10 city finances, announcement of the 2022

11 bond rating and sale. The fourth item

12 on our agenda is a discussion and vote

13 for vice assignment for participatory

14 budgeting.

15 There was a small clarification

16 that we wanted to provide, so we -- we

17 will be discussing that. There's a

18 discussion and vote on budget transfers

19 for payroll, as usual, a discussion and

20 vote on budget amendments for interfund

21 transfer, and discussion and vote for

22 budget amendments -- budget transfer for

23 city center contingency funds. I would

24 like to add one more discussion item,

25 just in terms of process, regarding, you

1 Saratoga Springs City Council Meeting  
know, HR and civil service.

2 MAYOR KIM: Sure.

3 COMMISSIONER SANGHVI: Okay. That  
4 concludes my agenda. Thank you,  
5 everybody.

6 MAYOR KIM: Thank you, Commissioner  
7 Sanghvi. Next is the Public Works  
8 Department. I think Joe, you're going  
9 to go through this, correct?

10 DEPUTY COMMISSIONER O'NEIL: Yes.  
11 Thank you, Mayor.

12 MAYOR KIM: Thank you.

13 DEPUTY COMMISSIONER O'NEIL: We  
14 have four items on our agenda. Number  
15 1, discussion and vote, authorization  
16 for the mayor to sign a contract with  
17 BPI, for HVAC services for city  
18 buildings. Agenda item number 2,  
19 discussion and vote, authorization for  
20 mayor to sign a contract with Postler &  
21 Jaeckle for HVAC services for city  
22 buildings.

23 Item number 3, discussion and vote,  
24 authorization for mayor to sign a  
25 licensed agreement with Seneca. Item

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number four, discussion and vote,  
2           authorization for free carousels rides  
3           on June 29, 2022, for the carousels 20th  
4           anniversary. That completes our agenda.

5           MAYOR KIM: Joe a little bit off  
6           point, but the question about the  
7           carousel, have they -- I know there was  
8           a resolution to rename it. Have they  
9           actually had that ceremony or --

10          DEPUTY COMMISSIONER O'NEIL: No,  
11          we're going to be having it on the 29th.  
12          And you'll get -- obviously you'll be  
13          invited to it, and we'll -- we'll do it  
14          then.

15          MAYOR KIM: Okay. Great. Thanks.  
16          I just was wondering if I'd miss some.  
17          Next is -- thanks, Joe. Next is  
18          Commissioner Montagnino with the Public  
19          Safety Department.

20          COMMISSIONER MONTAGNINO: Thank  
21          you, Mr. Mayor. I'd -- I'd like, if  
22          possible, to add a brief announcement to  
23          the agenda regarding the Gaffney's (ph.)  
24          reopening. There was a memorandum of  
25          understanding that I signed off on with

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1 Gaffney's.

2 It was the result of discussions on  
3 a couple of separate occasions with the  
4 police chief and a number of members of  
5 the command staff, as well as one or two  
6 of the sergeants as well. It -- it --  
7 the -- the memorandum does not commit  
8 the city to do anything. The memorandum  
9 is Gaffney's owners committing to  
10 certain conditions that they presented  
11 to the State Liquor Authority, and that  
12 they have agreed to abide by. And just  
13 by way of example, they have committed  
14 to an early closing time of 2:00 a.m.

15 They have committed to wanting of  
16 all patrons who are entering the  
17 establishment, and they've committed to  
18 a -- what -- what's referred to as a  
19 soft opening, which is limited to  
20 recorded music. And as I understand it,  
21 the State Liquor Authority themselves  
22 have limited their license to recorded  
23 music. I think it's -- it's important  
24 that the public be aware of what the  
25 nature of that memorandum of

1           Saratoga Springs City Council Meeting  
understanding is, and that it does put  
2           Gaffney's in a position where they have  
3           signed off in writing to these  
4           limitations, that they'll, beyond the  
5           limitations, agree to with the State  
6           Liquor Authority, so that we  
7           independently, in the event of a  
8           violation of any of the terms that they  
9           voluntarily committed to, we can revoke  
10          their cabaret license if they didn't  
11          follow up with what they promised to  
12          follow up with.

13                 Next item of discussion, vote and  
14          authorization for the mayor to sign the  
15          agreement with Live Nation Worldwide  
16          Inc. This deals with the ambulance  
17          service provided for the first time this  
18          year at SPAC. It involves a payment by  
19          Live Nation of \$150 per ambulance. I  
20          believe we discussed it at a prior  
21          meeting, an agreement where we are  
22          providing one ambulance to SPAC.

23                 We have at present two ambulances  
24          working 24/7 in the city, which is for  
25          the first time ever. One of those



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1 ambulances will be dedicated to SPAC, on  
2 SPAC event nights. There will be a  
3 second ambulance that will be rented and  
4 paid for through this agreement by Live  
5 Nation. In addition, it should be noted  
6 that each ambulance run that's  
7 necessitated is independently reimbursed  
8 either by Medicare, Medicaid, or private  
9 insurance.

10 So, it's not simply the \$150 an  
11 hour, but it's -- there's revenue to the  
12 city for the ambulance runs that  
13 actually take place. Next item,  
14 discussion and vote, authorization for  
15 the mayor to sign a contract with  
16 Saratoga County for stop DWI and STOP-  
17 DWI (indiscernible) engagement campaign  
18 funding.

19 These are State funds that are  
20 dispersed through the county, to the  
21 city, the first of which is an annual  
22 amount of \$29,000, which is paid out in  
23 two installments for the stop DWI  
24 campaign. And the second is a smaller  
25 fund. It's -- it's up to an amount of

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1 \$8,000, in the -- the -- the amount is  
2 based upon the amount that's ultimately  
3 made available by the State, and that's  
4 for a high visibility engagement  
5 campaign, which means that there's --  
6 there needs to be a commitment to a  
7 presence of DWI enforcement officers  
8 tied to that funding.

9 Next item on the agenda is a  
10 discussion of the proposed memorandum of  
11 understanding with the Police Benevolent  
12 Association, for a 10-hour shift. This  
13 is something that has been negotiated  
14 with the PBA since February, in -- in  
15 the very early days of the  
16 administration. I recognized even  
17 before taking office that the agreement  
18 that had been entered in May of 2021, by  
19 which the patrol officers went from  
20 eight hour shifts to 12-hour shifts, was  
21 in prominent, in the sense that, first,  
22 I don't know how much detail we were  
23 going through today at this meeting.  
24 but I just want to give a little  
25 (indiscernible).

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1 DEPUTY MAYOR RELLA: I'm all good.

2 COMMISSIONER MONTAGNINO: I'm

3 sorry? A -- a -- a thumbnail sketch.

4 There was a federal law enforcement  
5 study commissioned by the Department of  
6 Justice, that went into shifts for  
7 police officers in municipal policing.  
8 That study found that 12-hour shifts  
9 were inherently unsafe because of the  
10 problems associated with fatigue.

11 In our system that was entered into  
12 in May of last year, the 12-hour shifts  
13 that we have currently, more frequently  
14 into 16-hour overtime shifts. There is  
15 no limit on the number of overtime  
16 shifts that can be imposed back-to-back  
17 when the necessity arises. And so, in  
18 reality, we have police officers working  
19 16-hour shifts, getting eight hours off,  
20 and then starting another 16-hour shift,  
21 eight hours off, and then a third 16-  
22 hour shift.

23 One officer resigned about a month  
24 ago, tendered his resignation to the  
25 chief after his third back-to-back to

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1 back 16-hour shift. That's an untenable  
2 situation, to have police officers  
3 working that number of hours, under --  
4 under the conditions that they have.  
5 It's not safe for the officers. It's  
6 not safe for the public. We negotiated  
7 this over a very lengthy period of time,  
8 and we worked out a way of shifting to  
9 what that same DOJ study found to be  
10 what I'll refer to as the sweet spot.

11 The sweet spot, meaning, between an  
12 eight and a 12 -- 10-hour shift is found  
13 by the study to be optimal, in that it  
14 provides excellent quality of life for  
15 an officer, it's a four-day work week,  
16 basically, four 10-hour days. The way  
17 the proposed MLA is set up, it would  
18 provide that every officer working the  
19 10-hour shifts is guaranteed every other  
20 weekend off.

21 And additionally, the agreement has  
22 a provision where if an officer is  
23 required to work overtime, that is to  
24 say other than voluntary overtime, if an  
25 officer is required to work overtime,

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1 it's limited to 14 hours and There  
2 cannot be two consecutive shifts worked  
3 by that officer, pertaining overtime.  
4 So that the worst-case scenario, which  
5 today is 16, 16 and 16, the worst case  
6 scenario under this agreement would be  
7 14, 10 and 14, significant difference  
8 from -- from the situation that we have  
9 now. Without going into granular  
10 detail, I -- I know that the biggest  
11 question that we need to discuss is the  
12 question of the price tag.

13 There are costs associated with the  
14 memorandum of -- of agreement because it  
15 includes such things as an increase in  
16 shift differential pay. Current shift  
17 differentials are, I'll use the word  
18 nominal, in some cases, less than \$1 an  
19 hour difference between a day shift and  
20 an off shift.

21 This changes that. There's also a  
22 longevity pay that would begin at the  
23 6th year mark, where it's intended as a  
24 means of keeping the best officers, the  
25 most experienced officers on the force.

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1 The if -- if you -- if you look simply  
2 at the price tag, it appears  
3 significant. I'm not going to downplay  
4 the fact that there -- there are costs  
5 involved.

6 For the balance of 2022, I think  
7 the number is \$175,000, at -- at the  
8 last best estimate. Going forward, it  
9 is in the 550 to \$600,000 a year range.  
10 Now, having said that, it's important  
11 that we consider that throughout the  
12 State and throughout the nation, over  
13 the last several years, police forces  
14 have been losing members.

15 And what has resulted in the  
16 capital area, for example, is what I  
17 would call a game of musical chairs,  
18 that officers leave various departments.  
19 Albany, for example, in 2021, lost 90  
20 police officers. Some of those officers  
21 leave law enforcement completely, others  
22 look for departments that have better  
23 working conditions, better pay or both.

24 And that's happening here, as well  
25 as the rest of the State, the rest of

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1 the country. To give you an example,  
2 the State of Florida has been offering  
3 state funded sign on bonuses for  
4 experienced law enforcement officers to  
5 come to Florida to join their local  
6 forces.

7 We currently have -- in order to  
8 replace the officers that we lose, we --  
9 we are recruiting new officers. We have  
10 seven officers in the police academy  
11 right now. Each of them takes a salary  
12 of \$48,000 a year, and some of them get  
13 overtime as well, because of -- of  
14 travel times. In addition to the  
15 48,000, we're spending money in paying  
16 for their training. Those officers  
17 aren't working on the street. They're  
18 not on patrol.

19 They're in the police academy, but  
20 we're paying their salaries and we're  
21 paying their training. After they  
22 graduate the police academy, their  
23 salaries go up, but they are still  
24 required to work with the training  
25 officer, and they can't be counted as a

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1 separate law enforcement officer. So,  
2 for example, on a domestic call, policy  
3 requires that two officers respond to a  
4 domestic call.

5 A training officer and a recruit do  
6 not count as two officers. So, for all  
7 intents and purposes, for about the  
8 first year of the new recruit's time,  
9 the city gets basically nothing in  
10 return for approximately \$100,000 spent  
11 in salary, benefits and training costs  
12 for that officer. With this memorandum  
13 of agreement, along with the agreement  
14 that was approved at the last council  
15 meeting, that allows for lateral  
16 transfers to be treated, essentially,  
17 with the same year to year seniority for  
18 -- for pay purposes, it would allow us  
19 to replace the officers who leave the  
20 department with experienced officers who  
21 already have been fully trained and  
22 equipped.

23 That's a major savings because we  
24 don't have to pay for that,  
25 approximately, one year of training,



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1 where we get nothing in return for that  
2 year. As a side benefit, the ability to  
3 recruit lateral transferees allows us to  
4 cast a wider net, and hopefully get a  
5 more diverse police force.

6 As -- as I'm sure most of you are  
7 aware, in a police force of 70 some odd  
8 members, we have one officer of color  
9 right now. That's inappropriate,  
10 unacceptable, and I've said that from  
11 day one. The -- the combination of this  
12 memorandum of agreement, and the lateral  
13 transfer agreement allows us to make a  
14 real concerted effort to fix that  
15 disparity with seasoned officers who  
16 have a variety of experience and a  
17 variety of backgrounds.

18 And it will make the department  
19 better for sure. Finally, just another  
20 brief note, with the ability to retain  
21 experienced officers, our plan is to  
22 bring back some of the things that in  
23 previous administrations were abandoned,  
24 and I'll just give one example. The one  
25 example is the traffic division. We

1           Saratoga Springs City Council Meeting  
2           have no traffic division. When there  
3           was a traffic division, as Mayor Kim can  
4           -- can attest, commercial vehicle stops  
5           alone, brought in \$300,000 a year in  
6           revenue to the city, and had the added  
7           benefit of reducing commercial truck  
8           traffic in Downtown Saratoga Springs,  
9           because truckers came to know that  
10          diverting around the city was a heck of  
11          a lot less time consuming and  
12          problematic than having to run the risk  
13          of -- of hitting the truck stop. If we  
14          can bring back and -- and  
15          (indiscernible) and I from our very  
16          first days, have sketched out a plan of  
17          getting back the traffic division, and  
18          with the traffic division, getting back  
19          the commercial truck inspection part of  
20          it so that we have ways of making up the  
21          revenue loss that, on paper, exists with  
22          the memorandum of agreement.

22                 And -- and apologize for -- for  
23                 having gone long on that, but I'll leave  
24                 it at that at this point. Next matter  
25                 on the agenda, discussion and vote,

1           Saratoga Springs City Council Meeting  
2           authorization for the mayor to sign a  
3           contract with UDig, New York. This  
4           contract would continue an existing  
5           program whereby contractors who are  
6           going to be doing excavation work, have  
7           a single number to call, where they can  
8           find out where different utility lines  
9           are buried, and whether their proposed  
10          excavation, runs afoul of those lines,  
11          and also can have those lines marked  
12          out.

13                 As I say, this -- this is in  
14                 existence. It's a basically a  
15                 continuation of existing program. Next  
16                 item, discussion, and vote for  
17                 authorization for the mayor to sign a  
18                 contract with DLC Electric, LLC, and the  
19                 item along with it, numbers -- number 6,  
20                 discussion and vote for the  
21                 authorization for the mayor to sign a  
22                 contract with Bunkoff General  
23                 Contracting.

24                 These are two of the four contracts  
25                 involving station number 3. The  
                (indiscernible) General Contracting is

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2           the largest of the contracts. It's  
3           \$4,797,000 plus 142,000 on the storage  
4           building, and 194,000 for off-site water  
5           and sewage, and the electrical contract  
6           is 651,900 plus an additional 13,900 for  
7           the cold storage building. And I  
8           believe that completes the public safety  
9           agenda. Again, I apologize for being  
10          wordy.

11                   MAYOR KIM: Thank you,  
12           Commissioner. Any other comments,  
13           questions about the agenda for this  
14           evening? Anything else? Hearing none,  
15           I will adjourn our meeting and we'll see  
16           you all at 6:25 this evening. Thanks  
17           very much.

18                   COMMISSIONER MORAN: Good night,  
19           everybody -- or good day, everybody.  
20           Bye-bye.

21  
22  
23  
24  
25

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CERTIFICATION

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7

I, Hector Solomon, certify that

8

the foregoing transcript is a

9

true and accurate record of the

10

proceedings.

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12

13

Hector Solomon

14

15 ANP Transcriptions

16 405 WEST MOREHEAD STREET UNIT 11

17 CHARLOTTE, NC 28202

18

19 Date: June 29, 2022

20 Approved: 7/5/2022

21 Vote: 4 - 0

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