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CITY OF SARATOGA SPRINGS CITY COUNCIL MEETING

REGULAR AGENDA

July 20, 2021

Held at

474 BROADWAY

SARATOGA SPRINGS, NEW YORK 12866

PRESENT:

MEG KELLY, Mayor

LISA SHIELDS, Deputy Mayor

LISA RIBIS, Secretary

JOHN P. FRANCK, Commissioner

MICHELE MADIGAN, Commissioner

ANTHONY "SKIP" SCIROCCO, Commissioner

ROBIN DALTON, Commissioner

MATTHEW VEICH, Supervisor

TARA N. GASTON, Supervisor



1 MAYOR KELLY: Good evening. Thank
2 you. Welcome to the city council
3 meeting. Today is July 20th. It is 6:55
4 and we have one public hearing this
5 evening; the capital budget amendment for
6 the city's security measures and streets
7 for streetscape and city buildings. I'll
8 turn it over to Commissioner Franck.

9 COMMISSIONER FRANCK: Thank you,
10 Mayor. This public hearing, as you
11 mentioned, is the capital budget
12 amendment for city security measures for
13 the streetscape and city buildings. This
14 is to add \$214,187.85 to the 2021 capital
15 budget and program for additional
16 security for the streetscape and various
17 buildings.

18 MAYOR KELLY: Great. This is open
19 now. If anybody would like to speak on
20 capital budget amendment for city
21 security measures for streetscape and
22 city buildings, you may step forward to
23 the microphone if you would like to speak
24 on this public hearing.

25 MS. BRENNAN: Hi.



1 MAYOR KELLY: Hi.

2 MS. BRENNAN: Norah Brennan, 20
3 Hunter Street. I was actually -- I'd
4 seen an article about this and was just
5 curious where --

6 MAYOR KELLY: So can I -- can I just
7 ask? I don't know if that mic is on.

8 COMMISSIONER FRANCK: That --
9 that -- can you push that little button
10 up on the top? Pull it toward you.

11 MAYOR KELLY: Okay. We need to --
12 can we turn that up over there?

13 MS. BRENNAN: All right. Thank you.

14 COMMISSIONER FRANCK: You got to get
15 right on top.

16 MAYOR KELLY: Yeah. You got to get
17 really close.

18 MS. BRENNAN: Okay.

19 MAYOR KELLY: All right.

20 MS. BRENNAN: All right. Thank you.

21 I -- now, I forgot what I was going
22 to say.

23 I saw an article about this, and I
24 was just curious, I know there was
25 mention of putting more cameras in



1 Congress Park. I was wondering where
2 else we were considering to have these
3 located --

4 COMMISSIONER FRANCK: I don't --

5 MS. BRENNAN: -- assuming that this
6 is part of the same --

7 COMMISSIONER FRANCK: -- I don't
8 have all the locations; somewhere on
9 Caroline. I don't know if public
10 safety -- because I don't have Marilyn
11 here, unfortunately, tonight for the
12 exact locations.

13 COMMISSIONER DALTON: Yes. We were
14 upgrading some of Caroline, a couple on
15 Broadway and --

16 MAYOR KELLY: Is your mic on?

17 COMMISSIONER DALTON: No, my mic's
18 not on.

19 I think possibly on the alleyway
20 that goes from Broadway to -- up through
21 the Woodlawn Garage --

22 MS. BRENNAN: Okay.

23 COMMISSIONER DALTON: -- I think was
24 another location they discussed. Yeah.

25 MS. BRENNAN: Thank you.



1 COMMISSIONER DALTON: Sure.

2 MAYOR KELLY: Anyone else?

3 Okay. Are we closing this tonight,
4 Commissioner?

5 COMMISSIONER FRANCK: Yes. This
6 will be on our agenda.

7 MAYOR KELLY: Oh, go ahead. Go
8 ahead, Darlene.

9 MS. MCGRAW: I was just --

10 MAYOR KELLY: Can you just state
11 your name and --

12 MS. MCGRAW: I don't have a name.
13 Everybody knows my name and where I live.
14 I live here in this clown city. But I
15 would like to thank you for getting more
16 cameras. I appreciate it. And also hope
17 to see you guys on the cameras. Cheers.

18 MAYOR KELLY: Anybody else like to
19 speak on this public hearing?

20 MR. HENGLINE: I was wondering are
21 these, like, very high-tech cameras with,
22 like, facial recognition?

23 MAYOR KELLY: What's your name?

24 MR. HENGLINE: Brian Hengline (ph.),
25 Saratoga Springs, New York.



1 MAYOR KELLY: Thank you.

2 MR. HENGLINE: So I was wondering
3 just how advanced are these security
4 cameras?

5 MAYOR KELLY: I wouldn't know the
6 answer. Do you know that answer?

7 COMMISSIONER FRANCK: Yeah. I think
8 they're advanced. They work directly
9 with the police station, but I don't have
10 the exact type of cameras --

11 MR. HENGLINE: Okay.

12 COMMISSIONER FRANCK: -- things of
13 that nature, unfortunately, yeah.

14 MAYOR KELLY: But if you give us
15 your name and contact --

16 COMMISSIONER FRANCK: We'll get that
17 information for you.

18 MAYOR KELLY: -- we'll give that
19 contact to you.

20 MR. HENGLINE: Okay.

21 MAYOR KELLY: Yep.

22 MR. HENGLINE: All right.

23 MAYOR KELLY: Thank you. Anyone
24 else?

25 COMMISSIONER MADIGAN: I'm just



1 looking to see if I have anything on them
2 in my notes.

3 MAYOR DALTON: And what type of
4 cameras.

5 COMMISSIONER MADIGAN: The type of
6 cameras. Just on the bond resolution.

7 COMMISSIONER FRANCK: Right.

8 MAYOR KELLY: That's okay. We can
9 get those details. That's not an issue.

10 Any other comments on this public
11 hearing?

12 Great. Then we will close it at
13 this time. Oh.

14 UNIDENTIFIED SPEAKER: (Inaudible)?

15 MAYOR KELLY: Yes. This is about
16 the public hearing.

17 UNIDENTIFIED SPEAKER: This is a
18 public hearing about what happened to
19 (inaudible)?

20 MAYOR KELLY: No. This is a public
21 hearing for the capital budget amendment
22 for city security measures and for
23 streetscape and city buildings.

24 UNIDENTIFIED SPEAKER: I'm sorry.

25 MAYOR KELLY: That's okay. No



1 worries.

2 Anyone else? Okay. Then we will
3 close this public hearing and we'll move
4 into our meeting.

5 Roll call, please.

6 SECRETARY RIBIS: Commissioner
7 Franck?

8 COMMISSIONER FRANCK: Present.

9 SECRETARY RIBIS: Commissioner
10 Madigan?

11 COMMISSIONER MADIGAN: Present.

12 SECRETARY RIBIS: Commissioner
13 Scirocco?

14 COMMISSIONER SCIROCCO: Here.

15 SECRETARY RIBIS: Commissioner
16 Dalton?

17 COMMISSIONER DALTON: Present.

18 SECRETARY RIBIS: Mayor Kelly?

19 MAYOR KELLY: Here.

20 SECRETARY RIBIS: Supervisor Veitch?

21 SUPERVISOR VEITCH: Here.

22 SECRETARY RIBIS: Supervisor Gaston?

23 SUPERVISOR GASTON: Here.

24 MAYOR KELLY: Please rise for the
25 Pledge of Allegiance.



1 (Pledge of Allegiance)

2 MAYOR KELLY: Next on the agenda is
3 our public comment period which is
4 scheduled for fifteen minutes. Each
5 speaker shall be limited to two minutes.
6 Yielding your time is not allowed.
7 Please be respectful and address the
8 council as a whole.

9 As a reminder, public comment is not
10 a dialogue or a discussion with the
11 council members. However, any council
12 member may respond or com -- respond or
13 comment at the end of public comment
14 period.

15 You will hear a bell to signify your
16 time is up. Before you begin, please
17 state your name and address and the city
18 where you live. I don't need your street
19 address.

20 If you have comments, if you are not
21 willing to get up and speak, and you want
22 to put your comments in, you may do that
23 by email. Send them to
24 public.comment@saratoga-springs.org. If
25 anybody would like to speak, please step



1 forward to the mic.

2 MR. IACOPONI: Good evening Mayor
3 and city council. My name is John
4 Iacoponi. I live in Saratoga Springs.
5 I'm here tonight to speak about the
6 Stewart's PUD project. If you've seen
7 your email, I did send you a note
8 earlier -- public comment earlier today
9 on that. I'll -- I'll be quick.

10 As you do know, this has been
11 reviewed by the planning board. They are
12 the experts that this group is actually
13 chartered to review the content, and they
14 provided a ruling unanimous that this --
15 this project is inconstant with the first
16 litmus test of a PUD, it's inconsistent
17 with the plan -- with the 2015
18 comprehensive plan.

19 There's a long list of other issues
20 that this PUD is inconsistent with, but
21 the planning board even just stopped at
22 issue number 1, not consistent with the
23 planning board -- with the comprehensive
24 plan.

25 We, as the neighborhood



1 association -- I'm with the Maple Ave.,
2 Marion Ave., Maple Dell Neighborhood
3 Association, we live there. This is our
4 neighborhood. This issue matters to us.
5 Not converting residential properties to
6 commercial properties matters to us. You
7 heard an announcement out of Malta
8 yesterday, thousands of more jobs coming
9 to this area. Housing matters to this
10 city.

11 So we would ask the city to heed --
12 the city council to heed the planning
13 board's recommendation and reject this
14 PUD without further delay. Thank you.

15 MAYOR KELLY: Thank you. Next?

16 MS. TOTITO: I'm going to need to
17 make this more height appropriate.

18 Hi. I'm Amy Totito, resident of
19 Saratoga Springs, and I just want to say
20 that our city where we welcome tourists
21 and our longest residents claim to be its
22 best citizens is a wonderful place to
23 live if we don't look too closely.

24 Saratoga Springs profits from the
25 labor of the minimum wage workers even as



1 it caters to wealth and excess. In
2 reality, we live in a city which is in
3 the midst of a housing shortage, and
4 which is practiced at denying its racism
5 both past and current.

6 I've never seen our community more
7 divided. Family members are at odds.
8 Old friends find themselves separated.
9 As our city leaders, it is within your
10 ability to provide the remedy to this
11 sickness.

12 An open investigation into Darryl
13 Mount's death and an open mediated
14 conversation between city offices and
15 Black Lives Matter Saratoga would really
16 begin the healing process that we need.

17 We can lead the way and be a model
18 for the rest of the country, or we can
19 continue to grow this cancer that's so
20 insidious that no amount of wealth will
21 ever be able to heal our city. Let's
22 stop worrying about which side is winning
23 and take steps to ensure life gets better
24 for all of us. Thank you.

25 MAYOR KELLY: Thank you. Next?



1 MS. DART: Kristen Dart, Saratoga
2 Springs.

3 I'm deeply saddened that I have to
4 come before this council again to talk
5 about racism in our city and the role
6 that you all play because you sit in a
7 place of power and leadership. The
8 members of this council have taken one of
9 two postures since the end of the Police
10 Reform Tax Force. It has either been
11 silent or vocally reinforced the idea
12 that if black folks aren't asking for
13 justice with politeness and a smile, then
14 they are violent gangbangers who don't
15 care about the city.

16 Each of you or your deputies have
17 known me and/or my family for at least a
18 decade and I don't make these comments
19 lightly. But your attitude is no
20 different than white southerners who
21 thought it was abhorrent that young black
22 people dare to sit at a lunch counter and
23 ask for equal treatment. I truly do not
24 believe that that is your intention, but
25 it is your impact.



1 The press conference by Assistant
2 Chief Catone and the recent comments by
3 Lt. Jillson make it quite clear that
4 equal respect is not happening. Lt.
5 Jillson referred that the weapons of the
6 Troy protest were in possessions of Black
7 Live Matters protestors when that was not
8 the case. These comments continue to
9 reinforce the idea that bBlack people are
10 violent or are looking to be violent.

11 Assistant Chief Catone couldn't keep
12 his anger under control during a press
13 conference. How am I supposed to have
14 confidence that he will keep his calm in
15 an intense police situation?

16 The five are you are currently
17 sitting in elected office, and you are in
18 power. You, alone, determine if you use
19 that power to create a welcoming and
20 embracing space for black people and all
21 people of color in this city or continue
22 on the current path that strokes fear and
23 anger directly at the people who live in
24 this city. They are simply asking for
25 equal treatment.



1 MAYOR KELLY: Thank you.

2 MS. LOCKTON: Hi. My name is
3 Natalia Lockton (ph.). I live here in
4 Saratoga Springs.

5 Tonight I have brought some quotes
6 with me from Martin Luther King's letter
7 from a Birmingham jail which was written
8 fifty-eight years ago which is younger
9 than my dad. I found a lot of the things
10 that I read in that to be very pertinent
11 to what's happening in 2021 Saratoga.

12 "I think I should indicate why I am
13 here in Birmingham since you have
14 influenced -- since you have been
15 influenced by the view which argues
16 against outsiders coming in. I am
17 cognizant of the interrelatedness of all
18 communities and states. I cannot sit
19 idly by in Atlanta and not be concerned
20 about what happens in Birmingham.
21 Injustice anywhere is a threat to justice
22 everywhere. We are caught in an
23 escapable network of mutuality, tied in a
24 single garment of destiny. Whatever
25 affects one directly, affects all



1 indirectly. Never again can we afford to
2 live with the narrow provincial outside
3 agitator idea. Anyone who lives inside
4 the United States can never be considered
5 an outsider anywhere within its bounds.

6 "You deplore the demonstrations
7 taking place in Birmingham, but your
8 statements, I am sorry to say, fails to
9 express a similar concern for the
10 conditions that brought about the
11 demonstration. I am sure that none of
12 you would want to rest content with the
13 superficial kind of social analysis that
14 deals merely with affect and doesn't not
15 grapple with underlying causes.

16 "It is unfortunate that
17 demonstrations are taking place in
18 Birmingham, but it is even unfortunate
19 that the city's white power structure
20 left the black community with no
21 alternative.

22 "We know through painful experience
23 that freedom is never given voluntarily
24 by an oppressor. It must be demanded by
25 the oppressed. Frankly, I have yet to



1 engage in a direct-action campaign that
2 was well timed in the view of those that
3 have not suffered unduly from the disease
4 of segregation.

5 "For years now, I have heard the
6 word 'wait'. This wait has almost always
7 meant never. I must confess that over
8 the past few years, I have been gravely
9 disappointed with the white moderates. I
10 have almost reached the regrettable
11 conclusion" --

12 MAYOR KELLY: Thank you.

13 MS. LATROSEONA: Thank you.

14 MS. MORAN: Ellen Moran. Saratoga
15 Springs.

16 As a taxpayer, a voter, and most
17 importantly a human being, I find the
18 behavior of our local law enforcement to
19 be unconscionable in their constant
20 disproportionate treatment of Black Lives
21 Matter activists, and I found their over-
22 the-top reaction to the protest on
23 Wednesday to be ludicrous. It may have
24 been a good show for the tourists, but
25 for those of us who call Saratoga Springs



1 home and have a personal investment in
2 the ethical behavior of this city, it was
3 saddening, maddening, and sickening.

4 MAYOR KELLY: Next? Next. Let's
5 just be respectful. Thank you.

6 UNIDENTIFIED SPEAKER:
7 (Indiscernible) speak?

8 MAYOR KELLY: Yeah.

9 UNIDENTIFIED SPEAKER:
10 (Indiscernible).

11 MAYOR KELLY: Thank you.

12 UNIDENTIFIED SPEAKER: Thank you.

13 MR. DART: My name is Warren Dart.
14 I know live in Ballston Lake. I lived in
15 this city for sixty-six years. I was
16 fortunate enough to teach in the Saratoga
17 Springs City School District for thirty-
18 eight years, also was a track coach, and
19 coached girls basketball. And I'm also
20 honored to say that I'm a son of a
21 deceased Tuskegee Airman.

22 When I read this article today, I
23 became very upset about the stoppage of a
24 couple on their way home, and the police
25 searched their car and didn't really give



1 any reason. And then Lt. Jillson in the
2 article, I don't know whether he said
3 these words, but it was in the article,
4 he stated that the weapons were from
5 Troy. Well, to me, he used what is known
6 as passive-aggressiveness. He didn't say
7 that he -- or the police didn't say that
8 they stopped the couple because they were
9 black, they used another reason for
10 stopping the vehicle.

11 It's like if you say to me you used
12 direct aggressiveness and say I'm not
13 coming to your home because you're black.
14 The passive-aggressive way would be to
15 say I don't want to go to that
16 neighborhood because I'm afraid I'm going
17 to be robbed.

18 I think the way this was handled is
19 very wrong, and I think we need to look
20 at policing in Saratoga Springs. I think
21 what you need to do is get a committee
22 together, as was suggested, and sit down
23 with Black Lives Matter, MLK, and
24 whoever, and come to a conclusion on how
25 you're going to do policing in Saratoga



1 Springs. Thank you.

2 MAYOR KELLY: Thank you. Next,
3 please. Thank you.

4 MS. MCGRAW: Hi. My name is Darlene
5 McGraw. Yes, unfortunately for twenty-
6 two more days I live in this crazy
7 cemetery of a city.

8 I really don't got much to say
9 because my attorney told me unless it's
10 on public record do not say anything. I
11 heard this as of noon today. So I'm not
12 allowed to speak to anybody here in the
13 city about city issue matters. You know
14 what, um-hum. That's right. The city is
15 a circus. I'm (indiscernible).

16 MAYOR KELLY: Next, please? Thank
17 you.

18 MS. BROWN: Alexis Brown. Saratoga
19 Springs.

20 Did you know that the Saratoga
21 Springs Police Department racially
22 profiled and targeted a black Cornell
23 University student athlete in Saratoga
24 Springs the day of the protest this past
25 Wednesday? When we were getting in our



1 car, once we were safely escorted because
2 we have said multiple times that the only
3 lives that are put in danger are those
4 fighting for racial justice, we were
5 unaware that we were being stalked by
6 Officer Coyner and Katuriansky (ph.) -- I
7 don't apologize if I pronounce your name
8 wrong -- who sat two blocks up watching
9 our every move. Badge numbers 9 and 39
10 respectively followed us for almost over
11 a mile as we turned onto Van Dam and the
12 onto Route 9 where they moved onto the
13 lane next to us. When we signaled to
14 turn left onto East Avenue, they were
15 quickly to -- they were quick to move
16 over and continue following us, and they
17 continued when we turned onto Maple
18 Avenue where they attempted to stop us in
19 a dark street without a single person,
20 house, or car around. If we were such a
21 threat, why did they allow us to be
22 surrounded by the dozens of patrons on
23 Broadway and wait until the protest had
24 ended and we were alone to target us? Is
25 it because they knew what they were doing



1 was wrong? Luckily, I understood what
2 was happening, and ordered my boyfriend
3 to put on his hazards and pull into my
4 mother's driveway which was a couple
5 hundred feet from where they attempted to
6 stop us. Officer Katuriansky told my
7 boyfriend to get out of the car. When I
8 asked why, he originally gave no reason
9 and said that's that how he likes to
10 conduct his traffic stops, while still
11 giving us no reason why he pulled us
12 over.

13 They tried to get intel out of us
14 including the races and genders of those
15 who safely got us back to our vehicles
16 and kept asking if we had a backpack or
17 anything suspicious in the car.

18 Ultimately, my boyfriend allowed
19 them to invade our privacy and search our
20 vehicle to prove we had nothing. The
21 incompetent officer of the Saratoga
22 Springs Police Department found no
23 weapons or any other illegal item in
24 their search.

25 If the officers were familiar with



1 members of the community, instead of
2 watching us from a distance and forming
3 opinions based on their own delusions,
4 they would know that we are the founders
5 of the Saratoga Free Fridge, and on our
6 own dollar we feed members of this very
7 own community, a community that he isn't
8 even from.

9 He's a coach at Skidmore basketball
10 camps and he loves coming to Saratoga
11 because there's a lot more to do than in
12 East Greenbush. I've been an active
13 member of politics in the city since
14 before you were ever in office, and this
15 was the second time he has ever been
16 pulled over, and even -- he told the
17 officers --

18 MAYOR KELLY: Thank you.

19 MS. BROWN: -- that he had never
20 had --

21 MAYOR KELLY: Thank you.

22 MS. BROWN: -- a bad encounter with
23 the police.

24 MAYOR KELLY: Thank you. Hello.

25 MS. BROWN: But the Saratoga Springs



1 Police Department made sure to change
2 that.

3 MAYOR KELLY: Okay. This is why
4 it's not going to work.

5 MS. BROWN: He has worked on the
6 (indiscernible) --

7 MAYOR KELLY: You're done. Thank
8 you.

9 MS. BROWN: -- (indiscernible) same
10 topic of the --

11 MAYOR KELLY: You are done. You are
12 done.

13 MS. BROWN: -- (indiscernible)
14 encounter and never wants to return to
15 the city --

16 MAYOR KELLY: So I am being
17 respectful --

18 MS. BROWN: -- (indiscernible).

19 MAYOR KELLY: (Indiscernible).

20 (Audience disruption)

21 MS. BROWN: I am here --

22 (Audience disruption)

23 MS. BROWN: -- because you are
24 continually putting --

25 MAYOR KELLY: It's coming out of



1 your time. Go ahead.

2 MS. BROWN: -- (indiscernible)

3 community --

4 (Audience disruption)

5 MS. BROWN: -- and the greater

6 capital region in danger --

7 (Audience disruption)

8 MS. BROWN: -- with a message you

9 are attempting and failing to set. That

10 press conference where you use this

11 building that we all pay for to drive a

12 message that we are violent, carrying

13 weapons, and a threat to the community,

14 claims that which are not only unfounded

15 but have only put black and brown bodies

16 at risk, now, me and my boyfriend have

17 targets on our backs because of your

18 actions.

19 From Saratoga Springs to Ithaca, I

20 plan on making it my personal goal for it

21 to be known that you are racist

22 supporting a system that continues to

23 criminalize and hyper analyze every

24 action taken by black people who step

25 foot in this city.



1 I'm demanding the resignation of
2 Robin Dalton as Commissioner of Public
3 Safety, as well as the suspension of her
4 campaign for mayor and a public apology
5 for the intentional harm you intended to
6 cause to Saratoga BLM based on the
7 comments made at last month's press
8 conference.

9 MAYOR KELLY: Okay.

10 MS. BROWN: Thank you.

11 MAYOR KELLY: So let me -- let me
12 just make a comment -- let me just make a
13 comment, okay.

14 So I just want to say this is -- I'm
15 going to give extra time if --

16 (Audience disruption)

17 MAYOR KELLY: Can you just let me
18 talk for a minute, please? I'm going to
19 try to help the situation here.

20 I'm going to give extra time, but I
21 think it's only fair that we stick to the
22 two minutes, so everybody gets a chance.
23 I mean, I really -- I just think that
24 that's only fair. So --

25 (Audience disruption)



1 MAYOR KELLY: Well, I just think
2 that we need to -- if we can't stick to
3 the time, I'm done at fifteen minutes.
4 That's the deal. Okay. So please be
5 respectful, and we can stick to the two
6 minutes, and we'll give an extra couple
7 of minutes. But if we can't, I'm going
8 to end it, because we are now at thirteen
9 minutes. So go ahead, ma'am.

10 MS. HARRIS: Taisha Harris (ph.),
11 Saratoga Springs, New York.

12 It is apparent that here, among the
13 leaders of Saratoga city government,
14 there is either a great misunderstanding
15 of how racism is perpetrated or a great
16 disregard.

17 I'm leaning towards disregard since
18 you were educated on several occasions on
19 how power dynamics work. It's the
20 disgraceful finale to our work on the
21 task force for police reform not only
22 have city leaders completely ignored the
23 concerns and recommendations placed
24 before them, but in clear retaliation
25 have acted as many infamous racists have



1 done in the past with threats, strategic
2 silence, lies, more violence.

3 We specifically made de-escalation
4 and demilitarization a top priority, and
5 you answer with double the amount of
6 force? Not only are you, each one of
7 you, actively working against justice,
8 but you have our city looking like 1965
9 Selma, Alabama. And that's going to be
10 your legacy.

11 MAYOR KELLY: Next, please.

12 MS. KAUFMAN: Angela Kaufman. I
13 live on stolen land in Saratoga, and I'm
14 with the People's Voice independent
15 media.

16 In a report and (indiscernible)
17 continued yesterday, Lt. Jillson claims
18 to have no knowledge of the police
19 pulling over activists leading the
20 protest, yet these activists were told
21 they were pulled over as a result of a
22 "longstanding investigation" into people
23 bringing weapons to the protest. How can
24 there be a longstanding investigation
25 without Lt. Jillson knowing about it?



1 Are the SSPD keeping the lieutenant out
2 of the loop on purpose because of some
3 concern about his competence?

4 Question 2. In a report by the
5 Daily Gazette yesterday, Lt. Jillson
6 suddenly seemed to know about the twenty-
7 one-year-old couple being pulled over and
8 stated it was "suspicious" and "not
9 normal" that people were walking to and
10 from their car.

11 Do people in Saratoga Springs with
12 disabilities that may require them to
13 make several trips to and from our cars
14 need to worry about being pulled over and
15 having our cars searched because our
16 behavior appears "abnormal"? And what is
17 the SSPD doing to address this narrative
18 that is neither racist, ablest, or both?

19 Question number 3, Adam Walker, a
20 founder of Independent Media Source of
21 People's Voice was filmed asking police
22 officers at the rally on the 14th
23 repeatedly in the early moments of the
24 protest Wednesday to not charge at
25 protestors but to come and speak with him



1 if they had any issues or questions, at
2 which later as he photographed the police
3 advancing -- advancing toward the
4 protestors, he was knocked to the ground.
5 Four officers sat on him and arrested
6 him. Should all of the media expect to
7 be assaulted and arrested in the course
8 of doing their duty?

9 Also, as a member of the People's
10 Voice, we are requesting allbody camera
11 footage from the arrest of both the
12 people when the cops rushed them and also
13 the incidents on Caroline Street where
14 officers used their horses as weapons to
15 attack --

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 MS. KAUFMAN: -- protestors. And it
18 was alleged by a bystander that one of
19 the officers turned off his body cam. So
20 if that's not the case, we'd like to see
21 the footage.

22 Number 4. As a volunteer for
23 People's Voice, I interviewed several
24 tourists who were disgusted and upset at
25 the violent way the police responded to



1 protestors. Some indicated they would
2 not return to any tourist destination
3 that allowed violence against black
4 people and people of color. What is the
5 city doing to improve its reputation as a
6 haven for white supremacists that enable
7 a violent and racist police force?

8 Question number 5. During the
9 protest on July 14th, volunteers from the
10 People's Voice witnessed police
11 ramming -- oh, I already talked about the
12 horse.

13 All right. Finally --

14 MAYOR KELLY: Thank you.

15 MS. KAUFMAN: -- I volunteer --

16 MAYOR KELLY: Thank you.

17 MS. KAUFMAN: -- for the Independent
18 Media for the People's Voice. I
19 witnessed a young white man who appeared
20 to be emboldened by the presence of
21 police in riot gear walking down Broadway
22 shouting racists insults.

23 At one point, he dropped his phone,
24 then stood up and struck a women
25 unprovoked. The woman was not part of



1 the protest. It wouldn't have mattered
2 if she was. Studies show the weapons
3 effect.

4 Leonard Berkowitz, the weapons
5 effect, "The presence of weapons
6 increases violence". When you have
7 police officers with riot shields and
8 batons and other weapons, it causes
9 greater agitation, and studies have also
10 shown that the presence of tasers
11 increases the danger to police officers.

12 So what are you doing to
13 demilitarize the police and decrease
14 violent outbursts that may be brought
15 about because of the atmosphere of
16 violence that their militarization
17 creates. Thank you.

18 MS. BROWN: Erin Brown, Saratoga
19 citizen.

20 I am the mother of Alexis, and they
21 were pulled over in my driveway. I --
22 when I saw those lights outside, my heart
23 dropped because I knew they had come
24 from -- from downtown. I asked multiple
25 times when I went outside what was going



1 on, why they were here, and the officers
2 looked at me and repeatedly just ignored
3 me.

4 And to see the look on these two
5 faces when they came in my house, as a
6 mother, it was actually heartbreaking.
7 And the fact that they were targeted like
8 that, and now they have the fear and be
9 targeted on their back like that, it's --
10 it's just terrible.

11 And my father, he's a master chief
12 in the navy and he says he was treated
13 better in the third world countries than
14 as a black man in Saratoga Springs today.

15 (Audience disruption)

16 MAYOR KELLY: Anyone else?

17 (Audience disruption)

18 MS. SKAGAL: Hello. I'm Dr. Skagal
19 (ph.). I'm an economist and I want to
20 talk about the economic damage that is
21 occurring because of all the things that
22 people have said, the militarized police.
23 We have three colleges in this town, and
24 we want to attract -- those colleges want
25 to attract a diverse body of students,



1 and when you look to see whether or not
2 you're going to send your student to
3 Saratoga Springs, you see constant
4 misbehavior by the police.

5 You see the police attacking
6 protestors in July 2020 with force and
7 with tanks. You see Darryl Mount,
8 twenty-two years old died under
9 suspicious circumstances, lied to the
10 public by the chief of police about what
11 happened.

12 We've seen May 20th, 2021, just out
13 of Jim Crow, U.S. Army captain kicked by
14 Saratoga police, swarmed by a team of
15 police walking home to his hotel room.

16 We see July 20, 2021, police
17 attacked peaceful protestors.

18 Maybe folks see, because they've
19 been here for a hundred years or so
20 that -- that their bigotry has survived
21 during that time, it was okay, but as
22 Will Smith has said, things have changed.
23 We have new technology. Everybody has a
24 video. Everybody sees this bad behavior
25 by the police attacking peaceful



1 protestors. Will the people want to come
2 here to spend their tourist dollars?
3 Will people want to come here to send
4 their students to school? Think about
5 this. You're damaging everyone. You're
6 damaging home owners. You're -- whose
7 property value will be impacted. You're
8 damaging the small businesses. You're
9 damaging the colleges. This has got to
10 stop.

11 MAYOR KELLY: Next, please.

12 MX. ZWICKER: My name is Arlo. I
13 use they/them pronouns. I'm a resident
14 of Saratoga Springs, New York.

15 On Wednesday, I was arrested at the
16 protest. I was met with a line of
17 officers chanting "move back". And while
18 I was moving back a horn signaled their
19 breaking of formation and tackling
20 protestors. Where there's a lot of video
21 evidence showing them targeting black men
22 and tackling them to the ground and
23 arresting them.

24 While I was arrested, every single
25 officer misgendered me. I told every



1 officer my pronoun and they never got it
2 right once.

3 When I asked -- when I questioned an
4 officer about their pronouns, they gave
5 me an angry glare and told me "Officer".
6 This is coming from a department that is
7 run by someone who claims to be an
8 LGBTQTIA ally, and who is signed onto the
9 Pride sidewalk (sic). They're also a
10 mayoral candidate.

11 After the protest on Wednesday
12 night, a friend -- some friends and I
13 were driving back from Congress Park
14 because one of them left their phones
15 there. We were tailed from Congress Park
16 to Nelson Ave. and pulled over on a dark
17 section of the street because the driver
18 was black.

19 The officers conducted the stop by
20 immediately asking my friend to step out
21 of the car and questioned him. This is
22 the same practice that happened to Alexis
23 and Marcus by the same exact officers;
24 badge numbers 9 and 39. The same --

25 (Audience disruption)



1 MX. ZWICKER: -- the same night --
2 the same night they followed -- they
3 tailed my friend, asked him to step out
4 of the car. And you know, I'm seeing all
5 these experiences and listening to the
6 words -- remembering the words of
7 Assistant Chief Catone. I've heard him
8 say over and over again that the SSPD is
9 not a racists police department. And you
10 can say that all you want, but these
11 actions say -- did the exact opposite.

12 And so I'm going to end this by
13 asking Robin Dalton to resign, Chief John
14 Catone to resign, and Robin Dalton to
15 suspend her mayoral run.

16 MAYOR KELLY: Next, please.

17 So just to let everybody know, I'm
18 going to end this at 7:30. So -- because
19 we have to get through it. We have a
20 long agenda tonight and --

21 MR. FIGUERERO: Cool. So my name is
22 Lexis Figuerero, Saratoga Springs.

23 The first thing I'm going to do is
24 read off a comment from something that
25 came from the page Moving Saratoga



1 Forward, a page that city council members
2 are a part of and endorsed by Moving
3 Saratoga Forward, Rob Arrigo, who is the
4 owner of the page.

5 We're going to say from a comment,
6 "If you had jobs" -- be careful for the
7 language -- "If you had jobs, then you'd
8 be too busy to protest all day. I work
9 every day and pay for use to live in the
10 hood on South Pearl Street. If you want
11 better, then stop having twenty
12 pickaninnies by nineteen different
13 fathers. Go to school, learn a trade,
14 and you can have everything you want.
15 All you want is to be able to have
16 everything without working for it. If
17 you niggers really want to do something,
18 then you go after Adirondack Trust. I'm
19 sure that you're all too stupid to read
20 the newspaper, but they raised their
21 interest rates on auto loans on
22 minorities. It was in the Daily Gazette
23 that the state caught them. They had a
24 nigger rate, a spik rate, and a chick
25 rate." This was from Moving Saratoga



1 Forward.

2 She also said, "I don't care" when
3 somebody said that she was racist -- "I
4 hope Chief Catone has every officer shoot
5 into a crowd of BLM monkeys". That's
6 what she said.

7 Now, we will also go with -- I'm
8 going to read something else.

9 "The purpose of rage is not to make
10 white people feel guilty. Rather, it is
11 to communicate the value of black lives
12 and egalitarian principles. Anger is the
13 way that is not antithetical to love. It
14 expresses compassion for the downtrodden
15 and the desire for a better world. Anger
16 and racial injustice makes people eager
17 to do something about it. We cannot
18 suppress anger, nor should we dress it up
19 in the garments of respectability
20 politics whatsoever."

21 Saratoga Springs will remain a
22 protest town, and the tourist have
23 already said it on News 10 and on
24 different stations already that they are
25 not happy with the officers whatsoever.



1 Their doings, not of our doings, of the
2 police -- of their doings. If you want
3 this to stop, do something and actually
4 figure it out.

5 And those comments were from Rob
6 Arrigo which Robin Dalton is a part of as
7 well with Moving Saratoga Forward. To
8 know that he is purposely doing this to
9 politically move her forward while they
10 destroy me which they've been trying to
11 do for over a year now.

12 MAYOR KELLY: Thank you.

13 MR. FIGUERERO: Yep.

14 MAYOR KELLY: Somebody else?

15 Okay. Then if nobody else, we'll
16 end it --

17 (Audience disruption)

18 MAYOR KELLY: Okay. All right. We
19 only have a couple of minutes, so let's
20 wrap it up. Thank you.

21 MR. BROWN-DAVIS: Anthony Brown-
22 Davis.

23 I was a protestor that was arrested
24 by your thugs of police force. The only
25 thing I'm going to say is that your



1 officers need to be trained better. I
2 mean, I was thrown on the ground to
3 hold -- had a gun to my head, told me
4 that if I didn't cooperate that I would
5 not be making it home to see my family.
6 So you need to at least fire these Nazis
7 off your police force.

8 MAYOR KELLY: Thank you. Next,
9 please?

10 MR. WALKER: I'm just going to
11 formally give you all a copy of our form
12 to request a (indiscernible) --

13 MAYOR KELLY: Do you have a name and
14 address, sir, please?

15 MR. WALKER: It is Adam Walker.

16 MAYOR KELLY: Thank you.

17 MR. WALKER: And I am formally
18 requesting that you give us the body
19 camera footage from the incidents on July
20 14th. I have a form with me as well to
21 give to the council.

22 MS. DUNN: Holly Dunn (ph.),
23 Saratoga Springs.

24 Robin Dalton accepted a 250-dollar
25 campaign contribution from Rob Arrigio



1 (sic) from Moving Saratoga Forward for
2 her campaign for public safety.

3 So you were right -- you were right
4 about one thing, there is a danger in our
5 community, but the danger is not the
6 activists that you are vilifying,
7 targeting, stalking, and attempting to
8 intimidate. The danger is you; all of
9 you: politicians who put the lives of
10 people in danger.

11 I was in the front line of the
12 protest. Was I arrested? No. I wasn't.
13 Was I tackled to the ground and had five
14 officers on the back of -- with their
15 knees on my back? No. Why wasn't -- why
16 wasn't I arrested? Because this town is
17 racist. Because the police are racists.

18 The day after the protest, I
19 approached an officer and asked did you
20 and your boys have fun attacking
21 protestors last night, and his answer was
22 I wouldn't use those exact words, but
23 yes.

24 MAYOR KELLY: And then --

25 UNIDENTIFIED SPEAKER: I would call



1 that racist.

2 MAYOR KELLY: Let's -- can we
3 just -- we have a couple more, so be
4 respectful. Thank you.

5 MR. MARSHALL: My name is Matt
6 Marshall (ph.). I'm from Albany but I
7 have family live in this county in the
8 past, and I frequent Saratoga with
9 personal and business interests here.

10 Coming out of a global pandemic,
11 many use the slogan, "51A Strong" (ph.)
12 to show the interconnectedness of the
13 capital region and that's why I'm here
14 tonight.

15 It is baffling at how frequently and
16 colossally wrong Saratoga is on this.
17 The response to a group of peaceful
18 protestors where over forty officers in
19 riot gear, horse-mounted police, and
20 couple blocks away where officers dressed
21 in military fatigues and an MRAP vehicle.

22 MRAP stands for Mine-Resistant
23 Ambush Protected vehicle. A mine-
24 resistant vehicle for protestors
25 exercising their First Amendment rights.



1 That is how you treat people expressing
2 their pain and frustration with Saratoga
3 is with a military-level response. To
4 some of you on this council, you should
5 ask yourself and take a deep look inside
6 your own souls is this why I got involved
7 in public office; to have a military
8 response to peaceful protestors.
9 Crushing military response is your answer
10 to people upset with the racism embedded
11 with the culture of this city, and I can
12 guarantee you that that military-level
13 response will not make Saratoga Black
14 Lives Matter go away.

15 Lastly, I would like to point out
16 that during this raid of the protest,
17 officers of SSPD and sheriff's department
18 did not have their badges or nameplates
19 displayed.

20 According to SSPD policy 1024.32, a
21 badge and nameplate must be worn and
22 visible at all times while in uniform.

23 When asked the officer in charge, he
24 walked away from questions about why the
25 badges weren't visible, and other



1 officers denied that it was their policy.
2 This is why people protest; a lack of
3 accountability.

4 MAYOR KELLY: Thank you.

5 MR. MARSHALL: Until -- sorry.

6 MAYOR KELLY: Sorry. Go ahead.

7 MR. MARSHALL: Until you guys, as
8 city council, figure out what you guy --
9 what the city wants to be, Saratoga Black
10 Lives Matter will continue to be in the
11 streets.

12 MAYOR KELLY: Thank you.

13 UNIDENTIFIED SPEAKER: It sure will.

14 MAYOR KELLY: Okay. Then we will
15 conclude public comment at this time.

16 Are there any comments from the
17 council?

18 (Audience disruption)

19 MAYOR KELLY: Then we --

20 UNIDENTIFIED SPEAKER: (Inaudible).

21 COMMISSIONER DALTON: Yeah, I will
22 say something.

23 UNIDENTIFIED SPEAKER: I just want
24 to say, you're a Nazi.

25 (Audio disruption)



1 UNIDENTIFIED SPEAKER: Okay.

2 COMMISSIONER DALTON: In a protest,
3 when you're in Congress Park, you make a
4 show of putting on your tactical gear,
5 amping up for a fight, you wait till it's
6 dark, you go into Broadway --

7 UNIDENTIFIED SPEAKER: Wait till
8 it's dark?

9 COMMISSIONER DALTON: -- when it is
10 full of --

11 (Audio disruption)

12 COMMISSIONER DALTON: -- so, it is
13 full of people --

14 (Audience disruption)

15 MAYOR KELLY: Okay. At this time,
16 we are ending public comment. I'm sorry,
17 Commissioner Dalton, we're done.

18 (Audience disruption)

19 COMMISSIONER DALTON: I'm completely
20 fine.

21 (Audience disruption)

22 UNIDENTIFIED SPEAKER: (Inaudible)
23 that Robin Dalton was not part of those
24 comments, is a --

25 MAYOR KELLY: So now, I am --



1 (Audience disruption)

2 MAYOR KELLY: -- moving on to the
3 consent --

4 (Audience disruption)

5 COMMISSIONER DALTON: What are you
6 talking about?

7 (Audience disruption)

8 MAYOR KELLY: So I move that the
9 city council --

10 (Audience disruption)

11 UNIDENTIFIED SPEAKER: Boom, boom,
12 boom. Smoke in our faces. Smoke in our
13 faces.

14 MAYOR KELLY: Okay. Let's -- I have
15 to move on to city council business. I'm
16 moving on to city council business.

17 (Audience disruption)

18 MAYOR KELLY: Okay. I'm moving on.
19 I move that the city council approve the
20 consent agenda as included with this
21 agenda.

22 (Audience disruption)

23 MAYOR KELLY: This is a motion. Is
24 there a second?

25 (Audience disruption)



1 COMMISSIONER DALTON: Second.

2 UNIDENTIFIED SPEAKER: You're worse
3 than (indiscernible). You're the --

4 COMMISSIONER DALTON: Sir, are you
5 here to talk about race and bias? Are
6 you here to talk about racism?

7 MAYOR KELLY: Guess not.

8 (Audience disruption)

9 MAYOR KELLY: At this time, we're
10 going to take a five-minute recess. A
11 five-minute recess.

12 (Audience disruption)

13 COMMISSIONER DALTON: Are you still
14 talking about racism? Are you talking
15 about racism?

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 (Audience disruption)

18 MAYOR KELLY: Nobody follows me.

19 So --

20 UNIDENTIFIED SPEAKER: Why are
21 you -- why (indiscernible)?

22 UNIDENTIFIED SPEAKER: She is.

23 UNIDENTIFIED SPEAKER: Do you
24 understand --

25 UNIDENTIFIED SPEAKER: Because she



1 hates me.

2 UNIDENTIFIED SPEAKER: Can you
3 understand that --

4 UNIDENTIFIED SPEAKER: She's racist.

5 UNIDENTIFIED SPEAKER: -- it would
6 go a really long way to reach out to the
7 people that are asking for accountability
8 from you, who are asking to review --

9 UNIDENTIFIED SPEAKER: (Inaudible).

10 UNIDENTIFIED SPEAKER: -- to
11 understand what people are asking for?
12 But time after time defense, defense,
13 defense.

14 MAYOR KELLY: Okay. At this time,
15 Commissioner Madigan has a comment, so --

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 COMMISSIONER MADIGAN: So we clearly
18 have a lot of work to do.

19 (Audience disruption)

20 COMMISSIONER MADIGAN: This council
21 and the next council and the community
22 and all of you in this room --

23 UNIDENTIFIED SPEAKER: (Inaudible).

24 COMMISSIONER MADIGAN: Yes, we can.
25 I think we should.



1 UNIDENTIFIED SPEAKER: (Inaudible).

2 COMMISSIONER MADIGAN: So this is
3 what I want to get at, you know. I think
4 we need some mediation.

5 (Audience disruption)

6 COMMISSIONER MADIGAN: I would like
7 to discuss this with the rest of the
8 council and see how they feel, you know,
9 but it does -- it seems like we need some
10 professional mediation, and that we could
11 all sit down and work through a
12 professional mediator --

13 UNIDENTIFIED SPEAKER: (Inaudible).

14 COMMISSIONER MADIGAN: -- with the
15 community and figure out how we can
16 progress forward with these issues.

17 COMMISSIONER DALTON: I would agree
18 with that --

19 (Audience disruption)

20 COMMISSIONER DALTON: -- and I would
21 agree with that and that the last
22 thirteen months I have reached out the
23 Saratoga Black Lives Matter leadership
24 repeatedly again and again and again via
25 phone, via email, via Facebook message,



1 via text --

2 UNIDENTIFIED SPEAKER: (Inaudible).

3 COMMISSIONER DALTON: -- asking to
4 talk --

5 UNIDENTIFIED SPEAKER: Why is
6 (inaudible)?

7 COMMISSIONER DALTON: I want to
8 finish my statement. Let me finish my
9 statement.

10 UNIDENTIFIED SPEAKER: (Inaudible).

11 COMMISSIONER DALTON: Over a dozen
12 times I have reached out. I have said
13 here I am, here is my contact
14 information. I am ready to talk. Again
15 and again and again and I am met with
16 silence. I want to sit down. I want to
17 talk. I want to listen.

18 UNIDENTIFIED SPEAKER: (Inaudible)
19 violence.

20 COMMISSIONER DALTON: That is all I
21 want --

22 MAYOR KELLY: I'm going to ask if --

23 COMMISSIONER MADIGAN: I want the
24 floor back.

25 (Speaking in unison)



1 COMMISSIONER MADIGAN: I'm sorry. I
2 would like the floor back. I won't -- I
3 won't take too long.

4 But yes. And then I did want to
5 touch upon the Police Reform Task Force.
6 I do want the community to know at the
7 last city council meeting, we did have an
8 update from the task force. It was on
9 the agenda. And they provided -- they're
10 going to come --

11 UNIDENTIFIED SPEAKER: (Inaudible).

12 COMMISSIONER MADIGAN: -- not --
13 not -- the committee that came out of the
14 Police Reform Task Force. I'm not -- I
15 don't want to go into -- I can't hear
16 you, Kristen (ph.), but I want to let the
17 community know that I had been meeting --

18 UNIDENTIFIED SPEAKER: (Inaudible).

19 COMMISSIONER MADIGAN: I don't know.
20 I can't hear you, Kristen. I just --

21 UNIDENTIFIED SPEAKER: (Inaudible).
22 It's all about next steps.

23 COMMISSIONER MADIGAN: Okay.

24 UNIDENTIFIED SPEAKER: (Inaudible)
25 people (inaudible).



1 COMMISSIONER MADIGAN: So that's why
2 I am bringing this up right now because
3 they are meeting and they have met with
4 me, because the goal is to look at all
5 fifty of the recommendations which were
6 accepted by this city council.

7 UNIDENTIFIED SPEAKER: (Inaudible).

8 COMMISSIONER MADIGAN: We had a long
9 discussion about a civilian review board
10 and what it was going to take to bring
11 one. We had Kim Galvin also discussed
12 all of the other topics that were brought
13 forward.

14 UNIDENTIFIED SPEAKER: (Inaudible).

15 COMMISSIONER MADIGAN: Look, it's --

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 COMMISSIONER MADIGAN: I -- we
18 had --

19 UNIDENTIFIED SPEAKER: You have to
20 look at every way that (inaudible) did.
21 She's --

22 COMMISSIONER DALTON We passed a
23 fifty-point Police Reform Act as a
24 council --

25 (Audience disruption)



1 COMMISSIONER DALTON: -- that we are
2 trying to implement right now.

3 UNIDENTIFIED SPEAKER: Right now.

4 COMMISSIONER DALTON: And what
5 Commissioner Madigan is trying to say --
6 listen, we are quiet when you're talking;
7 please be quiet so we can talk for a
8 moment.

9 COMMISSIONER MADIGAN: I really just
10 want to get my message out.

11 (Audience disruption)

12 UNIDENTIFIED SPEAKER: You're lying.

13 COMMISSIONER MADIGAN: I'm not
14 lying.

15 UNIDENTIFIED SPEAKER: You're lying.

16 (Inaudible) told me about that. Three
17 members were consulted.

18 COMMISSIONER MADIGAN: I --

19 UNIDENTIFIED SPEAKER: (Inaudible)
20 thirteen members.

21 COMMISSIONER MADIGAN: I did not
22 pick the committee.

23 UNIDENTIFIED SPEAKER: (Inaudible).

24 COMMISSIONER MADIGAN: But I am
25 meeting regularly with the committee.



1 UNIDENTIFIED SPEAKER: (Inaudible).

2 COMMISSIONER MADIGAN: I am --

3 MAYOR KELLY: This is a joke.

4 COMMISSIONER MADIGAN: I --

5 UNIDENTIFIED SPEAKER: (Inaudible).

6 COMMISSIONER MADIGAN: I'd really
7 like to just have the floor for one
8 second. I mean, come on, we can do that.

9 UNIDENTIFIED SPEAKER: (Inaudible).

10 COMMISSIONER MADIGAN: Because this
11 is a concern that came up, and it's going
12 to come up again. You did a lot of work
13 on that, and it was appreciated, and
14 there's a lot of good content there.

15 And so I am meeting regularly with
16 the police department, and I will meet
17 with you, and I will meet with anyone in
18 this room about it, because a lot of
19 those things need to be backed by
20 funding, and that's why I'm there to make
21 sure the funding's going to be behind it
22 so that we can actually take all of those
23 fifty points and move them forward.

24 UNIDENTIFIED SPEAKER: (Inaudible).

25 COMMISSIONER MADIGAN: And that's --



1 and that's all I wanted to say right now.

2 UNIDENTIFIED SPEAKER: (Inaudible).

3 MAYOR KELLY: Okay. At this time,
4 we are moving on to city council.

5 COMMISSIONER MADIGAN: And that was
6 a horrid comment that was made, by the
7 way. Absolutely horrid comment.

8 UNIDENTIFIED SPEAKER: Which one?

9 COMMISSIONER MADIGAN: The one --
10 that horrid one you read out. And I'm so
11 sorry.

12 UNIDENTIFIED SPEAKER: That was.

13 COMMISSIONER MADIGAN: It was
14 absolutely --

15 UNIDENTIFIED SPEAKER: And it's
16 (inaudible) -- and our people --

17 COMMISSIONER MADIGAN: Absolutely --

18 UNIDENTIFIED SPEAKER: (Inaudible).

19 (Audience disruption)

20 COMMISSIONER DALTON: The question
21 is if you're going to make an argument --
22 (Audience disruption).

23 MAYOR KELLY: I want to say can we
24 talk about the issues? Why do you have
25 to make everything personal? Let's talk



1 about the actual issues. We want to move
2 this forward?

3 (Audience disruption)

4 COMMISSIONER DALTON: Oh, my God.

5 MAYOR KELLY: Our next meeting we'll
6 be meeting with you.

7 UNIDENTIFIED SPEAKER: (Inaudible) a
8 personal attack.

9 UNIDENTIFIED SPEAKER: Yeah.

10 UNIDENTIFIED SPEAKER: If you've
11 ever been called a nigger --

12 UNIDENTIFIED SPEAKER: Yeah.

13 UNIDENTIFIED SPEAKER: -- it's a
14 personal attack.

15 UNIDENTIFIED SPEAKER: Yeah.

16 MAYOR KELLY: So --

17 UNIDENTIFIED SPEAKER: (Inaudible).

18 (Audience disruption)

19 COMMISSIONER DALTON: Do you want
20 to -- so do we all agree that we want to
21 have a conversation?

22 MAYOR KELLY: Okay. Okay.

23 (Audience disruption)

24 COMMISSIONER DALTON: Do we all
25 agree that we want to have a



1 conversation?

2 (Audience disruption)

3 COMMISSIONER DALTON: You can't just
4 (indiscernible).

5 MAYOR KELLY: Okay. I'm going to
6 ask that everybody exit --

7 UNIDENTIFIED SPEAKER: (Inaudible).

8 MAYOR KELLY: -- to know that public
9 comment --

10 UNIDENTIFIED SPEAKER: (Inaudible).

11 MAYOR KELLY: -- is over. I'm
12 moving on to city business, please. I
13 have to move on to city business. Thank
14 you.

15 UNIDENTIFIED SPEAKER: No
16 (inaudible).

17 COMMISSIONER MADIGAN: Next
18 (inaudible).

19 MAYOR KELLY: Thank you.

20 UNIDENTIFIED SPEAKER: You're a
21 liar.

22 MAYOR KELLY: Thank you.

23 UNIDENTIFIED SPEAKER: (Inaudible).

24 MAYOR KELLY: I'm going to --

25 UNIDENTIFIED SPEAKER: (Inaudible).



1 MAYOR KELLY: I'm going to --

2 UNIDENTIFIED SPEAKER: (inaudible).

3 MAYOR KELLY: I'm going to move on

4 to city business.

5 UNIDENTIFIED SPEAKER: (Inaudible)

6 have a conversation.

7 (Audience disruption)

8 COMMISSIONER DALTON: Have a

9 conversation.

10 (Audience disruption)

11 MAYOR KELLY: Everybody please.

12 (Audience disruption)

13 MAYOR KELLY: You can sit quietly.

14 UNIDENTIFIED SPEAKER: People

15 (inaudible).

16 MAYOR KELLY: You can sit quietly.

17 (Audience disruption)

18 MAYOR KELLY: We need to sit

19 quietly, please, and be respectful.

20 (Audience disruption)

21 MAYOR KELLY: So if we could please

22 sit down and I have to move on with city

23 business. Thank you.

24 (Audience disruption)

25 MAYOR KELLY: I appreciate all of



1 your comments.

2 (Audience disruption)

3 MAYOR KELLY: Okay.

4 (Audience disruption)

5 MAYOR KELLY: Okay. We're really --
6 at this point --

7 (Audience disruption)

8 MAYOR KELLY: It's okay. What I
9 mean, I have to get onto city business.

10 (Audience disruption)

11 COMMISSIONER MADIGAN: I would very
12 much like to see our next meeting be a
13 mediated meeting, and we will discuss
14 these things openly.

15 (Audience disruption)

16 MAYOR KELLY: So --

17 (Audience disruption)

18 MAYOR KELLY: So --

19 (Audience disruption)

20 MAYOR KELLY: So I think that --
21 that --

22 UNIDENTIFIED SPEAKER:

23 (Indiscernible) for Rob Arrigio (sic) and
24 Moving Saratoga Forward.

25 MAYOR KELLY: We have --



1 UNIDENTIFIED SPEAKER:

2 (Inaudible) --

3 MAYOR KELLY: And I'll talk to --

4 UNIDENTIFIED SPEAKER: -- Bob

5 Arrigio (sic) in her --

6 MAYOR KELLY: I do (indiscernible).

7 UNIDENTIFIED SPEAKER: And she --

8 MAYOR KELLY: We have to move

9 forward. --

10 UNIDENTIFIED SPEAKER: (Inaudible)

11 Moving Saratoga Forward --

12 COMMISSIONER MADIGAN: So I did. I

13 am not ashamed of that. But I also -- I

14 also post on your pages too, and I also

15 support you.

16 (Audience disruption)

17 COMMISSIONER DALTON: Wait. I think

18 we need to either take a recess or

19 restart. I mean, we have to, like, move

20 on with the agenda; do we not?

21 MAYOR KELLY: How am I going to do

22 this?

23 COMMISSIONER DALTON: Yes.

24 (Audience disruption)

25 MAYOR KELLY: Awful.



1 COMMISSIONER FRANCK: Let it go.

2 We're good.

3 (Audience disruption)

4 UNIDENTIFIED SPEAKER: Resign,
5 please.

6 UNIDENTIFIED SPEAKER: You shall not
7 get elected.

8 UNIDENTIFIED SPEAKER: No, not
9 (inaudible) in less than two months.

10 UNIDENTIFIED SPEAKER: Yeah.

11 UNIDENTIFIED SPEAKER: Robin Dalton
12 is a female version of Trump.

13 UNIDENTIFIED SPEAKER: She wish she
14 was. She wish she was.

15 UNIDENTIFIED SPEAKER: At least
16 (inaudible).

17 UNIDENTIFIED SPEAKER: Republicans,
18 and Independents, Democrats, everything.
19 Never -- (inaudible).

20 COMMISSIONER MADIGAN: It's just all
21 mean. Everybody's just being super mean.

22 (Audience disruption)

23 COMMISSIONER MADIGAN: Yeah. Yeah.
24 It's mean. I understand.

25 (Audience disruption)



1 COMMISSIONER MADIGAN: It's time to
2 stop. It's time to stop.

3 (Audience disruption)

4 COMMISSIONER DALTON: It's okay,
5 Commissioner Madigan; I can take it.

6 (Audience disruption)

7 COMMISSIONER MADIGAN: I understand.

8 (Audience disruption)

9 COMMISSIONER DALTON: I can take it.
10 Don't worry. I can take it. I can take
11 it.

12 (Audience disruption)

13 UNIDENTIFIED SPEAKER: There's a
14 picture of her, like, with us saying
15 capture this and (inaudible) it talks
16 about the watermelon (inaudible) and all
17 that --

18 COMMISSIONER MADIGAN: It's awful,
19 and I'm agreeing with that. That's mean
20 too. That's all mean.

21 UNIDENTIFIED SPEAKER: (Inaudible) a
22 police report on her. (Inaudible)
23 police.

24 (Audience disruption)

25 COMMISSIONER MADIGAN: Everything's



1 mean and violent these days. I don't
2 even want to be here.

3 (Audience disruption)

4 (Police called in)

5 UNIDENTIFIED SPEAKER: Just me?
6 Just me?

7 POLICE: You're being disruptive.
8 You have to leave. We've asked you to
9 leave several times. We're asking you to
10 leave.

11 (Audience disruption)

12 POLICE: You're being disruptive.
13 Yes.

14 UNIDENTIFIED SPEAKER: (Inaudible).
15 (Audience disruption)

16 UNIDENTIFIED SPEAKER: (Inaudible),
17 Mayor Kelly and Scirocco, as well as
18 (inaudible).

19 (Audience disruption)

20 POLICE: I'm here. (Inaudible).
21 Then leave.

22 UNIDENTIFIED SPEAKER: I'm leaving.

23 POLICE: Find your way out of here.

24 UNIDENTIFIED SPEAKER: I'm leaving.
25 (Audience disruption)



1 MAYOR KELLY: Okay. Council, I'm
2 going to resume the meeting.

3 So at this time, I move that the
4 city council approve the consent agenda
5 as included with the agenda. This is a
6 motion. Is there a second?

7 COMMISSIONER DALTON: Second.

8 MAYOR KELLY: Any discussion?

9 All those in favor, say aye.

10 COMMISSIONER FRANCK: Aye.

11 COMMISSIONER MADIGAN: Aye.

12 COMMISSIONER DALTON: Aye.

13 MAYOR KELLY: Any opposed? The
14 matter passes.

15 On to the Mayor's Department. My
16 first item is to set a public hearing,
17 amend capital program and budget for the
18 recreation skate park project utilizing
19 subdivision recreation fees.

20 I would like to set this for August
21 3rd at 6:55 would be great. Thank you,
22 Lisa.

23 My second item is discussion and
24 vote, approval to pay Kenneth Henderson
25 1,347 dollars. This is a recreation



1 invoice for pickleball workshops provided
2 by Kenneth Henderson. I move that the
3 city council approve the pay to
4 invoice -- to pay the invoice from
5 Kenneth Henderson in the amount of 1,347
6 dollars. This is a motion. Is there a
7 second?

8 COMMISSIONER MADIGAN: Second.

9 MAYOR KELLY: Any discussion?

10 All those in favor, say aye.

11 COMMISSIONER FRANCK: Aye.

12 COMMISSIONER MADIGAN: Aye.

13 MAYOR KELLY: Any opposed? The
14 matter passes.

15 My next item is an appointment to
16 the Board of Plumbing Examiners. I am
17 reappointing William Benton, better known
18 as Bill Benton to serve on the Board of
19 Plumbing Examiners for a term of 8/6/21
20 to 1/1/25.

21 My next item is discussion and vote,
22 MOA, between the City of Saratoga Springs
23 and unions, and I'd like to ask Vince
24 just to give us an overview on that.

25 (Background noise)



1 MAYOR KELLY: Can you please shut
2 that door? Thank you.

3 COMMISSIONER DALTON: Oh, my God.

4 MAYOR KELLY: I'm sorry. I'm sorry.

5 (Background noise)

6 MAYOR KELLY: Thank you, Vince. Go
7 ahead.

8 MR. DELEONARDIS: Thank you, Mayor.

9 We discussed this briefly yesterday
10 at pre-agenda. You'll recall that as a
11 result of the COVID-19 pandemic we met
12 with the seven unions to discuss
13 concessions. They did agree to provide
14 for a deferral of a two percent wage
15 increase that they're contractually
16 entitled to, as well as steps, longevity,
17 clothing allowances, and things of that
18 sort.

19 With the easing of restrictions with
20 the assistance of federal aid and with
21 sound fiscal management, the economic
22 outlook has allowed for the city to
23 consider reimplementing or restating some
24 of those concessions, and this MOA
25 provides for that.



1 So you'll see that it indicates that
2 the deferral of the two percent wage rate
3 increase will be moved from 1159 on
4 December 31st until July 31st for six of
5 the seven unions or until August 1st for
6 DPW just to align with their payroll.

7 It also provides for the
8 reestablishment of clothing allowances in
9 the amount of forty-two percent or
10 5/12ths. Similarly, for the holiday pay
11 that the PBA provided for in pants,
12 boots, and shirts for GPW. So the MOA
13 outlines this provision, and it's up for
14 discussion and votes. So if there are
15 any questions?

16 MAYOR KELLY: No. Thank you, Vince.

17 I move that the city council approve
18 the MOA between the City of Saratoga
19 Springs and all the unions. This is a
20 motion. Is there a second?

21 COMMISSIONER FRANCK: Second.

22 COMMISSIONER MADIGAN: Second.

23 MAYOR KELLY: Any discussion? I
24 would just like to thank Commissioner
25 Madigan --



1 COMMISSIONER MADIGAN: Yeah.

2 MAYOR KELLY: -- and your team for
3 helping out getting this to --

4 COMMISSIONER DALTON: Me too.

5 MAYOR KELLY: -- earlier than
6 expected.

7 COMMISSIONER DALTON: Me too. I
8 know our unions are deeply appreciative.
9 I'm really -- I'm really grateful for all
10 the work you guys did in making this
11 happen.

12 COMMISSIONER MADIGAN: Thank you.
13 I'm just really pleased we're in the
14 situation we're in right now.

15 MAYOR KELLY: Yeah.

16 COMMISSIONER MADIGAN: Yeah. We're
17 really coming out of COVID, at least
18 financially, you know. Lots of other
19 work to do.

20 MAYOR KELLY: Yep.

21 COMMISSIONER MADIGAN: But
22 financially, we're getting there.

23 MAYOR KELLY: All those in favor,
24 say aye.

25 COMMISSIONER FRANCK: Aye.



1 COMMISSIONER MADIGAN: Aye.

2 COMMISSIONER DALTON: Aye.

3 MAYOR KELLY: Any opposed? The
4 matter passes.

5 Our next item is discussion and
6 vote, Mayor to sign letter of support for
7 2021 community planning technical
8 assistance program application.

9 The Saratoga-Wilton Greenbelt Trail
10 planning technical support project will
11 assist the city of Saratoga Springs, the
12 Town of Wilton, and Saratoga County
13 identify bicycle and pedestrian routing
14 options within the developed auto center
15 commercial quarter of the northeastern
16 corner of the city, and the southwestern
17 corner of the Town of Wilton to promote
18 healthy alternative vehicular travel.

19 I move that the city council
20 authorize the Mayor to sign a letter of
21 support for the 2021 community planning
22 technical assistance program application.
23 This is a motion. Is there a second?

24 COMMISSIONER MADIGAN: Second.

25 MAYOR KELLY: Any discussion? All



1 those in favor, say aye.

2 COMMISSIONER MADIGAN: Aye.

3 MAYOR KELLY: Any opposed? The
4 matter passes.

5 My next item is discussion and vote,
6 application to the 2021 community
7 planning technical assistance program.
8 The community planning technical
9 assistance program will assist the city
10 and town to access transportation routing
11 options as identified --

12 COMMISSIONER DALTON: Mayor Kelly,
13 can we take a minute just -- because I --
14 I can't, like, focus right now. Can we
15 take a five-minute quick break till the
16 hallway calms down a little bit?

17 MAYOR KELLY: No, I'm going to keep
18 going.

19 COMMISSIONER DALTON:
20 (Indiscernible) through this.

21 MAYOR KELLY: Yeah. Technical
22 assistance provided by the CDTC and the
23 CDRPC will help identify locations for
24 buses, shared vehicles, shared ride
25 services, bicycling, walking



1 infrastructure, accident incidents, and
2 community needs.

3 I move that the city council approve
4 the application to the 2021 Community
5 Planning Technical Assistance Program as
6 described with the agenda. This is a
7 motion. Is there a second?

8 COMMISSIONER FRANCK: Second.

9 COMMISSIONER MADIGAN: Second.

10 MAYOR KELLY: Any discussion? All
11 those in favor, say aye.

12 COMMISSIONER FRANCK: Aye.

13 COMMISSIONER MADIGAN: Aye.

14 COMMISSIONER DALTON: Aye.

15 MAYOR KELLY: Opposed? The matter
16 passes.

17 My next item is discussion and vote,
18 no-cost contract extension for William
19 Keller Construction for Geysers Road
20 Trail. Due to COVID supply chain issues,
21 delivery of materials for traffic
22 signals, mask arms was delayed.
23 Electrical work on sites also delayed due
24 to COVID staffing shortages.

25 The Mayor's office requested a no-



1 cost contract extension to be granted to
2 William Keller to complete the Geyser
3 Road Trail. The contract time deadline
4 was May 31, 2021, and two outstanding
5 items are needed with the inspection of
6 the traffic signal and mask arms and
7 inspection of the crosswalks. This
8 approval extends the contract until
9 December 31, 2021.

10 I move that the city council approve
11 the no-cost contract extension to William
12 J. Keller to complete the Geyser Road
13 Trail. This is a motion, is there a
14 second?

15 COMMISSIONER MADIGAN: Second.

16 THE COURT: Any discussion? All
17 those in favor, say aye.

18 COMMISSIONER MADIGAN: Aye.

19 COMMISSIONER DALTON: Aye.

20 MAYOR KELLY: Any opposed? The
21 matter passes.

22 My next item is discussion and vote
23 to approve the invitation for bid for
24 sale of vacant property, Henry Street and
25 Caroline Street. And I'll ask Vince just



1 to give us a little overview on this.

2 MR. DELEONARDIS: Sure. Thank you,
3 Mayor.

4 You'll recall that recently, the
5 council adopted a resolution unanimously
6 indicating that the parcel owned by the
7 city on the corner of Henry Street and
8 Caroline Street to no longer be suitable
9 or useful or necessary for municipal
10 purposes and authorize the sale -- the
11 sale of that property. It is a vacant
12 lot currently used for surface parking.

13 That resolution also indicated that
14 I would prepare an IFB or an invitation
15 for bids. I have done that in
16 conjunction with the director of risk and
17 safety, Marilyn Rivers, and the assistant
18 purchasing agent, Stefanie Richards, and
19 we have prepared the document that's
20 before you this evening.

21 The property was appraised by the
22 city with an indicated value of 500,000
23 dollars and the minimum acceptable bid is
24 set at that threshold. And the only
25 question for council to provide in



1 conjunction with this IFP is the time
2 frame for responses.

3 I would propose twenty-one days or
4 three weeks, if that's acceptable, with
5 you. That's essentially the only blank
6 that would need to be filled in. But if
7 you're okay with that, and you'll approve
8 the IFP, this will be submitted as soon
9 as tomorrow.

10 COMMISSIONER FRANCK: I'd say based
11 on, over the years with meetings with the
12 controller and stuff, they usually have a
13 twenty-one-day period. So --

14 MR. DELEONARDIS: Yeah.

15 COMMISSIONER FRANCK: -- that
16 would -- that makes sense.

17 MR. DELEONARDIS: Are you
18 comfortable with that?

19 COMMISSIONER FRANCK: Yeah, I
20 wouldn't go any shorter, because I know
21 yesterday, you were talking, like, two
22 weeks, but I think twenty-one days is
23 proper.

24 COMMISSIONER DALTON: Yeah, I'm good
25 with twenty-one.



1 MR. DELEONARDIS: Okay.

2 MAYOR KELLY: Um-hum. Everybody
3 good?

4 COMMISSIONER MADIGAN: Yep.

5 MAYOR KELLY: Okay. Thank you.

6 I move that the city council approve
7 the IFB for the sale of vacant property
8 at Henry and Caroline Street. This is a
9 motion. Is there a second?

10 COMMISSIONER DALTON: Second.

11 MAYOR KELLY: Any discussion? All
12 those in favor, say aye.

13 COMMISSIONER FRANCK: Aye.

14 COMMISSIONER MADIGAN: Aye.

15 COMMISSIONER DALTON: Aye.

16 MAYOR KELLY: Any opposed? The
17 matter passes.

18 My next item is discussion, advisory
19 opinions from design review commission
20 and county planning boards regarding the
21 UDO.

22 The board advisory opinions
23 requested by the counsel for the UDO can
24 be found on the city's website. Vince
25 will discuss these with us and -- as well



1 as the next two items.

2 MR. DELEONARDIS: Thank you, Mayor.

3 MAYOR KELLY: Um-hum.

4 MR. DELEONARDIS: So you'll see from
5 the slide that Lisa has up with regard to
6 the time line, the -- draft 1 of the UDO
7 was released in January of 2020.
8 Thereafter, draft 2 came out in September
9 of 2020. Draft 3 came out in April of
10 2021. And in May of this year, you
11 determined that the final draft of the
12 UDO had merit for review, and referred
13 that to the county, city planning boards,
14 and the DRC.

15 The county -- I'm sorry; the city
16 planning board and the DRC both requested
17 an extension of time to provide for their
18 opinion. And to date, we have received
19 the advisory opinion from the DRC, and
20 the county planning board.

21 The DRC issued a unanimous favorable
22 opinion, and the county planning board
23 issues a favorable advisory opinion as
24 well.

25 The DRC did point out, although



1 finding their favorable opinion, that
2 there were a number of areas that they
3 enumerated in their draft letter that
4 they want the council to take a look at
5 and consider, and these are the things
6 that we will get into when the workshops
7 start which I know is two agenda items
8 from now.

9 MAYOR KELLY: Right.

10 MR. DELEONARDIS: But we'll talk
11 about those dates in a moment.

12 Likewise, the county also
13 highlighted a couple of areas that they
14 wanted the council to take a look at.

15 One of them is with respect to our
16 South Broadway gateway. It's currently
17 identified as TRB, or tourist-related
18 business, in our zoning ordinance. In
19 the UDO, we propose that TRB be referred
20 to as gateway, commercial-rural". And
21 one of the issues has been brought up --
22 and Commissioner Madigan also pointed
23 this out in her letter to the land use
24 boards -- was with regard to the
25 Department of the Gateway District.



1 So for those of you familiar with
2 the area, it's generally a rural
3 residential area, but along Route 9,
4 South Broadway, that's the gateway, and
5 we have identified an area on either side
6 of the roadway which serves that purpose.

7 The current zoning ordinance in the
8 fact the UDO has proposed shows that
9 delineation of the gateway, or currently
10 the TRB, as somewhere in the proximity of
11 250 feet. Whereas, in most of the other
12 locations in the city, we did make an
13 effort to eliminate split zoning. That
14 is where a single parcel of land has
15 multiple zoning districts on that, but
16 this was one area where we found it
17 difficult to, in fact, eliminate split
18 zoning because the depth of the lots in
19 certain of those parcels is so deep that
20 it really, we felt, hindered the purpose.

21 So the county planning board -- and
22 I do know, even though we haven't yet
23 received their advisory opinion -- the
24 city planning board is taking a look at
25 this as well -- wants the council to take



1 a look at the appropriate depth, and
2 whether the proposal of 250 feet is
3 sufficient, or whether a different amount
4 would be more appropriate. Some of the
5 concerns were raised that well, you know,
6 when you look at what type of development
7 you want in the gateway, does a depth of
8 250 feet allow for that? Does it hinder
9 that? Would you be able to have some of
10 the uses that are contemplated and,
11 perhaps, a more significant depth would
12 be appropriate?

13 But this was called out by one of
14 the other areas was with regard to
15 Commissioner Madigan's inquiry with
16 respect to Saratoga National and the
17 definition of a clubhouse. I can tell
18 you that the county planning board really
19 didn't get into that.

20 The DRC, recognizing the limitations
21 of their purview didn't go too deep into
22 it, but did acknowledge that there --
23 there could be some creative development
24 that would be appropriate under their
25 purview.



1 The city planning board is digging a
2 little deeper, probably, I think, into
3 that issue, and so we'll wait to hear
4 what they're going to come back with.

5 But on the very next agenda item is
6 a request by our city planning board for
7 an additional two-week extension.

8 MAYOR KELLY: Okay.

9 MR. DELEONARDIS: So they do feel
10 comfortable that they will be able to
11 provide their opinion with that
12 additional time frame. That will result
13 in the opinion coming back in advance of
14 the first workshop that is tentatively
15 scheduled which is the item after that
16 one on the agenda. But that's where we
17 are with regard to the advisory opinions
18 received to date.

19 So we've received the county, the
20 DRC. We're just waiting on the city
21 planning board.

22 MAYOR KELLY: Great. Thank you,
23 Vince.

24 COMMISSIONER FRANCK: Vince, I just
25 had a qu -- you know, because I know



1 Commissioner Madigan had brought the one
2 property up, I've got a number of calls
3 from people on South Broadway. I worked
4 with Supervisor Veitch on the GAPS
5 Program. Seems like a year ago, but over
6 a decade ago; it was a while back.

7 And with, like, 250 feet there,
8 they're looking for 700. So there's a --
9 I'm getting that. Something about
10 there's also some properties on the edge
11 of town where they're looking to
12 potentially put rec things. But there
13 are -- do we bring these forward during
14 the workshop? We're -- because I'm
15 getting calls --

16 MAYOR KELLY: Yes.

17 COMMISSIONER FRANCK: -- I'm having
18 people call me constantly.

19 MR. DELEONARDIS: I can tell you--

20 COMMISSIONER FRANCK: Do I give it
21 to you -- the list now so you -- because
22 I didn't know what the process was.

23 MR. DELEONARDIS: You certainly
24 can --

25 COMMISSIONER FRANCK: Okay.



1 MR. DELEONARDIS: -- Commissioner.
2 I can tell you that we have staff, you
3 know, as we get comments relating to the
4 final draft, draft 3, and as we
5 participate in and hear the comments
6 coming back from the land use boards, are
7 going to be hopefully guiding these
8 workshops in focused areas.

9 There's going to be a number of
10 changes, quite honestly, that are
11 insignificant, minor changes, that I
12 think what we'll do is summarize those
13 somehow and bullet point or in some sort
14 of narrative, and then present those to
15 you so you can just review them globally,
16 but we're going to focus on certain
17 areas.

18 The gateway for Route 9 in
19 particular as I -- is going to be an area
20 I know we're going to need to discuss.
21 The Saratoga National is going to be one.
22 The uses and the RR are going to be one.

23 While we don't have the city
24 advisory opinion, they are calling out
25 some concern, if you will, for certain



1 proposed uses: campgrounds, country
2 club, even existing uses in the current
3 zoning ordinance, marina, you know, and
4 wants the council to take a look at some
5 of those areas as well.

6 So we hope to focus the
7 conversation, but if you have some items
8 that you want to show us --

9 COMMISSIONER FRANCK: Yeah, I have
10 at least four. And you know, what
11 attorneys are coming to me and saying,
12 you know, what's the process because
13 they're ready just to start putting --
14 trying to get PUDs right away before this
15 process ends to try to get it in to the
16 queue. And, you know, then I think
17 they'd probably go other special --

18 COMMISSIONER MADIGAN: Yeah, no.
19 They're -- they're coming.

20 COMMISSIONER FRANCK: Yeah. So --

21 COMMISSIONER MADIGAN: There's a few
22 more out there that I think maybe we
23 should funnel --

24 COMMISSIONER FRANCK: Yeah.

25 COMMISSIONER MADIGAN: -- so that we



1 can --

2 COMMISSIONER FRANCK: And I just
3 didn't want to -- the process -- I just
4 wanted to know the process just so I can
5 tell these various people that -- because
6 I just didn't know till we -- you know, I
7 was out last week. I accepted all the
8 dates for the schedules and all that, but
9 I just wanted to find the process. So
10 that -- I will get hold of them and
11 funnel it to you.

12 MR. DELEONARDIS: I'd be happy to
13 take a look at those. And again, you're
14 welcome --

15 COMMISSIONER FRANCK: And I'm not
16 pro or con for any of these. It's just
17 they come to me a lot of it because -- a
18 lot of the South Broadway because of the
19 work that Matt and I worked on together.
20 And then there's a property that, I
21 think, would technically be gateway, but
22 most people don't even know it's in
23 Saratoga. They're looking to develop.
24 But at the same time, they're looking to
25 get fields for it.



1 So I don't want it to be like an
2 overlay district. I just don't -- but I
3 don't want to convolute the works at the
4 same time. So I just -- I will -- I will
5 contact them and get that information.

6 MAYOR KELLY: Yeah, I think the more
7 we get now is better.

8 COMMISSIONER FRANCK: Right.

9 MAYOR KELLY: So we could actually
10 get everybody --

11 COMMISSIONER FRANCK: I met with
12 one -- I met with a number of people who
13 are, like, they call, and they just bring
14 them over to my office and then
15 Commissioner Madigan and I looked at an
16 area where we got a call. And so I
17 just -- but this wasn't up yet till,
18 like, a week ago.

19 MR. DELEONARDIS: Yep. So just keep
20 in mind, too, with regard to the issue of
21 people are waiting to try to get
22 something in. If this UDO is ultimately
23 adopted by the city council, one of the
24 things that will have to be discussed at
25 the time of adoption is the date of



1 implementation.

2 COMMISSIONER FRANCK: Right, which
3 is going to be a couple of months down
4 the road.

5 MR. DELEONARDIS: Yes.

6 COMMISSIONER MADIGAN: Um-hum.

7 MR. DELEONARDIS: It would be -- I
8 can tell you Tony and I are going to have
9 to take a look if it passes at literally
10 every chapter in our code to make sure it
11 doesn't run afoul of any provision in the
12 UDO as compared to the current zoning
13 ordinance. But there are people,
14 applicants, if you will, who, in fact,
15 will be waiting for that moment and
16 either get something in before, or people
17 who are conversely waiting for the UDO
18 to --

19 COMMISSIONER FRANCK: Correct. And
20 so these attorneys have come to me and
21 say do we need to pull the trigger right
22 now? And I said I think -- I don't know
23 the answer, but I believe the
24 workshops -- because at that time, I met
25 in late June or late July, I said, you



1 know, I'll find out what the process is.

2 MR. DELEONARDIS: Yeah.

3 COMMISSIONER FRANCK: And then I'll
4 just give it to you guys and then we'll
5 go from there.

6 MR. DELEONARDIS: Yep.

7 COMMISSIONER FRANCK: Thanks.

8 MAYOR KELLY: Thank you.

9 COMMISSIONER SCIROCCO: This -- the
10 250 foot, is that a setback -- setback
11 from off of the road? Is that --

12 MR. DELEONARDIS: It's off the ro --

13 COMMISSIONER SCIROCCO: At the --

14 MR. DELEONARDIS: So after going
15 down Route 9 --

16 COMMISSIONER SCIROCCO: Yeah.

17 MR. DELEONARDIS: -- and there's two
18 sections of it.

19 COMMISSIONER SCIROCCO: Yeah.

20 MR. DELEONARDIS: The northern part
21 or the South Broadway section is in the
22 vicinity of Saratoga Honda and Four Winds
23 and the vacant -- now vacant driving
24 range --

25 COMMISSIONER SCIROCCO: Um-hum.



1 MR. DELEONARDIS: -- that, in our
2 current ordinance, we've identified as
3 OMB, which is really awkward, I think,
4 for that particular location.

5 COMMISSIONER SCIROCCO: Always has
6 been.

7 MR. DELEONARDIS: We have included
8 that and the gateway, commercial-rural.
9 And then you go further south on South
10 Broadway and those corridor are
11 identified as gateway, commercial-rural
12 as well.

13 And then how far into those areas
14 off of Route 9 is currently in the
15 ballpark of 250 feet. Some of the
16 concerns are if you envision certain uses
17 like, for example, a hotel and then
18 realize that you have to have parking,
19 you know, frontage requirements, is 250
20 feet too shallow to even allow for the
21 uses that you're calling.

22 COMMISSIONER SCIROCCO: Maybe too
23 much.

24 MAYOR KELLY: No, it's not enough.
25 A lot of --



1 COMMISSIONER MADIGAN: It's like a
2 tiny little sliver of parcels.

3 MR. DELEONARDIS: You'll need more
4 than 250 feet --

5 COMMISSIONER SCIROCCO: Oh, yes.
6 Yes.

7 MR. DELEONARDIS: -- to actually
8 develop --

9 COMMISSIONER SCIROCCO: Yes.

10 MR. DELEONARDIS: -- some of the
11 uses that you're following up for.

12 COMMISSIONER SCIROCCO: Yes.

13 MR. DELEONARDIS: And then that begs
14 the question if you --

15 COMMISSIONER MADIGAN: It's actually
16 more room.

17 MR. DELEONARDIS: -- actually want
18 to follow up for those units. But --

19 COMMISSIONER SCIROCCO: Depending on
20 what you can use that 250 feet or.

21 MAYOR KELLY: Right. Exactly.

22 COMMISSIONER SCIROCCO: I guess it
23 would depend on that. That's my concern.

24 MR. DELEONARDIS: Well, I think it
25 will.



1 COMMISSIONER SCIROCCO: What can you
2 use it for?

3 MR. DELEONARDIS: Keep in mind too
4 that when you revert back to the
5 comprehensive plan --

6 COMMISSIONER SCIROCCO: Yeah.

7 MR. DELEONARDIS: -- and everything
8 as far as the future land use map and the
9 comprehensive plan is identified by
10 nonspecific bubbles, if you will --

11 COMMISSIONER SCIROCCO: Um-hum.

12 MR. DELEONARDIS: -- they're just --
13 they're just these little, you know,
14 areas identified in very rough
15 nonspecific circles. And the area along
16 South Broadway is just these, you know,
17 areas on either side that are identified.
18 They're not parcel specific. So when you
19 correlate that to a zoning map which then
20 is partial specific, you do have a little
21 bit of challenge of finding where that
22 line is appropriate, where it was
23 intended, and what, if anything, it
24 should be by way of a modification. So
25 that's clearly one of the issues we've



1 heard from a number of people.

2 One of the things that the city
3 planning board is looking at in the
4 gateway is also the inclusion for single
5 family residences.

6 Currently, in the TRB, you can only
7 have residences above -- on the second
8 floor or above for commercial uses. We
9 have a -- we have provided a provision
10 where there can be a standalone single-
11 family residence allowed in that area.

12 Sustainable Saratoga, to their
13 credit, raised an issue that if you're
14 going to allow for single-family
15 residences in the area, you need to
16 define density. Every other zoning
17 district in the city has density
18 requirements for residential use except
19 this.

20 So that was one that the city
21 planning board caught on with and agreed
22 with, but quite frankly and so do I.
23 It's going to be something that we'll
24 discuss with you about we address that if
25 we either incorporate a density or revert



1 back to how the TRB is where the
2 residential use can only be on a second
3 floor or above.

4 COMMISSIONER SCIROCCO: Any
5 discussion about affordable housing out
6 there in that area? I mean, is that --
7 is that part of what they're looking at?

8 MR. DELEONARDIS: That's a great
9 question, Commissioner. That's part of
10 the -- the issue here is what are we
11 arguing over.

12 COMMISSIONER SCIROCCO: Yeah.

13 MR. DELEONARDIS: You can only go so
14 deep anyway because of the natural site
15 conditions. There is large amounts of
16 water --

17 COMMISSIONER SCIROCCO: Water.

18 MR. DELEONARDIS: -- and the
19 constraints of the land wouldn't let you
20 do a whole lot more beyond that. But
21 that's still, you know, for those areas
22 that you can, maybe the depth is
23 something that should be reevaluated.

24 COMMISSIONER SCIROCCO: I mean, I
25 know that project, I think, fell through



1 out there on South Broadway where the --
2 Spa City Diner was there, that project.
3 I guess it just --

4 MAYOR KELLY: I think -- I think
5 we're actually talking farther down.

6 COMMISSIONER SCIROCCO: I mean, I
7 know that had some affordable housing,
8 you know --

9 MR. DELEONARDIS: It did. It was a
10 great spot.

11 COMMISSIONER SCIROCCO: -- piece to
12 it. So it's unfortunate but --

13 MR. DELEONARDIS: Yep.

14 COMMISSIONER SCIROCCO: -- that kind
15 of thing happens.

16 MR. DELEONARDIS: They --

17 MAYOR KELLY: They didn't get the
18 funding.

19 COMMISSIONER SCIROCCO: They didn't
20 get the assistance on that.

21 COMMISSIONER FRANCK: Just what I'm
22 hearing, Vince, is once we did the
23 special, like, the (indiscernible) or
24 whatever the special zoning change for
25 the hotel there next to Murphy's --



1 MR. DELEONARDIS: Yes.

2 COMMISSIONER FRANCK: -- Driving
3 Range, that went back, like, 750 feet --

4 MR. DELEONARDIS: Yes.

5 COMMISSIONER FRANCK: -- that the
6 thought process is, you know, that is
7 basically -- that works.

8 MR. DELEONARDIS: Yes.

9 COMMISSIONER FRANCK: 250 feet is
10 just -- and that may be the case, and
11 that may be where the council is sitting.

12 MR. DELEONARDIS: That's the only
13 change that you made in that area, that
14 hotel in particular, was specifically
15 called out by the county planning board -

16 COMMISSIONER FRANCK: Right.

17 MR. DELEONARDIS: -- in saying if
18 you're imposing a 250-foot depth, you
19 could not put that hotel anywhere else.

20 COMMISSIONER FRANCK: So what I'm
21 hearing from everybody else who owns
22 property all the way down the hill is
23 that, basically, 250 feet it won't do
24 anything. It's -- it's useless. You
25 might as well leave it at zero because



1 there's just nothing you can do there.

2 MR. DELEONARDIS: You're limited.

3 COMMISSIONER FRANCK: And, you know,
4 I always bring up the -- what -- just to
5 give you how things have changed, when we
6 looked at it ten, eleven years ago, Matt
7 when he was looking at Google -- or
8 Google maps when you came to Saratoga, it
9 told you come to Exit 14 and 15. So Matt
10 made some phone calls and said why not
11 13, and he said because it's so ugly when
12 you go up the road, and it's so
13 disjointed, that the best route -- even
14 though it's the quickest in many
15 instances -- the best route was -- they
16 suggested you go to Exit 14 and 15. And
17 that area -- I mean, I've lived here
18 fifty-some years; he' been here his whole
19 life, that area is not --

20 MAYOR KELLY: Hasn't changed.

21 COMMISSIONER FRANCK: -- yeah, Joe
22 Collins or whatever it is now. But I
23 mean, that -- it is what it is.
24 Nothing's ever really changed there
25 because of that.



1 And then the other problem is if
2 there was some type of development there,
3 again, scaled down with some type of
4 development, you could get -- the sewer.
5 The sewer stops at, you know, at around
6 Saratoga Honda. If you can get the sewer
7 all the way down and connect into Exit
8 13.

9 And you have a lot of constraints
10 there anyway. So just like because
11 there's wetlands, Kaydeross Creek behind
12 there and things of that nature.

13 MR. DELEONARDIS: Yeah.

14 COMMISSIONER FRANCK: So that's --
15 that's one section. And I said there's
16 another property or two that I've been
17 getting lots of phone calls on.

18 COMMISSIONER MADIGAN: Yeah, I mean,
19 that whole -- sorry. That whole section
20 down by the Kaydeross area down, we've
21 been -- I feel like we've been talking
22 about since before I was on the council,
23 absolutely. I think GAPS was right
24 around the time it was coming on the
25 council, you were finishing it up. Then



1 we had the comprehensive plan and we
2 wanted them to look at doing something
3 for South Broadway, right, to help
4 develop it a little bit better, and now
5 we've got the UDO which was the reason I
6 wanted to send a letter to the planning
7 board because those parcels are funky.
8 There aren't any other parcels in the
9 city that are just split -- split zoning.
10 And you can't do much with them but put,
11 like, a tiny little hotel -- motel. You
12 know, like, motel. Like what else could
13 you build down there?

14 COMMISSIONER FRANCK: Well, it could
15 be, like, (indiscernible) Motel. I
16 mean --

17 COMMISSIONER MADIGAN: Yeah.

18 COMMISSIONER FRANCK: -- it's like
19 the old motor inns.

20 COMMISSIONER MADIGAN: Yeah, that's
21 it. So I do think it's an important area
22 to look at and, you know, moderate build
23 up and growth for South Broadway as
24 another gateway entrance into the city.

25 Everybody loves a hotel, because



1 remember what was there before? It was
2 the --

3 COMMISSIONER FRANCK: Gateway.

4 COMMISSIONER MADIGAN: -- the
5 Weathervane -- the Weathervane, and it
6 looked so run down and so old. It looked
7 like it had rolling, almost, haystacks
8 moving, you know, across the property.

9 And so, you know, we still have some
10 work to do on South Broadway, but it does
11 look nice as you're coming into the
12 gateway. Now, we don't want a million,
13 you know, hotels everywhere, but we want
14 to be able to see how we might be able to
15 develop that area better.

16 COMMISSIONER FRANCK: I think T-5
17 zoning --

18 COMMISSIONER MADIGAN: Right. Not
19 T-5, right.

20 COMMISSIONER FRANCK: -- I think
21 they're -- yeah. So but again, I don't
22 want to hold the whole thing up, but I
23 appreciate to know that information so we
24 can --

25 MR. DELEONARDIS: Yeah, please do.



1 COMMISSIONER MADIGAN: Yeah.

2 COMMISSIONER FRANCK: And I have a
3 suggestion the other way saying just do
4 the opposite, we need this and that. So
5 I mean, I just wanted to be able to
6 funnel and now I know.

7 MAYOR KELLY: Yeah. Just funnel
8 anything to Vince or to Lisa, my deputy.
9 Thank you.

10 MR. DELEONARDIS: I don't know if
11 you need me for the next item, but I
12 already mentioned it. This is about the
13 planning board's request for an extension
14 of time.

15 MAYOR KELLY: Right. Right. So
16 I'll do that now.

17 Discussion and vote, extension of
18 time request advisory opinion from the
19 city planning board regarding the Unified
20 Development Ordinance, and UDO.

21 I move that the city council approve
22 an extension of time for the advisory
23 opinion from the city planning board
24 regarding the Unified Development
25 Ordinance. This is a motion. Is there a



1 second?

2 COMMISSIONER SCIROCCO: Second.

3 MAYOR KELLY: Any discussion? All
4 those in favor, say aye.

5 COMMISSIONER FRANCK: Aye.

6 COMMISSIONER MADIGAN: Aye.

7 MAYOR KELLY: Any opposed?

8 COMMISSIONER FRANCK: The time frame
9 in the motion. How long?

10 MAYOR KELLY: It's two weeks.

11 COMMISSIONER FRANCK: Two weeks.

12 MAYOR KELLY: Thank you. Any
13 opposed? The matter passes. Thank you.

14 My next item is announcement the UDO
15 workshop is in August. We have scheduled
16 the city council workshops to discuss the
17 board of advisory opinions, and those
18 advisory opinions are on the website as
19 we're speaking, and we're waiting for the
20 city one, of course.

21 And determine final stage changes to
22 the UDO draft that are scheduled in the
23 Music Hall on the following days: August
24 3rd at 5 p.m., August 10th at 6 p.m.,
25 August 17th at 5 p.m., and August 24th at



1 3 p.m. All workshops will be
2 livestreamed and recorded.

3 My next item is announcement --
4 assistant building inspector job opening.
5 The Mayor's Department has an open
6 position for assistant building
7 inspector, and the posting is on the city
8 website. I'd like to invite all
9 qualified applicants to submit an
10 application. The CSCA starting salary as
11 of August 1 is 63,150 dollars.

12 COMMISSIONER SCIROCCO: Pays more
13 than this job.

14 MAYOR KELLY: Yes, it does.

15 COMMISSIONER MADIGAN: I'm not
16 qualified then.

17 MAYOR KELLY: You interested in
18 being a (indiscernible)? Let's not go
19 there right now.

20 My next item is announcement.
21 Community Development Department awarded
22 250,000-dollar grant from New York State
23 Homes and Community Renewal for second
24 round of small businesses grant program.

25 The Community Development Department



1 will utilize the recently awarded 250,000
2 in New York State CDBG-CV funding to
3 support a second round of the grant
4 program to preserve jobs held by low
5 persons of income -- arrived by peop --
6 I'm going to start over.

7 Okay. The Community Development
8 Department will utilize the recently
9 awarded 250,000 dollars in New York State
10 CDBG-CV funding to support a second round
11 of grant program to preserve jobs held by
12 persons of low income which would
13 otherwise be lost due to the economic
14 impacts of COVID-19.

15 Relief to small business through the
16 provision of fifteen grants of 15,000
17 each and working capital will facilitate
18 this job retention. The application
19 period is expected to open in September.
20 And that is Lindsey Connors, and I'd like
21 to thank her. She's done a terrific job
22 through COVID, you know, helping out with
23 a lot of funding that we have received.

24 That concludes my agenda. I'll turn
25 it over to Commissioner Franck.



1 COMMISSIONER FRANCK: Thank you,
2 Mayor.

3 The first item related to the public
4 hearing earlier this evening, it's
5 discussion about capital budget amendment
6 for city security measures for
7 streetscape and city buildings. We will
8 get hold of Marilyn; we'll get that
9 online the information --

10 MAYOR KELLY: Yep.

11 COMMISSIONER FRANCK: -- of the
12 exact type of cameras. So therefore, I
13 move to approve the capital budget
14 amendment for the city security measures
15 for streetscape and city buildings. And
16 part of that motion would have to be a
17 roll call about -- so the motion's out
18 there.

19 MAYOR KELLY: Yep. Is there a
20 second?

21 COMMISSIONER MADIGAN: Second.

22 MAYOR KELLY: Roll call, please?

23 SECRETARY RIBIS: Commissioner
24 Franck?

25 COMMISSIONER FRANCK: Aye.



1 SECRETARY RIBIS: Commissioner
2 Madigan?

3 COMMISSIONER MADIGAN: Aye.

4 SECRETARY RIBIS: Commissioner
5 Scirocco?

6 COMMISSIONER SCIROCCO: Aye.

7 SECRETARY RIBIS: Commissioner
8 Dalton?

9 COMMISSIONER DALTON: Aye.

10 SECRETARY RIBIS: Mayor Kelly?

11 MAYOR KELLY: Aye.

12 The matter passes.

13 COMMISSIONER FRANCK: Thank you,
14 Mayor.

15 The second item on our agenda this
16 evening is an announcement, public
17 hearing. The Town of Greenfield for
18 annexation of property. There will be a
19 public hearing in the Town of Greenfield
20 on August 12th at their public town hall
21 at 7 p.m. And I'm just going to bring up
22 Tony Izzo, if he could just to give an
23 explanation to do -- this has to do with,
24 like, annexation of property that's
25 partially (indiscernible).



1 MR. IZZO: Annexation under Article
2 17 of the general municipal law is an
3 unusual proceeding. It has a number of
4 steps. We're talking about one step here
5 this evening.

6 There needs to be a joint meeting
7 between the two municipalities. The one
8 from which the property is being removed
9 from, and the one to which the property
10 is being added. In this case, Saratoga
11 Springs and Greenfield. So that is your
12 announcement this evening is the joint
13 meeting that Commissioner Franck just
14 mentioned; a joint meeting of the Town of
15 Greenfield's legislative body, and the
16 city council just to take public comment
17 concerning this proposed annexation that
18 has been submitted by a petition of the
19 property owner, Stewart's Shops.

20 MAYOR KELLY: Thank you. Thank you,
21 Tony, Commissioner. You already
22 agreed --

23 COMMISSIONER FRANCK: I'm going to
24 try to make it myself --

25 MAYOR KELLY: Great.



1 COMMISSIONER FRANCK: -- but the
2 public's invited and Saratoga Springs,
3 obviously. And if anybody here at the
4 table --

5 MAYOR KELLY: Didn't we have another
6 potential annexation? Did that just not
7 go anywhere? I don't mean to go
8 (indiscernible).

9 MAYOR KELLY: (Indiscernible).

10 COMMISSIONER FRANCK: Yeah, we
11 discussed it years ago. I think it was,
12 like --

13 COMMISSIONER MADIGAN: I don't know;
14 maybe a year ago. I think Prestwick
15 Chase came in.

16 COMMISSIONER FRANCK: I mean, the
17 last one that we actually did.

18 MAYOR KELLY: Well, like, a year
19 ago.

20 COMMISSIONER FRANCK: What was the
21 last annexation we did?

22 MR. IZZO: Oh, boy.

23 COMMISSIONER FRANCK: Skidmore?

24 MR. IZZO: I'm thinking 19 -- I'm
25 thinking 1990s --



1 COMMISSIONER FRANCK: Okay.

2 MR. IZZO: -- when somebody came up.

3 COMMISSIONER FRANCK: Okay. Yeah,
4 so -- so it's very rare.

5 MR. IZZO: Extremely rare.

6 COMMISSIONER FRANCK: Except for
7 when we tried to steal the Pyramid Mall.
8 That was a good mall.

9 MR. IZZO: Yep.

10 MAYOR KELLY: So Commissioner, may I
11 ask, if you can't attend to let me know?

12 COMMISSIONER FRANCK: I will.

13 MAYOR KELLY: Okay. Thanks.

14 COMMISSIONER FRANCK: I will
15 definitely -- and if you can --

16 MAYOR KELLY: Between the two of
17 us --

18 COMMISSIONER FRANCK: -- if you want
19 to go ride with me, I'll pick you up --

20 MAYOR KELLY: Sure.

21 COMMISSIONER FRANCK: -- in the
22 convertible.

23 MAYOR KELLY: In the convertible?

24 No.

25 COMMISSIONER FRANCK: Well, let's



1 not ride in, but -- it'll mess up my
2 hair.

3 The third item is discussion of
4 Stewart's Shops, Maple Dell, PUD zoning
5 update. Just to -- this is kind of a
6 complicated issue, so I'm going to bring
7 Vince to the mic, and then also we have a
8 representative from Stewart's that will
9 also go over some things.

10 So Vince, if you could kind of -- so
11 the public knows what you explained to us
12 in the morning yesterday.

13 MR. DELEONARDIS: Yes. Thank you,
14 Commissioner.

15 So Stewart's has proposed a PUD or a
16 plan unit development for the area along
17 Marion Avenue. Everyone is, I'm sure,
18 familiar with the Marion Ave. Mobil.
19 That is a parcel. That store is looking
20 to redevelop into what we traditionally
21 know and understand as a Stewart's.
22 They're looking to take their existing
23 Stewart's from around the corner and
24 removing that to that location together
25 with the liquor store minimizing the uses



1 there for something less intensive by
2 allowing for office use which the
3 intended benefit to that neighborhood is
4 it reduces traffic in that area and then
5 moves it to the Maple Ave. where the
6 Mobil Station is.

7 They also include the parcel that's
8 on the corner of Maple Ave., and I
9 believe, Marion Ave. which 34 is the
10 address. That's currently a vacant
11 parcel. That is one where -- so by way
12 of chronology here, you've indicated that
13 the PUD had merit for review, referred to
14 the land use board for review.

15 The DRC indicated a favorable
16 opinion, although understanding that
17 their purview is different than the city
18 planning board.

19 The county planning board found no
20 intermunicipal issues, and they were okay
21 with it, although they identified a
22 couple of areas, and one of them is the
23 vacant parcel I'm referring to, because
24 it is zoned residential and the county
25 planning board highlighted that area as



1 one of concern, together with a proposed
2 residential construction that is behind
3 the Marion Ave. and more to the east of
4 it as you approach Loughberry Lake
5 itself.

6 The city planning board ultimately
7 issued an unfavorable advisory opinion
8 basically pointing to those same areas as
9 well with regard to the residential
10 component.

11 Stewart's, and Chuck Marshall is
12 here this evening, is proposing some
13 modifications to what was proposed in
14 terms of reducing or eliminating some of
15 the uses as they were originally proposed
16 and is also introducing the idea of a
17 host community benefit agreement, and
18 that is something where I'll let Chuck go
19 into greater details in terms of that.

20 But after he describes the PUD for
21 discussion, if there are any questions,
22 I'll be here to answer.

23 COMMISSIONER FRANCK: And before we
24 bring Chuck up after Chuck speaks and
25 goes through, can we just go through what



1 our three options are?

2 So, like -- like, so option 1 is we
3 can set a public hearing and do a SEQR
4 sometime in September. Option number 2
5 is just say forget about it. Or option
6 number 3 is we would send it back to all
7 boards --

8 MR. DELEONARDIS: Correct.

9 COMMISSIONER FRANCK: -- or just the
10 city planning board or --

11 MR. DELEONARDIS: It sort of
12 depends, I mean, on how the PUD is going
13 to be changed or what concerns the
14 council might have. So if there's --
15 there's express language in the zoning
16 ordinance that allows the council to
17 refer this back to the land use board at
18 any time for a follow-up opinion on any
19 issue you identify, but there you know,
20 is, going to potentially be some
21 modification of this PUD as it progresses
22 through discussion. And if there are
23 changes that arise out of this that you
24 want the planning board to take another
25 look at, you're free to do that.



1 If you feel comfortable, you're not
2 required to do that, and you can, if you
3 choose, set this for a public hearing and
4 start moving forward with it. But those
5 are your options. Or Commissioner to
6 your point, do nothing.

7 COMMISSIONER FRANCK: Can you do
8 things concurrently? Can you set a
9 public hearing, and then also send it to
10 the planning board, or does the planning
11 board schedule some time?

12 MR. DELEONARDIS: You can, but
13 you're going to want -- if you're going
14 to send it back to the planning board,
15 you're going to want that opinion --

16 COMMISSIONER FRANCK: Okay.

17 MR. DELEONARDIS: -- prior to
18 actually holding hearing. So I would
19 caution against --

20 COMMISSIONER FRANCK: Okay. Because
21 these are different questions that I've
22 had over the last couple of days.

23 COMMISSIONER MADIGAN: I know I need
24 a lot more information and a lot more
25 time on this one.



1 So the neighborhood is currently
2 zoned residential 2, RN-2, but the Maple
3 Dell area where they want to bring a PUD
4 is a TRB --

5 MR. DELEONARDIS: So --

6 COMMISSIONER MADIGAN: -- tourist
7 related business?

8 MR. DELEONARDIS: -- PUD comprises a
9 number of parcels.

10 COMMISSIONER MADIGAN: Okay.

11 MR. DELEONARDIS: And these are six
12 parcels. There are, as they're defined,
13 in the current zoning ordinance, there
14 are parcels currently identified as UR-2,
15 and then there are parcels identified in
16 our current zoning ordinance as TRB.
17 That's where the Mobil station is.

18 COMMISSIONER MADIGAN: Okay.

19 MR. DELEONARDIS: The one corner lot
20 is the UR-2. That was the subject of an
21 application, and I believe the gentleman
22 who spoke this evening made reference to
23 that to the zoning board not that long
24 ago for a use variance to allow for a
25 commercial use on that parcel.



1 The zoning board denied that
2 variance. The property owner then
3 challenged that denial, brought an
4 Article 78. We were successful in
5 defending that Article 78. They then
6 brought an appeal to the Appellate
7 Division, Third Department, with regard
8 to that finding, and we were successful
9 in defending that as well.

10 So the court has spoken on that
11 issue and the proposed uses. It is an
12 interesting area. You are seeing an area
13 where there are residences, but it is a
14 corridor that Saratoga Springs only has a
15 certain extent of, and then you go into
16 the Town of Milton --

17 COMMISSIONER FRANCK:
18 (Indiscernible).

19 MR. DELEONARDIS: -- where we have
20 no control and it's seeing some
21 commercialization out there.

22 So, you know, this is not an easy
23 one when you evaluate, but there still
24 are, still remain residential uses, and
25 the court with regard to the challenge on



1 the corner lot, found residential uses to
2 be appropriate.

3 MAYOR KELLY: Thank you.

4 COMMISSIONER FRANCK: So I guess at
5 this point, we'll let Chuck -- Chuck do
6 more of a visual so council has an
7 understanding.

8 MR. MARSHALL: Thank you, council.
9 Basically --

10 COMMISSIONER MADIGAN: Can I just
11 ask who's beeping? There's, like, a beep
12 that (indiscernible) every couple
13 seconds. Like, a --

14 MAYOR KELLY: Oh, it's just their
15 cameras.

16 COMMISSIONER MADIGAN: Oh, okay.

17 MAYOR KELLY: Yeah.

18 COMMISSIONER MADIGAN: Thank you.
19 Got it. It's just making me crazy.

20 COMMISSIONER FRANCK: Wait for the
21 beep.

22 COMMISSIONER MADIGAN: You are being
23 taped.

24 MAYOR KELLY: Go ahead, Chuck.

25 MR. MARSHALL: So basically, what



1 I'd like to do is show you what was
2 originally presented in March and how
3 it's changed. There's, basically, three
4 highlighted changes.

5 So the previously proposed had a
6 residential component on the interior lot
7 adjacent to Loughberry Lake. That has
8 been removed.

9 The commercial intents which was
10 supposed to deal with the Marion Ave.
11 frontage has been reduced to a
12 professional medical intents. That is a
13 use that we've seen and were successfully
14 achieving a use variance for Goodmote
15 Physical Therapy. So that's why we think
16 the uses in this corridor should be PMI.

17 Dr. Farrell's (ph.) old building --
18 and I don't know the address -- is a
19 nonconforming use. So just so you're
20 clear, East side Wine and Liquor (sic)
21 which is adjacent to Stewart's is a legal
22 nonconforming having been cited in 1972.
23 The Goodmote Physical Therapy is there by
24 use variance.

25 And then as Vince discussed, 34



1 Marion Ave. was the subject of some
2 litigation between the city and the owner
3 regarding its use.

4 But what we're trying to do is just
5 basically take the liquor store and the
6 existing Stewart's and move them to the
7 Marion Ave. corridor. The traffic in
8 here is about 12,000 cars a day. And
9 just to give you a sense, there's only
10 other traffic like that at West Ave. and
11 Washington Street which has a D-5. And
12 then the Ballston Avenue corridor which
13 is also T-5.

14 So just to give you a sense of
15 similar traffic patterns in the city and
16 a similar use pattern, the car wash and
17 the existing Stewart's or the existing
18 Mobil are legal uses. We found that out
19 through the planning process. But you
20 could not move the liquor store under the
21 current zoning because TRB does not allow
22 liquor store or any retail use.

23 So what we're trying to do is get
24 everything out of the neighborhood and
25 into the Marion Ave. corridor where it is



1 appropriate.

2 The planning board, while they did
3 indicate a negative opinion, did identify
4 some positive elements to the project
5 getting the uses out of the neighborhood,
6 pedestrian accommodations which are
7 currently lacking.

8 You could cross Route 50 right now
9 and you end up stuck at the northern
10 entrance, because you can't -- there's no
11 sidewalk around to Maple Dell, and
12 there's no sidewalk up Route 50 to Mobil
13 to all components of the project.

14 And then finally, we would deed
15 forty feet of the northern section into
16 forever wild. We would retain ownership,
17 but we would prohibit development to
18 serve as a permanent buffer.

19 COMMISSIONER MADIGAN: Chuck, have
20 you had any conversation with the
21 neighborhood association?

22 MR. MARSHALL: I've spoken somewhat
23 extensively with the Giralts (ph.), and
24 Mr. Millis and I have had a conversation
25 or two.



1 Upon submitting the application to
2 the city, I sent fifty copies of the
3 application material out to the
4 neighbors, and it wasn't until it came to
5 the city that anyone corresponded, again,
6 except for the Giralts.

7 COMMISSIONER MADIGAN: Okay. They
8 seem to have a fairly large group on
9 Maple Ave., Marion Ave., Maple Dell
10 Neighborhood Association. And what is
11 the whole -- where is it that you want
12 the entire PUD to be? Can you just show
13 me that now? Like, can you just, like --
14 the whole thing.

15 MR. MARSHALL: So this is Maple
16 Dell.

17 COMMISSIONER MADIGAN: Right.

18 MR. MARSHALL: So it's just the
19 identified parcels.

20 COMMISSIONER MADIGAN: Okay. So the
21 red --

22 MR. MARSHALL: It's not -- it's
23 not --

24 COMMISSIONER MADIGAN: The red, the
25 blue, and the green?



1 MR. MARSHALL: No.

2 COMMISSIONER MADIGAN: Okay.

3 MR. MARSHALL: It's just the bottom
4 section --

5 COMMISSIONER MADIGAN: The bottom.
6 Thank you, currently proposed.

7 MR. MARSHALL: So this is 31, 33,
8 and this parcel doesn't have an address
9 because there's no property on it. This
10 parcel was previously 15 Marion Ave., and
11 that had a house that Stewart's took
12 down.

13 COMMISSIONER MADIGAN: So you
14 essentially want to leave it the same? I
15 mean, the two maps --

16 MR. MARSHALL: This -- this --

17 COMMISSIONER MADIGAN: -- with the
18 exception of the residential don't --

19 MR. MARSHALL: Yeah, this is
20 current --

21 COMMISSIONER MADIGAN: -- they
22 just -- but --

23 MR. MARSHALL: It's currently zoned
24 UR-2 --

25 COMMISSIONER MADIGAN: Okay.



1 MR. MARSHALL: -- and that's, like,
2 the -- under the current iteration, that
3 would be the most intense change. That
4 takes it from a residential use and puts
5 it in a commercial use.

6 COMMISSIONER MADIGAN: In that
7 green -- in the blue --

8 MR. MARSHALL: Just the blue -- yep.

9 COMMISSIONER MADIGAN: Okay. The
10 blue.

11 MR. MARSHALL: The issue -- again,
12 like, the issue is is that if we don't do
13 something of this nature, we are unable
14 to move East Side. So you end up with a
15 commercial use on the western side of
16 Marion Ave.

17 COMMISSIONER MADIGAN: Um-hum.

18 MR. MARSHALL: And the Stewart's
19 relocates to the eastern side. So you
20 have people who perceivably will go back
21 and forth where you have an existing, you
22 know, traffic problem.

23 COMMISSIONER MADIGAN: Okay.

24 MR. MARSHALL: So if you think about
25 people both in the city and then those in



1 Greenfield and Wilton who commute to The
2 Northway down Route 9, you're basically
3 saying that instead of going into Maple
4 Dell for coffee --

5 COMMISSIONER MADIGAN: I actually
6 want to just, like, see that map. I
7 don't know why -- like, closer, but
8 there's no way to get to the -- sorry.
9 And then I'll, like, help to move on.

10 MR. MARSHALL: Guess I'll be the
11 first person tonight to thank the
12 officer.

13 COMMISSIONER FRANCK: This is where
14 Stewart's is right now.

15 COMMISSIONER MADIGAN: Yep. Okay.

16 COMMISSIONER FRANCK: They want to
17 move over to this side of the street.

18 COMMISSIONER MADIGAN: Okay.

19 COMMISSIONER FRANCK: Once they move
20 over to here --

21 COMMISSIONER MADIGAN: Yeah.

22 COMMISSIONER FRANCK: -- they want
23 to reduce the usage here.

24 COMMISSIONER MADIGAN: Okay.

25 MR. MARSHALL: Yeah.



1 COMMISSIONER FRANCK: So the liquor
2 store and PT's move also, right?

3 MR. MARSHALL: So the liquor store
4 has existing term on their lease, and
5 they're not obligated to move, but have
6 indicated a willingness to do so --

7 COMMISSIONER MADIGAN: And would
8 like to move with Stewart's to --

9 MR. MARSHALL: Right. But --

10 COMMISSIONER MADIGAN: Okay.

11 MR. MARSHALL: -- to maintain their
12 business as they know it. But the
13 problem is is that the physical therapist
14 which is at 1 Maple Dell --

15 COMMISSIONER MADIGAN: Um-hum.

16 MR. MARSHALL: -- was cited via use
17 variance. So if you don't do something
18 which establishes uses that are going to
19 go there, physical therapy, dentist,
20 professional office, you're limited, and
21 then we're going to come back to seek use
22 variances which the neighborhood has
23 already posed.

24 So this provides, like, a long term
25 stability for what uses are going to go,



1 versus fixing one side and leaving the
2 other side, you know, with somewhat
3 uncertainty.

4 COMMISSIONER MADIGAN: Thank you.

5 COMMISSIONER SCIROCCO: Chuck,
6 what's the consensus over there? I mean,
7 you met with the neighbors, you said.

8 MR. MARSHALL: I've spoken with the
9 Giralts and then Mr. Millis. The
10 consensus is, you know, they would like
11 the Stewart's and East Side to move but
12 not at the expense of the UR-2 piece
13 becoming commercial.

14 COMMISSIONER SCIROCCO: The piece on
15 the corner, you're saying?

16 MR. MARSHALL: What?

17 COMMISSIONER SCIROCCO: The piece on
18 the corner?

19 MR. MARSHALL: Oh, they hate the
20 piece on the corner.

21 COMMISSIONER SCIROCCO: Yeah. Yeah.
22 I mean, I know quite a few people that
23 live in there.

24 MR. MARSHALL: Yeah. I mean, it's
25 funny, the 2021 county planning board



1 referral highlights that piece as
2 somewhat problematic, but if you look at
3 the 2016 county planning board referral
4 when they sought the use variance, the
5 county recommendation is to seek a zone
6 change.

7 So --

8 COMMISSIONER SCIROCCO: I mean, what
9 is that going to do for traffic in there,
10 and what is that going to do for, you
11 know -- you got to put a commercial
12 building right on the corner there and
13 you got -- it's a pretty high traffic
14 area, as you already said. So I think
15 that's going to increase the probability
16 of accidents and all that. So I don't
17 know. I mean --

18 MR. MARSHALL: Yeah, and again, the
19 council has the ability to mend or
20 recommend that -- you know, recommend
21 amendments to the -- to the proposal. I
22 think from a planning perspective as you,
23 you know, look at the map, this is a UR-2
24 piece that remains vacant, and I don't
25 know what the -- I don't know if it's



1 just not being marketed. We did approach
2 that corner about joining the PUD,
3 because obviously there's some
4 consistency in here. But if you look at
5 the top plan, I don't want to misspeak,
6 but I'm pretty sure all of Maple Dell was
7 identified as CC which was commercial
8 core (sic).

9 COMMISSIONER SCIROCCO: Right.

10 COMMISSIONER DALTON: So I know --

11 COMMISSIONER MADIGAN: Sorry; go
12 ahead.

13 COMMISSIONER DALTON: No, I know
14 that I sat down with Stewart's, and Chuck
15 has been gracious enough to explain this
16 to me in detail. So I'm hoping maybe I
17 could hear from the gentleman, I know
18 that's here, representing the
19 neighborhood association I met with.
20 Because I can just see him in the back,
21 and he has some concerns. So I don't
22 know if he can speak then briefly.

23 COMMISSIONER FRANCK: Yeah, if
24 they're fine with it, then I'm fine with
25 it.



1 COMMISSIONER SCIROCCO: Is that all
2 right because I just think you're
3 speaking on behalf of the association.

4 MR. MARSHALL: Yeah, that's fine.

5 UNIDENTIFIED SPEAKER: Yeah. So
6 I've spoken to Chuck together with our
7 president, Mr. Millis. I think you hit
8 the nail right on the head.

9 The issue -- the proposal is not to
10 take everything and put it where the
11 existing gas station is. The proposal is
12 take the residential lots that are fully
13 awarded today, clear-cut 150 feet and
14 leave 40. Take those residential lots,
15 put a car wash on them, close to my
16 house, close to my neighbor's house.
17 Orientation doesn't matter. You stand
18 anywhere you hear a car wash.

19 Take a vacant lot -- another vacant
20 lot and put the liquor store there. The
21 proposal is not to put the liquor store
22 on a -- on a commercial lot.

23 The use variances are within the
24 TRB. Comprehensive plan speaks to
25 residential neighborhoods, all



1 residential neighborhoods are at -- are
2 wherever this -- throughout the city
3 allow for existing small neighborhood
4 scale commercial activities.

5 This proposal is not existing in the
6 residential neighborhood. The
7 neighborhood is not just that corner of
8 Maple Dell. My house, these other
9 houses, all of Marion Ave. is
10 residential.

11 Greenfield, Wilton, what they chose
12 to do, that's up to them. This is
13 Saratoga Springs. This is our city.

14 So we object to diverting any
15 residential lots to commit to any
16 commercial use.

17 COMMISSIONER MADIGAN: You're saying
18 the PUD requires them to clear-cut a
19 bunch of residential lots in order to --

20 UNIDENTIFIED SPEAKER: The
21 proposed --

22 COMMISSIONER MADIGAN: -- free
23 what's needed?

24 UNIDENTIFIED SPEAKER: Yeah. The
25 proposal calls for -- they speak to



1 leaving a forty-foot buffer at the
2 expense of clear-cutting 150 feet of
3 trees on residential lots to put a car
4 wash next to our house. Orientation
5 doesn't really matter.

6 So the comprehensive plan -- the
7 zoning ordinance speaks to maximum
8 protection of residential. That's a
9 fundamental tenant of the zoning board.
10 Not occasional protection of residential;
11 maximum protection of residential, and
12 that's what we're asking.

13 MAYOR KELLY: Thank you. Okay. Any
14 other comments from the council?

15 COMMISSIONER FRANCK: So, you know,
16 I -- do you want to -- what do you want
17 to do? You want to send it back to the
18 planning board with their changes and
19 have them -- or do you want to get back
20 to us? Do you want to do nothing? Do
21 you want to -- I mean, I don't -- I have
22 to -- you have to tell me what you guys
23 want to do.

24 COMMISSIONER SCIROCCO: I might
25 consider -- I might consider an



1 amendment, sending them back an amendment
2 to the --

3 COMMISSIONER FRANCK: For a merit,
4 for review back --

5 MAYOR KELLY: Yeah.

6 COMMISSIONER FRANCK: -- with
7 changes?

8 COMMISSIONER SCIROCCO: Yes.

9 COMMISSIONER MADIGAN: And can you
10 have them -- isn't there supposed to be
11 some kind of tangible benefit that comes
12 with a PUD? What's the tangible benefit?

13 MR. DELEONARDIS: So things for you
14 to consider, Commissioner Franck and
15 Scirocco mentioned, you can -- David
16 Chalk (ph.) made reference to it -- you
17 can indicate in your authority as council
18 that there are parts of that PUD as
19 proposed that you would like removed or
20 eliminated. And one of the issues that's
21 been identified by the gentleman who
22 spoke this evening, as well as identified
23 by the city planning board and even,
24 quite frankly, the county planning board
25 is with regard to that residential



1 parcel, and the introduction of
2 commercial use.

3 You can say some of the components
4 of the PUD are appropriate and
5 acceptable, some are not. These are the
6 ones we like; these are the ones we
7 don't. If you're going to move forward,
8 we recommend the applicant do this, and
9 if you're going to make a recommendation
10 and you want the -- the city planning
11 board to give an opinion on that, you
12 have that ability.

13 But with regard to the host benefit
14 agreement, Commissioner Madigan, there
15 has been a proposal by Stewart's. And
16 the city planning board did call out some
17 of the positive aspects of this PUD even
18 though they gave it an unfavorable
19 opinion. This will result in
20 construction along the corridor that is
21 more appropriate for the gateway. This
22 does provide for pedestrian
23 interconnectivity thorough sidewalks,
24 crosswalks, and things of that sort that
25 is, in fact, a community benefit and an



1 improvement.

2 And I understand, you know, we don't
3 have control over Greenfield and Wilton,
4 and I never for a second suggested we
5 did, but it's part of the corridor. It
6 is the same corridor that enters from our
7 municipality into the adjoining
8 municipalities, and it is a
9 commercialization of that corridor that
10 we're seeing.

11 I'm not suggesting in any way that
12 this is for or against any proposal, but
13 that's the reality of what's developing
14 in that area.

15 But the community host benefit
16 agreement also provides for Stewart's
17 which owns property immediately adjacent
18 to the water treatment plant that's in
19 the vicinity of this PUD. It's right
20 across Route 50, that they would be open
21 for the community benefit aspect of this
22 to provide for a partial donation of that
23 property to the city. So that's
24 something to consider as well as part of
25 the application.



1 So all things in toto, take this
2 under consideration, think about it. You
3 don't have to even make a determination
4 on anything right now. You can give it
5 some thought, come back, and give some
6 direction. Or if you feel comfortable,
7 do it now.

8 COMMISSIONER MADIGAN: I -- I don't
9 feel comfortable right now. I mean, I've
10 got a lot -- I can see some of the
11 potential improvements, but it does also
12 seem to be inconsistent with the
13 comprehensive plan.

14 So I -- I would be happy to send it
15 back with some amendments, but I don't --
16 I don't know what to recommend right now.

17 COMMISSIONER FRANCK: Well, I
18 think -- and Chuck's already made --
19 they've already made adjustments to that.

20 COMMISSIONER MADIGAN: Okay. Okay.
21 Thank you.

22 MR. DELEONARDIS: If the council
23 wants to impose --

24 COMMISSIONER MADIGAN: Impose more.
25 Well, we can because a potential PUD, we



1 can, you know --

2 MR. DELEONARDIS: They --

3 COMMISSIONER MADIGAN: -- do

4 whatever we want.

5 MR. DELEONARDIS: -- indicated, I

6 mean, remove the residential portion.

7 They've may lessen the uses allowable on

8 the remaining residential portion, that

9 corner lot, changing it, but there are

10 things for the council to consider.

11 COMMISSIONER MADIGAN: I'd like to

12 meet with the neighbors. I haven't met

13 with the neighbors. I do have an email

14 from a neighbor. I read -- you know, the

15 association -- that I met today -- that I

16 read today, and so I would like to meet

17 with them.

18 COMMISSIONER FRANCK: Well, what we

19 could do is just hold off on this.

20 COMMISSIONER MADIGAN: Yeah. Yeah.

21 COMMISSIONER FRANCK: And then do a

22 merits review, and -- but I guess the

23 question I have for you, Chuck, so

24 does -- where the -- where the illegal

25 gas station is or -- is that owned by



1 Stewart's then?

2 MR. MARSHALL: Yeah. Stewart's owns
3 all the properties except for the 34
4 Marion Ave.

5 COMMISSIONER FRANCK: And what
6 about -- isn't that --

7 MR. MARSHALL: National Grid
8 actually owns the property and leases to
9 Adirondack Trust --

10 COMMISSIONER FRANCK: Okay.

11 MR. MARSHALL: -- where they have
12 (indiscernible).

13 COMMISSIONER FRANCK: So what you
14 guys are propo -- just because I want to
15 understand this -- so what you guys are
16 proposing to do is kind of tear all that
17 stuff down?

18 MR. MARSHALL: Yes.

19 COMMISSIONER FRANCK: I see
20 pictures -- because I'll I'm saying is
21 there already is a car wash there, right?

22 MR. MARSHALL: There is a car wash
23 there.

24 COMMISSIONER FRANCK: And there's
25 already a gas station there.



1 COMMISSIONER MADIGAN: Yeah, the
2 Mobil.

3 MR. MARSHALL: So the car wash and
4 the gas station are all -- are both
5 permitted uses --

6 COMMISSIONER FRANCK: Right.

7 MR. MARSHALL: -- under the TRB.
8 This really started with -- it can be
9 defined as a -- the current zoning
10 indicates that it's TRB with a Gateway
11 Overlay 2. The city did not have on its
12 website what a Gateway Overlay 2 was. So
13 the premise was is that the gas station
14 and the car wash are always historic
15 nonconforming uses. So Stewart's --

16 COMMISSIONER MADIGAN: Yeah, because
17 I threw them out of TRB when I did the
18 zoning down on South Broadway for the
19 hotel. I don't -- I didn't want to see
20 gas stations, and, you know, laundromats
21 and stuff in the gateway. But that's
22 exactly what you have here. They're
23 nonconforming, but they're approved uses,
24 right?

25 MR. MARSHALL: So now -- they're



1 actually --

2 COMMISSIONER MADIGAN: In a TRB.

3 COMMISSIONER FRANCK: Right.

4 MR. MARSHALL: And in the Gateway

5 Overlay 2 they're allowed.

6 COMMISSIONER MADIGAN: The Gateway

7 Overlay 2, right.

8 MR. MARSHALL: So that's really the

9 issue is that --

10 COMMISSIONER MADIGAN: Okay.

11 MR. MARSHALL: -- you have -- it's

12 very difficult to explain, but the value

13 in the -- and this is going to sound

14 incredibly dorky -- but the value is in

15 the nonconformity, right. So you can't

16 put another gas station --

17 COMMISSIONER MADIGAN: Gas station.

18 MR. MARSHALL: -- there because it's

19 a nonconforming use. But we have the

20 only one.

21 COMMISSIONER MADIGAN: Right.

22 MR. MARSHALL: But the problem is is

23 that under the perception it's a

24 nonconforming use, you are not able to

25 redevelop it. So you can't bring it into



1 today's design standards or today's --
2 you know, the Stewart's of today, Exit
3 13, what we're trying to do on Lake
4 Avenue --

5 COMMISSIONER MADIGAN: Yeah.

6 MR. MARSHALL: -- we can't get there
7 from here because we can't do this. And
8 the zoning with the TRB is prohibitive of
9 the liquor store.

10 So even if you wanted to move the
11 liquor store, you can --

12 COMMISSIONER MADIGAN: I totally
13 understand now. Like, that wasn't --
14 that wasn't, what did you say, nerdy,
15 wonky? That actually --

16 MR. MARSHALL: Dorky.

17 COMMISSIONER MADIGAN: Dorky, wonky,
18 whatever. That -- now I understand.

19 So, like, I'm trying to get at the,
20 like, huh, it's there already, what do
21 you mean. Like, so, okay.

22 MR. MARSHALL: So I guess what I
23 would ask, and you guys can handle it as
24 you see fit, but the thing -- like, there
25 are certain procedural things that might



1 be beneficial. Like, if you -- if you
2 agree you're going to hear it again, if
3 you coordinate for SEQR review, that does
4 not mean that you have to take it up at
5 any point in time, but that's one
6 administrative step --

7 COMMISSIONER MADIGAN: Um-hum.

8 MR. MARSHALL: -- that when you want
9 to bring it back, you're -- you know,
10 you've already accomplished.

11 So if you, you know, declare lead
12 agent, circulate for coordinated review,
13 I'm happy to meet --

14 COMMISSIONER MADIGAN: Yeah.

15 MR. MARSHALL: -- with the neighbors
16 again.

17 COMMISSIONER MADIGAN: Okay. Good.

18 MR. MARSHALL: But I can't -- if you
19 want a nicer, prettier Stewart's that
20 does -- you know, or offer certain
21 things, I'm your guy. But if you're no
22 Stewart's, I can't help you.

23 COMMISSIONER DALTON: I think the
24 piece about the interconnectability and
25 the pedestrian access was really



1 important. I think that's, like, a major
2 challenge that intersection. I can't
3 imagine crossing that intersection as a
4 pedestrian. It's hard enough in a car.
5 So that's certainly something I'd like to
6 get a little more -- my head around a
7 little more.

8 MR. MARSHALL: Yeah. It's 12,000
9 cars on Marion Avenue. It's, like,
10 25,000 or something like that on Route
11 50.

12 COMMISSIONER DALTON: Yeah.

13 COMMISSIONER FRANCK: Again, my
14 understanding is if we don't do anything,
15 then nothing changes.

16 MR. MARSHALL: That's correct.

17 COMMISSIONER FRANCK: Everything
18 stays the same.

19 MR. MARSHALL: Well, yeah, I mean,
20 again --

21 COMMISSIONER FRANCK: That's the
22 only other option.

23 MR. MARSHALL: -- conceptually,
24 nothing changes.

25 COMMISSIONER FRANCK: Yeah.



1 MR. MARSHALL: And that is --
2 obviously, if you do the UDO or something
3 like that, then you're getting
4 (indiscernible) again.

5 COMMISSIONER FRANCK: Yeah.

6 MR. MARSHALL: -- but this is --
7 again, when it started with we were a
8 historic nonconforming use, this was kind
9 of a way for us to control our own
10 destiny.

11 COMMISSIONER SCIROCCO: I mean, I do
12 agree with the planning board on that
13 corner lot. I think it's unfortunate.
14 But I think if it happens where Stewart's
15 does move across the street where the gas
16 station -- you know, my understanding is
17 there's no gas station. It's just going
18 to be retail over there. I don't think
19 there's going to be a gas station there.
20 Oh, by the gas, but no repair shop.

21 MR. MARSHALL: That's correct.

22 COMMISSIONER SCIROCCO: Yes.

23 MR. MARSHALL: The repair shop is
24 actually gone.

25 COMMISSIONER SCIROCCO: That repair



1 shop has changed the --

2 MR. MARSHALL: (Indiscernible).

3 COMMISSIONER SCIROCCO: Things
4 changed there. That's the rental place
5 and gas station.

6 MR. MARSHALL: So it's actually the
7 busiest U-Haul in the --

8 COMMISSIONER SCIROCCO: Yeah.

9 MR. MARSHALL: -- region.

10 COMMISSIONER SCIROCCO: Yeah.

11 MR. MARSHALL: For there, every U-
12 Haul. I don't know how they define
13 region.

14 COMMISSIONER MADIGAN: I don't know.
15 I just know they used to actually pump
16 your gas at that gas station. It's true.

17 COMMISSIONER SCIROCCO: They get --
18 they're all out now.

19 MR. MARSHALL: If you honk twice --

20 COMMISSIONER MADIGAN: I know.

21 MR. MARSHALL: -- they'll still pump
22 your gas.

23 COMMISSIONER MADIGAN: Yeah. I
24 guess it's (indiscernible).

25 COMMISSIONER FRANCK: So then why



1 don't we do this because it's just a
2 discussion. We -- you know, we have --
3 not only do we have a regular meetings in
4 August, but we also have a number of
5 these other workshops so we could always
6 call a meeting. I just don't think --

7 MR. MARSHALL: I got you.

8 COMMISSIONER MADIGAN: I need a
9 couple meetings.

10 COMMISSIONER FRANCK: I think, you
11 know, people will want to meet with --
12 and it's kind of perfect time because of
13 the UDO on top of it.

14 COMMISSIONER MADIGAN: Yeah.

15 MR. MARSHALL: Even if you want to
16 do it on -- I mean, I have no problem
17 doing it. If you want to organize
18 something where it's onsite with
19 Stewart's, I -- I have no problem
20 participating. Again, I just --

21 COMMISSIONER MADIGAN: Thank you.

22 MR. MARSHALL: -- can't --
23 (Indiscernible).

24 COMMISSIONER MADIGAN: Gotcha.
25 Thank you.



1 MAYOR KELLY: Thank you.

2 COMMISSIONER FRANCK: Unless there's
3 further comment, that will conclude my
4 agenda.

5 MAYOR KELLY: Okay. Thank you.

6 MR. MARSHALL: Oh, can you do the
7 SEQR? Do you want me to do that or no?

8 COMMISSIONER FRANCK: Well, I think
9 they're going to -- I think they're going
10 to have to -- I think we're going to have
11 to hold off on that, right, at this
12 point.

13 COMMISSIONER MADIGAN: You weren't
14 going to do a SEQR tonight?

15 COMMISSIONER FRANCK: No, what I was
16 going to do was I --

17 COMMISSIONER MADIGAN: Okay.

18 COMMISSIONER FRANCK: -- was going
19 to potentially set up a --

20 COMMISSIONER MADIGAN: Oh.

21 COMMISSIONER FRANCK: So you're
22 saying for the --

23 MR. MARSHALL: I'm saying circulate
24 for coordinated review only in that if
25 you do take it up, then you're going to



1 take the -- you're going to be a month
2 again.

3 COMMISSIONER MADIGAN: It's another
4 step in the process. I don't have a
5 problem with that. I mean, it's -- you
6 know.

7 COMMISSIONER FRANCK: I mean, we're
8 meeting in another, what --

9 COMMISSIONER MADIGAN: We have,
10 like, four UDO meeting -- like it seems
11 like this could be wrapped up in under
12 the UDO. Am I (indiscernible)?

13 COMMISSIONER FRANCK: Yeah. I don't
14 think that's -- that's not going to be
15 the case.

16 COMMISSIONER MADIGAN: There's all
17 these land use issues. I mean, this is
18 another one, and --

19 COMMISSIONER FRANCK: Yeah.

20 COMMISSIONER MADIGAN: -- I mean,
21 like, I'm like, why this one. You know
22 how many people are coming at me with --
23 but I know you've been emailing us for a
24 while about this one, and meeting and
25 sending documentation. But --



1 COMMISSIONER FRANCK: I mean, when's
2 the first meeting in August?

3 SECRETARY RIBIS: August 3rd.

4 COMMISSIONER MADIGAN: 3rd.

5 COMMISSIONER FRANCK: So I mean, we
6 could -- by then, I think we'll have a
7 better flavor for it. We can do the
8 SEQ, set up a SEQR then so we'd still
9 hit -- because you need thirty days
10 before it?

11 SECRETARY RIBIS: Yes.

12 COMMISSIONER FRANCK: So yeah, so
13 then we'd still hit early September. I'm
14 just not prepared to --

15 COMMISSIONER MADIGAN: I think with
16 the UDO going on it just doesn't -- it
17 should just all be part of it.

18 COMMISSIONER FRANCK: Yeah, I don't
19 know if we actually can or can't, but --

20 MR. MARSHALL: We cannot.

21 COMMISSIONER FRANCK: Yeah, that's
22 my understanding; it can't.

23 COMMISSIONER MADIGAN: Why? Why?

24 MR. MARSHALL: The UR-2 piece can't
25 be converted from UR-2 to commercial. So



1 that's -- again, one of the reasons why
2 people pursue PUDs, is because PUDs are
3 removed from the comprehensive plan.

4 COMMISSIONER MADIGAN: I know.

5 MR. MARSHALL: And one of the --

6 COMMISSIONER MADIGAN: But they're
7 also at the mercy of the city council.

8 MR. MARSHALL: A hundred percent.

9 COMMISSIONER MADIGAN: Yeah.

10 COMMISSIONER FRANCK: So yeah, I
11 think, what we'll do on this, Chuck, is,
12 like, at the first meeting I can set that
13 up because it's not really going to delay
14 that much. We can put it to September
15 anyways. But that will give the city
16 council about two weeks to figure out if
17 they want -- because I would also did it
18 at the next meeting to see if they want
19 to send it for mayor for review to the
20 city, because I don't think the other
21 boards have already spoke, and they were
22 in favor of it, but the planning board
23 was totally against it -- the city
24 planning board. So, you know, we -- but
25 have you given the city planning board



1 any of these proposed changes?

2 MR. MARSHALL: Yeah, the version
3 that they made their opinion based off of
4 is the version that's before you today.

5 COMMISSIONER FRANCK: Okay.

6 MR. MARSHALL: So they -- I mean,
7 their biggest problem is the -- you know,
8 the piece that's UR-2 being converted to
9 commercial. But again -- so two things.

10 One, you can't do the liquor store
11 without that being converted to
12 commercial.

13 COMMISSIONER MADIGAN: Right.

14 MR. MARSHALL: And the second thing
15 is that they cite, you know, the need for
16 residential components, but when we
17 propose a residential component where,
18 you know, the piece was -- you know, the
19 piece in red --

20 COMMISSIONER MADIGAN: Yeah.

21 MR. MARSHALL: -- they had a problem
22 with that.

23 COMMISSIONER MADIGAN: Okay.

24 MR. MARSHALL: So we removed the
25 residential component that they had a



1 problem with, but because there's
2 physically no other space to do it, you
3 know, I understand it's UR-2, but that's
4 what zoning amendments are for.

5 COMMISSIONER MADIGAN: Thank you.

6 MAYOR KELLY: Thank you. Thanks,
7 Chuck. We will stay on top of this one.

8 Are you good, Commissioner Franck?

9 COMMISSIONER FRANCK: I'm fine as
10 frog hair. I'm good to go.

11 COMMISSIONER MADIGAN: Frog hair?

12 COMMISSIONER FRANCK: Yeah.

13 MAYOR KELLY: Okay. Then that
14 concludes Commissioner Franck's agenda.
15 On to finance.

16 COMMISSIONER MADIGAN: Thank you,
17 Mayor.

18 UNIDENTIFIED SPEAKER:

19 (Indiscernible).

20 MAYOR KELLY: Okay. Can you please
21 come to a mic, ma'am, please? Thank you.

22 UNIDENTIFIED SPEAKER: (Inaudible).

23 MAYOR KELLY: Um-hum.

24 UNIDENTIFIED SPEAKER: So I would
25 like to (indiscernible).



1 MAYOR KELLY: Yeah, I mean, I have
2 the email from --

3 COMMISSIONER FRANCK: So what we
4 typically do -- what we were potentially
5 going to do was set up a public hearing,
6 but we're not even to that process,
7 because they have -- the city council has
8 to digest the emails from the neighbors,
9 digest the proposed changes.

10 My guess would be at that point we
11 may -- from what I'm feeling from the --
12 I don't want to speak for everybody -- is
13 we would then, if there was a feeling
14 that there was some more merit to it, we
15 would send it back to the planning board
16 to get -- to hear from the professionals
17 of what -- you know, they've already
18 given us an opinion. There's been some
19 changes, and I know it's on the later
20 one.

21 UNIDENTIFIED SPEAKER: (Inaudible).

22 COMMISSIONER FRANCK: I understand
23 that.

24 COMMISSIONER MADIGAN: Yes.

25 UNIDENTIFIED SPEAKER: (Inaudible).



1 COMMISSIONER FRANCK: I understand
2 that.

3 COMMISSIONER MADIGAN: Yeah, but
4 we're going to send it back with
5 amendments.

6 COMMISSIONER FRANCK: We -- we --
7 we -- let them look at it, talk to the
8 neighbors, get a feel for it.

9 COMMISSIONER MADIGAN: Yeah.

10 COMMISSIONER FRANCK: And then --
11 and then poten -- yeah, we already know
12 that the original and the second was --
13 the second which was the one they handed
14 in was, I think, was unanimously
15 rejected, I think was --

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 COMMISSIONER MADIGAN: Right.
18 Right.

19 COMMISSIONER FRANCK: And so
20 historically, I can't -- it has probably
21 happened, but historically, you know, we
22 like to -- you know, sometimes they're
23 close votes, you know, four to three or
24 three to two, like that. Usually, when
25 it's five to nothing, you can't spend --



1 you have to say, you know, you guys got
2 to go back and see if they can take
3 another swing at it.

4 But I don't -- we're not into that
5 pro -- I don't believe the city council's
6 even to the process yet, because with so
7 many different things going on. I think
8 the time is perfect, like, Commissioner
9 Madigan with the UDO going through,
10 everything's kind of hitting. So we --

11 COMMISSIONER MADIGAN: There's going
12 to be so much land use talk over the next
13 month. But meanwhile while that's
14 happening, I have this email, we all do,
15 from John, am I saying your name right,
16 Iacoponi.

17 MR. IACAPONI: That's right.

18 COMMISSIONER MADIGAN: All right.
19 We -- I'm happy to sit down and meet and
20 talk and understand your issues so that I
21 can be better informed about any
22 potential amendments or not that we want
23 to send on.

24 But it's -- you know, this was just
25 a discussion and we're not quite -- it is



1 a complicated one, as you can tell from
2 my questions. Like, I'm still a little
3 paying attention to it, understanding
4 what's going on. I feel like Maple Dell
5 comes up every couple of years. So --

6 UNIDENTIFIED SPEAKER: (Inaudible).

7 COMMISSIONER MADIGAN: Yeah, and
8 it's on the -- so I know it is a big busy
9 area. Let's look at it together and see
10 what we can come up with, okay, and with
11 Stewart's.

12 I do like these new Stewart's. I
13 would like to make sure pedestrian
14 traffic is good for you over there. That
15 traffic is better over there. And yet,
16 the residents are not necessarily impeded
17 by the issues that you're concerned about
18 that you've already outlined. Okay?

19 UNIDENTIFIED SPEAKER: Okay.

20 COMMISSIONER SCIROCCO: I'd be glad
21 to sit down and talk with you too. If
22 you want to reach out to my office, I
23 mean, we could certainly talk. I do know
24 a few people that live over there
25 personally, so --



1 COMMISSIONER FRANCK: Yeah, we -- I
2 go way back when it was the Farmer In The
3 Dell before the Stewart's there and they
4 didn't have the other buildings, and I
5 think back then it wasn't that big of a
6 deal, because it was just the Farmer In
7 The Dell. And you had the Triangle Diner
8 on the other side. Everything else was
9 residential in there.

10 And then in the '80s or whenever
11 they built the additional buildings --
12 the time goes by so quickly. So I -- and
13 you guys got a tough group over there
14 because they've always been in there and
15 they're very -- very united. But there
16 is problems over there too. And there's
17 traffic issues.

18 And I remember when the dentist had
19 the building and they wanted changes. So
20 yeah, I'm pretty familiar with all that.
21 I'm just saying there's a pathway, maybe
22 something changes on that side, moves
23 over here. Maybe that becomes
24 residential. I don't -- you know, I can
25 meet with you guys. I just think



1 sometimes it's just easier to get
2 everybody here from the neighborhood
3 versus piecemealing with me, piecemealing
4 with you guys, and we could just have,
5 like, a workshop meeting --

6 UNIDENTIFIED SPEAKER: Marion
7 Avenue, north of -- of the Mobil Station,
8 according to the Greenfield line and
9 across the street in Maple Dell. That
10 whole entire group of neighbors are
11 represented by (indiscernible).

12 COMMISSIONER FRANCK: Yeah. No,
13 that's --

14 MAYOR DALTON: I think what
15 Commissioner Franck is saying that only
16 two commissioners can meet at any one
17 time.

18 COMMISSIONER FRANCK: Yes.

19 COMMISSIONER DALTON: And so it's
20 easier for us to hear from you guys
21 altogether so we're all hearing the same
22 thing.

23 COMMISSIONER FRANCK: Yeah, like --

24 COMMISSIONER MADIGAN: Like John
25 said, he's the vice president, he's the



1 VP.

2 COMMISSIONER FRANCK: Yeah.

3 COMMISSIONER MADIGAN: So --

4 COMMISSIONER FRANCK: And Millis

5 still runs the joint, but --

6 COMMISSIONER MADIGAN: Get the VP in

7 the room.

8 COMMISSIONER FRANCK: No, I -- it's

9 just easier -- you can't do it during a

10 city council meeting, just to hear from

11 everybody in a public hearing format from

12 everybody in the neighborhood. That's --

13 but however you guys want to do it and

14 however Stewart's, you know, we're open

15 to do it.

16 UNIDENTIFIED SPEAKER: Thank you.

17 COMMISSIONER MADIGAN: Thank you.

18 MAYOR KELLY: Thank you. Okay. Are

19 you completed now, Commissioner Franck?

20 COMMISSIONER FRANCK: It's all I

21 got.

22 MAYOR KELLY: All right.

23 COMMISSIONER FRANCK: It's only

24 who's crossed off here, and --

25 MAYOR KELLY: There you go.



1 Commissioner Madigan, you're on.

2 COMMISSIONER MADIGAN: All right.

3 Thank you, Mayor.

4 First item on my agenda is an update
5 on city finances.

6 The pandemic economy continues to
7 evolve here in our city, in Saratoga
8 Springs, as well as, you know, throughout
9 the country.

10 So significant venues are open.
11 Most notably the Saratoga Springs
12 Racetrack and it's at one hundred
13 percent.

14 SPAC, restaurants, other
15 institutions have followed suit and we're
16 seeing substantial improvements in city
17 revenue as a result.

18 Sales tax, year to date, amounts
19 collected through the end of May are
20 running thirty six percent higher than in
21 2020, and ten percent higher than in
22 2019.

23 We received our report that includes
24 June, July, and Aug -- we will receive
25 our report that includes June, July, and



1 August in mid-October.

2 So we are -- we've got a projected
3 new projection based on data received of
4 potentially 14.5 million coming in in
5 sales tax revenue which is a lot more
6 than we received, even, in 2019. So
7 we're trending well which is good.

8 Mortgage tax, year to date, amounts
9 collected from October 20 through June
10 2021 are running sixty percent higher
11 than 2020, and forty-two percent higher
12 than 2019. And actually, we've already
13 exceeded the estimated revenue for this
14 budget.

15 We budgeted 1.5 million; we've
16 already received 1.56 million. Like, so,
17 just a tiny bit, but that's still
18 mortgage tax performing very, very well
19 for us. I believe, though, we're only
20 going to get one more mortgage tax
21 revenue coming to us. So now, I'm
22 projecting about 1.9 for mortgage tax
23 which is good.

24 Occupancy tax amounts collected for
25 the first two quarters remain low, but



1 they are improving.

2 Year-to-date amounts collected are
3 running forty percent higher than in
4 2020, and are projected to exceed the
5 amounts budgeted, but we budgeted 338,000
6 for occupancy tax, and the new projection
7 is 375,0000. So that does tell you that
8 the City Center is probably not doing so
9 well since that's one of their main
10 revenue drivers, as well as Discover
11 Saratoga as that is one of their main
12 revenue drivers.

13 COMMISSIONER SCIROCCO: I'm seeing a
14 lot of no vacancies, though, which I
15 think is a good thing.

16 COMMISSIONER MADIGAN: Oh, no. Oh,
17 hotels are booked right now, so
18 anticipating some occupancy tax coming.
19 So very good. Very good.

20 COMMISSIONER SCIROCCO: Yeah.

21 COMMISSIONER MADIGAN: No vacancies.
22 Thank you.

23 Accordingly, the 2021 budget has
24 been increased to include -- to include,
25 you know, the replacement and new hires,



1 increase police officers, overtime
2 adjustments, police department revised
3 shift scheduling, and citywide security
4 measures, and those all totaled about 1.4
5 million.

6 Further increases for the reinstated
7 2021 employee contracts based on the MOUs
8 approved this evening will total about
9 1.1 million dollars. These -- all these
10 amendments will occur mid-to-late autumn
11 as we get the accurate numbers and totals
12 going through. So that's great.

13 Right now, revenues are looking very
14 positive. And so it gives us the ability
15 to adjust some of our expense lines, and
16 that's what we've been doing.

17 Item number 2 is a discussion and
18 vote, bond resolution capital budget city
19 security measures for streetscape and
20 city facilities. Project number 1278.

21 The bond resolution is for the
22 improvements of the city security
23 measures planned in light of recent
24 events and long-term challenges in
25 specific city locations.



1 It authorizes the issuance of
2 214,188 dollars in bonds to finance the
3 purchases and installation of additional
4 cameras and analytics to increase safety
5 and security in Congress Park and key
6 city streetscapes.

7 I move that the city council approve
8 the bond resolution dated July 20, 2021,
9 as included with the agenda. This is a
10 motion and does require a roll call,
11 four-fifths vote.

12 MAYOR KELLY: Is there a second?

13 COMMISSIONER SCIROCCO: Second.

14 MAYOR KELLY: Roll call, please.

15 SECRETARY RIBIS: Commissioner
16 Franck?

17 COMMISSIONER FRANCK: Aye.

18 SECRETARY RIBIS: Commissioner
19 Madigan?

20 COMMISSIONER MADIGAN: Aye.

21 SECRETARY RIBIS: Commissioner
22 Scirocco?

23 COMMISSIONER SCIROCCO: Aye.

24 SECRETARY RIBIS: Commissioner
25 Dalton?



1 COMMISSIONER DALTON: Aye.

2 SECRETARY RIBIS: Mayor Kelly?

3 MAYOR KELLY: Aye.

4 The matter passes.

5 COMMISSIONER MADIGAN: Thank you.

6 The third item is a discussion and
7 vote, capital budget amendment for city
8 security measures for streetscapes and
9 city facilities, project 1278.

10 This actually amends the budget to
11 cover the city security measures
12 described by Commissioner Franck and in
13 the bond resolution that was presented
14 this evening.

15 Lines 1 through 2 increase capital
16 project 1278, revenue and expenses, in
17 the amount of 214,188 dollars for each --
18 each for citywide security measures.

19 I move that the city council approve
20 the budget amendments capital as included
21 with the agenda. This is also a roll
22 call vote. This is a motion and does
23 need to pass by four-fifths.

24 MAYOR KELLY: Is there a second?

25 COMMISSIONER SCIROCCO: Second.



1 MAYOR KELLY: Roll call, please.

2 SECRETARY RIBIS: Commissioner

3 Franck?

4 COMMISSIONER FRANCK: Aye.

5 SECRETARY RIBIS: Commissioner

6 Madigan?

7 COMMISSIONER MADIGAN: Aye.

8 SECRETARY RIBIS: Commissioner

9 Scirocco?

10 COMMISSIONER SCIROCCO: Aye.

11 SECRETARY RIBIS: Commissioner

12 Dalton?

13 COMMISSIONER DALTON: Aye.

14 SECRETARY RIBIS: Mayor Kelly?

15 MAYOR KELLY: Aye.

16 The matter passes.

17 COMMISSIONER MADIGAN: Thank you.

18 Item number 4, discussion and vote,

19 standard workday resolution.

20 This is an administrative correction

21 regarding an error in a submission to the

22 state regarding the record of activity of

23 the Commissioner of Accounts. The record

24 is required for the purposes of New York

25 State retirement participation.



1 I move that the city council approve
2 the standard workday resolution as
3 included with the agenda. This is a
4 motion.

5 MAYOR KELLY: Is there a second?

6 COMMISSIONER DALTON: Second.

7 MAYOR KELLY: Any discussion?

8 All those in favor, say aye.

9 COMMISSIONER DALTON: Aye.

10 COMMISSIONER SCIROCCO: Aye.

11 MAYOR KELLY: Any opposed?

12 The matter passes.

13 COMMISSIONER MADIGAN: Thank you.

14 Item number 5, discussion and vote,
15 accept grant award from the Local
16 Government Records Management Improvement
17 Fund to digitize the case files for the
18 design review commission and authorize
19 the Mayor to sign all documents in
20 relation to accepting this award.

21 The city has received a tentative
22 grant approval from the New York State
23 Local Government Records Management
24 Improvement Fund that provides monies for
25 improvements to our records management



1 abilities. This grant is to digitize
2 case files for the design review
3 commission. The grant amount is 58,662
4 dollars and there is no match required.

5 I want to publicly commend the work
6 of our longstanding and outstanding
7 employee Nancy Wagner. She is a
8 phenomenal records manager and in high
9 demand everywhere who has brought the
10 city thousands of dollars in critical
11 records management programs that have
12 moved the city into, really, being
13 paperless. Like, the finance department
14 is paperless.

15 Nancy does report into the accounts
16 department. Usually you see these things
17 on the accounts department. We've been
18 working pretty closely with her now and
19 she kind of sits over in our space
20 because of all the work that she's been
21 doing, but really, I do want to commend
22 her. So --

23 COMMISSIONER FRANCK: Yeah, she's
24 great. Yeah.

25 COMMISSIONER MADIGAN: Yeah.



1 COMMISSIONER FRANCK: I think she's
2 brought in, like, 6-, 700,000.

3 COMMISSIONER MADIGAN: Oh, yeah.
4 Overall? Yeah. We should say hundreds
5 of thousands.

6 COMMISSIONER FRANCK: Two million
7 dollars --

8 COMMISSIONER MADIGAN: Yeah.

9 COMMISSIONER FRANCK: -- of
10 nonmatching grants.

11 COMMISSIONER MADIGAN: Yeah. And
12 she's just really good at what she does.
13 So organizing records and paper and
14 making them digital.

15 I move that the city council accept
16 the grant award from the Local Government
17 Records Management Improvement Fund to
18 digitize the case files for the design
19 review commission. It's uploaded with
20 the agenda and authorize the Mayor to
21 sign all documents in relation to
22 accepting this award. This is a motion.

23 MAYOR KELLY: Is there a second?

24 COMMISSIONER FRANCK: Second.

25 MAYOR KELLY: Any discussion?



1 I would just like to say again, I
2 think that she should be full time.

3 COMMISSIONER MADIGAN: Me too.

4 MAYOR KELLY: That could help us. I
5 mean --

6 COMMISSIONER MADIGAN: Something she
7 wants to be.

8 COMMISSIONER FRANCK: She was, but
9 she retired.

10 MAYOR KELLY: Oh. I mean, it's
11 really a major, major undertaking here.
12 So I do appreciate the work she does.

13 COMMISSIONER FRANCK: Yeah. She had
14 incentives back in '09. She retired and
15 we've been lucky enough to have her for,
16 like, fifteen hours a week, and then she
17 helped the City Center too. So --

18 MAYOR KELLY: That's great.

19 COMMISSIONER MADIGAN: Just kind of
20 keep bringing her back.

21 COMMISSIONER FRANCK: We try to.

22 COMMISSIONER MADIGAN: I know.

23 MAYOR KELLY: All those in favor,
24 say aye.

25 COMMISSIONER MADIGAN: Aye.



1 COMMISSIONER SCIROCCO: Aye.

2 COMMISSIONER FRANCK: Aye.

3 MAYOR KELLY: Any opposed?

4 The matter passes.

5 COMMISSIONER MADIGAN: Thank you.

6 Item number 6 is a discussion and
7 vote, authorization for the Mayor to sign
8 the development agreement, amendment
9 number 2, with SiFi Networks for the
10 fiber optics citywide project.

11 The citywide SiFi Networks Broadband
12 Project will bring a fiber network, along
13 with substantial increases in services to
14 the city, businesses, and residents.
15 It's a complicated project that has
16 required interdepartmental cooperation,
17 particularly between the Department Of
18 Public Works and Finance. We've done our
19 best to make it work for all without
20 burdening any one agency.

21 The Department Of Public Works has
22 had a number of concerns regarding the
23 efficacy of microtrenching in our
24 climate. Accordingly, we have negotiated
25 a development agreement, Amendment Number



1 2, with SiFi to conduct a smaller scale
2 pilot that will be monitored and
3 evaluated. It will cover two separate
4 portions of the city public right-of-way
5 up to 2,500 linear feet each in locations
6 that the parties agreed to by 8/15/2021.

7 This can involve up to 10,000 linear
8 feet of microtrenching. If the
9 Department Of Public Works determines
10 using its reasonable discretion that the
11 microtrenching has not performed
12 sufficiently by April 30th, 2022, the
13 standard details and construction details
14 shall not be approved for further phases.
15 Rather, the parties will negotiate
16 mutually acceptable alternative
17 techniques.

18 I believe that this is the best way
19 forward. It protects the city and all
20 stakeholders' interests. I appreciate
21 the cooperation of the Department Of
22 Public Works and the considerable time
23 and effort of our legal team, Vince
24 DeLeonardis; Risk and Safety, Marilyn
25 Rivers; and the Information Technology



1 Department, Kevin Kling.

2 A very big special thanks though
3 again, to the city attorney, Vince
4 DeLeonardis and Marilyn Rivers for your
5 patience and perseverance. This has been
6 a long time coming.

7 And with that, though, I would like
8 Vince to come and describe where we're at
9 right now with -- because Commissioner
10 Scirocco had a few concerns that he
11 emailed me about, but I want to go over
12 them so that we can feel comfortable
13 about moving this forward.

14 COMMISSIONER SCIROCCO: I can tell
15 you where I'm not in a position to speak
16 on that tonight.

17 I haven't had a chance to look at
18 the agreement. The agreement references
19 the Department Of Public Works, and I
20 just haven't had a chance. So I'm not
21 going to support it. And I think I sent
22 you that memo today in regards to that.

23 I -- my --

24 COMMISSIONER MADIGAN: Excuse me.

25 Commissioner --



1 COMMISSIONER SCIROCCO: -- engineer
2 has been out.

3 COMMISSIONER MADIGAN: -- I wanted
4 to --

5 COMMISSIONER SCIROCCO: My engineer
6 has been out for two days. I haven't had
7 a chance to talk to Deb in regards to it.
8 So, you know, I --

9 COMMISSIONER MADIGAN: Commissioner,
10 I think this is something you can
11 support. There is no big surprise here.

12 COMMISSIONER SCIROCCO: Where is
13 the --

14 COMMISSIONER MADIGAN: We were just
15 in a meeting on Thursday.

16 COMMISSIONER SCIROCCO: There is.

17 COMMISSIONER MADIGAN: I would like
18 this --

19 COMMISSIONER SCIROCCO: It's a
20 different --

21 COMMISSIONER MADIGAN: I would like
22 Vince to --

23 COMMISSIONER SCIROCCO: It's a
24 different --

25 COMMISSIONER MADIGAN: I would like



1 Vince to -- I would like -- it's not
2 different. There is no different
3 engineering in --

4 COMMISSIONER SCIROCCO: Okay.

5 COMMISSIONER MADIGAN: -- this
6 document from last Thursday.

7 COMMISSIONER SCIROCCO: Okay.

8 COMMISSIONER MADIGAN: And Vince and
9 I have discussed this, and we think we've
10 come up with an alternative. So before I
11 move and make any motion, I would like
12 Vince to discuss the very minor changes.

13 COMMISSIONER SCIROCCO: So it's not
14 minor.

15 COMMISSIONER MADIGAN: You approved
16 everything last Thursday --

17 COMMISSIONER SCIROCCO: That's
18 what --

19 COMMISSIONER MADIGAN: -- and I am
20 willing to remove the very minor changes
21 because we need to move forward on this
22 project.

23 COMMISSIONER SCIROCCO: It's not --

24 COMMISSIONER MADIGAN: We have been
25 talking about this project for six



1 years --

2 COMMISSIONER SCIROCCO: What are you
3 talking about?

4 COMMISSIONER MADIGAN: -- and you
5 were sick yesterday, but also at Clancy's
6 drinking last night. So come on, give me
7 a break.

8 COMMISSIONER SCIROCCO: I'll give
9 you a break.

10 COMMISSIONER MADIGAN: Let's do this
11 together.

12 Vince, please.

13 COMMISSIONER SCIROCCO: Give me a
14 break.

15 COMMISSIONER MADIGAN: Let's go.
16 Let's go. You know, this is not a
17 surprise. This is not a surprise.

18 (Audience disruption)

19 MR. DELEONARDIS: So we have -- we
20 have been dealing with SiFi and this
21 project for some time. I believe it was
22 in 2018 we approved the development
23 agreement which did make reference to the
24 ability for SiFi to incorporate
25 microtrenching in the city streets.



1 Of concern though was the specifics
2 and the standard details as to how they
3 were going to incorporate microtrenching
4 in the streets which ultimately requires
5 DPW approval and permitting.

6 There is language in the development
7 agreement that makes reference to the
8 overall general engineering designs that
9 will be submitted, but what SiFi came to
10 us several months ago was as they move
11 forward with the general engineering
12 designs, can we get approval on the
13 standard details, and that is with regard
14 to the microtrenching itself. And by
15 that it's the depth of the trenching, the
16 width of the trenching, the manner in
17 which that will be implemented. Those
18 were the standard details that they
19 wanted DPW to review and approve.

20 DPW appropriately expressed some
21 concerns with regard to microtrenching
22 itself, and the specifics that was being
23 proposed by SiFi as to how they would
24 implement microtrenching.

25 One of the things that Commissioner



1 Scirocco had proposed was the
2 implementation of a pilot, or test run, a
3 test program, if you will. And we did
4 ultimately, in conjunction with
5 Commissioner Scirocco and engineering
6 together with Kevin Cling and Marilyn as
7 you mentioned come up with our own
8 proposed amendment to this agreement that
9 was different than what SiFi had
10 originally proposed that incorporated a
11 number of changes.

12 One of them was they had language in
13 the development agreement where they
14 would provide for a 500,000-dollar letter
15 of credit. We were requesting -- or
16 requiring, rather, that that 500,000
17 dollars be increased to 1.5 million
18 dollars.

19 There was language in the
20 development agreement that the letter of
21 credit would succeed for a period of one
22 year beyond substantial completion and
23 then reduced to fifty percent until such
24 time that DPW was satisfied with the
25 project.



1 We changed that one year into a
2 four-year period at which time it would
3 then get reduced to fifty percent, and
4 DPW would have the ability to release
5 that fifty percent upon its satisfaction.

6 There was language in there with
7 regard to the amount of microtrenching
8 that would be allowed. So I was
9 originally looking actually to implement
10 miles of microtrenching, and Commissioner
11 Scirocco was deemed to be comfortable
12 with providing for microtrenching on both
13 sides of a roadway identified by the
14 Commissioner up to 2,500 feet.

15 So if you have 2,500 feet on both
16 sides of that section of road, and you
17 have two sections of road in total,
18 that's 10,000 linear feet of
19 microtrenching that the Commissioner was
20 willing to allow.

21 That microtrenching was subject to a
22 winter season, and it would allow for
23 DPW, after a winter season, to determine
24 whether the microtrenching and the
25 standard details that were proposed could



1 prove winter weather viability and could
2 sustain a cold climate which was
3 predominantly the concern that DPW was
4 raising.

5 We've seen microtrenching in
6 California, but that that does not
7 represent New York streets. So that
8 concern was a perfectly appropriate
9 concern, a valid concern. And through
10 some back-and-forth, and with everybody's
11 input, we incorporated that into the
12 development agreement.

13 We also provided language in there
14 that did allow them an increase of twelve
15 months to construct the system from
16 thirty-six months to forty-eight months.
17 We included language that approved for
18 purposes only of Phase 1, the standard
19 details that they were providing.

20 In other words, those standard
21 details would only be allowed for that
22 Phase 1, the two sections of 2,500 linear
23 foot for a combined total of 10,000
24 linear foot pending the review in the
25 spring, and we incorporated a date in



1 there -- I think it was on or before
2 April 30th -- that DPW would determine
3 whether or not it was satisfactory. If
4 it was, they would be allowed to
5 continue. If it was not, the standard
6 details that were included in the
7 amendment would not be allowed for
8 implementation in any other section of
9 the roadway.

10 SiFi would have to go and both
11 repair the areas of microtrenching and
12 completely repave the entire sections of
13 those roadways identified by the
14 Department of Public Works.

15 And we also included language from
16 Marilyn with regard to updating their
17 insurance requirements.

18 So that was submitted to SiFi with
19 DPW's input. Everybody was involved in
20 that. SiFi did come back and provide for
21 us some changes that the Commissioner's
22 indicating were received when he was out,
23 and I know that Deb was out also, and
24 there's a period where a Mike Veitch was
25 out of the office.



1 The changes that SiFi is proposing
2 to our amendment is inclusion of language
3 with regard to the Commissioner's
4 language that will be incorporated for
5 the letter of credit. They wanted to add
6 "Shall be determined" adding, "in its
7 reasonable, timely discretion".

8 They also wanted to incorporate
9 language in there that -- with regard to
10 that 1.5-million-dollar letter of credit
11 that the terms of that would be
12 negotiated in good faith between the
13 parties prior to commencement of
14 construction, and also add the ability
15 that SiFi could, at their option, provide
16 for a performance bond in lieu of a
17 letter of credit. And there's a
18 distinction between what a performance
19 bond is and what a letter of credit is.

20 They were incorporating language
21 with regard to the annual maintenance
22 that we were imposing on SiFi. We had
23 put in our amendment that for a period of
24 five years after the completion of
25 construction they would annually inspect



1 and provide for cracked ceiling in the
2 areas where the microtrenching occurred.
3 We called out the product that they would
4 use for that cracked ceiling.

5 The change that they wanted to
6 implement was removing the identification
7 of that product and indicating a New York
8 State DOT-approved product. So it would
9 have to be subject to DOT approval, but
10 it wasn't the specific product that we
11 were calling out.

12 They also added language which --
13 with regard to the two 2,500-foot
14 sections that we identified. They
15 included the word "approximately" 2,500
16 feet.

17 And they also wanted to indicate
18 that the area where we had put in our
19 amendment was to be identified and
20 determined by Commissioner Scirocco.
21 They added language that that location
22 would be "mutually agreed between the
23 parties".

24 And they wanted to change the date
25 for which the microtrenching would occur



1 from October 15th, which is what we had
2 identified, to November 15th.

3 There was also language in there
4 that was with regard to the performance
5 of the microtrenching, and they wanted to
6 provide clarifying language that if the
7 microtrenching proved winter weather
8 viability and established its cold
9 climate success that we would, in fact,
10 allow the standard details to be used for
11 future microtrenching for the remainder
12 of the term.

13 So that was language they wanted to
14 add in there that was just clarifying
15 language.

16 And then put with regard to in the
17 event was the determination by
18 Commissioner Scirocco adding the language
19 again following determination "in its
20 reasonable discretion".

21 And then that the date would be for
22 the inspection after the winter season
23 was April 30th, 2022, and that if the
24 microtrenching was not successful, they
25 wanted to add language that indicated



1 that the parties will, in good faith,
2 negotiate mutually acceptable alternative
3 construction techniques.

4 So those were the -- those were the
5 amendments that SiFi had indicated. They
6 really related to adding language for
7 reasonableness, changing the date of some
8 of the areas, allowance for a performance
9 bond instead of a letter of credit, and
10 incorporating language with regard to
11 appropriate discretion versus sole --
12 sole authority by the Commissioner.

13 So that's what we have in terms of a
14 back and forth. That did just come last
15 week. I mean, I understand, you know, in
16 terms of the amount of time everyone's
17 had to review that, but they're not
18 significant or substantial changes in
19 totality, but everyone, you know, you can
20 have an opinion on that.

21 But of course, you know, we have our
22 amendment that we ultimately provided to
23 them. The council can, I think if you're
24 going to go in that direction, take a
25 look at that and say that's the one we



1 approve, or parts of it, or remove some
2 of those language areas that you're not
3 comfortable with, but that's up to you as
4 a council.

5 COMMISSIONER MADIGAN: And that's
6 why I haven't made the motion yet because
7 I think those are very minor things with
8 potentially the exception of a
9 performance bond in lieu of -- that's the
10 one I'm not sure about, you know, myself.

11 MR. DELEONARDIS: That's fine. So a
12 letter of credit is what we typically
13 require on most of our land use projects,
14 but we do have contracts where we will
15 hire an entity to perform work.

16 COMMISSIONER MADIGAN: Um-hum.

17 MR. DELEONARDIS: I think you'll
18 recall not that long ago, there was one
19 where the contractor, I think, either
20 went bankrupt or something happened.

21 COMMISSIONER MADIGAN: Um-hum.

22 MR. DELEONARDIS: I don't know if it
23 was work on the casino or somewhere else,
24 where that contractor left.

25 COMMISSIONER DALTON: It's safety.



1 MR. DELEONARDIS: Which one was it?

2 COMMISSIONER SCIROCCO: Public

3 safety.

4 MR. DELEONARDIS: In public safety,

5 yes.

6 COMMISSIONER SCIROCCO: Public

7 safety.

8 MR. DELEONARDIS: And that entity

9 had a performance bond. But we do often

10 utilize a letter of credit instead.

11 A letter of credit is the posting of

12 a letter guaranteed by a financial

13 institution of the amount determined

14 typically by our land use boards, but

15 based on guidance from engineering, and

16 that's based on a calculation. One

17 hundred percent of the value of

18 improvements in the right of way. I

19 believe, Commissioner, it's twenty-five

20 percent of the value of improvements on

21 private property.

22 That then is calculated to an

23 amount. They post that letter of credit.

24 In the event they fail or are unable to

25 perform the work, we have the ability to



1 call in that letter of credit, and we
2 receive the funds.

3 A performance guarantee is different
4 from that because there are no funds that
5 we receive. There is an entity who
6 guarantees the work. So they will either
7 through their own contractor find
8 somebody else to do it, but they -- there
9 still is a guarantee to the city, it's
10 just different. And quite frankly, I
11 mean, they propose that ability. I
12 wasn't offended by it, maybe that was
13 something to be considered by everyone.
14 But if there is an issue with that, we
15 can remove it.

16 COMMISSIONER MADIGAN: Exactly.
17 These are very minor changes, and we can
18 remove them all. Everything else was --
19 you were involved with, engineering was
20 involved with, IT was involved with, the
21 head of IT, Marilyn, Vince, myself. So
22 to me, they're very minor changes, but if
23 you don't like them, toss them out.
24 We'll go with what we agreed with last
25 Thursday. But the performance bond is



1 the only one that --

2 COMMISSIONER SCIROCCO: Usually,
3 because it doesn't log your department at
4 all.

5 COMMISSIONER MADIGAN: Excuse me,
6 Commissioner, it does. This has been a
7 project I have worked on long and hard
8 for six years. So don't talk to me like
9 I'm not a part of this city and just get
10 all siloish on me here, like I'm DPW and
11 you're finance. Because you want to know
12 what does concern my department? Money,
13 and you need a lot of it. Don't forget
14 it.

15 So if you want to talk to me that
16 way --

17 COMMISSIONER SCIROCCO: But if --

18 COMMISSIONER MADIGAN: If you want
19 to talk to me, we'll go right at it.

20 COMMISSIONER SCIROCCO:

21 (Indiscernible) about money.

22 COMMISSIONER MADIGAN: So I'm going
23 to make my motion. I have been working
24 on this for six years.

25 COMMISSIONER SCIROCCO: Go ahead.



1 COMMISSIONER MADIGAN: Nothing is a
2 big surprise. I've worked with your
3 department well and your people well, and
4 you're going to sit here over four minor
5 little changes. Send me an email at 5:30
6 tell me you were sick when you're out
7 drinking. Is that what you're going to
8 do? Tell me you can't support it at 5:30
9 today.

10 COMMISSIONER SCIROCCO: I'm not
11 drinking.

12 COMMISSIONER MADIGAN: You were at
13 Clancy's last night. How sick were you?
14 You couldn't read four minor changes?

15 COMMISSIONER SCIROCCO:
16 (Indiscernible).

17 MAYOR KELLY: Can I just bring you
18 back to (indiscernible) for a second? I
19 have the motion.

20 COMMISSIONER SCIROCCO:
21 (Indiscernible).

22 COMMISSIONER MADIGAN: I am done.
23 I'm not working on this with you anymore.
24 This is good to go. Every demand you had
25 made they have given to you to a point



1 where we're doing a tiny little pilot
2 project now.

3 COMMISSIONER SCIROCCO: Where do you
4 (indiscernible).

5 COMMISSIONER MADIGAN: I move --
6 excuse me; I'm on my agenda.

7 COMMISSIONER SCIROCCO: Have at it.

8 COMMISSIONER MADIGAN: I move that
9 the city council authorize the Mayor to
10 sign the development agreement, amendment
11 number 2, with SiFi Networks for the
12 fiber optics project as uploaded with the
13 agenda. This is a motion.

14 MAYOR KELLY: Is there a second?

15 COMMISSIONER DALTON: Second.

16 MAYOR KELLY: Any discussion?

17 COMMISSIONER DALTON: I just want to
18 say that I know there's a lot of
19 specificity here that's being addressed,
20 but at the end of the day, this community
21 has one internet provider that is wildly
22 inconsistent and wildly expensive, and we
23 need an alternative. So I'd like to see
24 this move forward. And I hope that DPW
25 and finance can work together. I have



1 faith they can work together and address
2 whatever concerns we have regarding this
3 specific contract. But at the end of the
4 day, we need another option for internet.

5 COMMISSIONER MADIGAN: Yeah, we do.
6 And this -- you know what, this may not
7 work. I approve of the pilot, and if the
8 pilot doesn't work, we're going to have
9 to look at something else.

10 COMMISSIONER SCIROCCO: That's
11 right.

12 COMMISSIONER MADIGAN: But I have
13 done everything. I have bent over
14 backwards. I have met every single
15 demand you've had. We have four little
16 minor changes and I'm willing to toss
17 those right out the door, because I want
18 this to go through tonight.

19 COMMISSIONER SCIROCCO: You done?

20 COMMISSIONER MADIGAN: And I want
21 your vote.

22 COMMISSIONER SCIROCCO: You haven't
23 tossed them out the door. We're sending
24 a contractor --

25 COMMISSIONER MADIGAN:



1 (Indiscernible).

2 COMMISSIONER SCIROCCO: We're
3 sending an amendment down to SiFi that we
4 have not amended. We have not amended
5 it. We haven't even had the time to look
6 at it to read it. I haven't put it
7 through engineering. I don't know what
8 the impacts are going to be.

9 COMMISSIONER MADIGAN: Nothing has
10 changed --

11 COMMISSIONER SCIROCCO: So I don't
12 (indiscernible).

13 COMMISSIONER MADIGAN: -- from
14 engineering. My IT guy is as good as
15 your engineer, and my IT guy says this is
16 great.

17 COMMISSIONER SCIROCCO: I still
18 don't understand why --

19 COMMISSIONER MADIGAN: And
20 everything is good. I have done my due
21 diligence. This is ready to go. You
22 know, come on.

23 COMMISSIONER SCIROCCO: I know, it
24 says DPW, DPW, DPW. That's all I know.

25 COMMISSIONER MADIGAN: Okay. So



1 what --

2 COMMISSIONER SCIROCCO: It's all
3 that's in this agreement.

4 COMMISSIONER MADIGAN: What do you
5 like of the change? So on Thursday --

6 COMMISSIONER SCIROCCO: I said --

7 COMMISSIONER MADIGAN: -- we were at
8 agreement.

9 COMMISSIONER SCIROCCO: I said I
10 didn't have time to look at it.

11 COMMISSIONER MADIGAN: And we made
12 four little changes and you can't agree
13 with them now because why?

14 COMMISSIONER SCIROCCO: I don't know
15 what the impact of those changes are
16 going to be.

17 COMMISSIONER MADIGAN: So --

18 COMMISSIONER SCIROCCO: If they're
19 going to be -- if there's engineering
20 impact.

21 COMMISSIONER MADIGAN: There's no
22 engineering impact. Nothing has changed.

23 COMMISSIONER SCIROCCO: Okay, you're
24 an engineer now. Thank you.

25 COMMISSIONER MADIGAN: Deb sent an



1 email on Thursday and said she was fine.

2 I sent it to the entire city council.

3 COMMISSIONER SCIROCCO: I'm good

4 with it. I'm good with it.

5 COMMISSIONER MADIGAN: She -- I sent

6 it to the entire city council. There was

7 no engineering change. Was there an

8 engineering change to this -- these

9 amendments?

10 MR. DELEONARDIS: The Exhibit 1

11 which is going to be Exhibit B to the

12 development agreement is the standard

13 details which does include the

14 engineering aspects of this.

15 Engineering did provide handwritten

16 notes to SiFi. SiFi incorporated those

17 into Exhibit -- like I said, it's

18 identified as Exhibit 1 on the addendum,

19 but it is Exhibit B -- I'm sorry -- in

20 the development agreement.

21 So that was being reviewed in terms

22 to incorporate the changes that were

23 being made, but engineering -- but Deb

24 and Katie (ph.) did provide input on that

25 exhibit.



1 COMMISSIONER MADIGAN: Um-hum. They
2 said they were fine with it, the email
3 that I sent to council.

4 COMMISSIONER SCIROCCO: Who said
5 that?

6 MAYOR KELLY: Deb LeBreche.

7 COMMISSIONER MADIGAN: Deb LeBreche.

8 COMMISSIONER SCIROCCO: Oh.

9 COMMISSIONER MADIGAN: I sent the
10 email to you after you sent me an email
11 at 5:30 this evening.

12 COMMISSIONER SCIROCCO: She sent --
13 you sent another email back?

14 COMMISSIONER MADIGAN: To you
15 showing you that Deb said she was okay
16 with it all.

17 COMMISSIONER SCIROCCO: Obviously,
18 she didn't read it. She wasn't even
19 here.

20 MR. DELEONARDIS: The email's from
21 last week. It was a --

22 COMMISSIONER SCIROCCO: Yeah.

23 COMMISSIONER MADIGAN: Yeah, the
24 email was from last Thursday.

25 COMMISSIONER SCIROCCO: It's okay



1 with the agreement, the initial
2 agreement, I think that we -- when -- the
3 one we had sent out when we had the
4 meeting. I think that was the agreement
5 she was okay with. I don't think she was
6 okay with this new -- this brand-new
7 agreement. I think she might have talked
8 to you about it, and I don't -- you know,
9 but I know she hasn't had a chance, we
10 haven't had a chance to sit down with her
11 and really go over it, you know, totally.
12 I don't know if there's going to be any
13 impacts on, you know, on engineering.

14 Again, it's my department. So --
15 and the charter allows -- gives me that
16 authority. So I don't know how we're --
17 how we're sitting here saying that, you
18 know, we're taking this authority away
19 from the Department of Public Works when,
20 in fact, it could be an issue for the
21 city.

22 If we don't get this, you know, on
23 an engineering aspect, then there could
24 be some issues.

25 And I'm not saying I'm opposed to



1 the project. I've never been opposed to
2 the project. I supported this project
3 from day one. All I'm saying is I need
4 time to vet it.

5 And I take offense to the fact you
6 say I was at Clancy's drinking because
7 that's a lie.

8 COMMISSIONER MADIGAN: Oh --

9 COMMISSIONER SCIROCCO: I wasn't
10 there drinking, okay.

11 COMMISSIONER MADIGAN: You were out
12 last night. You told me you were sick.

13 COMMISSIONER SCIROCCO: That's all.
14 You just stop.

15 COMMISSIONER MADIGAN: I couldn't
16 go, because I was -- you took all the
17 offense you want.

18 COMMISSIONER SCIROCCO: Grow up.
19 Stop the nonsense.

20 COMMISSIONER MADIGAN: You know
21 what, don't talk to me like that. You're
22 the one running for office.

23 COMMISSIONER SCIROCCO: I'll
24 (indiscernible).

25 COMMISSIONER MADIGAN: This is a



1 good project. I've been working on it
2 for six years, and you've been doing
3 nothing --

4 COMMISSIONER SCIROCCO:

5 (Indiscernible).

6 COMMISSIONER MADIGAN: -- but giving
7 me a runaround on this one. Why? I've
8 bent over backwards --

9 COMMISSIONER SCIROCCO:

10 (Indiscernible).

11 COMMISSIONER MADIGAN: -- to work
12 for your department and make sure you can
13 work well.

14 MAYOR KELLY: Okay. So --

15 COMMISSIONER MADIGAN: Now, I'm
16 bringing it for a vote, and this is a
17 good project. We need fiber in the
18 ground. Your concerns are just like --
19 we're down to, like, doing nothing but
20 2,500 square feet in the road. Oh, boy.

21 MAYOR KELLY: Okay.

22 COMMISSIONER SCIROCCO: 10,000
23 square feet.

24 MAYOR KELLY: Can we vote?

25 COMMISSIONER SCIROCCO: It's 10,000



1 is what it is --

2 COMMISSIONER MADIGAN: I -- the
3 motion's on the floor.

4 COMMISSIONER SCIROCCO: -- and
5 that's a lot.

6 MAYOR KELLY: Okay.

7 COMMISSIONER SCIROCCO: And we
8 haven't even approved the standard
9 details.

10 MAYOR KELLY: We have a second.
11 All --

12 COMMISSIONER MADIGAN: We can't.

13 MAYOR KELLY: Okay.

14 COMMISSIONER MADIGAN: It's amazing
15 how much you don't get.

16 MAYOR KELLY: Okay, please. Please,
17 guys. All right. Let's just get the
18 vote in and see where we're at.

19 MR. DELEONARDIS: So I need
20 clarification on the vote, though.

21 MAYOR KELLY: Yeah.

22 MR. DELEONARDIS: Are we -- are you,
23 as council, going to be voting on the
24 amendment that we drafted or the one that
25 SiFi returned with --



1 COMMISSIONER MADIGAN: Well, that's
2 what I was offering up to the
3 Commissioner until he just got all --
4 like, engineering hasn't looked at it
5 even though we've been working on this
6 for six years. I am more than happy to
7 go back to what he approved on Thursday.

8 MAYOR KELLY: He doesn't want to, so
9 we're off that.

10 COMMISSIONER SCIROCCO: They haven't
11 approved that is what I'm saying. They
12 came back with another amendment. They
13 came -- we sent them the amendment for
14 approval. They -- listen, they didn't
15 approve it.

16 MR. DELEONARDIS: Right.

17 COMMISSIONER SCIROCCO: They sent
18 back -- am I right?

19 MR. DELEONARDIS: They made
20 modifications to it.

21 COMMISSIONER MADIGAN: They made
22 four little tweaks.

23 MR. DELEONARDIS: They made
24 modifications to it. I mean, to the
25 Commissioner's point. So if the council



1 were to vote on the draft that we
2 provided it would still have to go back
3 to SiFi, and it's up to them to say we
4 accept it or not. They might not.

5 COMMISSIONER SCIROCCO: Without the
6 tweaks. But they haven't approved it.

7 MR. DELEONARDIS: No. It was for
8 their final approval.

9 MAYOR KELLY: So we have to approve
10 it first, and then it goes to SiFi.
11 So --

12 COMMISSIONER MADIGAN: That's, like,
13 how we do all things here.

14 MAYOR KELLY: So you want to make
15 the amendment to use the first draft,
16 then we can vote on that, and we'll send
17 that over.

18 COMMISSIONER MADIGAN: And I don't
19 care.

20 COMMISSIONER SCIROCCO: I have no
21 problem with the first draft.

22 MAYOR KELLY: Okay. So let's --

23 COMMISSIONER MADIGAN: That's fine
24 to say.

25 MAYOR KELLY: -- vote.



1 COMMISSIONER SCIROCCO: I want -- I
2 want to add to that amendment. If they
3 decide to come back with another
4 proposal, it's over.

5 MR. DELEONARDIS: Yeah, well, right
6 now --

7 COMMISSIONER SCIROCCO: Over.

8 MR. DELEONARDIS: -- right now,
9 Commissioner, if the council --

10 COMMISSIONER MADIGAN: Why is it
11 just over? Are you the king? I mean,
12 are you king?

13 MAYOR KELLY: Okay. Let's -- let's
14 see --

15 COMMISSIONER MADIGAN: Why would it
16 be over?

17 MAYOR KELLY: So Vince, how would we
18 make an amendment.

19 COMMISSIONER SCIROCCO: If you want
20 to take it (indiscernible).

21 COMMISSIONER MADIGAN: How can it be
22 over?

23 COMMISSIONER SCIROCCO: Excuse me.
24 You want to (indiscernible).

25 COMMISSIONER MADIGAN: You may



1 not --

2 COMMISSIONER SCIROCCO:

3 (Indiscernible).

4 MAYOR KELLY: -- be DPW Commissioner
5 forever.

6 COMMISSIONER MADIGAN: Sure.

7 COMMISSIONER SCIROCCO: You want to
8 take on the project?

9 COMMISSIONER MADIGAN: I'm already
10 taking on street lights and recycling,
11 and now I'll do --

12 COMMISSIONER SCIROCCO: Public
13 Works.

14 COMMISSIONER MADIGAN: -- and now
15 I'll do cyber because you have no vision,
16 sir, and it's sad. You can't even
17 recycle in the public streets. It's
18 been -- we don't even recycle in this
19 building.

20 COMMISSIONER SCIROCCO: Thank you.

21 MR. DELEONARDIS: I think for
22 purposes of these records because the
23 amendment --

24 COMMISSIONER MADIGAN: Nice to have
25 somebody with some vision around here.



1 COMMISSIONER SCIROCCO: Thank you.

2 I have vision. I appreciate that.

3 COMMISSIONER MADIGAN: None.

4 MAYOR KELLY: Forget it.

5 COMMISSIONER SCIROCCO: Thank you.

6 MAYOR KELLY: Go ahead.

7 MR. DELEONARDIS: Because the
8 amendment that has SiFi's changes to it
9 with the document that was uploaded for
10 the benefit of the record, if we're going
11 to vote on the one that we originally
12 did --

13 COMMISSIONER SCIROCCO: I'll vote on
14 anything.

15 MR. DELEONARDIS: -- I would suggest
16 I actually read it into the record.
17 It'll probably take a couple minutes, but
18 it'll give us something else to read.

19 MAYOR KELLY: Please.

20 COMMISSIONER SCIROCCO: What time
21 does Clancy's close?

22 COMMISSIONER MADIGAN: 4 a.m., sir.
23 4 a.m. You made it Clancy's but couldn't
24 read four little minor changes.

25 MAYOR KELLY: Go ahead, Vince,



1 please.

2 MR. DELEONARDIS: "Development
3 Agreement Amendment Number 2. This
4 amendment number 2 made on July" -- it
5 will be filled in for today's date --
6 "2021 by and between the City of Saratoga
7 Springs, New York, a municipal
8 corporation with offices at 474 Broadway,
9 Saratoga Springs, New York, 12866, herein
10 after the "City" and SiFi Networks,
11 Saratoga Springs LLC, a Delaware Limited
12 Liability Company, hereinafter "SiFi
13 Networks" each sometimes referred to
14 individually as "Party" and collectively
15 as the "Parties" whereas the City and
16 SiFi Networks entered into a development
17 agreement as amended herein and after
18 referred to as "Agreement" on August
19 28th, 2018 which is incorporated herein
20 by reference and whereas under the terms
21 contained within the agreement, the City
22 has agreed to grant SiFi Networks access
23 to and a license to use the public way
24 for the purpose of installing a fiber
25 optic network in the City. And whereas



1 Section numbered and designated 9.7,
2 modification, of the agreement provides
3 that same may be amended upon an
4 instrument in writing, duly executed by
5 the City and SiFi Networks. And whereas,
6 pursuant to the aforesaid section, the
7 Parties herein wish to further amend the
8 agreement as set forth below.

9 "Now, therefore, the Parties agree
10 to amend the agreement as follows.

11 "Number 1. Section 2.5 is hereby
12 amended by replacing the number 500,000
13 dollars with the number 1,500,000
14 dollars.

15 "The second and third sentences
16 shall be replaced with the following
17 sentences:

18 "The letter of credit shall remain
19 in the aforesaid amount for a period of
20 forty-eight months following the date at
21 which substantial completion has been
22 achieved. Thereafter, the letter of
23 credit requirement shall be reduced by
24 fifty percent and shall remain in such
25 amount until such time that the City's



1 Department of Public Works has determined
2 that all required work within the City
3 public way, right of way, and/or City
4 property has been satisfactorily
5 completed.

6 "Number 2. Section 2.6 is hereby
7 amended by replacing the third, fourth,
8 fifth, sixth, and seventh sentences with
9 the following sentences.

10 "SiFi Networks will remit 40,000
11 dollars to the City to compensate the
12 City for the above-described costs
13 incurred by the City during the period
14 from January 1, 2021 through July 31,
15 2021. Commencing on August 1, 2021 and
16 to partially offset the costs associated
17 with employing an SPOC, or single point
18 of contact, SiFi Networks shall remit
19 payment to the City on a monthly basis.
20 Such payments shall be capped at a
21 maximum of 120,000 dollars per annum and
22 shall be paid on a pro rata basis each
23 month at 10,000 dollars per month until
24 substantial completion. SiFi Networks
25 shall remit payment to the City on or



1 before the 15th of each month.

2 "Subsequent to substantial
3 completion. SiFi Networks is under no
4 obligation to continue to contribute to
5 the employment costs associated with the
6 SPOC, or single point of contact. The
7 SPOC and the City's Department of Public
8 Works will be responsible for
9 facilitating and expediting the
10 permitting process and communicating with
11 abutters, the city council, and general
12 public regarding the construction process
13 and progress.

14 "Number 3. Section 4.1 as amended
15 in Amendment Number 1 is hereby further
16 amended by replacing the words "thirty-
17 six" with the words "forty-eight".

18 "Number 4. The attached Exhibit 1
19 is hereby added as Exhibit B to the
20 agreement.

21 "Number 5. Section 4.1.1 is hereby
22 amended by adding the following at the
23 end of the section.

24 "SiFi Networks shall annually
25 initiate cracked ceiling needed in



1 accordance with New York State DOT
2 guidance on all areas affected by system
3 construction from construction
4 commencement and continuing for a period
5 of five years following the date of
6 substantial completion. Cracked ceiling
7 shall utilize SAFETRACK RMP 100 or
8 better.

9 "Number 6. Section 4.14.2 is hereby
10 amended by adding the following
11 paragraphs at the end of the section.

12 "The standard details depicted and
13 described in Exhibit B are approved as
14 construction techniques to be utilized by
15 SiFi Networks only with respect to Phase
16 1. Phase 1 shall include two separate
17 portions of City public way measuring up
18 to 2,500 linear feet each as determined
19 and identified by the Department of
20 Public Works. SiFi Networks shall be
21 permitted to utilize the construction
22 techniques depicted and described in
23 Exhibit B for the system construction on
24 each side of the portions of the public
25 way determined and identified by the



1 Department of Public Works for a maximum
2 total of 10,000 combined linear feet of
3 microtrenching.

4 "Microtrenching shall occur only
5 during times coordinated with the
6 Department of Public Works but shall not
7 occur later than October 15th, 2001
8 (sic).

9 "The Department of Public Works
10 shall conduct an inspection of the
11 microtrenching in the area identified as
12 Phase 1, and shall determine, on or
13 before April 30, 2022, whether the
14 standard details and construction
15 techniques depicted and described in
16 Exhibit B have sufficiently withstood
17 winter weather conditions and evidenced
18 cold climate viability. And shall
19 further determine whether such standard
20 details and construction techniques are
21 appropriate for system construction.

22 "In the event the Department of
23 Public Works determines that the
24 microtrenching has not proven cold
25 climate viability, the standard details



1 and construction techniques depicted and
2 described in Exhibit B shall not be
3 approved for any further phases or
4 permitted for use within the public way
5 and SiFi Networks shall be solely
6 responsible for all costs associated with
7 repairing the affected areas and repaving
8 the entire portions of public way as
9 included in Phase 1.

10 "Number 7. The attached Exhibit 2,
11 insurance requirements, shall be
12 incorporated into Section 5.4 of the
13 agreement. Any provision contained
14 within Exhibit 2 which is not consistent
15 with Section 5.4 shall control and govern
16 SiFi Networks' responsibilities and
17 obligations relative to the insurance
18 requirements contained therein.

19 "Unless amended herein, all other
20 terms and conditions of the agreement
21 shall continue and remain the same as it
22 fully set forth in this agreement. In
23 witness whereof, the parties that
24 executed this Amendment Number 2 and
25 hereunto set their hands and seals as of



1 the date written below." And it has a
2 signature lines for the City upon the
3 authorization of the Mayor to execute,
4 and SiFi.

5 COMMISSIONER MADIGAN: Thank you,
6 Vince. So that reverts us back to the
7 original agreement.

8 MR. DELEONARDIS: Yes.

9 COMMISSIONER MADIGAN: So it's a
10 great project, especially if we get
11 through this pilot, this will enable the
12 entire city to have fiber laid on every
13 single city street, fiber to the home,
14 fiber to businesses. We should have the
15 vision to think about that for our city.

16 It will make us competitive. It's
17 economically advantageous for us. It's a
18 good project. It's one this entire city
19 council has been working on for years.
20 We've had a development agreement that we
21 brought forward in December 18th --
22 December 2018, and we all unanimously
23 already approved it.

24 I'm actually amending it to help DPW
25 which is why I don't really appreciate



1 the situation we're in right now. You
2 can laugh all you want.

3 COMMISSIONER SCIROCCO: I'm
4 laughing.

5 COMMISSIONER MADIGAN: You're the
6 one acting like a child, not me.

7 COMMISSIONER SCIROCCO: I am
8 laughing.

9 COMMISSIONER MADIGAN: And I
10 strongly suggest, Commissioner, and I'm
11 asking you nicely right now, to please
12 support this.

13 I have worked on this long and hard,
14 and so have you, and so has your team.
15 And SiFi is giving you everything you
16 have requested, including 120,000 dollars
17 a year, a 1.5-million-dollar letter of
18 credit, and what is it, 15,000 dollars a
19 month, you know, to make sure all the
20 services are taking place accordingly
21 within the city because of the resources
22 that it takes.

23 They were willing to hire an
24 engineer for us to do this project.
25 There is just nothing about this that we



1 should hold this up for another two
2 weeks, three weeks, a month, because
3 that's what we've been doing for the last
4 six or seven months.

5 So I really hope you'll vote for
6 this because it'll go a long way for the
7 two of us for the rest of this year, and
8 it's a good project, and it's just a
9 pilot, and it's good for the city. So I
10 don't know if anybody else has anything
11 to say.

12 COMMISSIONER SCIROCCO: At the next
13 city council meeting -- I can tell you at
14 the next city council meeting, I'm going
15 to do a presentation to show the public
16 and the city council why this is a bad
17 idea, because we got nothing but
18 negative --

19 COMMISSIONER MADIGAN: That's not
20 true either, so let's not go there.
21 Because I can bring the engineer from
22 Boston in here to tell you how great
23 microtrenching is.

24 COMMISSIONER SCIROCCO: Yep. Talk
25 to him.



1 COMMISSIONER MADIGAN: I mean, we
2 can go tit for tat if you want.

3 COMMISSIONER SCIROCCO: I don't want
4 to.

5 COMMISSIONER MADIGAN: But people in
6 cold weather climates do microtrenching.

7 COMMISSIONER SCIROCCO: That's what
8 I'm going to do. So --

9 COMMISSIONER MADIGAN: Do it.
10 Whatever. I mean -- do what you want. I
11 called for the vote, and I hope you'll
12 support it or you're not going to be
13 happy with me.

14 MAYOR KELLY: Vince, may I ask about
15 the motion -- to make a motion?

16 COMMISSIONER MADIGAN: To amend it.

17 I move that we amend the motion to
18 reflect the original contract that Vince
19 just read into the record. This is a
20 motion.

21 MAYOR KELLY: Is there a second?

22 COMMISSIONER DALTON: Second.

23 MAYOR KELLY: Any discussion?

24 COMMISSIONER SCIROCCO: And I think
25 this council is in violation of the



1 city -- city charter. So I'm going to
2 hold everybody accountable to that. So
3 because of this --

4 COMMISSIONER MADIGAN: And you're in
5 violation --

6 COMMISSIONER SCIROCCO: -- because
7 of this agreement -- because of this
8 agreement and how it --

9 COMMISSIONER MADIGAN: But you
10 already voted for it.

11 COMMISSIONER SCIROCCO: I --

12 COMMISSIONER MADIGAN: You already
13 voted for it.

14 COMMISSIONER SCIROCCO: I --

15 COMMISSIONER MADIGAN: You already
16 voted for it. You -- you know, I
17 could -- we could just go with the
18 original --

19 COMMISSIONER SCIROCCO:

20 (Indiscernible).

21 COMMISSIONER MADIGAN: -- agreement
22 and this should be in the ground --

23 COMMISSIONER SCIROCCO: Yes.

24 COMMISSIONER MADIGAN: -- doing
25 microtrenching everywhere and then we can



1 be held in breach of contract.

2 COMMISSIONER SCIROCCO: All right.

3 COMMISSIONER MADIGAN: Because you
4 voted for it already. I'm amending this
5 for you.

6 COMMISSIONER SCIROCCO: You're not
7 doing it for me.

8 COMMISSIONER MADIGAN: Yes, I am.
9 Well, then why have I just spent the
10 seven months doing this? These are your
11 demands.

12 COMMISSIONER SCIROCCO: You're not
13 the DPW. I am.

14 COMMISSIONER MADIGAN: These are
15 your demands. You voted on this contract
16 already.

17 COMMISSIONER SCIROCCO:
18 (Indiscernible).

19 COMMISSIONER MADIGAN: Vince, would
20 you please explain to him that this
21 entire council has already voted on this
22 contract?

23 MR. DELEONARDIS: The development
24 agreement --

25 COMMISSIONER MADIGAN: Yeah.



1 MR. DELEONARDIS: -- was approved by
2 city council, yes.

3 COMMISSIONER SCIROCCO: Yeah. Yeah.

4 COMMISSIONER MADIGAN: What do you
5 think we're doing? We're amending it
6 today.

7 COMMISSIONER SCIROCCO: I read it.

8 COMMISSIONER MADIGAN: For DPW.

9 COMMISSIONER SCIROCCO: I read it.

10 MAYOR KELLY: Are we voting?

11 Okay. All those in favor, say aye.

12 COMMISSIONER MADIGAN: Aye.

13 COMMISSIONER DALTON: Aye.

14 MAYOR KELLY: Aye.

15 COMMISSIONER SCIROCCO: DPW says no.

16 MAYOR KELLY: The matter passes.

17 MR. DELEONARDIS: You all set with
18 me?

19 MAYOR KELLY: Yes. Thank you.

20 COMMISSIONER MADIGAN: I am, and
21 thank you, and thank you to the council,
22 that voted for this because they have
23 vision.

24 COMMISSIONER SCIROCCO: And next
25 week, I'll have a presentation, or the



1 next two weeks.

2 MAYOR KELLY: Okay. Let's move on,
3 please.

4 COMMISSIONER SCIROCCO: It'll be a
5 good one.

6 COMMISSIONER MADIGAN: Ridiculous.
7 Really ridiculous.

8 COMMISSIONER SCIROCCO: It doesn't
9 (indiscernible).

10 MAYOR KELLY: Let's move on, please.

11 COMMISSIONER MADIGAN: Really
12 ridiculous.

13 COMMISSIONER SCIROCCO: Thank you.

14 COMMISSIONER MADIGAN: But that's
15 okay because I know what my job is too.

16 COMMISSIONER SCIROCCO: You got a
17 good job.

18 COMMISSIONER MADIGAN: Oh, yeah.

19 MAYOR KELLY: Let's move on.

20 COMMISSIONER MADIGAN: I will move
21 on when I'm ready.

22 MAYOR KELLY: Thank you.

23 COMMISSIONER MADIGAN: Because like
24 even I need a minute with this ridiculous
25 nonsense from the Commissioner of Public



1 Works tonight.

2 COMMISSIONER SCIROCCO: Ridiculous
3 nonsense.

4 COMMISSIONER MADIGAN: Item number
5 9. You don't deserve the office. You
6 have no vision.

7 COMMISSIONER SCIROCCO: Let's see;
8 January?

9 COMMISSIONER MADIGAN: Item number
10 9, discussion and -- we'll see what
11 happens in January

12 COMMISSIONER SCIROCCO: I might.

13 COMMISSIONER MADIGAN: Yeah. Oh,
14 no, I'm not running. I'm not running. I
15 chose not to. I don't know why you are.

16 COMMISSIONER SCIROCCO: I don't know
17 either.

18 COMMISSIONER MADIGAN: Because you
19 have no vision.

20 COMMISSIONER SCIROCCO: Yeah, unlike
21 you.

22 COMMISSIONER MADIGAN: Yeah. I have
23 no vision.

24 (Audience disruption)

25 COMMISSIONER MADIGAN: You know



1 what, I'll move it along when I'm ready.

2 (Audience disruption)

3 MAYOR KELLY: Okay. Can you just
4 start, Michele, please.

5 COMMISSIONER MADIGAN: That's
6 lovely. Do you want to know how many
7 people stop me on the street to tell me
8 how much they love me at meetings? Yeah.
9 So shut your mouth.

10 Item number 9 is a discussion and
11 vote, budget amendments benefits.

12 (Audience disruption)

13 MAYOR KELLY: You need to do -- you
14 need to do 7. You're on number 7.

15 COMMISSIONER MADIGAN: No, I'm not
16 doing number 7.

17 MAYOR KELLY: Okay.

18 COMMISSIONER MADIGAN: I'm not --

19 MAYOR KELLY: Okay.

20 COMMISSIONER MADIGAN: I'm not
21 putting any more money in the budget for
22 DPW ever again. So here we go.

23 COMMISSIONER SCIROCCO: Listen,
24 you're not (indiscernible).

25 COMMISSIONER MADIGAN: Discussion



1 and vote --

2 COMMISSIONER SCIROCCO: -- you're
3 doing it to the public.

4 COMMISSIONER MADIGAN: You're
5 doing --

6 COMMISSIONER SCIROCCO: If I don't
7 get the funding I need --

8 COMMISSIONER MADIGAN: Really? So
9 what are you doing for public by not
10 moving forward on this -- this -- a pilot
11 that I had to, like, listen to you repeat
12 yourself over and over again about,
13 like --

14 COMMISSIONER SCIROCCO: It's a
15 commitment.

16 COMMISSIONER MADIGAN: -- boxes and,
17 you know, technology.

18 COMMISSIONER SCIROCCO: It's a big
19 commitment.

20 MAYOR KELLY: Commissioner, you're
21 pulling (indiscernible).

22 COMMISSIONER MADIGAN: It's a 10,000
23 square feet pilot.

24 COMMISSIONER SCIROCCO: Okay. It's
25 a 10,000 linear feet; but that's okay.



1 COMMISSIONER MADIGAN: Linear,
2 whatever.

3 COMMISSIONER SCIROCCO: Yeah,
4 whatever.

5 (Audience disruption)

6 COMMISSIONER MADIGAN: Oh, my God.

7 COMMISSIONER SCIROCCO: Would you
8 move on, please.

9 COMMISSIONER MADIGAN: If I want.

10 COMMISSIONER SCIROCCO: I want to
11 get to my agenda.

12 COMMISSIONER MADIGAN: Really?

13 COMMISSIONER SCIROCCO: Yes.

14 COMMISSIONER MADIGAN: Item number 7
15 I do want to do. Item number 8 I don't
16 want to do.

17 Item number 7 is discussion and
18 vote, budget amendments payroll first.
19 These are -- wait, I have something wrong
20 with my notes.

21 So it says it's budget transfers,
22 but it's actually a budget amendment. So
23 what should I do, Lisa? Amend the
24 agenda?

25 SECRETARY RIBIS: You could just



1 take (indiscernible).

2 COMMISSIONER MADIGAN: All right.

3 Item number 7 is a discussion and vote.

4 It is not a budget transfer for payroll.

5 It is a budget transfer -- it's a budget
6 amendment.

7 These are amendments to overtime and
8 Social Security lines to cover
9 reimbursements received from the Capital
10 District Drug Enforcement Task Force in
11 the amount of \$11,072.60.

12 I move that the city council approve
13 the budget amendments. Payroll 1 is
14 included with the agenda. This is a
15 motion.

16 MAYOR KELLY: Is there a second?

17 COMMISSIONER DALTON: Second.

18 MAYOR KELLY: Any discussion? All
19 those in favor, say aye.

20 COMMISSIONER FRANCK: Aye.

21 COMMISSIONER DALTON: Aye.

22 MAYOR KELLY: Any opposed?

23 The matter passes.

24 COMMISSIONER MADIGAN: I'm going to
25 remove item number 8.



1 Item number 9 is a discussion and
2 vote, budget amendments benefits.

3 These are amendments to retire --
4 for retirement, hospitalization, and
5 vision insurance lines to cover the
6 hiring costs associated with the approved
7 2021 mid-year budget recommendations
8 for -- nope, nope, nope, nope. I'm
9 removing number 9 too.

10 So item number 10 is a discussion
11 and vote, budget transfers payroll, lines
12 1 through 2, transfer overtime from the
13 street sub department to retirement
14 incentive in the amount of 1,000 dollars.

15 Lines 3 through 5, transfer
16 retirement incentives for firefighter
17 wages to cover the fire department EMT
18 education incentive in the amount of
19 8,500 dollars.

20 Line 6 through 7, transfer fire
21 fighter wages to clothing allowance to
22 cover uniforms for three replacement
23 hires.

24 Lines 8 through 9, transfer police
25 wages to PDT07C (ph.), benefits for



1 active and disabled police officers in
2 the amount of 29,561 dollars.

3 I move that the city council approve
4 the budget transfers payroll as included
5 with the agenda. This is a motion.

6 MAYOR KELLY: Is there a second?

7 COMMISSIONER DALTON: Second.

8 MAYOR KELLY: Any discussion?

9 All those in favor, say aye.

10 COMMISSIONER FRANCK: Aye.

11 COMMISSIONER DALTON: Aye.

12 COMMISSIONER MADIGAN: Aye.

13 MAYOR KELLY: Any opposed?

14 The matter passes.

15 COMMISSIONER DALTON: Before we move
16 onto the next one, I need a one-minute
17 bathroom break.

18 COMMISSIONER MADIGAN: That's great.
19 I'd like to go tell those people how rude
20 they are.

21 MAYOR KELLY: Okay. Let's go onto
22 Commissioner of Public Works,
23 Commissioner Scirocco.

24 COMMISSIONER SCIROCCO: Thank you,
25 Mayor.



1 The first item on my agenda is a
2 discussion and vote. This is approval to
3 pay invoice number 20218378. This is to
4 Hydra Tech in the amount of \$29,441.50.
5 The following invoice from Hydra Tech is
6 for the valve installation services
7 during the Green Street water main break
8 on July 1st. And I'm not going to go
9 through the whole list because it's
10 getting late.

11 I did talk about this at the last
12 city council meeting, you know, why we
13 called Hydra Tech in and all that.

14 So due to this service was happening
15 over the holiday weekend, the emergency
16 purchasing policy was not met. That's
17 the reason why we're bringing it to the
18 table.

19 So therefore, I move for approval to
20 pay invoice 20218378 to Hydra Tech in the
21 amount of \$29,441.50 and I put that in
22 the form of a motion.

23 MAYOR KELLY: Is there a second?

24 COMMISSIONER FRANCK: Second.

25 MAYOR KELLY: Any discussion?



1 COMMISSIONER MADIGAN: Yeah. We see
2 way to many of these. You never seem to
3 be able to pay your bills on time, and
4 it's becoming a problem, and we're
5 starting to get audit findings about
6 them.

7 So maybe you could try with all the
8 people you have in DPW to actually pay
9 your bills on time.

10 MAYOR KELLY: All those in favor,
11 say aye.

12 COMMISSIONER FRANCK: Aye.

13 COMMISSIONER DALTON: Aye.

14 COMMISSIONER MADIGAN: No.

15 MAYOR KELLY: Any opposed?

16 The matter passes.

17 COMMISSIONER SCIROCCO: You done?

18 COMMISSIONER MADIGAN: Yeah. I just
19 voted no.

20 COMMISSIONER SCIROCCO: Thank you.

21 Second item on my agenda is
22 discussion and vote, to accept a donation
23 from MLK Saratoga for a memorial bench in
24 the amount of 1,500 dollars.

25 MLK has purchased a memorial bench



1 and a plaque with a quote, "This is in
2 honor of Lt. Clarence William Lee Dart
3 1920 to 2012. He was a Tuskegee Airman
4 in World War II, fighter pilot. The
5 receiver of the Congressional Gold Medal
6 in 2007. He was a husband, father, and
7 community leader." That's what the
8 plaque is going to say. And this is to
9 be placed near the War Memorial Pavilion
10 in the amount of 1,500 dollars.

11 And I know his granddaughter's here
12 in the audience. So, you know, I want to
13 thank him for his service.

14 I don't know if people realize, but
15 I just pulled up a little history of the
16 Tuskegee Airman. I know there was a
17 movie, I think it as Red Tails or
18 Tuskegee Airman. That's what they were
19 called. They got called red tails
20 because they painted the tails on the
21 airplane red. They were the first
22 American fighter pilots -- fighter pilot
23 and crew in the U.S. Army Air Corps., and
24 they were not all from Tuskegee. The
25 Tuskegee Airman were trailblazers,



1 pioneers, and leaders in the fight
2 against fascism and racism.

3 These men were the cream of the
4 crop. Many of whom have already had
5 bachelor's and master's degrees when they
6 first began flight training in July 1941.
7 The men and women fought two wars and won
8 both of them with skill and bravery. And
9 I want to personally thank them again for
10 their service. So we'll be honored to
11 put that bench in that place.

12 COMMISSIONER DALTON: You have to
13 make a motion.

14 MAYOR KELLY: Yes. You have to make
15 a motion for the bench.

16 COMMISSIONER SCIROCCO: Oh, yeah.
17 The motion. Sorry.

18 MAYOR KELLY: No, that's all right.

19 COMMISSIONER SCIROCCO: Therefore, I
20 move for the council to accept the MLK
21 Saratoga in the amount of 1,500 dollars
22 for the purchase of one memorial bench,
23 and I put that in the form of a motion.

24 MAYOR KELLY: Is there a second?

25 COMMISSIONER FRANCK: Second.



1 MAYOR KELLY: Any discussion?

2 All those in favor, say aye.

3 COMMISSIONER DALTON: Aye.

4 COMMISSIONER FRANCK: Aye.

5 MAYOR KELLY: Any opposed? The
6 matter passes.

7 COMMISSIONER SCIROCCO: Third item
8 on my agenda is discussion and vote,
9 authorization for council approval to
10 amend DPW part-time labor hourly wage.

11 After careful review, DPW is taking
12 a proactive approach and proposing an
13 increase in minimum wage for part-time
14 labor, fifteen dollars an hour.

15 New York State minimum wage is
16 current 12.50, with plan increases to 15
17 dollars by the Department of Labor.
18 Therefore, the proposed wage increase
19 would ensure the city is acknowledging
20 the current value of work, as well as
21 incentivizing quality part time employees
22 to stay or return to work for the city
23 each year. The hourly increases will be
24 covered within the DPW budget.

25 Therefore, I move for the council to



1 approve amended DPW part-time labor
2 hourly wage to fifteen dollars an hour
3 and I put that in the form of a motion.

4 MAYOR KELLY: Is there a second?

5 COMMISSIONER FRANCK: Second.

6 MAYOR KELLY: Any discussion?

7 COMMISSIONER MADIGAN: I -- I don't
8 know if I'm going to go forward with this
9 transfer.

10 COMMISSIONER SCIROCCO: Oh, man.

11 MAYOR KELLY: That's your vote?

12 COMMISSIONER SCIROCCO: Let's vote
13 again.

14 COMMISSIONER MADIGAN: I vote no.

15 COMMISSIONER SCIROCCO: Let's vote.

16 MAYOR KELLY: All right. All those
17 in favor --

18 COMMISSIONER MADIGAN: What's the
19 matter? I don't want to do it. I'm the
20 Commissioner of Finance. I have that
21 power.

22 COMMISSIONER SCIROCCO: Okay, pal.

23 MAYOR KELLY: Okay. Let me try that
24 again. All those in favor, say aye. I
25 do.



1 COMMISSIONER SCIROCCO: Is this the
2 twilight zone or what?

3 MAYOR KELLY: The matter passes.
4 Continue on, please.

5 COMMISSIONER SCIROCCO: Oh, man.

6 COMMISSIONER MADIGAN: I have the
7 power.

8 COMMISSIONER SCIROCCO: Third item
9 on my agenda -- yeah, the third, I think
10 I lost track here.

11 MAYOR KELLY: Four. Fourth.

12 COMMISSIONER SCIROCCO: Okay.
13 That's discussion and vote,
14 authorization -- nope, I already said
15 that one.

16 MAYOR KELLY: You did that.

17 COMMISSIONER SCIROCCO: Next one is
18 just discussion, and this is for the City
19 of Saratoga Springs Zoning Ordinance 6.1,
20 6.1.1 intent.

21 The intent of this article is to
22 promote and protect the public health,
23 welfare, and safety by regulating outdoor
24 advertising and signs of all types. All
25 signs should be erected and constructed



1 so as not to obstruct traffic, cause
2 visual blight nor detract from value of
3 adjacent properties. And then it just --
4 there's just a list of general
5 regulations.

6 The reasons why I'm bringing this to
7 the council is just to make them aware
8 that, you know, we spend a lot of money,
9 especially on Broadway, putting flowers
10 in those planters, and I've noticed
11 there's been a lot of different signs
12 that have been -- have transplanted in
13 those -- in those flowerbeds, and it's
14 not legal. It's -- it needs to cease and
15 desist.

16 MAYOR KELLY: I've seen them on
17 street signs --

18 COMMISSIONER SCIROCCO: Yeah.

19 MAYOR KELLY: -- and telephone
20 poles.

21 COMMISSIONER DALTON: Commissioner
22 Scirocco, if you could describe to the
23 public what the right of way is, because
24 I think there's a lot of confusion about
25 what that term means.



1 COMMISSIONER SCIROCCO: Well, it's
2 from the center of the road depending on
3 whatever the measurement at that piece,
4 the sidewalks, the tree belt, that's the
5 right of way.

6 Again, you know, I noticed
7 especially on Broadway there's -- you
8 know, the signs are cropping up there,
9 and all different signs. There's no one
10 in particular. One person puts a sign in
11 and another -- another person will put a
12 sign in, and then it's house washing or
13 this or that or whatever. And before you
14 know it, there's the whole -- the whole
15 Broadway area -- and -- is full of signs.

16 You can put signs on your own lawn
17 on, you know, on your own property, but
18 it's -- it's not legal to put them in the
19 right of way.

20 I'm going to say that the ordinance
21 does call -- does allow political signs
22 and real estate signs. The political
23 signs can't be up sixty days before an
24 election. They have to be down fifteen
25 days after election. So they're



1 regulated. And real estate signs are
2 another one that's regulated by them.
3 But any other signs need permission from
4 the Department of Public Works --

5 COMMISSIONER DALTON: Did we think
6 of --

7 COMMISSIONER SCIROCCO: -- to be in
8 the right of way.

9 COMMISSIONER DALTON: I'm sorry. I
10 didn't mean to interrupt.

11 Did we figure out if this slow your
12 roll signs, was that something that the
13 city was doing? I know what we were --
14 the slow your roll signs? I know --

15 COMMISSIONER SCIROCCO: They're not
16 legal.

17 COMMISSIONER DALTON: I didn't know
18 if that was, like, a -- because I think
19 they're great. I think the message is
20 great.

21 MAYOR KELLY: It's Bikeatoga.

22 COMMISSIONER DALTON: Oh, it's
23 Bikeatoga. Okay. Thank you.

24 COMMISSIONER SCIROCCO: Yeah. You
25 can put those in your own -- on your own



1 property --

2 COMMISSIONER DALTON: Right.

3 COMMISSIONER SCIROCCO: -- but not
4 in the tree belt. Not in -- not in the
5 right of way. Certainly not on Broadway
6 where we spent thousands of dollars on
7 flowers, you know, to try to beautify the
8 city. And then, you know, somebody goes
9 in and sticks these signs in and then
10 it's that sign, it's another sign, it's
11 another sign. There's two or three
12 sometimes of the same --

13 COMMISSIONER DALTON: Yeah.

14 COMMISSIONER SCIROCCO: -- in the
15 same planter on Broadway.

16 COMMISSIONER DALTON: Perhaps we
17 could reach out to Bikeatoga to rework
18 where they put those signs, because I do
19 think that's an important message and we
20 can figure out --

21 COMMISSIONER MADIGAN: I think it's
22 great.

23 COMMISSIONER DALTON: Yeah, an
24 appropriate place to put it.

25 COMMISSIONER SCIROCCO: I mean, they



1 haven't --

2 COMMISSIONER MADIGAN: I don't care
3 if they're in the planters. I think it's
4 good to get people to slow down.

5 COMMISSIONER SCIROCCO: Okay. Well,
6 then, you know, again we spend a lot of
7 money just to try to beautify the city
8 and, you know, I think the signs really
9 trash it up. That's what I think. So.

10 COMMISSIONER MADIGAN: I think they
11 look good.

12 COMMISSIONER SCIROCCO: That's why
13 I'm saying what I'm saying. So I can
14 move on.

15 MAYOR KELLY: Thank you.

16 COMMISSIONER SCIROCCO: Oh, my -- I
17 think it's my last one. Is this my last
18 one?

19 MAYOR KELLY: Yes, it is.

20 COMMISSIONER SCIROCCO: Oh, good.

21 This is just an announcement. This
22 is Phase I for the tree inventory. It's
23 started. The Phase I tree inventory
24 management plan project was started after
25 a successful kick-off meeting, 7/1, with



1 a hired contractor. That's PlanIT Geo,
2 LLC.

3 The City of Saratoga Springs
4 received a grant for 50,000 dollars as
5 part of the DEC's urban and community
6 forestry program which works to increase
7 public awareness of the importance of
8 trees and helps communities develop and
9 implement comprehensive tree management.
10 Plans to create healthy forests while
11 enhancing quality of life for residents.

12 On July 14th, a team of one to three
13 arborists began collecting street tree
14 inventory data using GIS technology along
15 Union Avenue and moving northward street
16 by street.

17 The PlanIT GEO arborists will be
18 supervised by the city's arborists
19 throughout the length of the project
20 while they collect data including
21 location, species, size, approximate age,
22 condition, and other variables. This
23 will help determine the size, age, and
24 health of our urban forests and to design
25 a management plan, that's Phase II,



1 tailored to the city's needs and
2 objectives.

3 They will be compiling this data on
4 trees with the city right of way
5 approximately ninety miles of city
6 roadway. And Phase I is estimated to be
7 for completion this September. And I
8 think when we get done, there'll be a
9 presentation to the city council on that
10 too.

11 MAYOR KELLY: Great. Thank you.

12 COMMISSIONER SCIROCCO: With that,
13 that concludes my agenda.

14 MAYOR KELLY: Thank you.

15 On to public safety. Commissioner
16 Dalton.

17 COMMISSIONER DALTON: Thank you,
18 Mayor.

19 The first item on my agenda is
20 discussion and vote, accept a donation
21 for the SSPD Mounted Unit.

22 This is a donation from Protect &
23 Vest NYK9s to the mounted unit. I thank
24 them for their generous donation, and I
25 make a motion to accept the donation in



1 the amount of 840 dollars to the SSPD
2 Mounted Unit. This is a motion.

3 MAYOR KELLY: Is there a second?

4 COMMISSIONER FRANCK: Second.

5 MAYOR KELLY: Any discussion?

6 All those in favor, say aye.

7 COMMISSIONER MADIGAN: Aye.

8 COMMISSIONER FRANCK: Aye.

9 MAYOR KELLY: Any opposed?

10 The matter passes.

11 COMMISSIONER DALTON: Thank you.

12 The second item on my agenda is
13 discussion and vote, authorization for
14 the Mayor to sign a major contract with
15 Saratoga County.

16 This is to continue to allow
17 ambulance service providers to vaccinate
18 homebound seniors and to provide EMS
19 standby and emergency services when
20 needed at county vaccination sites and to
21 be reimbursed for these services.

22 I make a motion to authorize the
23 Mayor to sign this contract with Saratoga
24 County. This is a motion.

25 MAYOR KELLY: Is there a second?



1 COMMISSIONER FRANCK: Second.

2 MAYOR KELLY: Any discussions?

3 All those in favor, say aye.

4 COMMISSIONER FRANCK: Aye.

5 COMMISSIONER MADIGAN: Aye.

6 COMMISSIONER DALTON: Aye.

7 MAYOR KELLY: Opposed?

8 The matter passes.

9 COMMISSIONER DALTON: Thank you.

10 The third item on my agenda is to
11 set a public hearing to amend Chapter
12 225-77 of the City Code Schedule 12, stop
13 intersections. I'd like to set a public
14 hearing for the next council meeting to
15 add a stop sign on Grand Avenue in both
16 directions at the intersection of Elm
17 Streets.

18 SECRETARY RIBIS: (Indiscernible).

19 COMMISSIONER DALTON: Perfect.

20 Thank you.

21 The fourth item on my agenda is an
22 announcement for the COVID-19 Memorial
23 Committee.

24 I sent an email to the council which
25 hopefully you guys all got requesting a



1 name to put on the committee to recommend
2 a design and location for a COVID-19
3 memorial to recognize the sixty-two lives
4 lost, and also the efforts on behalf of
5 all of our first responders to protect
6 the public health of our city.

7 And that concludes my agenda.

8 COMMISSIONER MADIGAN: Do you have
9 anybody already on that memorial
10 committee, so I don't, like, ask the
11 same -- like, do you have --

12 COMMISSIONER DALTON: I have
13 someone -- I have someone in mind, but we
14 can talk afterwards make sure there's
15 no --

16 COMMISSIONER MADIGAN: All right.

17 COMMISSIONER DALTON: --
18 duplication.

19 COMMISSIONER MADIGAN: Okay. Great.
20 Because I've got somebody in mind as
21 well.

22 COMMISSIONER DALTON: Awesome.

23 COMMISSIONER FRANCK: We can just
24 email that to you?

25 COMMISSIONER DALTON: Yep. You can



1 just email it to me.

2 COMMISSIONER MADIGAN: All right.

3 THANK YOU.

4 COMMISSIONER DALTON: Thank you.

5 That concludes my agenda.

6 MAYOR KELLY: Thank you,

7 Commissioner.

8 On to supervisors. Are you awake

9 over there?

10 COMMISSIONER MADIGAN: Hard not to

11 be.

12 SUPERVISOR VEITCH: When weren't we?

13 COMMISSIONER MADIGAN: Hard not to

14 be.

15 MAYOR KELLY: Supervisor Veitch,

16 you're up. So are you staying over

17 there?

18 SUPERVISOR VEITCH: We were going

19 try to.

20 MAYOR KELLY: Okay.

21 COMMISSIONER DALTON: Wow.

22 MAYOR KELLY: Can we see on the --

23 SUPERVISOR VEITCH: They said they

24 were going to have the cameras 2 and 4 on

25 us, but if not, I'll just go to the



1 middle.

2 MAYOR KELLY: Okay. So Lisa's on
3 it. Okay.

4 SUPERVISOR VEITCH: All right.
5 Well, I'm just going to go ahead, anyway.

6 MAYOR KELLY: Okay. Go ahead.

7 SUPERVISOR VEITCH: At least they
8 can hear me.

9 COMMISSIONER SCIROCCO: We've got a
10 10 o'clock deadline.

11 SUPERVISOR VEITCH: All right.
12 Thank you, Mayor.

13 Our first -- my first agenda item is
14 just to do a quick review on the National
15 Association of Counties Conference that
16 was held on July 9th and 12th in National
17 Harbor, Maryland.

18 I serve on the Community Economic
19 and Workforce Development Committee, and
20 because we haven't met in over a year, we
21 had fifteen policy resolutions that we
22 tried to get through in a very short
23 meeting.

24 I won't go through all of them, but
25 mainly what they deal with is expanding



1 the CBBG Program or continuing to fund
2 that at a high level. The Workforce
3 Innovation and Opportunity Act keep that
4 going, using low income housing tax
5 credits to help with affordable housing,
6 expanding the federal or continuing the
7 federal residential eviction moratorium,
8 among other items that are workforce and
9 housing related.

10 Again, it was a good -- a good
11 meeting to get down there and work on
12 that. If for the International Economic
13 Development Task Force of which I am a
14 vice chairman, it was a good meeting on
15 that as well.

16 I was kind of tapped last minute to
17 give an interview with somebody named
18 Tony Pippa who is a senior fellow in The
19 Center For Sustainable Development at the
20 Brookings Institution. It was a good
21 interview with several questions that we
22 discussed how local government can foster
23 international trade, and it was, again,
24 how we could apply that our county.

25 As you know, we have global



1 foundries here in Saratoga County which
2 does quite a bit of international trade.

3 It was a good interview and a
4 privilege to interview him at our
5 meeting.

6 Additionally, at our conference, we
7 elected Larry Johnson from Dekalb County,
8 Georgia as president of NACo, as well as
9 Mary Jo McGuire from the great State of
10 Minnesota as the second vice president.

11 We also, and as part of that
12 conference, get together with our
13 Northeast Regional Caucus. It is chaired
14 by New York County executive from Erie
15 County, Mark Poloncarz. So New York does
16 chair that caucus. And of course, we
17 discussed issues that affect our region
18 of the county -- or of the country.

19 Overall, it was great to get back to
20 an in-person meeting and do the National
21 Association of Counties again. So always
22 a learning experience every time we go
23 and do that.

24 Second on my agenda is just to
25 discuss a meeting that I had with Senator



1 Jordan on July 16th at the City Center.
2 We discussed many issues with Ryan
3 McMahon regarding the impacts on their
4 operations from COVID, as well as
5 discussing some other issues that have
6 been discussed over time such as
7 occupancy tax for online rentals such as
8 Airbnb, as well as NYRA and the county's
9 proposal for a new airport terminal grant
10 proposal.

11 It was great to have the opportunity
12 to meet with the senator, and I thank her
13 for her time, and I do thank Ryan McMahon
14 from the City Center for providing space
15 for us to meet.

16 Third on my agenda is just a quick
17 report on the Government Review and
18 Efficiency Committee. We had two
19 resolutions for our board meeting today
20 that was held at 4:30.

21 The first is that we completely
22 revamped our budget process. We have a
23 budget policy at the county that was
24 probably last done in the 1980s or early
25 '90s, and we, basically rewrote that



1 budget process to do two things: include
2 more supervisor and committee involvement
3 in the budget process, as well as to
4 spell out more public -- more publicly
5 about how we post our budget, where we
6 put it, how we go through the process of
7 meeting our budget and doing it in a more
8 logical and streamlined way. So that was
9 approved today at our county board
10 meeting, so hopefully we'll have a little
11 bit more of a open and transparent budget
12 process as we go forward with more
13 supervisor involvement on that.

14 And then the second thing we did is
15 repeal or at least set a public hearing
16 to repeal Local Law Number 3 of 1979
17 which originally established the
18 Government Review Committee. We just
19 reestablished it this year, so we had to
20 kind of set our local law back and repeal
21 the original government review committee.

22 And lastly, just wanted to quickly
23 announce two new positions at Saratoga
24 County. We recently hired Christine Rush
25 as the director of public relations, and



1 Stephanie Hodgson as the director of
2 finance.

3 So two new people at the county and
4 we're happy to have them on board to do
5 those functions for us.

6 COMMISSIONER DALTON: Supervisor
7 Veitch, can I ask a question?

8 SUPERVISOR VEITCH: Yes.

9 COMMISSIONER DALTON: Sorry, my
10 microphone is hung up.

11 Is the county taking any action on
12 applying an occupancy tax to Airbnb's?

13 SUPERVISOR VEITCH: Are we taking
14 action on that?

15 COMMISSIONER DALTON: Yeah. Are you
16 taking action? Like, are you pursuing
17 it?

18 SUPERVISOR VEITCH: We're starting
19 to have some discussions on that, yes.

20 COMMISSIONER DALTON: Okay. I'm
21 going to take that as a maybe no.

22 SUPERVISOR VEITCH: Yeah, I mean, I
23 can't make any promises of where it's
24 going to go --

25 COMMISSIONER DALTON: Okay.



1 SUPERVISOR VEITCH: -- but we're
2 getting started on that, yeah.

3 COMMISSIONER DALTON: So you're
4 thinking about talking about that.

5 SUPERVISOR VEITCH: And I think that
6 meeting with the senator was one of the
7 first beginning parts of doing that.
8 So --

9 COMMISSIONER DALTON: Okay. Thank
10 you.

11 SUPERVISOR VEITCH: -- we'll keep
12 you posted as we go forward.

13 COMMISSIONER DALTON: Awesome.
14 Thank you.

15 SUPERVISOR VEITCH: Thank you.
16 That's it for my agenda.

17 MAYOR KELLY: Okay. You had a
18 fourth item?

19 SUPERVISOR VEITCH: I did it.

20 MAYOR KELLY: Okay.

21 COMMISSIONER FRANCK: He's going to
22 do county position for hire?

23 MAYOR KELLY: Sorry. I'm trying.
24 Okay. Supervisor Gaston.

25 SUPERVISOR GASTON: Thank you.



1 Interview is quick.

2 First item on my agenda is COVID-19
3 update.

4 We do continue to do relatively well
5 in Saratoga County, but it's important
6 that we must note that our numbers are
7 increasing.

8 Two weeks ago, we had seven cases in
9 seven days and a .3 positivity rate, and
10 this week we have fifty-four cases in
11 seven days, and two percent rolling
12 seven-day positivity rate. That's what
13 happens when I try and go too fast. So
14 our numbers are increasing somewhat.

15 We need -- that could be an artifact
16 of the Fourth of the July, but we need to
17 all remember to be careful. If you are
18 not vaccinated, please wear your mask,
19 get vaccinated if you can, and remember
20 that a significant portion of our
21 population still is not eligible to get
22 vaccinated. And so the rest of us need
23 to, if we can. All -- right now, sixty-
24 five percent of our total population has
25 at least one dose. A significant portion



1 is under twelve and not eligible to do
2 so. So we need to keep that in mind.
3 Wear your masks, wash your hands. If
4 you're sick, stay home. Don't hang out
5 with anybody.

6 And it is also possible to contract
7 COVID while you are vaccinated. It is
8 not very likely, and you will likely have
9 minimal symptoms. However, if you have
10 symptoms that match COVID-19, including
11 any cold symptoms or respiratory
12 symptoms, please get tested and avoid
13 going out in public. Do not assume that
14 you are fine and cannot transmit, because
15 we are seeing some transmission from
16 vaccinated persons who have
17 extraordinarily mild cases. We need to
18 make sure that that maintains.

19 Vaccinations are continuing at
20 public health and around the county. So
21 if you -- I'm hurrying. So if you
22 haven't gotten one, get one.

23 Second item on my agenda is a board
24 of supervisors meeting. One of the
25 primary things is previously Saratoga



1 County and Albany were working together
2 for a biosolids digester facility.
3 Albany County has pulled out of that
4 agreement. However, we, as a county, are
5 choosing to move forward on it.

6 I think that this is a great program
7 for us and will be a benefit to our
8 community both environmental-wise but
9 also to our farmers, et cetera. We're
10 looking at potentially a dryer which will
11 dry up all the sludge that comes out of
12 the sewer. Commissioner, you probably
13 know more about it than I do. I don't
14 want to talk about it. But it can be
15 used as manure and fertilizer for
16 farmers. So it can also be a potential
17 source of revenue and benefit in our
18 community.

19 There is going to be a public
20 hearing on that, August 17th at 3:30 p.m.
21 in the meeting room of the board of
22 supervisors. And so anyone who has any
23 insight into that, or any concerns about
24 it that's a good way to put that up.

25 Additionally, unfortunately, I have



1 more sad news from the board of
2 supervisors in that today the chairman
3 chose to formally announce that he's
4 withdrawn from the Health and Human
5 Services Committee as well as the Law and
6 Finance Committee, as well as the
7 Saratoga County Public Task Force which
8 oversees the expansion of the public
9 health department. And -- yeah. We're
10 not done. I believe that some of those,
11 if not all of those actions are contrary
12 to county law. And we'll be working to
13 make sure that Saratoga Springs continues
14 having a representation on those
15 committees as one of the largest
16 municipalities and the largest city in
17 the county. We need to make sure that
18 our input is considered as a part of --
19 particularly the expansion of the public
20 health department because there are
21 significant needs in our community.

22 The third item on my agenda is
23 Supervisor Veitch covered a lot of the
24 conference update. There were a lot of
25 things that took place and that we



1 learned. I'm not going to go through all
2 of them.

3 I was happy at the Environment,
4 Energy, and Land Use Committee to present
5 a resolution requesting the federal
6 government assist municipalities in
7 meeting refrigerant standards. There are
8 very strict refrigerant standards from
9 the federal government, and they do not
10 assist county governments or local
11 governments at this time in meeting them.
12 Many people think they're just for
13 businesses, but they're actually also
14 applicable to governments. And so this
15 would not require anything new. It would
16 just provide money and resources.

17 Additionally, I cosponsored a
18 platform change which did pass and
19 includes environmental equity and justice
20 in all actions at the National
21 Association of Counties takes going
22 forward for advocacy. I think that
23 that's an incredibly important thing to
24 take part, and I was honored to present a
25 resolution originally written by



1 Supervisor Mitt Wright (ph.) from Hadley
2 to expand cellular access in our
3 community which is a major issue. We are
4 talking about Wi-Fi here, but there are
5 parts of our county that don't even have
6 cellular access, and it has become a
7 public safety issue as well as an issue
8 of economic development. So I was
9 pleased to do that. That also passed
10 unanimously.

11 And the largest meeting, I also
12 spoke in support of a resolution that
13 passed recognizing gun violence as a
14 national public health crisis and urging
15 the federal government to provide
16 resources for it.

17 It does not require any particular
18 action and is open to a lot of responses
19 including mental health. I was pleased
20 to speak out because I know that in our
21 county as well, we've had a significant
22 increase in mental health and suicide
23 issues and gun violence is a major cause,
24 or a major result of that. And so I
25 think that that would help our community.



1 You already spoke about the new
2 president, and I'm also pleased that he
3 reappointed me as vicechair of the
4 Environment, Energy, and Land Use
5 Committee in resilient counties. Glad to
6 continue serving there.

7 And at the Northeast Caucus, we
8 discussed myself and another
9 representative from New York are working
10 to put together an in-person meeting
11 discussing mental health in our first
12 responders, particularly law enforcement,
13 EMS, and public health as a result of
14 COVID and how we can best support our
15 communities and our government staff.
16 And that concludes my agenda unless there
17 are any --

18 COMMISSIONER MADIGAN: I do. I do.
19 So you're still on some committees, and
20 did you say you're chairing them or
21 cochairing them at the national level?

22 SUPERVISOR GASTON: Yes.

23 COMMISSIONER MADIGAN: Okay. And
24 what is happening at the county level?
25 Are you on any committees at this point?



1 SUPERVISOR GASTON: I am a member
2 and chair of the Technology and
3 Resiliency Committee.

4 COMMISSIONER MADIGAN: Okay.

5 SUPERVISOR GASTON: I remain that --
6 yeah. And you haven't kicked me off
7 government review yet.

8 SUPERVISOR GASTON: Well, Tara,
9 you're a fine example for young women at
10 home. You've been doing a great job and
11 I appreciate the work that you do very
12 much. So thank you.

13 SUPERVISOR GASTON: Thank you. I'm
14 pleased to do what I can.

15 MAYOR KELLY: Any other business
16 from the council? No. Then we are
17 adjourned. Thank you.

18

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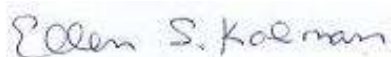
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C E R T I F I C A T I O N

I, Ellen S. Kolman, certify that the foregoing transcript is a true and accurate record of the proceedings.



Ellen S. Kolman (CET-568)

AAERT Certified Transcriber

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