



September 19, 2023

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

6:30 PM

7:00 P.M. – P.H. – Local Law #4 of 2023 –
Amendments to UDO (Mayor's
Agenda Item #5)

6:30 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

CONSENT AGENDA

1. Approval of 9/6/2023 Pre-Agenda Meeting Minutes
2. Approval of 9/7/2023 City Council Meeting Minutes
3. Temporary Outdoor Dining Permit Approvals
4. Approve Mid-Warrant 2023, 23MWSEP2 \$75,328.22
5. Approve Mid-Warrant 2023, 23MWSEP1 \$924,150.76
6. Approve Warrant 2023, 23SEP2 \$693,957.26
7. Approve Payroll 09/08/2023 \$796,022.05
8. Approve Payroll 09/15/2023 \$483,180.76
9. Approve Budget Transfers - Regular
10. Approve Budget Transfers – Debt Service Fund
11. Approve Budget Amendments - Regular

MAYOR'S DEPARTMENT

1. Announcement: Homelessness Task Force Update
2. Announcement: Hispanic Heritage Month is Observed September 15th – October 15th
3. Announcement: Constitution Week is September 17th – 23rd
4. Announcement: Saratoga Peace Week is September 21st – 27th
5. Discussion and Vote: Local Law 4 of 2023 (Amend UDO to Correct Errors & Omissions)

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Authorization to Pay Invoice #8512G to GAR Associates
2. Award of Bid: Bike Park Design to American Ramp Co.
3. Announcement: Business Milestones

4. Announcement: Special Events

FINANCE DEPARTMENT

1. Announcement: Update on City Finances
2. Discussion and Vote: Authorization for Mayor to Sign Letter to New York Racing Association
3. Discussion and Vote: Authorization for Mayor to Sign Apple Business Manager Agreement for Automated Enrollment and Support of Apple Devices Used Within SSPD
4. Discussion and Vote: Budget Transfers – Payroll & Benefits
5. Discussion and Vote: Budget Transfers - Contingency
6. Discussion and Vote: Budget Transfers - Capital
7. Discussion and Vote: Budget Transfers – DPS
8. Discussion and Vote: Budget Amendments - Payroll
9. Discussion and Vote: Budget Amendments – 1.5% Increase
10. Discussion and Vote: Budget Amendment – Unassigned Fund Balance
11. Discussion and Vote: Budget Amendment – Police Reform Assignment

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Addendum #1 to the Contract with Barton & Loguidice for a Lake Water Quality Study
2. Discussion and Vote: Authorization for Mayor to Sign Contract with American Ramp Company for Bike Park Design Services
3. Discussion and Vote: Authorization for Mayor to Sign Contract with Trojan Tech Group for UV Reactor Wiping Mechanism
4. Discussion and Vote: Authorization for Mayor to Sign Agreement Between the New York State Unified Court System and the City of Saratoga Springs
5. Announcement: Household Hazardous Waste Day 2023

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Change Orders #38 – 40 to Hueber Breuer for Fire Station 3
2. Discussion and Vote: Authorization for the mayor to Sign Change Order #TK1 to Tuff Kote, LLC for Fire Station 3
3. Set Public Hearing: Proposed Ordinance Prioritizing Public Comment

SUPERVISORS

Matthew Veitch

1. New York State Association of Counties Conference Report
2. Saratoga County Sewer District Update
3. City Welcome Signage
4. Geyser Road Bridge Sidewalk Repair
5. County Funding for Preservation Foundation Revive 65 Project

Tara Gaston

1. Nothing at this time.

ADJOURN



September 19, 2023

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

6:30 PM

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

STAFF PRESENT: Stacy Connors, Deputy Commissioner, Accounts
Joe O'Neill, Deputy Commissioner of Public Works

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

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

RECORDING OF PROCEEDING

The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

CALL TO ORDER

Mayor Kim called the meeting to order at 6:33 p.m.

CONSENT AGENDA

Commissioner Sanghvi moved and Commissioner Moran seconded to approve the consent agenda as attached.

1. Approval of 9/6/2023 Pre-Agenda Meeting Minutes
2. Approval of 9/7/2023 City Council Meeting Minutes
3. Temporary Outdoor Dining Permit Approvals
4. Approve Mid-Warrant 2023, 23MWSEP2 \$75,328.22
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9. Approve Budget Transfers - Regular
10. Approve Budget Transfers – Debt Service Fund
11. Approve Budget Amendments – Regular

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

SUPERVISORS

Matthew Veitch

New York State Association of Counties Conference Report

Supervisor Veitch reported the New York State Association of Counties Conference was held last week. He is vice-chair of the Public Safety Committee. They worked on and passed seven resolutions. Supervisor Veitch advised he is being appointed as chair to the Public Safety Committee at the New York State Association of Counties starting in January.

Saratoga County Sewer District Update

Supervisor Veitch reported discussions were held earlier this year at the City Council meetings regarding the extension of sewer lines down South Broadway. The County is getting ready to do a study to determine feasibility of extending the sewer line in that area. Supervisor Veitch reported discussions have happened regarding the sewer charge the City of Saratoga Springs receives from the County. This year the City received a bill that was 38% higher than last year. The County is working to make the sewer charges more of a level increase year over year.

Commissioner Moran stated an increase like that would indicate a leak somewhere.

Supervisor Veitch stated he believes the problem is the metered flow. The County turns the flow into the number of users. Some years it is 15,000 users and some years it is 17,000 users and they don't know what causes those difference.

City Welcome Signage

Supervisor Veitch reported Saratoga County put funds in their budget to install welcome signs into the City of Saratoga Springs. He suggested setting up a City Welcome Signage Project.

Geyser Road Bridge Sidewalk Repair

Supervisor Veitch reported the sidewalk on top of the Geyser Road Bridge is over 10 years old and pitted. County funding will be used to repair this sidewalk with the help of Commissioner Golub.

County Funding for Preservation Foundation Revive 65 Project

Supervisor Veitch reported additional money is being placed in the Preservation Foundation Revive 65 Project.

Tara Gaston

Supervisor Gaston reported she is also putting funding toward narcan boxes and community health care.

MAYOR'S DEPARTMENT (part 1)

Announcement: Homelessness Task Force Update

Mayor Kim announced the draft report will be issued to the task force for review and a presentation is scheduled for October.

Announcement: Hispanic Heritage Month is Observed September 15th – October 15th

Mayor Kim announced Hispanic Heritage Month is being observed from September 15th – October 15th. It celebrates histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and South America. There are local events happening to celebrate this.

Announcement: Constitution Week is September 17th – 23rd

Mayor Kim announced Constitution Week runs from September 17th – September 23rd. The Daughters of the American Revolution celebrate this.

Announcement: Saratoga Peace Week is September 21st – 27th

Mayor Kim announced Saratoga Peace Week is being observed September 21st – September 27th.

ACCOUNTS DEPARTMENT (part 1)

Announcement: Business Milestones

Commissioner Moran pulled this item from his agenda, as he has no business milestones to announce.

Announcement: Special Events

Commissioner Moran announced the following special events:

- Cannabis Growers Showcase – NEW HOURS:
 - Friday, September 22nd from 2:00 p.m. – 8:00 p.m.
 - Sunday, September 24th from 2:00 p.m. – 8:00 p.m.
 - Starting Saturday, September 30th – the Cannabis Growers Showcase will be held on Saturdays and Sundays through the end of the year from 2:00 p.m. – 8:00 p.m.
- Saturday, September 23, 2023 - Wellspring Pooch Parade in Congress Park. This is an annual event that helps raise awareness and funds for Wellspring's Safe Pet Partnership Program.
- Sunday, September 24, 2023 - Bug's Boston Terrier Parade in Congress Park starting at 10:30 a.m. This is a fundraiser for Northeast Boston Terrier Rescue Organization.
- Monday, September 25, 2023 - 7th Battalion 13th Artillery Reunion from 4:00 p.m. - 4:30 p.m. in Congress Park. There will be a demonstration from 1st Continental Artillery Re-enactors.
- Saturday, October 7, 2023 - Saratoga International Flavorfeast from 11:00 a.m. – 4:00 p.m. at various downtown locations. There are approximately 30 participating restaurants that will provide tastings for \$1.
- Saturday October 7th and Sunday October 8th, 2023 - Saratoga Foliage Ride – a bike ride to benefit the YMCA & Bikeatoga.
- Sunday, October 15, 2023 - Rebuilding Together Fall Cleanup from 2:00 p.m. – 4:00 p.m. in High Rock Park. Clean up will take place at the 9/11 Memorial.
- Saturday, October 21, 2023 – 22nd Annual Fall Festival – from noon – 3:00 p.m. with family friendly entertainment and activities.
- Sunday, October 22, 2023 – Café Lena popup medical clinic from 11:00 a.m. – 2:00 p.m. This is a free popup medical clinic where volunteer medical professionals will provide testing, evaluation, health and wellness education.

Services include:

- Free vision care including exams and eyewear
- Custom molded earplugs
- Blood pressure screening
- Dietician consultation
- HEPC/HIV screening
- Insurance navigation
- Physical therapist evaluation for carpal tunnel

This clinic is brought to the community by a collaboration of Jill Burnham RN-BCEN of “Mark and Jill Sing the Blues,” Saratoga Hospital, Sight & Sound Vision Care for the Music Industry, Hudson Headwaters, 1of1 Custom earplugs and Café Lena.

Commissioner Moran acknowledged first time sponsored events: Spring Street Neighbors Front Porch Music Festival and the Saratoga Black Lives farmers’ market. This is the first year both of these groups have been licensed in the City to run their events.

PUBLIC HEARINGS

Local Law #4 of 2023 – Amendments to UDO

Mayor Kim opened the public hearing at 7:02 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 7:03 p.m. and kept it open.

PUBLIC COMMENT

Mayor Kim advised there are new rules to public comment. People have 4 minutes to speak. At that time, the speaker will be asked to stop. He asked all to be kind; not interrupt; and exercise free speech. He also asked the speakers to be factual. The Council members may respond if they choose. He will also hold a public comment period at the end of the City Council meeting.

Mayor Kim opened the public comment period at 7:03 p.m.

Jennie Clifton stated she is here representing the VanDam and Church Neighborhood Association. They are a mixed residential and commercial neighborhood. The lack of pedestrian and safety improvements on VanDam are putting people at risk. Trucks are driving faster and faster each year. They request VanDam and Church Streets be part of the Capital Region Transportation Council’s traffic study.

Mayor Kim stated CDTC is funding a study on truck traffic and identifying blocks that generate truck traffic.

A man stated he is a black teenage lesbian. He wants to bring forward faith, family, and country. This Council is testing all of that and are being watched by the people sitting behind him. He is here to disrupt the disrupters, defend the American rights, and keep the Marxists out of this City.

TJ Sangare of Saratoga Black Lives Matters stated he is here to fact check Commissioner Montagnino regarding him telling his mother at the last City Council meeting that she was lying about the e-mails she received through a FOIL request. TJ read a couple closing salutations written by Commissioner Montagnino to prove his mother right.

Marion Roth of 10 Joseph Street stated she is here to address the newly erected parking signs on Joseph Street. Parking is restricted Monday through Friday from 8:00 – 6:00. She believes the signs were put up to exclude students from parking on their street. She asked the Council to consider taking down the signs, as she doesn't want her neighborhood to be seen as unwelcoming.

Steve MacCormack of 20 Joseph Street stated he is here for the same issue as his Marion Roth. He received a reply from Commissioner Moran who agreed the signage was a bad idea. Mr. Roth asked the Council to reconsider this decision. The problem wasn't solved, but new problems were created. He identified 82 households who enter onto the street and only 22 households signed the petition.

Alvin Watson of Saratoga Springs stated he is homeless. There is no affordable housing in this City. In Mt. Vernon, New York, each building constructed has to have 20% affordable housing. He is begging and crying for the poor folks to have housing put up here.

Diogenes of stolen land stated she doesn't want to give too much air to Commissioner Montagnino's proposal regarding who gets to speak at a City Council meeting. This proposal should not come as a surprise to anyone.

Kerri Achenbach of 32 Joseph Street stated she is here to address the speeding on Joseph Street from 6:30 a.m. – 6:45 p.m. The speeding is out of control and the children are at risk. They do not have complete sidewalks. Something has to be done. Kerri suggested putting a cop car out there to slow the traffic down. She also stated something has to be done about the homeless situation in town. She and her granddaughter witnessed a man urinating on the sidewalk at 5:30 p.m.

John Achenbach of 32 Joseph Street stated he supports his wife and what she said. They are disappointed about the changes in the parking. They did not have notification of what was going on.

Hannah Hurley of Saratoga Springs stated there are no public bathrooms. She is here to support the proposal of the Homeless Task Force. It is important to have a permanent shelter after the temporary shelter expires. Ms. Hurley learned through working with the homeless that unlike people in court are assigned legal counsel if they can't afford one; homeless people are not given legal counsel for the eviction processes. Those people must stand alone against the owner's lawyer in court.

Nora Brennan of Saratoga Springs stated she feels they are being punned by Commissioner Montagnino. She asked the setting of a public hearing on Commissioner Montagnino's agenda be pulled from the agenda. It doesn't matter who gets to speak and who doesn't get to speak. The efforts made to date regarding public comment have been useful. Moving forward with this resolution is a waste of time.

Bill Staigar stated the proposal for changing the rules to the public comment is understandable from the point of wanting to hear from the residents first. The Council needs to realize the neighboring communities are watching Saratoga. He was born and raised in Saratoga but now lives a half mile from the City line and he may or may not be able to speak. He and his wife spend a lot of time in Saratoga. He feels his First Amendment Rights are being stepped on. He asked the Council to pull back on the proposal.

Elz Figuereo of Saratoga Black Lives Matter stated it is crazy to exclude people who are not from Saratoga Springs. People are feeling the wrath of Commissioner Montagnino's attack on freedom of speech. Saratoga Black Lives Matters is incorporated on Henry Street in Saratoga Springs. They are going to continue to speak and continue to exercise their first amendment rights. He will be suing Saratoga Springs again if this moves forward. All the issues come down to public safety; they are not doing their job.

Marybeth Delarm of Saratoga Springs stated since she was blocked from speaking at the September 7th meeting, her comments were published in SaratogaPolitics.com. She asked the Council to concentrate on respect and not allow profanity. Freedom of expression is only protected unless there is disruption. If a speaker fails to abide by the rules read at the beginning of each public comment period, consequences must be made. Resident taxpayers' money pays for this building, the chairs you sit in, the table you sit at, etc.

Samira Sangare of Saratoga Black Lives Matters stated she lives in the City now so she is the top of the class. She said Commissioner Montagnino lied to everyone at the last meeting stating the meeting on April 4th was shut down. No property has ever been damaged in Saratoga and no violence has ever occurred.

Tom Chandler stated he waited to speak last as he is not from Saratoga. He stated will probably be speaking to the people behind him. He served on the Altamont Squad for nine years and saw everyday people stand up and push themselves to do things that made a difference in people's lives. If people want to help anyone, emergency services can do that.

Mayor Kim closed the public comment period at 7:54 p.m.

MAYOR'S DEPARTMENT (part 2)

Discussion and Vote: Local Law 4 of 2023 (Amend UDO to Correct Errors & Omissions)

Mayor Kim pulled this item from his agenda.

ACCOUNTS DEPARTMENT (part 2)

Discussion and Vote: Authorization to Pay Invoice #8512G to GAR Associates

Commissioner Moran pulled this item from his agenda.

Award of Bid: Bike Park Design to American Ramp Co. (23-501)

Commissioner Moran moved and Commissioner Golub seconded to award the bid for the Bike Park Design to America Ramp Co. in the amount not to exceed \$113,000.

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

Nays – 0

Announcement: Special Events

Commissioner Moran continued his announcement of special events:

- Friday, September 29, 2023 – Water's Edge from 7:30 p.m. – 7:45 p.m.
- Saturday, October 21, 2023 – Skidmore College Celebration Weekend from 9:00 p.m. – 9:12 p.m.

FINANCE DEPARTMENT

Announcement: Update on City Finances

Commissioner Sanghvi announced the City is down about 19% for mortgage tax and up about 13% in sales tax.

Discussion and Vote: Authorization for Mayor to Sign Letter to New York Racing Association (23-502)

Commissioner Sanghvi advised racing has served as an economic pillar for many years for our community. The City wants to continue a successful relationship with NYRA. This letter is to express to NYRA that the City Council supports union representation of the backstretch workers. The backstretch workers are hired by the trainers and not NYRA. Per the recommendation of Mayor Kim, a change has been made to the letter asking NYRA to distribute the letter to the trainers to advise them of the City Council's support.

Commissioner Sanghvi moved and Commissioner Moran seconded to authorize the mayor to sign letter to New York Racing Association.

Mayor Kim advised NYRA is not the entity that decides if the stable workers unionize. The City Council feels it is important to let NYRA know they support the unionization of these workers.

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

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Apple Business Manager Agreement for Automated Enrollment and Support of Apple Devices Used Within SSPD (23-503)

Commissioner Sanghvi advised this is at no cost to the City.

Commissioner Sanghvi moved and Commissioner Moran seconded to authorize the mayor to sign Apple Business Manager Agreement for automated enrollment.

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

Nays – 0

Abstention – 1 (Commissioner Golub)

Discussion and Vote: Budget Transfers – Payroll & Benefits (23-504)

Commissioner Sanghvi moved and Commissioner Moran seconded to approve budget transfers – payroll and benefits.

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

Nays – 0

Abstention – 1 (Commissioner Golub)

Discussion and Vote: Budget Transfers – Contingency

Commissioner Sanghvi pulled this item from her agenda.

Discussion and Vote: Budget Transfers – Capital (23-505)

Commissioner Sanghvi moved and Commissioner Montagnino seconded to approve budget transfers – capital.

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

Nays – 0

Abstention – 1 (Commissioner Golub)

Discussion and Vote: Budget Transfers – DPS (23-506)

Commissioner Sanghvi moved and Commissioner Montagnino seconded to approve budget transfers – DPS.

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

Nays – 0

Discussion and Vote: Budget Amendments – Payroll (23-507)

Commissioner Sanghvi moved and Commissioner Moran seconded to approve budget amendments – payroll.

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

Nays – 0

Discussion and Vote: Budget Amendments – 1.5% Increase (23-508)

Commissioner Sanghvi moved and Commissioner Moran seconded to approve the budget amendments – 1.5% increase.

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

Nays – 0

Discussion and Vote: Budget Amendment – Unassigned Fund Balance (23-509)

Commissioner Sanghvi moved and Commissioner Montagnino seconded budget amendment - unassigned fund balance.

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

Nays – 0

Discussion and Vote: Budget Amendment – Police Reform Assignment (23-510)

Commissioner Sanghvi stated this is to send Police Reform Committee members to a conference.

Commissioner Sanghvi moved and Mayor Kim seconded to approve budget amendment – police reform assignment.

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

Nays – 0

Commissioner Sanghvi moved and Commissioner Moran seconded to add for discussion and vote authorization for mayor to Sign MOU with Skidmore College for food security research project. (23-511)

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

Nays – 0

Discussion and Vote: Authorization for the Mayor to Sign MOU with Skidmore College (23-512)

Commissioner Sanghvi stated the City has no financial obligation in this project and the results will be presented to the City Council.

Tony Izzo, city attorney, advised this memorandum of understanding is not binding in any way and does approve the MOU.

Commissioner Sanghvi moved and Commissioner Montagnino seconded to authorize the mayor to sign an MOU with Skidmore College.

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

Nays – 0

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Addendum #1 to the Contract with Barton & Loguidice for a Lake Water Quality Study (23-513)

Commissioner Golub advised this addendum is to authorize the evaluation of the Hutchins Road Well Field.

Commissioner Golub moved and Commissioner Moran seconded to authorize the mayor to sign addendum #1 with Barton & Loguidice for a lake water quality study in the amount of \$31,000 valid until 9/30/24.

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

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with American Ramp Company for Bike Park Design Services (23-514)

Commissioner Golub advised this contract is for the construction of a new bike park on Weibel Avenue.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with American Ramp Company for the bike park design services in the amount of \$113,000 valid until 7/1/2024.

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

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with Trojan Tech Group for UV Reactor Wiping Mechanism (23-515)

Commissioner Golub advised this is for a specialized replacement part for the Water Treatment Plant.

Commissioner Golub moved and Commissioner Moran seconded to authorize the mayor to sign a contract with Trojan Tech for UV reactor wiping mechanism in the amount of \$41,985 valid until 12/21/2023.

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

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Agreement Between the New York State Unified Court System and the City of Saratoga Springs (23-516)

Commissioner Golub stated this is a contract renewal for five years for \$103,145 for court cleaning services.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign an agreement between the New York State Unified Court System and the City of Saratoga Springs in the total proposed contract amount valid until 3/31/2028.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Announcement: Household Hazardous Waste Day 2023

Commissioner Golub announced the next household hazardous waste day is scheduled for November 18, 2023 from 8 a.m. - noon at the Weibel Avenue Ice Rink. Residents must pre-register.

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Change Orders #38 – 40 to Hueber Breuer for Fire Station 3 (23-517)

Commissioner Montagnino advised the change orders are for the following:

- Change order #38 is for additional work on roofing for kitchen equipment in the amount of \$2,320
- Change order #39 is for additional labor and materials to install lockers, exterior trim, and accessories to the flagpole in the amount of \$3,003
- Change order #40 is for repainting to fix a problem caused by the application of epoxy flooring in the amount of \$658

Commissioner Montagnino moved and Mayor Kim seconded to authorize the mayor to sign change orders #38, 39, and 40 for fire station 3.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Discussion and Vote: Authorization for the mayor to Sign Change Order #TK1 to Tuff Kote, LLC for Fire Station 3 (23-518)

Commissioner Montagnino advised this change order is for epoxy flooring in the mezzanine area \$11,842.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize the mayor to sign change order #TK1 for fire station 3.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Set Public Hearing: Proposed Ordinance Prioritizing Public Comment

Commissioner Montagnino set a public hearing for Tuesday, October 3, 2023.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to add an announcement regarding the accreditation of the Saratoga Springs Police Department. (23-521)

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Announcement: Accreditation of the Saratoga Springs Police Department

Commissioner Montagnino announced the final inspection for accreditation is occurring this week Tuesday through Friday. It looks like the City will become accredited.

PUBLIC COMMENT

Mayor Kim opened the public comment period at 8:24 p.m.

Rose Tate of Saratoga Springs she understands a traffic analysis is being done by the mayor but nothing is being done for Lincoln Avenue. She spoke with all the commissioners hoping something would be done on Lincoln Avenue. The air quality is horrific.

Mayor Kim closed the public comment period at 8:35 p.m.

Commissioner Moran moved and Mayor Kim seconded to add an item to the agenda regarding removal of setting a public hearing for Commissioner Montagnino's proposed ordinance that will limit access to public comment. (23-519)

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, and Mayor Kim)
Nays – 1 (Commissioner Montagnino)**

Discussion and Vote: Remove Setting of a Public Hearing for Ordinance on Department of Public Safety Agenda (23-520)

Commissioner Moran moved and Mayor Kim seconded to remove the public hearing from the forward agenda of the City Council as it pertains to the item brought forward by the Commissioner of Public Safety.

Commissioner Montagnino asked to hear from the city attorney regarding the removal of a public hearing that has already been set.

Tony Izzo, city attorney, stated this is an unusual procedural question. As long as he has been here, it has been the procedure of the Council to not put to a vote whether or not a commissioner will schedule an item for a public hearing. Any commissioner that wants to put something on for a public hearing is put on and then the Council can or cannot second it or vote against it. Tony Izzo stated he thinks it is possible for the Council to remove something from a particular Council agenda for rescheduling at some future time.

Commissioner Moran read a piece from the New York State Open Meetings Law, which states whatever rule a public body imposes regarding public participation, the rule must be applied equitably and all attendees must be afforded the same opportunity to participate. What Commissioner Montagnino proposes limits people's access to vote. This is a 'finger' up to our community.

Mayor Kim stated it is clear the City Council by majority vote can make a decision about any agenda item. He agrees with Commissioner Moran.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, and Mayor Kim)
Nays – 1 (Commissioner Montagnino)**

Mayor Kim announced there is no public hearing on October 3, 2023.

ADJOURNMENT

Commissioner Moran moved and Commissioner Sanghvi seconded to adjourn the meeting at 8:41 p.m.

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

Nays – 0

Respectfully submitted,

Lisa Ribis
Secretary to the City Council
Approved: 10/3/2023
Vote: 5 - 0