



February 18, 2020

**CITY OF SARATOGA SPRINGS**  
City Council Meeting  
Recreation Center  
15 Vanderbilt Avenue  
7:00 PM

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**PRESENTATION**

1. 2020 WASAD Annual Report
2. Saratoga springs Performing Arts Center / City of Saratoga Cultural Tourism Publicity Report

**CONSENT AGENDA**

1. Approval of 1/28/20 State of the City Minutes
2. Approval of 2/3/20 Pre-Agenda Meeting Minutes
3. Approval of 2/4/20 City Council Meeting Minutes
4. Approve Budget Amendments – Regular (Increases)
5. Approve Payroll 2/7/20 \$621,182.90
6. Approve Payroll 2/14/20 \$588,285.82
7. Approve Warrant – 2019 19MWDEC8 \$18,885.71
8. Approve Warrant – 2020 20MWFEB2 \$796,800.11
9. Approve Warrant – 2019 19DEC6 \$943,354.33
10. Approve Warrant – 2020 20FEB2 \$1,069,393.67

**MAYOR'S DEPARTMENT**

1. Discussion and Vote: Resolution – Purple Heart Community
2. Announcement: Unified Development Ordinance (UDO) Update
3. Discussion and Vote: Resolution – Occupancy Tax
4. Discussion and Vote: Flag Day Parade – Request for Military Aerial Support
5. Discussion and Vote: Authorization for Mayor to Sign Contract with Pillar Design Studios, LLC for Bid #2019-41

**ACCOUNTS DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign Purchase and Maintenance Agreement with RICOH for Accounts Department Copier
2. Award of Bid: Canfield Casino Parlor Cupola Restoration to Mid State Industries, Ltd.
3. Award of Bid: Extension of Bid for Horticulture Supplies to Dehn's Flowers, Inc.
4. Award of Bid: NYS DOH Certified Instructor Coordinator to Arthur Breault – EMS Concepts
5. Award of Bid: Skate Park Consulting and Design Services to Pillar Design Studios, LLC

### **FINANCE DEPARTMENT**

1. Discussion and Vote: Authorization for the Mayor to Sign Contract with LookTV for Recording & Airing of City Council Meeting
2. Discussion and Vote: 2019 Budget Amendment – City Center Use of Fund Balance
3. Discussion and Vote: Budget Amendment – City Center Use of Fund Balance
4. Discussion and Vote: Budget Transfer – Contingency
5. Discussion and Vote: Budget Transfer – Payroll

### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign Change Order #4 with Collett Mechanical, Inc. for City Hall Renovation – HVAC
2. Discussion and Vote: Authorization for Mayor to Sign Change Order #5 with Collett mechanical, Inc. for City Hall Renovation – Plumbing
3. Discussion and Vote: Authorization for Mayor to Sign Change Order #7 with DLC Electric, LLC for City Hall Renovation - Electric
4. Discussion and Vote: Authorization for Mayor to Sign Change Order #9 with MLB Construction Services for City Hall Renovation – General Construction
5. Discussion and Vote: Authorization for Mayor to Sign Contract with Mid State Industries, Ltd. For Canfield Casino Restoration
6. Discussion and Vote: Authorization for Mayor to Sign Change Order #2 with CHA Consulting, Inc. for City Hall Renovation – Owner Representation
7. Discussion and Vote: Authorization for Mayor to Sign Contract with Dehn’s Flowers, Inc. for Horticulture Supplies
8. Discussion and Vote: Municipal Resolution with New York State Department of Transportation
9. Set Public Hearing: 2020 Water and Sewer Rates
10. Announcement: Appointment Deputy Commissioner Joseph O’Neill III

### **PUBLIC SAFETY DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to Sign contract with Art Breault / EMS Concepts

### **SUPERVISORS**

Matt Veitch

1. Public Safety Committee Report
2. Legislative & Research Committee Report
3. Racing & Gaming Committee Report
4. Upcoming NACo Conference

Tara Gaston

1. Committee Reports
2. Public Forum
3. Census2020
4. NACo Conference

### **ADJOURN**



February 18, 2020

**CITY OF SARATOGA SPRINGS**  
**City Council Meeting**  
**Recreation Center**  
**15 Vanderbilt Avenue**  
**7:00 PM**

**PRESENT:** Meg Kelly, Mayor  
Michele Madigan, Commissioner of Finance  
John Franck, Commissioner of Accounts  
Anthony Scirocco, Commissioner of DPW  
Robin Dalton, Commissioner of DPS

**STAFF PRESENT:** Lisa Shields, Deputy Mayor  
Deirdre Ladd, Deputy Commissioner, Finance  
Joe O'Neill, Deputy Commissioner, DPW  
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor  
Tara Gaston, Supervisor

**EXCUSED:** Maire Masterson, Deputy Commissioner, Accounts

**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 Kelly called the meeting to order at 7:00 p.m.

**PUBLIC COMMENT**

**Mayor Kelly said the public comment period is limited to a total of 15 minutes and individuals are limited to two minutes.**

Mayor Kelly opened the public comment period at 7:01 p.m.

Ryan McMahon of the City Center stated they fully support the resolution regarding the occupancy tax.

Darryl Leggieri of Saratoga Convention and Tourism Bureau stated they are funded by the occupancy tax. They too are in support of the resolution.

Art Holmberg of Sustainable Saratoga stated they have participated in the UDO process. They would like to provide feedback on their opinions of the UDO. They suggested the following: fewer intense uses and more rural guidelines in the greenbelt and gateways; require stronger environmental protections, and include more opportunities for diverse and affordable housing. (see attachment)

Leslie DeCarlo of Saratoga Springs and owner of the Spring Water Bed and Breakfast stated they are grateful the City is addressing the issue of short-term rentals. It is only fair that the online booking sites collect and remit the same taxes as the rest of them. They are also required to have inspections and fire insurance. Apartments and homes are being rented out without the safety and zoning requirements placed upon the B&B licensed properties.

Kathleen Smith owner of Saratoga Arms stated she agrees with everything Mrs. DeCarlo said.

Todd Shimkus of the Saratoga County Chamber of Commerce stated he too agrees with Ryan McMahon and Darryl Leggieri. The booking agencies are ready, willing, and able to add on the room tax and get it back to the County.

Darlene McGraw of Saratoga Springs stated she agrees everyone should chip in and do their part. She stated many of the streets are flooded.

Sam Brewer of Saratoga Springs stated there is a need for indoor field space during the colder months. He encouraged the City to build a facility to accommodate this.

Mayor Kelly closed the public comment period at 7:12 p.m.

## **PRESENTATION**

### 2020 WASAD Annual Report

Commissioner Madigan introduced Matt Jones who will be presenting the 2020 West Avenue Special Assessment District.

Matt Jones stated he represents the West Avenue Special Assessment District. While the NYSDOT was putting a plan in place for a project on West Avenue, the property owners took the opportunity while the road was open to share the cost with the City to install utilities. They are in year 18 of a 25-year program.

Commissioner Madigan asked if he feels there may be more a need for additional work in that area.

Matt Jones advised one hasn't come forward yet.

### Saratoga Springs Performing Arts Center/City of Saratoga Cultural Tourism Publicity Report

Commissioner Madigan introduce Elizabeth Sobel to present on the partnership with the City to attract international and domestic cultural tourists.

Elizabeth Sobel advised that cultural tourists spend on average 60% more than the normal tourist does. They work with a publicist for about 12 month. They worked with the writer to show them Saratoga Springs. When the writer left, they stated they didn't know such a place existed.

Elizabeth Sobel stated they began to partner with local businesses to make this a citywide partnership. They have been able to reach over 466 million people via media coverage.

Commissioner Madigan stated she will be sure to make this PowerPoint presentation available to the Council.

## CONSENT AGENDA

**Mayor Kelly moved and Commissioner Dalton seconded to approve the consent agenda as follows:**

1. Approval of 1/28/20 State of the City Minutes
2. Approval of 2/3/20 Pre-Agenda Meeting Minutes
3. Approval of 2/4/20 City Council Meeting Minutes
4. Approve Budget Amendments – Regular (Increases)
5. Approve Payroll 2/7/20 \$621,182.90
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**Ayes – All**

## MAYOR'S DEPARTMENT

Discussion and Vote: Resolution – Purple Heart Community (20-047)

Mayor Kelly advised the City has been asked to submit a resolution to become a Purple Heart Community.

**Mayor Kelly moved and Commissioner Dalton seconded to accept the resolution as read:**

**A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF SARATOGA SPRINGS, NY**

WHEREAS, the Saratoga Springs City Council has great admiration and utmost gratitude for all for the men and women who have selflessly served their contract and this community by joining the military; and

WHEREAS, the Purple Heart is the oldest military decoration in present use and was initially created as a Badge of Military Merit by General George Washington in 1789; and

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of good will among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget; and

WHEREAS, the City of Saratoga Springs appreciates the sacrifices that our Purple Heart recipients made in defending our freedoms and believes that it is import that we acknowledge them for their courage and show them the honor and support they have earned. NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the City of Saratoga is a Purple Heart City; and
2. That the City of Saratoga Springs hereby recognized the sacrifices that the Purple Heart recipients have made in defending our freedoms and acknowledges and expresses its gratitude for their service and courage while protecting our country.

**Ayes – All**

Senator Jordan addressed the Council to recognize the City as a Purple Heart City. She presented a proclamation to the City.

Announcement: Unified Development Ordinance (UDO) Update

Mayor Kelly announced the fourth question and answer session was held earlier this evening. This Friday, February 21, 2020 is the deadline for comments on draft one.

Discussion and Vote: Resolution – Occupancy Tax (20-048)

Mayor Kelly read the following resolution into the record:

A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF SARATOGA SPRINGS

BE IT RESOLVED, by the City Council of the City of Saratoga Springs, New York, as follows: WHEREAS, in 1987, the City Council enacted a law imposing a tax upon the renting rooms in the City. The law was amended in 1991, 2003 and 2012, and remains in effect as Article VII of Chapter 212 of the City Code; and

WHEREAS, the City was authorized to enact such law by the New York State Legislature, in Section 1202-g of the New York State Tax Law. Both the state law and the city law specified that the room rental tax would not be applicable to facilities having fewer than four rentable units; and

WHEREAS, there has since been a significant and widespread change in the manner in which rooms are made available to, and secured by, short-term renters, both in the City of Saratoga Springs and across the nation. The rapid growth of the sharing economy has produced previously unseen opportunities in the short-term rental market which effectively eliminate the considerations that originally led to the exemption for facilities with fewer than four rentable units; and

WHEREAS, the Saratoga County Legislature may be considering a request to the State Legislature to amend Section 1202-g of the Tax Law so as to eliminate and repeal the existing exemption for facilities with fewer than four rentable units, which this Council fully supports.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby requests that the Saratoga County Legislature pursue such an amendment to Section 1202-g of the New York State Tax Law so as to repeal the exemption for facilities with fewer than four rentable units; and

BE IT FURTHER RESOLVED, that, in the event Section 1202-g is amended by the State Legislature, the City Council shall forthwith amend any and all existing city laws, ordinances and regulations so as to eliminate and repeal said exemption; and

BE IT FURTHER RESOLVED, that, upon its passing, a copy of this Resolution shall immediately be forwarded to the Saratoga County Board of Supervisors by the City Clerk.

**Mayor Kelly moved and Commissioner Madigan seconded to approve the resolution – occupancy tax as included with this agenda.**

Supervisor Veitch asked for the resolution to be amended to say Saratoga County Board of Supervisors instead of Saratoga County Legislature.

**Ayes - All**

Discussion and Vote: Flag Day Parade – Request for Military Aerial Support (20-049)

Mayor Kelly advised this is the 53<sup>rd</sup> year of the Flag Day Parade. For 50 of the 52 years the C-130 fly-over has been the highlight of the event and is planned for this year. This is a request form requires the mayor's signature.

**Mayor Kelly moved and Commissioner Franck seconded to authorize the mayor to sign the Flag Day Parade request for military aerial support as included with the agenda.**

**Ayes – All**

Discussion and Vote: Authorization for Mayor to Sign Contract with Pillar Design Studios, LLC for Bid #2019-41 (20-050)

The bid was awarded under Commissioner Franck's item #5 prior to this motion.

**Mayor Kelly moved and Commissioner Madigan seconded to authorize the mayor to sign the contract with Pillar Design Studios, LLC for bid #2091-41 as included with the agenda.**

**Ayes – All**

Discussion and Vote: Approval to Increase Hourly Rate for Part-Time Secretary of Planning Board, zoning Board of Appeals, and Design Review Commission (20-051)

Mayor Kelly advised the hourly rate has remained the same for the past 10 years. This increase was discussed during the 2020 budget process. The current rate is \$18 per hour and the proposed rate is \$20 per hour effective 2/19/20.

**Mayor Kelly moved and Commissioner Madigan seconded to approve the increase of the hourly rate for part-time secretary of Planning Board, Zoning Board of Appeals, and Design Review Commission as described with the agenda. The new wage is \$20 an hour and the effective date is 2/19/2020.**

**Ayes - All**

## **ACCOUNTS DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign Purchase and Maintenance Agreement with RICOH for Accounts Department Copier (20-052)

Commissioner Franck advised this agreement is for the purchase and maintenance of a desktop copier for the City Clerk's Office.

**Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign the purchase and maintenance agreement with RICOH in the amount not to exceed \$1,775.00.**

**Ayes - All**

Award of Bid: Canfield Casino Parlor Cupola Restoration to Mid State Industries, Ltd. (20-053)

**Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for Canfield Casino Parlor Cupola Restoration to Mid State Industries, Ltd in the amount not to exceed \$226,142.00.**

**Ayes - All**

Award of Bid: Extension of Bid for Horticulture Supplies to Dehn's Flowers, Inc. (20-054)

**Commissioner Franck moved and Commissioner Scirocco seconded to extend the bid for Horticulture Supplies to Dehn's Flowers, Inc. for an additional year under the same terms, conditions, and prices.**

**Ayes - All**

Award of Bid: NYS DOH Certified Instructor Coordinator to Arthur Breault – EMS Concepts (20-055)

**Commissioner Franck moved and Commissioner Dalton seconded to award the bid for NYS DOH Certified Instructor Coordinator to Arthur Breault – EMS Concepts for a price not to exceed \$27,692.00.**

**Ayes - All**

Award of Bid: Skate Park Consulting and Design Services to Pillar Design Studios, LLC (20-056)

**Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for Skate Park Consulting and Design Services to Pillar Design Studios, LLC for an amount not to exceed \$36,805.00.**

**Ayes - All**

## **FINANCE DEPARTMENT**

Discussion and Vote: Authorization for the Mayor to Sign Contract with LookTV for Recording & Airing of City Council Meeting (20-057)

Commissioner Madigan advised LookTV recorded and aired the City Council meetings for free. Due to a change in their business model, they are now charging a reasonable fee. LookTV has not met the City's standard insurance requirements.

**Commissioner Madigan moved and Commissioner Dalton seconded to authorize the mayor to sign the contract with LookTV for recording & airing of City Council Meetings as included with the agenda.**

**Ayes - All**

Discussion and Vote: 2019 Budget Amendment – City Center Use of Fund Balance (20-058)

Commissioner Madigan advised this is for 2019. Due to extenuating circumstances, she felt this exception was necessary.

**Commissioner Madigan moved and Commissioner Dalton seconded to approve the 2019 budget amendment – City Center use of fund balance as included with the agenda.**

**Ayes – All**

Discussion and Vote: Budget Amendment – City Center Use of Fund Balance (20-059)

Commissioner Madigan advised the City Center needs to increase the construction budget in 2020.

**Commissioner Madigan moved and Commissioner Dalton seconded to approve the budget amendment – City Center use of fund balance as included with the agenda.**

**Ayes - All**

Discussion and Vote: Budget Transfer – Contingency (20-060)

Commissioner Madigan advised this is to cover the third year of an economic development partnership with SPAC to promote Saratoga Springs as a worldwide destination for arts and culture. The current balance in contingency is \$233,170.39 and the balance remaining after the transfer will be \$203,170.39.

**Commissioner Madigan moved and Commissioner Dalton seconded to approve the budget transfer – contingency as included with the agenda.**

**Ayes - All**

Discussion and Vote: Budget Transfer – Payroll (20-061)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the budget transfer – payroll as included with the agenda.**

**Ayes - All**



## **PUBLIC WORKS DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign Change Order #4 with Collett Mechanical, Inc. for City Hall Renovation – HVAC (20-062)

Commissioner Scirocco advised this change order is for a micro-processor to run the heating and air conditioning; installation of new heaters; and removal of ductwork.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change order 4 with Collett Mechanical, Inc. for City Hall Renovation – HVAC for a total amount of \$18,317.54.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Change Order #5 with Collett mechanical, Inc. for City Hall Renovation – Plumbing (20-063)

Commissioner Scirocco advised this change order is for multiple changes and change in scope of work and is attached to the agenda.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change order 5 with Collett Mechanical, Inc. for City Hall Renovation – Plumbing in the amount of \$54,502.72.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Change Order #7 with DLC Electric, LLC for City Hall Renovation - Electric (20-064)

Commissioner Scirocco advised this change order is for installation of wiring in the City Council Room.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change order #7 with DLC Electric, LLC for City Hall Renovations - Electric in the amount of \$32,386.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Change Order #9 with MLB Construction Services for City Hall Renovation – General Construction (20-065)

Commissioner Scirocco advised this change order is for approximately 28 changes and is included with the agenda.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change order #9 with MLB Construction Services for City Hall Renovations – General Construction in the amount of \$168,121.42.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Contract with Mid State Industries, Ltd. For Canfield Casino Restoration (20-066)

Commissioner Scirocco advised the parlor cupolas that support the chandeliers are not sound and were temporarily braced. Research shows John Morrissey paid \$60,000 for the chandeliers in 1872 and are valued at \$1.3 million dollars today. Mid State will provide structural support to this area, re-wiring, etc.

**Commissioner Scirocco moved and Commissioner Dalton seconded to authorize the mayor to sign contract with Mid State Industries, Ltd. for Canfield Casino restoration project in the amount of \$226,142.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Change Order #2 with CHA Consulting, Inc. for City Hall Renovation – Owner Representation (20-067)

Commissioner Scirocco stated CHA is nearing the fee limit of the original contract. This change order is for additional weeks of service.

**Commissioner Scirocco moved and Commissioner Dalton seconded for the mayor to sign change order #2 with CHA Consulting, Inc. for the City Hall Renovation – owner representation in the amount of \$15,210.**

**Ayes - All**

Discussion and Vote: Authorization for Mayor to Sign Contract with Dehn's Flowers, Inc. for Horticulture Supplies (20-068)

**Commissioner Scirocco moved and Commissioner Dalton seconded to authorize the mayor to sign contract extension with Dehn's Flowers, Inc. for horticulture supplies not to exceed unit bid price per proposal dated 12/26/18.**

**Ayes - All**

Discussion and Vote: Municipal Resolution with New York State Department of Transportation (20-046)

Commissioner Scirocco advised this resolution is granting authority to NYSDOT to repair portions of NYS Route 9N from Myrtle Street to North Greenfield Road and Spires Falls Road. The state will be adjusting and relocating water valves owned by the City.

**Commissioner Scirocco moved and Commissioner Madigan seconded for the mayor to sign the municipal resolution between New York State Department of Transportation and the City of Saratoga Springs.**

**Ayes - All**

Set Public Hearing: 2020 Water and Sewer Rates

Commissioner Scirocco set a public hearing for Tuesday, March 3, 2020 at 6:55 p.m.

Announcement: Appointment of Deputy Commissioner Joseph O'Neill III

Commissioner Scirocco re-appointed Joseph O'Neill III as Deputy Commissioner of Public Works.

## **PUBLIC SAFETY DEPARTMENT**

Discussion and Vote: Authorization for Mayor to Sign contract with Art Breault / EMS Concepts (20-069)

**Commissioner Dalton moved and Commissioner Scirocco seconded to authorize the mayor to sign a contract with Art Breault as NYS certified instructor coordinator to provide medical and emergency management education for the Fire Department.**

## **Ayes - All**

### **SUPERVISORS**

#### Matt Veitch

##### Public Safety Committee Report

Supervisor Veitch reported they re-appropriated funding from the Emergency Services Department and put forth a resolution for Verizon cell service on the tower in the Town of Day. They approved their STOP DWI contract for 2020; renewed their Animal Shelter contracts; and added grant funding for the Public Defender's Office.

##### Legislative & Research Committee Report

Supervisor Veitch reported he was named the vice-chair of this Committee. They urged the governor to restore VLT aid; restore the early voting funding, supporting the creation of a funding program for infrastructure improvements for water supply/sewer/storm water projects, and restore community college funding.

##### Racing & gaming Committee Report

Supervisor Veitch reported he was named vice-chair of this Committee. The County will have a stand-alone resolution opposing the VLT cuts that will be sent to the State.

##### Upcoming NACo Conference

Supervisor Veitch reported this conference is February 29 – March 3.

#### Tara Gaston

##### Committee Reports

Supervisor Gaston reported in Health and Social Services Committee there was an expansion of \$1 million dollars for daycare aid. The Veterans' Committee provided an update of fiscal year 2018. In the Legislative and Research Committee, she voted against the legislative agenda but has supported separate resolutions supporting the restoring of VLT aid.

##### Public Forum

Supervisor Gaston reported the next forum will be held February 25 from 6 – 8 pm on housing. The forum will be held at the Sussman Room at the library.

##### Census2020

Supervisor Gaston reported the County is seeking non-profits who are working toward expanding access to the census.

##### NACo Conference

Supervisor Gaston reported she will be attending this conference.

Vince DeLeonardis congratulated Tony Izzo on his 34<sup>th</sup> anniversary with the City of Saratoga Springs.

**ADJOURNMENT**

There being no further business, Mayor Kelly adjourned the meeting at 8:14 p.m.

Respectfully submitted,

Lisa Ribis  
Clerk

Approved: 3-3-20  
Vote: 5 - 0