

**CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING
CITY COUNCIL ROOM
TUESDAY, OCTOBER 2, 2007
6:35 P.M.**

PRESENT: Valerie Keehn, Mayor
Commissioner John Franck, Accounts
Commissioner Ron Kim, DPS
Commissioner Matthew McCabe, Finance
Commissioner Thomas McTygue, DPW

ABSENT: Supervisor Cheryl Keyrouze
Supervisor Joanne Yepsen

STAFF PRESENT: Lynn Bachner, Deputy Commissioner, Finance
Michele Boxley, Deputy Commissioner, Accounts
James Brophy, Deputy Commissioner, DPW
Frank Dudla, Deputy Commissioner, DPS
Eileen Finneran, Deputy Mayor
Michael Englert, City Attorney
William McTygue, Director of DPW

CALL TO ORDER

Mayor Valerie Keehn called the City Council meeting to order at 6:40 p.m.

EXECUTIVE SESSION

Mayor Valerie Keehn moved and Commissioner John Franck seconded to adjourn to executive session at 6:40 p.m. to discuss the possible suspension, dismissal or removal of a board member. Ayes all. Council members returned at 7:15 p.m.

PUBLIC HEARING

South Broadway Reconstruction

Mayor Valerie Keehn opened the public hearing on the South Broadway Reconstruction project. Commissioner Thomas McTygue said this was a public hearing on a capital budget amendment for the South Broadway reconstruction project. The standard resolution from New York State must also be approved. The total cost of this amendment is \$91,300 (\$23,000 for design and acquisition and \$68,300 for construction). He said the total cost for this project including this request is \$2,220,069. Federal funding is anticipated at \$1,776,055m Marchiselli funding at \$306,005 and the City's share at \$138,009.

There being no one wishing to speak, Mayor Valerie Keehn closed the public hearing.

PUBLIC COMMENTS

Mayor Valerie Keehn opened the public comment period.

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Lance Ingimire, said organized the Civil War encampment held in Congress Park. This was a very successful event. He thanked staff members at City Hall and more importantly Commissioner Thomas McTygue. He received many letters from the participants at this event. He thanked Commissioner Thomas McTygue for his support and asked the Council for continued support for future events.

Jennifer Leidig said the recent Mayoral press conference concerning the Independence Party was repugnant. She said if the Council chooses to discuss this matter it would only legitimize the accusations. These accusations send a message to all volunteers throughout the City by showing them that they are fair game in the press. This is unacceptable. There was a line in the sand that was crossed and the City needs to regain that footing. This is not a partisan point of view but rather a volunteer vs. public official point of view. She said that Mr. Fenton deserved the courtesy of City officials contacting him on these accusations.

David Bronner, 5 Royal Henley Court, said he is not the "Mayor's Boy". He said he was not asked to leave the Council room at the last meeting nor was he escorted out of the building. He said he was concerned with the recent allegations by the failed Mayoral candidate in connection with the Ethics Board member. It was unconscionable to entertain such allegations. There are no anti-semantic cults in the City. He said though that the Council should be filing a complaint with the Ethics Board concerning a Commissioner trying to change the outcome of a police investigation.

Kyle York, 59 Railroad Place, said that financing a \$17 million public safety building was of great concern to him. He said it was unfortunate that the police staff has such conditions to work in, however, \$17 million will have residents' taxes skyrocketing.

Bill Chism, Southwest Neighborhood Association, said he recently toured the police department and the conditions they work under are unacceptable. The SWNA supports a new public safety facility.

Mary Beth DeLarm said she toured the police station 15 years ago and it was in deplorable condition then and now it has only worsened. The police department is the spine of our City. They are the first responders and they deserve a decent environment to work in. She asked that the Council move this project forward.

Cindy Hatkin, Glens Falls, said that while she does not live in the City, she fully supported a new facility for the police department. She said that Glens Falls in the same shape. The police officers deserve the best. They work 24/7 for little pay and they deserve a better quality of life in their second home.

Teresa Capazolla said that last week Gordon Boyd, Mayoral candidate, made some reprehensible comments. She believed the comments would do more damage to him than to the individual he was speaking about. She said the Council has a duty to act in the best interest of the City, however, the City has more important business to conduct than to address these allegations. She said it was unfortunate that Commissioner John Franck had placed this matter on his agenda for discussion. She said the Ethics Board could review this matter if they want to. She also said the Council could reform the Ethics Board and its regulations, however, this was all about political timing. She said this was the equivalent of money laundering - taking a bad allegation, running it through the Council and then the statement gains legitimacy. She said this should not be addressed during the political season.

Judge Douglas Mills, 8 Lakewood Drive, said he has been City court judge for 19 years and it has been an honor and a privilege to work with the police department. When he first started there were 4,000 cases per year and that has now risen to more than 11,000. The conditions that the police officers work under are deplorable. The need for a new facility has been established and it was time for the Council to move on this matter.

Judge James Doern agreed that the conditions were deplorable in the police department. He said that from a human rights and public safety standpoint these issues need to be addressed.

Ben Mirling, 121 Nelson Avenue, said he supported a public safety facility. No one disagrees that there needs to be a new public safety facility. He said every year this project fails to make it in the capital plan because Council members are afraid to raise taxes. He said the cost will continue to increase to build a new facility. He urged the Council to support this proposal.

Sharon Cudahy, 4 McAllister Drive, said victims are being victimized a second time when coming into the police department. She asked that the Council work together and support this proposal.

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There being no one else wishing to speak, Mayor Valerie Keehn closed the public comment period.

PRESENTATIONS

America in Bloom Contest

Remiga Foy said she recently attended the America in Bloom awards celebration in Rockford, Illinois along with Commissioner Thomas McTygue and Stephani Voigt. She said the purpose of that organization is to promote and instill community pride. The goal is community makeovers with a focus on floral displays and urban forestation. She said the City has a long and beautiful history of flowers beginning with courtyards and hotel veranda displays that included cast iron urns and seasonal flower boxes. She said there was a period when the flowers were not as prevalent throughout the City, however, in the 1970s when federal and state money allowed for the Casino restoration, the completion of the Village Brook project and Broadway revitalization flowers began to return to the downtown area. She said that under Commissioner Thomas McTygue administration and his detailed attention, the City has created, planted and maintained colorful flower beds that culminated last week with national recognition. She said the City of Saratoga Springs was presented with the award for the best floral display. That award recognizes the City's flower program and the impact that it has on the City. The benefits include emotional, social, economic and civic pride. Cleanliness and tidiness throughout the City with no graffiti also fosters safety and security. People like to come to the City and there is great economic benefit. Broadway is attractive, conventions come here and there has been a lot of investment and development. She said what was unique about the City winning is that the City did not plan to participate. She said the other cities work year round on getting ready to participate in this event. Our award was based on 30 years of experience. She said she was proud to be there and proud to accept the award.

Stephanie Voigt said that it was a pleasure to work on this project and it was a great honor to be there and to accept this award. She said this is a communitywide effort to beautify the City.

Commissioner Thomas McTygue thanked those individuals who helped make this happen. Those individuals included: Sonny Bonacio, Mr. Chapman, Jim Gorman, Gene Corsage, Joe Dalton, Mike Fitzgerald, Mark Sutton and Brian Whitman. He said that special thanks go to the DPW crews and Rob Whelock.

Commissioner Thomas McTygue said that when Lee Nichols became employed by the City, a small beautification project was begun in Congress Park through plantings. Then through Brian Dwyer's time as Commissioner of Public Works, he hired Jim Gabzinski who developed the plantings to include the islands throughout the City and the message board on Union Avenue. He said that initiative has developed into the flower program that the City has today. He commended Brian Dwyer for hiring Jim Gabzinski. He said much of this award is due to Jim Gabzinski's efforts. He said that while Beloit Wisconsin was the winner, they plan for it the entire year and they spend upwards of \$250,000. He said they did learn a lot from the other cities though.

Village at Saratoga - Bill Gorham

Bill Gorham, 3 Thorobred Drive, submitted a petition to Council members on behalf of the residents at the Village at Saratoga requesting that the letter of credit issued for Omega Homes in the amount of \$93,500 for maintenance and for street acceptance under the PUD be used to repair the sanitary sewer system and storm water drainage system in this development. He submitted pictures of the storm water drainage problems.

2008 Comprehensive Budget

Commissioner Matthew McCabe presented the 2008 comprehensive budget. He said there is one issue facing the Council that is foremost in their minds and it was the need for an improved municipal facility. Historically the City has relied on bonded funds for capital program projects with taxpayer dollars to support the cost of the bonds. The Council recently increased the bonding limit from one percent to two percent of the five year average full value of taxable real property. The City's current debt limit is \$50 million with an estimated amount available in 2008 of \$26 million. The proposed \$25 million capital program for 2008 relies almost entirely on borrowing. If the City bonds the entire 2008 capital program there will remain about \$4 million available to bond from 2008 forward. The \$4 million will have to last until substantial payments are completed which will not occur until 2017, 2022 and 2034. Commissioner Matthew McCabe said he was not against a municipal

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facility, however, the revenue side of the capital program needs to be addressed. He said a new police facility will not be the City's only critical undertaking in the next 30 years.

Commissioner Matthew McCabe said it had been stated that a new \$17 million facility will cost the average homeowner about \$100 per year. He said though that the 2008 capital budget in conjunction with the 2008 comprehensive general fund budget may cost the average homeowner with a \$250,000 home and increase of \$100 in City property tax. However, this takes into account only the first year of the loan payment which is about one third of the cost of every year thereafter. The 2008 cost of a full payment on this loan would be over \$200. When adding that to the operating costs of nearly \$1 million projected by the Fire Department for the new eastside fire station that homeowner would see an increase of almost \$300. He said that the longtime citizens and elderly Saratogians are already finding it unaffordable to live in the City. Commissioner Matthew McCabe said the Council may determine that the average homeowner is willing to pay an extra \$300 per year, however, the Council needs to seriously consider the ramifications.

Commissioner Matthew McCabe said that the scope of the project needs to be more clearly defined and new revenues sources such as paid parking and the use of City Hall need to be discussed. He said that making this into a crisis does not bring the City any closer to a responsible solution but rather brings us closer to reckless action.

Commissioner Matthew McCabe said that to create a true financial starting point, there are no new capital projects included in the 2008 comprehensive budget. He said the bottom lines for the 2008 comprehensive budget are as follows:

Total all funds	\$48,426,910.22
Total change from 2007	(\$5,688,356.87)
Total General Fund	\$37,882,030.10
General Fund Change from 2007	\$ 2,364,592.05

Commissioner Matthew McCabe said that with no new facilities and no new operating costs for new facilities the 2008 comprehensive general fund expense budget increased by 6.7 percent which equates to \$2,364,592. He said this budget is defined by mandated expenditures including wages, benefits, retirement, gas oil, utilities, insurance, and contingency set aside for 4 renegotiated contracts. Those expenditures account for about 89 percent of the 2008 general fund budget. Net increases in cost for personal services and health insurance account for about half of the change in the 2008 general fund budget (\$1,137,266). This includes \$433,108 budgeted for retiring employees who are due payouts for unused sick days. Health insurance increased by about \$441,417 to nearly \$5,415,000. Gas, oil, utilities and related items increased by \$135,780 which is about 6 percent of the general fund net increases. Other increases include liability insurance at \$261,434, increased legal and actuarial assistance for seven simultaneous union contract negotiations, parking ticket program increase of \$103,500 for outsourcing which is partly offset by an increase in estimated revenues; unemployment insurance increases of \$72,900; equipment purchases at \$77,773; appraisal services increased in anticipation of assessment challenges; police department funds for supplies, training at \$52,000, hazardous waste day funding at \$45,000 partially off set by a state grant and lab fees required for testing and moratorium DPW at \$27,000.

Commissioner Matthew McCabe said that 2008 budget does not reflect the operating cost of the new indoor recreation facility. Included in the budget is \$580,858 which includes a one time request of \$250,000 for furniture, fixtures and equipment. He said the recreation department needs to be analyzed and after the election, he would ask the Mayor to form a committee to review privatizing the recreation department by outsourcing some of the recreation functions.

Commissioner Matthew McCabe said the general fund expense budget increased by \$2,364,592 which means the revenue side must increase by the same amount. The City's 2008 non property tax levy revenues had a net increase of \$1,074,433 which includes \$1.1 million in increased state aid based on VLT revenue. He said that with no new projects in the capital program and no new operating expenditures, this is the City's baseline.

Commissioner Matthew McCabe said the majority of the general fund budget is supported by five main revenue sources: VLT, sales tax, state aid, mortgage tax and real property tax. VLT revenue \$1,080,000 increase -- the state has provided and estimate of \$3,780,000 which is lower than the first year and they further advise us that they expect 2009 to be lower. Sales tax \$0 increase -- sales tax collection for 2007 is about 5 percent higher than this time last year but is lagging behind 2007 budgeted estimates. State aid 58,459

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increase - the 2007-2008 increase is more moderate than in past years. Mortgage tax \$225,000 decrease - the industry in general is in crisis. At this time, the 2007 year end projection for mortgage tax is about 13 percent under budgeted amounts. Fund balance - \$0 increase - changing the direction of the unreserved, unappropriated fund balance is one of the most judicious financial moves the Council can achieve. In past election years, Saratoga County has made a surplus distribution to Saratoga Springs. This year that distribution is \$783,226. He said he has not reserved these funds, nor appropriated them in the 2008 budget. He explained that appropriating the funds would create an operating deficiency for 2008. Also, leaving the funds in the bank but out of the budget will help rebuild the unappropriated, unreserved fund balance.. It also increases the bond rating, thereby proving more valuable to the taxpayers as unreserved, inappropriate than if placed in the general fund budget.

Commissioner Matthew McCabe said the City needs \$2,364,592 to balance the general fund budget. The nonproperty tax levy items total \$1,074,333 and the remainder must be made up in property tax revenue. In July 2007, the tax assessment roll used to determine the 2008 tax rate was \$2,978,283,173 which was an increase of \$96,631,620. There was no revaluation this year. The expenditures included in the 2008 general fund budget will require a general fund property tax levy of \$14,342,274.10. The capital projects that we are currently paying debt service on will require a property tax levy of \$1,080,204.21.

Commissioner Matthew McCabe said the combined tax levies and tax rates to support the 2008 comprehensive budget are as follows:

Proposed general fund tax levy	\$14,342,274.10
Proposed debt service fund levy	\$ 1,080,204.21
Proposed combined tax levy	\$15,422,478.31
Proposed Combined inside tax rate	\$5.20/per thousand
Proposed Combined Outside Tax Rate	\$5.15/per thousand

The draft combined tax rates are an average increase of 4.87 percent over 2007. On a house valued at \$250,000 inside district the taxpayer will pay about \$1,300 in City taxes per year which is an increase of about \$61. This is the current cost of running the City of Saratoga Springs with no new capital projects and no operating costs for new facilities.

CONSENT AGENDA

Mayor Valerie Keehn moved and Commissioner Matthew McCabe seconded to approve the consent agenda as follows:

- 1. Approve Minutes: September 4, 18, & 24, 2007**
- 2. Approve Payrolls:**
9/21/07 \$407,985.85
9/28/07 \$413,737.06
- 3. Approve Warrants**
Mid MC3SEP07 \$109,255.16
General 1OCT07 \$761,722.83

Ayes all.

DEPARTMENT OF PUBLIC SAFETY

Award RFP - Community Initiative Development Corporation (07-172)

Commissioner Ron Kim said that he received a telephone call today from an individual who was a victim of a sex crime nearly ten years ago. He said that while she believed the Police Department handled her case well, she felt as though she was victimized again in the Police Department because of the working conditions in that department. She did not want to come to the Council meeting this evening but asked that her thoughts be relayed.

Commissioner Ron Kim said that ten year ago a new facility would have cost \$4 or \$5 million. He said that eventually a City Council would probably do the right thing. Talk is cheap though. Everyone agrees that a new facility is needed. Several people have spoken out saying that they don't mind that their taxes are raised for a new police station. He said though that he is sensitive to the older, long time residents and their concerns. If

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the City waits for the funding to be available for this new facility it will become a \$30 million building. He said that as the Council sits here and piously pounds their chests, the price simply goes up.

Commissioner Ron Kim moved and Mayor Valerie Keehn seconded the following resolution:

**City Council Resolution Woodlawn Parking RFP
Authorizing Construction of Public Safety Facility**

WHEREAS, in January, 2006, the Commissioner of Public Safety appointed a ten member Public Safety Capital Program Committee and charged it with "...developing a comprehensive facility needs analysis, preparing baseline cost projects and funding alternatives and a set of detailed recommendations to present to the public and the City Council..." ("Feasibility Study"); and

WHEREAS, the physical plant occupied by the Saratoga Springs Police Department is unable to meet minimal space, life safety, sanitary, environmental, programmatic and functional requirements necessary to provide an appropriate and proportionate police response to community emergencies; and

WHEREAS, the Police Department does not afford appropriate spaces in which to shelter and interview crime victims, separate combative prisoners, minimize potential injury to sworn officers and civilians employees, meet the personal needs of female officers, store evidence, secure weapons or conduct in-service training; and

WHEREAS, the City of Saratoga Springs City Council has commissioned a number of needs analysis of its public safety infrastructure over the period of the last 30 years, and all have concluded that the Police Department structure is inadequate, and deficient; and

WHEREAS on January 5, 2006, LaBella Associates and BBL Construction were publicly awarded the bid, from a group of seven responses to assist the Public Safety Capital Construction Committee in completing its Feasibility Study; and

WHEREAS, on April 3, 2007, the Public Safety Capital Construction Committee reported its preliminary findings to the City Council at an open public meeting; and

WHEREAS on July 12, 2007, the Commissioner of Public Safety held a public workshop on the final Feasibility Study and reviewed it further with the public at the July 17, 2007, City Council meeting; and

WHEREAS, the Final Feasibility study recommended as one of the preferred sites, the construction of a 47,000 square foot facility at the City owned lot at the Woodlawn Avenue Parking Lot; and

WHEREAS, on April 4, 2007, the Commissioner of Finance issued a Request for Proposal ("RFP") for the Development of the Woodlawn Avenue Parking Lot; and

WHEREAS, on June 4, 2007, the bidding consortium of Community Initiative Development Corporation, BBL Construction Services, Bonacio Construction, Inc., The LA Group, Frost Architecture, Labella Associates and Stroud, Pence & Associates, Ltd., (collectively "CIDC") submitted a response to the RFP which proposed the splitting of the Woodlawn Avenue Parking Lot into three parcels with one parcel dedicated to the construction of a 500 car parking garage, a second to the construction of a public safety building and the third eventually to private development in exchange for a lease payment of \$1.4 million per year over 30 years; and

WHEREAS, the CIDC's response to the RFP was the only response received; and

WHEREAS, CIDC's proposed leasing structure would cost less than traditional "bond financing" and construction of a public safety facility; and

WHEREAS, CIDC's response to the RFP addresses not only the need for a new public safety facility but will also remedy the parking difficulties for visitors to the City, residents and downtown business owners.

BE IT RESOLVED, that the City Council on October 2, 2007, does hereby accept the CIDC response to the RFP,

BE IT FURTHER RESOLVED that the City Council selects the Woodlawn Avenue Parking Lot as the preferred site for the construction of a new Public Safety Facility consistent with the recommendations of the feasibility study; and

BE IT FURTHER RESOLVED that the City Council directs the Commissioner of Public Safety in consultation with the City Attorney, to negotiate and draft an Agreement

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with CIDC consistent with the Feasibility Study and CIDC's response to the RVP for presentation and consideration by this City Council on or before November 20, 2007.

Commissioner Matthew McCabe said that based on the comprehensive budget as submitted, the Council needs to identify where the \$1.4 million of revenue would come from for the next 30 years. He said there had been some discussion of scaling back the proposal. The revenue stream that DPS proposes to use, VLT revenue, does not exist. There is also the concern of simply giving away the third lot to the developer. He said if a revenue stream is identified, the project could move forward.

Commissioner Thomas McTygue said he supported this project a few years ago. However, he noted that for the Weibel Avenue indoor recreation facility project a traffic study had been required and he wondered where the traffic study was for this proposal. He said the RFP did not call for a design/build and lease buy back. He said if that is the way the Council wants to go, then they need to look at other sites including behind City Hall. He said this proposal did not meet the specification of the RFP. Commissioner Ron Kim said it did. He said the RFP asked for 300 parking spaces. He said he specifically asked Commissioner Ron Kim if a developer did not want to include retail in the proposed structure, would a municipal facility be allowed. Commissioner Matthew McCabe said it would be acceptable. Commissioner Thomas McTygue said the court room is a historical part of this building. Commissioner Ron Kim said that the courts have not said anything to him about the court room being historical. Commissioner Thomas McTygue questioned whether the City was getting the best competitive price for this project when the RFP did not call for a lease buy back option. Commissioner Ron Kim said that Commissioner Matthew McCabe said that a lease buy back option was a potential way of responding to the RFP.

Commissioner Thomas McTygue said that the operating costs have also not been brought to the Council for this project. Commissioner Ron Kim said they did bring those costs forward and Commissioner Thomas McTygue was fabricating again. Commissioner Thomas McTygue again suggested making this a competitive bidding process. Commissioner Ron Kim said that he was simply seeking permission this evening to continue negotiations with CIDC and to return to the Council by November 20 with an agreement. Commissioner Ron Kim reminded everyone that the \$17 million number is 2009 dollars. If this project is not approved this evening, the construction costs will continue to rise which simply increases the cost to taxpayers.

Commissioner Matthew McCabe said his office ran some numbers today on this resolution. He said the 2007 tax rate would likely increase by 15 percent and if the \$1 million in operating costs were added in it could increase to 22 percent. He reminded everyone that even with 500 new VLT machines, NYS is projecting less money in 2009. He said he would be willing to put to the side any additional VLT funding that is received.

Mayor Valerie Keehn said the state has lowballed the City before on VLT revenue. Commissioner Matthew McCabe said that was incorrect. He said the state recommended to the City that the City not include more than \$2.7 million in the budget however, had said that the City could receive between \$3.4 and \$3.8 million. He said that in the 2008 projections he has included \$3.8 million. He pointed out that about 10 percent of the City's revenues are dependent on gambling.

Commissioner Ron Kim said the first thing that he did after being sworn in as Commissioner was to appoint a Capital Construction Committee and he appointed Lew Benton as chair of that committee. He said we are now 19 months down the road and 8 studies later. All 8 studies have called for a new public safety facility. If it had been constructed in 1976 when the first study was completed it would not have cost \$17 million. He said that any tax increase of 15 or 22 percent would simply get higher - it was not going away. It has been implied that they want the "Taj Mahal". The committee was composed of citizens, staff and appointments by Council members. He said the 47,000 square feet includes 15,000 square feet for the counts. The 15,000 square feet is mandated. The judges have increased from 1 to 1.5, the case load has increased from 4,000 to 11,000 annually. In 2003, former Commissioner Thomas Curley commissioned a study that came back at 27,000 square feet. The difference between the 27,000 square feet and the 32,000 square feet from the most recent study is walls. This project has been scaled back. If we wait it will simply double in cost.

Mayor Valerie Keehn said that the Council could talk about this until they are blue in the face. She has not heard any legitimate or logical alternative to building this facility. She is willing to take the political risk and political rhetoric of "tax and spend liberals" to move this project forward. She said that sometimes doing the right thing is not popular. She said that she has heard from the public. She said this was much like a home

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repair. If the work needs to be done, a homeowner may have to go out and get a second job. The City can look for the revenue. Paid parking is an option. She is willing to take the political hit to support this project.

Ayes: Commissioner Ron Kim and Mayor Valerie Keehn; Nays: Commissioners John Franck, Matthew McCabe and Thomas McTygue. Motion denied.

Commissioner Ron Kim said that sometimes it is important to stand on principle and did not feel the need to spend any more time with the Council. He then pulled the remainder of his agenda and departed. (Commissioner Ron Kim departed at 9:00 p.m.)

MAYOR'S DEPARTMENT

Economic Development Revolving Loan (07-103)

Mayor Valerie Keehn moved and Commissioner Matthew McCabe seconded to approve the Economic Development Revolving Loan request from Morris & Morris Enterprises, LLC., for 42 Park Place, \$75,000 at 5 percent fixed interest rate for ten years.

Brad Birge said they the total FTEs are 14. Commissioner Matthew McCabe asked if this property had gone to closing. Brad Birge said not yet. He said this completes their financing package.

Ayes all.

ACCOUNTS DEPARTMENT

Ethics Committee Chair

Commissioner John Franck said that no decisions had been made on this matter. The executive session was for discussion. He said it is not up to the Ethics Board to review the standards of a fellow Ethics Board member - that was up to the Council. He pointed out that in a recent letter to the editor from Jennifer Leidig she stated that the democratic parties don't always agree, but there were moral issues, then members should consider stepping down from their membership. Mayor Valerie Keehn asked that comments be directed to Council members and not members of the public. Commissioner John Franck said he had met the Ethics Board member who is part of this discussion and he finds him to be a nice man, however, it was the Mayor who used the words suspension, removal, etc. and not him. He said it the responsibility of the Council to review this matter and not the Ethics Board.

Ethics Board Reform

Commissioner John Franck said he was not looking to scrap the Ethic Board but was looking at making some changes. He said he had some concerns with posting their decision on the web site due to privacy reasons. He said the Council also needs to look at the subpoena powers. He said he would bring this to the Council in the near future for discussion and review.

Records Management Report

Commissioner John Franck said the mission of the City's Records Management program is to effectively manage annual records growth, streamline and enhance information accessibility, increase the efficiency of information retrieval, improve the organization and storage conditions of City Documents and improve public service through the well-organized, proficient handling of municipal records. One of the fundamental ways this is accomplished is through the annual disposition of records according to the New York State mandated minimum retentions; each year, the Records Management office oversees the disposition of over 100 cubic feet of records. In addition to providing advice on the management of records and annual dispositions, the records office applies for funding for larger projects designed to carry out the mission. Recently the office completed an inactive records project designed to increase the function of the City's off-site records center and alleviate tight storage conditions in some departments. A memo and page of statistics were circulated about this project. Here to report on more details of this successful project is Nancy Wagner.

Nancy Wagner said this was a project to consolidate and move records from City Hall to the off site storage unit. She said that more than 60 percent of the City's records are now stored at the DPW garage. A grant of

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\$10,205 was received for this project. She thanked City staff for their cooperation and assistance in this matter.

FINANCE DEPARTMENT

Budget Transfers - Payroll, Regular & Insurance

Commissioner Matthew McCabe moved and Commissioner John Franck seconded to approve the budget transfers as distributed. They have all met the transfer guidelines and the availability of funds is certified (Attachment A) . Ayes all.

Budget Amendments

Commissioner Matthew McCabe moved and Commissioner John Franck seconded to approve the budget amendments as previously distributed. The budget remains in balance, the amendments have met the guidelines and the availability of funds is hereby certified (Attachment B) . Ayes all

2008 Comprehensive Budget - Set Public Hearings

Commissioner Matthew McCabe set a public hearing for October 16 at 6:00 p.m. on the comprehensive budget. He said he was sorry that Commissioner Ron Kim had left. He said that while there are budgetary differences of opinion he believed they could be worked out. The budget as presented will become the comprehensive budget if the Council fails to adopt a budget by November 30. He said there will be copies made available for the public in his office, the Accounts Department and the public library. Unfortunately the revenues are not increasing by significant amounts. The City needs to look at the possibility of phasing a public safety facility. He said he believed a scaled back program was more appropriate. He noted though that with a new public safety facility, it would leave a lot of available space inside City Hall. The City needs better usage of its square footage in this building. He said the public hearing would remain open until the budget is adopted.

He then set the following workshops: 10/9 noon, 10/11 6:30 p.m., 10/17 5:00 p.m., 10/23 9:30 a.m., and 11/1 6:30 p.m. He said that more would be set as needed.

Commissioner John Franck asked if the previous funding received from the County had been used for fund deficits. Commissioner Matthew McCabe said it was used as property tax relief. He said that it goes for better usage for the City by placing it in the unreserved, unappropriated fund balance by getting the City better rates when bonding. He said if it is placed in the budget as tax relief, it automatically doubles the hole in the following budget. Commissioner John Franck clarified that the entire capital budget had not been included. Commissioner Matthew McCabe said that was correct. He said the new starting point was 5 percent. He explained that with no new programs and no new capital projects the City was already 5 percent in the hole. He said though that the existing capital program could be amended.

DEPARTMENT OF PUBLIC WORKS

Other

Commissioner Thomas McTygue said that in all of his 32 years on the Council he had never walked out of a Council meeting no matter how frustrated he had become. He said it is necessary to work these things out. He again suggested that an RFP be put out on the public safety project so that a proposal could be brought forward. He said if Commissioner Ron Kim does not want to talk to anyone, then the job won't get done.

Voting Machine Contract

Commissioner Thomas McTygue moved and Commissioner Matthew McCabe seconded to approve the contract with Saratoga County to move the voting machines for the September 18 primary and the November general election in the amount of \$1,600 each and further move to authorize the Mayor to sign the contract. The funds are to be placed in the DPW budget. Ayes all.

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Orkin Contract - Pigeon Droppings

Commissioner Thomas McTygue moved and Commissioner Matthew McCabe seconded to approve the contract with Orkin Company in the amount of \$11,800 for the clean up of the pigeon droppings on the north and west side of City Hall and further move to authorize the Mayor to sign the contract.

He said that his department has worked with the Purchasing Department. His department has solicited proposals.

Ayes all.

South Broadway Reconstruction Resolution (07-174)

Commissioner Thomas McTygue moved and Commissioner Matthew McCabe seconded that the Council approve Supplemental Agreement #3 and the resolution for the South Broadway project as presented and to approve the capital budget amendment in the amount of \$91,300. Ayes all.

Geyser Road Bridge Agreement with Saratoga County (07-175)

Commissioner Thomas McTygue moved and Commissioner John Franck seconded to authorize the Mayor to sign the agreement with the County for the widening of Geysers Road and the sidewalk installation.

Commissioner Thomas McTygue said the details of the agreement had been worked out with the County. Bill McTygue said that the City will contribute \$4,000 to this project to cover the additional expenses for widening the Geysers Road bridge deck which will accommodate a future sidewalk should the City decide to construct a sidewalk. He said if a sidewalk is constructed on the bridge it would likely be constructed when the trail from Geysers Crest to the City is developed. The sticking point was the liability and maintenance of the deck. He explained that the liability and maintenance for the sidewalk is the City's responsibility when the sidewalk is constructed.

Cheryl Keyrouze said she had a conversation recently with Bill Ritchie and he told her that the County could not get funding for the project unless the City guaranteed that the City would construct the sidewalks.

Joanne Yepsen said the Council voted on a similar motion in March. This motion simply spells out the details.

Tony Izzo said the previous agreement disclaimed all liability. Joanne Yepsen said the County would not agree with that disclaimer. Tony Izzo said that the City now agrees that should the sidewalk be constructed, the City will assume liability. He said there was a meeting this morning and this was agreed upon.

Joanne Yepsen said that with the County's new green infrastructure plan, the County's regulations on liability on such matters needs to be reviewed.

Commissioner Thomas McTygue said the money was within their budget.

Ayes all.

WNYT Electronic Recycling Day

Commissioner Thomas McTygue moved and Commissioner John Franck seconded for the City to join with WNYT for the electronic recycling day at the Saratoga Gaming and Raceway on Saturday, October 13. He said the cost for City residents is \$4 for computer monitor or television and everything else is free.

Bill McTygue explained that the City would absorb some of the cost of this program and then try to recoup that money through the DEC funded hazardous waste program. He said that under that program they could apply for 50 percent of that cost. Mayor Valerie Keehn asked what the cost to the City might be. Bill McTygue said it was hard to tell, but if there were 100 televisions at \$4/each, the City could then apply for \$250 reimbursement. He said that the cost to the City is minimal. He said that because the program is being held in the City, they

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believed it was a good opportunity for City residents to take the opportunity to bring in their electronics. He said that they must be a City resident to get the discounted price.

Ayes all.

America in Bloom

Commissioner Thomas McTygue apologized to Remigia Foy and Stephani Voigt because of the disrespect they received at tonight's Council meeting. He said that the America in Bloom event was a wonderful event for the City and it was too bad that they were treated so poorly during their presentations.

DEPARTMENT OF PUBLIC SAFETY

Commissioner Ron Kim withdrew his entire agenda from discussion.

Award RFP - Community Initiative Development Corporation

VLТ Revenue for Lease Payment on Public Safety Building

Traffic Signals in City Code

Waive of Bid - www.propertyroom.com

Approve contract with www.propertyroom.com

Wells Communications Agreement - Police Radio Communications

SUPERVISORS

Cheryl Keyrouze

Program for the Aging: Cheryl Keyrouze said there would be public hearing on October 31 at 1:00 p.m. at the Saratoga Springs Senior Center on the Program for the Aging.

Capital Regional Local Government Council: Cheryl Keyrouze said she recently attended a meeting of the NYS Commission on Local Government Efficiency and Competitiveness where John Clarkson, Executive Director made a presentation. The mission of that organization is to foster coordination among the chief elected officials in pursuing plans. She said they are trying to leverage the communities through their numbers in strength. He said through these initiatives they hope to eliminate duplicate services, initiate county wide health insurance programs and smart growth initiatives.

Chamber of Commerce Business Showcase: Cheryl Keyrouze said she would host a booth at the Chamber of Commerce Business Showcase.

Electronic funding for child care workers: Cheryl Keyrouze said she recently met with Ken Crannel, NYSAC and Fran Turner, CSEA, to discuss electronic funding for child care.

NYSAC - Legislative Standing Committee: Cheryl Keyrouze said there were several resolutions passed at the recent NYSAC meeting. Those resolutions included: children with special needs, health and human services, gaming, public employee relations, etc.

Universal Healthcare: Cheryl Keyrouze said she recently attended a conference on universal health care. There was a good discussion on the single payer system. Most physicians would prefer a single payer system.

Citizens Transportation Committee of Saratoga County: Senior Citizens Trial Bus Run - Cheryl Keyrouze said that CDTA has almost completed their senior citizens trial bus run. There will be one more run at Stonequist.

Citizens Transportation Committee of Saratoga County: Amtrak - Cheryl Keyrouze said they will be meeting with Amtrak on their services.

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Joanne Yepsen

NYSAC Report: Joanne Yepsen said she recently attended the three day NYSAC conference. It was a wonderful event. There were 150 initiatives brought forward. She noted that there are 4,200 tax paying entities in New York State.

Health Care: Joanne Yepsen said there was much discussion on the single payer system and she intended to further explore this matter.

Saratoga County Preservation and the Future of Racing: Joanne Yepsen said that last Thursday the state senate held its second hearing on the New NYRA discussing the reasons why the New NYRA should be selected. She said they will continue to pursue maintaining the status quo on property taxes and for the track to remain as an historic preservation site. Each bidder will have one more opportunity to address the senate committee.

Saratoga Gaming and Raceway Foundation November 1 deadline: Joanne Yepsen reminded everyone that November 1 is the deadline for the Saratoga Gaming and Raceway Foundation grants.

Grants to you Class October 5-6: Joanne Yepsen said the Grants to You class will be held on October 5 and 6. There are some openings available.

Veterans Affairs: On October 9 there will be a veterans affairs and job expo held at the City Center.

Geyser Road project: Joanne Yepsen thanked the DPW staff for all of their help on the Geyser Road project. Cheryl Keyrouze said she recently had a conversation with a Darren Robarge from Quadgraphics on their providing some funding for the trail system from Geyser Crest to the City. She said they were willing to give money last year, however, no one from the Geyser Crest Neighborhood Association got back to him. Joanne Yepsen said it was her understanding that he was still interested in assisting that group.

PUBLIC COMMENT PERIOD

Mayor Valerie Keehn opened the second public comment period.

Lisa Ribis, 1 Waterview Drive, said she was dismayed at the belittling of the speakers during the American in Bloom presentation. She said that she was appalled at the lack of courtesy that should have been extended to those individuals. She said they were owed a public apology.

Jennifer Leidig, Pearl Street, said the City is comprised of three components - elected officials, staff and volunteers. She said volunteers, volunteer for good reasons regardless of what party they belong to. She said she stood behind her letter to the editor. The point of her previous comments were that the individual had never been contacted by anyone from the City and the lack of courtesy concerned her. Commissioner Thomas McTygue suggested that she make an appointment with Commissioner John Franck.

Kyle York, 59 Railroad Place, said he was willing to help in any manner that he could if a new RFP was to be developed on the public safety facility.

There being no one else wishing to speak, Mayor Valerie Keehn closed the second public comment period.

ADJOURNMENT

Mayor Valerie Keehn moved and Commissioner Thomas McTygue seconded to adjourn the meeting at 10:00 p.m. Ayes all. There being no further business, Mayor Valerie Keehn adjourned the meeting at 10:00 p.m.

Respectfully submitted,

Kathy Moran
Clerk

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Approved: