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CITY OF SARATOGA SPRINGS COUNCIL MEETING

March 1, 2021

MEETING HELD VIA ZOOM

PRESENT:

Meg Kelly, Mayor

Lisa Shields, Deputy Mayor

John P. Franck, Commissioner

Michele Madigan, Commissioner

Anthony Scirocco, Commissioner

Vince DeLeonardis

Marilyn Rivers



1 MAYOR KELLY: Thank you. Good
2 morning. This is a preliminary agenda
3 for tomorrow night's meeting. Today is
4 Monday, March 1st, 10 a.m.

5 We have one public hearing tomorrow
6 evening, and that will start at 6:55:
7 capital program and budget amendment,
8 east and west sides' fields capital
9 contribution. The recreation department
10 is requesting to amend the 2021 capital
11 budget and capital program to include the
12 east and west side fields annual capital
13 contributions.

14 We have one presentation tomorrow
15 evening, and that's the 2021 West Avenue
16 Special Assessment District annual
17 report.

18 And I believe that's, Commissioner
19 Madigan, under your department. Do you
20 have anything to add, or are we just
21 going to wait for that?

22 COMMISSIONER MADIGAN: Matthew J.
23 Jones, of Jones Steves, comes before us
24 every year and gives us a brief update on
25 the status of the West Avenue Special



1 Assessment District, and he'll be here
2 tomorrow night to do that update for us
3 again.

4 MAYOR KELLY: Great. Thank you.

5 COMMISSIONER MADIGAN: Thank you.

6 MAYOR KELLY: Oh, we will have an
7 executive session after the meeting on
8 the sell, lease, or acquisition of
9 property where disclosure would affect
10 the value.

11 Then on to the consent agenda, are
12 there any edits or additions?

13 Okay. Then we're moving right on to
14 the mayor's department. My first item is
15 an announcement: the police reform task
16 force.

17 My second item is approval for the
18 2020 purchase order to encumber Complete
19 Streets Greenbelt funds. We ask that the
20 council approve a 2020 purchase order in
21 order to roll over \$231,276,000.69 [sic]
22 in budget line H3517142520001240 for
23 Complete Streets and Greenbelt Trail
24 projects.

25 DEPUTY MAYOR SHIELDS: Mayor?



1 MAYOR KELLY: Yes.

2 COMMISSIONER MADIGAN: Yeah.

3 DEPUTY MAYOR SHIELDS: I wish it was
4 231 million --

5 MAYOR KELLY: Oh. 231,000. Sorry.

6 COMMISSIONER MADIGAN: I was going
7 to say --

8 MAYOR KELLY: I was like, it didn't
9 sound right, and I was looking.
10 231,276.69. Correction. Thank you.

11 COMMISSIONER MADIGAN: So --

12 COMMISSIONER FRANCK:

13 (Indiscernible) --

14 COMMISSIONER MADIGAN: -- I just had
15 a question about that. Is that all of
16 the funds that are in the capital budget
17 right now? So that will leave zero
18 capital budget funds for Complete Streets
19 going forward at this point?

20 DEPUTY MAYOR SHIELDS: That is just
21 to encumber it to Finance. That's just
22 to roll it over, Commissioner. So at the
23 end of the year, there were a number of
24 accounts that needed a purchase order,
25 and this was one --



1 COMMISSIONER MADIGAN: Um-hum.

2 DEPUTY MAYOR SHIELDS: -- of about a
3 dozen, and just the last step never
4 got -- it never got uploaded for --

5 COMMISSIONER MADIGAN: Okay. So
6 it's --

7 DEPUTY MAYOR SHIELDS: -- stuff
8 needing approval.

9 COMMISSIONER MADIGAN: -- existing
10 funds for Greenbelt Trail --

11 DEPUTY MAYOR SHIELDS: Yes.

12 COMMISSIONER MADIGAN: -- that
13 you're encumbering. Got it. Thank you.

14 DEPUTY MAYOR SHIELDS: Yeah. Yeah.
15 Thank you.

16 MAYOR KELLY: Great.

17 My next item is discussion and vote,
18 approval for mayor to sign contract with
19 Goldberger and Kremer for award of bid
20 for labor and employment legal services.

21 My next item is discussion and vote,
22 approval for the mayor to sign amendment
23 to the City of Saratoga Springs, PBA
24 flexible benefit plan. We currently have
25 one participant enrolled in the PBA's



1 flexible spending accounts. This
2 participant elected to enroll in the
3 dependent care flexible spending for both
4 2020 and 2021 plan years. The normal
5 rule states that the leftover funds
6 remaining at the end of the plan are
7 dependent on -- independent care FSA
8 cannot roll over and be used in the
9 following year. The member loses it.

10 However, due to COVID-19 pandemic,
11 the IRS has passed a temporary relief act
12 to allow FSA members to roll over/carry
13 over unused funds from 2020 plan into the
14 2021 plan year.

15 Additionally, the IRS is allowing
16 for mid-year election changes that
17 normally cannot be made unless the member
18 has qualifying reasons for the change.
19 The current participant who is a PBA
20 member was unable to use all of their FSA
21 funds for 2020 plan year due to the
22 pandemic. The member also needs to make
23 an adjustment to their 2021 election
24 amount due to the pandemic.

25 My fifth item is discussion and



1 vote, amend the 2021 capital budget and
2 capital program to include the east and
3 west side fields annual capital
4 contributions. The recreation department
5 is requesting to amend the 2021 capital
6 budget and capital program to include the
7 east and west side annual capital
8 contributions.

9 The sixth item is discussion and
10 vote, revokable license for the use of
11 City of Saratoga Springs Field, field
12 user agreements, templates with updates.
13 The recreation department is requesting
14 approval of its annual templates
15 revokable license for use of City of
16 Saratoga Springs Field, field and user
17 agreements, with updates including
18 pandemic operation plan.

19 My seventh item is discussion and
20 vote, co-sponsored program templates.
21 The recreation department is requesting
22 approval of the agreement templates for
23 the co-sponsored programs. The
24 department is looking to have a 50/50
25 revenue split with the following



1 organizations: Saratoga Strike Zone,
2 Saratoga American Legion Stampede, and
3 Miss Saratoga and Miss Softball. These
4 templates are revised from the previous
5 agreements to include pandemic operations
6 plans.

7 My eighth item is an announcement.
8 Community Development Block Grant 2021
9 program year subgrantee application
10 period closes Friday, 3/5/21. The 2021
11 CDBG program year subgrantee application
12 period ends this Friday, March 5th, at
13 4:30 p.m. The 2021 entitlement grant
14 from the U.S. Department of Housing and
15 Urban Development is expected to be
16 approximately \$308,000. Guidance and
17 application materials are available on
18 the city website.

19 These funds are designed to assist
20 activities that address community
21 development needs as prioritized by the
22 city's consolidated plan and that benefit
23 persons of low and moderate income.
24 Eligible activities may include public
25 services, public facility improvements,



1 affordable housing acquisition,
2 construction, and rehabilitation and
3 other federally eligible activities. Due
4 to the time constraints from the
5 coronavirus pandemic, a special city
6 council will be held on March 30th for
7 the Community Development Citizens
8 Advisory Committee's presentation of the
9 2021 Block Grant entitlement action and
10 plan recommendations.

11 Any questions?

12 And that concludes my agenda.

13 I'll turn it over to Commissioner
14 Franck.

15 COMMISSIONER FRANCK: Thank you,
16 Mayor.

17 The first two items are -- I'm going
18 to bring Marilyn in. The first one is
19 discussion and vote, approval of New York
20 State mandated pandemic operations plan.
21 And the second item, the approved
22 resolution for outdoor temporary seating.

23 So Marilyn, if you could jump in and
24 go over those for me, I'd appreciate it.

25 MS. RIVERS: Yes. Thank you,



1 Commissioner.

2 The city safety committee has been
3 working on the governor's mandate, which
4 was signed into legislation on September
5 7, 2020, that required all public
6 employers to create plans to protect
7 workers in the event of another state
8 emergency involving a communicable
9 disease. We -- our plan is -- is in --
10 dovetails to Section 27-C of the New York
11 State Labor Law which requires public
12 employers to adopt a plan for operations
13 in the event of a declared public health
14 emergency.

15 The plan that you have that you were
16 provided late last week provides a list
17 of essential positions, protocols for
18 working remotely.

19 And thanks go out to Christy Spadaro
20 who worked very, very hard on developing
21 the work protocols for nonessential
22 employees and for working from home.

23 This pandemic operation plan also
24 includes protocols for personal
25 protective equipment, what we would do as



1 a city if we have employees that are
2 exposed to disease. There's a brief
3 mention of emergency housing and testing
4 and contact tracing. I -- we also worked
5 with Assistant Chief Catone. This plan
6 dovetails into the city's emergency
7 management plan. We also worked with
8 Assistant Chief Dyer, Mike Veitch from
9 Public Works, and the CSCA and the other
10 collective bargaining units as was
11 required by law.

12 So the plan before you has been
13 approved by the collective bargaining
14 units as was mandated by Governor Cuomo,
15 and we offer this to the city council for
16 their discussion and vote.

17 COMMISSIONER FRANCK: Is there
18 any --

19 MS. RIVERS: Questions?

20 COMMISSIONER FRANCK: Any questions
21 on item one?

22 MAYOR KELLY: I'm good. Thank you,
23 Marilyn.

24 MS. RIVERS: And also thank you to
25 Vince DeLeonardis for helping us make



1 sure that we were in compliance with all
2 the collective bargaining.

3 The second item is a resolution to
4 the city council. Commissioner Franck
5 brought this forward at the last city
6 council meeting. He then asked the city
7 safety committee and members of the
8 subcommittee that are called out in the
9 city council code to take a -- to take
10 a -- or the -- the original resolution
11 from 2020. We included Deputy
12 Commissioner Deidre Ladd --

13 COMMISSIONER MADIGAN: Yeah.

14 MS. RIVERS: -- in our discussions.
15 We've changed the resolution to sunset on
16 June 30th, 2021, in the event that we
17 become fully functional as a community
18 with regard to occupancy and tourism.

19 There is an opportunity, in speaking
20 with Vince DeLeonardis, to bring this
21 back to the table. Along with the group,
22 we thought that, if we wanted to extend
23 it, we could introduce the resolution to
24 the city council at the second meeting in
25 June, if we needed to, to extend it



1 throughout the summer months. But we'd
2 like to be positive and offer a friendly
3 amendment to midnight of June 30th, 2021,
4 as the sun sets, the extended street
5 dining.

6 COMMISSIONER MADIGAN: So I wanted
7 to ask if we could extend it now.
8 There's the new group out there. It's
9 the Saratoga Journalism Collaborative,
10 and I was asked to join an interview with
11 them late last week. And it included
12 several business owners: downtown
13 businesses, myself, some Skidmore
14 students, Dan Forbush and Bill Walker who
15 are running the Saratoga Journalism
16 Collaborative, which is trying to bring
17 together some student talent and coaching
18 by those communication professionals,
19 community voices to publish some
20 perspectives on challenges that are
21 confronting the city and our community.

22 So why am I telling you all this?
23 Well, there is an interview coming out
24 where they were very concerned about the
25 sunset date, and they made some good



1 points. And I meant to -- there's a
2 couple emails that I wanted to get out to
3 the council this weekend, and I didn't
4 have any time, so I thought I'd bring it
5 up today at the agenda meeting. There's
6 a couple businesses that want to do a
7 little more long-term planning. One of
8 them might be, like, Pintsize. They've
9 had local bands that they scheduled to
10 have outside during the summer weather.
11 They don't feel like they have the
12 flexibility to plan beyond that. There
13 was another business professional that
14 was also looking at some longer term
15 planning. And they just feel -- even
16 though I feel pretty well-assured that
17 the council will extend this, that they
18 don't feel comfortable planning and
19 investing in their businesses if we
20 couldn't have a later sunset date.

21 And we do know that COVID is still
22 going to be with us for a while. Our
23 businesses are struggling, some of our
24 downtown businesses and restaurants. So
25 last year we brought this back four or



1 five times. I think it's great that
2 Commissioner Franck has been on the
3 forefront of bringing this forward for
4 our downtown businesses, but I think it
5 would go a long way if we could just
6 extend the date. And honestly, I think
7 we should just extend it till December
8 31st, 2021, for our businesses, just to
9 allow them to even catch up on some of
10 the lost revenue.

11 If things change, Marilyn, as you
12 said, and tourism is back at full
13 capacity, which I rather doubt, I think
14 this would be received well by our
15 downtown businesses if the council would
16 agree to just extend this. And so these
17 businesses that are affected by this
18 resolution can do better planning for
19 long-term investment over these difficult
20 months.

21 Thank you.

22 MAYOR KELLY: Well, I definitely
23 would defer to DPW on that. I just --
24 since you -- I don't know if going to the
25 end of the year with snow and all of



1 that, I think we have to be careful.

2 But Commissioner Scirocco, I'll
3 leave that up to you.

4 I'm fine with doing either way. I
5 think that we're here to help. We're not
6 here to make life miserable.

7 So whatever, Skip, you decide you
8 want to do, because it's really -- to go
9 for the whole year, we're going into the
10 fall and winter.

11 MS. RIVERS: Well, we could as -- as
12 a --

13 COMMISSIONER FRANCK: Make it
14 October 31st like we usually do.

15 MS. RIVERS: Yeah. October 31st is
16 when all --

17 COMMISSIONER MADIGAN: That would be
18 helpful.

19 MS. RIVERS: -- the sidewalk cafés
20 have to get their equipment in and all
21 their tables in. They usually take it
22 out. So October 31st is -- is the day
23 where the sidewalks -- you know, sidewalk
24 cafés would end.

25 COMMISSIONER FRANCK: The other --



1 MAYOR KELLY: I would be fine with
2 that --

3 COMMISSIONER FRANCK: Yeah. Before
4 Skip jumps in, the other reason why we --
5 and I'm fine. I'd keep it forever. Our
6 other concern --

7 COMMISSIONER MADIGAN: Me, too.

8 COMMISSIONER FRANCK: -- was not as
9 much -- the two places you mentioned
10 don't use the road, but --

11 COMMISSIONER MADIGAN: Right.

12 COMMISSIONER FRANCK: -- our concern
13 was, like, Henry Street, Phila, Caroline
14 that if we're open a hundred percent --
15 and that's why we kind of put the sunset
16 clause in it. If we're open a hundred
17 percent, then traffic can't get through
18 there, and it's going to be I think a
19 health hazard. That was our reasoning
20 for putting June 30th and figuring we
21 would know by then probably -- I don't
22 even think we have to wait till the
23 second meeting in June. It think we'll
24 know by May of where we stand.

25 So as to then extend to October --



1 I'll do whatever you guys want to do, but
2 that was -- I just wanted you to
3 understand that was our reasoning for it.
4 We were concerned --

5 MAYOR KELLY: So let me ask a
6 question, and maybe Vince can jump in
7 here before -- because I'm just sitting
8 here thinking. If we go -- if
9 restaurants can open to a hundred
10 percent, then isn't their liquor license
11 on an occupancy already?

12 MR. DELEONARDIS: Yeah. The very
13 purpose of allowing the expansion of
14 outdoor seating was to supplement the
15 limitation on indoor seating. So if a --
16 if a business or restaurant has an
17 occupancy, let's just say, of fifty
18 people, the governor's order restricts
19 them to only twenty-five. We allow them
20 to use the outdoor area to supplement
21 that so that they can reach full
22 occupancy.

23 The June 30th was proposed as simply
24 an opportunity to see what the governor
25 does with regard to the order. If he



1 allows for full capacity and we are open
2 in full capacity, it wouldn't need to be
3 extended. However, as Commissioner
4 Franck mentioned, we'll know well in
5 advance of June 30th. If it requires an
6 extension, council can do that by way of
7 a mere resolution.

8 COMMISSIONER FRANCK: And it's a lot
9 harder to go back and say we've given
10 somebody something and then take it away
11 versus going the other direction. But
12 I'll leave it up to you guys. I mean, I
13 don't care one way or another. I think
14 Commissioner Madigan makes a lot of great
15 points there, too, and our original
16 thought process was October 31st because
17 that's how we do it every year. But my
18 concern was, once you go into the street
19 and we do have a true track season, then
20 we're going to have a lot of problems
21 getting cars through there.

22 MS. RIVERS: Yeah. And Commissioner
23 Scirocco can speak on this, but Mike
24 Veitch had pointed out that Commissioner
25 Scirocco is working with the -- the



1 downtown business -- the Broadway
2 Corridor about doing a study for outdoor
3 activities.

4 Is that correct, Commissioner
5 Scirocco?

6 COMMISSIONER SCIROCCO: That's
7 correct, yes. Can you hear me?

8 MAYOR KELLY: Yes.

9 MS. RIVERS: Yeah. So --

10 COMMISSIONER SCIROCCO: Yes, yes.
11 Yeah, we're doing a -- we're working with
12 Special Assessment. I mean, they
13 contacted me, and they're concerned
14 about, obviously, the business area.
15 They would like to have something more
16 uniform for the people that work in the
17 right-of-way when these projects come
18 forward and that sort of thing. But it's
19 basically a streetscape -- I guess,
20 yeah -- whatever design or whatever you
21 want to call it for the right-of-way.

22 Listen, I agree with John here. I
23 think that it makes more sense to kind of
24 wait and see, especially in the Henry
25 Street area, Phila Street, Caroline



1 Street. Those areas down there, when you
2 put those barricades out in the street,
3 well, this year we didn't have -- last
4 year we didn't have a track. This year
5 it appears that we're going to have a
6 racetrack. There's a lot of traffic;
7 there's a lot of movement in that area
8 down there. And I did notice -- I don't
9 know really what happened, but a few of
10 those barricades, like, they were moved,
11 and that's a little concerning.

12 But I wouldn't want to do anything
13 beyond the June 30th date until we knew
14 for sure that we weren't going to have
15 hundred percent capacity. Again, I don't
16 have a problem with extending it. I
17 think it makes more sense.

18 And again, I think, John, you
19 brought it up. The fact that if we give
20 them something and then take it away,
21 it's going to be even worse. And I don't
22 know how the state liquor authority is
23 going to look at that, the fact that now
24 people can go into the restaurants and
25 drink and participate with food and stuff



1 in the restaurants. I mean, it worked
2 out really good. But again, I wouldn't
3 want to -- I wouldn't want to extend it
4 without knowing for sure where we were
5 going to be this summer because it could
6 be -- could come back to bite us and --

7 COMMISSIONER MADIGAN: Well, as a
8 courtesy, I just want you all to know
9 that I plan to bring this up tomorrow
10 night for an extension because I rather
11 doubt we're going to be open to a hundred
12 percent capacity, but we could. But I'm
13 an advocate of extending it. I think it
14 will help the downtown businesses. The
15 one issue that I'd like to look into more
16 is the issue about the state liquor
17 authority and extending to the --

18 If they open a hundred percent
19 inside, which I would find that
20 surprising, are you saying, Vince, that
21 the state liquor authority will not take
22 into (audio interference) indoor/outdoor
23 capacity potentially based on our
24 resolution or --

25 MR. DELEONARDIS: Yeah.



1 COMMISSIONER MADIGAN: We don't want
2 them to have any more capacity than what
3 they already have in terms of their
4 indoor seating because this is a way to
5 make up for lost revenue. Without the
6 outdoor seating last year, many of these
7 businesses would not have made it.

8 MR. DELEONARDIS: Yeah, these
9 businesses have licenses outside of those
10 provided by the city. They have state
11 liquor license --

12 COMMISSIONER MADIGAN: What?

13 MR. DELEONARDIS: -- and DOH
14 licenses that relate to their capacity.
15 So we have done --

16 COMMISSIONER MADIGAN: Right.

17 MR. DELEONARDIS: -- everything we
18 can do to allow them to reach full
19 capacity. But if you're suggesting,
20 Commissioner, that we provide for outdoor
21 space to allow them to expand beyond full
22 capacity, it's something that would
23 require state input (indiscernible). We
24 just don't have that --

25 COMMISSIONER MADIGAN: Including



1 with outdoor. So like restaurants, like,
2 Wheatfields that do outdoor seating all
3 of the time, they have that wrapped into
4 their capacity already?

5 MR. DELEONARDIS: Yes.

6 COMMISSIONER MADIGAN: That's what
7 I'm trying to understand.

8 MS. RIVERS: Yes. The issue that we
9 are going to be -- we're going to need to
10 work with SLA to determine if they're
11 going to give extensions to these
12 sidewalk extensions. We haven't heard
13 from the SLA yet, so that's --

14 COMMISSIONER MADIGAN: Okay.

15 MS. RIVERS: -- an important factor
16 in this. We're trying to be proactive.
17 But as the -- as the summer season heats
18 up and we're already planning for special
19 events, and we're planning for track.
20 And so the capacity issue is a real issue
21 because even their eating and drinking
22 license -- you know, the DOH licenses are
23 based on occupancy and capacity. So we
24 need to make sure that we're fully
25 compliant with New York State law for SLA



1 and the DOH.

2 MR. DELEONARDIS: And -- and if I
3 may --

4 COMMISSIONER MADIGAN: So I can
5 understand that. That makes a lot of
6 sense. But I still think you're going to
7 have people that don't want to eat
8 indoors. So this flexibility that we
9 allow, even at full capacity, right? I
10 mean, in a way then, we're forcing
11 everyone back indoors in some of these
12 places that have the outdoor eating where
13 there may be people who don't have
14 vaccine, who want to eat outdoors. I
15 just think we have to be, like, conscious
16 of that. Like, the outdoor seating is
17 really what's going to make some of these
18 downtown businesses more successful
19 revenue-wise.

20 COMMISSIONER SCIROCCO: I think
21 we --

22 MAYOR KELLY: Yes, I only --

23 COMMISSIONER SCIROCCO: I think we
24 are going to have outdoor seating. We're
25 not saying we're not going to have



1 outdoor seating, but we're limiting it, I
2 think, till June. Again, we don't know
3 if we're going to have a racetrack. I
4 mean, we have the streets that are all
5 blocked off for the most part. Again, it
6 could be a disaster down there. We
7 didn't have a track this year --

8 COMMISSIONER MADIGAN: Nah, it's not
9 going to be a disaster.

10 COMMISSIONER SCIROCCO: Well, you
11 don't know that. And you don't know if
12 we're going to have a hundred percent --

13 COMMISSIONER MADIGAN: And you don't
14 if it's going -- I mean, like, you're
15 getting -- I just think that that's a
16 little extreme language.

17 COMMISSIONER SCIROCCO: You can
18 argue all day long here the point. The
19 point here is it's --

20 COMMISSIONER MADIGAN: I'm just
21 saying tomorrow I'm going to --

22 COMMISSIONER SCIROCCO: --
23 (indiscernible) --

24 COMMISSIONER MADIGAN: -- introduce
25 a friendly amendment to extend it.



1 COMMISSIONER SCIROCCO: The liquor
2 authority -- we don't know if the liquor
3 authority is going to extend the date.
4 Now, you can have outdoor seating but no
5 liquor. So if you want to eat outside, I
6 guess you could do that.

7 COMMISSIONER MADIGAN: Sure.

8 COMMISSIONER SCIROCCO: I guess you
9 could do that, but people expect to go
10 out and they have a drink. They have a
11 meal and everything is done outside. I
12 suppose you could do that.

13 COMMISSIONER FRANCK: Yeah.
14 Commissioner, the other idea would be --
15 this is kind of just coming to my mind.
16 The other idea is we can keep to October
17 31st with language in there that, if it
18 goes to full occupancy, then we have --
19 we can go the other way. I just --

20 MS. RIVERS: Yes.

21 COMMISSIONER FRANCK: I just think
22 people are going to get upset. But I
23 mean, I'll do whatever you guys -- look,
24 I agree with you. I don't think we're
25 going to be at a hundred percent. And if



1 we are at a hundred percent, I think
2 certain ones don't affect the street like
3 the two that you mentioned, and there
4 were some other ones that just don't
5 affect the street. The only reason we're
6 trying to -- and this can be amended
7 again in the first meeting in April.
8 We're just trying to get it so we can
9 open in two weeks from today. That was
10 the main thrust, but whatever you guys
11 want to do.

12 We can tweak this as early as the
13 next meeting. I just want to be able to
14 have these people be able to open in two
15 weeks. That's my main concern, and
16 that's why I think it was important to
17 put somebody from your office on the
18 committee, too. Because when Marilyn
19 originally set this up over a year ago,
20 we were kind of going off of what other
21 cities and what the state liquor
22 authority and other things were saying.
23 So unfortunately, I think this could be
24 changed two or three times in the next
25 couple of months, but I do agree that



1 people really needed this to keep going.
2 And actually, some of them actually
3 thrived with it.

4 MS. RIVERS: Yeah.

5 COMMISSIONER MADIGAN: Um-hum.

6 COMMISSIONER FRANCK: My concern is
7 those two or three areas just from a --
8 I'm not a traffic person, but from a
9 traffic and DPW it's going to be tight.
10 Relating to if they --

11 Maybe we can somehow do a paint line
12 or chalk line or something where these
13 things go out so they can't move it,
14 Commissioner Scirocco.

15 I would say, even though we're
16 saying sometime in June, I could see us
17 revisiting this probably in April and May
18 again just because we're going to get
19 more information as we go.

20 COMMISSIONER MADIGAN: Yeah. And
21 that's --

22 COMMISSIONER SCIROCCO: And I
23 also --

24 COMMISSIONER MADIGAN: -- actually
25 helpful. Yeah, that's actually helpful.



1 Revisiting it sooner than later just for
2 these ones that need to do a little more
3 long-term planning, and I definitely
4 understand there's a few streets around
5 Phila and Caroline that are going to be
6 tough. But just to build in flexibility
7 and have a conversation about that so
8 we're sending the right signal to the
9 downtown businesses, I think, is --

10 COMMISSIONER FRANCK: Yeah. I could
11 see us --

12 COMMISSIONER MADIGAN: -- a good
13 idea for tomorrow night.

14 COMMISSIONER FRANCK: Yeah. I could
15 even see us doing 136th as long as --
16 which was kind of what was being pushed
17 original before I went to the streets of
18 backing into that a little bit as long as
19 you have four or five, six feet, whatever
20 it is, to meet the law that they could
21 still use some of the sidewalk space.
22 But I think this going to be looked at
23 almost every meeting for review.

24 MS. RIVERS: I -- I think for the
25 council's consideration we are -- as I



1 said, we are as a community looking at
2 special events for the coming year, and
3 we're starting to review them and to plan
4 for them. When you start talking --

5 And we can, Commissioner Madigan,
6 dovetail that into this existing -- you
7 know, this existing resolution because,
8 as we talk about music, we start to get
9 into the whole special events
10 requirements for COVID and for pandemic.
11 So we can gladly, you know, assist you in
12 meeting with some of those community
13 members for long-range planning. Maybe
14 it's not a sidewalk extension because,
15 when you start talking about music and
16 activities, it's more of a special events
17 that we'll gladly --

18 COMMISSIONER MADIGAN: Um-hum.

19 MS. RIVERS: -- work with the
20 community on. So this is --

21 COMMISSIONER MADIGAN: Okay.

22 COMMISSIONER FRANCK: -- primarily
23 tables -- these are tables and chairs in
24 the public right-of-way and in parking
25 spaces. When we get to music and we get



1 to festival-type issues, it becomes
2 more -- it goes more towards special
3 events which we'd be glad to work with
4 everyone on.

5 COMMISSIONER MADIGAN: Okay. Thank
6 you.

7 COMMISSIONER FRANCK: Any other
8 questions on those two?

9 MAYOR KELLY: I'm fine. Thank you.

10 COMMISSIONER SCIROCCO: No.

11 COMMISSIONER FRANCK: Thank you,
12 Marilyn, so much for jumping --

13 MS. RIVERS: Thank you.

14 COMMISSIONER FRANCK: -- in up
15 there.

16 The third item is discussion and
17 vote, authorization for mayor to sign
18 Addendum Number 5 to GAR Associates.
19 They're the ones that do our appraisal,
20 so as we do it in chunks.

21 So I don't know if there's any
22 questions on that one? No.

23 And then the fourth item is from the
24 mayor's office, award of bid labor
25 employment legal services to Goldberger



1 and Kremer.

2 MAYOR KELLY: Great. Thank you --

3 COMMISSIONER FRANCK: And that's --

4 MAYOR KELLY: -- Commissioner.

5 COMMISSIONER FRANCK: Thank you.

6 And that's all I have for tomorrow

7 night's meeting.

8 MAYOR KELLY: Thank you.

9 On to Finance, Commissioner Madigan.

10 COMMISSIONER MADIGAN: Thank you,

11 Mayor.

12 So the first item is an announcement

13 about the 2021 bond rating. We received

14 our annual bond rating from Standard &

15 Poor's, and I am here to inform the

16 council and the public -- and tomorrow

17 night I will do so, too -- that it held

18 firm on last year's rating which was

19 double A plus with a negative outlook,

20 which is what we received last year. And

21 the negative outlook is primarily due to

22 COVID and revenues not being what they

23 were pre-COVID. I'll deliver a more

24 detailed report tomorrow evening. It is

25 very good news given the pressures from



1 our reduced revenues, of course, and it
2 will bode very well for our 2021 bonding.

3 Item number two is a discussion and
4 vote on the 2021 bond resolution. The
5 bond resolution, once approved by the
6 council, gives the Commissioner of
7 Finance the authority to bond the
8 projects listed therein. We are not
9 required to bond for all of the projects
10 that are actually listed. We usually
11 release our public sell in late spring,
12 early summer, and I'll be continuing to
13 evaluate our finances and the interest
14 rates closely, determine the best
15 course -- I keep the council updated as
16 necessary and if necessary.

17 Item number three is an update on
18 the city finances. Of course, this is a
19 recurring topic that I've had at most
20 2021 council meetings. I will be
21 reporting on the 1.9 million Federal
22 Stimulus Act passed by the House at 2
23 a.m. on Saturday morning. The vote was
24 extremely partisan, divided down party
25 lines, with no Republicans in the House



1 supporting the bill and only two
2 Democrats voting no against the bill.

3 Under this bill, the City of
4 Saratoga Springs is slated to receive
5 seven million dollars. At this time now,
6 we have very few details about the type
7 and timing and distribution. We do know
8 that it will likely flow through New York
9 State. They'll be able to hold onto it
10 for at least thirty days before it's
11 delivered to the city. Any more details
12 I have on this, I will inform you
13 tomorrow evening.

14 Item number four is a discussion and
15 vote, budget amendments capital fund for
16 recreation, school district contract for
17 capital improvements.

18 Item number five is a discussion and
19 vote, budget amendment capital fund for
20 2020 reimbursements. While we rarely
21 allow amendments or transfers for the
22 previous years, certain unusual
23 circumstances require an exception. We
24 received a late reimbursement which will
25 be applied to 2020 through the year



1 otherwise closed to these -- throughout
2 the year I guess we were closed to these
3 kind of adjustments. I guess.

4 Item number six is a budget transfer
5 from contingency.

6 And I am going to add one item to my
7 agenda, another email that I was hoping
8 to get out to the council for further
9 discussion, but I guess that's what's
10 good with these agenda meetings. It's an
11 announcement for a commemoration in honor
12 of Matt McCabe, the former commissioner
13 of finance, community leader, and good
14 Samaritan to all. An idea that has come
15 about is a result of a conversation with
16 Commissioner Franck: a memorial plaque
17 that we can make as a city council,
18 identifying an area in front of city hall
19 as the Matt McCabe walkway. And
20 additionally, a bench, I was hoping,
21 outside on Broadway outside city hall
22 could also be in honor of Matt McCabe
23 because I think we all kind of see him or
24 will miss seeing him in his regular
25 seating on one of the benches outside on



1 Broadway near city hall. I'll have more
2 details about that tomorrow night and
3 hopefully an email out to the city
4 council to approve this.

5 Thank you, and that will complete my
6 agenda.

7 MAYOR KELLY: Thank you.

8 On to Public Works, Commissioner
9 Scirocco. You're muted. You're muted.
10 Thank you.

11 COMMISSIONER SCIROCCO: Can you hear
12 me now?

13 MAYOR KELLY: Yes.

14 COMMISSIONER SCIROCCO: Okay. The
15 first item on my agenda is discussion and
16 vote. This is the SEQR resolution for
17 Loughberry Lake Dam project. As the
18 project's sponsored, the city must comply
19 with the State Environmental Quality
20 Review Act. That's the SEQR. This
21 requires (indiscernible) to process a
22 joint application to the New York State
23 DBC and U.S. Army Corp of Engineers for
24 permits effecting streams, waterways, and
25 water bodies and wetlands.



1 (Indiscernible) has determined that the
2 proposed project is classified as a type
3 2 action, and it's exempt from further
4 SEQR review. But in order to seek much
5 needed funding and assistance, the city
6 council has to submit the required
7 documentation and pass a resolution
8 stating that SEQR is satisfied. And the
9 resolution was distributed with the
10 agenda.

11 The second item on my agenda is to
12 set a public hearing, and that's for the
13 2021 water and sewer rate resolution.
14 There's not going to be a rate increase
15 for 2021.

16 And I'd like to add one item to my
17 agenda. That's discussion and vote to
18 amend the 2021 capital budget to include
19 reimbursement to city hall buildings
20 project 1141. And this is in regards to,
21 in June 2020, a PO was issued to Systems
22 Management Planning Incorporated for
23 fabric extenders for city hall. There
24 was a billing error. Apparently, we got
25 double-billed, and I think we have to put



1 this back in the 20 -- this 2021 budget
2 amendment is to reimburse revenue line
3 H103-42702-1141 in the amount of
4 \$1,291.07. And it has to go back into
5 the 2021 capital for city hall buildings.
6 And it's \$1,291.07.

7 And if there's no questions, that
8 concludes my agenda.

9 MAYOR KELLY: Thank you,
10 Commissioner.

11 COMMISSIONER MADIGAN: I did want to
12 wish Commissioner Scirocco a happy
13 birthday.

14 MAYOR KELLY: Oh, and your wife,
15 too.

16 COMMISSIONER SCIROCCO: Thank you,
17 Commissioner.

18 MAYOR KELLY: And your wife, too.

19 COMMISSIONER MADIGAN: And your
20 wife, too.

21 COMMISSIONER SCIROCCO: I don't get
22 a birthday this year, though.

23 MAYOR KELLY: I know.

24 COMMISSIONER MADIGAN: I know. But
25 it's unfortunate.



1 MAYOR KELLY: Yeah, well --

2 COMMISSIONER SCIROCCO: Well, that's
3 good. Thank you. I appreciate that.

4 MAYOR KELLY: It just makes you
5 younger.

6 COMMISSIONER SCIROCCO: Yeah, right.

7 COMMISSIONER MADIGAN: Very young.

8 MAYOR KELLY: Yeah.

9 COMMISSIONER SCIROCCO: Thank you.

10 MAYOR KELLY: Yes.

11 So I have not received anything from
12 the Public Safety Department.

13 The supervisors, Supervisor Veitch
14 has one item: veterans committee update.

15 Supervisor Gaston has two items:
16 COVID-19 update, and her second item is
17 Executive Order 203 recommendations.

18 At this time I move that the city
19 council enter into executive session for
20 matters of sell, lease, or acquisition of
21 property where disclosure would affect
22 value. This is a motion. Is there a
23 second?

24 COMMISSIONER FRANCK: Second.

25 COMMISSIONER SCIROCCO: Second.



1 COMMISSIONER MADIGAN: Second.

2 MAYOR KELLY: Any discussion?

3 All those in favor, say aye.

4 IN UNISON: Aye.

5 MAYOR KELLY: Any opposed?

6 The matter passes.

7 And I did invite Eileen Finneran,

8 Deputy of Public Safety, to join us.

9 (Discussion off the record)

10 DEPUTY MAYOR SHIELDS: You're ready.

11 MAYOR KELLY: Thank you.

12 And we have returned from executive
13 session. We discussed the outstanding
14 matters, and we have taken no action at
15 this time.

16 Is there any other business from the
17 council before we adjourn?

18 Thank you. Have a great day. See
19 you tomorrow night. We are adjourned.

20 COMMISSIONER MADIGAN: Thank you.

21 (Meeting adjourned)

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C E R T I F I C A T I O N

I, Amanda G. Stockton, certify that the foregoing transcript is a true and accurate record of the proceedings.



Amanda G. Stockton

eScribers

352 Seventh Avenue, Suite #604

New York, NY 10001

Date: March 11, 2021

Approved: 4/6/2021

Vote: 5 - 0

