CITY OF SARATOGA SPRINGS COUNCIL MEETING

February 16, 2021

MEETING HELD VIA ZOOM

PRESENT:

Meg Kelly, Mayor
Lisa Shields, Deputy Mayor
John P. Franck, Commissioner
Michele Madigan, Commissioner
Anthony Scirocco, Commissioner
Robin Dalton, Commissioner
Vincent DeLeonardis
Deborah LaBreche
John Catone
MAYOR KELLY: Good morning. Welcome to the pre-agenda meeting for tonight's city council meeting. It is February 16th, 10 a.m.

We have two public hearings this evening. The first public is Local Law Number 1 of 2021, defer scheduled payment of taxes. And that's under Commissioner of Finance's agenda.

Would you like to add anything to that, Commissioner?

COMMISSIONER MADIGAN: No. I can explain it in more detail this evening. It's just to extend the first three quarter due dates for tax payments.

MAYOR KELLY: Great. Thank you.

COMMISSIONER MADIGAN: And I'll explain more this evening.

MAYOR KELLY: Yeah.

And the second item is to amend Chapter 58, alarm systems. And that's under Commission Dalton, public safety.

Do you want to add anything there, Commissioner?

COMMISSIONER DALTON: No, not at
this time.

MAYOR KELLY: Okay. Thank you.

There are no presentations to this evening, and we do have two executive sessions. The first one this -- or if we could --

Is everybody available to stay after for a few minutes?

COMMISSIONER FRANCK: Yes.

MAYOR KELLY: Okay.

COMMISSIONER DALTON: Of course.

MAYOR KELLY: Thank you. The first executive session will be collective bargaining negotiations of PBA unit, and the second will be sell, lease, or acquisition of property where disclosure would affect value.

On to the consent agenda. Are there any edits or additions?

DEPUTY MAYOR SHIELDS: No.

MAYOR KELLY: On to the Mayor's department. My first item is to set a public hearing: capital program and budget amendment, east and west side fields annual capital contribution school
cap recreation improvement. Per the east and west side recreation fields use and maintenance agreements between the enlarged city school district and the City of Saratoga Springs approved by the city council on 12/15/20, the annual capital contribution shall be in the amount of 40,000. In the expense line is H356715252000-1008, and the revenue line is HO5 -- 056-42397-1008.

My second item is discussion and vote, COVID-19 small business grant program award recommendations as part of the action plan for the expenditure of the third tranche of Cares Act funding received by the city via HUD, the community development department COVID-19 small business grant program was approved by city council on November 2nd, 2020. The SBG was allocated $256,503 of CBBGCV funding to support the preservation of jobs held by persons of low income, which would otherwise be lost due the economic impacts of COVID-19 pandemic. After careful review and deliberation, the
community development citizens advisory committee would like to present these recommendations to the council.

My third item is discussion and vote, authorization for the mayor to sign agreement with LiveBarn, Inc. LiveBarn offers the ability to watch your favorite athletes from any electronic device with internet and never miss a lesson or a game-winning goal. The subscription-based program allows anyone with a paid subscription to stream what is going on at the ice rinks and the gym at any given time. Parents and extended families can watch games or events in real time without traveling or having to miss an event because they are not in town, and offering a safe alternative for many.

My next item is discussion and vote, grant license agreement for Jill Fishon-Kovachick, 184 Phila Street. This is a license that would allow the homeowner at 184 Phila Street to continue to maintain a fence that has existed on part of the city-owned land along Nelson Avenue. The
fence has existed for more than twenty-five years. The license would allow the homeowner to extend the fence a short distance further onto her own property. The license only allows the fence to remain in its current location. The real estate committee has considered the matter and has not raised any issues. This is a license, not an easement, and does not give any licensee any permanent rights to the city property.

DEPUTY MAYOR SHIELDS: Mayor? Sorry to interrupt you. The button is not on the website. So we're livestreaming, but nobody can get to it. So would you give me a minute, please?

MAYOR KELLY: Sure.

DEPUTY MAYOR SHIELDS: Okay. Sorry about that.

Okay. Thank you.

MAYOR KELLY: Am I --

DEPUTY MAYOR SHIELDS: You're good.

MAYOR KELLY: -- continuing on, or where am I going, Lisa?

DEPUTY MAYOR SHIELDS: Lisa Rebis is
on here. I don't know if she thinks that
we should --

MAYOR KELLY: Well, let me just --
let me just go to top --

DEPUTY MAYOR SHIELDS: -- back up.

MAYOR KELLY: -- and I'll run
through it.

DEPUTY MAYOR SHIELDS: All right.

I --

MAYOR KELLY: Okay.

DEPUTY MAYOR SHIELDS: -- apologize.

MAYOR KELLY: Tomorrow evening -- or
tonight, this evening, we will have two
public hearings. The first public
hearing is Local Law Number 1 of 2021,
defer scheduled payment of taxes. The
second one item for public hearing is to
amend Chapter 58, alarm systems.

We have two executive sessions right
after this meeting here today:
collective bargaining negotiations PBA
unit and the second item is sell or lease
or acquisition of property where
disclosure would affect the value.

We have no additions or changes to
the consent agenda at this time. The
mayor's department first item is to set a
public hearing: capital program and
budget amendment, east and west side
fields annual capital contribution school
cap recreation improvement.

My second item is discussion and
vote, COVID-19 small business grant
program award recommendations.

My third item is discussion and
vote, authorization for the mayor to sign
agreement with LiveBarn, Inc., and this
offers live -- if you have internet, you
can never miss a winning game or goal at
our ice rinks or gyms. It is a paid
subscription to stream, and that gives
the people a safe alternative for
watching their loved ones interact in
sports.

My fourth item is discussion and
vote, grant of license agreement to Jill
Fishon-Kovachick, 184 Phila Street. This
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part of the city-owned land along Nelson Avenue. The fence has existed for more than twenty-five years. The license would also allow the homeowner to extend the fence a short distance further onto her own property. The license only allows the fence to remain in its current location. The real estate committee has considered the matter and has not raised any issues. This is a license, not an easement, and does not give the licensee any permanent rights in the city property.

My next item is discussion and vote, grant of license agreement for Boston Ave. Partners, LLC, 96 Boston Avenue. This is a license that would allow property owners to occupy part of the city-owned Caper Street that is next to their land. The property owners use the land. That would be according to the approval by the city planning board. The real estate committee has considered the matter and has not raised any issues. This is a license, not an easement, and
does not give the licensee any permanent rights to this city property.

I will be adding -- I may be adding two items. The first item would be a zoning amendment request to the council for Marion Avenue/Maple Dell PUD. And the second item is an announcement update on the food drive.

And that concludes my agenda. And I'll turn it over to Commissioner Franck with accounts.

COMMISSIONER FRANCK: Thank you, Mayor. We just have one item for this evening's meeting, and it's just a discussion. We are looking to do the outdoor seating as we did last year due to COVID. And we were looking to begin the process of, again, the ability to open on Monday, March 15th versus April 1st, which is the typical date, obviously weather permitting as you can probably hear somebody scraping in the background. So I just wanted to put that out there, so all departments could see the resolution. It hasn't really changed
other than a date change.

And then obviously, this is COVID-related. I think over time, this would probably be the last year that we would be doing this. But I just wanted to put it out there, so all the departments could review it. We wouldn't put this up for a vote for tonight's meeting. It's just a discussion.

And that's all I have.

MAYOR KELLY: Thank you,

Commissioner.

On to finance, Commissioner Madigan.

COMMISSIONER MADIGAN: Thank you,

Mayor.

So the first item is an announcement: Matt McCabe Day which is February 20th, 2021. At the January 19th, 2021, city council meeting, a resolution was presented that did establish February 20th as Matt McCabe Day. We lost Matt, former commissioner of finance, a community force, a friend to all, on January 12th, 2021, to COVID. This day will be marked by an event at
Caffe Lena. His life and work will be
the subject of a virtual presentation,
and celebration information can be found
at caffelena.org.

I've also been working on a project
with the DBA on a Gibson guitar stature
for Matt. A few other projects, it has
been difficult getting in touch with
Gibson and Gibson Gives which is the
charitable arm of Gibson. And I think
they've just also been busy as a result
of COVID. I'm not sure I'll have an
update on that part, but I'm hoping to
have an update for the council and the
public.

My second item is an announcement
about the local law, scheduled payments
of taxes during the COVID-19 emergency.
This will be changed to a discussion and
vote after the public hearing.
Essentially, we're looking to extend the
first three tax payments by up to sixty
days without penalty. The fourth, we are
looking at not extending at all. We want
to ensure that we're getting all 2021 tax
payments into the city in 2021 for cash
flow purposes in particular. And we will
not be waiving the due date to pay your
taxes in full by March 1st and receive
the discount. However, the first three
quarterly payments, we will extend by
sixty days without penalty or ability to
pay your taxes. So that's what the vote
will be about, and that's what the public
hearing is about this evening.

Item number three is an
announcement, tax payments at city hall.
There is a new drop-off box for tax
payers' convenience. The city has a new
drop-off box located at the handicapped
entrance to city hall for tax payments
and other mail to the finance department,
as it has not been able to open to the
public due to the pandemic. I will have
a press release about this going out
later today, and I'll update the city
website and social media pages and make
sure that the city council is also aware
of -- I'll send you a copy of the press
release, basically, which will have more
Item number four is announcement, city hall department addresses and suite numbers. City mail receptacle that we will -- there's a new city mail receptacle that we'll start using beginning March 1st, which will now allow to include department suite numbers. Departments, please use these numbers for all mail going forward. These will be posted on the city website. If you have any questions, call Rachel Petryna, communications, at extension 2576. But we will have an all-employee email going out about this by the end of the week as a reminder. And as we get closer to March 1st, which is pretty much around the corner, we'll have another email going out to remind everybody about the new department suite numbers.

Item number five is an update on federal fiscal stimulus funding. I'll provide a brief update recently released by Senator Tonko's office regarding amounts included in the President's
Federal Stimulus Act distribution for local jurisdictions. We do have an estimate of what Saratoga Springs would receive, if all goes well through the House and Senate. And so I'll need to be cautious about this -- this is only an estimate -- but more details about that this evening.

I will also provide an update on VLT aid and the Governor's budget. And along with the mayor we took the opportunity to testify to the joint legislative hearings on local government video lottery terminals revenue, and we'll discuss -- I'll discuss that effort this evening as well. And if anybody else has managed to provide a letter to the legislature, this would be a good time tonight to chime in and let us know what you're doing on your end with VLT. I know this came up as a topic at the last city council meeting.

Item number seven is a discussion and vote, update on city recreation fees, recreation department open gym.

Item number eight, discussion and
vote, authorization for the mayor to sign agreement with Carousel Industries for maintenance of the Avaya Telephone System.

My remaining items are transfers to adjust the 2021 budget, which is a transfer from contingency, transfers in payroll, transfers in benefits.

I'll be adding one item to my agenda, which is an announcement. An appointment to the climate-smart committee, and that will be Anita Morzilla (ph.) who is a resident of the city. Thirty years professional experience in natural resources and environmental management and has worked in education, research, private, corporate, and government sectors.

And that will include my agenda -- include, not include but conclude. Thank you.

MAYOR KELLY: Thank you, Commissioner.

On to public works, Commissioner Scirocco.
COMMISSIONER SCIROCCO: Thank you, Mayor.

The first item on my agenda is a discussion and vote. This is authorization for the mayor to sign amendment number 5 with the Saratoga County Arts Council. As everybody is aware, obviously we're in this pandemic, and it's impacted the public entity, businesses, and that sort of thing. And so we did give the Arts Council a six-month extension on their contract with the city. I think we're going to -- I want to extend it another six months for the period of January 1st, 2021, through June 30th, 2021. This is in regards to the lease agreement through (indiscernible).

Item number two is discussion and vote, SEQR resolution for Loughberry Lake Dam Rehabilitation Project. This project goes way back to 2019 where the New York State, the DEC, classified the dam in Loughberry. And they reclassified from a -- well, actually they reclassified to
a C dam. The dam hadn't received any upgrade since -- let's see, I think the '60s. The city hired Schnabel Engineering to bring the dam into compliance and to address the current safety deficiencies. And some of the things that they needed to do were include a new principal spillway, water supply connection, and lock-fill stabilization of the upstream embankment slope in addition to other necessary improvements.

As it turned out, this is a type 2 action, and it's exempt from further SEQR. So the city has to vote on a resolution stating that the SEQR is satisfied. So that's what we'll be doing at tonight's city council meeting. And if there's any questions, Deb LaBreche I think is online. She can answer any questions in regard to that. I don't think there's any questions from the council.

MAYOR KELLY: I'm good. Thank you.

COMMISSIONER SCIROCCO: Okay. I
think you'll be online tonight, too.
Right, Deb, if we need you? Can you hear me, Debbie?

MS. LABRECHE: Commissioner, I can hardly hear you. What did you say?

COMMISSIONER SCIROCCO: Will you be online tonight if there's any questions or any concerns in regard to that?

MS. LABRECHE: Yes.

COMMISSIONER SCIROCCO: Okay. All right. Okay. I can just move on to my next item.

Next item is discussion and vote.
This is a resolution for the Champlain Hudson Power Express Project.

Vince, I don't know if you want to just quickly chime in on that one? Is he there?

MAYOR KELLY: Vince, are you here?

MR. DELEONARDIS: Yeah. Can you hear me, Commissioner?

MAYOR KELLY: Yes.

COMMISSIONER SCIROCCO: Yeah.

Mr. DELEONARDIS: Yeah. So this is a project by the -- actually Power
Express with regard to a high-voltage direct current transmission line. The line is a 333-mile project from the Canadian border to New York City, although only 5.6 of that distance is contained within the City of Saratoga Springs. And the project is intended to decrease carbon emissions by 3.4 million metric tons per year and will help New York State achieve twenty percent of its remaining seventy percent renewable goal by 2030. So the resolution that will be voted on this evening is to show support for the project and to allow it to go forward in the city right-of-ways. However, it should be indicated, as the details of the project are developed, there will be a road crossing agreement that will have to be negotiated and subsequently approved by the council. So this is just a resolution generally in support of the project.

COMMISSIONER SCIROCCO: All right.

Thank you, Vince.

Any questions on that one?
MAYOR KELLY: Huh-huh. I don't have any. Thank you.

COMMISSIONER SCIROCCO: Okay. I will move on to number four. This is a discussion and vote, approval to pay invoice number 01012021 to Mahoney Notify Plus in the amount of $1,450. And again, it was discovered that it was an oversight in budgeting, and there was insufficient funds in the budget line. So we had to go back and pay the $1,400.

Number five is discussion and vote, approval to issue 2020 funded purchase order in 2021 to Systems Management, Incorporated. Again, this was due to a billing error in the Systems Management. A double payment was made in the amount of $1,291.70 on the fee owed. And in order to submit a budget amendment for refund, the revenue line H10342702-1141, the council must approve to issue the 2020 funded purchase order in 2021. Again, this was for $1,291.70.

MAYOR KELLY: Commissioner?

COMMISSIONER SCIROCCO: Yes?
MAYOR KELLY: You're freezing, so can you just sit up your -- I don't know if anybody's catching that. Did that freeze for anybody? DEPUTY MAYOR SHIELDS: I actually saw him okay. MAYOR KELLY: Okay. COMMISSIONER SCIROCCO: Is it better? MAYOR KELLY: John -- COMMISSIONER SCIROCCO: (Indiscernible) -- MAYOR KELLY: John, did it freeze for you? COMMISSIONER FRANCK: No. MAYOR KELLY: Okay. Maybe it's me that's -- DEPUTY MAYOR SHIELDS: Yeah. Mayor? Mayor? You froze for me, so -- MAYOR KELLY: Okay. So I'm -- well, I'm not going to say I'm unstable, but my internet is. I'm sure people would get a kick out of that. COMMISSIONER SCIROCCO: All right. Okay. Let me know if I freeze, will you?
MAYOR KELLY: Yeah, you're good. Go ahead.

COMMISSIONER SCIROCCO: I know you turn the heat down in your office, so (indiscernible).

I think we're on number --

COMMISSIONER FRANCK: That's a good one.

COMMISSIONER SCIROCCO: -- six here. I think we're on number six. All right. This is discussion and vote, establish title and grade for the Department of Public Works welder/fabricator. And I did send around a brief description of what the duties for this title would be. But this position was approved by Civil Service in January of 2020, and again I intended to bring it to the council. But at the time VLT aid was in question, and the pandemic obviously disrupted all the work.

The welder/fabricator position represents duties that are currently not included in any of the titles in the DPW unit. However, two employees have been
performing these duties beyond the scope of their current job titles. Without establishing a title for this work, there will be union grievances and/or DPW would need to hire outside contractors to do the work at a greater cost. DPW would be able to pay these employees for this out-of-grade work while they are conducting work.

Then everybody did get a brief description of what the duties for these employees are, and some of it's gold leafing. Some of it's just repairing the (indiscernible) lights that get knocked down, that sort of thing. So I can tell you the work is piling up. And not only that, but we've purchased all this sign equipment. We can't do anything with the sign equipment until we at least get this title established. Actually, this will be a win/win for the city. It will allow us to free up some money from a special assessment because we had agreed prior to the pandemic to do some work for them in regards to the wayfinding system in the
city. So it's really a win/win for us as far as revenues and that sort of thing. So we'll be voting on that position tonight.

And I think it's only maybe thirty cents more an hour, something like that, when these people are doing the work. Again, we're not going to fill these positions right away. But when we need the work done, we have to have a place -- we have to have a title to put these people in to, so they can do the work without any issues with the contract. So that's why we're doing this.

I don't if there're any questions or concerns on that.

MAYOR KELLY: I'm good. Thank you.

COMMISSIONER SCIROCCO: My next item is discussion and vote for the Department of Public Works. This is just a sick bank request for 127 hours from the DPW sick bank, and the request was approved by the CSEA.

With that, if there's no questions, that concludes my agenda.
MAYOR KELLY: Thank you, Commissioner.

On to public safety, Commissioner Dalton.

COMMISSIONER DALTON: Thank you, Mayor.

The first item on my agenda is a COVID-19 update.

The second item on my agenda is a discussion and vote, amend Chapter 19 of the City Code entitled alarm systems. This amendment is to take out the mention of fee amounts in Chapter 58 and instead allows fees to be established by the council from time to time by resolution of the city council.

The third item on my agenda is discussion and vote, authorization for the mayor to sign a contract with New York State Master Contract for Grants. The fire department provided over thirty hours of service for New York State providing COVID screening in the state park. To recoup the money, we need to sign on to what's called the Grants
Gateway. Once this contract is signed, we provide the cost of our services, and we will get reimbursed.

The fourth item on my agenda is a discussion and vote, accept donation from Martin, Harding, and Mazzotti to purchase a new police K-9. Assistant Chief John Catone is on this meeting and can give details to the council about what this entails.

Chief Catone, are you with us?

CHIEF CATONE: I am.

COMMISSIONER DALTON: Hello.

CHIEF CATONE: Good morning. Good morning.

MAYOR KELLY: Can you put the video on?

CHIEF CATONE: Lisa shut my video off. Hold on.

MAYOR KELLY: Lisa, are you there?

CHIEF CATONE: Yeah, it says I can't start my video.

DEPUTY MAYOR SHIELDS: Here. Let me get him. Sorry.

I can't find him. Oh, my gosh. Oh.
MAYOR KELLY: It doesn't matter, John. Go ahead.

CHIEF CATONE: Okay. There we go.

Okay. So this year we're going to be retiring two of the police K-9s, one due to medical reasons and the other one due to the fact that his handler is going to be retiring this year as well. So we were approached by Martin, Harding, and Mazzotti who wanted to make a donation towards the purchase of a K-9, and they actually gave us the full amount for the purchase of the K-9. And so that's what we'll be using that money towards. We'll be purchasing a K-9 probably in late March, early April, and have them ready to start their training out in Onondaga County on April 12th.

MAYOR KELLY: Great. Thank you.

COMMISSIONER DALTON: Thank you, Chief.

I have one additional item to add to my agenda which is a discussion and vote for an antiracism pledge from the Saratoga Springs Community Outreach
Committee.

And that concludes my agenda.

MAYOR KELLY: Commissioner Dalton,

can I ask you one question? I thought I heard --

COMMISSIONER DALTON: Yes.

MAYOR KELLY: -- you said on number two to amend Chapter 19?

COMMISSIONER DALTON: Yes. I have 19. Hold on.

MAYOR KELLY: Can you just read that instead of --

COMMISSIONER DALTON: Yep, yep, yep.

So for whatever reason in my notes, I have Chapter 19, but I think it is -- but then I also have Chapter 58. I mean --

MAYOR KELLY: I have 58 -- I have 58 on the agenda. That's why I --

COMMISSIONER DALTON: Yeah, I think 58 is correct.

MAYOR KELLY: All right.

COMMISSIONER DALTON: And the 19 probably was a carry-over from the COVID-19 updates. That is my guess.

MAYOR KELLY: All right. Okay.
COMMISSIONER DALTON: But yes.

Apologies.

MAYOR KELLY: Got it. Thank you.

COMMISSIONER DALTON: No, thank you.

MAYOR KELLY: All right.

On to the supervisors. Supervisor Veitch has three items: government review and efficiency committee, buildings and grounds committee, public hearing scheduled for local law for food delivery services. Supervisor Gaston: COVID-19 update, Saratoga County Executive Order 203 report survey, and committee updates.

So at this time, I move that the city council enter into executive session for two items: collective bargaining negotiation PBA unit, and second item is sell, lease, or acquisition of property where disclosure would affect the value.

This is a motion. Is there a second?

COMMISSIONER SCIROCCO: Second.

COMMISSIONER MADIGAN: Second.

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

IN UNISON: Aye.

MAYOR KELLY: Any opposed?

The matter passes.

Please wait for the livestream to stop.

(Discussion off the record)

MAYOR KELLY: Okay. Okay. We are back from executive session and discussing the outstanding matters, and we have taken no action at this time.

Is there any other business from the council?

COMMISSIONER DALTON: No.

MAYOR KELLY: Then we are adjourned.

Thank you and have a great day. We'll see you all tonight.

COMMISSIONER MADIGAN: Thank you.

(Meeting adjourned)
CERTIFICATION

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

________________________________________
Amanda G. Stockton

eScribers
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Date: February 25, 2021

Approved: 3/16/2021

Vote: 5 - 0