



March 01, 2022

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
7:00 PM

P.H. – 6:20 PM – Amend Chapter 136 –
Outdoor Dining
P.H. – 6:30 PM – Civilian Review Board
P.H. – 6:45 PM – Weibel Avenue PUD
Amendment

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. Saratoga Performing Arts Center (SPAC) Year-Round Education Programs

CONSENT AGENDA

1. Approval of 02/15/22 City Council Meeting Minutes
2. Approval of 2/14/2022 Pre-Agenda Meeting Minutes
3. Approval of 2/14/2022 Pre-Agenda Meeting Transcript
4. Approve Budget Transfers - Capital
5. Budget Transfers - Regular
6. Approve Budget Amendments – Insurance
7. Approve Payroll 02/18/22 \$395,205.94
8. Approve Payroll 02/18/22 \$697,193.99
9. Approve Mid-Warrant 2021, 21MWDE11 \$147,881.40
10. Approve Mid-Warrant 2022, 22MWFEB2 \$426.00
11. Approve Mid-Warrant 2022, 22MWFEB3 \$823,155.70
12. Approve Mid-Warrant 2022, 22MWFEB4 \$509.32
13. Approve Warrant 2022, 22MAR1 \$398,700.98

MAYOR'S DEPARTMENT

1. Discussion: Unified Development Ordinance (UDO)
2. Announcement: Inaugural Infrastructure Committee Meeting
3. Announcement: Appointment to Open Space Advisory Committee
4. Discussion and Vote: Authorization for Mayor to Sign Agreement with Saratoga Casino Holdings, LLC
5. Discussion and Vote: Authorization for Mayor to Certify Bid Documents for the Saratoga Springs Greenbelt Downtown Connector

6. Discussion and Vote: Authorization for Mayor to Sign Agreement with Goldberger and Kremer for Labor Counsel
7. Discussion and Vote: Authorization for Mayor to Sign Agreement with Goldberger and Kremer for Labor Counsel

ACCOUNTS DEPARTMENT

1. Award of Bid: Bid Extension of Labor Counsel to Goldberger & Kremer
2. Discussion and Vote: Amend Chapter 136 of the City Code - Outdoor Dining
3. Award of Bid: Pipes, Fittings, Hydrants, and Valves to Ferguson Waterworks
4. Update: COVID and Planned City Activities

FINANCE DEPARTMENT

1. Announcement: Participatory Budget
2. Update: Finance Department
3. Discussion and Vote: Budget Transfers – Payroll

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with Ferguson Waterworks for Pipes, Fittings, Hydrants & Valves
2. Discussion and Vote: Approval to Pay Invoice # 7153442585 in the amount of \$782.12 and #7153442610 to Schindler Elevator Corp in the amount of \$519.26
3. Set Public Hearing: 2022 Water and Sewer Rates

PUBLIC SAFETY DEPARTMENT

1. Announcement: The 2021 DPS Annual Report will be published on the City website on March 14, 2022
2. Discussion and Vote: Authorization for Mayor to Sign Contract for the Purchase of Police Vehicles from Metro Ford
3. Set Public Hearing: Traffic Control Measures - Caroline Street School Vicinity

SUPERVISORS

Matt Veitch

1. Buildings & Grounds Committee
2. COVID-19 Grant Relief Program

Tara Gaston

1. COVID-19 Update
2. Short Term Rental Forum
3. Affordable Housing Survey

ADJOURN



March 01, 2022

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
7:00 PM

PRESENT:

Ron Kim, Mayor
Dillon Moran, Commissioner of Accounts
Minita Sanghvi, Commissioner of Finance
Jim Montagnino, Commissioner of DPS

STAFF PRESENT:

Angela Rella, Deputy Mayor
Stacy Connors, Deputy Commissioner of Accounts
Heather Crocker, Deputy Commissioner of Finance
Joe O'Neill, Deputy Commissioner of DPW

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED:

Anthony Scirocco, Commissioner of DPW
Jason Tetu, Commissioner of DPS

RECORDING OF PROCEEDINGS

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

PUBLIC HEARING

Amend Chapter 136 Outdoor Dining

Mayor Kim opens the public comment at 6:45 p.m.

Commissioner Moran offered to preface the public comment period with a few statements regarding amending Chapter 136 - outdoor dining. Moran stated, by working as a deliberative body the Council has decided to make some changes to the language proposed for the amending of outdoor dining. Moran stated the code 136-33.5 had been added for the establishment of a committee for outdoor dining for comments and recommendations to be made. Moran stated the committee shall be constituted by the

following members: Battalion Chief of the Fire Department, Director of Risk & Safety, and Department of Public Works Business Manager. Moran added in addition to language being changed, code 136-33.7 (E) all persons must vacate the outdoor dining area seating at close of business each evening, and furniture and equipment is to be removed or properly secured. Code 136-33.7 (F) at the end of the season all furniture and equipment for use in the outdoor seating area must be removed and the area shall be returned to its original state. Scheduled fees shall would be established and adopted by the City Council at the beginning of each outdoor dining season. Moran stated a full City Council vote will take place after outdoor dining permits are approved on a regular basis.

Jane Weihe of White St, Saratoga Springs, asked when the amended documents for outdoor dining would be made available to the public. Weihe stated that it would be helpful to know in advance the topics to be discussed at the hearings. Weihe indicated she was unable to find any information online as to how Chapter 136 was to be amended. Weihe stated information was found regarding amending Chapter 136, but the language was in violation of the City Charter. Weihe suggested that information on public hearing topics should be made to the public in a timely fashion.

Commissioner Montagnino asked to clarify Commissioner Moran's proposal. Montagnino stated he had questioned the previous language of the amendment to Chapter 136, and is certain the revised language would be published and on notice to the public in a timely manner before the next hearing.

Mayor Kim concluded this portion of the public hearing at 6:52 p.m. and left it open.

Civilian Review Board (CRB)

Mayor Kim opened the public comment at 6:53 p.m.

Commissioner Montagnino stated that the language of the ordinance that would create the Civilian Review Board is planned to be presented at the first City Council Meeting in April.

No one spoke.

Mayor Kim concluded this portion of the public hearing at 6:55 p.m. and left it open.

Weibel Ave PUD

Mayor Kim opens the public comment at 6:56 p.m.

No one spoke.

Mayor Kim concluded this portion of the public hearing at 6:57 p.m. and left it open.

CALL TO ORDER

Mayor Kim called the meeting to order at 6:58 p.m.

ROLL CALL

Mayor Kim: Aye
Commissioner Sanghvi: Aye
Commissioner Montagnino: Aye
Commissioner Moran: Aye

SALUTE TO THE FLAG

Mayor Kim asked all to stand after the salute for a moment of silence for the people of Ukraine who are fighting for their democracy against Russian forces.

PUBLIC COMMENT

Mayor Kim reminded the audience there is one (1) rule and two (2) suggestions: each speaker would have two (2) minutes to speak and those minutes are the speakers minutes and theirs alone; speakers were reminded they speak as part of a community: be kind, be factual and accurate. The mayor asked all to state their name and address.

Mayor Kim opened the public comment at 7:01 PM.

Nora Brennan of Saratoga Springs recommended the Council reconsider holding meetings in the Music Hall permanently. Brennan stated the City Council Chamber is too small for the group of citizens that come to the meetings.

Brennan gave thanks to the Commissioner of Public Safety for proposing changes to the civil service rules that expand eligibility for promotion within the police and fire departments. Brennan stated there is value in diversifying city employees. Brennan stated the proposal would increase the opportunity of people of color to be represented, and give a broader perspective not available within insular organizations that only promote from within. Brennan asked Commissioner Montagnino to apologize or retract a previous public comment regarding gangster rap attracting unsavory characters.

Glenn Mathis of Saratoga Springs stated there is an issue on the eastside of Saratoga having to do with safety issues surrounding Caroline Street Elementary School. Mathis stated there are no sidewalks for the students that are required to walk to school. Mathis stated there is a grant for the installation of sidewalks on Caroline Street to Henning Street had been submitted. Mathis suggested "No Parking" signs on Caroline Street to be installed where poles are in the ground as safety measures in the interim of waiting for the grant. Mathis also suggested portions of Caroline Street to be closed to traffic during the school's drop off and dismissal times as is done at Lake Avenue Elementary School.

Angela Kaufman of Stolen Land, Town of Saratoga stated the city cannot continue to support imperialism, white supremacy, and colonialism. Kaufman stated that if Putin is denounced for Russia's tactics, then the Stasi Tactics of the SSPD (Saratoga Springs Police Department) should be acknowledged. Kaufman stated the police department have not returned Lexis Figueroa's cell phone, which should be returned. Kaufman addressed Commissioner Montagnino regarding past public comment made regarding gangster rap and unsavory characters. Kaufman expressed it has been learned that City takes money that could be used to support veterans and uses it to subsidize the racing industry. Kaufman requested the charges against protesters be dropped, justice for Darryl Mount, and for the return of Lexi Figueroa's telephone.

Carl Korn of Whistler Court, Saratoga Springs spoke on behalf of his neighbors in Excelsior Park. Korn gave thanks to Mayor Kim and Commissioner Scirocco who had previously listened to the concerns of their neighborhood. Korn stated there are major issues at Excelsior Park regarding the recent special-use permit granted to Witt Construction to increase a 200 residential unit area to a 339 residential unit area. Korn stated the increase of residences and vehicles will create a problem with infrastructure, parking, and traffic. Korn stated Excelsior Park is landlocked and the increase in population and traffic is going to make the ongoing density issues worse.

John Kaufman of White Street, Saratoga Springs expressed the City has hired law firm Miller Mannix to appeal the decision by Judge Jeffery Wait in the City vs. Church Street Trust. Kaufman asked why the Mayor and Council would spend money needlessly on an appeal. Kaufman stated this Council should ask two (2) questions: can the purpose of the appeal be resolved without the expense of litigation and how much is the litigation estimated to cost. Kaufman expressed how voters depend on the Council to exercise their fiduciary responsibility to ensure tax dollars are spent prudently. Kaufman questioned why the city's building department has not to discipline Church Street Trust instead of embarking on unnecessary litigation. (Attachment)

Susan Horst of Saratoga Springs stated her children attend and walk to Caroline Street Elementary School due to living close to the school and ineligible to ride the bus. Horst referenced a photo of Caroline Street which was submitted to Deputy Rella for the Council. Horst expressed the need for urgent safety measures to be implemented immediately. Horst suggested safety measures that could be implemented immediately: temporary parking prohibited signs leading up to the intersection or the closure of Caroline Street during drop off and dismissal. Horst referenced the above measures are used at Lake Avenue Elementary School. Horst stated the previous Council installed sixteen (16) empty poles in the ground, and hoped for more help from this council. (Attachment)

Olivia O'Malley of Saratoga Springs has a student at Caroline Street Elementary School. O'Malley stated over the past ten (10) months she had emailed individuals in City Hall over twenty (20) times, had made multiple phone calls to city employees, met with two (2) Council members, and attended three (3) Council meetings in regards to dangerous walking conditions to and from Caroline Street Elementary School. O'Malley stated the City had not responded to requests for interim temporary parking orders. O'Malley stated Lake Avenue Elementary School had three (3) crossing guards, and one (1) crossing guard could temporarily be reassigned to Caroline Street Elementary School to divert traffic down Schuyler during student drop off and pick up times.

Mary Hultquist of McArthur Drive, Saratoga Springs has children attending Caroline Street Elementary School. Hultquist stated it was dangerous during student drop off and pick up times. Hultquist stated being aware the topic of Caroline Street Elementary School would be discussed by the Safety Committee, but is concerned for the immediate future of traffic near Caroline Street Elementary School. Hultquist stated being aware of long-term goals in the works, and is looking for immediate, short-term help with the traffic concerns and pedestrian safety. Hultquist stated police were not present at dismissal earlier that day or the day before. Hultquist requested options from the Council that could immediately go into effect.

Matthew Marshall of High Rock Avenue, Saratoga Springs stated he came to discuss gangster rap music and the art form that influences millions of people across the world providing an outlet for marginalized people to be heard. Marshall stated to call a culture unsavory indicated what Black Lives Matter™ had pointed out to the city over two (2) years. Marshall recommended an apology made to people of color and DJs. Marshall commented that excessive alcohol consumption was not discussed and the violence that it leads to. Marshall compared the comment of gangster rap and the absence of the mention of the behavior from attendees of Dave Matthews Band concerts.

Helene Venezia of Whistler Court, Saratoga Springs told a personal story of a situation that happened while living at Whistler Court in which the condominium she lived in had a carbon monoxide alarm go off. Venezia expressed the slow response by emergency vehicles which was caused by a tree down and blocking the one road entrance to Excelsior Park. Venezia stated the amount of traffic in the area of Whistler Court is difficult to navigate.

Rich Martino of Whistler Court, Saratoga Springs expressed concern over the one entrance to Excelsior Park Development. Martino stated the traffic in the development is a concern, as well as their being no sidewalks.

Diane Chahovic of Whistler Court, Saratoga Springs expressed there were issues at Whistler Court and the deviation of the original plan for the area. Chahovic stated the additional proposed development planned for the area causes additional concern for traffic conditions.

Bill Hartzell of Whistler Court, Saratoga Springs expressed parking concerns at Whistler Court, due to the additional development. Hartzell stated that he pays extra money for enclosed parking at his residence due to the requirement of alternating parking. Hartzell stated an estimated 75-85 extra cars would cause additional strain to an existing problem.

Mark Richardson of Whistler Court, Saratoga Springs and board member of Whistler Court stated in 2006 the Excelsior Park project was approved for owner-occupied housing for approximately 200 units, and small commercial use. Richardson stated a special use permit was recently issued for the occupancy to

increase to 339 units. Richardson stated the density will make a mess to the environmental impact. Richardson stated the special use permit should not have been issued.

Pauline Connelly of Whistler Court, Saratoga Springs spoke of a family situation that arose where she was called upon to take action to attend and leave her home. Connelly stated that the departure was delayed by an eighteen-wheeler stuck in the snow that blocked traffic. Connelly expressed the panic felt due to having to travel the wrong way on a street to get to her destination.

Bubbles with Down Range MC, a veteran's motorcycle club, stated he had a document to enter for Council records. Bubbles stated that Council members have referred to his club as a gang and vigilantes. Bubbles pointed at Council members and expressed the veterans in the club had given all in the Council their first amendment rights to live with freedom in this country. Bubbles demanded an apology from each Council member that categorized the members of the club as gangs and vigilantes. (Attachment)

Commissioner Montagnino asked to make a statement. Montagnino expressed he had heard the comments made during the meeting and listened to friends who had spoken to him regarding comments he previously made and were quoted in the press about gangster rap. Montagnino expressed he is at the point in his life when he knows when he had made a mistake, and the comments he had been quoted saying were one of those times. Montagnino expressed he did not mean to offend nor insult, and expressed regrets. Montagnino shared some of his background. Montagnino hoped in the future to be judged by his action and not by his words – even though, he stated, words matter.

Saratoga County Supervisor Tara Gaston stated the county had previously reached out to the County Department of Public Works concerning what assistance the county could provide to the City's DPW with doing assessments, grants, and other resources for Excelsior Park.

Mayor Kim concludes the public comment period at 7:33 p.m.

Presentation

Saratoga Performing Arts Center (SPAC) Year-Round Education Programs

Mayor Kim advised that Saratoga Performing Arts Center (SPAC) has a year-round education program which works in schools and communities. It reaches more than 49,000 students each year. Dennis Moench, vice president of education for SPAC, attended to present.

Moench presented a slide-show representing the SPAC School of Arts Year-Round Education Program. Moench stated in the last five (5) years, the programs reach over fifty-thousand (50,000) students at the SPAC campus and in one-hundred twenty (120) schools and not-for-profit organizations in Saratoga, Adirondack, and Capital Regions of NYS. Moench shared the education programs holds four hundred (400) events each year at no cost to participants. Moench stated SPAC's mission is to enhance the role of education to students through art and to feel the transformative power of the arts. Moench stated SPAC School of Arts is opened year-round. Moench stated there are three (3) branches of SPAC offered education programs: school programs, community programs, SPAC School of the Arts. Moench stated SPAC education is dedicated to providing assessable programing while facilitating inclusion, diversity, equity and access in arts education. Moench stated the education programs are instructed by full-time certified teachers. Moench shared that classes are offered weekly to over three hundred (300) students from the age of eighteen (18) months to eighty-four (84) years. Scholarships are available for those in need of tuition assistance. Moench stated Creative Connections is an outreach program offered to children in underserved areas of the Capital Region; children are bused to SPAC each Saturday and provided with three (3) hours of musical theatre and dance classes. Moench also stated the students leave with hot lunches provided by Hattie's Chicken Shack. Spring classes start on March 28, 2022, and summer half-day programs for grades 3-8 are also offered. The website is spacschool.org for registration.

SUPERVISORS

Matthew Veitch

Buildings & Grounds Committee

Supervisor Veitch discussed the Building & Grounds Meeting held at 4 p.m. today. Veitch stated the Committee handles the IT infrastructure and has proposed that the county enter into a contract with a company to do a cybersecurity assessment of the I.T. Infrastructure for the county.

COVID-19 Grant Relief Program

Supervisor Veitch reminded the Council and public of the COVID-19 grant relief program for not-for-profit agencies that were affected by COVID-19. Veitch stated applications were being accepted by the County and information is available at www.saratogacountyny.gov/covidfund. Veitch stated any not-for-profit may apply if the organization can show a loss of funds anytime from March 2020 to the present. Veitch stated the county has two million dollars (\$2,000,000) budgeted for this year in grant relief.

Tara Gaston

COVID-19 Update

Supervisor Gaston stated the county is vastly improving with the COVID-19 health data. Gaston stated the city is at a 3.5% rolling positivity rate, which continues to decrease. Gaston stated there is only nineteen (19) people in the hospital with COVID-19, at this time. Gaston stated the CDC revamped transmission standards: the numbers are based on hospitalizations and deaths, where previously the standards were based on the number of cases. Gaston stated due to the change in standards, the city is considered to be at a low level of transmissions; last week the city was at a high level of transmission under the previous set of standards. Gaston stated the mask mandate has ended at this time, and masks are recommended to wear a mask for their health.

Short Term Rental Forum

Supervisor Gaston stated a short-term rental forum was held along with Supervisor Veitch on February 17, 2022. Gaston stated there had been a good turnout from the community, and a lot of insights and opinions were brought forward and discussed. Gaston stated the Supervisors are continuing to collect consideration for short-term rentals – otherwise known as Airbnb and VRBO. Gaston stated it would take action at the county level for the regulation of short-term rentals and the possibility of collecting occupancy or sales tax before the city would be able to enact regulation, which may include registration and zoning. Gaston reiterated there is no regulation proposal at this time for short-term rentals. Gaston stated the consensus at the forum was in favor of short-term rentals.

Affordable Housing Survey

Supervisor Gaston stated as part of the work performed with the National Organization of Counties, they were able to connect with Community Data Platforms to perform surveys. Gaston stated the service is free and the platform for the survey on affordable housing in our community has gone live. Gaston stated the Supervisors would continue to inform the city and community on the feedback and input.

EXECUTIVE SESSION

There is no Executive Session.

CONSENT AGENDA

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

1. Approval of 02/15/22 City Council Meeting Minutes
2. Approval of 2/14/2022 Pre-Agenda Meeting Minutes
3. Approval of 2/14/2022 Pre-Agenda Meeting Transcript
4. Approve Budget Transfers - Capital
5. Budget Transfers - Regular
6. Approve Budget Amendments – Insurance
7. Approve Payroll 02/18/22 \$395,205.94
8. Approve Payroll 02/18/22 \$697,193.99
9. Approve Mid-Warrant 2021, 21MWDE11 \$147,881.40
10. Approve Mid-Warrant 2022, 22MWFEB2 \$426.00
11. Approve Mid-Warrant 2022, 22MWFEB3 \$823,155.70
12. Approve Mid-Warrant 2022, 22MWFEB4 \$509.32
13. Approve Warrant 2022, 22MAR1 \$398,700.98

Ayes – All

MAYOR'S DEPARTMENT

1. Discussion: Unified Development Ordinance (UDO)

Mayor Kim introduced an open discussion on the Unified Development Ordinance. Kim gave background on the UDO. Kim stated on 12/21/21, the council adopted the UDO, which passed 3-2. Kim stated there was no formal, written resolution adopting the complex legislation. Kim stated the Council's intent had been to pass a resolution of the UDO in its form. Kim stated the UDO is a 300-page document. Kim stated the resolution that was passed did not repeal applicable zoning codes. Kim stated the UDO is a zoning document. Kim stated the resolution that was passed did not set an effective date for the resolution to become law, which, according to Kim, is critical for the City's Planning Department, residents, and developers. Kim stated that the action the Council took on 12/21/21, contained one (1) zoning provision that had since been nullified by a court decision. Kim stated the final problem discovered with the previous process of passing the UDO was that the local law was never filed with the Department of State.

Mayor Kim stated that after long discussions the best way to proceed with the UDO was not to reopen the document, but to set a public hearing for the UDO, create the appropriate resolution, and repeal the specific zoning codes that were previously repealed in the courts. Kim stated that process would make available the ability to consider amendments. Kim stated this course of action would put the UDO back on firm footing in terms of a resolution, enacting public laws, and the consideration of zoning amendments. Kim stated this would be discussed through public hearings.

City Attorney Anthony Izzo stated the procedure the mayor stated was the best course of action rather than the re-analyzing the complete document.

A public hearing for ten (10) minutes on March 15, 2022, is planned for the UDO. Kim advised the document to be considered would be on the city's website March 2, 2022.

Commissioner Moran stated the incomplete UDO resolution was discovered as a team. Moran stated there were people who were made promises by the last Council that were not delivered upon. Moran stated these were the types of issues that the Mayor was working to rectify with proper counsel, and righting past wrongs and errors.

2. Announcement: Inaugural Infrastructure Committee Meeting

Mayor Kim announced the inaugural meeting of the Infrastructure Committee Meeting would be held at 4 p.m. March 2, 2022, at City Hall. Members of the public are welcome to attend.

3. Announcement: Appointment to Open Space Advisory Committee

Mayor Kim announced the appointment of Anita Morzillo to the Open Space Advisory Committee. Kim stated Morzillo is an Associate Professor of Human Dimensions of Natural Resources at the University of Connecticut. Kim stated Morzillo is a Saratoga Springs native and resident. Morzillo is replacing John McMahon who resigned. Kim gave thanks to McMahon for years of service, commitment and assistance.

4. Discussion and Vote: Authorization for Mayor to Sign Agreement with Saratoga Casino Holdings, LLC

Mayor Kim explained the agreement with Saratoga Casino Holdings, LLC allows for the use of a soccer field without cost to the city.

Mayor Kim moved and Commissioner Moran seconded to approve the mayor to sign the agreement with Saratoga Casino Holdings, LLC.

Ayes – All

5. Discussion and Vote: Authorization for Mayor to Certify Bid Documents for the Saratoga Springs Greenbelt Downtown Connector

Mayor Kim advised the City of Saratoga Springs is working with the Saratoga Springs Greenbelt Downtown Connector trail. Kim stated the project had been authorized by NYS DOT on December 6, 2021. Kim stated the project had been advertised for twenty-eight (28) days beginning January 14, 2022. Kim stated the original bid documents were opened February 11, 2022, and the city received five (5) bidders. Kim stated that based on the DOT procedure, Greenman – Petterson had completed the bid analysis and verified all the documents. Kim stated all required NYS DOT procedures were completed.

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the mayor to certify bid documents for the Saratoga Springs Greenbelt Downtown Connector.

Ayes – All

Accounts Department item #1 is moved up before Mayor Kim's item #6.

ACCOUNTS DEPARTMENT ITEM #1

1. Award of Bid Extension of Labor Counsel to Goldberger & Kremer

Commissioner Moran on recommendation of the Mayor's office announce the award of a bid extension of labor counsel to Goldberger & Kremer for a period of one (1) year under the same terms, conditions, and pricing as stated in the original awarded bid of 2021 – 2022.

Commissioner Moran moved and Mayor Kim seconded the award of bid extension of labor counsel to Goldberger & Kremer

Ayes – All

MAYORS DEPARTMENT ITEM #6

6. Discussion and Vote: Authorization for Mayor to Sign Agreement with Goldberger and Kremer for Labor Counsel

Mayor Kim advised Goldberger and Kremer had previously provided labor counsel to the city. Kim

stated the previous bid award contract price had been thirty-thousand dollars (\$30,000.00) priced at an hourly rate of hundred seventy dollars (\$170.00) per hour.

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the mayor to sign the agreement with Goldberger and Kremer for labor counsel.

Ayes – All

ACCOUNTS DEPARTMENT

2. Discussion and Vote: Amend Chapter 136 of the City Code - Outdoor Dining

Commissioner Moran stated item #2 is struck from the agenda due to changes to be made to the language of the amendment. The updated amendment to be added to the city's website on March 2, 2022.

Mayor Kim gave thanks to Commissioner Moran for working to update the amendment.

3. Award of Bid: Pipes, Fittings, Hydrants, and Valves to Ferguson Waterworks

Commissioner Moran announced on the recommendation of the DPW an award of bid for pipes, fittings, hydrants, and valves to Ferguson Waterworks. Moran stated the award is not to exceed one-hundred twenty-six thousand, two-hundred forty-three dollars and ninety-six cents. (\$126,243.96)

Moran moved and Commission Sanghvi seconded the award of bid for pipes, fittings, hydrants, and valves to Ferguson Waterworks not to exceed \$126,243.96

Ayes – All

4. Update: COVID and Planned City Activities

Commissioner Moran stated since January 1, 2022, the city had five (5) COVID-19 distribution events of COVID-19 testing kits and KN-95 masks. Moran stated the events took place at Geyser Road School, City Center parking lot, Jefferson and Vanderbilt Terraces, and BOCES. Moran stated Moran stated four-thousand (4,000) test kits had been distributed to the community. Moran stated in addition to the aforementioned, an additional twenty-five hundred (2,500) test kits have been distributed to not-for-profits in the community. Moran stated eleven-thousand (11,000) test kits have been received by the city from the county. Moran stated approximately five-thousand five-hundred (5,500) test kits are remaining for distribution. Moran stated the test kits have a July expiration date. Moran stated with assistance from Commission Montagnino and Assistant Fire Chief test kits are available at the fire departments. Moran stated test kits are available at the Recreation and Senior Centers. Moran encouraged event organizers to reach out for test kits.

Commissioner Montagnino expressed appreciation to Commissioner Moran for coordinating efforts made to distribute the testing kits and KN-95 masks.

FINANCE DEPARTMENT

Commissioner Sanghvi announced it to be Women's History Month. Sanghvi gave thanks to the Finance and IT Departments staff.

1. Announcement: Participatory Budgeting

Sanghvi stated the process and procedures of participatory budgeting is being actively explored. Sanghvi stated this year's participatory budgeting would be more of a pilot program and more information would be shared in April 2022. Sanghvi reminded that participatory budgeting is a process used by municipalities of all sizes to allow for more civic engagement and participation with the city's budget process.

2. Update: Finance Department

Commissioner Sanghvi stated the 2021 budget is closed as of February 28, 2022, and will be reviewed before the NYS Annual Update Document (AUD) is prepared and submitted to NYS by April 30, 2022. Sanghvi stated once the document is completed, it would be circulated to the City Council and available on the agenda and city website when complete. Sanghvi stated March 1, 2022, is the Property Tax deadline for the 1st Quarter. Sanghvi stated the city has a 94% property collection rate. Sanghvi stated the final figure for 2021 Sales Tax is fourteen-million, nine-hundred eight-eight thousand, seventy-two dollars and twenty-three cents. (\$14,988,072.23) Sanghvi stated the amount surpassed the 2021-revised budget and surpassed 2019 budget by 5%. Sanghvi stated the 2021 sales tax amount is good for 2022 budgeting.

3. Discussion and Vote: Budget Transfers – Payroll

Commissioner Sanghvi discussed budget transfers for payroll lines 1 to 2, transfer funds to the police department appropriation for active, injured police officers (207C) from the police department budget appropriation for wages in the amount of \$59,820.36

Commissioner Sanghvi moved and Commissioner Montagnino seconded to authorize a payroll transfer in the amount of \$59,820.36

Ayes – All

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with Ferguson Waterworks for Pipes, Fittings, Hydrants & Valves (22-081)

Mayor Kim stated this item is an agreement entered into annually between DPS and Ferguson Waterworks. Kim stated the authorization is not to exceed the unit bid price.

Mayor Kim moved and Commissioner Moran seconded the approval for the mayor to sign the contract with Ferguson Waterworks for pipes, fittings, hydrants, and valves contract to extend until March 1, 2023, with the price not to exceed the unit bid price.

Ayes – All

2. Discussion and Vote: Approval to Pay Invoice # 7153442585 in the amount of \$782.12 and #7153442610 to Schindler Elevator Corp in the amount of \$519.26 (22-082)

Mayor Kim stated the two invoices discussed and to be voted on were related to two (2) onsite emergency repairs of the north elevator in City Hall and the Woodlawn Avenue parking garage elevator. Kim stated the two (2) instances occurred prior to a Council-approved contract. Kim stated 2022 was the first year NYS required Schindler to be licensed by NYS to perform elevator services, which under the city purchasing policy make Schindler a professional service and no

longer a public work. Kim stated DPW was not aware of the NYS licensing change, which caused the department not to have the correct purchase agreement in place.

Mayor Kim moved and Commission Moran seconded the payment of invoice # 7153442585 in the amount of \$782.12 and #7153442610 to Schindler Elevator Corp in the amount of \$519.26.

Ayes – All

3. Set Public Hearing: 2022 Water and Sewer Rates

Mayor Kim requested a public hearing to be set for March 15, 2022, the hearing is for the setting of the 2022 water and sewer rates. Kim stated the water rate resolution would contain a small increase to the water capital improvement fee to accommodate significant investment into the water infrastructure and delivery system. Kim stated the water budget for 2022 will require increases to the basis sewer charge and the usage rates as a result of the multiple year increases from the Saratoga County Sewer District #1. Kim stated the annual expense increase from the county sewer district has amounted to the yearly expense increase of about one-million dollars (\$1,000,000). Kim stated the planned use of fund balance has allowed for a slow increase in rates since 2018, but this exhausted the unassigned fund balance. Kim stated the fee and rate increase will balance the budget, build back fund balance, and plan for future increases from Saratoga County Sewer District #1.

A planned hearing was set for ten (10) minutes on March 15, 2022, to discuss 2022 water and sewer rates.

PUBLIC SAFETY DEPARTMENT

1. Announcement: The 2021 DPS Annual Report will be published on the City website on March 14, 2022

Commissioner Montagnino announced the 2021 DPS Annual Report will be published on the city's website on March 14, 2022.

2. Discussion and Vote: Authorization for Mayor to Sign Contract for the Purchase of Police Vehicles from Metro Ford

Commissioner Montagnino tabled the discussion of the purchase of a vehicle until the next Council meeting.

3. Set Public Hearing: Traffic Control Measures - Caroline Street School Vicinity

Commissioner Montagnino set a public hearing for fifteen (15) minutes for Tuesday, March 15, 2022 for traffic control measures in the Caroline Street Elementary School vicinity. Montagnino recommends adopting the recommendations of the Safety Committee and Safety Sub-Committee. The recommendations include reduced speed limit to 15 mph; extending one-way zone extension; installation on existing poles of no parking and no standing signs. Montagnino stated the consideration of no parking and no standing would be on both sides of streets during school days and school hours.

Commission Moran stated he had reached out to the school district to engage them in the safety measures. Moran stated the solutions that will work will not only come from the Council, but the solutions that arise and are adopted by school parents and the Saratoga School District working together. Moran stated he strongly request the school to take an active step to remedy the issues. Moran stated there is a level of safety deserved by the families.

Commissioner Moran asked Commissioner Montagnino if there were steps that could be done now on a temporary basis to elevate certain safety issues. Montagnino stated there were No Parking and No Standing signs available for installation. Moran asked if a motion is required to start the process. Montagnino made a motion to add the installation of signs to the agenda.

City Attorney Tony Izzo stated there are some traffic control measures that require an ordinance change. Izzo stated the installation of signage may be required to be done at the next meeting. Mayor Kim asked Izzo if a public hearing is required to close a portion of the street. Izzo stated City Code § 225 allowed the Commissioner of Public Safety to unilaterally make safety measures on a temporary or seasonal measure. Montagnino amended the motion to include a temporary measure to close off Caroline St. from Benton to Schuyler during the schools pick up and drop off hours until further action is taken on other items.

Montagnino moved and Commissioner Sanghvi seconded to approve the temporary installation of No Parking and No Standing signs to both sides of Caroline Street from Benton to Schuyler during school hours. Montagnino included a temporary measure to close off Caroline St. from Benton to Schuyler during the schools pick up and drop off hours.

Ayes – All

ADJOURN

Commissioner Sanghvi moved and Mayor Kim seconded to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Barbara Brindisi
Assistant City Clerk

Approved: 03/15/2022
Vote: 4 – 0