CITY OF SARATOGA SPRINGS CITY COUNCIL MEETING

March 23, 2021

MEETING HELD VIA ZOOM

PRESENT:

Meg Kelly, Mayor
John P. Franck, Commissioner
Michele Madigan, Commissioner
Anthony Scirocco, Commissioner
Robin Dalton, Commissioner
Matthew Veitch, Supervisor
Tara N. Gaston, Supervisor
Vincent DeLeonardis, City Attorney
MAYOR KELLY: Good evening. Welcome to a special city council meeting, Tuesday, March 23rd. It is 7 p.m. There are no public hearings this evening. We have one item on our agenda. So I would request roll, please, from the secretary.

SECRETARY TO CITY COUNCIL: Commissioner Franck?
Commissioner Madigan?
Commissioner Scirocco?
Commissioner Dalton?
Mayor Kelly?

MAYOR KELLY: Here.

SECRETARY TO CITY COUNCIL: Supervisor Veitch?
Supervisor Gaston?

MAYOR KELLY: Thank you. Please rise for the Pledge of Allegiance. I pledge allegiance to the Flag of the United States of America. And to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Next on the agenda is the public
comment period. A revised draft of the
council resolution to address police
reform was uploaded yesterday with this
agenda and to the city website.

At -- at present time, we have over
160 people registered for tonight's
meeting. However, our Zoom account only
allows for 100 participants to be in the
meeting at a given time. Therefore, once
you have finished your comments, you will
be released from the meeting to allow
others in the waiting room to be
admitted. Remember, if you are just
watching the meeting, you can switch over
to our website and watch it live. That
would open up spots for those who wish to
comment.

I ask that you keep your comments
brief, up to two minutes. There will be
a timer and -- when your time is up. As
a reminder, public comment is not a
dialogue for discussion with council
members. However, at the end of public
comment, any council member may respond
or comment.
Please raise your hand -- your hand
in Zoom to address the council. Look for
it under the participants or reactions
area of the toolbar at the bottom of your
Zoom window.

We will call your name and unmute
you and ask you to start your video. You
will state your name and your city or
municipality where you reside.

So if you're interested in speaking,
please raise your hand via Zoom.

Otis Maxwell, please unmute and put
your video on and state your name and
municipality.

OTIS MAXWELL: I am -- I am unmuted,
but I can't start my video. It says
unable to start video.

MAYOR KELLY: Okay. I'll take
you -- I see it --

OTIS MAXWELL: Okay --

MAYOR KELLY: -- I see it working.

So just go ahead and give your
statement --

OTIS MAXWELL: Now it's working --

MAYOR KELLY: -- there you go.
Okay.

OTIS MAXWELL: There we go.

MAYOR KELLY: Great.

OTIS MAXWELL: Okay, thank you very much. I am -- I am not going to comment -- I think they'll be a lot of people that'll comment on the specifics of the -- both of the -- the proposal from the -- the recommendation resolution from the task force and the two drafts that have been put forward by the -- by the city council.

I just want to make a comment as we review these. Saratoga Springs ends up in a lot of best of lists, like -- like best small town in America, best main street in America. I think these are good for business and tourism. I don't think we want to end up on the -- the list or the city's that lost our police funding because we did not follow the dictates of Executive Order 203. So I would like you to consider that, keep that in mind as you -- as you -- you consider the discussion tonight.
I should have said -- I'm sorry -- my name is Otis Maxwell. I live in Saratoga Springs, 158 Lake Avenue.

Thank you very much, Mayor Kelly.

MAYOR KELLY: Thank you.

Let's see, Lezlie Dana, please unmute and put your video on.

We can't hear you. You need to unmute.

LEZLIE DANA: There we go.

MAYOR KELLY: Yep, go ahead.

LEZLIE DANA: Hi. Thank you, Mayor Kelly.

Good evening. I'm Lezlie Dana, co-chair and acting president of MLK Saratoga.

This council is to be commended on the exceptional group of people that you chose to take on this massive re-envisioning and community-based realignment set forth by the Governor's executive order.

This task force is the very first black citizen led commission of this city. They have produced, in the midst
of a global pandemic, and under a crazy
deadline, a remarkably well researched,
evidence-based, grounded report, with
doable recommendations that are already
implemented successfully in many places
around our country.

You should be very proud. You chose very well.

These reforms are coming. That is the moral arch-bending toward justice
that Dr. King so often spoke of. So how will you choose now? Saratoga Springs has the opportunity to lead the way. And you, the council, you have the opportunity to leave a legacy of real change, to be remembered for your bold courage and leadership or not.

MLK Saratoga asks you to courageously choose to approve these recommendations as is, securing a safer, healthier future for all people, including the men and women who serve our communities as officers. Fearful or courageous, this is your defining moment, council.
In order to comply with Executive Order 203, the language in the council's resolution must be changed from accepts for consideration to adopts for implementation.

Be courageous. Thank you.

MAYOR KELLY: Thank you.

Lale Davidson, can you unmute, please?

LALE DAVIDSON: Hi there, this is Lale Davidson.

I want to thank the task force for their many, many months of work and for this incredible document, which was not only very detailed but also really readable. I really appreciated that, enjoyed reading it a great deal.

I also am taking a look at your resolution and I'm very happy to see that it closely parallels the task force recommendation. However, there are some changes that I would like to recommend, and that is that there be dates and timelines included in this document. I am a little worried about language that
says things like, the SSPD culture and --
will, you know, will consider engaging in
external, and they will plan to train and
implement, and they will increase
accountability -- there's a -- there's a
kind of a -- I'd like to see a deadline.
And see that at the very end, you have
some deadlines which is good. I'm really
glad to see that.

But you know -- and -- and -- and
fairly soon, I like the fact that -- that
there shall be established some kind of
committee by June 1, that's excellent.
But I really am concerned about the
manner in -- by which they're appointed.
And we would really like to see a very
democratic appointment system that would
include community input. So instead of,
say, you know, each commissioner appoints
a person, or the public safety
commissioner appoints people, I would
like to see that the nomination process
comes from the community so that there's
buy-in. Because if you don't do that,
where that -- the people on that
commitee is going to be kind of like
dependent on who is in that position.
And a good government isn't dependent on
personalities. It has a system that is
kind of transcends personalities.
And so you need a -- a system of
nomination. And I would suggest that you
seek nominations, a certain number of
nominations from vested -- from the --
the communities that have a vested
interest in this issue --

MAYOR KELLY: Thank you. Your
time -- your time is up, I'm sorry.
Thank you.

LEZLIE DANA: All right. Thank you.

MAYOR KELLY: Yep.

LEZLIE DANA: Just deadlines and
appointment.

MAYOR KELLY: Thank you.

Next up is Judy Harris. Please
unmute and turn your video on. State
your name and municipality.

JUDY HARRIS: Hi. My name is Judy
Harris and I live in the city of Saratoga
Springs.

I just moved here in June so I'm not familiar with the police. But I was an accountant before I retired. I always had my work reviewed. We have hospitals get accredited, colleges get accredited. I think it just makes sense to have a review of -- of any department that does anything important.

And I would feel more comfortable living here knowing that these things that I read in the report would be -- would be adopted.

Thank you.

MAYOR KELLY: Thank you. Thank you.

Next up is Maeve Wood. Please state -- unmute and put your video on and state your name and municipality.

MAEVE WOOD-ASHCROFT: Hi, my name is Maeve Wood-Ashcroft. I used to live in Saratoga Springs. I now live in Stillwater, but I visit Saratoga Springs frequently.

And I've been following the meetings of the task force for the last few
months. It is so important to me as a visitor and former resident to Saratoga Springs that the council adopt and ratify these recommendations proposed by the task force.

They worked tirelessly for months to create them, relying on extensive research, examples from other cities, and especially input from the community. So I strongly urge the council to listen to its residents and adopt these recommendations as they're intended and to implement a civilian review board.

I think it's a vital step in moving towards building trust and transparency between this community and the police.

Thank you.

MAYOR KELLY: Thank you.

Commissioner Dalton?

MALE SPEAKER: Is it okay if I go, it seems like --

MAYOR KELLY: Nope, just hang on, please. Please hang on.

Commissioner Dalton?

COMMISSIONER DALTON: Sorry. Thank
you. I'm just getting a bunch of
questions from people for after they make
their public comment how they can watch
this.

So just a reminder --

MAYOR KELLY: It's on the -- it's on
the web -- they go to our website
saratoga-springs.org and there's a live
stream button they can hit.

COMMISSIONER DALTON: If you scroll
to the bottom, you'll see a blue, like,
video camera icon. And if you hit there,
you can watch the meeting live.

So if people could log off so that
the remaining people who are in the
waiting room could log in, that would be
great.

MAYOR KELLY: Yes, thank you.

COMMISSIONER DALTON: Thank you.

MAYOR KELLY: Thank you.

Okay. Andrew Beatty, you're on.

Please turn your video on and unmute.

And state your name and municipality.

Andrew?

ANDREW BEATTY: Yep, hi. I'm
getting my notifications now. Hi, I'm Andrew Beatty, I live at 21 Michael Drive.

I too think that it's extremely important that the city adopt and ratify these findings from the task force.

One thing that I have always found to be very objectionable about the way Saratoga does business regarding accountability is I know of several incidents that occurred within the city that resulted in sizeable judgments or -- or settlements related to the conduct of the police department.

Most recently, I think it was 2016, one of the officers maced a man for essentially no reason and was let go from the force. But at the same time as someone who also has a job, I don't just get fired if I mace someone for no reason. So the fact that there was seemingly never any legal action taken against a man who apparently committed felony assault as a officer of the law in our city, is very troubling to me.
I think that the content of this --
these things that we're asking to be
adopted and ratified are a good first
step. But I think actually this is going
to be an ongoing process and I think we
need to go farther with this to make sure
that these kinds of things aren't
happening with impunity.

So, thanks a lot.

MAYOR KELLY: Thank you.

Molly Dunn, please unmute and turn
your video on.

MOLLY DUNN: I'm Molly Dunn. I live
in Saratoga Springs.

So let me remind city council why we
are all here. A black man named George
Floyd was murdered by the police. In
addition to Executive Order 203, New York
State passed the Reform agenda titled,
Say Their Name.

Daryl Mount's name has been
mentioned in the Times Union, the
Skidmore News, the Daily Gazette, and the
New York Times. Daryl Mount's name has
been shouted on the streets by hundreds
of city residents. Over 50,000 people
signed a petition demanding justice for
Daryl Mount. Daryl Mount's name was
mentioned thirty-nine times by city
residents who completed the police reform
survey. Daryl Mount's name was mentioned
in every police reform task force meeting
that occurred over the past seven months.
And finally, Daryl Mount's name was
mentioned four times in the police reform
plan presented to you.
Yet Daryl Mount's name does not
appear once in the city council's
proposed resolution. And not only that,
city council still won't commit to
implementing a civilian review board.
The CRB sounds like common business sense
for a city that has been in years of
litigation and is at risk of using
millions of dollars because of the
police's mishandling of the investigation
involving Daryl Mount.
You should all, with the exception
of Commissioner Franck, be ashamed of
yourselves. Ashamed. The only job you
are doing well is exemplifying institutional racism at work. It seems city council has forgotten the reason why we are all here.

In order to comply with Executive Order 203, the language in the council's resolution must be changed from accepts for consideration to adopts for implementation.

MAYOR KELLY: Thank you.

Let's see. Anybody else want to comment? Claire Burnett, please unmute and turn your video on.

CLAIRE BURNETT: Hello, my name is Claire Burnett. I am a student at U Albany. I recently moved to Saratoga. I live at 48 Union Avenue.

And I just wanted to say as a student, especially being involved in -- in, you know, the protests and what's going on, I think that it's very important that we do adopt this policy. And I also think it's important as -- as certain people have said, that there be a civilian review board as it is the
locality that really knows what to implement and what do to.

So I just wanted to put my two cents in and say that I think that this is important, especially as -- being the younger generation in Saratoga, I want to see a better future for my generation and the generation that comes after me, as well.

So, thank you.

MAYOR KELLY: Thank you. Thank you.

Norah Brennan, please unmute and turn your video on.


I just want to reiterate the comments that have already been shared, that we really should adopt and ratify the task force proposal. They did amazing work over several months.

There's nothing in there that I think should be considered objectionable. It may be hard, it may require additional work, it may require consideration of what we need to do to make it happen.
I think it's more than just consideration. I think it's adopting and working out the details of what it's going to take to make it happen.

Thank you.

MAYOR KELLY: Thank you.

Suzanne Kwasniewski, please unmute and turn your video on.

SUZANNE KWASNIEWSKI: Suzanne Kwasniewski, longtime city resident, longtime activist.

It's incredible to me, I guess I shouldn't be surprised, that the group, primarily people of color, labored for free for a long time and this city council deigns to say that they will consider what should be. It's just -- we're beyond time of considering. It needs to take -- you need to take action.

And I would ask the city council if your boss is the police union or if the boss is the taxpayers. Because as a taxpayer, I want these things implemented. As a woman of -- of faith, I want these things implemented. As a
person of conscience, I want these 50
points implemented.

Yes, there are difficulties that we
need to work through. The city charter
will need to be changed. These things
need to happen. It's incumbent upon you
in these -- in these difficult times to
be leaders, and not followers.

Thank you.

MAYOR KELLY: Thank you.

Sergia Coffey, please unmute and
turn your video on.

SERGIA COFFEY: Hello. I live in --
my name is Sergia Coffey, I live in the
town of Milton. Saratoga Schools District
is the school district I'm living in.
Saratoga Springs is the place I shop and
literally one block from my house.

And I am here to say that I want you
to implement the recommendations, have a
civilian review board. Racism has been
evident in Saratoga Springs for a very
long time. When my sons were in high
school, they would get picked up, when
they went out with their African-American
friends, by the Saratoga Springs Police.
No reason, had to pick them up at the
police station. So things have to
change. Things have to change.
Daryl Mount's death haunts us all.
And we need a civilian review board. We
have seen how the -- Daryl Mount's life
was thrown away and the police
investigation mishandled. And you know,
like the lady said earlier, we need to
say his name, but we need to implement
change for everyone who lives in Saratoga
Springs and who lives in the communities
around it.
Thank you very much.
MAYOR KELLY: Thank you.
Kimberley Fredrick, I can't see the
rest of your name, I'm sorry. Kimberley,
can you unmute -- Frederick?
KIMBERLEY FREDRICK: It's all --
it's all good.
MAYOR KELLY: Thank you.
KIMBERLEY FREDRICK: For some
reason, it won't let me start my video so
I'll just -- you guys probably don't need
to see me. Oh, there we go.

I am honored today to be able to come before you and just want to echo some of the comments that have been made about the wisdom of this council and these superintendents in choosing such a thoughtful and reflective and diligent commission to look at the police reform issues.

They did great work. Their report is incredibly readable and very common sense.

Having read through all of the feedback to the public survey, I'm sure that each of you has reflected on the hard reality of what you read there. That there's a number of our citizens who have had very unfortunate experiences with our police.

And at this moment, you can be bold leaders. You can listen to your citizens. We're speaking with one voice. Please, please, please change your language to adopt and come up with very clear timelines on putting in place a
civilian review board.

The people who responded to that public comment spoke with pain and we need to hear, they need to hear that there's an opportunity for change and justice in Saratoga Springs.

I apologize, I'm a resident of Saratoga Springs. I meant to say that earlier.

I also would like to strongly encourage you to rather than focusing on the difficulties, such as how to get around the police unions, many districts and cities and towns across the country have implemented very similar reforms to what are being requested, the 50 points. And they have figured out how to make this work.

I am confident that this -- this intelligent group with some searching and some consulting with other municipalities can similarly find solutions.

Thank you for your time.

MAYOR KELLY: Thank you.

Marcella Hammer? Go ahead --
MARCELLA HAMMER: Hi there --

MAYOR KELLY: -- Marcella. Yeah.

MARCELLA HAMMER: Hi, Marcella Hammer. I am from Saratoga Springs. And you know I am here to ask the council to continue the work that has been begun and to continue the work that the constituents are asking for. The people of Saratoga are asking for these changes to happen.

I'm asking that we implement a civilian review board. This is what we want as a city. This is the progress that we need as a city.

And I'm asking that we change the language in the council's resolution to adopts for implementation.

This is continuing the work. And I believe in you. And I believe it should be done.

Thank you.

MAYOR KELLY: Thank you.

Reverend Joe Cleveland, please unmute and turn your video on.

Can you -- thank you.
MALE SPEAKER: Thanks. I am the Reverend Joe Cleveland. I serve the Unitarian Universalist Congregation of Saratoga Springs on North Broadway.

The Unitarian Universalist Congregation of Saratoga Springs issued a public statement in support of instituting a civilian review board last August.

The city and the police department need to develop trust with the -- with the town. They can't operate without that. Trust was fundamentally violated when it was -- when it came out that the department, that the police chief at the time, lied about the conduct of a review regarding the circumstances around what happened when Daryl Mount died as a result of an encounter with our police department.

That trust has not been rebuilt or repaired. To take any step toward that, instead of simply agreeing in principle to a CRB, and calling for an evaluation of things that could impact the ability
to adequately develop a CRB, we urge you to commit to implementing a civilian review board. This is something that has been done in many cities all over the country, all over our state. And we -- we need to do this in order to build back the trust that we need in order to have confidence in our -- our police and our city.

MAYOR KELLY: Thank you.

Adam Tinkle?

ADAM TINKLE: Hi there, my name's Adam Tinkle, Saratoga Springs postal code, technically a resident of the town of Greenfield.

And I just wanted to speak in strong support of the plan, the 50-point plan, that the task force produced. I was at the first meeting, I was at the last meeting. This is a moderate plan. I saw task force members who at the first task force meeting say that they were unaware of any instances of racism within the city of Saratoga Springs. And over the course of seven months, I saw those
same task force members come around to
understanding the needs for these very
moderate, reasonable reforms.

So this is a consensus document.
And in -- in certain cases, it's true
that Chief Crooks voted against the will
of the other -- all of the other members
of the task force. And it happens to be
the case that some of the recommendations
with which the council's current
resolution, which we're all requesting be
amended further, the -- the
recommendations 32, 39, 40, the one about
the civil -- civilian review board, these
elements of the 50-point plan that the
council's current resolution continues to
raise objections to, these are the same
ones that the police chief has raised
objections to despite the fact that the
rest of this task force, encompassing
those across this political spectrum, and
across identities in our community, have
come together on a lot of these things.

So you know I was really pleased
when I saw that the statewide finding of
non-compliance by stakeholders, a
petition that's circulating around the
state, didn't mention Saratoga Springs.
This is people across the state asking
Governor Cuomo to appoint regional
compliance officers --

MAYOR KELLY: Excuse me, that's --
that's your -- that's your time.

ADAM TINKLE: Okay.

MAYOR KELLY: Thank you.

ADAM TINKLE: Thank you.

MAYOR KELLY: Thank you.

Yeah, I would like to ask people to
sign off. I -- we have people waiting to
get in. So if you had your public
comment, if you could log off, so we can
get more people in to public comment.
You can watch it on our website,
saratogasprings -- saratoga-springs.org,
and hit the live button. But we need to
have some of you log off. Thank you.

Okay. Sarah Marlin, please, unmute
and turn your video on.

SARAH MARLIN: Hi. Yeah, my name is
Sarah Marlin, resident of Saratoga, 4
Mystic Lane.

First, I wanted to thank the task force for all of their work and energy over the past seven months and their commitment to bettering this community.

Having been selected by the council, they then worked to follow the order which stipulates among many other things that the city must research a number of alternatives to current policing strategies.

Now just as the task force followed the order through research, analysis of existing policy, outreach to the community, so too does the city council need to follow through with what the executive order asks.

This new language in the draft -- draft resolution says the city council accepts for consideration the task force's 50-point plan. This is not acceptable. The order does not ask the council to pass the resolution that simply considers the work of the task force. It asks the council to adopt or
ratify.

The task force -- the task force included a ban on no-knock warrants for a reason. It urges for demilitarization for a reason. It asked for clear and concise language involving outside agency cooperation for a reason. And it asks for a civilian review -- review board for a reason.

In February, the city council unanimously voted and vowed to promote racial equity and fairness and to eliminate discriminatory systems and practices. Dismissing and largely ignoring this work of a black-led task force and merely accepting for consideration this 50-point plan, does not follow the stipulations of the executive order nor does it hold up this vow in the slightest.

Turn your resolution into action.

In order to comply with EO 203, the language in the council's resolution must be changed from accepts for consideration to adopts for implementation.
Thank you.

MAYOR KELLY: Thank you.

Matt Kopans?

MATT KOPANS: Hi, my name is Matt Kopans. I am a Saratoga Springs resident.

And I just want to echo what the last speaker just said. It is critical that the city council --

MAYOR KELLY: Can you turn your video on, please? Thank --

MATT KOPANS: Is my video -- is my video on?

MAYOR KELLY: There we go, now it is. Yep.

MATT KOPANS: Did you lose it before?

MAYOR KELLY: Yeah.

MATT KOPANS: It's critical that the council change their language and implement the recommendations of the task force and not just accept for consideration.

I strongly support this 50-point resolution and I urge the council to do the same.
MAYOR KELLY: Thank you.

Steven Allen (ph.)? Steven Allen, can you turn your video on and unmute.

Okay, let's go on to Elizabeth Zack.

ELIZABETH ZACK: Hi, my name is Liz Zack. I live on Phila Street here in Saratoga Springs.

I have participated in a number of the task force meetings as just a community member giving my feedback.

I want to thank the task force for their hard work. It -- they put in a lot of effort. And I think they did a -- a great job bringing a resolution to you -- to city council.

I would like to note that I -- I realize that the -- there were a couple revisions to the city council final -- final revision. And it only went so far as to -- in regards to the civilian review board, a -- approve the task force -- task force recommendations to develop a civilian review board in principle.

And I would like to think that the
city council would work just as hard as
the task force to actually implement the
steps laid out that would be required to
give clearance to a civilian review
board.

I'm a citizen here, I've lived here
for five years. I live downtown. This
is something that I would like to see. I
think it's important. It's worked in
other places. We can get it -- we can
make it work for us.

Thank you.

MAYOR KELLY: Thank you.

Ed Lindner, please, unmute and turn
your video on.

ED LINDNER: Good evening. Thank
you, Mayor. Good evening, members of the
council. Ed Lindner, Saratoga Springs.

I've already submitted written
comments so I'm not going to rehash those
all tonight. But since I wrote those
comments, you have amended your draft
resolution, so I just wanted to make a
couple of quick points.

I am among those people who are
concerned and, frankly, puzzled a little bit about the language in the new amended draft that says accept for consideration. Because frankly I -- I don't know quite what you mean by it. The task force has sent you their recommendations. They don't need you to formally accept them for them to be considered. They need you to consider them and then accept them.

I see in the next steps that there are provisions for implementation of the accepted resolutions. And again, I'm -- I'm not trying to be difficult. I honestly don't understand which resolutions now have been accepted. And I think there needs to be clarity on that.

If you are accepting these recommendations as I hope that you will, then you need to clearly state that. If you are putting them off for another day, for consideration by the council, then I think you need to talk in more detail about how that process will work.

I don't think that putting them all
to a committee that doesn't answer to the public is an acceptable way to go about that.

I do see that in the amended draft, the council is now accepting in principle the idea of a CRB. I welcome that.

That's a good and it's a necessary next step.

But really it's only a first step. I know that there is going to be an implementation committee. I hope they take this resolution as evidence that the city council wants this to happen. And that they should be working together in good faith to resolve problems and -- and not to create obstacles.

So I'm looking forward to next steps.

Thank you.

MAYOR KELLY: Thank you.

Anyone else want to public comment, please raise your hand.

Hollyday Hammond?

HOLLYDAY HAMMOND: Hi. I'm Hollyday Hammond. Can you hear me okay?
MAYOR KELLY: Yes.

HOLLYDAY HAMMOND: All right. And I live in Saratoga Springs on Lefferts Street.

And I'm trying to find my notes. The task force, among the things they were asked to look at, were trust, fairness, accountability, transparency, and racial disparities. And the task force heard and received many personal accounts through public forums, meetings with various groups, public comments, and the survey that received 1500 response.

All these public comments and testimonies prove that trust, fairness, accountability, and transparency are not consistent experiences with the Saratoga Springs Police Department, especially among black and brown people and other historically marginalized members of our community.

A lot of people feel like police reform is anti-police, and I don't see it that way at all -- at all. I feel like when we talk about trust and
transparency, fairness, legitimacy, all those things, they benefit everyone.

And -- and that there's so many things that work well in our community, they just don't work equally well for everyone. And they actually do harm to some.

And at the heart of dismantling racism is a willingness to share power and decision making. It takes a lot of courage to make people unhappy, to take a stand where some people are not happy. But it's the right thing to do.

So I really hope you will be ask courageous as our task force has been and both adopt and implement --

MAYOR KELLY: Thank you.

HOLLYDAY HAMMOND: -- the 50-point plan.

MAYOR KELLY: Thank you.

Anybody else want to comment, please raise your hand.

Jacquelyn Pardon?

JACQUELYN PARDON: Thank you, Mayor Kelly. I also --
MAYOR KELLY: Can you state your name and municipality first, please.

JACQUELYN PARDON: Oh, Saratoga Springs. I've lived here for over forty years. And I'm Jackie Pardon.

And I -- I support the task force's 50-point plan. And I also see a need for a community review board. I'd also like to add that I would like to see a checklist on the website, city website, and -- with dates and progress in each -- and maybe not all fifty points, but for whatever is pertinent.

And also encourage, even after this point, of community members perhaps sitting down in small groups with police officers. The police -- chief of police was on the task force, but I think some discussion, small groups, with you know maybe a moderator or someone -- I think that kind of thing can be valuable.

It's just -- it's an ongoing process, as someone else said.

Thank you very much.

MAYOR KELLY: Thank you.
Anyone else?

Okay. If nobody's going to raise their hand, I'm going to close the public comment period. Okay. Please raise your hand if you want to speak. I don't want to keep asking time and time again.

Heather Williams?

HEATHER WILLIAMS: Hello, I am Heather Williams and I live in Saratoga Springs. I also am the lead pastor at Saratoga Springs United Methodist Church.

And I would like to affirm and support the 50-point plan and ask for the council to seek to implement such a plan.

As a person of faith, my faith story tells me that there are pockets of time where courageous people dared to step in to implement change. And as Holly said earlier about giving power to others and sharing that willingly, transparency will build trust between the police department and the community.

Will we as leaders be courageous enough to step into that space and be the conduit for change.
MAYOR KELLY: Thank you.

Okay. Let's see. Thomas Dragon (ph.), I don't know if your name is longer than that so can you unmute, please?

THOMAS DRAGONETTE: Yeah, it's -- can you hear me?

MAYOR KELLY: Yes.

THOMAS DRAGONETTE: It's Dragonette

MAYOR KELLY: Oh, I can't -- it only says Dragon. I didn't -- I'm -- I didn't mean any offense by that. So yeah --

THOMAS DRAGONETTE: No --

MAYOR KELLY: -- I can't see your --

THOMAS DRAGONETTE: -- it's cool.

MAYOR KELLY: -- whole name. So --

THOMAS DRAGONETTE: It won't -- oh, here we go. Can you see me now?

MAYOR KELLY: I can't see you yet.

THOMAS DRAGONETTE: It's not -- I'm on my phone so it's not letting my video. Can I just talk?

MAYOR KELLY: Yes, go ahead, sir.

THOMAS DRAGONETTE: Cool, thank you.

One second.
Okay, first I'd like to thank the task force for their tireless work that they did for free to help make this city a better place for all of its people. I'll hold my thanks to the city council until you guys come to your senses to do the right thing, which we're all asking for.

I'm not going to -- I'm basically just going to quote from the executive order, for the record, and for those who have not read it, on what is supposed to take place.

Whereas government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law. And whereas recent outpourings of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concerned. And whereas black lives matter. And whereas the foregoing compels me to conclude that urgent and immediate action is needed to eliminate
racial inequities in policing to the
particular needs of communities of color
to promote public safety, improve
community engagement, and foster trust.

It then goes on to say that they
must work to create a plan to adopt and
implement the recommendations resulting
from its review and consultation,
including any modifications,
modernizations, and innovations to its
police deployments, strategies, policies,
procedures, and practices tailored to the
specific needs of the community in
general promotion of improved police
agency and community relationships based
on trust, fairness, accountability, and
transparency in which seek to reduce any
racial disparities in policing whether
that's one person or one million people.

MAYOR KELLY: Thank you.

THOMAS DRAGONETTE: So --

MAYOR KELLY: That -- that's your
time.

THOMAS DRAGONETTE: -- I'm -- I'm --
I'm not done. So this --
MAYOR KELLY: That's your time.

Sorry, that's your two minutes, sir.

Everybody's getting two minutes. We have a lot of people --

THOMAS DRAGONETTE: Okay, so accept for consideration --

MAYOR KELLY: Thank you.

THOMAS DRAGONETTE: -- switch to adopt for implementation.

MAYOR KELLY: Thank you.

THOMAS DRAGONETTE: Yep.

MAYOR KELLY: Really?

THOMAS DRAGONETTE: No.

MAYOR KELLY: Okay.

Katherine Igler -- Igler?

KATHERINE IGLER: Hi. It is Igler, thank you.

MAYOR KELLY: Thank you.

KATHERINE IGLER: I am a lifelong resident of Saratoga Springs, born and raised here, and raising my two children.

I am the director of children's ministries at Saratoga Springs United Methodist Church, as well as the director of Small Wonders Christian Preschool.
I hold a lot of lives of children in my hands, and I want them to feel safe. I feel like I voted for most of you and thought that when I voted for you, you were representing my interests and the interests of the lives of those children. And I feel like that's not true today.

This task force was put together very well by -- and includes a lot of awesome people who worked really hard to come up with some reforms that are necessary. And to keep those children in my care safe, this plan needs to be adopted by the council.

Thank you.

MAYOR KELLY: Thank you.

Kristen Dart?

COMMISSIONER MADIGAN: Hold on a second, Meg. I'm --

MAYOR KELLY: Yes?

COMMISSIONER MADIGAN: -- you know, I'm -- I am trying to listen to the public comment, I missed one or two. I'm hearing, I'm receiving text messages that say that -- and I don't even know what
this means, people are on the phone and
can't raise their hand. I -- I don't
know what that means exactly, so I do not
know how to offer technical support.

MAYOR KELLY: Well, I -- I don't
know how to do that either. So maybe
I -- I'll just read through the names. I
could do it that way and say if you want
to comment, you can comment. How's that?
Okay.

Robin, do you have something? Can
you unmute, Robin, please? It's off,
please. Just relax.

COMMISSIONER DALTON: Hey, sorry. I
was just going to say if people are on
their phones, if they just turn on their
video and wave their hand, then we will
know. If they don't have the -- the
button to wave their -- to wave their
hand, like to raise their hand on -- on
Zoom, you can just physically turn on
your video and raise your hand. And then
we'll see you and know that you want to
talk.

MAYOR KELLY: Okay, thank you.
COMMISSIONER DALTON: Thank you.

MAYOR KELLY: So if you can't get the raise your hand button, just keep your -- your video on and give me a wave. You don't have to continually wave at me, just once will do it, and I'll get to you.

So let's go back to Kristen Dart, please.

KRISTEN DART: Hello. I'm Kristen Dart and I reside in the City of Saratoga Springs.

As many of you know, I am a multi-generational Saratogian, and it was my honor to serve on this task force. I thought it was work that was needed and it was my pleasure to serve the community.

We as a task force, myself, spent hours outside of meetings making sure that we researched and had good reason for making recommendations. I know many folks on this call have spoken about the community review board and will probably continue to.
I'd like to raise two other points that I am -- hope that the city council will continue to work to move to broader acceptance of the task force recommendations.

First being militarized vehicles and weapons in the city. By the words in your own resolution, we -- the body requesting assistance maintains control of that incident. That means we were in control of the July 30th incident. And that means that if we are in control of the incident, we can command how officers are spending their time or what vehicles they are using. If that is the case, by the words in our resolution, we need to take responsibility for that and have clear plans about how that does not happen in the future.

The second piece that I'd like to raise is the no-knock warrants. They rose to prominence and awareness in our country after Breonna Taylor was killed. It is insulting to see the city council's response to that is if there's a federal
law in place -- that goes into play, then
we will tell the police chief that he has
to comply with federal law. I had many
conversations with Chief Crooks. I have
no doubt that he will comply with federal
law.

We have the ability to do that in
our city. When I had a conversation
about this at the task force meeting, the
Chief described what it takes in order to
implement a no-knock warrant. It did not
give me the confidence that it makes our
community members or our citizens any
more safe.

MAYOR KELLY: I have --

KRISTEN DART: In Texas --

MAYOR KELLY: -- I have -- I have to
cut you off there.

KRISTEN DART: Sure.

MAYOR KELLY: You've went over your
time.

KRISTEN DART: Yep. Thank you.

MAYOR KELLY: Okay.

Rabbi, go ahead. Can you unmute,

Linda, please. Yep. Just a minute. It
takes a while to find you all. There you go.

JOHNATHAN RUBENSTEIN: There you go.

Thank you.

MAYOR KELLY: You're on, yes.

JOHNATHAN RUBENSTEIN: Thank you.

And thanks to the council for considering this and thanks to great work of the task force committee.

I'm Johnathan Rubenstein, rabbi of Temple Sinai. Live in Wilton and worked in -- co-rabbi. And work -- work in Saratoga Springs.

There's no question that many individuals and institutions and segments of the Saratoga Community enjoy an excellent collaborative relationship with the law enforcement, particularly the Saratoga Springs Police Department.

And we -- we feel that adopting the recommendations of the committee would go a long way towards bringing that level of trust and collaboration to all segments of the community.

Thank you.
MAYOR KELLY: Thank you.

John Kaufmann? There you go.

JOHN KAUFMANN: Thank you, Mayor.

Let me start by applauding the work of the task force --

MAYOR KELLY: Can you state your name and municipality?

JOHN KAUFMANN: I'm sorry. It's John Kaufmann. I live at 44 White Street, Saratoga Springs, New York.

Let me start by applauding the work of the task force. They took on a challenging mission with little resources and limited time in order to address issues with policy -- policing policy for Saratoga Springs.

I support the Mayor's most recent draft that would adopt the task force recommendations.

I would, however, like to say that Chief Shane Crooks has done an exceptional job in 2020 in protecting both the public and the demonstrators. The people in our city owe him a debt of gratitude for his patience and dedication
to service.

I think it's important to put all this in context. Not a single person, either demonstrator, counter-demonstration, or the public at large has been injured under his management and under Commissioner Dalton's.

I just think that I'm all for reform, but I think some of the statements are a little on the harsh side. And really it would be nice to balance in terms of the fact we have some very, very dedicated people at the top of the police department who really maintain discipline and have ensured the safety of people in this city.

I'd just like to offer that. Thank you.

MAYOR KELLY: Thank you.

Lexis Figuero?

LEXIS FIGUERO: Yes, Lexis Figuero, Saratoga Springs, 61 Henry Street.

I just have to say that for one we are happy that the resolution got
changed. It is unfortunate that the only reason why the resolution changed in the beginning is because we organized as a community together and we came together as one, me, and the task force, MLK, and other groups, as well, in the community.

It's been said a lot of times that there's no problems in Saratoga Springs. We have over a thousand comments right there from people in Saratoga Springs who have their wives here, kids here, as well, and it's a plain show that there is a problem in Saratoga Springs.

We need a civil review board, plain and simple. We need you guys to adopt and ratify the 50 points of the plan. And the task force and community members, as well, put a lot of work into this and a lot of dedication.

In order for us to have some kind of accountability and transparency inside Saratoga Springs, we have to have a civilian review board and we can't just think about maybe doing it or how we're going to do it. We just have to do it,
plain and simple. And we're going to continue to fight for justice for Daryl Mount, as well, plain and simple. No justice, no peace. And if we want to have a good summer and we want to have a good track time, we got to have -- come together and make changes. If we don't have any changes, then protests will continue.

And also off of that guy saying off -- Shane Crooks, we can say July 30th, that they did not keep protesters safe by shooting pepper bullets at them, doing unlawful arrests, and bringing out military vehicles.

Thank you.

MAYOR KELLY: Thank you.

John Schroeder?

JOHN SCHROEDER: Thank you, Mayor Kelly.

John Schroeder, I'm a resident of the City of Saratoga Springs.

First, I'd like to thank the police reform task force members for their seven months of tireless work to create a plan
to improve our community's police.

And I appreciate the fact that the city council's new draft resolution at least acknowledges all 50 points in that plan.

However, the language in the new draft resolution says the city council accepts for consideration the task force plan. That language is meaningless. Accepting the civilian review board in principle is also meaningless.

Furthermore, the new resolution raises serious doubts about other specific plan points Chief Crooks objected to in voting on the plan as part of the task force.

The city council's role is to adopt and implement, not to give the police department a line item veto on plan points. The resolution also calls for a new committee to be established by the Commissioner of Public Safety, to assume ownership over the implementation process.

Why not instead ask our task force
members who've just spent seven months studying these very issues if they'd be willing to continue on to manage the implementation.

Lastly, the resolution would establish a second, separate committee to further study and review the obstacles to implementing a civilian review board. The resolution reads, at the end of the review period and based on the totality of the findings, the city council with input from the community will make a final determination considering the implementation of a civilian review board.

The task force has already done that work and made that determination. The city council's role is to implement the civilian review board according to the task force's specifications. The alternative is to risk losing the two million the city receives from the state as well as any pandemic relief funds that will also flow through the state.

I urge the city council to follow...
the mandate of Executive Order 203 and
adopt and implement the plan.

Thank you.

MAYOR KELLY: Thank you.

Chandler Hicken -- something --

Hickenbottom. I don't -- I don't see all
names. I see dot, dot, dot. I have
Hicken (ph.).

CHANDLER HICKENBOTTOM: Okay, yeah,
I'm sure. I think you know me, but I'll
introduce myself again.

MAYOR KELLY: Can you turn your
video on, please?

CHANDLER HICKENBOTTOM: My video is
on.

MAYOR KELLY: We're not seeing you
yet. There you go, thank you.

CHANDLER HICKENBOTTOM: Yep, you're
welcome.

My name is Chandler Hickenbottom.
I'm a local activist and lifelong
Saratoga Spring resident.

For the past ten months, I've been
in the streets of Saratoga Springs along
with other concerned Saratoga residents
demanding change. I've organized, I've protested, attended multiple city council and police task force reform meetings.

As community -- as a community member, my voice has been silenced on numerous occasions by several of our city council members. It dates back to the first conversations in June about systemic racism and then comes to a head on July 30th when Robin Dalton made the conscience decision of allowing the sheriff's department to assault myself and other residents.

This mostly black-led task force put together a 50-point plan that has been watered down and uses language that is vague and unclear, specifically, about the civil public review board. Many residents are very familiar with Daryl Mount -- with the Daryl Mount case and feel that if we already had a civil public review board like other towns, specifically Albany, who has already implemented their civil public review board, maybe we would have gotten the
accountability and transparency we needed
seven years ago. Maybe Daryl Mount's
family would have gotten the necessary
apology that is yet to come. Maybe the
mistrust between the community and the
Saratoga Police Department wouldn't be so
high.

If we were in the age of
accountability and transparency, why not
pass the 50-point plan which includes the
CPRB. Let's not drag our feet waiting
for you to evaluate, which means you're
really just going to sit there and drag
your feet until we give up. Which you
know we will not. Why not help us help
you, because in the end the CPRB not only
gives the public a voice, but it also
starts to mend the bridges between
residents and the police.

Adopt and ratify the 50-point plan.
And remember that in order to comply with
EO 203, the council's resolution must be
changed from accepts for consideration to
adopts for implementation.

MAYOR KELLY: Thank you. That's
time. Thank you.

Samira Sangare?

SAMIRA SANGARE: Samira Sangare, I'm a local activist and resident of Clifton Park.

The council needs to adopt and ratify the 50-point plan that the task force came up with for months, especially with implementing the CRB.

These changes need to be implemented with dates and deadlines, and considering it is not enough. Considering's not enough when community members on the surveys and public comments on this very call are telling you that there's a problem in Saratoga Springs just like every other town in America.

Daryl Mount embodies the mistrust in police. And like said earlier, his death is haunting on this town. We're still going to be screaming his name. And we're not safe in a town that shot pepper bullets at us, period.

So adopt and ratify the changes and
implement the CRB.

MAYOR KELLY: Thank you.

Beverly Lazar?

BEVERLY LAZAR: I can't do my video.

Oh, okay, there we go.

MAYOR KELLY: There you go.

BEVERLY LAZAR: All right, there we go.

Thank you, Mayor.

My name is Beverly Lazar. I've been a resident of Saratoga Springs for over forty-five years.

As a long time mental health professional in this community, over thirty years, I believe that improving our listening skills, improving our community skills, improving our de-escalation skills and trust building skills, can only help a community. It will help us all.

Reflection of good governance will include the adoption and the ratification of all 50 points made by the task force in their detailed and thorough work.

So I really ask you to have this be
MAYOR KELLY: Thank you.

Anyone else?

Gabrielle Elliott, please, unmute and turn your video on.

GABRIELLE ELLIOTT: Yes, my name is Gabrielle Elliott. I reside in Ballston Spa, but Saratoga County.

I just wanted to also back up what everyone else is saying on this call by changing the language, by adopt and ratify the 50-point.

But I do also want to start off by saying from the beginning, from the first task force -- well, from the first meeting presented by Robin Dalton and the Saratoga Police, we presented the problem with only a hundred people allowed on the meeting. I think a free Zoom call is not valid for a public community meeting. At this point, we're already far into things and I think there should be a paid Zoom meeting call that everyone could be a part of and sit in and not just a hundred people take turns talking. But that's
just my opinion.

MAYOR KELLY: Thank you.

Anyone else, please raise your hand.

Okay. Rebecca Krefting?

REBECCA KREFTING: Yes, thank you.

I'm Beck Krefting and I reside in Saratoga Springs.

I just wanted to reinforce some of the things that folks have said before. I am in awe of the recommendations that have been formulated and I support them.

I just want to reinforce that we have the opportunity to be in full compliance here if we move to ask the implementation group to implement all recommendations.

For instance, there are four quibbles that Chief Crooks voted no for, like the recommendation number 32, to ban no-knock warrants, banning military weapons and vehicles, diversion of seized assets, and the civilian review board.

If we do not adopt those, we will not be in full compliance. But if we do, we will be in full compliance.
I also want to say that as a queer woman living in Saratoga Springs that this is -- these are recommendations that we adopt to not only benefit our black and Asian and Latinx populations, but are queer populations, as well, as it intersects with race.

Thank you.

MAYOR KELLY: Thank you.

COMMISSIONER DALTON: I just want to say, I'm seeing a lot of people on the screen who have already commented and who aren't logging off. By not logging off and watching live, you're preventing other people from coming in from the waiting room and commenting.

MAYOR KELLY: Right.

COMMISSIONER DALTON: So I'm seeing at least ten people on my screen who have already commented. Please, please log off so everyone has an opportunity to speak up in this public comment period.

FEMALE SPEAKER: After I just said, though, we shouldn't even be doing.

MAYOR KELLY: So is anybody else
here to public comment? Raise your hand.

Winston Grady?

WINSTON GRADY: Yes, thank you.

Thank you, Mayor Kelly. Thank you members of the city council. We -- we appreciate your time.

As a former task force member, I, one, just wanted to follow up quickly with what fellow former task force member Kristen Dart had began to say with respect to no-knock warrants. Certainly, I respect Chief Crooks' take on the matter, but would like for -- for you folks to reconsider that often the no-knock warrant when seen in a racialized context, takes on an -- an added dimension. We know it's complicated, but we really, really urge you to do that.

Also, I'd like to just say this in the brief time that I -- that I have left. Just a sincere thanks to all of the community members, including fellow members of the Skidmore community -- I live in Clifton Park, but I'm a professor at Skidmore -- for your support. And
would really strongly urge you folks
with -- with all due respect, for the
resolutions that you folks passed at the
end of February, in which you took a
principled position around acknowledging
the realities of -- of -- of racism,
系统地，一个具体的途径来生活
the rhetoric around that resolution is to
adopt the 50-point plan that the task
force has brought before you.

Thank you, folks.

MAYOR KELLY: Thank you.

Daesha Harris?

DAESHA HARRIS: Hi. I'm a task
force member and I reside in Saratoga.

I think it's --

MAYOR KELLY: Can you state your
name, please?

DAESHA HARRIS: Daesha Harris.

MAYOR KELLY: Thank you.

DAESHA HARRIS: I think it's
important for the council and the
community to know that each point in our
50-point reinvention plan represents an
unseen amount of reading, research,
deliberation, compromise, and more deliberation.

Our plan does not tackle all of what we or the community would have liked. But it's a good starting point. And honestly, it's the bare minimum of what any agency should be doing.

We are very concerned about the language of the council's resolution which says multiple times, accept to consider. We want to see action words as stated in the EO, adopt for implementation.

The task force foregrounded our report with the words of Dr. Martin Luther King and Frederick Douglass for a reason. As a representative of MLK Saratoga, I'd like to lift up the words of Dr. King which not only apply to our nation, but to our city, as well.

We as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a thing-oriented society to a person-oriented society. When machines and computers,
profit motives, and property rights are considered more important than people, the giant triplets of racism, materialism, and militarism are incapable of being conquered.

A true revelation -- revolution of values will soon cause us to question the fairness and justice of many of our past and present policies. True compassion is more than flip -- flinging a coin to a beggar. It is not haphazard and superficial. It comes to see that an edifice which produces beggars needs restructure -- restructuring.

A true revelation -- revolution of values will soon look uneasily on the glaring contrast of poverty and wealth. A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching a spiritual death.

MAYOR KELLY: Thank you.

JANETTE KADDO MARINO? Janette -- Janette, go ahead and unmute. I can't see your last name.
JANETTE KADDO MARINO: Okay. Hi, my name's Janette Kaddo Marino. I'm a resident and taxpayer of Saratoga Springs --

MAYOR KELLY: Can you turn your video on, please?

Thank you. Go ahead.

JANETTE KADDO MARINO: Thank you to our task force for your hard work. The recommendation and implementation -- can you hear me?

MAYOR KELLY: Yes.

JANETTE KADDO MARINO: Okay. The recommendation and implementation of the citizen review board is long overdue. To our city council, it is important that you commit now to adopt and -- and implement the recommendation on the list. To not find excuses why you can't, but to find the courage to say, yes, we can.

Please listen to the will of the people and stand with this task force. And please help build trust and help heal this community.

This is long overdue. I'm asking
that you act for every single citizen in
this community and not just a select few.
    Thank you.

MAYOR KELLY: Thank you.

Anyone else? Public comment, does
anyone else want to speak up before we
switch over?

Chris Mathiesen? Chris Mathiesen?

CHRISTIAN MATHIESEN: Can you hear
me?

MAYOR KELLY: Yes, I can, sir.

CHRISTIAN MATHIESEN: Oh thank --
thank you, Mayor.

I'm Chris Mathiesen. I live in
Saratoga Springs. I'm the former
commissioner of public safety from 2012
through 2017.

I -- I do want to compliment the
task force for all their hard work. And
obviously they brought up a lot of very
good ideas that I think should be looked
at very carefully.

However, I -- as -- as I was going
through their recommendations, I had
problems because I did -- a lot of what I
was seeing, I didn't really recognize.

And a lot of the comments I heard tonight are very foreign to me.

The comment about bad experiences with police, in the six years that I was commissioner, we reached out to the community frequently to try to get input regarding any kind of problems with the fire, police, any of our departments in public safety.

Surprisingly, we -- we had very few complaints about the police. Going door to door, running for election year after year, I get -- I got a lot of input from public that was very, very positive about the Saratoga Springs Police Department.

And I would like to touch upon the issue of -- of Daryl Mount. We need to remember the Daryl Mount incident was not an incident of racism, it was an incident of -- of domestic violence that took place in the presence of two police officers on Caroline Street on August 31st, 2013 at 3:02 in the morning. And at 3:08 in the morning,
Daryl Mount was found at the base of the scaffolding behind what is now the Washington building, and nobody knows exactly what happened in those six minutes. But to assume that the police did something to cause his demise or cause his injury is very unfair to the police.

And the explanation that there was no investigation done is absolutely wrong. And on June 20th, 2014, there was a press conference held, Chief Veitch and I held a press conference. The press was there listening to all the evidence we presented about the Daryl Mount case. It was extensive, it included video, it included affidavits from many people, pages and pages of information. There was a very thorough investigation.

So that really needs to be made known. There's a lot of misinformation out there --

MAYOR KELLY: Your time -- thank you --

CHRISTIAN MATHIESEN: Thank you.
MAYOR KELLY: -- Chris. I -- I have

to cut you off here. Thank you.

CHRISTIAN MATHIESEN: Thank you.

MAYOR KELLY: Um-hum.

Anyone else?

You want to speak, Camille? Okay.

CAMILLE DANIELS: Oh great.

MAYOR KELLY: Go ahead, Camille.

CAMILLE DANIELS: Okay, great.

Thank you. Camille Daniels, Saratoga
Springs resident, born and raised,

longtime.

So I -- I want to have story time
today too. And it goes like -- a little
something like this.

Midnight is the hour when men
desperately seek to obey 11th
Commandment, thou shalt not get caught.

According to the ethic of midnight, the
cardinal sin is to be caught. And the
cardinal virtue is to get by.

It is all right to lie, but one must
lie with real finesse. It is all right
to steal if one is so dignified that if
caught, the charge becomes embezzlement,
not robbery. It is permissible even to
hate if one so dresses his hating in the
garments of love, that hating appears to
be loving. The Darwinian concept of the
survival of the fittest has been
substituted by a philosophy of the
survival of the slickest.

This mentality has brought a tragic
breakdown of moral standards and the
midnight of moral degeneration deepens.

It was warm outside today here in
Saratoga Springs, but it isn't June 5th,
1963. And I'm not Martin Luther King,
Jr. But those are his words, which still
today ring very true in particular in
this situation.

Can you imagine any society trying
to sustain itself in a democratic mode in
which the elevation of its heroes are the
slickest, the smartest in getting around
the law, the smartest in dominating
others, that's a sick society. Do not do
that.

Why? Why don't do that? Because
don't do that.
MAYOR KELLY: Thank you. Are --
are --
CAMILLE DANIELS: Adopt --
MAYOR KELLY: -- you done?
CAMILLE DANIELS: -- or ratify.
Thank you.
MAYOR KELLY: Thank you.
CAMILLE DANIELS: God bless.
MAYOR KELLY: Robert Lawrentz?
Robert, are you there?
JOAN STERLING: Yes, I'm here. This
is Joan Sterling (ph.). I'm a Saratoga
resident.
MAYOR KELLY: Can you put your video
on, please?
JOAN STERLING: Yep, sure.
I'm a Saratoga resident. And I'd
like to say that if any of our elected
officials are undecided about what the
residents of Saratoga support, you have
not been paying attention for the last
hour nor for the last six months.
You have a choice to implement the
mandate in the executive order as legally
required and expected by residents or you
can ignore your responsibilities.

The resistance clearly demonstrates that you are more concerned with keeping police employees happy with the status quo rather than hearing what residents and voters expect.

Further, lack of compliance with Executive Order 203 will result certainly in multiple lawsuits that will impact the tax payers.

So I implore you all to find some courage and do what the residents and voters of Saratoga are demanding.

Thank you.

MAYOR KELLY: Thank you.

D. Ferro? D. Ferro, I -- I don't have a first name. I have D, the letter D, Ferro.

MALE SPEAKER: Can you hear me?

MAYOR KELLY: I can. Can you -- I can't see you, though.

MALE SPEAKER: Yes, I am -- Your Honor, I'm yielding my time to Christian Mathiesen. Go ahead --

MAYOR KELLY: What's that?
MALE SPEAKER: -- Christian.
MAYOR KELLY: What?
MALE SPEAKER: I am yielding my time to --
MAYOR KELLY: No, there's not --
MALE SPEAKER: -- Christian Mathiesen.
MAYOR KELLY: -- there's no -- there's no yielding. I got enough people to speak. We're not going to yield anything. This is -- you have your two minutes if you want it, sir.
MALE SPEAKER: I'd like to give it to him. I want to hear what he has to say.
MAYOR KELLY: You're not -- we're not yielding any time. He had his two minutes. That's it. We're not yielding. So if you want two minutes, you're on. You're on the clock.
MALE SPEAKER: Thank you, Mayor.
MAYOR KELLY: Samantha, yes,
Samantha Engel -- Engelmyer, sorry.
SAMANTHA ENGELMY: Hi, my name is Samantha. I live in Saratoga. I'm not
going to give my address as a young woman who lives alone, but Congress Park is out my window right there, very close.

There's little left to be said that my neighbors, friends, and colleagues haven't said tonight. That the city council really needs to more seriously consider the recommendations set forth by the task force. Nearly 2000 community members completed the survey and gave their input.

But a new kind of perspective I'd like to add is Saratoga does not have a ton of young professionals. We don't have as many people in their early twenties, graduating colleges, starting their career here. And I think that that's something that would make Saratoga a lot more attractive to a lot of young professionals and a lot of young families to continue to kind of grow our economy and our neighborhood.

And a lot of people my age are very focused on police reform and making sure that the communities are safe for their
kids to grow up in. So I think that
that's just another angle to look at this
through is the more reform and work we
put into our communities, the better
quality of people we attract to our
community.

Thank you.

MAYOR KELLY: Thank you.

Anyone else? Please if you can't
put your hand up to wave, turn your video
on and wave at me if you want to talk.

Do you see anybody, Lisa?

DEPUTY MAYOR LISA SHIELDS: I don't.

MAYOR KELLY: Okay. Then we are
going to close the public comment period
at this time. And I will bring in our
city attorney, Vince DeLeonardis, to give
a brief overview of the draft resolution.

Thank you, Vince.

Can you hear me, Vince?

MR. DELEONARDIS: Yes, can you hear
me?

MAYOR KELLY: Yes.

MR. DELEONARDIS: Is my video on?

MAYOR KELLY: Yes, it is. Yep.
MR. DELEONARDIS: All right. Thank you, Mayor.

So last week, a draft resolution was presented for public review and comment. The resolution was drafted with guidance and input from every member of the city council and in consultation with the chief of police.

The resolution acknowledged the extensive work of the task force and the recommendations that were submitted for the council's consideration. It also acknowledged the efforts of the police department and the fact that many of the recommendations have already been or are in the process of being implemented and then directed the chief of police to further implement the vast majority of the task force recommendations.

The draft resolution before you this evening goes further. It accepts for consideration all of the task force recommendations and lists them numerically, including those already implemented by the Department in order to
ensure accountability, progress, and
transparency. And it sets forth the
requirements of an advisory committee
which will assist in the implementation
of the directives contained in the
resolution and will provide, together
with the commissioner of public safety,
and the chief of police, periodic
progress reporting to both the community
and the city council.

I understand from the comments this
evening that there's some consternation
with the use of the words accept for
consideration. The use of those words
was not intended to cause any
consternation, and I apologize for that.
The resolution does use that language.
It then lists all of the 50 task force
recommendations in -- in the section
titled, next steps, directs the police of
chief to review those recommendations
that are accepted and to provide for
their implementation.

There are just two recommendations
that the council is simply unable to
provide for. One of those is with regard to the DOD 1033 program, and the council just simply does not have the legal authority to preclude the county, the state, or federal law enforcement, who does happen to participate in a 1033 program from entering the city.

The other component of a recommendation that the council does not have the ability to implement is with regard to the proposal to divert seized assets. Because of the regulations in place, we simply do not have the ability to do that.

There are two recommendations that the council does call out in the resolution that requires further review. And one of those includes the one that was a large topic this evening with regard to the civilian review board. And I do want to just discuss that briefly for a moment if I may.

It should be noted that there could in theory be a civilian review board established right now, not by the mayor
as proposed by the taskforce, but by the commissioner of public safety. That board, though, would have no teeth. It would have no authority and could not exercise the subpoena power proposed by the task force or conduct what is referred to as an administrative due process hearing. And it would be inconsistent and subject to the discretion of every new commissioner of public safety that would be elected every two years.

If on the other hand, we want a civilian review board that does have authority over matters relating to discipline or potential discipline of police officers, then we will almost certainly need to amend our city charter. Because the powers which would be afforded to a civilian review board are currently afforded to an elected official, any amendment to the city charter would likely be subject to a mandatory referendum under Section 23 of the Municipal Rule Law.
In other words, it would be up to the voters to ultimately decide. If there is going to be a question on the ballot for voters, then we have an obligation to very clearly define the purpose, scope, and function of a civilian review board so that the voters have a true understanding of exactly what they are voting for and can therefore make an informed decision.

We also have an obligation to inform the voters of the potential costs associated with implementing such a board as they will ultimately bear the costs as taxpayers.

They will also likely be required to bear the costs to defend any litigation which may arise in the implementation of a civilian review board. And before we expose them to that, shouldn't we ensure that we have made every effort to confirm that such a board does not want afoot of state law or contractual obligations.

The resolution before you this evening does not abandon or dismiss the
idea of a civilian review as some are suggesting. It fully accepts the task force recommendation in principle and calls for an evaluation of the potential legal issues, union issues, and city charter issues, and to further assess the process, scope, and funding requirements of implementing a civilian review board. Such a call for further evaluation is not dismissive, it's responsive and appropriate.

The civilian review board as proposed by the task force does leave certain questions that warrant and deserve clarification. And we can get into that further if you would like, but I do want to give you the opportunity as council to discuss the resolution. And I am happy to answer any questions you may have.

MAYOR KELLY: Thank you -- thank you, Vince.

Does the council have any comments or questions about the resolution?

COMMISSIONER DALTON: Mayor, I just
have one comment. And Mayor Kelly, I apologize if this is something you were going to bring up.

I received well over a hundred emails of people who were in support of the police department and against the idea of a civilian review board. And although they did not speak up in public comment tonight, I would hope that as a council those are submitted and put on the public record so that they can be viewed by everyone because --

MAYOR KELLY: Yeah.

COMMISSIONER DALTON: -- I mean --

MAYOR KELLY: Yeah, Commissioner, they -- they went through a public comment record so our secretary on this call will attach those -- all of those emails to the record. Yep.

COMMISSIONER DALTON: Excellent. Thank you. I just think it's important that all voices be heard.

MAYOR KELLY: Yes, I agree with you.

Thank you.

Any other comments?
COMMISSIONER FRANCK: Mayor, I'd bring up that we just pass it as is. I know you and I totally disagree on this. I did -- I did meet with Vince, as all of us did, and with the -- with the police chief. I don't know if Vince and the police chief also met with the co-chair people of the task force before either resolution was brought out to go through some of these items.

You know, you got two Ivy League graduates, people of color, we have thirteen members on the board, twelve of which who could vote, nine of them are of color. I think we're missing the point here. I think we pass it as is and if there's legal ramifications, we'll figure that out. We have an ethics board that when I was -- that had been around forever, but we had strengthened and gave them subpoena powers back in 2006. And then a couple of years back, I think Skip and Michele were here, we -- we did some additional powers to the ethics board.

So I -- I believe this is happening...
all through the state and all through the United States. So I don't think this needs to be held up for a referendum at the end of the day. And I think it's going to cause more problem than it's worth.

To me -- and I did receive a bunch of those emails, most of the people didn't live in the city, or they were relatives of police officers, because I know many of the people because I grew up with them. I saw some of -- I saw the letter from the chief today and from the district attorney an all that.

But I think it's pretty clear -- I -- I don't know if we're living in a vacuum here, but I think it's pretty clear to me, at least, that people want this. Maybe -- maybe I'm viewing this the wrong way, but this is not -- this is not brain surgery. It's obviously things are going to change, they'll get updated, laws will be out there. But I think you're going to see this throughout the United States and throughout most cities
throughout New York State. And I would rather be in the forefront of moving forward on this because I do think we have a great police department. And I think this will work out very, very well at the end of the day.

And you know when I look at the members of the task force, because we talk about team, and I'm not a team member I've been told, this is the team that we put out on the field, we all had choices here of who we put here. And I'm very proud of the two members I put here. And I -- unless there's a city council member who's not happy with their choice, I'd like to hear about it because -- and I -- and I -- actually I think it's a very moderate proposal compared to other ones I have looked at.

So I think that's where I am. I had asked to have the two chair people sort of do a presentation so they could give their point of view. I was denied that, that's fine. One of them did speak tonight.
But I'm very proud of this group, as I know all of you should be and are. And I -- I -- I think if we're going to get in legal wrangling of -- of item number 32 and item number this and item number that, I think we're missing the point. This -- this -- this can be cleaned up as we go. It's -- but I don't think we -- we -- we wait on this. I think we move forward next week when we vote on it.

But again, I'm only twenty percent of this council. Thank you.

MAYOR KELLY: So Commissioner, I just want to comment that I did send an email to both chairs, and I only heard back from Jason Golub. So I was told that Camille Daniels did not want to help out with questions on this call. So if anybody has any questions, Jason Golub is available. If -- if anybody has questions.

So I did reach out. I know who was in this task force. They've done a great job. We have one of the best task force put together in the state. So I'm going
to tell you we didn't do it like other municipalities.

COMMISSIONER FRANCK: Okay.

MAYOR KELLY: So I don't need to be told about who's on the task force. I think we all put the best people on that we thought.

COMMISSIONER FRANCK: Well then you made my argument for me for just the vote as is. Because I agree with you. This is --

MAYOR KELLY: No, it's not the argument.

COMMISSIONER FRANCK: -- the best.

I believe it's --

MAYOR KELLY: It's just you're trying to tell me, Commissioner, about who was on the task force. It's a little late. I mean, you sat in a meeting with our city attorney, sir, and --

COMMISSIONER FRANCK: Yes, and did --

MAYOR KELLY: -- you didn't have anything to say about the resolution.

COMMISSIONER FRANCK: I --
MAYOR KELLY: You said you're fine with it. So that is -- that's where we had -- the rub -- the rubber hits the road.

COMMISSIONER FRANCK: No, the rubber --

MAYOR KELLY: I mean, you sit there and now you're --

COMMISSIONER FRANCK: The rub with the road --

MAYOR KELLY: -- gonna talk to the newspapers and you don't even talk to the council. So we have some big issues here.

COMMISSIONER FRANCK: Yes, we do.

MAYOR KELLY: And you can sit there all you want, and you can just keep interrupting me, but I'm going to tell you, John Franck, that you have not talked to me at all about this. You go to Wendy Liberatore and you -- you spew off in the paper. So let -- let's try to be a team player. Yeah, you're on the -- you're on your own team.
COMMISSIONER FRANCK: I -- I --

MAYOR KELLY: You know, the rest of this council has been working on this.

COMMISSIONER FRANCK: You done yet?

MAYOR KELLY: I am done, thank you.

COMMISSIONER FRANCK: So what you should have done --

MAYOR KELLY: Okay, tell me what I should have done. Really? Really, John? Tell me what I should have done. What have you done?

COMMISSIONER FRANCK: Can I speak or are you just going to keep cutting me off?

COMMISSIONER DALTON: I'd like to respond as well.

COMMISSIONER FRANCK: Let me just -- let me finish and you guys can all yell and scream after. But let me just --

COMMISSIONER DALTON: Hold on, let me speak. I'm going to speak now too.

You went through the first draft resolution and sat with the city attorney and the chief of police and you agreed with everything in the first draft of the
COMMISSIONER FRANCK: No, I did not.

I listened to them --

COMMISSIONER DALTON: Yes, you did.

COMMISSIONER FRANCK: -- I didn't agree --

COMMISSIONER DALTON: Yes, you did.

COMMISSIONER FRANCK: -- no, you weren't there. Don't tell me what I said.

COMMISSIONER DALTON: Let me finish.

Let me finish. You also had an opportunity for -- there were text messages, there were emails, you had an opportunity to speak up about draft number two. You said nothing. You said nothing.

All you're doing is talking to the press and that is detrimental to this entire process. If you had negative feedback, critical feedback, if you wanted things to be differently, you had multiple opportunities to address this council. And instead you spring it on us tonight.
And I also find it beyond ridiculous to hear anyone say that Commissioner Franck is, you know, exempt from all this criticism because I've been here since January 2020. You were here when the Daryl Mount incident happened. I don't recall you making any effort to put together a civilian review board or address police reform in the last, what, seven or eight years since that happened.

So I -- I find it incredibly ironic to hear those kind of statements. You've had every opportunity to work on any one of these issues over the last many, many years that you've been in this position or in the last two or three weeks. And I've heard nothing.

COMMISSIONER FRANCK: I got a call from --

COMMISSIONER DALTON: Nothing.

COMMISSIONER FRANCK: -- I got a call from Wendy Liberatore before I even had the second resolution in my hands, just so you know. Because I didn't -- it was a text sent out early in the morning.
I put my kids on the bus and she gave me a call. And I explained -- and you can call Wendy Liberatore. I know you won't, Mayor, but you can call her.

MAYOR KELLY: I -- I hope --

COMMISSIONER FRANCK: And I had --

and I was very clear --

MAYOR KELLY: -- I won't for good reason --

COMMISSIONER FRANCK: -- and I was very --

MAYOR KELLY: I won't for good reason --

COMMISSIONER FRANCK: -- I have the floor now.

MAYOR KELLY: I won't for good reason.

COMMISSIONER FRANCK: I was very --

MAYOR KELLY: There's a big reason why I won't talk to Wendy Liberatore.

COMMISSIONER FRANCK: I was very --

MAYOR KELLY: So -- so you can say what you want, John, I --

COMMISSIONER FRANCK: I can't say what I want --
MAYOR KELLY: -- I really don't care.

COMMISSIONER FRANCK: -- you won't let me speak for God's sake.

MAYOR KELLY: You have nothing to say.

COMMISSIONER FRANCK: Okay. So the -- I had -- I was very clear to her I had not read the -- it was just sent out. I had not even read the second resolution. And she said are you going to support the -- would you have supported the first one. I said, well, obviously there must have been an issue if the second one has come out, so, no, I could not have supported the first one, is what I said. But I said I have not read the second resolution yet, so, Wendy, I can't give you a comment on that because I don't have it in hand.

After I read it, it was a dog with different fleas. It's still the same thing --

COMMISSIONER DALTON: Well this is the priority of the council --
COMMISSIONER FRANCK: -- and now
that I'm speaking about it, you're
telling me that I can't speak about it.

COMMISSIONER DALTON: You should
prioritize --

COMMISSIONER FRANCK: You can yell
and scream and send emails and do
whatever you want. I'm just giving you
my point of view. And my point -- I --
I'm still allowed to vote. I don't need
your permission how I vote. And I'm
going to vote to pass what this -- what
they put through. I don't think we need
to make changes. I think it's a simple
resolution. And that's just me. If
other people don't vote, I'm not going to
yell and scream and threaten you. Vote
however you want. That's how --

MAYOR KELLY: Great. Thank you,
Commissioner.

Anybody -- any other comments?

COMMISSIONER DALTON: Yeah, I would
like to say one -- one quick thing.
Which is I think that if you don't know
Saratoga and you don't know our police
department and you've heard the comments here tonight, the police department that we have has been really maligned by a lot of this at first glance. And I just want to say since I've been serving this position since January 2020, I have seen some of the finest men and women you could imagine working in our police department. I am incredibly proud to represent them.

Every group, every agency, every business has room for improvement. Of course we always want to strive to do better. But I think we have one of the best police departments in the region, if not the state. And there is plenty of evidence to back that up.

Just looking at the use of our body cameras alone, we have had a body camera policy in place since 2012. We have been so ahead of the curve on so many of these issues. And I know this isn't a moment to compliment the police department and sing their praises, but in light of all the negativity that has been spoken about.
them and said tonight, I think someone has to. And if that person is me, it should -- it should be me. I'm elected to represent them in my department.

And I just have to say I am incredibly proud of the men and women of this police department, how they've handled these conversations, how they've been able to manage listening to all of this negativity over the last several months, and still they're willing to embrace change and do better.

And I want to give them credit for that and let the community know that you have men and women who are devoted to your safety and being the best they can for this community. And I thank them for that every single day.

MAYOR KELLY: Thank you, Commissioner.

Any other comments?

MR. DELEONARDIS: Mayor, if -- if I may, just for one quick second.

Commissioner, the only -- just on the substance of what you were referring
to a moment ago with regard to the ethics board and the council giving them the ability to subpoena. You -- you -- you are absolutely correct in that, in that the city council did give the ethics board the power to issue subpoenas.

That's -- that's a different issue than what we're dealing with here for a proposed civilian review board. In the instance of an ethics board, the council didn't abolish, transfer, or curtail the power that's otherwise afforded to an elected official in order to give that power to the ethics board. In a civilian review board, it would, in so far as the commissioner of public safety does have jurisdiction and authority over all matters relating to the discipline of officers.

So in order to give a civilian review board the powers that you equate to the ethics board, you would necessarily have to take those powers from the commissioner of public safety.

And in order to take those powers from
the commissioner of public safety, the
city council would have to pass a local
law. And under Section 23, that local
law would be subject to a mandatory
referendum.

COMMISSIONER FRANCK: Vince, I've
got to believe with other, right, because
we have an odd form of government, as we
know --

MR. DELEONARDIS: Yes.

COMMISSIONER FRANCK: -- right. So
there's only Mechanicville, two cities in
the state.

I have to believe -- and a matter of
fact, in Mechanicville, I think the
mayor's in charge of the -- of the
police. It's not -- it's not public
safety with my review on it years ago.
That other charters very clearly state
that the mayor or somebody elected is in
charge.

I'm -- I would be shocked if every
one of these municipalities, all the ones
in New York City, all the way around, are
now saying this has to go to referendum.
It just doesn't make any sense to me.

Now if I'm wrong, then that's fine. I still don't know why we can't put the civilian review board ahead, get it started. And so maybe they don't have civilian powers, maybe they're just a paper tiger to start, but why do we not just get this forum going and -- and then you can always put this up to referendum if we find out from guidance, you know, from -- from the mayors through the state that we can't do it, then that -- that's cool, I get it. I'm not trying to -- you know, I don't think the charter police are going to come after us.

But I do think to do it the other way around is just going to take a year or years to do such. And that -- that was -- even when I met with you because Robin was not in the meeting, and I did agree with most of the things that you stated. And -- and -- and I told you the issues that I was concerned about, including this because we talked about referendums, permissive referendums, and
whatever.

And when I did get called -- like I said, called from Wendy Liberatore, I didn't -- hadn't even read the second one yet. I got a text at like 8 o'clock in the morning --

COMMISSIONER DALTON: That's so embarrassing to admit --

COMMISSIONER FRANCK: Can I finish, please?

COMMISSIONER DALTON: Go ahead, finish.

COMMISSIONER FRANCK: You can go on forever once I -- just let me finish.

So what I'm saying is why don't we take this as it is. You can put subject to federal, state, local laws, you know, or something like that because I -- I don't -- that -- that's just my whole point.

It seems clear to me that overall this is what people -- I didn't hear anybody -- maybe one or two people say anything negative about the police. This is -- I think the lady said it best, who
says, I'm an accountant, I still get reviewed by this, I get reviewed by that, I get reviewed by this. That -- you know -- and it may not be used very much because I do think the police do a great job here.

But that's -- I just -- if this is the case, I don't know how they could even put this order out, 203, because there's charter for every city. And I got to think there's somebody in charge of public safety that's elected in many of those cities. Some of them probably not because they have, like, police officials and stuff like that. So, I mean --

COMMISSIONER MADIGAN: Right.

COMMISSIONER FRANCK: -- that --

that's what I'm saying.

MR. DELEONARDIS: You are seeing -- you are seeing different municipalities that have already implemented a civilian review board. Some of them, in fact, go through charter changes or amendments to allow for this. And some of them, in
fact, going through referendums.

And I know -- and I reviewed Ed --
Ed Lindner's letter that he submitted
making reference to, for example, the
City of Schenectady that's gone through
this. And you know, they -- they -- you
know, not to overstate the obvious, but
the City of Schenectady and the City of
Saratoga Springs are very different. And
we are unique, for better or for worse,
in our form of government, our commission
form of government. Schenectady, their
commissioner of public safety, is simply
appointed by the mayor. So the
legislative body has greater ability to
direct that department.

Here, the commissioner of public
safety is a duly elected official, and
their powers are -- are vested in the
charter. So you know, again, the --
we -- the resolution does not dismiss the
idea of a civilian review board and it
does accept it in principle. It just
calls out, we have to -- we have to make
sure that we adequately review all of
these things and that we also clarify a
lot of the issues, a lot of the questions
that are raised in the civilian -- in the
task force's proposal for a civilian
review board before that submission goes
forward on a ballot. You know, there's
questions that need to be answered and
there are determinations that need to be
made on funding. You can't just say
you're going to implement something
without answering those questions.

COMMISSIONER DALTON: I just -- I
have a question. Do we know how many
people came -- when there was a citizen's
advisory board, do we know how many
complaints they handled in the year plus
that they were created? Because I've
spoken to some of the members of that
citizen's advisory board and -- and to my
knowledge, no one came before them with a
complaint.

I also just want to point out that
I, as opposed to other commissioners,
have done a lot of research into this
issue of a civilian review board. And
I'm not speaking for or against, but I just think it's important to point out that throughout the state, the overwhelming majority of civilian review boards have disbanded or fallen apart or been failures.

And I think that we really need to look at what's worked throughout the state and what hasn't worked if we are going to implement this in a way that we want to be successful for the entire community.

I also just have to say that I'm embarrassed to hear that someone would treat a resolution and an issue like this and be so lackadaisical about it they'd be willing to talk to the media before actually reading the email that has been presented to them with a resolution of this significance. I'm truly embarrassed to hear that from another city council member. And I hope that we -- we can do better as a group and prioritize things like this that are incredibly important to the entire
community.

COMMISSIONER FRANCK: I --

MAYOR KELLY: Thank you --

COMMISSIONER FRANCK: -- it's not

hard --

MAYOR KELLY: -- Commissioner.

COMMISSIONER FRANCK: -- it's not
difficult.

MAYOR KELLY: Commissioner Madigan, would you like to speak?

COMMISSIONER MADIGAN: Yeah.

MAYOR KELLY: Thank you.

COMMISSIONER MADIGAN: So anyway, I

am just not sure what we are all
disagreeing on. If there is some

confusion around accept for

consideration, I had -- I heard that

comment come up from public comment, and

I heard Vince address what he means by

accept for consideration and

implementation.

I think we are all saying we want to

address -- implement, take, accept, look

over the 50 recommendations that were

sent to us from the task force. I like
the first resolution, and I like the
second resolution. I -- I can't figure
out what we're disagreeing on.

We were -- we said in the first one,
maybe a little too broadly, like, here's
all the things that we do right now, and
here are the -- we -- we zoned -- we kind
of zoned in on the four that we busted
out here in the second resolution with
the -- the -- the 50 recommendations
outlined. You know, now we're being a
little bit more specific and saying we --
we want to accept and implement these.
But it is going to be based on certain
state laws, county law, local laws.

We may indeed be able to amend a
local law to say we don't want to have
no-knock warrants here in the City of
Saratoga Springs. And things are done
based on appropriation. And I want to
make sure that if we're asking our police
department to do something, that we are
indeed going to make sure they have the
funds to do it.

And I don't think that's a big,
heavy lift. This is just about
priorities, right. If this is a document
that we prioritize and we want to accept
for implementation, then we're going to
have to put the money behind it to make
sure that they're able to do their job.

And in terms of the community -- the
citizen's review board, I think we're
saying we want to do this, you know. I'm
sorry to the 100 people who emailed us
today, but we're saying it needs a
further review. And we haven't figured
out what that further review is going to
look like.

I've heard from one attorney we
shouldn't have to go to referendum. I've
heard from another attorney that says we
may indeed have to go through referendum.
There may be a way around it, there may
be a paper tiger that the commissioner of
public safety could set up while we're
looking at a timeline if it has to indeed
go to referendum.

But I just can't figure out what
we're all disagreeing about. Like, how
is it that Commissioner Franck, you're --
is some out -- out on an island all by
himself, and I guess the four of us have
been sort of put on an island over here.
The four of us, I guess, we're not alone
on our island, but I just -- I'm not
understanding -- I think we're all in
agreement that we want to accept the --
these recommendations from the task force
that did their job.

I don't know what else to say. I --
I need more thought. This got a little
heated tonight, and I'm not really
prepared to present the way maybe I would
have normally wanted to present by
thoughts and comments on this.

MR. DELEONARDIS:  If I may,
Commissioner? I --

COMMISSIONER MADIGAN:  Yeah.

MR. DELEONARDIS:  -- I wait -- you
know, I -- following this meeting and
based on what we heard from the public
and what I'm hearing from council, I will
provide clarifying language with regard
to that accept for consideration.
At the end of the day, you're making a valid point in that the council really is accepting all 50 of these recommendations subject to the limitations that have been identified. If you appreciate in the next steps section, that the implementation is still subject to compliance with applicable laws, rules, and regulations, and budget appropriations, in theory, there would be no issue with accepting the -- the -- the 1033 DOD ban because it wouldn't be alternately implemented. There is no issue with accepting the recommendation with regard to the diversion of seized assets because in the implementation part, the rules and regulations would ultimately prevent it from being implemented. So --

COMMISSIONER MADIGAN: Exactly.

MR. DELEONARDIS: -- at the end of the day, you can, of course, accept all of the recommendations as written. Just understand that you'll be addressing
these very same issues that were called
out in resolution in the implementation
stage.

So at the end of the day, the issue
is still there. It's just when are you
going to address it, now in the
resolution, or subsequently when we're
dealing with the implementation.

But you're making a valid point and
I will, for the council's consideration,
change the language with regard to accept
for consideration to accept.

MAYOR KELLY: Thank -- thank you.
I'd like to ask Commissioner Scirocco if
you have anything that you want to add to
this.

You -- you have to unmute, sir.

COMMISSIONER SCIROCCO: I -- I know.

Sorry. Okay, we're good.

MAYOR KELLY: Yeah.

COMMISSIONER SCIROCCO: Okay, good.

Thank you. Yeah.

Listen, this has been a real -- real
good discussion tonight, real good
comments from -- from the public. No
surprises, I guess, you know, I mean in regards to, you know, what people really -- what they want, what -- I think what they're asking the council for.

But I'm a firm believer in, you know, measure twice, cut once. I mean, this is something that I think we can -- no council member should -- should obviously take lightly. And I think everybody's put a lot of thought into it.

I think -- you know, I've worked for public safety for -- for thirty-two years and I can tell you, it's an exemplary police department. I mean, yes, there are some people in -- in the -- you know, in the law enforcement field that probably shouldn't be there. But I can tell you from my experience with -- with the Saratoga Springs Police Department, they're the best. They're the best. And that's why people come to this city. That's why people, you know, want to move here. It's -- it's safe. It's -- it's a clean city.

And I mean this -- this resolution,
I'm going to say, probably longtime coming. I mean, systemic racism, there's no place for that in -- in any community anywhere in the world. It exists, I know it exists. And I think this is a real good step, you know, forward to -- to eliminate that sort of situation.

Again, I applaud the -- the task force for doing what they did. It's -- it was a tough job. They got into it, basically with -- you know, with no resources as one of the speakers spoke about. But it -- it's a good resolution.

I think it's, you know, the other part is a journey of a million miles starts with a single step. This is someplace that we need to start. We got to have a starting point. And I think this is a good starting point.

It was put together, not by the city council, it was put together by an independent group thinking independently. And again, I applaud -- I applaud everything that they did. And I think moving forward, I think we'll -- we'll
probably come to the right decision here.

MAYOR KELLY: Thank -- thank you, Commissioner.

I think, you know, Vince will kind of rework it again, right? And we'll -- we'll see if we can get another draft out. And we'll circulate that to the council. And then if the council can get back to us and let us know your thoughts, then we'll post it for the public and then we'll have one more meeting next week. And we'll have public comment again. And we'll go from there.

Any other questions or comments from the council?

COMMISSIONER FRANCK: Yeah, I just want to bring -- Vince, would it make sense, because you're an attorney, to reach out maybe -- I think Jason Golub is an attorney also, Kim Galvin's an attorney on there. Wouldn't it make sense as you're going through this just -- because if they agree with you that this can't be done without a referendum, if they're in the same
legal -- they both have legal backgrounds in this. Then I think it just makes it a lot easier to then pass a resolution that has this type of wording in it. By reaching -- instead of us doing this inside a bubble here, with just the city council and sitting with the police chief, I just think it makes a lot more sense because, hey, I've been through enough lawsuits since I've been in City Hall, and there's always two points of view. And two attorneys -- it's like the weather, neither side's right, but everybody gets paid.

Would it make sense to -- to -- to reach out to Jason, if he's willing, and I've never met the gentleman, I've never spoke to him, to reach out to him and say this is how I'm reading it, this is our interpretation, you know, with legal at City Hall and -- and see if there's a mechanism to get them to be in agreement with that or not. Because I just think it makes it a lot easier for everybody.

MAYOR KELLY: Well, I --
COMMISSIONER FRANCK: Do you think --

MAYOR KELLY: -- I think that that can happen, Commissioner. I think that we can ask Kim Galvin, who's an attorney, and Jason Golub, who is an attorney, to sit down with Vince and --

COMMISSIONER FRANCK: Yeah.

MAYOR KELLY: -- see if they could work through it. Yep.

MR. DELEONARDIS: Yeah, you're not --

COMMISSIONER DALTON: Just to point out, though, that if anyone -- if you had been at the task force meetings, both Kim Galvin and Jason weighed in extensively on all these issues. So I'm not sure why we're asking them to do that again.

So Commissioner Franck, I would recommend that you go back and watch some of those meetings because --

COMMISSIONER FRANCK: I -- I had been watching them, Commissioner. And with all due respect, they put forth a plan and they did all their homework.
And I'm saying go with their pan.

We as a council, apparently, are saying not to go exactly with their plan.

So --

COMMISSIONER DALTON: No one --

COMMISSIONER FRANCK: -- I'm going based on your recommendations, so I would say you go back and watch it.

COMMISSIONER DALTON: I just --

MAYOR KELLY: Let's -- let's --

let's just stop --

MR. DELEONARDIS: If I can --

MAYOR KELLY: -- at this point because I think that -- you know, I think, Vince, you have a plan going forward --

MR. DELEONARDIS: Yeah, I do.

MAYOR KELLY: -- you can meet with all the Commissioners and myself and we'll discuss this.

MR. DELEONARDIS: Okay.

MAYOR KELLY: I see Commissioner Madigan with a hand up, yes?

MR. DELEONARDIS: And just if I can -- I'll try --
COMMISSIONER MADIGAN: Vince, you know, I'm happy to help reach out -- am I on mute?

You know, we can talk to a number of lawyers if we need to, you know, we will get an answer to this question.

MAYOR KELLY: Right.

COMMISSIONER MADIGAN: There's plenty of legal minds that we can consult and figure out, like, how we can move forward the best way we --

MAYOR KELLY: Right.

COMMISSIONER MADIGAN: -- you know, through referendum, through not referendum.

MR. DELEONARDIS: Okay.

COMMISSIONER MADIGAN: I -- I did want to pick up on something Commissioner Scirocco said, actually, because -- because it just touched a nerve with me in a positive way.

It's true, we live in a good city. We've got good schools, it's a safe city. We've got great water, we've got a very good hospital. There are -- you know,
we've got great arts, education, entertainment, culture here. And one of the things that does make it work is that we really are a safe city. And so with that, I know -- I -- you know, I want to say thank you to our police and fire department also for, you know, keeping us so safe.

I think it would be wrong to leave this meeting and not point out that they do do a great job. But we have a big job in front of us and that is to accept the recommendations that we're given to us from the task force and figure out how we are going to go about implementing them.

And I think that that -- we are all in agreement on that, so I'm not sure, you know, why we have some much consternation.

MAYOR KELLY: All right.

COMMISSIONER MADIGAN: But we do, so we'll get --

MAYOR KELLY: I think --

COMMISSIONER MADIGAN: -- we'll go forward, so --
MAYOR KELLY: Thank you, Commissioner. I think that at -- at this point, I'm going to turn it over to Vince, your last comments. And then I'll wrap it up.

MR. DELEONARDIS: Yeah, thank you. I -- I just want to say that, you know, the -- the task force, I'm very proud of them, as well. I was very proud to be a part of that even as a non-voting member.

On the issue of the civilian review board, they did do an extensive amount of work. The depth of the analysis did not go into comparing the proposed civilian review board with the city charter. There are other issues that just need to be confirmed.

Again, I'm not taking a position one way or the other with regard to civil service law. And make sure that we are proposing something that does -- not necessarily doesn't conflict with the union contracts, but just identifies the areas of the union contracts that we
ultimately are going to have to
renegotiate.

You know, those issues are going to
have to be addressed. And those things
are called out in the period of further
review that will be provided for when the
Mayor on or before June 1st, so there is
a deadline which this -- this will occur,
but she will appoint a committee to
undertake this particular evaluation and
to review the specific civilian review
board proposal to address the issues that
are contained in their -- in their
language, as well.

MAYOR KELLY: Thank -- thank you,
Vince.

At this time, I don't -- I don't
think we need to discuss any more. We
have a plan.

Vince will, you know, do some
rewrite and then we'll circulate that and
meet with the -- the council. And then
we'll meet again next Wednesday, the
31st. And we are voting that night, so
that is going to happen because we have
to get this submitted in April 1. Okay?

COMMISSIONER DALTON: Thank you.

MAYOR KELLY: All right. Thank you all and have a good night.

COMMISSIONER MADIGAN: Thank you.

MAYOR KELLY: Thank you for all your input.

MR. DELEONARDIS: Good night.

(Meeting adjourned)
CERTIFICATION

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

____________________________
Amanda M. Oliver

eScribers
352 Seventh Avenue, Suite #604
New York, NY 10001

Date: March 29, 2021

Approved: 4/6/2021

Vote: 5 - 0