



April 18, 2023

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
Saratoga Springs, New York

7:00 PM

- P.H. - 6:30 PM – 2023 CDBG Annual Plan Recommendations – (Mayor’s Agenda No. 9)
- Amendment to 2022 CDBG Annual Action Plan (Mayor’s Agenda No. 8)
 - Local Law No. 3 of 2023 – UDO No. 3
 - Amend2023 Capital Budget for Saratoga Springs Recreation Department (Mayor’s Agenda No. 16)

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. County Deceased Veteran Presentation
2. Open Space Plan
3. Special Events with Chamber of Commerce and Discover Saratoga

CONSENT AGENDA

1. Approval of 3/31/2023 Pre-Agenda Meeting Minutes
2. Approval of 4/4/2023 City Council Meeting Minutes
3. Approval of 9/6/2022 City Council Meeting Minutes
4. Temporary Outdoor Dining Permit Approvals
5. Approve Payroll 04/14/2023 \$457,115.50
6. Approve Payroll 04/07/2023 \$690,563.54
7. Approve Warrant 2023 23APR2 \$1,323,625.06
8. Approve Mid-Warrant 2023 23MWAPR2 \$830,044.40
9. Approve Mid-Warrant 2023 23MWAPR1 \$20,001.05
10. Approve Budget Transfers - Regular
11. Approve Budget Amendments - Regular

MAYOR'S DEPARTMENT

1. Proclamation: Willard Chamberlin Day
2. Announcement: Saratoga Springs Recognized as 2022 Tree City USA by Arbor Day Foundation
3. Proclamation: No Mow May
4. Announcement: Public Comment Period for Open Space Plan: April 18 – June 20, 2023
5. Set Public Hearing: Open Space Plan
6. Announcement: Cannabis Policy Workshop for City Council April 27 at 6 p.m.
7. Discussion and Vote: Resolution Banning No-Knock Search Warrants
8. Discussion and Vote: Approve Substantial Amendment to the 2022 CDBG Entitlement Action Plan
9. Discussion and Vote: Approval to Adopt Civilian Advisory Committee Recommendations for 2023 CDBG Funding
10. Discussion and Vote: Authorization for Mayor to Sign Addendum Six to Visitors Center Management Agreement
11. Discussion and Vote: Ratification of Authorization for Mayor to Execute Teva, Allergan, CVS, Walgreens and Walmart National Opioid Settlement Agreement
12. Discussion and Vote: Resolution Approving Additional Counsel Expenses – Robin Dalton
13. Discussion and Vote: Authorization to Pay Goldberger and Kremer Invoice in Amount of \$2,839.00
14. Discussion and Vote: Approval of 2023 Camp Saradac Trips and Programs
15. Discussion and Vote: Authorization for Mayor to Sign the 2023 State of New York Department of Health Renewal Application for a Permit to Operate Camp Saradac
16. Discussion and Vote: Capital Program and Budget Amendment for Outdoor Multi Use Sport Court Area Utilizing Subdivision Recreation Fees
17. Discussion and Vote: Authorization for the Mayor to Sign a Contract with Kompan, Inc. for the Outdoor Multi-Use Sports Court Area

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Waive Fees for Cantina Fun Run
2. Discussion and Vote: Waive Fees for Team Billy
3. Award of Bid: Auditing Services to BST & Co., CPAs, LLP
4. Award of Bid: Extension of Bid – Labor and Employment Legal Services to Goldberger and Kremer
5. Set Public Hearing: Amend Chapter 136, Article IVA of the City Code, Temporary Outdoor Dining End Date
6. Announcement: Grievance Class is May 9, 2023 and Grievance Day is May 23, 2023
7. Announcement: Business Milestones
8. Announcement: Special Events

FINANCE DEPARTMENT

1. Announcement: Update on City Finances
2. Announcement: Participatory Budgeting Informational Workshop, April 25 6 p.m. in Dutcher Community Room of Public Library
3. Discussion and Vote: Authorization for Mayor to Contract with Keeper Security, Inc. for Cloud Based Internet Password Security
4. Discussion and Vote: Authorization for Mayor to Sign Contract with BST & Co. CPAs, LLP for Auditing Services
5. Discussion and Vote: Use of Insurance Reserve Resolution
6. Discussion and Vote: Use of Insurance Reserve Resolution
7. Discussion and Vote: Use of Reserve Resolution – Subdivision Recreation Fund
8. Discussion and Vote: Budget Amendment – Capital
9. Discussion and Vote: Budget Amendments – Fund Balance
10. Discussion and Vote: Budget Transfers - Contingency
11. Discussion and Vote: Budget Transfers – Payroll & Benefits

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Contract with Cyncon Equipment for the Purchase of a Vactor Truck
2. Discussion and Vote: Authorization for Mayor to Sign Contract with Joe Johnson Equipment for a Pelican Dual Street Sweeper
3. Discussion and Vote: Authorization for Mayor to Sign Contract with Milton CAT for Snow Blower Parts
4. Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone for Asphalt
5. Authorization for Mayor to Sign Contract with Pace Analytical for Laboratory Services
6. Discussion and Vote: Authorization for Mayor to Accept the Donation of Services from Bonacio Construction, Inc. to Assist in Maintenance of the Woodlawn Parking Garage
7. Announcement: Caroline Street Sidewalk Project Update

PUBLIC SAFETY DEPARTMENT

1. Announcement: 2022 Fire Department Annual Report
2. Discussion and Vote: Authorization for the Mayor to Sign a Contract with Municipal Emergency Services (MES)
3. Discussion and Vote: Authorization to Pay Invoices to CHA Consulting, Inc. Totaling \$10,400
4. Announcement: Status of the SAFER Grant

SUPERVISORS

Matt Veitch

1. County STOP-DWI Funds
2. Saratoga County Sewer Commissioner
3. SelectUSA Conference May 1-4, Washington D.C.

Tara Gaston

1. Public Health Update
2. Saratoga County Sewer Facility
3. Public Forum

ADJOURN



April 18, 2023

CITY OF SARATOGA SPRINGS
City Council Meeting
474 Broadway
Saratoga Springs, New York

7:00 PM

PRESENT: Ron Kim, Mayor
Minita Sanghvi, Commissioner of Finance
Dillon Moran, Commissioner of Accounts
Jason Golub, Commissioner of Department of Public Works
Jim Montagnino, Commissioner of Department of Public Safety

STAFF PRESENT: Angela Rella, Deputy Mayor
Heather Crocker, Deputy Commissioner of Finance
Stacy Connors, Deputy Commissioner, Accounts
Joe O'Neill, Deputy Commissioner of Public Works

Matthew Veitch, Supervisor
Tara Gaston, Supervisor

EXCUSED: Jason Tetu, Deputy Commissioner, Department of Public Safety

RECORDING OF PROCEEDING

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

PUBLIC HEARINGS

2023 CDBG Annual Plan Recommendations

Mayor Kim opened the public hearing at 6:34 p.m.

Mayor Kim advised this will be voted on tonight. The recommendations are as follows:

- Mother Andersen Women & Children Shelter – staff for \$32,075
- AIM Services – residential rehabilitation for \$25,313
- Rebuilding Together Saratoga County – housing rehabilitation for \$100,000
- Franklin Community Center – heater replacement for \$20,000
- Mother Andersen Women & Children Shelter – roof repair for \$9,500
- RISE – floor replacement for \$40,000
- Pitney Meadows Community Farm – roof restoration for \$37,000
- Community Development Program Administration for \$50,000

The total amount recommended for funding is \$313,000.

No one spoke.

Mayor Kim closed the public hearing at 6:36 p.m.

Amendment to 2022 CDBG Annual Action Plan

Mayor Kim opened the public hearing at 6:36 p.m.

Mayor Kim advised this will also be voted on this evening. There was a grant and this money could be utilized in a different way. The funding, if approved tonight, can be redirected.

No one spoke.

Mayor Kim closed the public hearing at 6:38 p.m.

Local Law No. 3 of 2023 – UDO No. 3 (Mayor's Agenda No. 9)

Mayor Kim opened the public hearing at 6:38 p.m.

Mayor Kim stated they anticipated making changes and bringing it back to City Council. The changes have not been completed. This local law would map the City waterways and change the buffers for perennial streams and wetlands.

Mayor Kim closed the public hearing at 6:39 p.m.

Mayor Kim forgot to open this to the public for comment and opened it for comment at 6:43 p.m.

Stefanie Ferradino appeared on behalf of Liberty Workforce Housing and another undisclosed applicant. They applied to the Planning Board on January 11, 2023 but have yet to be placed on the agenda. She asked that this change not be applied to applications submitted and in the pipeline. If Local Law No. 3 was on the books, she doesn't feel Liberty would have come to the table with their project. Legislation as written doesn't say how much the buffer is going to be. The process has been flawed since 2021; she just learned of this amendment in spite of all her work in this area.

Mayor Kim advised the legislation proposed would have exempted anyone who has already gone through the planning process.

Stefanie Ferradino advised the Liberty application still has not been put on the agenda and it has been four months.

Commissioner Moran stated that is one of the concerns he expressed. Proper delineation of the restriction is essential before they vote.

Stefanie Ferradino stated she doesn't feel like they know the problem that is trying to be solved.

Mayor Kim advised they have been reaching out to people who might be able to map this out for them. There is a professor at Skidmore College that has done this type of work.

Stefanie Ferradino stated she is looking for defined terms.

Sara with LaBella Associates stated Liberty received a negative declaration in December and they still aren't on the agenda. LaBella has spent to this point 300 hours, costing Liberty \$32,000. The way this law is written is ambiguous; there are no clear-cut lines. If Liberty is not grandfathered in, they have to decide if

they scratch the 300 hours spent or proceed and be at the mercy of the Planning Board, as they don't know what the approval process is.

Steve Dodds of Phinney Design Group stated the group wrote a brief letter with their comments (attached). He read that letter into the record.

John Cannie of Snyder, Kiley, Toohey, Corbett & Cox stated he is representing future applicants. The Planning Board said the City didn't need Local Law No. 3 as it was satisfied with the UDO as it was written. The County Planning Board said they didn't see the need for any changes as a need hasn't been shown. The County also stated the need for a greater statement of rationale. There are five standards the Council is supposed to follow. There is need for a grace period for the implementation of this after its passage to allow design specialists to catch up.

Mayor Kim closed the public hearing at 7:07 p.m.

Amend 2023 Capital Budget for Saratoga Springs Recreation Department

Mayor Kim opened the public hearing at 6:39 p.m.

John Hirliman, administrative director of the Recreation Department, advised this court will have basketball courts, nets for soccer and street hockey. It will be 30 x 70 feet. The cost is approximately \$150,000 and the hope is to have it ready for Camp Saradac.

No one spoke.

Mayor Kim closed the public hearing at 6:43 p.m.

CALL TO ORDER

Mayor Kim called the meeting to order at 7:07 p.m.

Mayor Kim asked for a moment of silence for Kaylin Gillis who was taken too soon from us.

PUBLIC COMMENT

Mayor Kim advised there are new rules to public comment. People have 4 minutes to use or lose it. He asked all to be kind; we are a community. He also asked the speakers to be factual. The Council members may respond if they choose. He will also hold a public comment period at the end of the City Council meeting. The public must register to present their questions.

Mayor Kim opened the public comment period at 7:09 p.m.

Kristen Dart of Saratoga Springs asked everyone to look at who is sitting in the citizens' seats. There will be a presentation in honor of her grandfather, who was a Tuskegee Airman. She read the attached prepared statement.

Rose Tait of Saratoga Springs stated she was disappointed to find this meeting is being held downstairs after going up to the Music Hall. She asked the Council to take a ride by her home to see the piles of stone. She wishes this could come to closure.

Lois Ratky of Springwood Condos on Ballston Avenue stated there is no safe way for people to get to SPAC or Price Chopper on Ballston Avenue. She submitted pictures (attached) of the road.

Chris Mathiesen of Saratoga Springs stated at the last City Council, a local attorney who was representing a special interest was able to address the City Council during their regular agenda. The Council was upset with other people who tried to do the same; the same standards should be applied to all. He sent an e-mail to the Council today regarding no-knock warrants. The topic of no-knock warrants should appear on the Department of Public Safety. Mr. Mathiesen stated no-knock warrants are rare.

Dio of Stolen Land stated Commissioner Montagnino subjected black woman to further trauma because of his ego. His actions brought further backlash from the community and his peers. She asked where her charges are. Social media published the latest charges against Lex before he even knew about it.

Jamie McCallion of Saratoga Springs stated three years ago last month Briana Taylor lost her life due to a no-knock warrant. Commissioner Montagnino has done nothing to ensure his safety as a trans person of color. Commissioner Montagnino provokes controversy and outrage from all members of this community including his fellow council members. He called for Commissioner Montagnino's resignation.

Matt Oill of Planet Earth stated he supports the no-knock warrant. It doesn't matter how many 'good' cops there are. Based upon how the Saratoga Springs Police Department

Owen Shorff stated local police were watching Briana Taylor and her home as they suspected drugs were in the home. No drugs were found. Briana and her boyfriend were woken by commotion outside their front door. The police kicked in their door without announcing it was the police. No-knock warrants rip people away innocent people from their families. People are being murdered due to disorganized and senseless raids by the police. He asked the Council to vote down the no-knock warrant.

Holiday Hammond of Saratoga Springs stated the list of reason why she is here is growing. She supports the ban on no-knock warrants. Ms. Hammond asked why the meeting is being held in a small room. To learn from a hateful blogger that another Black Lives Matter activist was being arrested. This City keeps tolerating racism. The information is coming from inside and it needs to be found where it is coming from.

Robin Dalton of Saratoga Springs stated she doesn't feel people would be screaming if the Council would listen to them. She attended the meeting tonight to express her disappointment in this City Council. This Council plays some of the nastiest politics she has ever witnessed. The Council has turned this City into a spectacle and embarrassment and throughout the region and state. The Council is to do their job, a job they wanted and took an oath to do. Take a minute to think about why you decided to do this.

Nora Brennan of Saratoga Springs stated this Council Room has been outgrown by the City. She supports banning no-knock warrants, something discussed during the Police Reform Task Force. The annual Department of Public Safety report does not show the racial disparities in arrests. A couple of meetings ago, Commissioner Montagnino stated the commissioner of public safety shall be "responsible for the protection of City residents, their property from crime, fire, hazard, disorder, and natural disaster". She believes that was in reference to justifying his action of filing a criminal complaint against members of the community and he feels justified. Many people in the room don't get the sense that the Council is paying attention.

Tracy Krosky stated she is here to support the ban on no-knock warrants. By prohibiting these warrants, the Council is making sure the community is protected and rights are respected. She is disappointed in the Commissioner of Public Safety filing charges against black activists. The involvement of the Commissioner of Public Safety in a white hate group should be alarming. The struggle for racial justice is ongoing. She urged the Council to take a strong stance against Commissioner Montagnino and his systemic racism and stand in solidarity with black activists who are fighting for their rights and lives.

Georgana Hanson of Saratoga Springs stated she listened to work of the Police Reform Task Force. She is amazed how the work of the task force is being ignored. The Council should be talking about where the City is on all 50 points regularly.

Daesha Harris of Saratoga Springs stated she supports the ban on no-knock warrant. She was outraged that the Dart family was standing in the hall and not given seats of honor. What faith can she put in a police department that brings the charges against the black community? This is why people say defund the police. It is made clear there is no hope for the institution.

Camille Daniels of Saratoga Springs asked where do we go now. It is apparent this isn't working out well. She watched the last Council meeting and asked how is it decided who gets special paperwork that leads to arrests? It doesn't seem equitable. Certain people can get an audience and things can be implemented. The Council can get things done that they want to get done.

Liz Ack of Saratoga Springs asked where the charges of government obstruction are for the 2021 court hearing was supposed to be public. They never received answers on that.

Mayor Kim closed the public comment period at 7:54 p.m.

Mayor Kim stated he made the decision to have the meeting in the Council Room tonight. He has received complaints that the people who are watching the meeting on line can't see too well. In addition, they look at the agenda to try to determine how many people the meeting may draw. He apologized to the Dart family.

PRESENTATION

County Deceased Veteran Presentation

Supervisor Matt Veitch and Supervisor Tara Gaston presented the proclamation and United States Flag to the Dart family.

Lt. Colonel Clarence Dart was honored as the deceased veteran of the month. The flag presentation was flown over the Capitol in Washington, D.C. and then flown over the Saratoga County building for 30 days.

The proclamation is as follows:

PROCLAMATION
CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, as a member of the famed World War II Tuskegee Airmen, Lt. Col. Clarence W. Dart not only fought valiantly for his country overseas, he fought racism at home; and
WHEREAS, Lt. Col. Clarence W. Dart was one of the first African-Americans to fly as a fighter pilot in the US military, flying 95 combat missions and being shot down twice; and

WHEREAS, for his bravery, Lt. Col. Clarence W. Dart was awarded an Air Medal, the American Defense Service Medal, a Distinguished Flying Cross with four Oak Leaf Clusters, the National Defense Service Medal, a Victory Medal, the WWII Victory Medal, and two purple hearts; and

WHEREAS, the heroism of Lt. Col. Clarence W. Dart and his fellow Tuskegee Airmen during World War II was a key reason why President Truman desegregated the armed forces soon after the war ended; and

WHEREAS, after the war Lt. Col. Clarence W. Dart returned to Tuskegee to train the next generation of fighter pilots; and
WHEREAS, Lt. Col. Clarence W. Dart, along with 300 of his fellow Tuskegee Airmen, was awarded the Congressional Gold Medal; and

WHEREAS, on April 20, 2011 Lt. Col. Clarence W. Dart was bestowed several honors and citations by the New York State Senate, Assembly, Saratoga County and City of Saratoga Springs; and

WHEREAS, in 2011 Lt. Col. Clarence W. Dart was also inducted into the New York State Senate Veterans Hall of Fame; and
WHEREAS, Lt. Col. Clarence W. Dart's story is one of courage and perseverance; and

WHEREAS, in recognition of his heroism and valor, we honor the life and good works of Lt. Col. Clarence W. Dart, through the Saratoga County Deceased Veteran Ceremony,

NOW, THEREFORE, I Ron Kim, Mayor of the City of Saratoga Springs, am pleased to join with my fellow citizens in recognition of Lt. Col. Clarence W. Dart, and to hereby proclaim March 21, 2023 as

LT. COL. CLARENCE W. DART DAY

Warren Dart, son of Lt. Colonel Clarence Dart stated he normally wears a red jacket when attending ceremonies like this one. Tonight he wears a replica of the 99th Fighter Squadron's flight jacket with the

flying panther, the type of jacket his father wore. Lt. Colonel Clarence Dart gave an interview with Governor Pataki, which can be found on YouTube.

Open Space Plan

Tom Denny presented the 2023 Open Space Plan. History was provided and included the identification of conservation and priorities. The 2002 map identified the need for waterfront access and created the Waterfront Park with the bond funding. The plan also stated the Pitney Farm was an asset that should be preserved which was also authorized through the bond funding. The bond fund is depleted and will need to be dealt with going forward. The 2020 natural resources inventory provided a foundation for the Open Space Plan. The key themes is sustainability, resilience, and interconnectedness. An assessment was done of what happened since 2002 in preparation for the 2023 open space plan. The plan has inventories of the assets and appraisals of them.

The plan has the following goals:

1. conserve and permanently protect additional priority large open spaces;
2. preserve and permanently protect small open spaces in the densely developed parts of the City;
3. link the open space assets into a comprehensive network of interconnected open spaces;
4. identify, leverage, and employ funding mechanisms that will provide adequate and consistent revenues for the Open Space Program, promote and cultivate citizen involvement in the open space program; and
5. continue work to accomplish the 25 goals laid out in the 1994 Open Space Plan.

Mr. Denny advised funding is key and recommended that the City not pursue another bond but create a Community Preservation Fund (CPF). In New York State, Community Preservation Funds are funded through a real estate transfer tax paid by buyers of properties. This fund will provide money for acquisition and maintenance.

Mayor Kim asked if the Community Preservation Fund is for all properties or commercial only.

Mr. Denny advised the City has flexibility in how they wish to draft this fund. It requires state authorization and City referendum. It is paid by the buyers and can go up to 2%.

Commissioner Golub asked how long it took other cities to obtain a critical mass of revenue from this fund.

Mr. Denny advised if a 2% transfer tax is done in Saratoga Springs it equates to millions of dollars.

Commissioner Sanghvi stated she can come up with a plan of how the City could implement this in a couple months.

Special Events with Chamber of Commerce and Discover Saratoga

Darryl Leggieri of discover Saratoga and Tom Shimkus of Chamber here to talk about community events.

Mr. Leggieri stated part of their mission is to promote Saratoga as a designation for meetings and events. The customer is the residents and small businesses of our community. The attractions the visitors support makes them more attractive to all. They are talking about retail, museums, and restaurants in addition to filling hotels. Events like Chowderfest has approximately 37,000 people attend. They appreciate all the City does to partner with them. Everyone lends a helping hand to make sure the events are viable.

Mr. Shimkus of the Chamber of Commerce stated the events such as Victorian Street Walk, Chowderfest, and the Fourth of July All American Celebration events are free. A partnership is also needed on the financial side to cover these events. They are asking administrations for two things: establish a reasonable

fixed fee registration so they can budget for it and have the City amplify on social media and e-mail the announcement of the events.

Commissioner Moran asked Mr. Shimkus to address the Fourth of July event challenges.

Mr. Shimkus stated he believes they found a new location for fireworks – the City Center parking garage. The fireworks on July 4 are more expensive. They would like to do a stage and band on Ellsworth Jones Place. Costs include police, fire, EMS, and DPW.

SUPERVISORS

Matt Veitch

County STOP-DWI Funds

Supervisor Veitch reported the approval the STOP DWI Program for \$294,000 for the entire county. The City of Saratoga Springs will receive \$42,000 and \$6,440 for high visibility campaign and drug recognition call out plan.

Saratoga County Sewer Commissioner

Supervisor Veitch reported Anthony Scirocco, Jr. was appointed as the Saratoga County Sewer Commissioner for Saratoga Springs.

SelectUSA Conference May 1-4, Washington D.C.

Supervisor Veitch reported he will not be in attendance for the next City Council meeting as he will be attending the SelectUSA Conference. He is attending as NACO's chair of the International Development Task Force. Over 3,000 people attend and the main speaker will be the U.S. Secretary of State.

Tara Gaston

Public Health Update

Supervisor Gaston reported the federal COVID emergency has ended. COVID-19 can present as any other virus as it is a virus. There are other health concerns around opioid. Fentanyl test strips can be obtained.

Saratoga County Sewer Facility

Supervisor Gaston reported they have been working on a bio-digester facility. This type of facility can reduce costs for disposal of waste. There will be a public hearing on the increase cost on May 10, 2023 at 4:30 p.m. at the Board of Supervisors.

Public Forum

Supervisor Gaston reported the next public forum will be held May 11, 2023 from 6:30 – 8:00 p.m.

CONSENT AGENDA

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10. Approve Budget Transfers – Regular
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Commissioner Moran advised that on item three, the title on the second to last item was incorrect. It originally read “Approval of Counsel Fees for Prior Elected Officials” when it should have read “Appointment of Civilian Review Board Chair: Reverend Michael D. Bell”. It has now been corrected as attached to the agenda.

Commissioner Moran moved and Commissioner Sanghvi seconded to add two items to item number four on the consent agenda.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Commissioner Moran moved and Commissioner Sanghvi seconded to add Osterio Danny and Solevo Kitchen and Social to item number four, temporary outdoor dining approvals.

Mayor Kim made a friendly amendment to the motion that Osterio Danny and Solevo Kitchen are subject to insurance review.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Mayor Kim moved and Commissioner Moran seconded to approve the consent agenda as amended.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

MAYOR’S DEPARTMENT

Proclamation: Willard Chamberlin Day

Mayor Kim provided Mr. Chamberlin with the following proclamation and read it into the record:

A PROCLAMATION OF THE CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, throughout our city’s history, local organizations have played a large part in the development of our economy, community and our identity. They symbolize our independence, creativity, and desire to make our city and community thrive and prosper; and WHEREAS, Habitat for Humanity, a nonprofit that helps people build or improve homes, along with Saratoga Springs United Methodist Church celebrates the construction of a new home on West Circular Street; and

WHEREAS, the construction will benefit Brenda Meyre, a single mother of four teenagers; and

WHEREAS, this project would not be possible without the donation of land from a Saratoga Springs resident Willard Chamberlin.

NOW THEREFORE, I Ron Kim, Mayor of the City of Saratoga Springs, am pleased to join with my fellow Saratogians in celebrating Willard Chamberlin, and to extend to Saratoga Springs United Methodist Church, Habitat for Humanity, its volunteers and the Meyre family our very best wishes as we proclaim today, April 18, 2023 as

WILLARD CHAMBERLIN DAY

Announcement: Saratoga Springs Recognized as 2022 Tree City USA by Arbor Day Foundation

Mayor Kim announced that the Saratoga Springs has been recognized as a 2022 Tree City USA for prioritizing, planning, and caring of trees. Mayor Kim thanked the Department of Public Works for their work.

Proclamation: No Mow May

The proclamation is as follows:

A PROCLAMATION OF THE CITY OF SARATOGA SPRINGS, NY

WHEREAS, Sustainable Saratoga, a not-for-profit organization that promotes sustainable practices and the protection of natural resources through Education, Advocacy and Action, for the benefit of current and future generations here in Saratoga Springs and the greater Saratoga Area; is once again sponsoring NO MOW MAY on behalf of all Pollinators emerging from their winter hibernation and looking for pollen sources during the beginning of the Spring Blooming Season.

No Mow May is a national movement that helps nurture and sustain Bees and other Pollinators by encouraging household residents to refrain from mowing their lawns during April to May in order to help provide more food sources for bees and other pollinators. Lawns that remain unmowed during the month of May allow more pollen source plant species to grow and flower early in the year which help sustain pollinators.

No Mow May lawns had five times as many bees and three times as many bee species as lawns that were mown, according to scientists in Wisconsin, Minnesota and other States as reported in a recent article in the New York Times.

Pollinators including Bees, Moths, Butterflies, Bats and Birds are all facing Catastrophic Population Declines across the USA and especially in New York State due to massive use of pesticides, habitat destruction, and global warming. No Mow May helps bring awareness of the plight of Pollinators to our Citizens and gives everyone a way to take action to help preserve pollinator habitat in the critical Spring Season. So please relax & enjoying watching Pollinators enjoy your lawn flowers thanks to you resting your lawn mower through the month of May!

Sustainable Saratoga has "BEE YARD SIGNS" that property owners can put on their un-mowed lawns to explain No Mow May and to help spread the movement. For more information, please contact: pollinators@sustainablesaratoga.org.

NOW, THEREFORE I, RON KIM MAYOR OF THE CITY OF SARATOGA SPRINGS, AM PLEASED TO JOIN WITH MY COLLEAGUES ON THE CITY COUNCIL, AND WITH ALL MY FELLOW SARATOGIANS, IN PROCLAIMING SARATOGA SPRINGS AS A "NO MOW MAY" CITY AND ENCOURAGE OUR CITIZENS TO SKIP MOWING YOUR LAWNS AND HELP OUT THE BEES THIS MAY OF 2023

Announcement: Public Comment Period for Open Space Plan: April 18 – June 20, 2023

Mayor Kim announced the public comment period for the Open Space Plan starts today and runs through June 20, 2023. Written comments will be accepted through June 6, 2023 and the Council will vote on this at the June 23, 2023.

Set Public Hearing: Open Space Plan

Mayor Kim set a public hearing for Tuesday, May 16, 2023 and June 6, 2023.

Announcement: Cannabis Policy Workshop for City Council April 27 at 6 p.m.

Mayor Kim announced the City Council is holding a cannabis policy workshop on April 27, 2023 at 6:00 p.m. The City must define certain zones for businesses to distribute cannabis. The Planning Department staff will also be in attendance.

Discussion and Vote: Resolution Banning No-Knock Search Warrants (23-210)

Mayor Kim moved and Commissioner Moran seconded to approve the resolution as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS,
NEW YORK BANNING NO-KNOCK SEARCH WARRANTS**

BE IT RESOLVED, by the City Council of the City of Saratoga Springs, New York as follows:

WHEREAS, on June 12, 2020, Governor Cuomo issued Executive Order No. 203 requiring local governments, including the City of Saratoga Springs, to perform a comprehensive review of existing police force deployments, strategies, policies, procedures, and practices, and, with input from community members and stakeholders, to develop a plan to improve such deployments, strategies, policies, procedures, and practices; and

WHEREAS, on August 4, 2020, the City established the Saratoga Springs Police Reform Task Force (the "Task Force") and appointed eleven (11) members of the community, together with the Police Chief and the City Attorney, to serve on the Task

Force and develop recommendations for the City Council to improve police force deployments, strategies, policies, procedures, and practices in accordance with the Governor's Executive Order; and

WHEREAS, following a thorough and extensive review, the Task Force, with involvement and input from community members, developed a "Reinvention Plan: Toward a Community Centered Justice Initiative" (the "Reinvention Plan"), which contains a multitude of recommendations for the City Council to consider as part of the overall effort to improve police force deployments, strategies, policies, procedures; and practices; and

WHEREAS, the Reinvention Plan includes recommendation number 32, which states "[a]s policy, SSPD will not initiate no-knock warrants," and includes as Exhibit E revisions to the SSPD Warrant Policy; and

WHEREAS, on March 31, 2021, the City Council accepted only "certain enumerated sections" of the Reinvention Plan and did not accept the recommendation to ban non-knock search warrants; and

WHEREAS, on June 25, 2020, the U.S. House of Representatives passed a bill with a federal ban on no-knock warrants in drug cases; and

WHEREAS, on September 14, 2021, the Department of Justice issued a policy limiting the use of no-knock warrants to the rare situations where an agent has reasonable grounds to believe that knocking and announcing the agent's presence would create an imminent threat of physical violence to the agent and/or another person; and

WHEREAS, the New York State Legislature is considering a bill that would sharply limit the use of no-knock warrants, which would put an end to the use of no-knock warrants in investigating alleged controlled substance offenses, and allow for no-knock warrants to be issued only in the most extreme circumstances, where officers can show that the giving of notice would create an imminent danger to a person's life; and

WHEREAS, the New York Civil Liberties Union strongly supports this bill; and

WHEREAS, this City Council's goal is to make our community safer and protect the rights and safety of all residents, including Black residents who have historically experienced systemic racism; and

WHEREAS, restrictions on no-knock search warrants will enhance safety for both the citizens of Saratoga Springs and the law enforcement officers who protect them; and

WHEREAS, specific restrictions and limitations on the use of all search warrants are clearly required to achieve public safety; WHEREAS, the use of body camera equipment facilitates transparency in the execution of any search warrant by the Saratoga Springs Police Department;

NOW THEREFORE, BE IT RESOLVED as follows: That the City Council, in accordance with the Saratoga Springs City Charter, accepts recommendation number 32 of the Reinvention Plan, which states "[a]s policy, SSPD will not initiate no-knock warrants," with the following conditions;" and

BE IT FURTHER RESOLVED: That SSPD will only initiate no-knock warrants in the most extreme circumstances where officers detail specific facts in the search warrant application that explain why giving notice would create an imminent danger to a person's life; and BE IT FURTHER RESOLVED: That no no-knock warrants will be initiated under any circumstances to search a residence for a controlled substance, and

BE IT FURTHER RESOLVED: That the City Council directs that the Saratoga Springs Police Department revise Policy 607 ("Warrant Service") of its Policy Manual within sixty days in accordance with this resolution.

Commissioner Moran asked Commissioner Golub how long the task force discussed the various topics relating to the Police Reform Task Force.

Commissioner Golub advised they discussed for nine months.

Commissioner Moran stated he is happy to support this, as there has been plenty of conversation and opportunity for people to voice their support for or against this.

Commissioner Sanghvi stated she investigated to learn more about no-knock warrants and submitted copy of paper written by Peter Kraska (attached) where she highlighted page 7. Commissioner Sanghvi stated no-knock warrants are rare in Saratoga Springs and supports the ban on no-knock warrants.

Commissioner Montagnino stated the resolution read into the record was not what was published on the City's website.

Mayor Kim stated there were some amendments after discussion with Council members.

Commissioner Montagnino stated the City Charter 6.1.4 states "Police officers of the City of Saratoga Springs shall have all the powers, authority, and duties conferred on them by the laws of the State of New York". This resolution purports to amend the City Charter. This Council is discussing a procedure that would short circuit the amendment of the City Charter, which is inappropriate. The task force report speaks of no-knock warrants but does not include the modification of the policy regarding no-knock warrants. The process is extremely rare. He doesn't feel this resolution should be adopted.

Commissioner Golub stated the 'ask' by Governor Cuomo was to re-imagine how the City protects the community. It is saying a no-knock warrant should only be issued in extreme circumstances. The data leads to the same conclusion, as it should be severely restricted or banned.

Mayor Kim stated this is stating under the City's local law a stand is being taken on no-knock warrants. He is not sure they are going against the Charter.

Commissioner Moran stated that since a no-knock warrant has only occurred once in the past seven years reinforces for him that this will not take away a tool the police use.

Commissioner Golub stated the prior administration did not reject this recommendation, they said more research needed to be done. The research has been done.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, and Mayor Kim)
Nays – 1 (Commissioner Montagnino)

Discussion and Vote: Approve Substantial Amendment to the 2022 CDBG Entitlement Action Plan (23-211)

Mayor Kim moved and Commissioner Moran seconded to approve the substantial amendment to the 2022 CDBG Entitlement Action Plan.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Approval to Adopt Civilian Advisory Committee Recommendations for 2023 CDBG Funding (23-212)

Mayor Kim moved and Commissioner Moran seconded to adopt the Civilian Advisory Committee recommendations for the 2023 CDBG funding with a total award amount of \$313,888.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Addendum Six to Visitors Center Management Agreement (23-213)

Mayor Kim moved and Commissioner Moran seconded to authorize the mayor to sign addendum six for the Visitors Center management agreement.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Ratification of Authorization for Mayor to Execute Teva, Allergan, CVS, Walgreens and Walmart National Opioid Settlement Agreement (23-214)

Mayor Kim moved and Commissioner Moran seconded to ratify the mayor signing the execution of the Teva, Allergan, CVS, Walgreens and Walmart national opioid settlement agreement.

Commissioner Moran asked how much the City will receive.

Mayor Kim stated they don't know the amount as the City is signing on to the settlement. Allocation of funds will follow.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Resolution Approving Additional Counsel Expenses – Robin Dalton (23-215)

Mayor Kim moved and Commissioner Moran seconded to approve the resolution and additional fees in the amount of \$6,000 to cover expenses in connection with the attorney general's investigation.

The resolution is as follows:

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS, NY
Public Officers Law Section 18
Saratoga Springs City Code Chapter 9

BE IT RESOLVED by the City Council of the City of Saratoga Springs, New York, as follows:

WHEREAS, in 1987 the City Council enacted an Article in the City Code that provides for a defense and indemnification of city officers and employees in any state or federal legal action arising out of any alleged act or omission which occurred or allegedly occurred in the scope of official duty or public employment, and

WHEREAS, Section 18 of the New York State Public Officers Law contains provisions that apply to public entities who have agreed by the adoption of local law, bylaw, rule or regulation, to confer benefits of defense and indemnification upon its officers and employees, an

WHEREAS, a former member of this Council, Robin Dalton, has been served with subpoenas by the New York Attorney General to provide documents and information, including testimony, as part of that office's investigation into events that occurred in the City of Saratoga Springs during her term of public service, and she has requested representation by private counsel of her choice, and said counsel having submitted to the City Council and the City Attorney estimates of legal expenses and costs for providing advice and representation to Robin Dalton, and

WHEREAS, on September 6, 2022 this Council resolved to provide to Robin Dalton private attorneys' fees in initial amounts of not more than Ten Thousand Dollars (\$10,000), as well as expenses in initial amounts of Three Thousand Dollars (\$3,000) for legal advice and representation in responding to the subpoenas served upon her by the Attorney General's Office, and further resolved in a second resolution on February 15, 2023 to provide additional legal fees for private attorneys in the amount of Ten Thousand Dollars (\$10,000). Each of those prior resolutions was issued with conditions concerning documentation and reasonableness.

WHEREAS, since that last resolution on February 15, 2023, attorneys for Robin Dalton have submitted bills for expenses that exceed the amounts for expenses previously authorized by this Council

WHEREAS, this Council desires to continue to provide Robin Dalton with defense and indemnification as required by City Code Chapter 9 and by Public Officers Law Section 18, and to pay for reasonable attorneys' fees and expenses in the manner indicated in Section 18,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This Council hereby authorizes providing to former Council member Robin Dalton expenses in the additional amount of not more than Six Thousand Dollars (\$6,000), to be used in responding to the subpoena served upon her by the Attorney General's Office, said amounts are hereby authorized in addition to the amounts previously authorized by resolutions of this Council on September 6, 2022 and February 15, 2023.
2. The private attorneys representing Robin Dalton shall continue to submit detailed statements of expenses, hours worked, services rendered, and amounts billed.
3. In accordance with Section 18 (3)(b) of the Public Officers Law, Robin Dalton may continue to request additional reasonable legal fees or expenses from time to time during the pendency of the subpoena response. The Council shall review such requests and if found reasonable shall provide such additional fees and expenses by further resolution.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization to Pay Goldberger and Kremer Invoice in Amount of \$2,839.00 (23-216)

Mayor Kim moved and Commissioner Sanghvi seconded to authorize payment to Goldberger and Kremer of \$2,839.00.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Approval of 2023 Camp Saradac Trips and Programs (23-217)

Mayor Kim moved and Commissioner Sanghvi seconded to approve the 2023 Camp Saradac trips and programs.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign the 2023 State of New York Department of Health Renewal Application for a Permit to Operate Camp Saradac (23-218)

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the mayor to sign the 2023 State of New York Department of Health renewal application for a permit to operate Camp Saradac.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Capital Program and Budget Amendment for Outdoor Multi-Use Sport Court Area Utilizing Subdivision Recreation Fees (23-219)

Mayor Kim moved and Commissioner Moran seconded to approve the capital program and budget amendment for outdoor multi-use sport court area using subdivision recreation fees.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Authorization for the Mayor to Sign a Contract with Kompan, Inc. for the Outdoor Multi-Use Sports Court Area (23-220)

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Kompan, Inc. for the outdoor multi-use sports court area.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Mayor Kim moved Commissioner Moran seconded to add an item to the agenda regarding an announcement of a grant. (23-221)

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Announcement: Grant

Mayor Kim announced the City will receive \$300,000 in grant funding to design a West Crescent Avenue multi-use trail.

ACCOUNTS DEPARTMENT

Discussion and Vote: Waive Fees for Cantina Fun Run (23-222)

Commissioner Moran stated the presentation earlier this evening discussed positive impacts being made on the community. The decision was made to bill fees for special events upfront. He believes no justice is being served charging for and taking money away from non-profits. Per investigation with NYCOM, the law in New York State is no charges can be billed for police services for special events. Opinions have been obtained from the New York State Attorney General and the Comptroller. The comptroller stated "the providing of police protection is a basic governmental function which all inhabitants of the government unit are entitled to receive equally, without having to pay any additional charges therefor". The attorney general's opinion is "the city may not seek or accept reimbursement from the licensee for the costs of providing these police services. It is fundamental that a municipality may not enter into a contract under which it exacts compensation from a citizen for the performance of a duty owed to the public at large. Police protection is a governmental service owed to the general public and a municipality is powerless to condition its provision upon payment of a fee by a resident or group of residents or to accept a fee from residents for such protection".

Commissioner Moran stated he is bringing this item and the next forward to waive the fees as it is inappropriate and illegal. The Cantina Fun Run will be held June 4, 2023 and will benefit children's health care at Saratoga Hospital.

Commissioner Moran moved and Mayor Kim seconded to waive the fees for the Cantina Fun Run event in the amount of \$1,120.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Waive Fees for Team Billy (23-223)

Commissioner Moran moved and Commissioner Sanghvi seconded to waive the fees for the Team Billy event in the amount of \$240.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Award of Bid: Auditing Services to BST & Co., CPAs, LLP (23-224)

Commissioner Moran moved and Commissioner Sanghvi seconded to award the bid for Auditing Services to BST & Co., CPAs, LLP in the amount not to exceed \$41,000 for 2023 and for the total bid amount not to exceed \$126,000.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Award of Bid: Extension of Bid – Labor and Employment Legal Services to Goldberger and Kremer (23-225)

Commissioner Moran moved and Commissioner Golub seconded to extend the bid for labor and employment legal services to Goldberger and Kremer, for an additional year, under the same terms, conditions, and pricing, not to exceed \$25,000.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Set Public Hearing: Amend Chapter 136, Article IVA of the City Code, Temporary Outdoor Dining End Date

Commissioner Moran set a public hearing for Tuesday, May 2, 2023 to amend Chapter 136, Article IVA of the City Code. This amendment is for all licenses for temporary outdoor seating areas issued for privately owned parking facilities and privately owned lands to expire at midnight November 1, 2023.

Announcement: Grievance Class is May 9, 2023 and Grievance Day is May 23, 2023

Commissioner Moran announced that every year the Assessment Office holds a class on how to grieve assessments. This year the class will be held on Tuesday, May 9, 2023 from 5 – 7 p.m. in the City Council Room. You **must** register to attend the class by calling the Assessment Office at 518-587-3550 ext. 2553.

Announcement: Business Milestones

Commissioner Moran congratulated Healthy Living on their 10th anniversary.

Announcement: Special Events

Commissioner Moran announced the following special events:

- Saturday, April 22, 2023 – Earth Day – Congress Park from 12 – 2 p.m.
- Tuesday, April 25, 2023 – Short Term Rental Workshop at the City Center.
- Saturday, April 29, 2023 - Tree Toga - Sustainable Saratoga's annual tree planting event.
- Saturday, April 29, 2023 - H.O.P.E. (Homes for Orphaned Pets Exist) Spring Walk for the Animals - fundraising walk for animal rescue organization.
- Sunday, May 21, 2023 - Team Billy Ride & Walk for Research - 10, 25 & 50-mile bike rides and a 3-mile walk. Promote awareness & support to find a cure for brain tumors. Proceeds are directed through the National Brain Tumor Society.
- Sunday, May 28, 2023 – Saratoga Springs Lions Club Memorial Duathlon & 5K annual fundraising event. This is a 5K run followed by a 30K bike ride and then another 5K run. The memorial 5K is a separate race that starts 20 minutes after the duathlon begins. Runners of all abilities are welcome.

Commissioner Moran moved and Commissioner Sanghvi seconded to add an announcement to the agenda regarding auditing services. (23-226)

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Announcement: Auditing Services

Commissioner Moran announced he is developing an RFP for auditing services to monitor what has or has not been done on the 50-point plan.

FINANCE DEPARTMENT

Announcement: Update on City Finances

Commissioner Sanghvi announced sales tax collection year to date is \$2.5 million dollars, which is an 18.7% increase from 2022. The mortgage tax has seen a decrease of 70%, estimate being at least \$300,000 under budget on mortgage tax for the year. Occupancy tax collect year to date is \$91,724.93, which is 22% more than last year.

Announcement: Participatory Budgeting Informational Workshop, April 25 6 p.m. in Dutcher Community Room of Public Library

Commissioner Sanghvi announced a participatory budgeting informational workshop will be held April 25, 2023 at 6:00 p.m. in the Dutcher community Room at the library.

Discussion and Vote: Authorization for Mayor to Contract with Keeper Security, Inc. for Cloud Based Internet Password Security (23-227)

Commissioner Sanghvi advised the contract is \$18,729.

Commissioner Sanghvi moved and Commissioner Golub seconded to authorize the mayor to sign a contract with Keeper Security, Inc. for cloud based internet password security.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with BST & Co. CPAs, LLP for Auditing Services (23-228)

Commissioner Sanghvi advised this is a three-year contract in the amount for 2023 is \$41,000, for 2024, the amount is \$42,000 and the amount for 2025 is \$43,000.

Commissioner Sanghvi moved and Commissioner Moran seconded to authorize the mayor to sign a contract with BST & Co.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Use of Insurance Reserve Resolution (23-229)

Commissioner Sanghvi moved and Commissioner Golub seconded to approve the use of insurance reserve resolution in the amount of \$25,000 for a claim dated January 2019.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Use of Insurance Reserve Resolution (23-230)

Commissioner Sanghvi moved and Commissioner Moran seconded to approve the use of insurance reserve resolution in the amount of \$2,000 for a claim dated February 2023.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Use of Reserve Resolution – Subdivision Recreation Fund (23-231)

Commissioner Sanghvi moved and Mayor Kim seconded to approve the use of reserve resolution subdivision recreation fund for the multi-sport court on the Mayor's agenda in the amount of \$150,000.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Discussion and Vote: Budget Amendment – Capital (23-232)

Commissioner Sanghvi moved and Mayor Kim seconded lines 1 – 4 Recreation Department for the multi-sport court project on the Mayor's agenda.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Discussion and Vote: Budget Amendments – Fund Balance (23-233)

Commissioner Sanghvi moved and Commissioner Moran seconded lines 1-2 are Traveler's claims; lines 3 – 4 are participatory budget project funding; lines 5 – 6 are repair deductibles.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Discussion and Vote: Budget Transfers – Contingency (23-234)

Commissioner Sanghvi moved and Commissioner Moran seconded the beginning contingency balance as \$226,047.12 and after this transfer, the ending balance will be \$189,797.12.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

Discussion and Vote: Budget Transfers – Payroll & Benefits (23-235)

Commissioner Sanghvi moved and Commissioner Moran seconded lines 1 - 4 are City Center for a new position event manager.

**Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0**

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Contract with Cyncon Equipment for the Purchase of a Vactor Truck (23-236)

Commissioner Golub advised this truck is used for cleaning City sewers.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Cyncon Equipment for the purchase of a vactor truck valid until March 29, 2024 in the amount of \$501,990.84.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with Joe Johnson Equipment for a Pelican Dual Street Sweeper (23-237)

Commissioner Golub advised this is for cleaning City streets.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Joe Johnson Equipment for a Pelican dual street sweeper valid until March 29, 2024 in the amount not to exceed \$274,638.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with Milton CAT for Snow Blower Parts (23-238)

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Milton CAT for snow blower parts valid until March 29, 2024 in the amount of \$75,278.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization for Mayor to Sign Contract with Palette Stone for Asphalt (23-239)

Commissioner Golub advised this is a piggyback contract off Saratoga County.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Palette Stone valid until March 1, 2024 in the amount not exceed unit bid prices.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Authorization for Mayor to Sign Contract with Pace Analytical for Laboratory Services (23-240)

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the mayor to sign a contract with Pace Analytical for laboratory services valid until April 1, 2024 in the amount not to exceed unit bid prices.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)
Nays – 0

Discussion and Vote: Authorization for Mayor to Accept the Donation of Services from Bonacio Construction, Inc. to Assist in Maintenance of the Woodlawn Parking Garage (23-241)

Commissioner Golub advised work will be executed weekly and will be in effect for 6 months until September 18, 2023 to assist the Department of Public Works with the maintenance of the Woodlawn Garage.

Commissioner Golub moved and Mayor Kim seconded to sign an agreement with Bonacio Construction, Inc. for assistance in the maintenance of the Woodlawn Parking Garage.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Announcement: Caroline Street Sidewalk Project Update

Commissioner Golub announced the project will begin the end of this month. The project will include the installation of sidewalks and curbs.

Commissioner Golub moved and Commissioner Moran second to add item to the agenda regarding a proclamation. (23-242)

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Proclamation for Arbor Day

Golub read the following proclamation into the record:

Arbor Day Proclamation

WHEREAS, for more than a century, Arbor Day and Arbor Week celebrations have been held in communities across the United States. Principles of forestry, conservation, and environmental responsibility are an important part of our nation's heritage, and WHEREAS, the preservation of trees and forests is an issue of great concern to all of us. We in Saratoga Springs can be especially proud of the majestic Elm trees that graced our city streets in great numbers during the 19th and early 20th centuries. Today, the City's Department of Public Works maintains a partnership with Sustainable Saratoga's Tree Toga planting program. We are proud to confirm anew our commitment to conserve, maintain, repair and restore our trees, and to recognize them as a part of what makes our city a unique and special place, NOW, THEREFORE, The Public Works Department with the City of Saratoga Springs, are pleased to join with our City colleagues, and with all our fellow Saratogians, in proclaiming the week of April 24 to April 28, 2023 for celebrating Arbor Day.

DEPARTMENT OF PUBLIC SAFETY

Announcement: 2022 Fire Department Annual Report

Commissioner Montagnino announced the 2022 Fire Department Annual report is on line. One item of mention is the number of calls answered over the past decade has tripled. The number of losses due to fire are small due the amount of prevention by our Fire Department.

Discussion and Vote: Authorization for the Mayor to Sign a Contract with Municipal Emergency Services (MES) (23-243)

Commissioner Montagnino advised this is for turnout gear and supplies.

Commissioner Montagnino moved and Commissioner Golub seconded to authorize the mayor to sign a contract with Municipal Emergency Services.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Discussion and Vote: Authorization to Pay Invoices to CHA Consulting, Inc. Totaling \$10,400 (23-244)

Commissioner Montagnino advised the money is in the capital budget.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize payment of invoices to CHA Consulting, Inc. totaling \$10,400.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Announcement: Status of the SAFER Grant

Commissioner Montagnino announced they are back on track with the compliance of the SAFER grant. Most of the new firefighters have been hired. Training is underway at the Wilton Fire Department staffed by our own firefighters.

Commissioner Montagnino moved and Commissioner Golub seconded to add item to the agenda for an award of bid for RFP 2032-02 Fire Station Number Three Epoxy Seamless Flooring System. (23-245)

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Award of Bid: Epoxy Flooring for Third Fire Station

Commissioner Montagnino stated Tuff Coat is the low bidder and has provided the contract, certificate of insurance.

Commissioner Montagnino moved and Commissioner Golub seconded to authorize the mayor to sign the contract.

Mayor Kim stated he received a call from the AFLCIO that stated the low bidder wasn't in compliance with the bid documents. He can't support this tonight.

Commissioner Moran stated there was one bid that was really high and the other bids were within a range that wasn't skewed. He asked for a couple days to look into this a make sure everything needed is included.

Commissioner Montagnino stated he would give the Council time to look into this before voting.

PUBLIC COMMENT

Mayor Kim opened public comment at 10:19 p.m.

Neil Fitzpatrick of Caroline Street stated he has concerns with the sidewalk project. He has three trees in the front of his house that he would like to not see taken down. He also suggested closing Caroline Street and not allowing cars. Mr. Fitzpatrick also asked to build his own sidewalk at his own expense, as he wants it to look good. He asked why the sidewalks are being installed on northern side rather than southern side.

Deputy Commissioner Joe O'Neill stated the sidewalks cannot be installed on the other side of the street due to a utility pole.

Eric stated the picture shows trees photo shopped in his front yard. The photo doesn't show the matured trees behind where the photographer stood. He asked if the Council is aware of the number of trees that

will be cut with the 10-foot strip for the sidewalk – 31 trees will be cut down between Schuyler and Fox Hall. It seems excessive to put a 10-foot strip in and cut down all these trees. A sidewalk is not going to solve the problem. The school itself creates the unsafe environment due to the helicopter parents driving fast through that area to drop off and pick up of their children. He could live with a five-foot sidewalk and curb.

Nancy Roberts of 28 McArthur Drive stated she is in agreement with everything Eric said. She feels there should be more stop signs and even speed bumps in that area to help slow traffic. Ms. Roberts suggested not taking 10 feet and use only 5 feet.

Jack Mintzer of 25 MacArthur stated he agrees with Eric. The Council is talking about Arbor Day and tearing down trees.

Erin Darey of Phila Street stated Department of Public Works is doing a lot of work and thanked them for being responsive.

Kristen Dart of Saratoga Springs thanked the Council for recognizing the work for the police reform and passing

Sam Brewer of Saratoga Springs stated he appreciated the Council moving the venue and having additional barriers. He asked the Council to think about increasing the value of the city.

Mayor Kim closed the public comment period at 10:34 p.m.

ADJOURNMENT

Commissioner Montagnino moved and Commissioner Moran seconded to adjourn the meeting at 10:35 p.m.

Ayes – All (Commissioner Moran, Commissioner Sanghvi, Commissioner Golub, Commissioner Montagnino, and Mayor Kim)

Nays – 0

Respectfully submitted,

Lisa Ribis
Secretary to the City Council
Approved: 5/2/2023
Vote: 5 - 0