CALL TO ORDER
ROLL CALL
SALUTE TO FLAG
PUBLIC COMMENT PERIOD / 15 MINUTES
PRESENTATION(S):
EXECUTIVE SESSION: Discussion regarding Proposed, Pending, or Current Litigation: Attorney General Investigation

CONSENT AGENDA

MAYOR’S DEPARTMENT
1. Discussion and Vote: Resolution on Public/Private Partnership to Immediately Assist Unhoused: Discussed at 05.02.2023 Meeting
2. Discussion and Vote: Resolution on Restorative Justice in Saratoga Springs: Voted on at the 05.02.2023 Meeting
3. Proclamation: May Is Jewish American Heritage Month
4. Proclamation: Second Week in May Is Lung Cancer Action Week
5. Discussion and Vote: Award of $10,000 Mayor’s Non-Profit Grants
6. Announcement: Appointment to Zoning Board of Appeals
7. Discussion and Vote: Authorization to Pay Invoice to Delta Development in Amount of $6428.50
8. Discussion and Vote: Authorization for Mayor to Sign Service Agreement with It’s Climb Time LLC
9. Discussion and Vote: Authorization for Mayor to Sign Youth Service Project Minor Contract with the County of Saratoga
10. Discussion and Vote: Authorization to Reimburse Employee #3083 in Amount of $350

11. Discussion and Vote: Authorization to Pay Invoice to NYS Recreation and Parks Society in Amount of $700

12. Discussion and Vote: Resolution in Support of New York Sire Stakes Eligibility Legislation

13. Discussion and Vote: Authorization for Mayor to Sign Contract with Goldberger & Kremer

14. Proclamation: Dr. Donna Cohen Is Saratoga County Citizens Committee for Mental Health Citizen of the Year

15. In Memoriam: Elio Delsette

ACCOUNTS DEPARTMENT

1. Award of Bid: Chassis Type 1 Ambulance to Gorman Emergency Vehicles

2. Award of Bid: Loughberry Lake Water Quality and Safe Yield Study to Barton and Loguidice

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

4. Discussion and Vote: Authorization for Mayor to Sign Addendum One with GAR Associates

5. Discussion: Short Term Rentals

6. Announcement: Downtown Advisory Committee Workshop May 17, 2023

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

8. Announcement: Business Milestones

9. Announcement: Special Events

FINANCE DEPARTMENT

1. Discussion and Vote: 2022 Preliminary Financial Report

2. Announcement: Participatory Budgeting Accepting Project Proposals through July 1, 2023

3. Discussion and Vote: Resolution on Forfeiture of Assets Seized in Criminal Activity in the City of Saratoga Springs

4. Discussion and Vote: Budget Amendments - Fund Balance

5. Discussion and Vote: Budget Transfers - Payroll & Benefits

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Intermunicipal Recycling Agreement

2. Discussion and Vote: Authorization for Mayor to Sign Sidewalk Installation Agreement with Peter Sinram for Jackson Street

3. Discussion and Vote: Authorization for Mayor to Sign Agreement with Rick Schrade for Sewer Installation at 12 St. Raymond Court

4. Discussion and Vote: Authorization for Mayor to Sign Agreement with SoBro Conservancy of Saratoga for Water Service

5. Discussion and Vote: Authorization for Mayor to Sign Contract with Barton & Loguidice for a Lake Water Quality Update Study
6. **Discussion and Vote:** Authorization for Mayor to Sign Addendum #3 with Clark Patterson Lee for the WTP Intake Valve Replacement Project

7. **Discussion and Vote:** Authorization for Mayor to Sign Contract with Pompa Brothers for Asphalt

8. **Discussion and Vote:** Authorization for Mayor to Approve Invoice Payment to Blue Beam for Computer Program

9. **Discussion and Vote:** Authorization for Mayor to Sign Utility Work Agreement with the Department of Transportation

10. **Announcement:** Publishing of MS4 Annual Report

**PUBLIC SAFETY DEPARTMENT**

1. **Set Public Hearing:** Ordinance to prohibit possession of a firearm in a public place while intoxicated or impaired by alcohol and/or drugs

2. **Discussion and Vote:** Authorization for the Mayor to sign a contract with Tuff Kote Flooring, LLC

3. **Discussion and Vote:** Authorization for the Mayor to sign change order #10 to Hueber Breuer for Fire Station 3

4. **Discussion and Vote:** Authorization for the Mayor to sign change order #11 to Hueber Breuer for Fire Station 3

5. **Discussion and Vote:** Authorization for the Mayor to sign change order #12 to Hueber Breuer for Fire Station 3

6. **Discussion and Vote:** Authorization for the Mayor to sign a contract with Gorman Emergency Vehicles

**SUPERVISORS**

**ADJOURN**
PRESENT:
Ron Kim, Mayor
Dillon Moran, Commissioner of Accounts
Minita Sanghvi, Commissioner of Finance
Jim Montagnino, Commissioner of DPS
Jason Golub, Commissioner of DPW (Commissioner Golub left the meeting during the Finance Department Agenda)

STAFF PRESENT:
Angela Rella, Deputy Mayor
Stacy Connors, Deputy Commissioner of Accounts
Heather Crocker, Deputy Commissioner of Finance
Anthony Izzo, City Attorney
Jason Tetu, Deputy Commissioner of DPS
Tony Izzo, City Attorney
Michael Philips, Assistant City Attorney

STAFF EXCUSED:
Joseph O’Neill, Deputy Commissioner of DPW

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

Mayor Kim announced this meeting to be the continuance of the May 2, 2023, City Council Meeting.

Call To Order

Mayor Kim called the meeting to order at 2:33 p.m.

Roll Call
Kim – Aye
Sanghvi – Aye
Golub – Aye
Montagnino – Aye
Moran – Aye
MAYOR’S DEPARTMENT

1. Discussion and Vote: Resolution on Public/Private Partnership to Immediately Assist Unhoused
   Discussed at the May 2, 2023, City Council Meeting.

2. Discussion and Vote: Resolution on Restorative Justice in Saratoga Springs
   Voted on at the May 2, 2023, City Council Meeting.

3. Proclamation: May is Jewish American Heritage Month
   Mayor Kim read the following proclamation into the record for Jewish American Heritage Month:

   A PROCLAMATION
   OF THE CITY OF SARATOGA SPRINGS, NEW YORK
   WHEREAS, throughout our city’s history, religion has played a large part in the
development of our community and our identity. It symbolizes the freedom to practice our own
faith while supporting those with differing faiths; and,
   WHEREAS, the Anti-Defamation League reports that 2021 was the highest year on
record for reports of attacks against Jewish people; and,
   WHEREAS, the Jewish community deserves to feel safe and welcome in their homes and
celebrated as a people that have enriched the nation as a whole; and,
   WHEREAS, the month of May is designated as Jewish American Heritage Month.
   NOW THEREFORE, I, Ron Kim, Mayor of the City of Saratoga Springs, am pleased to
join with my fellow Saratogians in celebrating Jewish American Heritage Month, and to extend
to the Jewish community our very best wishes. I hereby proclaim the month of May, 2023, as
   JEWISH AMERICAN HERITAGE MONTH

4. Proclamation: Second Week in May is Lung Cancer Action Week
   May Kim read the following proclamation into the record for Lung Cancer Action Week.

   A PROCLAMATION
   OF THE CITY OF SARATOGA SPRINGS, NEW YORK
   WHEREAS, throughout our city’s history, organizations and associations have played a
large part in the development of our economy, community and our identity. They symbolize our
desire to make our city and our region thrive and prosper; and
   WHEREAS, about every two and a quarter minutes, a person in the U.S. is diagnosed
with the leading cause of cancer deaths, lung cancer; and
   WHEREAS, increased knowledge of lung cancer screenings will save lives and public
support for research funding will result in new treatments and better methods of early detection;
and
   WHEREAS, The American Lung Association designates the second week in May as
   Lung Cancer Action Week.
NOW THEREFORE, I, Ron Kim, Mayor of the City of Saratoga Springs, am pleased to
join with my fellow Saratogians in recognizing Lung Cancer Action Week, and to extend to The
American Lung Association its officers, its employees and those affected by lung cancer, our
very best wishes for success in the years to come. I hereby proclaim the week of May 7, 2023,
as
LUNG CANCER ACTION WEEK

5. **Discussion and Vote: Award of $10,000 Mayor's Non-Profit Grants**

Mayor Kim explained the Mayor's non-profit grant program had been established in 2021
under the previous administration. Kim stated the award of grants to be in the following three
causes: Environmental, Health and Welfare, Arts and Culture. Kim stated previous awards
were to Pitney Meadow's in the amount of $150,000.00 for solar powered panels.

Mayor Kim stated the grants come from the CDGB Program. Kim stated there were thirty (30)
proposals and the committee recommended to the Mayor to approve the following four (4)
grants in cause for human service and arts & culture.

Mayor Kim stated the Racetrack Chaplaincy Summer Program provide services to as many
as 1,400 backstretch workers and their children during the Summer Meet. Kim stated the
grant would assist in allowing the families to keep their children with them during their time
during the meet and enroll in enrichment programs. Kim stated the grant would support the
camp and transportation to the camps.

5a. **Mayor Kim moved and Commissioner Sanghvi seconded for the Mayor to award a grant
to the Racetrack Chaplaincy Summer Program.**

- **Ayes** – 5
- **Nays** – 0
- Motion carried.

Mayor Kim stated the mission of the Unitarian Universalist Congregation organization is
centered in the practice of welcome and gratitude of compassion. Kim stated the Trevor
Project Survey is a supportive of family, school, and community and focused to reduce the risk
of suicide of LGBTQ community. Kim stated the grant to be used for program development,
outreach, and training qualified faculty.

5b. **Mayor Kim moved and Commissioner Moran seconded for the Mayor to award a grant
to the Unitarian Universalist Congregation.**

- **Ayes** – 5
- **Nays** – 0
- Motion carried.

Mayor Kim stated the Wesley Health Care Center grant would be for the support of certified
training nurses who work with the elderly

5c. **Mayor Kim moved and Commissioner Moran seconded for the Mayor to award a grant
to the Wesley Heath Care Center.**

- **Ayes** – 5
Nays – 0  
Motion carried.

Mayor Kim stated the Saratoga Arts District – Beekman Arts District grant allows for the group to hire an event planner to organize events and to this group, which provide educational and cultural opportunities to promote artists and art groups. Kim stated the program gives opportunities for artists to market their work in the Beekman Arts Fair and other venues.

5d. **Mayor Kim moved and Commissioner Moran seconded for the Mayor to award a grant to the Saratoga Arts District – Beekman Arts District.**

Ayes – 5  
Nays – 0  
Motion carried.

6. **Announcement: Appointment to Zoning Board of Appeals**

Mayor Kim announced the appointment of Shafer Gaston to the Zoning Board of Appeals. Kim stated Gaston to be a naval officer, and active in local organizations. Kim stated the Board to be made up of volunteers.

7. **Discussion and Vote: Authorization to Pay Invoice to Delta Development in the Amount of $6,428.50**

Mayor Kim stated Delta Development to be the consultant firm pursuing grants for infrastructure repairs. Kim stated there had been an announcement by Congressman Tonko of a grant the would be receiving in the amount of $300,000.00 of a pedestrian-bike trial connector from the Saratoga State Park to Nelson Avenue named the Circular Avenue Connector.

**Mayor Kim moved and Commissioner Sanghvi seconded to pay the invoice in the amount of $6,428.50 to Delta Development.**

Ayes – 5  
Nays – 0  
Motion carried.

8. **Discussion and Vote: Authorization for the Mayor to Sign Service Agreement with It’s Climb Time, LLC.**

**Mayor Kim moved and Commissioner Moran seconded to authorize the Mayor to sign a service agreement contract with It’s Climb Time, LLC.**

Ayes – 5  
Nays – 0  
Motion carried.

9. **Discussion and Vote: Authorization for the Mayor to Sign Youth Service Project Minor Contract with County of Saratoga**

**Mayor Kim moved and Commissioner Moran seconded to authorize the Mayor to sign the Youth Service Project Contract with the City of Saratoga Springs.**
Ayes – 5  
Nays – 0  
Motion carried.

10. Discussion and Vote: Authorization to Reimburse Employee #3083 in the Amount of $350.00

Mayor Kim moved and Commissioner Sanghvi seconded to reimburse employee #3083 in the amount of $350.00.

Ayes – 5  
Nays – 0  
Motion carried.

11. Discussion and Vote: Authorization to Pay Invoice to NYS Recreation and Parks Society in the Amount of $700.00

Mayor Kim moved and Commissioner Sanghvi seconded to pay the invoice in the amount of $700.00 to NYS Recreation and Parks Society.

Ayes – 5  
Nays – 0  
Motion carried.

12. Discussion and Vote: Resolution in Support of New York Sire Stakes Eligibility Legislation (23-248)

Mayor Kim read the following New York Sire Stakes Eligibility Legislation into the record:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS IN SUPPORT OF NEW YORK SIRE STAKES ELIGIBILITY LEGISLATION

WHEREAS, the harness horseracing industry has a long and distinguished history in Saratoga Springs, New York tracing back to the mid-1800s; and

WHEREAS, in 1965 the LaVerne Law established the Agriculture and New York State Horse Breeding Development Fund to promote the breeding of harness horses and the conduct of equine research in the State; and

WHEREAS, to carry out its legislative mission, the Fund administers the New York Sire Stakes races, among other races and provides assistance to county agricultural societies and contributes to the statewide 4-H program and to the Harry M. Zweig Fund for Equine Research; and

WHEREAS, the New York Sire Stakes was the first program of its kind developed in North America and later became the model for state-bred racing programs in nearly all of the major harness racing states and provinces on the continent with the first official program inaugurated in 1965; and

WHEREAS, harness horse racing and the New York State Sire Stakes program through numerous intra-related equine and agricultural industries maintains a significant economic impact on the City of Saratoga Springs; and
WHEREAS, only foals bred by a mare and a stallion physically present within New York State can meet eligibility requirements to participate in the New York State Sire Stakes program; and

WHEREAS, in recent years, due to the eligibility requirements, the number of mares bred in New York State has decreased significantly, and thus there are fewer foals that can be nominated to participate in the program; and

WHEREAS, the New York State legislature has introduced legislation to address this drop (A3528/S2779), that is a common sense change which will allow participation in New York State Sire Stakes races by foals sired by a registered New York Stallion regardless of the physical location of the mare at insemination and will bring New York in line with virtually every US State and Canadian racing program;

NOW THEREFORE, BE IT RESOLVED as follows:

1. This Council recognizes the importance of the continuation of harness horse racing within the City; and

2. This Council endorses the proposed legislation that will allow for greater participation in the New York Sire States Program; and,

3. This Council commits to exploring and adopting policies and programs that promote harness horse racing, its intra-related industries and the continuation of the New York State Sire Stakes program.

Commissioner Moran gave thanks to Mayor Kim for bringing the resolution to the Council. Moran stated the legislation gives modernization to the sport. Moran stated it would place NYS in an advantageous position with other states that have adopted the same policies and programs. Moran stated the City has a vested interest in horse racing, and recommends the City to be proactive in supporting legislation to assist the sport. Moran stated the harness track had recently had record-breaking handles on Monday and Tuesdays.

Mayor Kim stated former Commissioner McTygue to be a leader in the industry. Kim stated had won some of the most prestigious awards in NYS Sire Stakes.

Mayor Kim moved and Commissioner Moran seconded the resolution in support of the New York Sire Stakes Eligibility Legislation.

Ayes – 5
Nays – 0
Motion carried.

13. **Discussion and Vote: Authorization for the Mayor to Sign the Contract with Goldberger & Kremer**

Mayor Kim stated Goldberger & Kremer to be outside counsel that gives labor law advisement to the City. Commissioner Moran asked what had contributed to another renewal in the short time from the last extension of the contract with Goldberger & Kremer that have resulted in increased fees. Mayor Kim stated the Mayor’s Office would be bringing a proposal that the City Attorney’s Office should be the first point of contact for the Council, and not to go to outside counsel. Mayor Kim stated his staff could provide of a breakdown of which department is using the contract with outside counsel.

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the contract with Goldberger & Kremer.
Ayes – 5
Nays – 0
Motion carried.

14. Proclamation: Dr. Donna Cohen is Saratoga County Citizens Committee for Mental Health Citizen of the Year (23-249)

Mayor Kim read the following proclamation for Mental Health Citizen of the Year into the record:

A PROCLAMATION
OF THE CITY OF SARATOGA SPRINGS, NEW YORK
WHEREAS, throughout our city’s history, mental health professionals have played a large part in the development of our City and its residents. They assist us in confronting traumas, worries, and insecurities — allowing us to live better lives; and,
WHEREAS, Dr. Donna Cohen, a graduate of the University of Chicago and the University of Washington, is a dedicated individual who provides psychiatric care for people living with mental illness; and,
WHEREAS, she has served the Saratoga community, making a difference in people’s lives through work with Saratoga County Mental Health and Addiction Services, Skidmore College and Saratoga Hospital Mental Health Unit; and,
WHEREAS, Dr. Cohen is being honored as the 2023 Citizen of the Year by the Saratoga County Citizens Committee for Mental Health.
NOW THEREFORE, I, Ron Kim, Mayor of the City of Saratoga Springs, am pleased to join with my fellow Saratogians in celebrating Dr. Donna Cohen and extending our very best wishes for success in the years to come. I hereby proclaim today, May 2, 2023, as DR. DONNA COHEN DAY

15. In Memoriam: Elio Del-Sette

Mayor Kim read the following In Memoriam into the record:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS
IN MEMORIAM
ELIO H. DEL-SETTE 1933-2023
WHEREAS, Elio H. Del-Sette, educator, mentor, and Commissioner for the Saratoga Springs Civil Service Commission, died on April 27, 2023; and
WHEREAS, Commissioner Del-Sette served as Civil Service Commissioner for more than 40 years, frequently serving as Chair of the Commission. He brought greater viability and accessibility to the Civil Service process, insisting on regular meetings and schedules, and establishing that all Commission meetings would be held in City Hall and open to the public. He was dedicated to this city’s workforce, frequently working with employees and unions to attend meetings of the Commission and provide input to help develop procedures that would address employee concerns; and;
WHEREAS, He was a native Saratogian who loved his family, his friends, and his city. His many years of experience as a teacher in Niskayuna served him well in explaining the Commission’s role and its importance to the city’s government. In person,
his common sense, plain speaking approach won him many friends throughout our city, and he identified so strongly with Saratoga Springs that even after he retired to Florida he found that he could not be happy living anywhere else but here, and he soon returned. His accomplishments will continue to be an integral part of our Civil Service process for many decades yet to come,

**NOW, THEREFORE, BE IT RESOLVED** that, I, RON KIM, Mayor of the City of Saratoga Springs, join with my fellow City Council members on behalf of the people of Saratoga Springs, to hereby honor the memory and the achievements of Commissioner Elio H. Del-Sette, and to extend sympathy to his family.

Mayor Kim stated Mr. Del-Sette had been a History Professor at Saratoga Springs High School. Kim stated Del-Sette had been the Commissioner of Civil Service for over forty (40) years for the City of Saratoga Springs. Kim stated Del-Sette had volunteered for forty (40) years without earning a dime from the hard work he had done on behalf of the City.

Commissioner Sanghvi stated to have served on the Charter Review Commission with Elio Del-Sette. City Attorney Tony Izzo stated Elio Del-Sette served on two (2) Charter Review Commissions.

**ACCOUNTS DEPARTMENT**

1. **Award of Bid: Chassis Type 1 Ambulance to Gorman Emergency Vehicles**

   Commissioner Moran moved and Commissioner Sanghvi seconded to award the bid for Chassis Type 1 Ambulance to Gorman Emergency Vehicles in the amount not to exceed $373,817.00.

   **Ayes** – 4 - Sanghvi, Moran, Montagnino, Golub
   **Nays** – 1 - Kim
   Motion carried.

2. **Award of Bid: Loughberry Lake Water Quality and Safe Yield Study to Barton and Loguidice**

   Commissioner Moran moved and Commissioner Sanghvi seconded the award of bid for the Loughberry Lake Water Quality and Safe Yield Study to Barton and Loguidice in the not to exceed $171,000.00.

   **Ayes** – 5
   **Nays** – 0
   Motion carried.

3. **Set Public Hearing: Amend Chapter 136 Article IVA of the City Code – Temporary Outdoor Dining End Date**

   Commissioner Moran stated a Public Hearing would be set for the May 16, 2023, City Council Meeting to amend Chapter 136 Article IVA of the City Code for all licenses for temporary outdoor seating areas issued for privately owned parking facilities and privately owned lands shall expire at midnight on November 1, 2023.

   Moran stated the amending of the code would provide for pre-existing, non-conforming licensees to facilitate the ability of outdoor dining on privately owned properties for businesses
like Eddie F’s. Moran stated the plan had been for Eddie F’s to acquire a special use process, which did not happen and this would be an accommodation.

4. Discussion and Vote: Authorization for Mayor to Sign Addendum One with GAR Associates

Commissioner Moran stated the addendum is to cover services that may include senior residential appraiser, designated commercial appraiser, statistician, RPSV4 support, statutory requirements, fulfillment assistance, building permit valuation, and new hire and transition. Moran stated the former Asst. Assessor had requested to bring in additional help with backlog when she had started and GAR Associates had been contracted for commercial appraisal for many years. Moran stated the Assessment Office had been without an Asst. Assessor for several months now and GAR Associates has assisted with the duties of the position to continue the business of the City and meet the contractual and statutory requirements in the amount of $5,000.00 per month. Moran stated Addendum One covers the period from December 2022 to April 2023. Moran stated the Assessment Office had advanced an offer for hire for the position of Assistant Assessor starting on May 15, 2023.

Commissioner Moran moved and Commissioner Sanghvi seconded to authorize the Mayor to sign Addendum #1 with GAR Associates as included with the agenda.

Ayes – 5
Nays – 0
Motion carried.

5. Discussion: Short Term Rentals

Commissioner Moran stated he had hosted four (4) Short Term Rental (STR) Workshops. Moran stated the preservation of housing accessibility and affordability the City of Saratoga Springs to be the goal of the workshops. Moran stated maintaining owner-occupied track rentals were also goals of the workshop. Moran stated as the City Code reads at this time, short-term housing rentals under 28 days were illegal in the City of Saratoga Springs. Moran stated there were no existing carve out for the track season. Moran stated the plan to bring legislation to guardrail the market is an aim. Moran stated following the guide of the NYS Hinchey – Krueger STR proposed bill of rental registration monitored locally. Moran stated the goal of the proposed bill would be for all STR platforms and host to be registered with the State of New York. Moran stated the considerations were to protect guests and first responders, while enabling city residents to generate income. Moran stated through a data collecting program it had been found that 1,000 – 1,200 housing units were being used as STR within the City of Saratoga Springs. Moran stated that number of rentals constitute 12 – 14% of the 9,800 houses within the City. Moran stated the 1,000 – 1,200 housing units were not all owner-occupied. Moran stated houses within the City were meant to be used for homes and housing and not as ATM’s to support people that do not live in the City. Moran stated there had been a 26% growth in rental units from 2021-2022 and 41% growth in new and unique STR’s.

6. Announcement: Downtown Advisory Committee Workshop May 17, 2023

Commissioner Moran announced the next (Ad Hoc) Downtown Advisory Committee Meeting would be held on May 17, 2023, from 10:00 a.m. – 11:45 a.m. at the City Center. Moran stated the attendees would include Chapter 136 licensee-holders and leaders from the City’s Fire and Police Departments. Moran stated the committee is made up of members of the Chamber of Commerce and business leaders, and had been formed after the November
shooting on Broadway. Moran shared the website to register for the workshop as: www.saratoga.org/events/chambercalendar/may17/register

Commissioner Moran stated the committee would discuss their commitment to enhance communication with local establishments to improve security through technology. Moran stated individuals carrying weapons have been identified for police notification. Moran stated individuals barred from one establishment have been identified to be prevented from entering other establishments. Moran stated the chain of communication and the SSPD have been improved. Moran stated the committee would bring forward a universal no-trespass, which would allow for establishments to work together to preclude barred patrons from entering the business of participating establishments to the program. Moran stated those persons that come to Saratoga Springs to cause trouble, will not be coming back for a very long time under the universal no-trespass.

7. Announcement: Grievance Class May 9, 2023 and Grievance Day May 23, 2023

Commissioner Moran announced the class to learn how to grieve assessment would be held on May 9, 2023, from 5 – 7 p.m. in the City Council Room. Moran stated those wanting to attend would be required to register by calling the Assessment Office at extension 2553.

Commissioner Moran announced Grievance Day to be May 23, 2023.

8. Announcement: Business Milestones
Commissioner Moran announced the 25th Anniversary of Il Chianti Restaurant. Moran stated DZ Restaurant has been a positive force in fine dining within the City of Saratoga Springs.

9. Announcement: Special Events
Commissioner Moran announced the Team Billy Ride & Walk for Research would take place on May 21, 2023. Moran stated the event promotes awareness and support the search for a cure. Moran stated the Lions Club Memorial Duathlon would take place on May 28, 2023.

Commissioner Moran moved and Commissioner Sanghvi seconded to add an Award of Bid as item #10.

Ayes – 5
Nays – 0
Motion carried.

10. Award of Bid: Tuff Kote Flooring, LLC. for Fire Station #3

Commissioner Moran moved and Commissioner Montagnino seconded to award the bid to Tuff Kote Flooring, LLC. in an amount not to exceed $62,500.00.

Ayes – 4 – Moran, Sanghvi, Montagnino, Golub
Nays – 1 – Kim
Motion carried.

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Inter-municipal Recycling Agreement

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Commissioner Golub stated the agreement between the City of Saratoga Springs and Saratoga County had been first established in 2015. Golub stated the City would assume responsibility for the management of the collection of single-stream recyclables at Weibel Avenue. Golub stated the County would pay the City of Saratoga Springs $5,000.00 annually for the recyclable materials and scrap metal.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the Mayor to Sign the inter-municipal recycling agreement between the County of Saratoga and the City of Saratoga Springs for the management of recyclables collection.

Ayes – 5
Nays – 0
Motion carried.

2. Discussion and Vote: Authorization for Mayor to Sign Sidewalk Installation Agreement with Peter Sinram for Jackson Street

Commissioner Golub stated the sidewalk agreement to be for 175 square feet of sidewalk at $15.00 per square foot at 49 Jackson Street. Golub stated the payment for the project shall be made to the City prior to the commencement of the project.

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the sidewalk installation agreement with Peter Sinram for 49 Jackson Street.

Ayes – 5
Nays – 0
Motion carried.

3. Discussion and Vote: Authorization for Mayor to Sign Agreement with Rich Schrade for Sewer Installation at 12 St. Raymond Court

Commissioner Golub stated the Department of Public Works assessed installment of a new sewer main at Grand Avenue and St. Raymond Court. Golub stated the residents in the location relied on home septic systems. Golub stated Rick Schrade to be the owner at 12 St. Raymond Court and had agreed to pay for all material associated with the installation of a new sewer main. Golub stated the DPW agreed to perform the work to connect all the residents of St Ray mond Court to the City’s sanitation system, which would generate new revenue. Golub stated the agreement acknowledged all material used in the installation would remain the property of the City.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign the agreement with Rick Schrade for the sewer installation at 12 St. Raymond Court.

Ayes – 5
Nays – 0
Motion carried.

4. Discussion and Vote: authorization for Mayor to sign agreement with SoBro Conservancy of Saratoga for Water Service
Commissioner Golub stated the Department of Public Works would partner with SoBro conservancy of Saratoga to develop green space at 209 Broadway. Golub stated the DPW would be contracted to provide water service.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with SoBro Conservancy for water service.

Ayes – 5
Nays – 0
Motion carried.

5. Discussion and Vote: Authorization for Mayor to Sign Contract with Barton & Loguidice for a Lake Water Quality Update Study

Commissioner Golub stated the lake water quality update study had not been updated since 1999. Golub stated due to the increasing growth of the City it is important that the proposed yearlong study to take place for future planning purposes.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with Barton & Loguidice for a lake water quality update study.

Ayes – 5
Nays – 0
Motion carried.

6. Discussion and Vote: Authorization for Mayor to Sign Addendum #3 with Clark Patterson Lee for the WTP Intake Valve Replacement Project

Commissioner Golub stated addendum #3 in the amount of $19,000.00 was for additional professional services required to complete the water treatment plant intake valve project. Golub stated all other terms and conditionals of the original agreement were to remain the same.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign addendum #3 with Clark Patterson Lee for the WTP Intake Valve Replace Project.

Ayes – 5
Nays – 0
Motion carried.

7. Discussion and Vote: Authorization for Mayor to Sign Contract with Pompa Brothers for Asphalt

Commissioner Golub stated the contract with Pompa Brothers to be a piggyback contract of Saratoga County for asphalt required for DPW paving projects.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with Pompa Brothers for asphalt valid until December 31, 2023, in the amount not to exceed bid unit prices.

Ayes – 5
Nays – 0
Motion carried.

8. Discussion and Vote: Authorization for Mayor to Approve Invoice Payment to Blue Beam for Computer Program

Commissioner Golub moved and Commissioner Sanghvi seconded to authorize the approval to pay invoice #1601999 to Blue Beam in the amount of $900.00.

Ayes – 5
Nays – 0
Motion carried.

9. Discussion and Vote: Authorization for Mayor to Sign Utility Work Agreement with the Department of Transportation

Commissioner Golub stated NYS DOT is currently engaged in the Rt. 9P Pavement Maintenance and Shoulder Widening Project. Golub stated the City of Saratoga Springs owns the water valve boxes located on Route 9P and are in the way of the construction project. Golub stated the boxes to be height adjusted by the NYS DOT to meet pavement finish grade at no cost to the City.

Commissioner Golub moved and Commissioner Moran seconded to authorize the Mayor to sign the utility work agreement with the Department of Transportation.

Ayes – 5
Nays – 0
Motion carried.

10. Announcement: Publishing of MS4 Annual Report

Commissioner Golub stated the draft 2022-2023 City’s Municipal Separate Storm Sewer System (MS4) Program’s Annual Report is available on the City’s website for a 30-day public review and comment period beginning May 1, 2023. Golub stated the MS4 Program is administered state-wide by the NYS Department of Environmental Conservation and require annual updates. Golub stated anyone wishing to comment on the draft report should contact the MS4 Program Coordinator in the City Engineer’s Office at 518-587-7098 ext. 2573, or by email to Al Flick at al.flick@saratoga-springs.org.

Commissioner Golub moved and Commissioner Sanghvi seconded to add a Public Hearing as item #11.

Ayes – 5
Nays – 0
Motion carried.

11. Set Public Hearing: Amend the Capital Budget to Include a Caroline Street Pedestrian Improvements Multi-Modal #4 Project

Commissioner Golub requested five (5) minutes at the May 16, 2023 City Council Meeting for a Public Hearing to amend the Capital Budget to include a Caroline Street Pedestrian Improvement Multi-Modal #4 Project in the amount of $150,000.
1. **Discussion: 2022 Preliminary Financial Report**

Commissioner Sanghvi stated the 2022 preliminary financial report document to be the update of the 2022 Annual Financial Report and had been filed with the NYS Comptroller’s Office on April 28, 2023. Sanghvi stated the data will be audited and finalized by October 2023. Sanghvi stated the General Fund to contain a balance of $28,432,000.00 with the unassigned amount to be $16,980,000.00 and restricted amount to be $11,452,000.00. Sanghvi stated the General Fund had a surplus in the amount of $5,367,000. Sanghvi stated the unrestricted and unassigned fund balance is predicted to be 29.79%, which would exceed the acceptable range of 10 – 25%.

Commissioner Sanghvi reminded the Council the Finance Department does not expect Federal Aid in 2023. Commissioner Sanghvi stated there were no sales of Real Property in 2022.

Commissioner Sanghvi stated in 2022 the City collected the highest Sales Tax revenue in the amount of $16,954,841.00. Sanghvi stated in 2022 the City collected the highest Mortgage Tax revenue in the amount of $2,137,237.79. Sanghvi stated in 2022 the City collected the highest Occupancy Tax revenue in the amount of $743,149.23.

Commissioner Sanghvi stated the 2022 General Fund revenues were in the amount of $56,800,000.00, which was $2.4 million dollars less than 2022 revised budget. Sanghvi stated the General Fund expenses were $817,000.00 less than the revised budget.

Commissioner Sanghvi stated the 2022 General Fund expenses consisted of the following:

- Health Insurance $7,824,000
- Retirement Costs $4,442,000
- Social Security $1,870,000
- Utility $505,000
- Overtime $1,269,000
- Sick Leave $343,000
- Compensatory Time $719,000

Commissioner Sanghvi stated overtime pay had increased 39% from 2021. Mayor Kim requested an overtime breakdown by department.

Commissioner Sanghvi stated the Council should not increase spending, but should work to replenish funds. Sanghvi stated in June 2022, the City issued $17,137,000 in new debt for various capital projects.

Commissioner Sanghvi stated the City-imposed debt limit to be $99,854,000 as of December 31, 2022. Sanghvi stated year end outstanding bonds were $87,347,000, which $23,858,000 to be excluded from calculation due to projects. Sanghvi stated the amount available for future bonding to be $36,365,000.

Commissioner Sanghvi recommended the City to find additional avenues for revenue in 2023 and beyond. The Preliminary Financial Report for 2022 is attached.

2. **Announcement: Participatory Budgeting Accepting Project Proposals through July 1, 2023**

Commissioner Sanghvi stated the Finance Department’s Participatory Budget Project would be accepting proposals through July 1, 2023.
3. **Discussion and Vote: Resolution on Forfeiture of Assets Seized in Criminal Activity in the City of Saratoga Springs**

   Commissioner Sanghvi stated to be working with the City Attorney and Commissioner of Public Safety for clarification on the State and City regulations on the forfeiture of seized assets. Sanghvi removed the resolution from the Finance Agenda, at this time.

   **Commissioner Golub had left the City Council Meeting for a previous scheduled appointment.**

4. **Discussion and Vote: Budget Amendments – Fund Balance**

   Commissioner Sanghvi moved and Mayor Kim seconded budget amendments – Fund Balance.

   Ayes – 4  
   Nays – 0  
   Absent – 1 Golub  
   Motion carried.

5. **Discussion and Vote: Budget Transfers – Payroll & Benefits**

   Commissioner Sanghvi moved and Commissioner Moran seconded budget transfers – Payroll & Benefits.

   Ayes – 4  
   Nays – 0  
   Absent – 1 Golub  
   Motion carried.

   Commissioner Sanghvi moved and Commissioner Moran seconded to add a Discussion: **Tuesday, May 2, 2023, City Council Meeting as item #6.**

   Ayes – 4  
   Nays – 0  
   Absent – 1 Golub  
   Motion carried.

6. **Discussion: Tuesday, May 2, 2023, City Council Meeting**

   Commissioner Sanghvi asked Commissioner Montagnino whether there had been a safety plan in plan for the May 2, 2023, City Council Meeting where there had been extensive police presence that the Council had not been informed of beforehand. Commissioner Montagnino stated there had been talks with the DPS Deputy Commissioner, himself, and the SSPD command staff in response to significant activity on social medial, which indicated an intent to bring and recruit large numbers of attendees under potential questionable circumstances to the Tuesday, May 2, 2023, City Council Meeting. Montagnino stated the information DPS had lead to the decision to bring a number of on duty officers to monitor the situation. Montagnino stated he and SSPD Chief of Police would be able to provide a full breakdown of the events.
Mayor Kim stated he would requested a DPS Report under Section 4 of the City Charter with a due date to be determined. Kim stated under the City Charter the Mayor’s Office to be the presiding Office of the Council Meeting, which had not been forewarned of a plan of an uptick in security measures during the City Council Meeting. Kim stated he had bumped into three (3) officers in riot gear in the staircase leading to the City Council Meeting in the Music Hall. Kim stated on the drive home from the Council Meeting he spotted ten (10) Saratoga County Sheriff Vehicles in High Rock Park. Kim stated he would not disclose where he lived due to there being someone present in the audience who had threatened his family. Commissioner Montagnino stated there had been no police in riot gear.

Mayor Kim stated other than the Mayor’s Office to be the presiding Office of the Council Meetings, the Mayor’s Office housed the Risk & Safety and City Attorneys’ Departments. Kim stated none of the entities had been informed of any plans. Kim stated his office would like to know how the mutual aid agreement had been enacted and whether the Mayor’s Office to had been part of the discussion process to trigger the mutual aid decision.

Commissioner Sanghvi stated since the DPS had felt the need for a Deputy Commissioner to have had a police escort from the building, why had the rest of the Council not been informed of alleged unsafe situation. Sanghvi stated she comes to City Hall Meetings right from work and does not have time to scour social media. Sanghvi iterated the DPS Commissioner should have had the common courtesy to the fellow Council Members to let them know the safety plan.

Commissioner Moran stated several Council members have been threatened by members of the audience. Moran stated the individual who had threatened him had a concealed carry permit. Moran stated to plan to make a formal request to develop a policy to screen for weapons of those attending City Council Meetings. Moran stated the incitement and escalation activities put everyone in the room at risk. Moran stated he would no longer sit by and allow that to continue. Commissioner Montagnino asked whether Moran had referenced him as the person inciting activities. Commissioner Moran stated Commissioner Montagnino had been correct and that had been exactly what he had said and asked for the record to reflect that Commissioner Montagnino had incited activities. Mayor Kim stated Commissioner Moran’s characterization of Montagnino actions were accurate. Montagnino stated his comments to CBS 6 gave exact quotes by Montagnino. Montagnino reiterated there were no officers in riot gear and it to be a falsehood to repeat it. Kim stated Montagnino spent a lot of time talking to people in front of a television camera and does not talk to the rest of the Council.

Mayor Kim stated did not have complete knowledge of the change orders on the DPS Agenda. Kim stated Commissioner Montagnino does not make others aware of mundane issue of project change orders or important safety issues at City Council Meetings. Kim advised that talking with the other Commissioners and Mayor would be better than going to the TV cameras.

Mayor Kim stated he had contacted Commissioner Montagnino by email in previous days regarding an email which threatened Kim’s family by someone present at the current meeting. Kim stated he could find comfort knowing the person was in the room with him while Kim’s wife was at home alone. Kim stated Montagnino’s response to Kim’s email was to instruct Kim to go the SSPD window at City Hall and make a report. Kim stated his surprise at DPS Commissioner Montagnino and Deputy Commissioner Tutu’s disregard, while the officer on duty stated to know the person Kim had reported and reported the person to be unsavory and had been known to own weapons.
Commissioner Montagnino stated to be glad for open and recorded meetings so the public can decide for themselves who is inciting whom. Commissioner Moran stated anyone who viewed the situation would know what Montagnino had done. Moran stated to Montagnino that his tactics needed to end and suggested Montagnino stop using the power of the office to shut peoples voices down. Moran stated the worse thing to happen next would be someone to get hurt by ratcheting up the rhetoric instead of de-escalation. Moran stated he would never consult the newspapers to understand the items on Montagnino’s agenda. Moran stated Montagnino could forget ever getting another vote from him.

Commissioner Sanghvi stated other than the requested report from the Mayor under the Charter, would Montagnino provide the Council of future developments of safety plans as a courtesy to the Council walking into a situation. Commissioner Montagnino replied, “absolutely.”

City Attorney Izzo stated the report Mayor Kim requested to be made is to be made to the Council and not the Mayor.

PUBLIC SAFETY DEPARTMENT

Set Public Hearing: Ordinance to Prohibit Possession of a Firearm in a Public Place While much overtime had been paid for the police to stand in the back staircase. Kim stated the Office of Risk and Safety and City Attorneys’ Offices are housed in the Mayor’s Office. Kim stated none of the entities were informed of a security plan for the City Council Meeting. Kim stated he would like to be informed how the mutual aid agreement had been enacted and whether to trigger the mutual aid agreement should keep the Mayor’s Office informed.

1. Intoxicated or Impaired by Alcohol and/or Drugs

Commissioner Montagnino requested ten (10) minutes at the May 16, 2023, City Council Meeting for a Public Hearing on an ordinance to prohibit possession of a firearm in a public place while intoxicated or impaired by alcohol and/or drugs.

2. Discussion and Vote: Authorization for the Mayor to Sign a Contract with Tuff Kote Flooring, LLC.

Commissioner Montagnino stated the contract with Tuff Kote Flooring, LLC. is for the epoxy-coated flooring in the apparatus bay of fire station #3. Montagnino stated the amount of the bid to be in the amount of 62,500.00.

Commissioner Montagnino moved to authorize the Mayor to sign a contract with Tuff Kote Flooring, LLC. There was no second by a Council Member. The motion failed.

3. Discussion and Vote: Authorization for the Mayor to Sign Change Order #10 to Hueber Breuer for Fire Station #3

Commissioner Montagnino stated change order #10 consisted of fire hydrant bollards at the eastside fire station #3. Montagnino stated the amount of the change order #10 to be in the amount of $2,800.00.
Commissioner Montagnino moved to authorize the Mayor to sign change order #10 to Hueber Breuer for Fire Station #3. There was no second by a Council Member. The motion failed.

4. Discussion and Vote: Authorization for the Mayor to Sign Change Order #11 to Hueber Breuer for Fire Station #3

Commissioner Montagnino stated change order #11 consisted of EPDM roof revisions. Montagnino stated it had been determined the addition of protection board would increase the performance and longevity of the roof and prevent potential roof leaks. Montagnino stated the amount of change order #11 to be 4,421.00.

Commissioner Montagnino moved to authorize the Mayor to sign change order #11 to Hueber Breuer for Fire Station #3. There was no second by a Council Member. The motion failed.

5. Discussion and Vote: Authorization for the Mayor to Sign Change Order #12 to Hueber Breuer for Fire Station #3

Commissioner Montagnino stated change order #12 consisted of the expense of special inspections through February 28, 2023, in the amount of $7,613.25. There was no second by a Council Member. The motion failed.

Commissioner Montagnino stated pursuant to a report provided by Hueber Breuer, that Hueber Breuer beyond the estimated completion date of early July 2023. Montagnino stated it to be likely the completion of fire station #3 will not occur on time, and therefore additional costs may occur.

Mayor Kim stated he had not been approached by any of the Department of Public Safety staff regarding any of the change orders. Mayor Kim stated he would not approve items that would increase expenses, without the proper information to make a knowledgeable decision. Mayor Kim asked the press corp. whether they had been notified of the Tuff Kote change order. Kim recommended to Commissioner Montagnino to bring the change orders back to the Council with documentation. Kim stated when DPW has change orders on projects, they bring the documentation and reasoning to the Council. Kim stated when there had been changes required to the Downtown Connector project, the department came to the Council to explain the changes.

Mayor Kim stated the Commissioner of Public Safety (Montagnino) did not advise the Council how to keep safe during a meeting where ten (10) sheriff and three (3) police officers on standby.

Commissioner Montagnino stated the Tuff Kote Flooring LLC item with attachments had been on the pre-agenda meeting. Montagnino stated members of the Mayor’s staff had to approve the contract and had been an award of bid on the Account Department Agenda. Montagnino stated the Mayor had been playing hardball, which Montagnino stated he understood and expressed the Mayor was playing hardball with the taxpayers’ money.

Commissioner Sanghvi stated the Finance Department had been meeting with departments regarding the budget. Sanghvi stated each Commissioners had attended budget meetings
except Commissioner Montagnino. Commissioner Montagnino stated Deputy Tetu had attended the meeting. Sanghvi stated the DPS Commissioner should be aware of the budget due to the large amount of overtime submitted by DPS employees.

Commissioner Sanghvi stated Montagnino shows a disregard to talk to fellow Council-members. Sanghvi stated she tends to learn about DPS agenda items through social media or newspaper reports. Sanghvi stated Montagnino did not bother to let the Council know when their lives may be in danger, since there had been an excessive police presence in the Music Hall’s back staircase at the previous City Council Meeting. Commissioner Montagnino stated he thought everyone in City Hall knew there would be a huge presence at the previous City Council Meeting. Sanghvi asked Montagnino how the Council would have been made aware. Montagnino stated the situation had been unfolding at Council Meeting had been unfolding since February 7th. Sanghvi stated neither she nor her Deputy were aware of what they were walking into and the Commissioner should extend the courtesy of communication with the City Council. Sanghvi stated the Deputies and Commissioner’s should be communicating with each other.

Commissioner Moran stated as a professional engineer he questions why the change orders were not part the original contract of Fire Station #3. Mayor Kim stated Commissioner Moran had a point.

6. Discussion and Vote: Authorization for the Mayor to Sign Contract with Gorman Emergency Vehicles

Commissioner Montagnino stated the ambulance item had been on previous agendas. Montagnino stated there had been an attempt to piggyback off another municipal contract. Montagnino stated the Accounts Department had clarified piggyback contracts to the Council and the item had been pulled from the prior agenda by Montagnino. Montagnino stated another Award of Bid had been approved on the Accounts Department Agenda. Commissioner Montagnino stated if the contract for the emergency vehicle were not approved, it would be another twenty-six (26) months to deliver another vehicle.

Mayor Kim stated when the DPS tried to purchase the vehicle months ago the Council had been told the vehicle would not be made available for purchase for many months/years. Kim stated the Council agreed the City would need the ambulance. Kim had stated the Council asked for more documentation on the purchase and now after the correct procedures were complete, he would now vote for the vehicle.

Commissioner Moran stated he had agreed with the Mayor’s statement. Moran stated in the previous attempt towards emergency vehicle contract Commissioner Montagnino tried to jam through the purchase of the ambulance had been tried to be jammed through the process contrary to NYS Purchasing Policy. Moran stated the Council were required to follow the policy and procedures of the City.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the contract with Gorman Emergency Vehicles

Ayes – 4
Nays – 0
Absent – 1 Golub
Commissioner Montagnino moved and Mayor Kim seconded to add Part 1 of the Police Task Force 50 Point Recommendation as item #7.

Ayes – 4
Nays – 0
Absent – 1 Golub

7. Discussion: Fifty (50) Point Police Reform and Reinvention Collaborative Plan

Commissioner Montagnino stated to Part 1 of the report on the fifty (50) points had been requested to be submitted to the City Council on April 30, 2023, pursuant to the Mayor’s authority.

Commissioner Montagnino stated Part 1 of the report consisted of fully implemented items. Montagnino stated 36 of the 50 points were fully implemented procedures at the present time. Montagnino stated the presentation and review of the points were being addressed in the order as they appear on the 50 points adopted by the previous City Council on March 31, 2021.

Point #5: Increase Transparency and Accountability. Montagnino stated the entire SSPD manual is available on the City of Saratoga Springs Police Department website with limited redactions to the manner in which confidential informants are dealt with. Montagnino stated the release of body camera video footage had been another example of transparency.

Point #6: Develop a plan to try and diversify department personnel through targeted recruitment, including African American and Latinx officers with native multilingual proficiency. Montagnino stated the SSPD had been expanding their employment search with social media posts and career drives. Montagnino stated the SSPD had relaxed personal grooming policies, e.g., hair length, facial hair, etc. Montagnino stated the City Council agreed a Memorandum of Agreement with the PBA for lateral transfers.

Point #7: Seek accreditation through New York State Law Enforcement Accreditation Program. Montagnino stated the City is under a Charter mandate for accreditation. Montagnino stated the SSPD had passed the mock assessment completed by the DCJS supervisor. Montagnino stated the accreditation had not been completed due to the backup at the DCJS.

Point #8: Adopt and publish revised mission statement. Montagnino stated the revised mission statement is posted on the Saratoga Springs Police Department website. Montagnino stated the mission statement to be verbatim of the Police Reform Task Force recommendation.

Point #9: Evaluate reallocating funds within the existing budget so that the SSPD can continue and increase their training regimen – specifically for de-escalation and ICAT training. Montagnino stated fund are reallocated for training. Montagnino stated 9 officers had completed full emergency response training including ICAT training.

Mayor Kim stated Commissioner Montagnino’s item addition to be too lengthy to go through all 36 items before the next scheduled meeting for the room. Commissioner Montagnino
agreed the completion of the item would take longer than ten minutes, and a continuation would be acceptable.

Mayor Kim and Commissioner Sanghvi suggested a Special City Council Meeting to cover the continuance the DPS 50 Point Plan Report, Homelessness Management Services RFP, and Finance Report. Kim gave Commissioner Montagnino the option to continue his agenda at a Special City Council Meeting or the June 6, 2023, City Council Meeting.

Commissioner Moran stated Assistant City Attorney Michael Phillips with assistance from the Assistant Purchasing Agent would have RFP results before the June 6th Meeting.

Commissioner Montagnino agreed with Mayor Kim and concluded the DPS agenda.

PUBLIC COMMENT

Mayor Kim reminded the audience there is one (1) rule and three (3) suggestions: each speaker would have four (4) minutes to speak. Kim suggested the audience remember they are members of a community speaking to public members of that same community, be kind, because kindness is never wasted, be factual because accuracy and truth are the foundations of our democracy.

Dena Henke, of Saratoga Springs, thanked the Council for their appointment of the Homelessness Task Force. Henke stated the 8 of the 9 members voted for or agreed with the thousand foot buffer between a shelter and schools and other sensitive areas. Henke stated the City Council had potentially wanted a zero buffer from a school and shelter. Henke stated the Saratoga Springs Unified Development Ordinance contains a thousand foot buffer between school and shelter. Henke stated there to be a conflict of interest of a RISE employee on the Homelessness Task Force.

Molly Dunn, of Saratoga Springs, stated our society had been conditioned to keep the secrets of powerful white men under the guise of civility. Dunn stated there had been centuries of abuse by the Catholic Church, black people murdered by police, secularization of women, dehumanization of LGBTQIA community and genocide. Dunn stated the secrets of powerful white men were being exposed. Dunn stated she had been featured in a NY Times article. Dunn stated Commissioner Montagnino had a pet internship project with minor teenage boys. Dunn stated Montagnino’s internship project had not been approved with the City’s Human Resource Department. Dunn stated a ninth grade student holds the title of intern at City Hall. Dunn stated the child intern had been sent to contact and attempt to interview those associated with the NYS Attorney General’s investigation of the SSPD. Dunn asked where in the City Charter or Police Reinvention Plan it is stated the DPS Commissioner to be assigned a minor as intern. Dunn asked what had been the application process for the intern. Dunn stated to call for an end to the DPS Commissioner’s intern project.

John Dooley, of Saratoga Springs, stated to be a member of Protecting All Saratoga Students – PASS. Dooley stated the group were made up of thousands of concerned parents out of concern for the William St building to become a low barring homeless shelter. Dooley stated PASS cares about the homeless community and cares about a balanced, common sense approach. Dooley stated the position of PASS is a homeless shelter should not be positioned near a school in the City of Saratoga Springs. Dooley stated PASS give thanks to the members of the Mayor’s Homelessness Task Force.
Adam Israel, of Saratoga Springs, thanked the Council for recognizing Jewish Heritage Month. Israel stated to have met Commissioner Montagnino’s intern at the Board of Education debate and applaud his interest in civics. Israel quoted Anne Frank’s famous quote on goodness in people.

John Tygue, of Saratoga Springs, stated to be a third generation Saratogian. Tygue stated while growing up within the city he had seen racism. Tygue stated neither the city nor police department is perfect. Tygue stated there to be nothing wrong with the City acknowledgement of racism within the city’s history. Tygue stated to owe Mayor Kim an apology for Tygue’s racial insensitivity during Kim run for Mayor against Scott Johnson.

Sam Brewer, of Saratoga Springs, stated Council Members who were concerned about their personal safety should ask themselves why and what actions were the members doing to cause a reaction to make them feel unsafe. Brewer stated Montagnino to be a capable commissioner the Council should consult for their security needs. Brewer stated he agreed Commissioner Montagnino incited the crowd during the previous City Council Meeting. Brewer stated the City Council should consider the own physical security and that of the public during City Council Meetings to include armed officers.

EXECUTIVE SESSION

Mayor Kim moved and Commissioner Sanghvi seconded for the Council Members to go into Executive Session to discuss the New York State Attorney General’s investigation.

Ayes – 4
Nays – 0
Absent – 1 Golub

Mayor Kim stated the City Council had been informed by the City Attorney of the NYS Attorney General’s investigation. Kim stated no action had been taken in the Executive Session.

ADJOURN

Commissioner Moran moved and Commissioner Sanghvi seconded to adjourn the meeting at 5:29 p.m.

Respectfully submitted,

Barbara Brindisi
Assistant City Clerk

Approved: June 6, 2023
Vote: 5 – 0
ANNUAL FINANCIAL REPORT (AFR)

Fiscal Year 2022
Filed with State Comptroller’s Office: April 28, 2023
Next step: Auditing
(Rounded to the nearest thousand)
GENERAL FUND FUND BALANCE

$28,432,000

General Fund

16,980,000
Unassigned and Unrestricted

11,452,000
Restricted, Assigned, Non-spendable
$16,979,860: Unrestricted, Unassigned Fund Balance

$57,006,723: 2023 Adopted Budget

A / B = 29.79% of Adopted Budget
Saratoga Springs City Policy: General Fund Fund Balance Acceptable Range

10% – 25%

If below 10% it is considered a shortfall or deficiency
If above 25% it is considered a surplus or excess

$2,728,180 excess fund balance
RESTRICTED FUND BALANCE

$1,920,000 restricted in the form of retirement, insurance, capital, and other reserves

$1,030,000 appropriated to balance general fund budget in 2023

$2,363,000 assigned by City Council for various initiatives

$5,037,000 represents encumbrances

$1,103,000 non-spendable fund balance – pre-payment of annual retirement bill for 1/1/23 – 3/31/23
GENERAL FUND REVENUES: SALES TAX

Sales Tax

- 2018: $12,792,992
- 2019: $13,443,262
- 2020: $11,074,174
- 2021: $14,988,072
- 2022: $16,954,841
MORTGAGE TAX

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$1,335,640.48</td>
</tr>
<tr>
<td>2019</td>
<td>$1,969,124.11</td>
</tr>
<tr>
<td>2020</td>
<td>$1,534,907.31</td>
</tr>
<tr>
<td>2021</td>
<td>$2,058,461.52</td>
</tr>
<tr>
<td>2022</td>
<td>$2,137,237.79</td>
</tr>
</tbody>
</table>

Bar chart showing mortgage tax amounts for years 2018 to 2022.
HOTEL OCCUPANCY TAX

<table>
<thead>
<tr>
<th>Year</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$646,955.17</td>
</tr>
<tr>
<td>2019</td>
<td>$662,962.94</td>
</tr>
<tr>
<td>2020</td>
<td>$266,910.54</td>
</tr>
<tr>
<td>2021</td>
<td>$586,747.41</td>
</tr>
<tr>
<td>2022</td>
<td>$743,149.23</td>
</tr>
</tbody>
</table>

2018 2019 2020 2021 2022
## GENERAL FUND REVENUES

<table>
<thead>
<tr>
<th>Revenues</th>
<th>Amount</th>
<th>Increase/ Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities Gross Receipts Tax</td>
<td>$517,000</td>
<td>$66,000 more than budgeted</td>
</tr>
<tr>
<td>Franchise Fees</td>
<td>$566,000</td>
<td>$5,000 more than budgeted</td>
</tr>
<tr>
<td>Ambulance Fees</td>
<td>$1,787,000</td>
<td>$13,000 less than budgeted ($397,000 more than 2021)</td>
</tr>
<tr>
<td>Admission Tax</td>
<td>$451,000</td>
<td>$21,000 more than budgeted</td>
</tr>
<tr>
<td>VLT AID</td>
<td>$2,326,000</td>
<td>As budgeted</td>
</tr>
<tr>
<td>State Aid Revenue Sharing</td>
<td>$1,650,000</td>
<td>As budgeted</td>
</tr>
<tr>
<td>Federal Aid</td>
<td>$3,924,000</td>
<td>(Not expected in 2023)</td>
</tr>
</tbody>
</table>
## General Fund Expenses

<table>
<thead>
<tr>
<th>Expense</th>
<th>2022</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Insurance</td>
<td>$7,824,000</td>
<td>8% increase from 2021</td>
</tr>
<tr>
<td>Retirement Costs</td>
<td>$4,442,000</td>
<td>3% decrease from 2021</td>
</tr>
<tr>
<td>Social Security</td>
<td>$1,870,000</td>
<td>8% increase from 2021</td>
</tr>
<tr>
<td>Utility</td>
<td>$505,000</td>
<td>5% increase from 2021</td>
</tr>
<tr>
<td>Overtime</td>
<td>$1,269,000</td>
<td>39% increase from 2021</td>
</tr>
<tr>
<td>Sick Leave</td>
<td>$343,000</td>
<td>3% increase from 2021</td>
</tr>
<tr>
<td>Compensatory Time</td>
<td>$719,000</td>
<td>35% increase from 2021</td>
</tr>
</tbody>
</table>
### Other Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$215,000 operating surplus</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$975,000 operating surplus</td>
</tr>
<tr>
<td>City Center Fund Balance</td>
<td>$10,503,000</td>
</tr>
<tr>
<td></td>
<td>($938,000 for capital projects)</td>
</tr>
</tbody>
</table>
DEBT LIMIT

City’s self-imposed Debt Limit is $99,854,000 as of December 31, 2022
Outstanding Bonds: $87,347,000
Projects whose debt is excluded from calculation: $23,858,000

AVAILABLE FOR FUTURE BONDING: $36,365,000
# Long Term Liabilities

<table>
<thead>
<tr>
<th>Long term liabilities</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sick and compensatory time</td>
<td>$4,426,000</td>
</tr>
<tr>
<td>Future lease payments</td>
<td>$83,000</td>
</tr>
<tr>
<td>Post Employment Benefits – Health Insurance</td>
<td>$139,803,000</td>
</tr>
<tr>
<td>Pension liability</td>
<td>$5,063,000</td>
</tr>
</tbody>
</table>

**LONG TERM LIABILITIES (Including Bonds)** $228,507,000
State of our city finances is very good.

However, 2022 numbers included $3.9 million in Federal funds. We have to make up those monies and find new avenues for revenue in future years.

Possible new avenues for revenue in 2023 and beyond

- Cannabis sales tax
- Registration for short term rentals
Overall, considering the national, state, county and city economic indicators – I recommend a conservative approach to our finances in 2023 and beyond

- Rebuild our reserves
- Invest in infrastructure
- Establish stable revenue streams

- Forecasting for the future and creating a strategic plan for the next 10 years for the city
Dear Commissioner Dillon Moran:

The Protecting All Saratoga Students (PASS) group has grown to thousands of Saratoga residents since Mayor Ron Kim declared Williams Street the next location for a low-barrier homeless shelter last October. The purpose of this communication is to officially state PASS’ position that such a shelter should not be placed near any school or playground in the City of Saratoga Springs. PASS consists of hardworking, charitable families who devote much time volunteering to support the area homeless, food pantries, veterans and mentally challenged. Like many area residents, PASS believes in a balanced, common-sense approach that provides for the homeless while ensuring the safety of school children.

Mayor Ron Kim has repeatedly stated the need to move the city’s chronic homeless, such as those who occupy our parking garages, into this low-barrier shelter due to their inappropriate interactions with Saratoga Springs visitors, residents, and businesses. Given the risk profile of the homeless population in low-barrier shelters, locating any facility that does not require sobriety or background checks near any school or playground would put children at risk, making any such option unacceptable. Not only is it unsafe for children, but any incident involving a single child would make it difficult if not impossible for the City Council to help the homeless in the future.

As a city representative, I assume that you agree.

Therefore, we hope you will commit to not support any proposals to locate low-barrier homeless shelters, or shelters that do not require background checks and drug and alcohol tests, within 1000 feet of any school or playground while considering other locations for such a facility.

Thank you for your consideration and your work to advance the well being of our homeless population as well as the most vulnerable, our children. Please send any questions or comments to protectingallsaratogastudents@gmail.com.

Sincerely,

Protecting All Saratoga Students
Proposed Motion – Location Exclusion

Introduction:

As we begin our discussion re a shelter location, I wanted to first put forth a motion to help establish a “ground rule” that can streamline our deliberation and attempt to make our examination of options more efficient.

Businesses, insurance companies, law firms and real estate companies alike, and many other entities, all utilize the term “exclusion” to eliminate certain items or matters from consideration. In our case, too, it is applicable to our location options as well.

Our country is currently reeling from uncontrolled violence and unexplained behavior due to many reasons some of which are considered existent within the homeless population. Moreover, much of this activity is being conducted at schools or on schoolgrounds. With this background, we cannot take a chance by considering, let alone recommending, a location that exposes the safety and security of the most vulnerable within our community – namely our children. We must protect them as the priority.

As a result, I would like to put forth the following Motion.

Motion:

That no permanent shelter in Saratoga Springs be sited at a location near a School, Playground, School Bus Stop or similar locales where children meet or congregate.

Children as defined by this Motion:

For purposes of this motion, children are defined as any individual up to the age of 18, the base legal age of an Adult.

Minimum Required Location “Buffer” for a Permanent Shelter:

The minimum required distance, or “buffer,” from a School, Playground, School Bus Stop or similar locales where children meet or congregate in which a permanent shelter could be considered or sited is 1,000 feet. This is the same legal requirement that restrains pedophiles from residing or frequenting these locations.

Rational behind this Proposal:

In deliberating matters of disagreement, it is not uncommon to utilize “mitigating considerations” to bring the differing parties together. Please note that, in my opinion, there are no mitigating actions that can adequately make up for compromises in the safety and security of our children. To me, it is a black and white issue.

Thus, the basis behind this Motion.

4/20 passed 5-0-4
A PROCLAMATION
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, throughout our city’s history, religion has played a large part in the development of our community and our identity. It symbolizes the freedom to practice our own faith while supporting those with differing faiths; and,

WHEREAS, the Anti-Defamation League reports that 2021 was the highest year on record for reports of attacks against Jewish people; and,

WHEREAS, the Jewish community deserves to feel safe and welcome in their homes and celebrated as a people that have enriched the nation as a whole; and,

WHEREAS, the month of May is designated as Jewish American Heritage Month.

NOW THEREFORE, I, Ron Kim, Mayor of the City of Saratoga Springs, am pleased to join with my fellow Saratogians in celebrating Jewish American Heritage Month, and to extend to the Jewish community our very best wishes. I hereby proclaim the month of May, 2023, as

JEWISH AMERICAN HERITAGE MONTH

Dated: May, 2023

________________________________
RON KIM
Mayor
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS
IN SUPPORT OF NEW YORK SIRE STAKES ELIGIBILITY LEGISLATION

WHEREAS, the harness horseracing industry has a long and distinguished history in Saratoga Springs, New York tracing back to the mid-1800s; and

WHEREAS, in 1965 the LaVerne Law established the Agriculture and New York State Horse Breeding Development Fund to promote the breeding of harness horses and the conduct of equine research in the State; and

WHEREAS, to carry out its legislative mission, the Fund administers the New York Sire Stakes races, among other races and provides assistance to county agricultural societies and contributes to the statewide 4-H program and to the Harry M. Zweig Fund for Equine Research; and

WHEREAS, the New York Sire Stakes was the first program of its kind developed in North America and later became the model for state-bred racing programs in nearly all of the major harness racing states and provinces on the continent with the first official program inaugurated in 1965; and

WHEREAS, harness horse racing and the New York State Sire Stakes program through numerous intra-related equine and agricultural industries maintains a significant economic impact on the City of Saratoga Springs; and

WHEREAS, only foals bred by a mare and a stallion physically present within New York State can meet eligibility requirements to participate in the New York State Sire Stakes program; and

WHEREAS, in recent years, due to the eligibility requirements, the number of mares bred in New York State has decreased significantly, and thus there are fewer foals that can be nominated to participate in the program; and

WHEREAS, the New York State legislature has introduced legislation to address this drop (A3528/S2779), that is a common sense change which will allow participation in New York State Sire Stakes races by foals sired by a registered New York Stallion regardless of the physical location of the mare at insemination and will bring New York in line with virtually every US State and Canadian racing program;

NOW THEREFORE, BE IT RESOLVED as follows:

1. This Council recognizes the importance of the continuation of harness horse racing within the City; and
2. This Council endorses the proposed legislation that will allow for greater participation in the New York Sire States Program; and,
3. This Council commits to exploring and adopting policies and programs that promote harness horse racing, its intra-related industries and the continuation of the New York State Sire Stakes program.

DATED:

Ayes:
Nays:

CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, New York

By: Dillon Moran, City Clerk
A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS

IN MEMORIAM
ELIO H. DEL-SETTE 1933-2023

WHEREAS, Elio H. Del-Sette, educator, mentor, and Commissioner for the Saratoga Springs Civil Service Commission, died on April 27, 2023; and

WHEREAS, Commissioner Del-Sette served as Civil Service Commissioner for more than 40 years, frequently serving as Chair of the Commission. He brought greater viability and accessibility to the Civil Service process, insisting on regular meetings and schedules, and establishing that all Commission meetings would be held in City Hall and open to the public. He was dedicated to this city’s workforce, frequently working with employees and unions to attend meetings of the Commission and provide input to help develop procedures that would address employee concerns; and;

WHEREAS, He was a native Saratogian who loved his family, his friends, and his city. His many years of experience as a teacher in Niskayuna served him well in explaining the Commission’s role and its importance to the city’s government. In person, his common sense, plain speaking approach won him many friends throughout our city, and he identified so strongly with Saratoga Springs that even after he retired to Florida he found that he could not be happy living anywhere else but here, and he soon returned. His accomplishments will continue to be an integral part of our Civil Service process for many decades yet to come,

NOW, THEREFORE, BE IT RESOLVED, that, I, RON KIM, Mayor of the City of Saratoga Springs, join with my fellow City Council members on behalf of the people of Saratoga Springs, to hereby honor the memory and the achievements of Commissioner Elio H. Del-Sette, and to extend sympathy to his family.

READ into the minutes at the regular meeting of the City Council on May 2, 2023.

________________________________
RON KIM, Mayor
A PROCLAMATION
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

WHEREAS, throughout our city’s history, mental health professionals have played a large part in the development of our City and its residents. They assist us in confronting traumas, worries, and insecurities — allowing us to live better lives; and,

WHEREAS, Dr. Donna Cohen, a graduate of the University of Chicago and the University of Washington, is a dedicated individual who provides psychiatric care for people living with mental illness; and,

WHEREAS, she has served the Saratoga community, making a difference in people’s lives through work with Saratoga County Mental Health and Addiction Services, Skidmore College and Saratoga Hospital Mental Health Unit; and,

WHEREAS, Dr. Cohen is being honored as the 2023 Citizen of the Year by the Saratoga County Citizens Committee for Mental Health.

NOW THEREFORE, I, Ron Kim, Mayor of the City of Saratoga Springs, am pleased to join with my fellow Saratogians in celebrating Dr. Donna Cohen and extending our very best wishes for success in the years to come. I hereby proclaim today, May 2, 2023, as

DR. DONNA COHEN DAY

Dated: May 2, 2023

_______________________________
RON KIM
Mayor