

CITY OF SARATOGA SPRINGS

City Council Meeting



June 21, 2022

City Council Chambers

: P.H. - Section 103-a of Open Meetings Law

: P.H. - UDO Amendment 2 - Land Use Boards Criteria for Greenbelt

: P.H. - UDO Amendment 3 - Enhance Stream and Wetland Protections

: P.H. - UDO Amendment 4 - Amend Land Disturbance Activity Permit

06:50 PM P.H. - UDO Amendment 1 - Remove Uses From Greenbelt

 Print

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION(S):

1. Dept of Public Safety Dispatchers: First Responders in Communication

EXECUTIVE SESSION:

CONSENT AGENDA

1. Approve Budget Transfers - Capital Regular
2. Approve Budget Transfers - Regular
3. Approve Payroll 06/10/22 \$429,801.15
4. Approve Payroll 06/17/22 \$638,719.47
5. Approve Mid-Warrant 2022, 22MWJUN2 \$4,045,738.27
6. Approve Warrant 2022, 22JUN2 \$1,127,816.52

MAYOR'S DEPARTMENT

1. Announcement: Saratoga Springs High School Drama Club
2. Announcement: Appointment to Design Review Commission
3. Announcement: Designation of Vice Chairperson of Planning Board

4. Announcement: Letter to NYSEDA re Climate Action Council Draft Scoping Plan
5. Discussion: Model Resolution re Section 103-a of Open Meetings Law
6. Discussion and Vote: Appointment to Civil Service Commission
7. Discussion and Vote: Resolution authorizing Construction Phase of PIN 1761.58 Missing Sidewalk Links

ACCOUNTS DEPARTMENT

1. Announcement: Local Businesses Milestones
2. Announcement: Upcoming Special Events
3. Announcement: Early Voting
4. Award of Bid: Saratoga Fire Station 3 - Electrical to DLC Electric, LLC
5. Award of Bid: Saratoga Fire Station 3 -General Construction to Bunkoff Contractors, Inc
6. Award of Bid: HVAC Services to BPI Mechanical and Postler and Jaeckle Corp.
7. Discussion and Vote: Approval of Resolution for Marriage Officiant
8. Update: COVID and Planned City Activities

FINANCE DEPARTMENT

1. Update: Participatory Budgeting
2. Update: City Finances
3. Announcement: 2022 Bond Rating and Sale
4. Discussion and Vote: Revised Assignment for Participatory Budgeting
5. Discussion: Process re HR and Civil Service
6. Discussion and Vote: Budget Transfers - Payroll
7. Discussion and Vote: Budget Amendments - Interfund Transfer
8. Discussion and Vote: Budget Transfers - City Center Contingency

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Contract with BPI Mechanical for HVAC Services
2. Discussion and Vote: Authorization for the Mayor to Sign Contract with Postler & Jaeckle Corp for HVAC Services
3. Discussion and Vote: Authorization for the Mayor to Sign License Agreement With Seneca Restaurant, LLC
4. Discussion and Vote: Authorization for Free Carousel Rides for the Carousel's 20th Anniversary

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to sign agreement with Live Nation Worldwide, Inc
2. Discussion and Vote: Authorization for Mayor to sign contracts with Saratoga County for STOP-DWI and STOP-DWI High Visibility Engagement Campaign funding
3. Discussion: MOA with PBA for 10 hour shifts
4. Discussion and Vote: Authorization for Mayor to sign contract with UDig NY
5. Discussion and Vote: Authorization for Mayor to sign contract with DLC Electric, LLC
6. Discussion and Vote: Authorization for Mayor to sign contract with Bunkoff General Contracting

SUPERVISORS

1. Announcement: Matt Veitch
 1. NYS Route 50 Update
 2. Saratoga County COVID-19 Grant Program
 3. 2022 Open Space Grants
2. Announcement: Tara N. Gaston
 1. COVID-19 Updates
 2. Non-Profit Grant Programs
 3. Board of Supervisors Meeting

ADJOURN



June 21, 2022

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

PRESENT:

Ron Kim, Mayor
Minita Sanghvi, Commissioner of Finance
James Montagnino, Commissioner of DPS
Dillon Moran, Commissioner of Accounts
Tara Gaston, County Supervisor

STAFF PRESENT:

Angela Rella, Deputy Mayor
Stacy Connors, Deputy Commissioner of Accounts
Joseph O'Neill, Deputy Commissioner of DPW
Anthony Izzo, City Attorney

EXCUSED:

Jason Golub, Commissioner of DPW
Matthew Veitch, County Supervisor

STAFF EXCUSED:

Heather Crocker, Deputy Commissioner of Finance
Jason Tetu, Deputy Commissioner of DPS

RECORDING OF PROCEEDINGS

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

PUBLIC HEARING

Section 103-a of Open Meetings Law

Mayor Kim opened the public comment period at 6:49 p.m.

Mayor Kim stated the new proposal from state legislature Chapter 56 added Section 103-a of the Open Meetings Law, would authorize its members to attend meetings by videoconferencing due to extraordinary circumstances. Kim stated the law would allow for hybrid meetings by requiring the minimum number of members to be present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend. Kim stated Council or Board Member would be required to be physically present at such meetings, unless the member is unable to be physically present at any such meeting location due to extraordinary circumstances

including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

Mayor Kim stated the open public meeting would be allowed to be live anywhere, if the meeting had been advertised and the public invited. City Attorney Izzo stated the law required each body of government which enacts the law, to establish written policies and procedures to submit to their local government; making clear the extraordinary circumstances which required the use of videoconferencing.

Mayor Kim stated the City Council would be required to define extraordinary circumstances. Kim stated to have received guidance from the State of New York and the Conference of Mayors as to ideas of extraordinary circumstances. Kim asked the Council to supply ideas of what they felt should be included as an extraordinary circumstance.

Sam Brewer Lake Avenue, of Saratoga Springs recommended to the Council to look to NYS laws that specifies what is to be declared as exceptional circumstance or emergency circumstances.

Mayor Kim concluded the public hearing at 6:56 p.m. and kept it open.

UDO Amendment 2 – Land Use Boards Criteria for Greenbelt

Mayor Kim opened the public comment period at 6:57 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 6:51 p.m. and kept it open.

UDO amendment 3 – Enhance Stream and Wetland Protections

Mayor Kim opened the public comment period at 6:58 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 6:58 p.m. and kept it open.

UDO Amendment 4 – Amend Land Disturbance Activity Permit

Mayor Kim opened the public comment period at 6:59 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 6:59 p.m. and kept it open

UDO Amendment 1 – Remove Uses From Greenbelt

Mayor Kim opened the public comment period at 6:59 p.m.

No one spoke.

Mayor Kim concluded the public hearing at 7:00 p.m. and kept it open

CALL TO ORDER

Mayor Kim called the meeting to order at 7:00 p.m.

ROLL CALL

Kim – Aye
Sanghvi – Aye
Moran – Aye
Montagnino – Aye
Veitch – Aye
Gaston – Aye
Izzo – Aye

PUBLIC COMMENT

Mayor Kim reminded the audience there is one (1) rule and three (3) suggestions: each speaker would have two (2) minutes to speak. Kim suggested to audience to remember they are members of a community speaking to public members of that same community, be kind, because no act of kindness is ever wasted, and be factual because accuracy and truth are the foundations of our democracy. Kim stated any council member or supervisor had the option of responding but are not required.

Carol Obloy of 268 Broadway, Saratoga Springs, stated a traffic watch is required on Broadway between Congress and Circular Streets, which has a speed limit, on school days, of fifteen (15) miles per hour between 7 a.m. through 6 p.m. Obloy stated the speed limits were not being enforced. Obloy stated the school zone speed limit is only posted on the southbound lane and not on the northbound lane into Saratoga Springs. Obloy stated to have submitted a traffic and pedestrian click-it/ fix it form on May 31, 2022. Obloy stated parents of students attending Spa Catholic make u-turns on Broadway during student drop off and pick up. Obloy stated to have had left a voicemail with the traffic department and had not received confirmation that the issue had been addressed.

Deidre Ladd of Regent St., Saratoga Springs, stated to be a member of the Climate Smart Task Force. Ladd asked the Council to sign and submit the letter, written by Tina Carton, to New York State Energy Research and Development Authority (“NYSERDA”). Ladd stated to urge NYSERDA to include support to municipalities for staff training. Ladd stated the letter required submission from the Council to NYSERDA by July 1, 2022.

Commissioner Sanghvi asked Mayor Kim if the letter Ladd referenced is the same letter on the agenda. Kim stated in the affirmative the letter to be the same. Mayor Kim stated the goal of the letter had been supported, but had a hesitation on signing the letter and recommended to have a meeting prior to the July 1, 2022, to be made clear of some of the granular details.

Nora Brennan, Saratoga Springs, stated it to be rumored a police officer represented themselves as a School Resource Officer (“SRO”) near Division Street Elementary School. Brennan stated the School District had not been aware there were any named SRO’s other the one currently assigned to the school (district). Brennan stated the SSPD Facebook page named tow (2) policed officers as SRO’s. Brennan stated to have concern there were no authorization or communication by the SSPD with the Saratoga Springs School District. Brennan stated the lack of transparency on the part of the SSPD to unilaterally make the decision to put police into the schools, rather than communicating with the school community, felt like a emotional reaction to the Uvalde school massacre. Brennan stated clarification is required of the SSPD of the decision to increase the number of SRO, and to disclose the training received by the officers.

Chris Mathiesen of Friar Tuck Way, Saratoga Springs, stated former SSPD Laura Emanatian named one of five women of influence in the community by Saratoga Today. Mathiesen stated it to been ten (10) years since the SSFD took over ambulance transportation within the City of Saratoga Springs. Mathiesen stated the efforts were a coordinated effort by many people. Mayor Kim stated Mathiesen had been Commissioner of DPS at the time and ensured the program to be successful.

Mayor Kim concluded the Public Comment at 7:12 p.m.

PRESENTATION:

Department of Public Safety Dispatchers: First Responders in Communication

Saratoga Springs Public Safety Dispatcher Aneisha Liska stated she had been a Dispatcher for SSPD and SSFD and EMS for nine (9) years. Liska stated 9-1-1 had been implemented in 1968, and 96% of all Americans have access to 9-1-1. Dispatchers throughout America had been classified as clerical workers. On September 11, 2001, NYS Governor Hochul changed the classification of dispatchers in New York to First Responders, since they are the first point of contact during an emergency. In 2021, Saratoga Springs Police Department handled 27,957 calls to service, and Saratoga Springs Fire Department handled 5,694 Fire/EMS calls to service. Liska stated the mentioned number of those calls does not represent all calls, since non-emergency calls were not counted. Liska stated when they do answer calls it tends to be on the citizen calling in to be one of the worst days of the person's life.

Requirements to be a dispatcher include multitasking and requirement to act quickly. Several calls come in at the same time, strong decision-making skills, understanding who to call and what appropriate apparatus to send are critical. Within the City of Saratoga Springs, the required number of dispatchers for the size of the city and population are to be twelve (12) and the City employs eight (8). The staff work shifts are 7 days on two days off, and eight days on and then four days off. Due to the staff shortages, the work shifts have gone to 12–16-hour shifts. Dispatchers do not receive lunch breaks without lunch breaks, and leads to burnout. In Saratoga Springs the call volume has gone up, and the summer is more than usual.

Mandatory overtime is required of dispatchers; in 2019, dispatchers put in 2,700 hours of overtime. Much of the overtime comes in over the summer; with SSFD/EMS taking over the SPAC detail the number of calls and overtime requirements will continue to rise. Liska stated in 2021 she had 333 hours of overtime, and is already at 222 hours of overtime for 2022.

Saratoga Springs DPW Dispatch hires at \$25.00 per hour, Saratoga Bus Garage Dispatch hires at \$24.04 per hour, and Saratoga PD/Fire/EMS/911 Dispatch hires at \$22.44 per hour. The SSPD/EMS dispatchers are on duty 24 hours/ 7-days a week and holidays. SSPD/EMS dispatchers are required to handle all the DPW, Bus Garage, Animal Control Officers and Parking Enforcement calls when they are not on duty since the other departments were not considered essential. Dispatchers work as liaisons between SSPD, SSFD, Special Event Coordinators, and SPAC staff. Dispatchers enter SSPD and SSFD times into Emergency Reporting to a tenth of a second; the recorded times are beneficial for grant requests to those departments.

Dispatchers in comparable cities make up to \$8.00 more an hour than those in Saratoga Springs. Dispatchers work as City Hall employees, and are under CSEA contract. Dispatchers are presently at pay grade 10 and are proposing to be raised to grade 14. CSEA encouraged the dispatchers make the presentation to the Council for a raise. Mayor Kim asked if the dispatcher position fit in the CSEA.

The overtime cost of 2,000 hours in 2021 equated to \$50,000 in overtime pay due to being down two (2) dispatchers. The total cost for a full staff of twelve (12) dispatchers at grade 14 would be \$246,544. Commissioner Montagnino stated the dispatchers are required to be on-call before and after the shift without on-call pay.

Reclassification of dispatchers as first responders would allow for them to be eligible to apply and access grants, but only with a fully staffed department. A new hire is not cleared to be a full-time dispatcher for up to twelve weeks (12) weeks after hire. The increase of pay would benefit retention, and assist in maintaining a full staff and prevent employee burnout. In the past nine (9) years, the department saw the loss of nineteen (19) hires with only three (3) being from retirement of service.

The department took different avenues to recruit, and twelve (12) people replied. The local news station did a story, and an additional thirty (30) took the test. Out of the twenty-six (26) who passed the test, ten (10) stated an interest in the position. Liska stated through years on the job, only one in four people stay at the position for any length of time after hiring due to the demands of the job.

Supervisor Tara Gaston stated Saratoga County approved a fund for recruitment grants for law enforcement and first responders. Mayor Kim stated the City Council could have the ability to raise and reclassify all dispatchers to grade 14 without reopening the terms of the contract. City Attorney Izzo stated more information would be required and the CSEA contract would require to be researched.

CONSENT AGENDA

Mayor Kim moved and Commissioner Moran seconded to approve the consent agenda as listed:

1. Approve Budget Transfers – Capital Regular
2. Approve Budget Transfers – Regular
3. Approve Payroll 06/10/2022 \$429,801.15
4. Approve Payroll 06/17/2022 \$638,719.47
5. Approve Mid-Warrant 2022, 22MWJUN2 \$4,045,738.27
6. Approve Warrant 2022, 22JUN2 \$1,127,816.52

Mayor Kim asked City Attorney Izzo to speak regarding votes and minutes when a Council Member is not present. Izzo stated the general rule is if a board member were not present at a previous meeting and would like to participate or vote in the subsequent meeting, the Council Member is required to read the record and familiarize themselves with the record and supporting documents and then state the same on the record. Izzo stated the process to be more common on Land Use Boards.

Ayes – All

SUPERVISORS

Supervisor Michael Veitch

1. NYS Route 50 Update

Supervisor Veitch stated paving and other work had begun, by the County DPW and NYS Dept. of Traffic, on Route 50 South. Veitch stated NYS Department of Traffic is currently doing culvert wiring and signal work near SPAC and paving would begin in late June early July paving between Leonard Road to the City-line - south to north.

2. Saratoga County COVID-19 Grant Program

Supervisor Veitch stated the County approved a schedule of grants for the Not-For-Profit COVID Relief Grant Program. Veitch stated the County added two-million dollars to the budget for 2022, for the purpose of providing funds to not-for-profit organizations impacted by COVID-19. Veitch stated Saratoga Springs makes up 10% of the county's population and had received 20% of the allocated grants, with the dollar amount to be \$400,000. Veitch stated human services, museums, and veterans' organizations were amongst the forty (40) organizations to receive funding from the program.

3. 2022 Open Space Grant

Supervisor Veitch stated The Trails and Open Space Committee had approved the Open Space Grant application. Veitch stated it would be up to the City to decide which projects to fund.

Supervisor Tara Gaston

1. Covid-19 Grant Programs

Supervisor Gaston stated the County's seven (7) day average for COVID-19 positivity had been reported to be 5.3%, while there are days with peaks as high as 12% due to the high rate of transmission. Gaston

stated the CDC had approved COVID-19 vaccination for children between six months – five (5) years to begin to be eligible.

2. Non-Profit Grant Programs

Supervisor Gaston stated the county received five million dollars in request, while the county had only two million dollars to grant. Gaston stated the Military Museum received \$50,000 in grant funding. Gaston stated the museum is interested and exhibit on women in the military; one focus is women in submarines. Gaston stated some of the first women to train in military submarines were at the Saratoga County Milton training facility. Gaston stated several parent-teacher school organizations received funding, as well as Division Street School's arts and education program. Gaston stated \$150,000 in funding had been set aside for law enforcement and EMS recruitment.

3. Board of Supervisors Meeting

Supervisor Gaston stated the Supervisors passed approval to bond seven million dollars. Gaston stated the County would use some of the resources to improve billing systems, signage, and an emergency response vehicle. Gaston stated the Saratoga County Public Health Services had been changed to Saratoga County Department of Health. Gaston stated the rate of reimbursement for services in Saratoga County had been increased. Gaston stated the increase would improve the pay for the educators. Gaston stated the positions of County Auditor and Probation Director had been appointed.

MAYOR'S DEPARTMENT

1. Announcement: Saratoga Springs High School Drama Club

Mayor Kim introduced the Saratoga Springs High School Drama Club and Director Bob Mora. Kim stated the drama club earned multiple recognitions for the spring production of "Into the Woods" at the Proctors High School Musical Theater Awards. Kim stated the awards included Best Musical, Best Ensemble, and Best Actor. Kim stated Spencer Boyce, who earned Best Actor, had move on to the Jimmy Awards in Manhattan.

2. Announcement: Appointment to Design Review Commission

Mayor Kim announced the reappointment of Tamie Ehinger as Chair of Design Review Commission. Kim stated Ehinger had been on the Committee for thirteen (13) years. Kim stated the last four (4) years Ehinger served as the Design Review Commission Chair and prior as Vice Chair of the DRC. Ehinger served on the Saratoga Springs Preservation Foundation and race course coalition, which focused on the preservation of historic structures at the Historic Saratoga Springs Race Course. Kim stated the land-use boards are very busy, and Ehinger experience would be crucial to ongoing projects.

3. Announcement: Designation of Vice Chairperson of Planning Board

Mayor Kim announced the designation of Mark Pingel as Vice Chairperson of the Planning Board. Kim stated Pingel had an extensive background in engineering. Kim stated the Committee Chair had endorsed Pingel to take the role of Vice Chair of the Planning Board.

4. Announcement: Letter NYSEDA re: Climate Action Council Draft Scoping Plan

Mayor Kim announced, under the leadership of Rayna Caldwell, the Climate Action Council Committee proposed a draft letter to NYSEDA and requests the Council support. Kim stated the proposal includes aggressive climate action measures, which include the Climate Action Council's request for NYS to give supportive training on how to reduce the City's carbon footprint and to ask the Stated to collect local data on the City's energy use and carbon emission. Kim stated to have a scheduled meeting with the Climate

Action Council to clarify Kim's outstanding questions with items in the letter, and asked for Council input to ensure the letter to NYSERDA would be complete by July 1, 2022. Finance Commissioner Sanghvi stated to the Finance Department supported the Climate Action Council's letter.

5. Discussion: Model Resolution re: Section 103-a of Open Meetings Law

Mayor Kim stated the model resolution for Section 103-a of Open Meetings Law, below, to be reviewed by all Council Members for their input, and encouraged the Council to be specific in defining extraordinary circumstances. Kim stated a Discussion and Vote would be added to a July City Council Meeting regarding the proposed resolution.

**Proposed Resolution of
Section 103-a Open Meetings Law**

WHEREAS, by passing Chapter 56 of the Laws of 2022 ("Chapter 56"), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the [PUBLIC BODY] to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the [PUBLIC BODY] to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring "that a minimum number of members are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend"; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting "unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting"; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, excerpt during executive session, be "heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon"; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the [PUBLIC BODY] webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the [PUBLIC BODY] authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the [PUBLIC BODY] shall create written procedures further governing its use

6. Discussion and Vote: Appointment to Civil Service Commission

Mayor Kim moved to appoint Timothy Holmes as Chairperson to the Civil Service Commission. Kim stated Holmes had been a 2019 Republican candidate for Mayor of Saratoga Springs. Kim stated Holmes had been appointed to the Selection Committee for Commissioner of Public Works by DPS Commissioner Montagnino. Kim stated Holmes had been educated in Ethiopia and Japan and graduated from the University of New Brunswick. Kim stated Holmes to be an entrepreneur in 21st century industries, and had worked with a number of communities on economic revival. Holmes had been a very active in Saratoga Springs community efforts. Kim stated the Charter requires a balance of political party members on the Civil Service Commission.

Mayor Kim moved and Commissioner Moran seconded the appointment of Timothy Holmes as Chairperson to the Civil Service Committee.

**Ayes – 4 Nays – 0
Absent – 1
The Motion Carried.**

7. Discussion and Vote: Resolution to Authorize Construction Phase of PIN 1761.58 Missing Sidewalks Links

Mayor Kim read the following resolution into the record:

RESOLUTION BY CITY OF SARATOGA SPRINGS
(Locally Administered Project)

A Resolution authorizing the implementation, and funding in the first instance 100% of the federalaid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore

WHEREAS, a Project, Missing Sidewalk Links Program, City of Saratoga Springs PIN1761.58, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % federal funds and 20% non-federal funds.

WHEREAS, the City of Saratoga Springs desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design and Construction.

NOW, THEREFORE, the City Council duly convened does hereby

RESOLVE, that the City Council hereby approves the above-subject project; and it is hereby further RESOLVED, that the City Council, City of Saratoga Springs, City Council, hereby authorizes the to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$217,941.00 (Two Hundred Seventeen Thousand Nine Hundred and Forty-One Dollars) has previously been appropriated from the City of Saratoga Springs budget process and

made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of \$1,692,730.00(One Million Six Hundred Ninety-Two Thousand Seven Hundred and Thirty Dollars) is hereby appropriated from the City of Saratoga Springs budget process and made available to cover the cost of construction and construction support and inspection for participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Saratoga Springs shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Saratoga Springs be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Saratoga Springs with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the

Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately

Mayor Kim moved and Commissioner Sanghvi seconded the resolution to authorize the construction phase of PIN 1761.58 Missing Sidewalk Links.

Ayes - 4 Nays – 0

Absent – 1

The Motion Carried.

ACCOUNTS DEPARTMENT

1. Announcement: Local Businesses Milestones

Commissioner Moran announced independently owned and operated Comfort Kitchen had celebrated the businesses ten (10) year anniversary; Moran stated the business is owned by Moran's brother. Moran stated Boca Bistro on Broadway, owned and operated by DZ Restaurant, passed their ten (10) year anniversary.

2. Announcement: Upcoming Special Events

Commissioner Moran stated the special event Cars on Union Avenue, sponsored by the Automobile Museum, had been held in tandem with a special event at the Racing Museum. Moran stated special events held in the City takes collaboration between multiple internal departments. Moran stated Travis Carter went above and beyond in his service to these events. Moran stated Carter's expertise had been critical in the traffic processes of organization and traffic safety leading up to the events and especially during the procession of over a hundred specialized vehicles onto the public streets of Saratoga Springs. Moran stated the next special events to be Carousel Day on June 29, 2022, at Congress Park to celebrate the 20th Anniversary of the carousel in the park. Moran stated future events for Summer 2022 are: Red Cross Carousel Event offering free rides of the carousel, Saratoga Pride Festival, Firecracker 4 Race, Summer Concert Series in Congress Park, Celebrate Saratoga to celebrate the opening day of races at Saratoga. Moran stated Art in the Park and the Congress Park Craft Festival would round out the July 2022 special events.

3. Announcement: Early Voting

Commissioner Moran announced early voting is underway, and the early voting location for Saratoga Springs is the Recreation Center at 15 Vanderbilt Avenue.

4. Award of Bid: Saratoga Fire Station 3 – Electrical to DLC Electric, LLC

Commissioner Moran stated upon the recommendation of the Department of Public Safety the Award of Bid for Saratoga Fire Station #3 for electrical services would be awarded to DLC Electric, LLC.

Commissioner Moran moved and Commissioner Montagnino seconded the Award of Bid for the Saratoga Springs Fire Station 3 – Electrical to DLC Electric, LLC in the amount not to exceed \$638,000.00.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

5. Award of Bid: Saratoga Fire Station 3 – General Construction to Bunkoff Contractors, Inc.

Commissioner Moran stated upon the recommendation of the Department of Public Safety the Award of Bid for Saratoga Fire Station #3 for general construction would be awarded to Bunkoff Contractors, Inc.

Commissioner Moran moved and Commissioner Sanghvi seconded the Award of Bid for the Saratoga Springs Fire Station 3 – General Construction to Bunkoff Contractors, Inc. in the amount not to exceed \$4,436,000.00

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

6. Award of Bid: HVAC Services to BPI Mechanical and Postler and Jaeckle Corp.

Commissioner Moran stated upon the recommendation of the Department of Public Works the Award of Bid for HVAC Services would be awarded to BPI Mechanical and Postler & Jaeckle, Corp.

Commissioner Moran moved and Commissioner Montagnino seconded the Award of Bid for HVAC Services to BPI Mechanical and Postler & Jaeckle Corp. in the amount not to exceed unit bid price.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

7. Discussion and Vote: Approval of Resolution for Marriage Officiant

Commissioner Moran read the following resolution into the record:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS, NY
BE IT RESOLVED, by the City Council of the City of Saratoga Springs, New York,
as follows:

WHEREAS, Section 11-c of the NY Domestic Relations Law gives the governing body of any village, town or city the authority to appoint one or more marriage officers who shall have authority to solemnize marriages within the territory of the municipality which makes the appointment;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Pursuant to Domestic Relations Law 11-c, this City Council hereby appoints Matthew J. Jones, a resident of Saratoga Springs, to be a marriage officer.
2. The term of Mr. Jones' appointment shall be from September 25, 2022 through December 31, 2022.
3. Mr. Jones shall receive no compensation from the City of Saratoga Springs.

Commission Moran moved and Commissioner seconded the adoption of the resolution to appoint a marriage officiant.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

8. Update: COVID-19 and Planning City Activities

Commissioner Moran stated COVID-19 positivity had been decreasing, and it would continue to be a factor in our lives. Moran recommended outdoor activities and to wear masks while inside for long periods of time.

FINANCE DEPARTMENT

1. Update: Participatory Budgeting

Commissioner Sanghvi stated the appointments of Mary Reichman as Chair and Nora Brennan as Vice-Chair of the Participatory Budgeting Committee. Sanghvi stated the Participatory Budgeting Committee to be working on timelines, metrics, and outreach. Sanghvi stated the Committee Meetings would take place on the first and third Thursdays of each month, and the public are welcome to attend.

2. Update: City Finances

Commissioner stated on June 17, 2022, the City of Saratoga Springs had received \$2,325,592.00 in budgeted aid. Sanghvi stated the year-to-date sales tax to be \$4,441,272.00; 16.2% higher than 2021. Sanghvi stated according to the NYS Comptroller Office, the Capital Region had seen an 16% increase over the same period of 2021, totally \$32,000,000.00. Sanghvi stated economists are predicting a recession in the near future. Sanghvi stated the mortgage tax collection to be down 10% or about 19,000.00 from the 2021 collection.

3. Announcement: 2022 Bond Rating and Sale

Commissioner Sanghvi announced the City posted a seventeen million-dollar bond sale on June 9, 2022, and committed to a bid of 3.9% interest. Sanghvi stated the City of Saratoga Springs maintained a AA+ bond rating. Sanghvi stated the Standard and Poor stated the City's bond rating had been due to the City's robust financial management policies and access to a broad diverse metropolitan area. Sanghvi stated the main expenses the City will see in the near future are Fire Station #3, water plant infrastructure, and the Loughberry Lake project.

4. Discussion and Vote: Revised Assignment for Participatory Budgeting

Commissioner Sanghvi stated the Director of Finance requested a revision to include an absolute dollar amount. Sanghvi stated the previous vote of 0.25% of the 2022 general fund adopted budget will not change. Sanghvi stated the amount to be \$135,487.82.

Commissioner Sanghvi moved and Commissioner Moran seconded the revision of assignment for participatory budgeting as included with the agenda.

**Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.**

5. Discussion and Vote: Budget Transfers – Payroll

Commissioner Sanghvi moved and Commissioner Montagnino seconded the budget transfer – payroll as included with the agenda.

**Ayes 4 – 0 Nays 0
Absent 1**

The Motion Carried.

6. Discussion and Vote: Budget Amendments – Interfund Transfer

Commissioner Sanghvi moved and Commissioner Moran seconded the approval of budget amendments as included with the agenda.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

7. Discussion and Vote: Budget Transfers – City Center Contingency

Commissioner Sanghvi moved and Commissioner seconded the approval of budget transfers – City Center contingency.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

8. Discussion: Process re HR and Civil Service

Commissioner Sanghvi stated the Director of Risk & Safety had been dragged into a quagmire at the past meeting. Sanghvi stated to have talked to the Director to see how the Director had been feeling. Sanghvi stated after speaking to the Director, Sanghvi stated to had spoken with Human Resources to discuss how to handle future situations. Sanghvi stated to envision a working group to evaluate job duties, reporting structures, and the ability to make recommendations on process flows that work.

PUBLIC WORKS DEPARTMENT

In the absence of Commissioner Golub, Mayor Kim presented the Public Works agenda.

1. Discussion and Vote: Authorization for the Mayor to Sign Contract with BPI Mechanical for HVAC Services

Mayor Kim stated the HVAC services bid were approved during the Accounts' Department agenda, and the HVAC services are for buildings the DPW maintain.

Mayor Kim moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the contact with BPI Mechanical for HVAC services valid through June 21, 2023, and the price not to exceed the unit bid price.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

2. Discussion and Vote: Authorization for the Mayor to Sign Contract with Postler & Jaeckle Corp. for HVAC Services

Mayor Kim stated the HVAC services bid had been approved during the Accounts' Department agenda.

Mayor Kim moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with Postler & Jaeckle Corp. valid through June 21, 2023, and price not to exceed the unit bid price.

Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.

3. Discussion and Vote: Authorization for the Mayor to Sign License Agreement with Seneca Restaurant, LLC.

Mayor Kim stated the DPW had requested Council approval of a lease for the portion of City property adjacent to the Woodlawn Avenue parking garage for Seneca Restaurant to use as a patio dining, with an annual fee of \$2,000.00. Kim stated the lease is for a one-year term with the option to renew the agreement twice for a maximum of three years as part of the temporary outdoor dining ordinance.

Mayor Kim moved and Commissioner Moran seconded to authorize the Mayor to sign lease agreement with Seneca Restaurant.

Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.

4. Discussion and Vote: Authorization for Free Carousel Rides for the Carousel's 20th Anniversary

Mayor Kim stated the authorization request for carousel fees waived, between 11 a.m. – 6 p.m. on June 29, 2022, for the commemoration of the carousel's 20th Anniversary celebration in Congress Park. Commissioner Sanghvi stated since there were no attachments to the agenda for the fee waiver, Sanghvi stated it to be difficult to make the decision to approve a waiver. Mayor Kim stated it had been a contentious issue to bring the carousel to Congress Park twenty (20) years ago, and took enormous efforts for City Hall to make the move of the carousel from Kaydeross Park to Congress Park. Commissioner Moran stated it to be a gracious effort of Commission Golub to honor former Commissioner Thomas McTyghe in his part to bring the carousel into Congress Park twenty (20) years ago. City Attorney Izzo stated the Council sets fees by resolution, and there to be no procedure inappropriateness for the Council to waive a fee.

Mayor Kim moved and Commissioner Moran seconded to authorize the free carousel rides on June 29, 2022, between 11 a.m. – 6 p.m.

Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.

PUBLIC SAFETY DEPARTMENT

1. Announcement: Gaffney's reopening

Commissioner Montagnino moved and Commissioner Moran seconded to add announcement regarding Gaffney's to the agenda.

Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.

Commissioner Montagnino announced Gaffney's potential reopening. Montagnino stated Gaffney's had an issued with New York State Liquor Authority ("SLA"), which caused a temporary closure of Gaffney's by the SLA. Montagnino stated the business had entered into a Memorandum of Understanding ("MOU"), which became incorporated into the stipulation of settlement with the SLA. Montagnino stated the MOU

does not bind the City. Montagnino stated prior to the temporary closure, the Saratoga Springs Department of Public Safety issued a Notice of Violation due to outstanding Chapter 136 issues. Montagnino stated the DPS had conversations with attorneys for Gaffney's, where Gaffney's through their attorney, voluntarily committed to certain standard of conduct once their SLA license had been restored. Montagnino stated the ten (10) standards of conduct to were included MOU: appointment of a designated senior employee responsible for managing the premises and liaison between Gaffney's and the City, electronic wandng of all patrons entering the premises, the enforcement of a dress code, credentials for security guard to be provided to SSPD, single point of entry, training of all employees on de-escalation policies, last call 1:30 a.m. and lights off by 2:30 a.m., no live music or DJ's. Montagnino stated Gaffney's suggested regular meetings between their ownership and the police department.

2. Discussion and Vote: Authorization for Mayor to Sign Agreement with Live Nation Worldwide, Inc.

Commissioner Montagnino stated the agreement revolves around an arrangement in place where the City of Saratoga Springs to provide ambulance services to SPAC for events. Montagnino stated one (1) ambulance would be present at SPAC during Live Nation events at the fee of \$150.00 per hour. Montagnino stated for larger Live Nation events, up to three (3) events would be used, with additional fees and staffing supplied by Live Nation. Montagnino stated the agreement with Live Nation expand the City's emergency services, with the cost of being defrayed as revenue income to the City.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the agreement with Live Nation Worldwide, Inc.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

3. Discussion and Vote: Authorization for Mayor to sign contracts with Saratoga County for Stop DWI and Stop DWI High Visibility Campaign Funding

Commissioner Montagnino stated the Stop DWI and Stop DWI High Visibility Campaign Funding are two sources of funding to the City. Montagnino stated the funding is provided by NYS through Saratoga County and then awarded to the City's enforcement of DWI laws. Montagnino stated Stop DWI funding to be the amount of \$29,000.00 paid out twice in the course of a year. Montagnino stated Stop DWI High Visibility Campaign funding not to exceed \$8,000.00 per year to the City of Saratoga Springs.

Commissioner Montagnino moved and Commissioner Moran seconded to authorize the Mayor to sign contracts with Saratoga County for Stop DWI and Stop DWI High Visibility Campaign Funding.

Ayes 4 – 0 Nays 0

Absent 1

The Motion Carried.

4. Discussion: MOA with PBA for 10-hour shifts

Commissioner Montagnino stated the discussion on the potential approval of a Memorandum of Agreement ("MOA") with the Police Benevolent Association ("PBA") is to move from 12-hour work shifts to 10-hour work shifts. Montagnino stated the MOA involved aspects of operation of the police department. Montagnino stated on May 13, 2021, a MOA had been executed between the City and PBA to move from 8-hour work shifts to 12-hour work shifts. Montagnino stated the previous MOA had been entered into to be more efficient and would provide for police officers to have alternate weekends off. Montagnino stated due to staffing shortages, the 12-hour shifts frequently morph into 16-hours shifts. Montagnino stated the existing MOA does not regulate the number of extended shifts an officer can work consecutively. Montagnino stated there to be a federal study commissioned by the Department of Justice, which questioned the lengths of shifts for police officers. Montagnino stated the results from the study showed a 12-hour shifts to be inherently unsafe due to fatigue factors. Montagnino stated the DPS recently had regular meetings with the PBA and attorneys to come to a MOA for 10-hour shifts, four (4) days a week,

which would include every other weekend off. Montagnino stated the MOA provide for the maximum overtime worked per shift to be four (4) hours, and no two consecutive shifts were allowed to be overtime shifts. Montagnino stated the negotiations were parallel to previous negotiations approved by the Council regarding lateral transfers of officers from other jurisdictions and passed by the PBA. Montagnino stated the agreements together create a situation where the City would be able to attract and retain the best officers in the state. Montagnino stated the inclusion of increases in shift differentials to act as incentive for senior officers to bid for off shifts. Montagnino stated longevity bonuses would retain officers within the SSPD. Montagnino stated statewide and nationwide law enforcement offices are seeing massive attrition of their workforce. Montagnino stated the issue to be acerbated in the SSPD, due to officers not receiving the same level of pay as other agencies, as well as the cost of living in Saratoga Springs prevents some officers to live in the City they protect. Montagnino stated the cost of adopting the MOA for 2022 would be \$170,000.00, and going forward the cost could rise to \$600,000.00. Montagnino stated the current situation required SSPD to fill open positions with recruits, which cost approximately \$100,000.00 per recruit. Montagnino stated a recruit would receive police officer salary, overtime, paid training, benefits, and due to liability issues, trainees were not considered officers until one (1) year on the job. Montagnino stated at the present time, the City had seven (7) recruits. Montagnino stated there to be two (2) MOA which are not conditional upon each other passing Council approval. Montagnino stated a seasoned officer would see the requirement of 12-hour to potentially 16-hours shifts as a deterrent to joining the SSPD. Montagnino stated with the ability to retain more police officers, the DPS goal would be to reinstate the traffic division. Montagnino stated the traffic division had brought over \$300,000.00 in revenue to the City with truck inspections and fines, and insured the streets of Saratoga had safe trucks driving through. Commissioner Sanghvi asked how many other unions have longevity bonuses within the City of Saratoga Springs; Montagnino stated not to have the number of agencies with longevity bonuses. Sanghvi asked how many other cities and towns offered longevity bonuses to police officers. Sanghvi referenced a Facebook post which stated a 10-year Glens Falls Sergeant would earn \$73,869 per year, a Saratoga County Sheriff's Sergeant would earn \$82,000 per year, and a Saratoga Springs Sergeant would earn \$98,612; with an additional \$1,500 on top for a longevity bonus. Montagnino stated the Facebook post had no documentation. Mayor Kim stated the PBA signed the 12-hour shift agreement in May 2021, and officers had been reimbursed for cost incurred for disruptions of daily life. Kim stated to want to know the cost of moving a patrol officer from a 12-hour shift to 10-hour shifts. Kim stated to want to understand how longevity bonuses got into the discussion when the focus had been on the change of hours per shift. Sanghvi stated the shift differentials had previously been an increase of 20- 25% in shift pay, and the proposed shift differentials went as high as 158% - 245% increase in shift pay. Montagnino stated the SSPD had three separate collective bargaining agreements. Montagnino stated the upper echelon work Monday – Friday day shifts, and the investigators work Monday – Friday with no night shifts. Montagnino stated the busy nights are when the most experienced officers are needed, and the shift differentials would be a way to encourage the experienced officers to bid for the best paying shifts. Kim stated comparative data would be beneficial to make decisions about the MOA. Kim stated to agree with Montagnino the SSPD 12-hour shifts had been a mistake and the City is less well-served. Kim stated the existing contract for the PBA goes to 2025. Kim stated the MOA should be focused on 8 to 10-hour work shift, and stated to be willing to discuss work shifts. Kim stated, at this time, not to be willing to discuss longevity bonuses. Kim stated longevity bonus discussion is a larger discussion to have, and should not be tied to the work shift discussion. Kim stated data on retention and lateral transfers would be helpful to the discussion. Kim stated to be hesitant about the larger contract due to the uncertainty of the economy, which the City had experienced with layoffs years ago. Sanghvi asked why Traver's Day was considered a premium pay day for officers. Montagnino stated Travers Day to be the busiest day for the police department and hardest day to work, and to give an incentive of premium pay would ensure coverage and lessen the use of officers using personal pay resulting in an enormous overtime expense. Commissioner Moran stated to had sat with members of the PBA to discuss the difference between the 8-hour to 12-hour work shifts. Moran stated the feedback had been that the 12-hour to 16-hour shift causes mental fatigue. Moran stated the 4-day a week, 10-hour work shift adds to the quality of life to police officers. Moran stated if there were a decrease in those entering the police force sector, the balance within the economy would be when a sector does not have enough labor the cost for it rises. Moran stated when costs do not rise, then benefits or structural elements would make a job more desirable over another one in another community. Moran stated the 10-hour work shift would be of value and make the City desirable to work within. Moran stated to be open to new ideas to encourage experienced officers to work shift they normally would not

normally be assigned to. Moran stated to encourage more data behind the shift differentials figures. Moran stated to understand the rational would. Moran stated Montagnino desire to reform the way the SSPD labor is laid out is supported by Moran. Moran stated the lateral move cost is offset by the fact the officer would be in the field in a matter of weeks as opposed to 12-18 months for a new recruit. Moran stated there to be several cost avoidance opportunities to the approach Montagnino had taken. Moran stated a 3–5-year projection would be beneficial, and certain assumptions could be made with labor allocation and hires due to prospective retirements, etc. Moran stated to commend Montagnino for the efforts to make the SSPD work force stronger with better work-life balance. Kim stated the 2% increase would be on top of the existing 2% given by the former Mayor. Kim stated the MOA to be trying to solve too many problems at once. Kim stated to agree with the change from 12-hour work shift. Kim stated the retention and recruitment issues should be looked at in a long-term process. Mayor Kim stated not to support the contract at this point given the breadth, a narrow scope would be endorsed.

5. Discussion and Vote: Authorization for Mayor to sign contract with UDigNY

Commissioner Montagnino stated UDigNY contract to be a continuation of an existing contract where the service prover acts as central contact for contractors excavating near known underground utilities to prevent damage.

Commissioner Montagnino moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with UDIGNY.

**Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.**

6. Discussion and Vote: Authorization for Mayor to sign contract with DLC Electric, LLC

Commissioner Montagnino stated the DLC Electric, LLC contract to be for fire station #3.

Commissioner Montagnino moved and Commissioner Sanghvi seconded to authorize the Mayor to sign the contract with DLC Electric, LLC.

**Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.**

7. Discussion and Vote: Authorization for Mayor to sign contract with Bunkoff General Contracting

Commissioner Montagnino stated the contract with Bunkoff General Contracting would be for fire station # 3.

Commissioner Montagnino moved and Commissioner Moran seconded to authorize the Mayor to sign the contract with Bunkoff General Contracting.

**Ayes 4 – 0 Nays 0
Absent 1
The Motion Carried.**

City Council Meeting
June 21, 2022

ADJOURN

Mayor Kim moved and Commissioner Sanghvi seconded to adjourn the meeting at 10:03 p.m.

Respectfully submitted,

Barbara Brindisi
Assistant City Clerk

Approved: August 16, 2022
Vote 4 – 0

Resolution No. _____

[PUBLIC BODY]

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the [PUBLIC BODY] to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the [PUBLIC BODY] to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the [PUBLIC BODY] webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the [PUBLIC BODY] authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the [PUBLIC BODY] shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.



RESOLUTION BY CITY OF SARATOGA SPRINGS
(Locally Administered Project)

A Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore

WHEREAS, a Project, Missing Sidewalk Links Program, City of Saratoga Springs PIN1761.58, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % federal funds and 20% non-federal funds.

WHEREAS, the City of Saratoga Springs desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design and Construction.

NOW, THEREFORE, the City Council duly convened does hereby

RESOLVE, that the City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City Council, City of Saratoga Springs, City Council, hereby authorizes the to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$217,941.00 (Two Hundred Seventeen Thousand Nine Hundred and Forty One Dollars) has previously been appropriated from the City of Saratoga Springs budget process and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of \$1,692,730.00 (One Million Six Hundred Ninety Two Thousand Seven Hundred and Thirty Dollars) is hereby appropriated from the City of Saratoga Springs budget process and made available to cover the cost of construction and construction support and inspection for participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Saratoga Springs shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Saratoga Springs be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Saratoga Springs with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately

STATE OF NEW YORK }
 } ss.:
CITY OF SARATOGA SPRINGS }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted _____, 20__ with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said

This ____ day of _____, 20__.

Clerk
