



April 1, 2014

CITY OF SARATOGA SPRINGS
City Council Meeting
Agenda

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION(S)

EXECUTIVE SESSION: Discussion regarding proposed purchase, sale or disposition of real property. Update status of labor negotiations.

CONSENT AGENDA

1. Approval of 3/7/14 City Council Pre-Agenda Meeting Minutes
2. Approval of 3/4/14 City Council Meeting Minutes
3. Approve Budget Amendments (Increases)
4. Approve Budget Transfers - Regular
5. Approve Payroll 03/21/14 \$451,965.19
6. Approve Payroll 03/28/14 \$430,156.58
7. Approve Warrant: 2014 Mid – 14MWMAR2 \$60,984.49
8. Approve Warrant: 2014 REG – 14APR1 \$506,122.96

MAYOR'S DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Westlaw Contract
2. Discussion and Vote: Request Saratoga County Planning Board Referral – St. Neumann
3. Discussion and Vote: Saratoga Springs Board of Ethics
4. Appointment: Saratoga Springs Business Advisory Council
5. Appointment: Saratoga Springs Preservation Foundation
6. Appointment: Saratoga Springs Housing Authority
7. Discussion: Impact of State Budget and VLT Aid
8. Discussion: Casino RFA and Racing Advisory Board
9. Set Public Hearing: May 6, 2014 – St. Neumann Residence Proposed Comprehensive Plan and Zoning Map Amendments
10. Set Public Hearing: April 15, 2014 – Greenbelt Trail Feasibility Study
11. Announcement: Formation of a 9-11 Memorial Event Committee
12. Proclamation: April is Fair Housing Month

ACCOUNTS DEPARTMENT

1. Appointment: Commissioner of Deeds

FINANCE DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Advanced M/E Planning Services, LLC Contract
2. Discussion and Vote: Resolution for the Use of the Insurance Reserve
3. Discussion and Vote: Budget Amendments – Insurance Reserve
4. Discussion and Vote: Budget Transfers – Payroll
5. Discussion and Vote: Budget Transfers – Capital Budget
6. Discussion: New York State Budget
7. Discussion: 2013 4th Quarter Financial Report

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign a Change Order with Chazen Companies – Water Distribution System Modeling Project
2. Discussion and Vote: Authorization for the Mayor to Sign Addendum One with Barton & Loguidice P.C. – Water Treatment Plant Filter Upgrade
3. Discussion and Vote: Authorization for the Mayor to Sign Addendum 1 with C.T. Male – Wastewater Pump Station Pump Station Study
4. Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum II with Ryan-Biggs Associates, P.C. – Canfield Casino Basement Moisture Remediation
5. Discussion and Vote: Authorization for the Mayor to Sign Change Order with Jersen Construction Group – Water Treatment Plant Filter Rehabilitation
6. Announcement: Submit the 2013 Annual DPW Report

PUBLIC SAFETY DEPARTMENT

1. Discussion: Fire at Saratoga Harness Track on March 28, 2014

SUPERVISORS

Matthew Veitch

1. Update: Technology Committee
2. Announcement: Gateway House of Peace Grand Opening
3. Update: NYS Budget and VLT Funds

ADJOURN



April 1, 2014

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

PRESENT: Joanne Yepsen, Mayor
Michele Madigan, Commissioner of Finance
John Franck, Commissioner of Accounts
Anthony Scirocco, Commissioner of DPW
Christian Mathiesen, Commissioner of DPS

STAFF PRESENT: Joe Ogden, Deputy Mayor
Lynn Bachner, Deputy Commissioner, Finance
Sharon Kellner-Byrnes, Deputy Commissioner, Accounts
Tim Cogan, Deputy Commissioner, DPW
Eileen Finneran, Deputy Commissioner, DPS

Matthew Veitch, Supervisor
Sarah Burger, City Attorney

EXCUSED: Peter Martin, Supervisor

RECORDING OF PROCEEDING

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

CALL TO ORDER

Mayor Yepsen called the meeting to order at 7:03 p.m.

PUBLIC COMMENT

Mayor Yepsen said the public comment period is limited to a total of 15 minutes and individuals are limited to two minutes each according to the rules approved in February of 2004 by the City Council.

Mayor Yepsen opened the public comment period at 7:01 p.m.

Bonnie Sellers of Fifth Avenue stated she supports the residents of the west side who are opposed to any and all types of commercial businesses expanding into the residential areas beyond Beekman Street. The Town Hall meeting was a good meeting. She complimented Mr. Torpey, chair of the Planning Board, on his professionalism for recusing himself from the Beekman Street vote due to a conflict of interest.

Ed Lindner of 180 Circular Street stated he is here because he is concerned about not hearing anything further about the City's involvement on the SEQRA process with the expansion of the racino. The EAF that was filed does not talk about the convention center. You need to push the Gaming Commission for a full EIS.

Denise McDonald of 61 Phila Street stated she is here to make a request of the Council to regularly update the public on their efforts to advocate for the residents on county and state levels regarding the casino.

Sally Hart of 177 Spring Street stated she is here to encourage the Council to stand by its citizens. They are asking the Council to put this issue to bed and pass a resolution against an application for the City.

Phil Diamond of 55 Railroad Place commended the Council for the resolution they passed regarding the casino. The resolution was well planned and opens the doors for future resolutions and future negotiations. We have to get the City the best deal possible.

Patty Hasbrook of 5 Madison Avenue stated she would like to see a "no" resolution with regard to the casino. She requested the Council carefully consider where we are going.

Peter Elmendorf of Hillcrest Lane thanked the Council for the resolution passed. He hopes the children growing up know will not be exposed to gambling.

Janet of 10 Victoria Lane stated she and her husband are moving back here after several years and hope they are not coming back to a casino.

Colin Klepetar of Waterbury Street stated he has seen a lot of passionate people work to keep the casino out of Saratoga Springs. After the RFA, the ball is back in this court. He hopes the Council follows through and listens to the community.

Bob Litman of 48 Bryan Street thanked the Council for opening the mic up for comments. He shared copies of study with the Council. This city is a model city; we get it right with planning and sustainability.

Sara Bovin of 129 Nelson Avenue stated many citizens thank the Council for the unanimous vote opposing the casino.

Joanna Garrison of 48 Bryan Street thanked the Council for the hundreds of hours they dedicated to the casino. She has spent many hours talking to people about the casino. Only one person told her they were on the fence.

Charlie Samuels of 7 Marion Place thanked the Council for listening to the majority of the citizens in Saratoga Springs. Now that the RFA has been released, it should be clear the resolution was meaningful.

Linda Whittle of 19 George Street stated she attended the film forum event sponsored by SAVE. She believes the racino expansion poses a serious threat to our city. It will provide unfair competition to our downtown businesses.

Joe Kulin of 1 Bunker Hill read a statement made by the executive director of the NYS Gaming Commission. It is clear to him that if the Council, community, businesses, and religious associations are against it than the handwriting is on the wall. He hopes the majority will win in this case.

Tom McTygue of 251 County Route 68 stated he just came from a Horseman's Association meeting to thank the Department of Public Safety for their amazing response from the police and fire personnel with the barn fire the other day.

Mayor Yepsen closed the public comment period at 7:35 p.m.

EXECUTIVE SESSION

The City Council adjourned to executive session for the purpose of the proposed purchase, sale or disposition of real property and an update on labor negotiations at 7:36 p.m.

The Council returned at 8:24 p.m.

Mayor Yepsen advised nothing was resolved in executive session therefore there is nothing to report.

CONSENT AGENDA

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve the consent agenda as follows:

1. Approval of 3/7/14 City Council Pre-Agenda Meeting Minutes
2. Approval of 3/4/14 City Council Meeting Minutes
3. Approve Budget Amendments (Increases)
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5. Approve Payroll 03/21/14 \$451,965.19
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Ayes – All

MAYOR'S DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Westlaw Contract (14-116)

Mayor Yepsen advised at the recommendation of the City Attorney's Office, they will be cancelling the existing contract with Lexus Nexus immediately. Westlaw is a more comprehensive legal service. There will not be any penalty for cancelling the Lexus contract early. They estimate fiscal year 2014 spending to be \$2,478.36.

Funding is in line A3011424 / 54440.

Mayor Yepsen moved and Commissioner Mathiesen to cancel the existing contract with Lexus Nexus immediately and sign a contract with Westlaw, a more comprehensive legal service.

Ayes – All

Discussion and Vote: Request Saratoga County Planning Board Referral – St. Neumann (14-117)

Mayor Yepsen stated it is required to refer this application to the Saratoga County Planning Board. The City Planning Board issued a favorable advisory opinion, which will be forwarded to the City Council tomorrow. The applicant has rescinded the waiver of recreation fees.

Mayor Yepsen moved and Commissioner Scirocco seconded for the Council to request the Saratoga County Planning Board for an advisory opinion of the St. Neumann House on Lake Avenue.

Ayes - All

Discussion and Vote: Saratoga Springs Board of Ethics (14-118)

Mayor Yepsen stated she has 3 nominations.

Mayor Yepsen moved and Commissioner Franck seconded to re-appointed Marilyn Rivers to another term on the Saratoga Springs Board of Ethics.

Ayes – All

Mayor Yepsen stated the next person is Courtney Deleonardis.

Mayor Yepsen moved and Commissioner Mathiesen seconded to appoint Courtney Deleonardis to the Saratoga Springs Board of Ethics.

Ayes – All

Mayor Yepsen stated the third person is Brendan Chudy.

Mayor Yepsen moved and Commissioner Franck seconded to appoint Brendan Chudy to the Saratoga Springs Board of Ethics.

Ayes - All

Appointment: Saratoga Springs Business Advisory Council

Mayor Yepsen appointed the following people to the Saratoga Springs Business Advisory Council: Alisa Dalton, Colleen Holmes, Matt McCabe, Richard Ferguson, Harry Moran, Luke Lucas, Lisa Schroder Bevis, Mike D'Anzeris, Marlo Merrithew, Rich Farrell, Pat McGowan, Sharon Borgus, Mathew Veitch, Jeff Vukelic, and Chris Martell.

Appointment: Saratoga Springs Preservation Foundation

Mayor Yepsen appointed Elizabeth Isreal to the Saratoga Springs Preservation Foundation.

Appointment: Saratoga Springs Housing Authority

Mayor Yepsen appointed Joanne Foresta to the Saratoga Springs Housing Authority.

Discussion: Impact of State Budget and VLT Aid

Mayor Yepsen stated today another on-time state budget was passed. This budget provides homeowners tax relief, investments in business, and an increase in CHIPS by \$40 million statewide. This budget includes an additional half million in VLT aid to the City.

Discussion: Casino RFA and Racing Advisory Board

Mayor Yepsen stated the RFA came out yesterday and it can be found on-line. The RFA clearly states local support is required. The applicant is to garner and show proof of that the support.

Commissioner Scirocco stated he was under the impression that the resolution passed put this issue to bed. He doesn't want to see anything happen to the race track or the harness track.

Mayor Yepsen stated they are going to be looking beyond the City and looking at other legal issues and applications that could be coming up that will affect the racing industry.

Set Public Hearing: May 6, 2014 – St. Neumann Residence Proposed Comprehensive Plan and Zoning Map Amendments

Mayor Yepsen set a public hearing for Tuesday, May 6, 2014 at 6:55 p.m.

Set Public Hearing: April 15, 2014 – Greenbelt Trail Feasibility Study

Mayor Yepsen set a public hearing for Tuesday, April 15, 2014 at 6:55 p.m.

Announcement: Formation of a 9-11 Memorial Event Committee

Mayor Yepsen stated many have voiced concern about the underutilized 9/11 site in High Rock. She would like to appoint a committee and asked each Council member to appoint a person to this committee. A meeting date has been set for April 22nd at 1 p.m.

Commissioner Scirocco suggested appointing at least a policeman and a fireman to the committee.

Mayor Yepsen stated they will appoint one of each in addition to the Council's appointments.

Proclamation: April is Fair Housing Month

Mayor Yepsen read the following proclamation into the record:

WHEREAS, this April marks the 46th anniversary of the passage of the fair Housing Act of 1968, which sought to eliminate discrimination in housing opportunities and to affirmatively further housing choices for all Americans; and

WHEREAS, the ongoing struggle for dignity and housing opportunity for all is not the exclusive responsibility of the Federal government; and

WHEREAS, vigorous local efforts to combat discrimination can be as effective, if not more so, than Federal efforts; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all;

NOW, THEREFORE, I, JOANNE D. YEPSEN, Mayor of the City of Saratoga Springs, proudly join my fellow Saratogians in recognizing that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and women, do hereby join in the national celebration by proclaiming APRIL 2014 as FAIR HOUSING MONTH and encourage all agencies, institutions and individuals, public and private, in Saratoga Springs to abide by the letter and the spirit of the Fair Housing Law.

ACCOUNTS DEPARTMENT

Appointment: Commissioner of Deeds

Commissioner Franck appointed the newly sworn in police officers: Jonathan VanWie, Jenna Carson, Gregory Lewis, and Wade Collins as commissioners of deeds.

FINANCE DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Advanced M/E Planning Services, LLC Contract (14-119)

Commissioner Madigan stated the City's current data center is being moved as part of the police renovation project. It will be updated and environmentally sound. The amount is \$194,800. Funding is in line H3021692 / 52000 / 1211.

Commissioner Madigan moved and Commissioner Scirocco seconded to authorize the mayor to sign the Advanced M/E Planning Services, LLC contract distributed with the agenda labeled 2014 D5 final.

Ayes - All

Discussion and Vote: Resolution for the Use of the Insurance Reserve (14-120)

Commissioner Madigan stated the resolution was submitted by the director of risk and safety and approved by the commissioner of accounts. The request is for the use of \$2,000 for an auto insurance deductible.

The City Council agreed to waive the reading of the following resolution:

WHEREAS, the City Council of the City of Saratoga Springs established the INSURANCE Reserve Fund on October 15, 2013 pursuant to New York State General Municipal Law §6-n "to make expenditures for any loss, claim, action or judgment for which the City of Saratoga Springs is authorized or required to purchase or maintain insurance to said statute", and, WHEREAS, certain property and casualty claims have been filed against the City, and said claims are below the City's property and casualty insurance deductible. Expenditures for said claims remain due and owing, and said claims are of a kind or type that may be lawfully paid from the city's INSURANCE Reserve Fund. There are currently one such automobile insurance deductible claim for A3041934 – 54775 that totals \$2,000.00 for H & V Collision Center that is hereby attached.
NOW, THEREFORE, BE IT RESOLVED, that payment of the above-mentioned expenditures in the amount of \$2,000.00 is hereby approved as authorized as in accordance with the INSURANCE Reserve Fund to be placed in A3041934 – 54775.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the resolution to use the insurance reserve in the amount of \$2,000 as distributed with the agenda.

Ayes - All

Discussion and Vote: Budget Amendments – Insurance Reserve (14-121)

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2014 budget amendments – insurance reserve which was distributed with the agenda.

Ayes - All

Discussion and Vote: Budget Transfers – Payroll (14-122)

Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2014 budget transfers – payroll which were distributed with the agenda.

Ayes - All

Discussion and Vote: Budget Transfers – Capital Budget (14-123)

Commissioner Madigan stated the contracts on the DPW agenda for Barton & Loguidice and Jersen Construction are eligible to be allocated to either of 2 capital budget projects. This transfer moves funds from the Water Infrastructure and Improvement Project (#1167) to the Water Treatment Plant Filter Upgrade Project (#1184). The amount of the transfer is \$26,236.39.

Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2014 budget transfers – capital budget which were distributed with the agenda.

Ayes - All

Discussion: New York State Budget

Commissioner Madigan stated the budget was passed last night. There was an increase in the VLT aid of about \$498,000 from \$1.827 million to \$2.3 million. AIM (Aid and Incentives for Municipalities) has been maintained and CHIPS has been increased.

The NYS Property Tax Rebate has changed from what was originally proposed by the governor. The property tax freeze rebate begins in 2015 and extends until 2016. It is available for localities that have remained within the 2% property tax cap. The rebate is available to individuals with an adjusted gross income of \$500,000 or less and for primary residences only.

Discussion: 2013 4th Quarter Financial Report

Commissioner Madigan stated the 2013 4th quarter has been completed. The goal is to present the annual update document at the next Council meeting.

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign a Change Order with Chazen Companies – Water Distribution System Modeling Project (14-124)

Commissioner Scirocco stated this is addendum 1 to the original 2013 agreement. The additional work is to evaluate the affect the City's new Bog Meadow source capacity project on the City water model, evaluate alternatives for additional water storage tanks in locations and to perform a review of disinfection by-products in the City water system.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign an agreement addendum 1 with the Chazen Companies in the amount of \$5,000.

Funding is in line H3638332 / 52000 / 1167.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign Addendum One with Barton & Loguidice P.C. – Water Treatment Plant Filter Upgrade (14-125)

Commissioner Scirocco stated this is addendum 3 to the original agreement of April, 2011 agreement for the water plant filter project. This addendum is for the additional construction inspection time for the consultant.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign agreement addendum 3 with Barton & Loguidice in the amount of \$13,073 for the Water Treatment Plant Filter Project.

Funding is in line H3638332 / 52000 / 1184.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign Addendum 1 with C.T. Male – Wastewater Pump Station Pump Station Study (14-126)

Commissioner Scirocco this is an addendum to increase the upgrade study of the City's wastewater pump stations to 8 pumps.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign agreement addendum one with C.T. Male Associates for wastewater pump stations study in the amount of \$29,450.

Funding is in line H3638332 / 52000 / 1167.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum II with Ryan-Biggs Associates, P.C. – Canfield Casino Basement Moisture Remediation (14-127)

Commissioner Scirocco stated a number of unforeseen conditions were discovered below the floor. Several columns and footings needed to be redesigned and additional construction oversight was required. The amount of the addendum is \$7,100.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign agreement addendum two with Ryan-Biggs Associates, P.C. for additional services for the Canfield Casino basement in the amount of \$7,100.

Funding is in line H3537112 / 52000 / 1165.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign Change Order with Jersen Construction Group – Water Treatment Plant Filter Rehabilitation (14-128)

Commissioner Scirocco stated there are 2 change orders; the first is in the amount of \$21,330 and the second is for a credit in the amount of \$7,504.32; leaving a balance of \$13,825.68.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign change order for Jersen Construction Group in the amount of \$13,825.68 for the Water Treatment Plant Filter Project.

Funding is in line H3638332 / 52000 / 1184.

Ayes - All

Announcement: Submit the 2013 Annual DPW Report

Commissioner Scirocco announced the Department of Public Works is officially submitting the annual DPW report. He pointed out the cover of the report that has a picture of the 2 water-work plants.

Commissioner Scirocco announced a dedication ceremony will be held for Coach Waldron Way on Friday, April 4, 2014 at 1 p.m. The Council and public is invited.

PUBLIC SAFETY DEPARTMENT

Discussion: Fire at Saratoga Harness Track on March 28, 2014

Commissioner Mathiesen stated our Fire Department was successful in saving the barn and containing the fire at the Harness Track. Congratulations and thanks to the Fire Department and Police Department.

SUPERVISORS

Matthew Veitch

Update: Technology Committee

Supervisor Veitch reported a new fiber cable link was built between buildings to improve connectivity in their network. The time and attendance system has started. They are also working on a disaster and recovery plan for the data.

Announcement: Gateway House of Peace Grand Opening

Supervisor Veitch reported the Gateway House of Peace opened today. This will serve all residents of the County.

Update: NYS Budget and VLT Funds

Supervisor Veitch reported the largest issue facing the county is the property tax freeze plan. The state cannot withhold funds due to not meeting your efficiency plan.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 9:39 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote:

DRAFT