



December 15, 2014

CITY OF SARATOGA SPRINGS
City Council Pre-Agenda Meeting
9:30 AM

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: Lynn Bachner, Deputy Commissioner, Finance
Sharon Kellner-Chille, Deputy Commissioner, Accounts
Eileen Finneran, Deputy Commissioner, DPS

Vince DeLeonardis, City Attorney

Matthew Veitch, Supervisor
Peter Martin, Supervisor

EXCUSED: Joe Ogden, Deputy Mayor
Tim Cogan, Deputy Commissioner, DPW

CALL TO ORDER

Mayor Yepsen called the meeting to order at 9:35 a.m.

PRESENTATION

Mayor Yepsen advised she is adding a presentation on the racino expansion.

EXECUTIVE SESSION: Discuss Article 7 cases

CONSENT AGENDA

1. Approval of 10/30/14 budget Workshop Meeting Minutes
2. Approval of 12/1/14 Pre-Agenda Meeting Minutes
3. Approve Resolution for the Use of the Insurance Reserve
4. Approve Budget Amendments – Insurance Reserve
5. Approve Budget Amendments (Decreases)
6. Approve Budget Amendments (Increases)
7. Approve Budget Transfers – Regular
8. Approve Payroll 12/05/14 \$481,800.96
9. Approve Payroll 12/12/14 \$476,688.07
10. Approve Warrant: 2014 Mid – 14MWDEC1 \$157,237.18
11. Approve Warrant: 2014 REG – 14DEC2 \$4,094,187.61

MAYOR'S DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Amended Contract with Miller, Mannix, Schachner & Hafner, LLC

No comments.

Discussion and Vote: Approval of Additional Program Coordinator Position

Mayor Yepsen advised she is pulling this item.

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Evergreen Vending

No comments.

Discussion and Vote: Recreation Department Part Time / Seasonal Hourly Rate Personnel

No comments.

Announcement: Recreation Program and Event Announcements

John Hirliman advised

Discussion and Vote: City Council to Accept Concert Donation for Visitor's Center from Wesley Health Care in the Amount of \$200

No comments.

Discussion and Vote: Accept Donation of \$250 from Callanan Industries for Vietnam Commemorative Committee

No comments.

Announcement: VC Volunteer Recognition Hosted by DZ Restaurants at Boca Bistro

No comments.

Discussion and Vote: Appointment to the City Center Authority Board

Commissioner Mathiesen asked if parameters were used to re-appoint or appoint members to boards.

Mayor Yepsen advised she interviewed all candidates. Roger Goldsmith is her recommendation.

Commissioner Mathiesen asked if Al Calucci and Lou Schneider will have a hearing in regards to their removal from the Housing Authority Board. This is a precedent by removing people from boards.

Mayor Yepsen stated they weren't removed. These are vacancies according to the law.

Commissioner Mathiesen there is so much confusion. Is there an opportunity for people to have a hearing if they are removed from the board?

Mayor Yepsen advised she is trying to clean up the process and follow the law. These people failed to file an Oath of Office.

Commissioner Mathiesen asked what happens with all the votes the casted while they were not members.

Vince DeLeonardis, city attorney, stated when people were told their positions on boards were not valid, it did not negate all they did in the past up to the time they were informed of that. They served as a de facto.

Announcement: 2015 Community Development Block Grant Applications

Mayor Yepsen stated they have \$325,000 to distribute.

Mayor Yepsen added the following items to her agenda: Announcement: Opportunity to Host US Championship; Discussion and Vote: DPW Unit; Discussion and Vote: Amend Contract

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Contract with Fitzgerald, Morris, Baker, Firth for Article 7 Cases

Commissioner Franck stated this is done on an annual basis.

Discussion and Vote: Authorization for the Mayor to Sign a Contract with Towne Ryan & Partners for Legal Services

Commissioner Franck stated this too is for Article 7s and done annually.

Appointment: Board of Assessment Review

No comments.

Appointment: Commissioner of Deeds

No comments.

Award of Bid: Extension of Bid for Bond Counsel Legal Services to Walsh and Walsh

No comments.

Discussion and Vote: Pets in the Workplace Safety Committee 120814 Draft

No comments.

Commissioner Franck added an item to his agenda: Award of Bid: Ballston Avenue Traffic Improvement Project. Commissioner Madigan will do this item as he has to recuse himself from this.

FINANCE DEPARTMENT

Discussion and Vote: 2015 City Fees

No comments.

Discussion: Solar Power Purchase Agreement Between the City of Saratoga Springs and Sun Edison

Commissioner Madigan advised this will be changed to a discussion and vote. Sun Edison will build, own, and maintain a solar array for an estimated 20 years. Electricity produced by the solar panels will

be directed to National Grid and they will issue the City credits. We will pay Sun Edison for electricity directed to National Grid. She introduced Steve Wilson of Harris Beach to go through the agreement.

Mr. Wilson stated they were hired to review the power purchase agreement to make sure it is fair for the City. They now have a good agreement which is safe for the City to enter.

Commissioner Madigan asked what happens at the end of 20 years.

Mr. Wilson stated the agreement can be renewed or it can terminate and return the land to the way it was. He also reviewed the termination clause that is included in the agreement.

Discussion: Solar Interconnection Agreement (Form K) for National Grid

Mr. Wilson from Harris Beach advised this form is used by National Grid when a solar facility is installed.

Commissioner Madigan stated this item will also be changed to discussion and vote.

Discussion and Vote: Intermunicipal Agreement Between the city of Saratoga Springs and NYS Office of Parks, Recreation and Historic Preservation for Dog Park Improvements

Commissioner Madigan advised at the August 6, 2014 City Council meeting the Council included money for improvements to the dog park. Tony Izzo advises we enter into an intermunicipal agreement.

Discussion and Vote: Agreement Between the City of Saratoga Springs and OpenGov Inc.

Commissioner Madigan stated this will be part of the website upgrade. They provide unlimited tech support. The cost will be \$6,500.

Discussion and Vote: Addendum to Agreement Between the City of Saratoga Springs and FitzGerald Morris Baker Firth, P.C.

Commissioner Madigan stated this is to increase the amount of this contract from up to \$5,000 to \$19,999 and to extend the date. She has had 2 meetings regarding the City lease negotiations with the Center City. Most of the funds utilized under this contract have been for investigation due to water connection fees.

Discussion and Vote: Budget Transfers – Payroll

No comments.

Discussion and Vote: Budget Transfers – Benefits

No comments.

Discussion and Vote: Budget Transfers – Legal

Commissioner Madigan stated this is to use funds budgeted for outside legal counsel to cover costs regarding a recent lawsuit with the Collamer lot.

Discussion and Vote: Budget Amendments – Benefits

No comments.

Discussion and Vote: Budget Amendments – 2013 Fund Balance Excess

No comments.

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for Council to Approve Water Leak Adjustment

Commissioner Scirocco advised the campsite on Pine Road had a broken meter in their pit and kept registering water. The bill was \$4,600 and they averaged it out to be around \$110. He will be asking the Council to consider that adjustment.

Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum #4 with Barton & Loguidice, PC – Water Treatment Plant Filter Rehabilitation Project

Tim Wales, city engineer, stated this addendum will close out the project.

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Saratoga County for the Intermunicipal Recycling

Commissioner Scirocco stated this is in regards to the takeover of the recycling operations. They will go from a multi-stream to a single stream.

Discussion and Vote: Authorization for the Mayor to Sign Agreement with NYS Environmental Facilities Corporation for the Pump Stations Study

Tim Wales, city engineer, advised this agreement is to accept the funding and allocate the funds - \$7,500. The study is complete.

Discussion and Vote: Authorization for the Mayor to Sign Changer Order for Time Extension – Casino Vertical Lift

Commissioner Scirocco advised this change order is for a time extension for the generator. The vendor is shutting down for 2 weeks.

Discussion and Vote: Authorization for the Mayor to Sign Lease Agreement with Senior Citizen's Center of Saratoga Springs

No comments.

Discussion and Vote: Authorization for the Mayor to Sign Supplemental Agreement #3 with DOT – Ballston Avenue

Tim Wales, city engineer, stated this is for acceptance of funds.

Discussion and Vote: Authorization to Establish Step Salary – Data Collector

Commissioner Scirocco advised the provisional appointment is currently at a grade 6 and that will remain the same. They are looking to start the person at step 4 instead of step 1 due to adding additional duties relating to lines of credit.

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Bast Hatfield, Inc. Ballston Avenue Traffic Improvement Project

No comments.

Discussion and Vote: Resolution Local Law No.3 of 2014

Mayor Yepsen stated she has concerns about this item as she would like to avoid having a public hearing and the vote on that same item on the same night. Also, there is an investigation by the Comptroller's Office on this topic and she would like to hold off the vote until the investigation has been completed.

Commissioner Scirocco stated he doesn't believe this item has anything to do with the investigation. They are eliminating a fee that they don't feel is necessary and it is a fee that gets passed on to the homeowner.

Mayor Yepsen stated until they receive the findings, they don't know if this is the right direction.

Commissioner Madigan advised that she met with the Comptroller's Office and asked if we should hold off on doing regular City business and they didn't indicate such.

Mayor Yepsen stated she is ok with going forward with the presentation and the public hearing. This is not the time to take an action. We need to let them report their findings.

Commissioner Scirocco stated he gave them this resolution last week.

Discussion and Vote: Resolution – DOT Ballston Avenue

Tim Wales, city engineer, stated this goes along with item #7 for the allocation of funds.

Commissioner Scirocco added the Discussion and Vote: Authorization for the Mayor to Sign Addendum #5 with Greenman-Pedersen, Inc. for the Ballston Avenue Traffic Improvement Project.

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Agreement with Art Breault, NYS Certified Instructor Coordinator for the Fire Department Training

No comments.

Discussion and Vote: Authorization for Mayor to Sign Agreement with Nixon Peabody

Commissioner Mathiesen advised Nixon Peabody is representing the City in the suit brought against the City Council regarding the Collamer lot. The suit was brought forward by former Commissioner McTygue, former Commissioner Foy, and former Mayor Ray Watkin. He encouraged them to drop the suit.

Commissioner Mathiesen added and item: Discussion: Saratoga Casino and Raceway Plans.

SUPERVISORS

MATTHEW VEITCH

1. Saratoga County 2015 Budget
2. Saratoga County Prosperity Partnership
3. Board Committee Assignments
4. Public Safety Committee
5. Organizational Meeting – January 2, 2015 at 4:00 p.m.

PETER MARTIN

1. Framework for Success
2. County Recycling Program
3. Maplewood Manor

Commissioner Madigan reminded everyone that there will be a City Council meeting for the year on December 31, 2014 at 1 p.m.

ADJOURN

Mayor Yepsen adjourned the meeting at 10:55 a.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote:

DRAFT