



February 17, 2015

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

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

CONSENT AGENDA

1. Approval of 2/3/15 City Council Meeting Minutes
2. Approval of 2/3/15 Pre-Agenda Meeting Minutes
3. Approve budget Amendments (Increases)
4. Approve Budget Transfers – Regular
5. Approve Payroll 02/06/15 \$436,524.44
6. Approve Payroll 02/13/15 \$454,747.28
7. Approve Warrant: 2014 Mid – 14MWDEC6: \$232.12
8. Approve Warrant: 2014 REG – 14DEC6: \$364,789.05
9. Approve Warrant: 2015 Mid – 15MWFEB1: \$3,254.50
10. Approve Warrant: 2015 Mid – 15MWFEB2: \$150,181.09
11. Approve Warrant: 2015 REG – 15FEB3: \$870,198.19

MAYOR'S DEPARTMENT

1. Announcement: Comprehensive Plan Public Workshops
2. Discussion and Vote: Approval for Payment of 2014 Miller, Mannix, Schachner & Hafner, LLC Invoices
3. Discussion and Vote: Proposed Settlements of Lawsuit – 31 Central Avenue
4. Discussion and Vote: Sandlot Baseball Program
5. Discussion and Vote: Youth Flag Football Program
6. Announcement: Saratoga Springs Recreation Department Programs & Registration
7. Announcement: Planning Charrette: Centennial Trees Workshop March 5th

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Grant Application with NYS Archives for Historical Records
2. Appointment: Commissioner of Deeds
3. Discussion and Vote: Council Authorization to Pay Fitzgerald, Morris, Baker, and Firth Invoices
4. Discussion and Vote: Authorization to Settle Article 7 Case
5. Announcement: Deputy Commissioner Sharon Kellner-Byrnes

FINANCE DEPARTMENT

1. Discussion: West Avenue Special Assessment District Annual Accounting as of 12/31/14
2. Discussion and Vote: CDPHP Health Insurance Contract
3. Discussion and Vote: MVP HMO 25 Health Insurance Contract
4. Discussion and Vote: MVP EPO Health Insurance Contract
5. Discussion and Vote: Budget Transfers – Payroll

PUBLIC WORKS DEPARTMENT

1. Set Public Hearing: 2015 Water & Sewer Rates
2. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Crawford & associates Engineering PC – Weibel Avenue Landfill
3. Discussion and Vote: Authorization for the Mayor to Sign Change Order with CKM Electrical Services, Inc. – Bog Meadow Infrastructure and Water Supply Project
4. Discussion and Vote: Authorization for the Mayor to Sign Change Order with PCC Contracting, Inc. – Spirit of Life
5. Discussion and Vote: Authorization for the Mayor to Sign Change Order with Trinity Construction, Inc. – Bog Meadow Infrastructure and Water Supply
6. Discussion and Vote: Council Authorization to Pay Fitzgerald, Morris, Baker, and Firth Invoices

PUBLIC SAFETY DEPARTMENT

1. Set Public Hearing: Amend City Code Article 225, Section 225-72, Schedule VII One Way Streets
2. Discussion and Vote: Authorization for Mayor to Sign Contract with Empire Ambulance
3. Discussion: Update on Emergency Management Plan and Other Public Safety Issues
4. Discussion: CPR Training for the Residents on the Eastern Plateau
5. Announcement: Public Safety Forum on March 26, 2015 at 7 pm in the City Council Room
6. Discussion and Vote: Rules of Conduct

SUPERVISORS

Matthew Veitch

Nothing at this time.

Peter Martin

1. Public Health
2. Trails
3. Equalization and Assessment

ADJOURN



February 17, 2015

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

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

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

Vincent DeLeonardis

Peter Martin, Supervisor

EXCUSED: Matthew Veitch, 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 advised at the last City Council meeting she changed the order for which Council members can respond to public comments to when it was their agenda. She believes rules are important and will be looking at them this evening and hopefully change them from 2004. It is also important that the public understand that public comment is their time to speak. The 2004 Code of Conduct states "At the conclusion of the Public Comment Period, Council members shall have the opportunity to respond to comments but shall limit their comments to the topics discussed during the Public Comment Period and shall follow the commonly accepted rules of courtesy, decorum and good taste". What happened two meetings ago does not fit that. If it happens again, she will stop the meeting.

Mayor Yepsen opened the public comment period at 7:07 p.m.

Amy Durland, vice-chair of Sustainable Saratoga stated she is speaking on behalf of Sustainable Saratoga. They would like to acknowledge the Centennial Committee for including the Urban Forestry Centennial Tree Project as an affiliated effort. They would like to have this project presented at an upcoming City Council meeting prior to their workshop scheduled for March 5th.

Darlene McGraw of 1 South Federal Street stated she would like to address the hiring of outside attorneys. We have attorneys here to handle things. She also does not appreciate the bickering that went on at the last City Council meeting.

Mayor Yepsen closed the public comment period at 7:11 p.m.

CONSENT AGENDA

Mayor Yepsen moved and Commissioner Madigan seconded to accept the consent agenda as follows:

1. Approval of 2/3/15 City Council Meeting Minutes
2. Approval of 2/3/15 Pre-Agenda Meeting Minutes
3. Approve budget Amendments (Increases)
4. Approve Budget Transfers – Regular
5. Approve Payroll 02/06/15 \$436,524.44
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11. Approve Warrant: 2015 REG – 15FEB3: \$870,198.19

Ayes - All

MAYOR'S DEPARTMENT

Announcement: Comprehensive Plan Public Workshops

Mayor Yepsen announced the first Comprehensive Plan workshop is scheduled for Tuesday, February 24, 2015 at 6 p.m. The second workshop has not been scheduled yet.

Discussion and Vote: Approval for Payment of 2014 Miller, Mannix, Schachner & Hafner, LLC Invoices (15-049)

Mayor Yepsen advised they initially increased the cap on the agreement by \$10,000 bringing the total cap to \$30,000 for 2014. They need to increase that cap by \$1,311 bringing the revised cap to \$31,311 for 2014 and no transfers will be needed.

Mayor Yepsen moved and Commissioner Franck seconded to authorize the mayor to sign an addendum to the 2014 Miller, Mannix, Schachner & Hafner contract; increase the not to exceed amount by \$1,311 bringing the total revised amount to \$31,311 for services and expenses associated with the City land use matters.

Commissioner Madigan advised there is no addendum uploaded for this contract.

Mayor Yepsen moved and Commissioner Franck seconded to add to the motion the addendum is forth coming.

Ayes – All

Discussion and Vote: Proposed Settlements of Lawsuit – 31 Central Avenue (15-050)

Tony Izzo advised the city participates in this lawsuit because of a drainage easement the City holds. We are being asked to give up rights to a 3.7 foot strip of land. No damages are being sought against the City.

Commissioner Scirocco disclosed for the record that one of the parties in the lawsuit is his cousin; however, he has no other interest in this parcel.

Mayor Yepsen moved and Commissioner Franck seconded to authorize the assistant city attorney, Tony Izzo, to sign the settlement that was distributed with the agenda regarding the property at 31 Central Avenue.

Ayes – All

Discussion and Vote: Sandlot Baseball Program (15-051)

John Hirliman, administrative director of recreation, advised this program will be co-sponsored with Saratoga Babe Ruth. The City will register the participants and collect the fees; Babe Ruth will provide the volunteer coaches and equipment. All revenue will be split 50/50.

Mayor Yepsen moved and Commissioner Scirocco seconded to approve the Recreation Department request to co-sponsor the new sandlot baseball program with Saratoga Wilton Babe Ruth as described in the Recreation Department's Program Application.

Ayes - All

Discussion and Vote: Youth Flag Football Program (15-052)

John Hirliman, administrative director of recreation, advised this program will be co-sponsored with Saratoga Pop Warner. The City will register the participants and collect the fees; Pop Warner will coordinate the on-field activities and provide equipment. All revenue will be split 50/50.

Mayor Yepsen moved and Commissioner Scirocco seconded to approve the Recreation Department's request to co-sponsor the new youth flag football program with the Saratoga Springs Pop Warner as described in the Recreation Department's Program Application.

Ayes – All

Announcement: Saratoga Springs Recreation Department Programs & Registration

John Hirliman, director of recreation, advised they are registering for the spring programs. Camp registration begins March 2nd for City residents. All program and registration information can be found on the web page – www.saratogarec.com.

Announcement: Planning Charrette: Centennial Trees Workshop March 5th

Mayor Yepsen announced Sustainable Saratoga will kick off their centennial tree program on March 5th. They will be planting 100 trees for 100 years.

Commissioner Scirocco advised he received an e-mail from Tom Denny requesting he be able to do a presentation at the March 3rd meeting.

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Grant Application with NYS Archives for Historical Records (15-053)

Commissioner Franck advised this grant is to improve access to records and information, and conservation of the historical records held in the city historian archives. The funding proposal is for activities recommended by our professional consultant and archivist during a grant funded survey of the City's historical records. At this point we do not have the exact amount, but funds will be requested to hire a person experienced with basic conservation and preservation techniques; the purchase of a computer to be used as a "look-up station" to access scanned information; the scanning of the microfilm of assessment and tax rolls; and the microfilming and scanning of several heavy, cumbersome volumes of records held by the city historian that are highly referenced. The rough estimate of the grant request is about \$30,000. We need to come before the Council now because the submission deadline is March 2nd. At the March 3rd meeting, he will update the City Council on the exact amount requested and any other specific details required. This is a non-matching grant.

Commissioner Franck moved and Commissioner Mathiesen seconded to authorize the Mayor to sign all related documents and permission to submit a non-matching competitive application for a grant from the New York State Local Government Records Management Improvement Fund.

Ayes - All

Appointment: Commissioner of Deeds

Commissioner Franck appointed Rachel Petryna as Commissioner of Deeds.

Discussion and Vote: Council Authorization to Pay Fitzgerald, Morris, Baker, and Firth Invoices (15-054)

Commissioner Franck advised that prior to having the Fitzgerald, Morris, Baker, and Firth agreement in place for the Accounts Department, bills were incurred. We are bringing these invoices forward for Council approval to pay those invoices.

Commissioner Franck moved and Commissioner Scirocco seconded Council approval to pay invoices from Fitzgerald, Morris, Baker, and Firth in the amount of \$3,866.50.

Funding is in line: A3051354 / 54720.

Ayes - All

Discussion and Vote: Authorization to Settle Article 7 Case (15-055)

Commissioner Franck advised this case was discussed this morning during executive session.

Commissioner Franck moved and Commissioner Scirocco seconded for the City Council to settle the Article 7 cases for parcel #s 165.50-3-32, 165.50-1-61 for the year 2014 as follows:

Parcel #	Original 2014 Assessment	Negotiated Assessed Value 2014	Reduced Amount	Refund Amt
165.50-3-32	\$225,000	\$197,360	\$27,640	\$167.80
165.50-1-61	\$228,300	\$200,660	\$27,640	\$167.80

Ayes - All

Announcement: Deputy Commissioner Sharon Kellner-Byrnes

Commissioner Franck announced that Deputy Commissioner Sharon Kellner-Byrnes will be leaving her position the end of this month for a managerial position with the Saratoga Independent School. Sharon made the transition of coming to work here seamlessly and has been here for close to 4 ½ years. Every year Sharon has worked to reduce the budget and do more with less. She has made various positions work together and cut expenses. She has updated the permit process in the Clerk's Office; made quality #1; and pressed upon people that service is very important. The biggest accomplishment was the 150th Anniversary with all the various permits that had to be reviewed and approved.

He thanked Sharon for all her assistance and wished her the best.

Commissioner Scirocco stated it has been a pleasure to work with Sharon and wished her well. She will be missed.

Commissioner Mathiesen stated they really have enjoyed working with Sharon. He hopes whoever is hired to replace her is just like here.

Mayor Yepsen stated Sharon has big shoes to be filled. Her department enjoyed working with her.

FINANCE DEPARTMENT

Discussion: West Avenue Special Assessment District Annual Accounting as of 12/31/14

Commissioner Madigan introduced Matt Jones of the West Avenue Special Assessment District to give the annual accounting.

Matt Jones congratulated Sharon Byrnes and wished her well.

Mr. Jones stated the money is raised by about 75 property owners. From that tax levy, the bond is paid to the City. The report is reconciled and to the satisfaction of the West Avenue Special Assessment District.

Commissioner Madigan asked Mr. Jones to go off topic and speak to an update on the City Center parking garage.

Mr. Jones stated the parking garage has received a negative declaration from the Planning Board and is now in front of the Zoning Board of Appeals on a variance application. If successful there they will come back to the City Council.

Discussion and Vote: CDPHP Health Insurance Contract (15-056)

Commissioner Madigan advised this plan is available to the PBA. There was one enhancement added – it includes acupuncture coverage. The rates are the same as those approved at the 11/3/14 City Council Meeting.

Commissioner Madigan moved and Commissioner Scirocco seconded to approve the mayor's required signature on the CDPHP Insurance contract renewal as distributed with the agenda.

Ayes – All

Discussion and Vote: MVP HMO 25 Health Insurance Contract (15-057)

Commissioner Madigan advised this plan is offered to City employees. The co-pay for prostate screen has been eliminated; co-pay for infusion therapy and a few other things is now \$25. The annual out of pocket has been increased; maximum is now \$6,600 per person and \$13,500 per family. The rates are the same as those approved at the 11/18/14 City Council Meeting.

Commissioner Madigan moved and Commissioner Franck seconded to approve the mayor's required signature on the MVP HMO 25 Health Insurance contract renewal documents as distributed with the agenda.

Ayes – All

Discussion and Vote: MVP EPO Health Insurance Contract (15-058)

Commissioner Madigan advised this plan is for the retirees who are out of the geographic network. The rates are the same as those approved at the 11/158/14 City Council Meeting.

Commissioner Madigan moved and Commissioner Franck seconded to approve the mayor's required signature on the MVP EPO Health Insurance contract renewal documents as distributed with the agenda.

Ayes – All

Discussion and Vote: Budget Transfers – Payroll (15-059)

Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2015 budget transfers – payroll which were distributed with the agenda.

Ayes - All

PUBLIC WORKS DEPARTMENT

Set Public Hearing: 2015 Water & Sewer Rates

Commissioner Scirocco set a public hearing for Tuesday, March 3, 2015 at 6:45 p.m.

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Crawford & Associates Engineering PC – Weibel Avenue Landfill (15-060)

Commissioner Scirocco stated this is an addendum to the original agreement. The DEC would like the City to perform further more detailed investigation regarding the extent of the solid waste present on this property.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with Crawford & Associates Engineering, P.C. in the amount of \$17,800 for the Weibel Avenue Landfill Project.

Funding is in line H3638182 / 52000 / 1228.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Change Order with CKM Electrical Services, Inc. – Bog Meadow Infrastructure and Water Supply Project (15-061)

Commissioner Scirocco advised this includes additional electrical service work in order to accommodate the National Grid upgrade for the Bog Meadow Pump Station. The change order also includes a 75 day time extension.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign the change order with CKM Electrical Services, Inc. in the amount of \$36,343.92 for the Bog Meadow Infrastructure and Water Supply Project.

Funding is in line H3638332 / 52000 / 1227.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Change Order with PCC Contracting, Inc. – Spirit of Life (15-062)

Commissioner Scirocco stated this is phase II. PCC Contracting is completing the masonry repairs of the limestone backdrop and reflecting pool. The change order is for the unforeseen conditions of the limestone coping stones and additional work to seal the reflecting pool.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign a change order with PCC Contracting in the amount of \$41,704 for the Spirit of Life Restoration Project.

Funding is in line H3036952 / 52000 / 1039.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Change Order with Trinity Construction, Inc. – Bog Meadow Infrastructure and Water Supply (15-063)

Commissioner Scirocco stated this change order includes construction work to accommodate the National Grid upgrade. This change order includes a 75 day time extension.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign the change order with Trinity Construction, Inc. - \$19,117 - for the Bog Meadow Infrastructure and Water Supply Project.

Funding is in line H3638332 / 52000 / 1227.

Ayes – All

Discussion and Vote: Council Authorization to Pay Fitzgerald, Morris, Baker, and Firth Invoices (15-064)

Commissioner Scirocco advised the prior contract agreement did not cover the Weibel Avenue Landfill investigation. Public Works incurred bills in 2014 in the amount of \$481,000 for the initial legal consultant of the Weibel Avenue Landfill and \$5,365 for water connection.

Commissioner Scirocco moved and Commissioner Mathiesen seconded for Council authorization to pay the invoice for Fitzgerald, Morris, Baker, and Firth invoices in the amount of \$5,365 for water connection funding.

Funding is in lines F3638314 / 547204 and A3335124 / 54400.

Ayes - All

PUBLIC SAFETY DEPARTMENT

Set Public Hearing: Amend City Code Article 225, Section 225-72, Schedule VII One Way Streets

Commissioner Mathiesen set a public hearing for Tuesday, March 3, 2015 at 6:40 p.m.

Discussion and Vote: Authorization for Mayor to Sign Contract with Empire Ambulance (15-065)

Commissioner Mathiesen advised this is an annual contract with Empire Ambulance for the lease of the station on the west side and to act as a back-up to our EMS service. The amount is \$30,000 annually.

Commissioner Mathiesen moved and Commissioner Scirocco seconded to authorize the mayor to sign the agreement with Empire.

Ayes – All

Discussion: Update on Emergency Management Plan and Other Public Safety Issues

Commissioner Mathiesen advised the City's Emergency Management Plan is being reviewed and updated. The Police Department started a number of accounts to notify the community of emergencies through social media sites. The Police Department is also running Operation Safe Child at the upcoming home show and participating in the car seat safety program. The car seat safety program will require an appointment to be made.

Discussion: CPR Training for the Residents on the Eastern Plateau

Commissioner Mathiesen stated he and Chief Williams have decided to assist the residents on the eastern plateau with emergency medical response; they will provide those residents with CPR training. This will probably happen in the spring.

Announcement: Public Safety Forum on March 26, 2015 at 7 pm in the City Council Room

Commissioner Mathiesen announced the next Public Safety Forum is Tuesday, March 26th at 7 p.m. in the City Council Room.

Discussion and Vote: Rules of Conduct

Commissioner Mathiesen stated he has been requested to refrain from a vote and just have a discussion on this topic tonight. There are some things set up in the 2004 Rules of Conduct that require updating; things such as the meeting time for pre-agenda needs to be changed. He circulated copies of the Rules of Conduct to the Council and Tony Izzo, assistant city attorney, as well as his recommended changes. He went on to list the changes he suggested be made to the current Rules of Conduct. He believes items should be able to be added to the agenda with a majority vote.

Commissioner Madigan advised she responded to Commissioner Mathiesen via e-mail today with some comments. She is comfortable with either deleting the statement that the public has to direct their comments to the Council as a whole or leaving it in. In regarding to adding an item to the agenda we could add that it is in accordance with the Charter. She agrees the rest of his suggested changes. She feels very strongly that a member of the Council should not have to wait to their agenda to respond to a comment made by the public during Public Comment.

Commissioner Franck stated it is up to the presiding officer to make the choice. It says these are guidelines and not dead fast rules. Mayor Keehn did executive sessions prior to the meeting so things were decided so late in the evening. Mayor Johnson went back to the rules set up by Mayor Lenz. Not every mayor followed the set of rules from 2004. The Charter is clear that the mayor has more power than the other Council members even though they only get one vote. The residents are the shareholders and have the right to come and speak their peace. He received a lot of comments regarding the last Council meeting and how the members of the Council handled themselves.

Commissioner Madigan stated she feels they need to have a set of rules so every time there is new mayor there isn't a new set of rules of how to run this government. She likes the idea of adopting formal rules.

Commissioner Mathiesen stated he believes it is very important to vote on a new set of Rules of Conduct.

Commissioner Franck stated this item should be on the mayor's agenda. It doesn't make sense to put this on Commissioner Mathiesen's agenda as he will never be the presiding officer. Also, these meetings go on too long with the back and forth. We are here to do the people's business, not politicking.

Commissioner Madigan stated the mayor is the presiding officer but not the rule maker. It should not be up to the mayor to tell us how to respond or if we are going to respond to public comment.

Mayor Yepsen stated she plans to work over the next 2 weeks with the city attorneys to put forth something. She has made many suggestions regarding how a meeting is going to be run since she has been here. There are rules that can be put together and voted on; however, in the end she will make changes as she sees fit. It is the chair of any board to bring this forward.

Commissioner Mathiesen stated we do need a mayor who can conduct a meeting and have some flexibility. He believes the Rules of Conduct are important to protect everyone's rights on the City Council. He is fine with waiting 2 weeks and having this put on the mayor's agenda.

SUPERVISORS

Matthew Veitch

Nothing at this time.

Peter Martin

Public Health

Supervisor Martin reported they held a meeting last week. They will be writing off \$2,500 of bad debt for non-collection for services rendered.

Trails

Supervisor Martin reported they will be meeting this month. They recommended engaging engineers and attorneys to complete the preparatory work for the southern part of the Zim Smith Trail. He believes this expenditure will be approved. Someday the Zim Smith Trail will reach Saratoga Springs.

Equalization and Assessment

Supervisor Martin reported they met and scheduled an auction for March 17th.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 9:09 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote: