



March 03, 2015

CITY OF SARATOGA SPRINGS  
City Council Meeting  
7:00 PM

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

**STAFF PRESENT:** Lynn Bachner, Deputy Commissioner, Finance  
Maire Masterson, Deputy Commissioner, Accounts  
Joe Ogden, Deputy Mayor  
Peter Martin, Supervisor  
Tim Cogan, Deputy Commissioner, DPW  
Vince DeLeonardis, City Attorney  
Anthony Izzo, Assistant City Attorney

**EXCUSED:** Eileen Finneran, Deputy Commissioner, DPS

**PUBLIC HEARINGS**

Presentation for the Adoption by the City Council of Water/Sewer Rates for 2015 (Attachment 1)

Commissioner Scirocco stated that per the City's Charter, it is the responsibility of the Commissioner of Public Works to ensure that the City water system provides sufficient quantities of safe potable water and that the storm water system is adequate for runoff without flooding and to ensure that the City sewer disposal system provides sufficient capacity. He said there are approximately 132 miles of water, sanitary and storm sewer lines and about 1,174 fire hydrants in the City. He said the water sources include the Geyser Crest Subdivision, Interlaken Waterworks, Loughberry Lake Watershed and Bog Meadow Supplemental water source to serve over 28,000 residents with 9,835 water accounts. He said to keep the system running efficiently, improvement and repair projects are always necessary. Recent capital improvement projects for the water system include the Woodlawn Avenue water main replacement, the Bog Meadow Groundwater Source/Supply Project, the Water Treatment Plant Intake Valve Rehabilitation, and the Backflow Prevention Device compliance review. He noted some of these are completed and some are still ongoing; the Woodlawn water main was deemed a priority when there was insufficient water to fight a fire on Woodlawn Avenue last year. He said that they received a NYSERDA grant of \$35k to study the City's 23 pump stations for efficiency and reliance. Projects identified from that study include the upgrade of the Adams Street Pump Station, then upgrade of the BOCES pump station and the upgrade of the Casino Drive Pump Station and Force-main. He said that the issue becomes how to pay for Capital Improvements in addition to paying for unfunded state mandates and to cover the debt service. For a pro-active way to cover Capital Improvements, he proposing a fee of \$15.00 per quarter for meter size of 1 inch or less, \$50.00 per quarter for meter size greater than 1 inch but less than 6 inches and \$250/quarter for meter size greater than 6". He is also proposing a 3% rate increase noting that it will have a minimal effect on the residents because the majority of customers use less than 2000 cubic feet units per quarter. He said that when he took office there was a significant shortage in the water budget and a great deal of money had been borrowed from the city's general operating budget to balance the water budget. The city's auditors, Bollam, Sheedy and Torani recommended that a fee be established to pay back the general fund. He explained that the city sells water in cubic feet and 1 cubic foot is about 7.5 gallons of water. He said the average resident pays less than 1 cent per gallon for water. Regarding the sewer budget, he referred to a sewer rates table indicating that due to an increase in metered customers and sales, based on a 2000 cubic foot usage the rate will increase \$1.30 per quarter raising the invoice

from \$78.10 to \$81.40 per quarter. He summarized that the auditors suggested being pro-active and setting fees which will bring in \$160,000 for 2015, and the fees are not permanent because once the loans are repaid, the fees will be removed. He said that over the last 7 years, the goal has been to bring these budgets under control and to complete numerous projects including increasing flow for fire protection, installing a new generator at the water treatment plant, etc. There were very few water and sewer infrastructure improvements prior to 2008; and he plans to continue to use capital improvements funding stream for water and sewer infrastructure improvements and he will continue to make strides to pay back the \$1.8m inter-fund transfer loan.

Mayor Yepsen opened the public hearing on the adoption of the City's water and sewer rates for 2015 at 7:03 pm.

Bill McTygue, York Street, Saratoga Springs said that Commissioner Scirocco talked about the state of things when he took office and to clarify, when Commissioner McTygue was in office, they installed a high-tech disinfection system in the water treatment plant for over \$1m and completely rehabilitated the Interlaken Water System among other projects. He said that because many developers were anxious to do business in this thriving City, as a general policy the City extracted as much work out of developers as possible. They were required to improve the water and sewer infrastructure in the area of their development projects and pay the resulting water connection fees. Bill McTygue noted that the requirement for water connection fees was recently dropped and that was a good funding source especially for improvements that were justified from the impact of new development. He stated that the full responsibility for improvements to the water and sewer infrastructure now falls on the taxpayers; it is no longer the responsibility of developers whose projects often cause the need for the improvements. He said that the interfund transfers to the water fund has been going on through 2013 and since Commissioner Scirocco took office in 2008, the rates have increased substantially and fees are increasing to the point where water customers are being "nickel and dimed" to death; the average customer in this City is now paying an additional \$200 per year on their water and sewer bills and the real shame is that the current DPW Commissioner has deliberately eliminated a revenue stream that for 22 years came from the developers in this community and as the struggle with these budgets continues, we will rue the day that this beneficial revenue stream was abolished.

Sam Brewer, Lake Avenue, Saratoga Springs likes the City's water system because it is a robust simple system. He said that looking through the water and sewer rate charts, he noticed that it is kind of a regressive pricing structure and the Council might want to consider making it more progressive on the higher end to raise revenue and conserve capacity which is important. He also recommended consideration of a critical use tariff for uses of water for commercial and industrial use that are more important than other uses, for example there could be lower rates for pasteurization and food production. He asked about back-up power for the pump stations and Commissioner Scirocco stated that the majority of them have generators. S. Brewer suggested activated carbon in the water filtration system to use all the time or just having the capability to use it when necessary.

Commissioner Madigan pointed out for clarification that regarding the \$1.8 interfund transfer loan, \$400k happened during Commissioner Scirocco's administration and there have been no interfund loan transfers during her administration.

Mayor Yepsen noted that since no one else is wishing to speak at this time, they will proceed to the next item but the public hearing will remain open.

#### Amend City Code Article 225, Section 225-72 One Way Streets – Senior Lane

Mayor Yepsen opened the public hearing to amend City Code Article 225 section 225-72 at 7:12pm. Commissioner Mathiesen said that this is not a controversial issue; it is a request by the Saratoga Springs Housing Authority to change Senior Lane from a two-way traffic pattern to one way, allowing traffic to only run north to south on Senior Lane to benefit the residents of Jefferson Terrace.

Since no one spoke, Mayor Yepsen closed the public hearing at 7:13 pm.

### Revision to Tourist Related Business Zoning District

Commissioner Madigan stated that this public hearing is based upon recommendations from the City's land use boards. She noted that appropriate land use for the Tourist Related Business District was discussed by the Saratoga County Planning Board, the City Planning Board, and the City Design Review Commission in 2013 during the course of an application for rezoning by the Turf Hotel. Her vote on the Turf Hotel was predicated on following through on the recommendations of these Boards. At the March 18, 2014 Council meeting, she asked the Council to have the Planning Board consider a proposed amendment of the Tourist Related Business District "to limit, restrict, and so revise the list of uses permitted with site plan approval, uses permitted with special use permit and site plan approval, permitted accessory uses and structures, and the area and bulk schedule".

Commissioner Madigan noted that on July 15, 2014, the City Planning Board issued its Advisory Opinion and following up on the Advisory Opinion, she asked the City Council at the 02/03/2015 meeting to refer the matter to the County Planning Board as required and that decision is still pending. The public hearing for this evening was set and with assistance from the Planning and the Accounts Departments, the notice was delivered to property owners within the TRBD zoning area on South Broadway as recommended in the City Planning Board's advisory opinion and there have been several inquiries pursuant to the notice. One concern is regarding what happens to a property that has a use that will no longer be allowed. She said that the answer is that those properties will be considered to be a legal, non-conforming use that are grandfathered in "as is" and can remain as they are now but they cannot expand.

Commissioner Madigan stated that an emailed concern was received from Dr. Charles Bryner regarding his veterinarian clinic. She explained that animal clinics are currently a "Use Permitted with Site Plan" but the revision suggested by the City Planning Board would prohibit this use in the Gateway Design District, where Dr. Bryner's clinic is located making the clinic a non-conforming use which could remain as it is but it would never be allowed to expand. She is happy to consider an amendment to remove "Animal Clinic" from the Planning Board's list of uses that would not be permitted and urged her fellow Council members to consider this as well.

Matthew Jones, Attorney representing Mike Hoffman said that his client presented the application to the Council on 12/3/2013 for the re-zoning of the Turf Hotel property on South Broadway as the genesis of this amendment. He said he has read the amendment and feels that it is fully consistent with the 2013 discussions and the comments made that evening. He said there were some uses within the TRBD that are clearly inconsistent with the Gateway and he agrees with that and encourages the process as brought forth this evening. He is pleased to tell the Council that the project architects are working hard on the plans to meet the expectation to have a completed building application submitted to the Building Inspector this summer and begin construction on the 109 room suites this fall. He extended an invitation to the City Council to the groundbreaking ceremony to take place sometime in late September. He noted that one of the processes along the way was dispute with Sustainable Saratoga over the interpretation of the Comprehensive Plan and whether this project was consistent or not with the Comp Plan. He said that while that dispute has been resolved, it pointed out the very thing that the Council is about to consider with this amendment, which is the clarity of how the City's Comprehensive Plan relates to South Broadway and how important it is that the language be clear. He believes there is a broad consensus on the language being suggested and he hopes to participate in that discussion if given the opportunity at the next Council meeting. Clarity in the Comprehensive Plan is very important and he encouraged the City Council to continue this going forward and thanked Commissioner Madigan for presenting this amendment.

Charles Bryner said he is the owner of a veterinary clinic and finds that the current wording is very clear that animal clinics are not allowed. He recognizes that he is grandfathered in but he is not permitted to do any alterations to the building or expand and if he was to sell the new owner would be handcuffed. He said it is the perfect spot for the business and it does not cause any problems within the neighborhood and he has support from his neighbors accordingly. He said he is not going to put in a dog park, although one does exist on South Broadway and his business is not in conflict with the Turf Hotel project. He urged the City Council to remove "Animal clinic" from the list of prohibited businesses.

Commissioner Madigan recommends removing "Animal clinic from the list of banned businesses. Commissioner Franck wanted to clear up some confusion regarding the letter sent to the neighbors as part of the process because although it was sent from the Office of Planning and Economic Development, it contains his name because he is the City Clerk. He said that since the County Planning board has not yet issued their opinion, this entire issue might be premature. Commissioner Madigan said that the letter never got to the County requesting their opinion because it was supposed to have been sent out from the City Clerk's office and it was not mailed.

Mike Alonzo stated that he is an owner of property on South Broadway and one of his tenants is "Just Cats" which is a veterinary business that does not conflict with any possible growth and they should be removed from the list of forbidden businesses because they are inside the City limits and a good draw of people into the City from surrounding communities including Malta, Ballston Spa, and Stillwater. It is an attraction that will only grow because people love their pets.

Darlene McGraw, 1 South Federal Street, Saratoga Springs supports the rights of the veterinary clinics to be able to run their businesses and not be forbidden in the South Broadway area. She said it is important that they are inside the city limits because many people cannot afford to have to take their animals out of the City for vet services. It is good to have veterinary services available in our city and to help prevent animal cruelty.

Mr. Hussein, owner of the Best Western on South Broadway stated that he is good friends with both property owners and he has been doing business there for 19 years. He said this City is a tourist attraction and an historical City with lots to see and do but a serious issue that has been neglected is the lack of regulation of speed on South Broadway, especially in the area of his business. He suggested that the speed limit be reduced and that enforcement be increased. He has witnessed many serious and often fatal accidents over the years; the speed limits needs to be regulated by the New York State Department of Transportation and the curve should be straightened and the incline leveled because the entire stretch of road is very unsafe. He said another concern is that at least five or six times per year, mostly in the summer because of increased business and visitors, the water pressure decreases drastically and every winter the water line breaks because the pipes are very old.

Commissioner Mathiesen agrees about that portion of Route 9 being excessively dangerous due to the curvature and the inclination and the speed and they continue to look into this and notify NYS DOT and NYSDOT continues to respond that they believe the road is safe. Mr. Hussein said that the roads are beautiful but the speed limit should be lower and traffic rules need to be enforced.

Commissioner Franck said this issue was brought up by Commissioner Mathiesen at numerous GAPS meetings and it is very important.

Mayor Yepsen noted that since no one else is wishing to speak at this time, they will proceed to the next item but the public hearing will remain open.

## **CALL TO ORDER**

Mayor Yepsen called the meeting to order at 7:28 PM.

## **PUBLIC COMMENT PERIOD**

Mayor Yepsen stated that a maximum of 15 minutes is allowed for the public comment period and each speaker is limited to two minutes.

Kimmie Remus of Stratton Street said that sexual assault is a huge epidemic on college campuses this year and the issue has been addressed by the Governor of New York, the Mayor of New York City, and now Skidmore College is addressing the issue, primarily through the actions of its students. There are several campaigns occurring including one led by the Student government called "It's Happening Here"

and a recent student victim of sexual assault on campus is conducting a peaceful protest at the readmission hearing of her convicted assailant. There has been a lot of action on campus as well as support from the administration on ways to change the college sexual and gender based misconduct policy and how to better assist victims and increase reporting of such assaults. She stated that each year, 19% of women and 6% of men will be sexually assaulted during their academic career and 89% of those individuals will know their attacker and only 5% of those sexual assaults will be reported and these numbers are terrifying but the students on campus are taking a stand and it is interesting to see that the Skidmore Community and the administration are rallying around this issue. She wanted to let the City Council know about these activities since the college is a large part of the community and this is something everyone should be aware of and any support is appreciated. There is a tribute to Survivors night at 9 pm March 5 up on campus and the silent peaceful protest will be held at 1 pm March 13 on campus and she wanted the Council to be aware of the activities and asked for their support.

Darlene McGraw, 1 South Federal Street, Saratoga Springs said that regarding the reporting of assaults or other personal issues to the police, she is very upset with the City's dispatchers because no privacy is provided. People making reports or complaints, especially regarding attacks should not be expected to talk through a window or be given a piece of paper and expected to write things down. They should be provided a chance to speak privately in a private room. She said that the police officers are trying to help but the dispatchers are a disgrace to our community and she has experienced this behavior from them more than once. She also expressed concern about the difficulty it is to stay safe in the summer when people older than age 14 are riding their bike on a city sidewalk which is illegal according to the New York State vehicle and traffic law and she asked for more enforcement of the rules and enforcement against people that jaywalk.

Phil Diamond, 55 Railroad Place, Saratoga Springs said that his favorite topic is the sale or the give-away of the Collamer Parking lot and the sale price just went up to \$1.4m based on a recent article in the Times Union and in that regards, he finds it difficult to believe that the City Council agreed to give the parcel away for \$775k. He urged the Council to pull paying \$39k for a motion to dismiss which is probably the most expensive motion to dismiss in the history of juris prudence. He advised the City Council to realize that if the purchase of the Union Avenue parcel was separated from the sale of the Collamer lot, the EMT station would probably have been built and fully operational by now. He does not know why the two have remained connected and he urged the City Council to treat the purchase of the parcel and the sale of the lot as separate activities and build the EMT Station now because we need it.

He said that it was recently in the paper that one of the Commissioners is pushing for a 2am bar closing for bars outside of the Caroline Street zone which is ridiculous because that would penalize the bars that are not the problem when the bars on Caroline that are part of the problem would be allowed to remain open. This is the wrong way to solve the problem and it will never be approved. He commented that he does not understand why one of the Commissioners has the rules for the code of conduct at council meetings on his agenda when running the city council meetings setting the tone and protocol for those meetings are under the purview of the Mayor and should only be on her agenda.

Tom McTygue, owner of property on Henry Street in the City said that Commissioner Scirocco has often mentioned the work he has done on the City's infrastructure but there was a project that was done when he was serving as DPW Commissioner that involved using City employees to run a 12-inch water main to Knoll Spring Park which was more work than the current Commissioner could accomplish in the next ten years. He said that the project involved running a 12-inch water main under the Northway, under Weibel Avenue, across Loudon Road, down Old Schuylerville Road to all of the houses in that development because people could not sell their homes because the water was black. He said the project provided potable city water and fire protection to those residents. He said his department did the same for the folks on Meadowbrook Road and throughout that area. T. McTygue pointed out that since the tapping fees have been waived the development on Brookwood Drive of single family homes out Route 29 has no fire protection so a water line should be run out there before the street is paved. He said it is an inexpensive project to provide the waterline and water extensions and there will be no resistance since there are no tapping fees. He said that he will continue to come to the meetings and talk about some of the larger projects he accomplished when he was in office.

Harry Moran, chairman of Sustainable Saratoga thanked the City Council for their ongoing commitment to the Comprehensive Plan Review process. He said that in his testimony at the 2/24/2015 workshop, he made some specific requests regarding some of the key amendments in the draft plan. Some of these amendments were very technical points but tonight he would like to shift the focus to the bigger picture. He said that throughout the entire process, the vast majority of the community has made it very clear that they do not want denser or commercial development in the green belt. Most of these people had no idea what a PUD was until it surfaced as a strategy late in the comp plan process. Most community members are not familiar with the intricacies and considerations involved in resort overlay districts. What those people, your constituents, do know is that they do not want the City to place development interests above our "city in the country" model which has been instrumental in protecting our quality of life and our economic success. There is clearly a time for compromise but just as clearly, there is time to be resolute and steadfast when dealing with matters of such crucial significance to the future of this community. He urged the City Council to please respect the wishes of the countless people who have repeatedly expressed their desire to protect the greenbelt. This is a time to put the broader public interest ahead of the narrower perspective of developers and landowners who have a deep financial interest in the outcome of this process. The "city in the country" concept has provided us with a very successful roadmap and a vision for this community and we should not jeopardize that now. He thanked the Council for their time and their service.

Seeing that no one else wished to speak, Mayor Yepsen closed the public comment period at 7:40 pm.

Commissioner Mathiesen commented that pedestrian, vehicle and bicycle safety are topics that will be addressed in the next Public Safety forum on March 26. He noted that a lot of great things were accomplished during the tenure of Tom McTyghe and the community owes a debt of gratitude to him. He said that he conducted a casual observation of the land sales in the City compared to the City's full value estimates and appraisals and the amount was very fair and above the average discrepancy between the sales price and the market and appraisal value and those values were established early in negotiation and if they could have simply gone and purchased the property on Union Avenue, they would have done that. He said that regarding bar closings, the suggestion to close the bars outside of Caroline Street came from the New York State Liquor Association and we cannot ignore them. The City can only cover so many places at once and the NYSLA suggested the 2am closings of those bars as a way to control the number of places and locations open until 4am. He said that if we are in a situation where establishments are open until 4am and police are dispersed across the City to those locations, a volatile situation could develop on Caroline Street like in 2010 or 2011. He said that these are advisories from the NYSLA and he has no control or power to control when establishments close. He said we tell the NYSLA that in terms of public safety it makes sense for them to take into consideration the city's public safety challenges because it is a unique municipality as far as the number of establishments we have and the amount that are open until that hour. He knows of no other community in the state that faces the challenges that we have and the idea was simply our response to the NYSLA Advisory. The motion he brought before the City Council was simply a way to formalize the fact that we need to develop a way to predictably tell establishments in the City that we would prefer those located outside of the Caroline Street area close earlier because it is hard to manage the current situation.

## **PRESENTATIONS**

### Centennial Trees

Commissioner Scirocco welcomed Tom Denny of Sustainable Saratoga to make a brief presentation on their Centennial Trees program which is in connection with the City's 100 year centennial celebration.

Tom Denny thanked the City Council for their past support of the Sustainable Saratoga Forestry Project. He said that the basis for the Centennial Trees Program is defined as large species trees in high profile locations. The trees are the kind associated with the history of Saratoga Springs. They shape the environment and loom over our buildings and they will leave a towering legacy for our children and grandchildren and future generations, which is the goal of the program. Centennial Trees is the celebration of the centennial year of the City and a public and private tree planting campaign coordinated

by the Sustainable Saratoga. The intent is to plant 100 trees in high impact prominent locations throughout the City and one of their goals this year is to determine the planting locations. High impact high profile locations could be corners, gateways, central or main streets, places that compliment special buildings or accentuate entrances. Centennial Trees will implement or embody several of the key action strategies included in the City's Urban Forest Master Plan passed in 2013 including 1) promoting and cultivating citizen involvement; 2) Identifying, leveraging and committing more resources for the trees. It was determined that the City could not pay for all the tree infrastructure desired so Centennial Trees has embarked on fundraising trying to enlist members of the private sector and the City to commit more resources to the trees. 3) Getting the trees to be fully integrated into Saratoga's infrastructure.

This was the large tree vision of the Urban Forest Master Plan, especially the action strategy referring to the City owned trees as assets to the City making it more possible to enjoy the benefits of large species trees because trees provide quantifiable benefits and they are infrastructure. DPW budgets \$120k annually for trees and large trees provide a higher pay back because they store more carbon, save more energy, which is a value to pass on in order to leave a legacy. The way to do this is to support and extoll belief in the grand tree vision of the Urban Forest Master Plan. The large tree vision was popular here from 1828 to 1980 then the small tree vision went from 1980 to 2013. We are now entering a second era of large tree vision encouraged by the Urban Forest Master Plan. He said it was the way things were done when small trees were planted; for example, when the new public library was built in 1995, forty trees were planted on the property and not one was a large tree. They are hoping, one tree at a time, to reverse the small tree trend. Tom Denny said that the program fundraising and planning should be accomplished in 2015 and the planting will be completed in 2016. There will be activities throughout the year and the City Council can help by embracing the concept and talking it up, becoming ambassadors of the program, engaging and involving City Hall staff as appropriate and identifying, leveraging and committing more resources. He asked that the Council send their personal centennial ideas to Sustainable Saratoga and their website has a link to the centennial tree page or they could come to the workshop on Thursday March 5 at 7pm at the public library to brainstorm ideas for the project.

Commissioner Franck asked what type of trees would satisfy requirements for larger trees and how are they going to avoid the catastrophe of the elm tree blight and Tom Denny responded that they are developing disease resistant American Elms but they are not immune to disease. However there should never be a large quantity of one type of tree planted because when that took place, it was huge mistake. He said that a variety of elms, maples, oaks and poplars and sycamores are the trees that have the capacity to become true large canopy shaped trees.

Commissioner Franck asked Commissioner McTygue if there was a program that included tree planting when he was Commissioner. Commissioner McTygue responded that there the City never had enough money budgeted for the planting of trees. He said that at one time the Downtown Special Assessment District would purchase trees and a volunteer group would plant them on Broadway. Tom McTygue said there are still some the large elms near the Fasig Tipton on East Avenue. Commissioner Scirocco said that last summer they worked with St. Peters to plant some elm trees up there and install some lighting as a public/private partnership to revitalize the area. Tom Denny said that the Centennial trees program is a focused energy of ideas that have been emerging for a few years now to bring the big trees back to the City. Mayor Yepsen thanked him for his presentation and for being part of a series of charrettes throughout this centennial year.

### Hydroelectric Energy

Commissioner Madigan introduced Omay Elphick of Gravity Renewables out of Boulder, Colorado to present a program on municipal hydro electric energy. Omay said that this program is sponsored by Municipal Electric & Gas Alliance (MEGA) specifically by Tompkins County and takes advantage of the provision in Municipal Law that allows one municipality to essentially piggy-back with another to increase purchasing power. MEGA allows its membership of over 250 municipalities and Counties across New York State to join together and with their purchasing power they now represent 2% of all competitively supplied electricity outside of the metropolitan area with their sister program which is the Chamber of Commerce program through which Saratoga Springs purchases its electricity. He exhibited a graph of

National Grid electric supply history here in Zone F, the capital region stating that the graph represents the reason this program was launched to help provide municipalities and government organizations with the ability to smooth out and protect against spikes in electricity prices. He said that about this time last year there was an incredible spike in the price of electricity and fortunately the City benefited by participating in the Mega Commodity program and saved several hundred thousand dollars. The renewable energy program also sponsored by MEGA helps provide municipalities with other opportunities to save. There are hundreds of small hydro-electric facilities around New York State. The technology, small hydro New York includes the about 75 projects in upstate New York that are licensed by the Federal government and they qualify for the Remote Metering Program. Mr. Elphick explained that Gravity Renewables negotiated a long term purchasing agreement with Skidmore College along with a set of goals defined by Skidmore which included a desire to have a remote classroom facility and using no State funding and no Federal tax credits, Gravity did engineering, regulatory and technical due diligence to identify a short list of projects that met Skidmore's needs and Chittenden Falls is the result of that effort. He stated that Gravity spent 8 months refurbishing the falls site using their own capital without State or Federal financial assistance or credits. Another point is that these types of projects have been historic economic drivers in upstate New York for generations and the trouble is that these projects are a resource that has been forgotten. Of the 75 projects that are out there, most are distressed in one way or another meaning that they are in arrears on their taxes, laying workers off, or under the risk of foreclosure; there is not a steward taking care of these resources which leads to abandonment and worst case scenario, it leads to dam failure. Gravity is focusing on projects considered to be low-hazard. The Mega Program was a competitive procurement sponsored by Tompkins County in 2013 and in 2014 the two winners were announced. Gravity renewables represents the small hydro solution and another company resents the solar solution and that procurement complies with New York State law meaning that other municipalities and counties can piggy back on that procurement and the advantage is that it has been vetted several layers deep and all the documents have been pre-reviewed and pre-negotiated so we are offering a pre-vetted solution that can be customized to the City's needs and electrical appetite. He said the City consumes about 7m kilowatt hours per year located in load zone F which is the capital District and to comply with the remote-net metering rule which is the same rule that that allows for the city's solar project at the landfill; the project needs to be located in the same load zone and utility zone which is what makes it possible to have a hydro project in Columbia County and remotely net metered to a campus in Saratoga Springs. He said they will be looking to use the same mechanism in the City. There are about 75 eligible small hydro projects in New York and 17 that we see as attractive acquisition targets in the capital region and as it turns out after their analysis and examination of the City's load, there are about 3 to 5 projects that will produce between 10% and 50% of the City's load. The next step in the discussion is to determine where the City is interested in focusing as far as volume and seeing whether we can pull together a proposal that makes sense. Omay explained that remote net metering is the mechanism that makes the solar project on the landfill possible. The general model is that the electricity is generated and goes into a meter remotely located and that meter registers kilowatt hour consumption which is then multiplied by a dollar rate which is specific to the small commercial, non-demand rate class, which results in a monetary credit which is then applied to the electric bill in the form of a credit. For example, your bill comes for example as \$100k, and with a credit of \$40k, you owe \$60k, and this is how the financial value is generated and received.

Commissioner Franck asked where the credit comes from if the State and the Federal governments are not involved. Omay replied that the better word to use than credit would be coupon; the City receives a coupon with a dollar value and these are not tax credits or state incentive credits; it is a monetary coupon received through the electric bill and at the next presentation he gives the City Council, he will be flushing out how much the coupon will cost. He said that as part of the competitive process they have committed to only focusing and structuring proposals to municipal entities that provide between 15 and 25% discount off of whatever that credit is estimated to be.

He said there are so many distressed sites out there because they are taking the market price of the day or of the hour and they are not able to expand or raise capital for improvements and repairs because they do not have a contracted revenue stream. Commissioner Franck said they are too small to keep up with the benefits of the industry. Omay said that Gravity will be proposing a fixed PPA rate to the City and the credits that are calculated are more valuable than the current cost of electricity and the difference is the cash flow the City will be realizing through the settlement process.



Commissioner Franck asked if it takes into account the variations on the cost of the electricity in the future and Omay said it does; they will fix the city's price at the lower end. He said the neat thing about the hedge is that when prices spike the value of the coupon spikes. When the people are complaining about 22 cents per kilowatt hour in January the City will be relaxed because they are locked into a rate with the Chamber program and their coupon would have increased in value. Because of the monetary metering mechanism the value of the credit is based on a rate class for a small commercial non-demand which is naturally higher. Omay explained that there is an arbitrage opportunity which Gravity is working hard to navigate because the Public Service Commission in December passed an order essentially ending this financial mechanism and they stayed that order last Friday so there is a window of opportunity here to act and get projects grandfathered into the model the City has enjoyed with the solar project and he will be working with Commissioner Madigan later this week to map out a schedule that goes along with the PSC's schedule and constraints and the City Council's decision making process.

Commissioner Scirocco asked to whom the money would be paid if the City enters into this. Omay said that the City would pay Gravity to operate the plant and billing the City based on the kilowatt hours generated and ultimately delivered to the City. He said that Gravity bears the operational risk and not the city. He said that the good thing about the monetary credit model is that the City will continue to procure its electricity with the benefits of short term pricing savings.

## **EXECUTIVE SESSION**

None

## **CONSENT AGENDA**

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

1. Approval of 2/17/15 City Council Minutes
2. Approval of 2/17/15 Pre-Agenda Minutes
3. Approve Resolution for the Use of the Insurance Reserve-2 (Attachment 2)
4. Approve Resolution for the Use of the Insurance Reserve-3 (Attachment 3)
5. Approve Resolution for the Use of the Insurance Reserve-4 (Attachment 4)
6. Approve Resolution for the Use of the Insurance Reserve-5 (Attachment 5)
7. Approve Budget Amendments-Insurance Reserve
8. Approve Budget Amendments (Decreases)
9. Approve Budget Amendments (Increases)
10. Approve Budget Transfers-Regular
11. Approve Payroll 02/20/15 \$463,960.09
12. Approve Payroll 02/27/15 \$472,438.87
13. Approve Warrant: 2014 Mid - 14MWDec7: \$302,529.08
14. Approve Warrant: 2015 Mid-15MWFEB3: \$28,865.53
15. Approve Warrant: 2015 REG-15MAR1 \$993,752.38

Commissioner Madigan noted that item number 15 is high because it includes \$673,604 for payments in liability insurance.

**Ayes – All**

## **SUPERVISOR MATTHEW VEITCH**

Mayor Yepsen called upon Supervisor Veitch for a special presentation. County Supervisors Matthew Veitch and Peter Martin presented a proclamation on behalf of Saratoga County congratulating the

Saratoga Convention and Tourism Bureau for receiving the Bronze Adrian Award from the Hospitality Sales and Marketing Association International. Supervisor Veitch noted that the Saratoga Convention and Tourism Bureau has been bringing patrons to the City since 1985; the award is for bringing them to the City in the traditionally quiet month of January for the Chowderfest. They were in competition with over 1200 other organizations.

Todd Garafano said the award means a lot; the event has grown immensely and draws patrons from all over the region and this year 93 businesses participated. He thanked the City Council and stated that every one of the City's departments helps to make the Chowderfest possible.

## **MAYOR'S DEPARTMENT**

### **Discussion and Vote: Authorization for Mayor to Sign CLG Application for Historic District Survey Update (15-077)**

Bradley Birge Director of the OPED office stated that this is the 2015 Certified Local Government Grant Application which is a funding opportunity from the State Historic Preservation Office. Last year the City Council received funds for a survey update of the Eastside Historic District. This request is for \$3,200 to work with the Saratoga Springs Preservation Foundation to conduct a survey information update on principle and accessory structures in the Casino/Congress Park/Circular Street Historic District, White Street, Regent Street and the Union Avenue Historic District. He clarified that some in-kind services will be included as a match. Neither Historic District has been updated since the early to mid seventies.

**Mayor Yepsen moved and Commissioner Franck seconded to authorize the Mayor to sign the 2015 Certified Local Government Grant Application for the Casino/Congress Park/Circular Street Historic District, Union Avenue Historic District & White Street and Regent Street Survey Information Update as distributed with the final agenda.**

**Ayes - All**

### **Discussion and Vote: MOU with Saratoga County RPC for VETHELP (15-078)**

Mayor Yepsen said this is a request for authorization for the Mayor to sign a memorandum of understanding with the Saratoga County Rural Preservation Company for VETHELP. The document has been previously distributed to the City Council and deals with the provision of case management, advocacy for veterans to help prevent homelessness from occurring and recurring. The responsibility of each involved agency is outlined in the MOU; this is an ongoing working relationship to assist veterans; the MOU is essentially a statement of collaboration with no commitment of City funds.

**Mayor Yepsen moved and Commissioner Franck seconded to authorize the Mayor to sign a memorandum of understanding with Saratoga County Rural Preservation Company for VETHELP as previously distributed to Council with the final agenda.**

**Ayes - All**

### **Discussion and Vote: Survey Line Adjustment at Wesley Property (15-079)**

Mayor Yepsen said this pertains to an effort to rectify a boundary issue between a City owned parcel on Bog Meadow Run and a parcel soon to be owned by Wesley Healthcare Company. Assistant city Attorney Tony Izzo said that surveys have revealed a discrepancy between the deed descriptions of two small parcels that are adjacent to each other, one owned by the City and the other is soon to be owned by Wesley. They are only portions of feet apart and there will be nothing lost in this boundary line agreement. Since Wesley is planning an expansion of their facilities they have requested that the City agree to the boundary line as established and described by the most recent survey. The survey map showing the boundary line requested was previously distributed to the Council on February 25.

**Mayor Yepsen moved and Commissioner Franck seconded for the City Council to enter into a boundary line agreement with Wesley Healthcare Company as indicated in the memorandum dated February 25, 2015 written by Assistant City Attorney Tony Izzo and distributed to the City Council.**

**Ayes - All**

**Discussion: Update on 2015 Comprehensive Plan Process**

Mayor Yepsen thanked the members of the City council that attended the workshop on the updating of the City's Comprehensive Plan which is essentially a roadmap to the City's future. Brad Birge explained that the point of the workshop was to determine what was accomplished and the next steps and to identify the areas that need greater concentration, change and or explanation within the comprehensive Plan. He said 531 items were presented and some are still open because additional information and clarification is needed and some policy issues require further discussion. After subsequent workshops, the draft document will be produced and reviewed further and eventually it will be brought to the City council for a vote to accept it as the city's Comprehensive Plan.

Commissioner Mathiesen said that since the committee vote to bring the document forward was 7 to 6, it was agreed to set aside time for people to review the presentation and accommodate committee members on each side of the vote to present their concerns and ideas. Brad Birge responded that is up to the city Council on how they want to approach this but equal time should be allotted. Commissioner Franck agreed that people should be allowed equal time to respond on both sides of the issue. He complimented Brad Birge on his efforts to respond to every question. Mayor Yepsen mentioned a proposal for a boundary line adjustment by Saratoga National which was greatly debated throughout the process. She said the task is for the city council to find a consensus point with which to accommodate such proposals and determine the pros and cons of each proposal. Commissioner Franck said these are text amendments and he wants to hear the argument from each side in order to make the best decision since the committee was split; it is now in the Council's lap to make the decision on the plan.

Commissioner Madigan said that there will probably be presentations from legal counsel and the side opposing bringing the comp Plan to Council has been fairly vocal throughout the process. Residents are coming out vociferously over the PUD resolution the council passed; and the resort overlay by Saratoga National will be represented by Michael Toohey and Matthew Jones will represent the D'Andrea proposal but "Joe citizen" has not responded.

Commissioner Franck said he has no problem with numerous workshops; he noted that it is difficult to respond to something reviewed viewed for ten minutes. This is not going to be over in March; there should be a lot of meetings over the next several weeks if possible because the Council has to review every aspect of the plan to make a sound decision.

Commissioner Mathiesen said that the workshops and the committee meetings on the Comprehensive Plan have not been heavily attended. More information must be brought to the public.

Mayor Yepsen said that discussion should be kept to only the 53 amendments because they have been presented by the committee to the Council. Commissioner Franck suggested that the two proposals be presented in detail. Mayor Yepsen said she would get back to the City council with a plan of action.

Brad Birge said that the Council should focus on the points that require a deeper concentration, public comment and presentation, not the items that the Council has already decided on and resolved. Mayor Yepsen said that two or three items required more information and the next workshop should begin with the mapping section. She encouraged the Council to read the minutes on the presentation of the PUD and proposals. It was not a vehicle of resort overlays. People want to see and hear both sides.

Brad Birge said that the South Broadway issue is not a map amendment; there is a mix regarding language and information guidelines.

Mayor Yepsen cautioned the Council to be careful regarding the deadline that the committee imposed on the public. Brad Birge explained that prior to City Council action, a public hearing must be held and it must be advertised in the local paper a specific number of days before the event, approximately 7 to 10 days). Subsequently, a SEQR determination must be made and sent to the Saratoga County Planning Board for review and action. Once the Council has received clarification on each issue identified, a draft document will be created and then presented to the public, public hearings are held and ultimately the City Council will vote on whether to accept the document as the City's Comprehensive Plan, which will most likely be in June.

Mayor Yepsen said that she will be diligent about scheduling the next workshop related only to the 53 Amendments and the mapping section.

**Announcement: Community Development Advisory Committee's Recommendations for the 2015 Community Development Block Grant**

Brad Birge, Director of the City's Office of Planning and Economic Development explained that the City receives funding from the US Department of Housing and Urban Development through its Community Development Block Grant Program.

Rich Ferguson, chair of the Community Development Citizens Advisory Committee stated that this is a rewarding yet daunting task and the 12-member committee met five times, including a pre-planning session, two public hearings and two committee meetings. This year they received 17 applications requesting in excess of \$610,000 of which the City was granted \$342,000 to distribute, nearly a two to one ratio. The Committee's decisions focused on the most efficient and best way to use the limited dollars provided within the parameters established by the CDBG program. Rich Ferguson said the committee approaches the task with a great deal of passion and dedication and they read each proposal and then listen to presentations by each applicant. He said it is impressive to learn about the work of these non-profits. The committee issued a memo to the City Council listing their recommendations and they believe that the proposals recommended to the City Council for funding most completely meet the requirements of the Community Development Block Grant, with the focus on housing, affordable housing, support services, homelessness, prevention, programs to assist youth and senior citizens.

Brad explained there is a 30 day public comment period and a public hearing should be set for the next City Council meeting. He said that the City Council will take action on the slate of recommendations at their April 21 meeting. Mayor Yepsen thanked the committee for their hard work.

She set the public hearing for 6:55 p.m. on March 17th.

**Discussion: Rules of Conduct**

Mayor Yepsen said that at her request, Assistant City Attorney Tony Izzo has been working on modifying the Rules of Conduct for the city council. She said that Commissioner Mathiesen has this on his agenda but he has submitted several suggestions and given that there were essentially two versions, she reviewed both with Tony Izzo line by line and determined that many items were the same. She was hoping for a productive discussion this evening with the Council. She said that a couple of quick edits were made today including the correction of the title of the director of Risk and Safety. She said that Under Public Comment, item K was removed and placed under #3 in General rules and Procedures, item D. The Council discussed whether to change the starting time of the Agenda Meeting and decided to leave it at 9:30 am. Commissioner Mathiesen asked for clarification on speaking only on one subject and after some discussion it was decided that individuals should have the right to speak on more than one topic as long as it is within their allotted two minutes. Tony Izzo said the point he is trying to make is that speakers should avoid being repetitive Mayor Yepsen suggested that each speaker should speak once on each subject. Commissioner Mathiesen thought it best to avoid allowing speakers to speak for two minutes on one topic then get back in line to speak for another two minutes on another topic. He said that speakers should be limited to two minutes per public comment period. Commissioner Mathiesen said it is not pertinent to the guidelines to specify the number of topics an individual could speak on within their allotted two minutes.

Commissioner Scirocco asked if the topics of Public Comment must be limited to items on the City Council's meeting agenda. Tony Izzo responded that the topics are not limited to agenda items in the current rules. When asked about City Council members speaking in order, Tony Izzo clarified that Council members shall make every effort to avoid interrupting each other. Commissioner Madigan noted that particular statements such as motions to close or limit debate shall require a 4/5 vote and that debate comments

Commissioner Mathiesen asked for clarification about adding items to the agenda. Tony Izzo said that the Council cannot take final action on anything unless the Council approved a motion to add it to the agenda. The Council continued to discuss the addition during a meeting of items to the agenda and they agreed to use the same wording in the rules of conduct that is within the City Charter.

Tony Izzo said that no speaker can enter in a debate with a Council member. Mayor Yepsen said that all changes will be noted and another draft produced accordingly for additional review. Tony Izzo said he tried to eliminate any vague language and anything that would bring definition into question. He said that essentially, in summary, no one can engage in any conduct that prevents the City Council as a whole or any member of the City Council from conducting public business. Commissioner Madigan said that once a public comment session is closed, Council members are allowed to comment on statements made during the public comment period however she is unclear whether they are limited to comment only immediately after the public comment period is closed or if they can opt to make comments when they present their agenda. Commissioner Franck noted that these are guidelines that may be changed for the convenience of the Council. Tony Izzo responded that the City Council members have an opportunity to respond to anything stated at the Public Comment period but they are not required to respond at all.

Commissioner Madigan suggested that Council members have the opportunity to respond either upon the conclusion of the Public Comment period or at their agenda.

Mayor Yepsen said that people have asked if it necessary for a speaker to state their exact address. She stated that we want to know where they live but some people are not comfortable stating their exact address. Tony Izzo stated that individual house numbers are not required. Commissioner Mathiesen stated that tonight an individual identified themselves as a property owner in the City but not as a resident and he thinks it is important for a speaker to identify whether they live in the City although they have a right to speak regardless, but it is an important perspective as to whether they are an actual resident.

Tony Izzo asked for comments on the rule that states the speaker shall address their comments to the City Council as a body and not to an individual Council member but that is not to be construed as preventing a speaker from commenting on the work of an individual Council member. Commissioner Mathiesen said he has no problem whether an individual's comments are directed to one Council member or all of them. Tony Izzo said he wants to avoid any attempt at debate. Commissioner Mathiesen noted that if Council members can only respond after a public comment period is closed or during their agenda, then the opportunity for debate is eliminated. He thinks the fact that a council member cannot respond immediately keeps things orderly and prevents arguments.

Tony Izzo will incorporate tonight's decisions and discussion into another draft for further Council review, discussion and vote.

#### **Announcement: Update on Veterans Homelessness and Mayor's Housing Task Force**

Mayor Yepsen announced that they have the names of 21 homeless veterans currently in the City of Saratoga Springs. Under our pledge with HUD and the White House, we were asked to come up with a count and this is the first step in the plan. She said that Vet Help RPC, Code Blue and shelters of Saratoga are all working with these homeless veterans to help them find permanent housing. She is hopeful that these organizations along with the task force will be able to fulfill the City's pledge to end veterans' homelessness this year. She hopes to have continued updates on the progress of this endeavor in the near future. The goal is to not only ensure that each veteran is placed in permanent housing but also to provide other services as needed, to matriculate them into the workforce and help each of them deal with the many issues they have. Mayor Yepsen said that recently in her State of the City Address,

and at a press conference, she announced the formation of a Housing Task force that will be charged with examining all of the city's housing issues and needs and answer questions such as where people will live if more creative economy is brought to the City or where will workforce housing be available. The first job for the task force is for them to work with the other agencies in the community to end veterans homelessness within the City and this is going to happen because at the first meeting the task force will identify an inventory of potential housing since each person selected for the task force has such an inventory because the group is made up of representatives from area housing agencies within the community an together with her administration and their new positive relationship with the Saratoga Springs Housing Authority and VetHelp RPC, they will make a difference, tackle the issues and collect required data. Mayor Yepsen said that job number 2 for the Task Force will be for the group to evaluate the City's overall housing stock and determine how the city can better provide housing options for its seniors, people working in the hospitality industry, artists, young professionals and working families. Appointed to the Task Force are Cheryl Murphy-Parent, Code Blue coordinator; Cheryl Tieg Perez, Executive Director of the Saratoga County RPC; Paul Feldman, Executive Director of the Saratoga Springs Housing Authority; Cindy Phillips, Community Development Coordinator and her representative Handling the pledge within the capital district region to end veteran's homelessness; Richard Higgins, President of North Star Development and an affordable housing developer; Mike Finocchi, Executive Director of Shelters of Saratoga, Maggie Fronk, Executive Director of Wellspring, and Linda Weiss, Director of the Albany VA Hospital Center. She thanked them all for accepting the appointment and stated that she will continue to update the City Council on their progress.

Mayor Yepsen said that the City Council had agreed to accommodate a help-desk model for Veterans to come in off the street to get help and every Tuesday VETHelp has been in free of charge at 9AM. They recently held a fundraiser upstairs and the Mayor suggested that the City should partner with this organization by waiving the rental fee for the use of the Music Hall. She stated that they have an important partnership and VETHelp was surprised at the \$600 invoice. She said that they approached Supervisor Veitch about a possible grant from the County veterans Affairs office to pay the rental fee but she wanted to bring this up to the Council to possibly waive the fee because she is not comfortable with the city taking the grant money to pay the rental fee. Commissioner Scirocco said that would be setting a precedent and we would be expected to waive the rental fee for all non-profits. He said that if the event had been held on Friday, they would have saved \$200 but they signed an agreement to hold it on Saturday knowing he would have to pay someone overtime to be in the building. Mayor Yepsen said that because we have a relationship with this organization, the fee should be waived. Commissioner Madigan said that each Council member has organizations that they are involved with, so it would be a precedent that could have a negative impact. Commissioner Scirocco said that to save money, such events should be held on a Friday night and everything should be fair so if the fee is waived for one non-profit, it should be waived for all of them.

Assistant City Attorney Izzo said it is ok for a municipality to waive fees; the value of the fees waived should be equal to or greater than the value of event to the public but there should be a set of criteria and a policy established; perhaps a set of rules and a set of fees particularly for non-profits. Mayor Yepsen commented that the fee was waived for Global Foundries and they are a mega corporation.

Commissioner Franck said the problem is that the request to waive the fee is happening subsequent to the event; if it was requested prior to the event and based on a policy as the Assistant City Attorney is suggesting it might make sense but we should never agree to waive fees after the fact. Mayor Yepsen said that his point is well taken.

**Set Public Hearing: Amend 2015 Capital Budget and Program; Open Space Advisory Committee Recommendation for Loughberry Lake Parcel**

Mayor Yepsen said that the Open space Advisory Committee has been reconstituted after many years of being defunct. She said they held two meetings and wasted no time voting unanimously to use funds from the City's Open Space Bond Act for the purchase of land on Loughberry Lake for \$25,000 and, accordingly, she is requesting a public hearing to amend the City's 2015 Capital Budget and program. She said that the open Space Advisory Committee did their own research and this action is founded upon a City council policy from a long time ago that stated that any time there is an opportunity to purchase a

parcel of land on the water shed of Loughberry Lake, that it should be done. He said the parcel was recently appraised at \$45,000 and the owner was willing to sell it at \$25,000. From a review of the City's Open Space Bond Act and provisions within the fund and code, the Open Space Advisory Committee determined that Watershed is an acceptable factor for the purchase.

Commissioner Madigan stated that there is \$1.38m in the open space bond fund currently of the \$5m that the Council originally agreed to. Commissioner Scirocco asked if any other parcels were identified as being for sale on the watershed and Tony Izzo responded that this is the only one being offered to the City; there is not a list and no search has been conducted for other properties to his knowledge. He noted that the language within the Bond Act is strong enough to include land that is not physically in the City but its purchase by the City would protect the watershed. Mayor Yepsen said that an official letter has been received from the Open space Advisory Committee that she will distribute to the City council prior to its 3/17/15 meeting.

The public hearing was set for 6:50 pm March 17, 2015.

Commissioner Mathiesen asked if the rules of conduct established by this City Council would apply to subsequent city councils. Assistant city Attorney Tony Izzo responded that if subsequent city councils chose to deviate from the approved rules of conduct that city council would have to amend the rules accordingly with a simple majority vote.

## **ACCOUNT'S DEPARTMENT**

### **Announcement: Safety Committee Education Event 03-25-15**

Commissioner Franck announced that the City Safety Committee in coordination with the Saratoga County Office of Emergency Services and the American Red Cross will hold a community safety program on the Citizen Preparedness Corps (CPC) taught by the American Red Cross on Wednesday March 25 from 6 PM to 8 PM in City Hall, in the Music Hall on the third floor. He said the session will provide attendees with the information they need to be personally prepared for natural and manmade emergencies, and how to join the community and/or Red Cross to make the community better prepared to respond. The training will take about 70 to 80 minutes and all community members are welcome to attend. Handouts and other materials will be provided including sign up for the City's and County's emergency notification systems.

### **Announcement: Welcome to New Deputy – Maire Masterson**

Commissioner Franck introduced and welcomed his new deputy, Maire Masterson. Maire has many years of experience in the human resources, financial services and customer service fields. Her qualifications and skills are needed to maintain and improve the high quality of customer service my department has been known for. She is also a recent graduate of the Saratoga County's Leadership Saratoga Program.

### **Discussion and Vote: Resolution to Appoint Marriage Officers (Attachment 6) (15-080)**

Commissioner Franck said that according to 11-C of the Domestic Relations Law of the State of New York, the City Council has the authority to appoint marriage officers for a term not to exceed 4 years. The resolution as follows is to appoint former Mayors J. Michael O'Connell, Michael Lenz and Scott Johnson as marriage officers until March 3, 2019:

WHEREAS, Section 11-C of the Domestic Relations Law of the State of New York provides that the governing body of any village, town or city may appoint one or more marriage officers who shall have the authority to solemnize a marriage in accordance with other provisions of law; and

WHEREAS, J. Michael O'Connell, Michael A. Lenz, and Scott T. Johnson, residents of the City and being over 18 years of age, have requested the Council to duly appoint them as marriage officers for the purpose of performing marriages in accordance with the applicable provisions of law;

NOW BE IT RESOLVED as follows;

1. That the Council hereby appoints J. Michael O'Connell, Michael A. Lenz and Scott T. Johnson of Saratoga Springs, New York to be a marriage officer as provided in Section 11-C of the New York State Domestic Relations Law.
2. That the term of this appointment shall expire on March 3, 2019.
3. That the appointee shall receive no salary, wage or compensation of any kind from the City of Saratoga Springs, New York

**Commissioner Franck moved and Commissioner Mathiesen seconded for the City Council to approve the resolution as presented.**

**Ayes - All**

**Award of Bid: Flower Bid to Dehn's Flowers (15-081)**

**Commissioner Franck moved and Commissioner Madigan seconded to award the Flower Bid to Dehn's Flowers of Saratoga Springs NY for up to \$20,000.**

Commissioner Franck stated that they were the only bidder and funding is in line A3335014/54184.

**Ayes – All**

**FINANCE DEPARTMENT**

**Discussion: 2014 Revenue Report: Preliminary**

Commissioner Madigan stated that this is a preliminary Revenue Report; the fiscal year ends 12/31/14, and revenue and expenses are finalized through the end of February and they are now in the process of making adjustments and closing out the year, which happens throughout March and April.

She has compiled some select revenue items from among those over \$100K for which we have final figures. The spreadsheet on the screen shows a comparison of 2014 actual collection against 2013 actual collection. It also compares 2014 collection with 2014 estimates. Going through the items listed you will see a Sales Tax increase over 2013 of 5.5%. The slight decrease that we saw in August 2014 and discussed during the budget process was not a trend and the year finished very strong in spite of the dip in gas prices.

She said that VLT Aid is over 2013 amounts due to an increase sponsored by the NYS legislature. This increase was not included in the current state budget, and was not included in the City's 2015 adopted budget. She noted that State Aid Revenue sharing has been the same since 2011, and Mortgage tax collection took a substantial dip from 2013 to 2014. Fortunately the 2014 budgeted amount was more conservative than 2013 actuals, though there was still a gap between 2014 budget and 2014 actuals of about \$256.5K. The 2015 estimates included in the adopted budget are much closer to amounts received in 2014. She stated that Ambulance Transport Charges were down slightly from 2013 collection (\$16.4K or 2%), but came in over 2014 budget estimates by \$13K. The NYRA Admissions Tax increased over 2013 by over 30%, and came in over budget by about \$122.4K. Some of this increase was included in the 2015 adopted budget.

Commissioner Madigan also noted that Hotel Occupancy Tax increased over 2013 by 11%, and is over budget estimates by \$43.8K, and this increase was included in the 2015 adopted budget. Franchise Tax increased over 2013 by over 6%, and is over budget by about \$63K. Some of this increase was included in the 2015 adopted budget. Utility tax remained flat from 2013 to 2014, and was \$36K lower than budgeted estimates. She reported that Parking Ticket Revenue collection ended at 16.9% over 2013 collection, and \$100K over budget estimates. She thanked Commissioner Mathiesen for a job well done by DPS. The 2015 adopted budget reflects these amounts. She said that the Building Permit revenue collection for 2014 was 7% over that of 2013 and was over budget estimates provided by the former Mayor's Department by \$166.4K. Finance has adjusted this for 2015; and some of this increase was included in the 2015 adopted budget. Casino Rentals exceeded 2013 by 4.4%, and were slightly under



budget estimates. She reported that Interest and Penalties on property tax are 8.3% lower than 2013, but \$30.5K over budget estimates. These represent the completion of in rem proceedings begun in 2011 and finalized in 2013. Fines & Forfeited Bail are about 12% lower in 2014 than 2013 and about \$19.7K under budget. The Transfer Station bag revenue had a small uptick (about 4%) over 2013, but was \$14.7K under budget; so an adjustment was made to the 2015 adopted budget. The Planning Board Fee collection was 42% lower in 2014 than 2013, and below budget which also required an adjustment to the 2015 adopted budget.

Commissioner Madigan commented that when fund balance is included in a budget plan it may be used to balance the original budget, however it is not included in the annual, year-end revenue total. She stated that conservatively budgeted revenue lines that exceed estimates counterbalance the use of fund balance and help avoid year end deficits, which is a purposeful technique to protect fund balance and smooth year to year swings. A table was distributed to the Council members and she explained that on the table, blue counterbalances red. She said that fund balance was used to balance the 2014 as well as the 2015 adopted budgets. She urged Council members to take a conservative approach toward the management of their department budgets.

Commissioner Madigan concluded that the figures are preliminary and the revenue lines presented here represent only part of all City revenue; final totals for all revenues and expenses are not available until FY14 has been closed out (around mid-April). Both revenue and expense figures are required to determine if there is an annual operating surplus or deficit and it is uncertain whether 2014 will end up in the red or the black until we have all final 2014 revenue and expense figures.

Commissioner Franck asked if the sales tax was based on when it was filed or when the state receives the money. He said that if a business typically has sales over \$100 per month they become a monthly filer and if sales are under a certain amount, they file quarterly. He does not understand how the City receives its taxes because the last quarter of the year is due to be filed on March 20. Commissioner Madigan said the City receives two payments per month with interest payments so the numbers in this report are final for 2014. She received the final two payments plus interest for December so all payments of sales tax for 2014 have been received and there will be no changes on or after March 20. She cannot speak to how the businesses work but the city gets two payments monthly on a lag.

Commissioner Franck said then our budget is based on how we get reimbursed by the State and not based on when we actually receive the sales tax. The former Finance Commissioner was way off on his sales tax estimates and he claimed that the March 20 payment was one of the reasons. He said that the sales tax number in the report is good so if we are getting that much for 2014, the lower gas prices will not impact our revenues until later in 2015 so it sounds like there is a lag.

Commissioner Madigan said she will look into this but she does not believe it works that way because she has actual numbers for each month. She wants to investigate what the lag is to which Commissioner Franck is referring. She has actual numbers for December and she has never received payments in one month that are stated to be for the previous month. Commissioner Franck said that businesses typically do not file their December payment until January 20<sup>th</sup> then the State takes the payment, swipes their 4%, then determines what % goes to the County, then the City and this does not happen fast. He believes that the December payment we receive has nothing to do with the month of December; he would like to find out and if that is the case, the large drop in gas prices that occurred in the last quarter of 2014 will affect us in February and March 2015. He does not know how it works with the State; he would like to determine what the lag is but the bottom line is that we hit our budgeted numbers more than adequately.

Commissioner Franck stated that at the last Council meeting, Commissioner Madigan mentioned being forced to budget the full amount for the VLT money because if it was not budgeted, the City would not get it. He noted that last year, \$1.8271m was budgeted and the City received \$2.3m, close to one-half million over what we budgeted so it seems that what we budget and what we get are two separate things.

Commissioner Madigan said she budgeted what she was told the City would get, she did not know we would get \$2.3. Commissioner Franck suggested that in the future we should be able to budget whatever we want since it will not affect what we receive because we get paid based on a formula not based on what we budget. Commissioner Madigan said that she called and asked what their long term outlook was and when the Department of Budget states that we should expect \$1.8m that is the amount she budgeted to receive. Once they got into session, Senators Farley and Marchione were able to negotiate a larger amount. She does not feel she can arbitrarily budget less than the amount they expect; she stated the law is clear that VLT funds can only be used to reduce property taxes of hosting communities or to improve the roads and infrastructure near the venue, the Racino.

Commissioner Franck said she cannot find a municipal law that states we must budget the number they give us or we will not get anything for VLT. Commissioner Madigan said she did not say that but not budgeting for it might send a message and she views it as state aid and since she is the budget chair, she chooses to include it using the number provided by the State Budget office. She stated that Commissioner Franck has a right to disagree with that and to bring forth his own budget. Commissioner Franck said he has no issues with anything except the implication that it is illegal to budget less than the amount they estimated.

Commissioner Madigan said she understands that there is a Casino being constructed in Schenectady and eventually our VLT funds will be reduced but to simply not use those funds is not a reality right now because the City has needs, expenses and essential services that must be provided and she is trying to plan for the day that the VLT revenue stream will be drastically reduced or taken away completely. She objects to what could be discerned as an element of fear imparted to the Council, to the tax payers and to the City Employees. She said budgeting is planning, Accounting is bean-counting and she is planning. The City's reserves are healthy, the fund balance is healthy and there is a tax stabilization reserve in place. She is fully aware of what is going on with the VLT funding and it is inaccurate to imply that nothing is being done or planned.

Commissioner Franck clarified that he is a Certified Public Accountant said he is concerned about dependency on the VLT funds and the only way to be less dependent on them is to wean ourselves off of them and he has consistently recommended this. The bottom line is that we use the fund balance. Commissioner Madigan said that purposely under-budgeting would require tax increases and this would be irresponsible; she is comfortable with this budget and uses the fund balance only if necessary when we have it; this is not accounting, it is budgeting. Commissioner Franck said that weaning off VLT funds simply means lowering the amount included in the budget because we are going to lose this revenue and we have to be ready for that so we do not repeat the situation of 6 years ago when we lost the funds.

Mayor Yepsen summarized that Commissioner Franck has questions about what has been budgeted and he is asking if it is possible to budget less than the amount we are told that we are going to receive. Commissioner Madigan stated that there is a law regarding the VLT funds and she abides by it. Commissioner Franck said that he does not think there is a law requiring municipalities to budget for the amount of VLT funds they are projected to receive.

Mayor Yepsen said there are people in the Gaming Commission that can probably answer this question, so we should call them and find out. Commissioner Franck said he would call about the sales tax also to determine how much of a delay there is from the time a shop owner collects the sales tax to when the City receives a payment. He said there must be a lag because businesses are not obligated to pay their December Collections until between January and March and there is interest included in our payment so they must be using our money and that proves there is lag. Commissioner Franck said that if he knows what the lag is, he could make more accurate comparisons. Mayor Yepsen said there are some questions that need to be researched and she closed the discussion.

Commissioner Mathiesen explained that the revenue from ambulance transport charges is down slightly from last year because the numbers in 2013 included some services provided in 2012 because of a lag in Medicare and Medicaid payments. He noted that they currently have a program where Empire Ambulance receives a [articular number of calls per day which will affect revenues despite the fact that the number of EMS calls is up substantially from last year.

Commissioner Madigan said the report is very good news to all City departments. She complimented the Department of Public Safety for increasing their revenues by \$13k and she noted that Casino rental revenue has increased also. She is pleased with the revenues, and pleased with the sales tax numbers, stating that sales tax was conservatively budgeted throughout the process.

**Discussion and Vote: Budget transfers - Payroll** (15-082)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to request Council approval of the 2015 Budget Transfers –Payroll which were distributed with the agenda. These transfers are listed separately from other transfers and have met the transfer guidelines.**

**Ayes – All**

**Discussion and Vote: Budget Amendments - Benefits** (15-083)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to request Council approval of the 2015 Budget Amendments –Benefits which were distributed with the agenda. These transfers are listed separately from other amendments and have met the amendment guidelines.**

**Ayes – All**

**PUBLIC WORKS DEPARTMENT**

**Announcement: APWA awards Environmental- Bog Meadow Infrastructure & Water Supply Project & the Historical Restoration- Canfield Casino**

Commissioner Scirocco announced that the City's Bog Meadow Infrastructure and Water Supply Project was awarded the 2015 Project of the Year in the Environmental under \$5 Million category, by the American Public Works Association, Capitol District Chapter, at the Annual Awards Banquet last Friday. He said that the completed project allows the provision of additional water source capacity to meet the City's growing water demands for the next 20 years. The project also includes the upgrade of the existing surface impoundment pump station that suffered from failing pumps and controls. The final cost of the entire Bog Meadow Project to increase the City's water source capacity is approximately \$1.5 Million, a tremendous savings from an anticipated \$20,000,000 plus that would have been spent on the Saratoga Lake Project. More importantly, it's the culmination of sound engineering, scientific principles and practical thinking to solve a source capacity issue in an affordable manner. He said that the project also required the coordination of numerous entities including the City, the Engineers, Hydro geologists, the general and electrical contractors, the NYSDOH and the NYSDEC. It's a great success story for the City.

Commissioner Scirocco announced that the second award received from the American Public Works Association was for the Historical Restoration/Preservation <\$5 Million - Canfield Casino First Floor Reinforcing & Basement Moisture Remediation. He said it is exciting to see how enthusiastically the Canfield Casino is appreciated outside the City limits as evidenced by this noteworthy award. His department worked with structural and geotechnical engineers to design this project which had an important impact on the long term stability of the Casino. Construction included new structural steel beams, microlams and steel columns to bring the entire first floor into Code compliance. The moisture remediation portion of the project included a multi-layered approach with new under drain trenching, alarmed sump pump system, moisture vapor venting system, and concrete slab throughout the

basement.

The project was accomplished despite the adverse conditions that included crowded work areas, extremely wet soil conditions, low head clearance, difficult site access and asbestos. ERSI had removed all of the asbestos prior to starting the project, but there were many utility conflicts and underground structures discovered during the process. Dente Engineering, PC of Watervliet, NY designed a geo-composite venting system which provided a place for the moisture vapors to escape without impacting the building systems. Bunkoff worked diligently to overcome the dark, wet conditions using wheel barrels to move much of the excavations by hand. Teamwork was evidenced as crews worked extremely hard in close proximity to one another during each phase of the work. Wheel barrel after wheel barrel of spoils were pushed to a designated area of the basement and had to be taken out by hand. Bunkoff was a pleasure to work with, was very organized and communicated with the City at all times.

The City of Saratoga Springs Department of Public Works is extremely pleased to have received both of these awards given to us by the American Public Works Association.

**Discussion and Vote: Authorization for the Mayor to sign a change order with CKM Electrical Services Inc. – LED Lighting (15-084)**

Commissioner Scirocco said this change order (2) is in regard to the Parking Garage LED Fixture Replacements project. He explained that CKM Electrical Services has completed the LED retrofit of the existing fixtures in the Woodlawn and Putnam St. parking garages and 18 fixtures on upper Caroline St. and a section of Maple Avenue but toward the end of the work, they discovered that the 18 pre-1988 poles along these streets required a special solution to tether the LED fixtures to the poles that requires special hardware and additional holes to secure the safety tethers. Change Order 2 also includes the replacement of a broken LED fixture which was knocked over on upper Caroline Street. The cost of this additional work is being paid for by the \$12,999 energy incentive check for the project from National Grid.

Through this project the City will realize an annual savings of \$13,892 by switching to LED fixtures as well as improved security camera images for DPS. We plan to take advantage of other National Grid incentives in 2015.

**Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the Mayor to sign Change Order 2 with CKM Electrical Services Inc. for the LED Lighting Replacement in the amount of \$12, 999.00.**

Commissioner Scirocco stated that funding is in budget Line A3335184/54750.

**Ayes all**

**Discussion and Vote: Authorization for Mayor to Sign Agreement Addendum for CT Male Associates – Post Closure Monitoring Services (15-085)**

Commissioner Scirocco explained that this agreement addendum is a yearly contract for monitoring and sampling at the Weibel Avenue Landfill as part of the City's Landfill Post Closure Permit and it is required by the New York State Department of Environmental Conservation. C.T. Male has continued this service for the City for the last couple of years assisting with the issues that arise at the Landfill including Semi-Annual Groundwater and Surface Water Monitoring Water Quality Analysis per the 6NYCRR Part 360 regulations; semi-annual Explosive Gas Monitoring at the existing monitoring wells, in the existing buildings at the landfill and at temporary points around the perimeter of the landfill, and preparing the 2015 Annual Report on environmental monitoring and the NYSDEC Air Facility Registration application for the new landfill gas flare to be installed.

**Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the Mayor to sign an agreement addendum with C.T. Male for Post Closure Monitoring and Air Facility Registration Application at the Weibel Avenue Landfill in the amount of \$9, 217.75.**

Commissioner Scirocco stated that funding is in budget line A3638184/54720.

**Ayes all**

**Discussion and Vote: Authorization for the Mayor to Sign Amended Agreement with the County of Saratoga (15-086)**

Commissioner Scirocco explained that at the December 16, 2014 City Council Meeting the Inter-municipal agreement between the City and the County was approved for the City to take over the recycling operation at the City's transfer station currently being operated by the County. This amended agreement changes the effective date from February 1, 2015 to March 2, 2015 through December 31, 2016 to be renewed every two years by resolution from the County and City.

For the City's on-site management and oversight of the collection and removal of recyclable materials and scrap metal from the Recycling Center, the County shall pay the City the sum of \$29,246.58 for services rendered in 2015, payable April 1, 2015 and the sum of \$35,000.00 for services in 2016 payable on March 15, 2016.

**Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the Mayor to sign the amended Inter-municipal Recycling agreement between the County of Saratoga and the City of Saratoga Springs as described.**

Commissioner Scirocco announced a change in the days of operation of the Transfer Station: starting next Monday March 9, 2015 the Transfer Station at Weibel Avenue will be opened Tuesday through Saturday from 8 am to 4 pm, the same hours as before but it will be closed every Sunday and Monday.

**Ayes - All**

**Discussion and Vote: Authorization for the Mayor to Sign Agreement Addendum with CT Male – Wastewater Pump Station Upgrade Project. (15-087)**

Commissioner Scirocco said that last year the City was awarded a NYS Environmental Facilities Corporation Engineering Planning Grant for the study of 8 of the City's Sanitary Wastewater Pumping Stations. The study has been completed and the result was a prioritization of each of the pump stations for needed upgrades, and a cost estimate for each. For 2015 we would like to move ahead with the design and construction of needed upgrades of the 2 highest priority pump stations, which are the BOCES and Casino drive stations.

This Agreement Addendum with CT Male is for Engineering Design and Construction Phase Professional Services to get these two projects designed, bid and constructed in 2015.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the Mayor to sign Agreement Addendum with C.T. Male Associates for the Wastewater Pump Station Upgrade Project in the amount of \$68,400.00.**

Commissioner Scirocco stated that funding is in budget line H3638332/52000/1167.

**Ayes - All**

**PUBLIC SAFETY DEPARTMENT**

**Discussion and Vote: Authorization for Mayor to sign agreement with Multi-Med (15-088)**

Commissioner Mathiesen said that Multi-Med is the company that does billing services for the EMS services that our Fire Department provides.

**Commissioner Mathiesen moved and Commissioner Franck seconded to authorize the Mayor to sign an agreement with Multi-Med to provide ambulance billing services for the City.**

He stated that the money is coming from the budget line A3143634/54747.

**Ayes - All**

**Announcement: Public Safety Commissioner's Advisory Committee**

Commissioner Mathiesen announced that he is forming an advisory committee because of various DPS issues that occasionally come about. He received feedback from the NYS Civil Liberties Union suggesting the formation of a citizen's review committee. He explained that such a committee is not totally necessary for a City of this size and many of the things recommended by the NYS CLU are already being done here, including running Public Safety forums and the City's form of government affords civilian review and oversight since he and his deputy are both civilians. Commissioner Mathiesen said that an Advisory Committee could be a good resource for him and they would meet at least twice per year and more as needed and will include Susan Farnsworth a Media consultant who works with the DBA; Reverend Victor Collier of the Mt. Olivet Baptist Church, George Parker, longtime volunteer for the City's Recreation Department in Youth Athletics, Maggie Fronk, of Wellspring, formerly Domestic Violence Services, and Addison Bennett, a junior at Skidmore College and the student body President.

Commissioner Mathiesen said that the first meeting will be held later this month; he believes that it is a good idea to get feedback from as broad a spectrum within the community as possible and this committee could be very helpful to the Department and to the City.

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

Commissioner Mathiesen announced that the next forum of the Department of Public Safety will be held on March 26 at 7:00 PM in the City Council room and will include a portion of time devoted to pedestrian and vehicle traffic safety. Representatives from the Police Department, the Fire Department, and Code Enforcement will be present to answer questions and address the concerns expressed by attendees.

**Announcement: 2014 DPS Annual Report**

Commissioner Mathiesen announced that the 2014 DPS Annual Report is completed and he distributed copies to the City Council. A copy will also be filed with the City Clerk. He commented that the Department of Public Safety is a 24/7 operation and he credited the hard work of his administrative staff for keeping things running smoothly. He said that in 2014 the administrative offices and the Police Department were completely renovated to address safety concerns, for better utilization, improved functionality and efficiency, increased security and a healthier environment. He highlighted some of the statistics listed in the report: Central dispatch, which includes ten dispatchers, fielded 73,460 calls for service. He attributed the fact that crime numbers are stable and many arrests were made in 2014 to the great job being done by Chief Veitch and Assistant Chief Catone and exceptional investigative work. He said that the fire Department responded to 4,566 calls for service, the majority of which were emergency medical calls; the City's ambulance service has been in place since 2012. He said that Code enforcement has been busy with noise and outdoor music concerns and working on creating a vacant building registry. Traffic maintenance has worked diligently to maintain and keep the 148 miles of city streets safe. Commissioner Mathiesen noted that the changes in traffic patterns implemented at the Clubhouse gate this year were very successful. He thanked staff member Lisa Nolan for her hard work successfully generating and assembling the report.

**Discussion: City Council Meeting Rules of Conduct**

Previously discussed.

## **SUPERVISORS**

### **MATTHEW VEITCH**

#### **Occupancy Tax Law Home rule Legislation**

Supervisor Veitch said that basically there was a committee called the Tourism Advisory Committee that was established in 1989 and included the Tourism Bureau, the Chamber of Commerce and the SEDC and we attempted to appoint that committee back in December. However, discussion determined that another committee established in 1977 created the occupancy tax but that original committee did not include any of the aforementioned members and no one had officially been appointed to it and they have not met in 38 years so the County decided that since they wish to adjust the Occupancy Tax Law which requires Home rule Legislation, they are essentially changing the occupancy tax law to do two things: The first is to designate some of the funding stream not currently designated in the law since it now goes to tourism promotion generally. We have been funding the Saratoga County Chamber of Commerce as the official tourism promoter and they get about 50% of the occupancy tax. He said the other half of the funds have been going into the County's general fund to do whatever they please. He said that the new law would allow 50% of the occupancy tax to go to Economic Redevelopment and the other 50% would continue to go to the Saratoga county Chamber of Commerce for the promotion of Tourism. The second part of the law is to abolish the 1989 committee and establish a new advisory committee that will be included in the state code and will have 9 members including 4 Supervisors, the County Treasurer since they are the collector of the occupancy tax at the County level and one representative each from the Southern Saratoga County Chamber of Commerce, the Saratoga County Chamber of Commerce, the Saratoga County Tourism Bureau and the City Center Authority. The Supervisors passed this in February but now it goes to the State for Home Rule Legislation and probably will not be acted on until June and subsequent to that approval, the County must officially accept what the State legislated and then we will be able to move forward with the new committee.

#### **Update: Saratoga County Prosperity Partnership**

Supervisor Veitch said that the prosperity partnership met in February and the main goal now is to find a director for the organization and several qualified candidates were interviewed and will be called back for second interviews in two weeks. By the end of March, there will hopefully be a Director of the Saratoga County Prosperity Partnership.

#### **NYS Association of Towns, February 16-18**

Supervisor Veitch attended the New York State Association of Towns at the New York Hilton in mid-town Manhattan from 2/15-2/18 because as chairman of the board he represents a total of 19 towns and 2 cities and the networking opportunities and seminars are very useful. He attended sessions on collective bargaining, efficiency in the tax freeze era; developing tax freeze efficiency plans which are required for municipalities this year; and seminars on State and local ethics laws, open meetings law, asset management, and a discussion by Senator Gillibrand's staff on broad-band grants. He said he also plans to attend the NYCOM Annual training school in May to get a better idea of what is going on and the issues faced in urban areas.

#### **National Association of Counties February 22-25**

Supervisor Veitch attended the National Association of counties in Washington DC from 2/22 -2/25 because Saratoga County has recently joined the association. He said it was great to see what goes on at the national level and get an idea of the different issues faced by county leaders across the nation. He said many local governments do not have power or do not exist at all because their county rules; there is one less layer of government than we have. He attended many forums, heard Vice President Joe Biden speak, met with Elise Stefanic, Senator Gillibrand and Congressman Paul Tonko.

#### **Update: Local Law allowing Sparklers and other devices**

Supervisor Veitch said that the scheduled vote on the sparkler law was postponed for updates to the language because the initial proposal did not include licensing and retailers. This will be revisited by committee and hopefully ready for a vote on March 17.

### **Meeting with State Legislators – March 6**

Supervisor Veitch said that on March 6 there is an annual meeting with State legislators which is essentially a Northeast Regional Caucus where issues pertinent to our region of the State are discussed.

Commissioner Franck asked if there was any discussion at any of the forums on the seceding of counties in the southern tier to Pennsylvania and Supervisor Veitch said there were no such discussions.

Supervisor Veitch said that NYSAC had presented a resolution on general urban revitalization that appeared to be appropriate for consideration by the City Council. He distributed a copy of the resolution to the city council that they can choose to officially support or not.

### **Presentation: County Proclamation congratulating the Saratoga County Convention and Tourism Bureau on Adrian Award from the Hospitality Sales and Marketing Association International**

Previously discussed

### **PETER MARTIN**

#### **Report: PACE Program**

Supervisor Martin said that on Monday he introduced a discussion of the PACE (property assessed clean energy) finance program which is set up to provide businesses with financing to retro-fit their property with clean energy and renewable energy techniques. They brought in an officer from Energize New York Finance, a not-for-profit program and she described how the program would work. It is a very complex program and the committee began to delve into the cost and the administrative aspects and whether there was a downside to the committee for running the program. It was a great start and there is now a sub-committee that includes Supervisor Martin, several County officers, and other supervisors to continue the investigation on whether this would be a good group to join. The upside is that it would assist local businesses and provide a financial resource they would not otherwise have and it would reduce reliance on the grid which we all need to do.

#### **Report: Board of Supervisor's February Meeting**

Supervisor Martin reported that at the February board of Supervisors meeting, Catherine Duncan was officially appointed as Director of Public Health for the next two year; the appointment received approval from the New York State Commissioner of Health. He said the Board agreed to authorize Greenman-Pedersen to put together a plan to connect the Zimri Smith Trail to Mechanicville. They will proceed to get everything ready to apply for grants to complete that connection. He said the County Board also agreed to commit funds for improvements to Northline Road in Malta, just south of the City, specifically to redo that bridge and they are seeking Federal funds for their portion. He reported that County supervisors approved the sale of the \$1.8m in Accounts Receivables from Maplewood Manor to Saratoga Ball LLC for \$1.4m so the County could receive a lump sum of money and Saratoga Ball can go about the collection process.

#### **Report: CDTA**

Supervisor Martin said that last Wednesday he attended the annual meeting of the Capital District Transportation Association. He reported that ridership continues to climb at record levels; they unveiled a new website and one of the functions is that you can get actual times of arrival of buses at all bus stops and routes on an I-phone or tablet. There is also a new payment system with a Smart-card that can be charged in advance and this will be rolled out over the next few months. Regarding Saratoga Springs, the



frequency of service of the Route 50 bus was increased to every 45 minutes between 9am and 2pm, and the bus fares and the Northway express bus schedule will remain unchanged.

**ADJOURN**

Mayor Yepsen adjourned the meeting at 11:01 PM.

Respectfully submitted,

Nancy Wagner, Clerk

Approved:  
Vote:

DRAFT