



March 02, 2015

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

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

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

**EXCUSED:** Eileen Finneran, Deputy Commissioner DPS  
Tim Cogan, Deputy Commissioner, DPW  
Vince DeLeonardis, City Attorney  
Matthew Veitch, Supervisor

**CALL TO ORDER**

Mayor Yepsen called the meeting to order at 9:42 AM.

**PUBLIC HEARINGS**

Mayor Yepsen announced that there are three public hearings scheduled for Tuesday night's City Council meeting.

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

Commissioner Mathiesen said that this is not a controversial issue; it is a request by the Housing Authority to change Senior Lane from a two-way traffic pattern to one way, running north to south.

Water Sewer Rates

Commissioner Scirocco will make a brief presentation providing some background information on the reason the water and sewer rates will increase.

Revision to Tourist Related Business Zoning District

Commissioner Madigan said this is based upon recommendations from the City's land use boards. The City Council has been asked to send this to the Planning Board for an amendment and it has been sent to the Saratoga County Planning Board. Brad Birge noted that nothing has been received from the County Planning Board as yet but he will call them. Commissioner Madigan said that no discussion or vote is required at this time; it is just a public hearing and the action will eventually require a SEQR long form.

## **PRESENTATIONS**

### Centennial Trees

Commissioner Scirocco said that Tom Denny will make a brief presentation on the centennial trees; this is in connection with the City's 100 year centennial celebration.

### Hydroelectric Energy

Commissioner Madigan stated that they are working with Gravity Renewables, the Public Service Commission and a company called "Mega" and with Gordon Boyd to be apprised on what is happening in the energy industry in New York State in an attempt to determine whether the use of hydroelectric energy would be financially feasible and a good fit for the City of Saratoga Springs.

## **EXECUTIVE SESSION**

None scheduled

## **CONSENT AGENDA**

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
4. Approve Resolution for the Use of the Insurance Reserve-3
5. Approve Resolution for the Use of the Insurance Reserve-4
6. Approve Resolution for the Use of the Insurance Reserve-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

No comments or revisions on the above.

## **MAYOR'S DEPARTMENT**

Mayor Yepsen said that several items were removed from the agenda Friday and she would like to add at least two of them back on the agenda. She would like to add Discussion and Vote: Survey Line Adjustment at Wesley Property; and Discussion: Rules of Conduct.

### **Discussion and Vote: Survey Line Adjustment at Wesley Property**

Assistant City Attorney said there were two surveys involving a sliver of land on the Wesley Parcel and we need to agree and to affix a line as shown on the second survey so that Wesley can proceed with their project. The item will be added to the agenda

### **Discussion: Rules of Conduct**

Mayor Yepsen stated that Tony Izzo has been checking on the legalities and working on wording. Deputy Ogden distributed a draft of the rules of conduct. This will be an addition to the Mayor's agenda and they will be discussed at the meeting tomorrow night.

### **Discussion and Vote: Authorization for Mayor to Sign CLG Application for Historic District Survey Update**

Bradley Birge Director of the OPED office stated that this is a grant opportunity from the State Historic Preservation Office. The request is for about \$4,000 which will include some in-kind services as a match. He will post the application on Novus Agenda. He said the project will involve working with the Preservation Foundation to update information on the Union Avenue Historic District and the Historic District that includes Congress Park. Neither district has been updated since the early to mid seventies.

**Discussion and Vote: MOU with Saratoga County RPC for VETHELP**

Deputy Mayor Joe Ogden said that the MOU draft has been uploaded. He explained that 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.

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

Brad Birge said that every year they receive funds from the Housing and Urban Development and redistribute those funds to non-profits and not-for-profits that apply for a Community Development Block Grant. He said this year they received \$342,000 and the 12 member committee received over 30 applications that were all strong and each was evaluated and scored an 8-variable matrix. He said the list of applications recommended for funding was distributed to the Council through Novus Agenda. Commissioner Madigan questioned awarding funds to Habitat for Humanity when the City already donated property to them. Brad Birge explained that the money is for construction costs for affordable housing. Deputy Commissioner Ogden clarified that the funds are HUD funds and not City funds. Mayor Yepsen said that Brad Birge will reiterate the criteria involved for the application and the awards.

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

No comment.

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

Mayor Yepsen stated that the Open space Advisory Committee has been reactivated and they have held two successful meetings. The committee has made a recommendation to purchase a parcel of land on Loughberry Lake to protect the city's watershed. This would require an amendment of the capital budget; the cost to purchase the land is \$25k.

Mayor Yepsen left the meeting at 10:00 am.

Commissioner Madigan ran the rest of the agenda meeting.

**ACCOUNT'S DEPARTMENT**

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

Commissioner Franck stated that he will be officially welcoming his new Deputy Commissioner of Accounts Maire Masterson.

**Discussion and Vote: Resolution to Appoint Marriage Officers**

Commissioner Franck said that the Section 11C of the Domestic Relations Law of New York states that the governing body of any City may appoint one or more marriage officers who have the authority to solemnize a marriage. The term is determined by the governing body but cannot exceed four years. He is putting forth the resolution to re-appoint former Mayors J. Michael O'Connell, Michael Lenz and Scott Johnson as marriage officers.

**Award of Bid: Flower Bid to Dehn's Flowers**

Commissioner Franck said he received a recommendation from the Department of Public Works to award the bid for flowers to Dehn's, the only bidder for an amount not to exceed \$20k.

Commissioner Franck added a fourth item to his agenda, specifically the discussion/announcement of the City Safety Committee Education Event to be held Wednesday, March 25 from 6 to 8 pm in the Music Hall to promote volunteerism and personal safety. The City's Director of Risk and Safety and representatives from the Department of Public Safety, the Police Department, Fire Department and Public Works and the Director of the Saratoga County Corps and the Red Cross will be in attendance.

## **FINANCE DEPARTMENT**

Commissioner Madigan said she will be making a preliminary report of 2014 city revenues since the books just closed. The report will include the stating and discussion of various revenue items. She stated that the final numbers will not be available for another 4 to 6 weeks.

### **Discussion and Vote: Budget Transfers - Payroll**

No comment.

### **Discussion and Vote: Budget Amendments - Benefits**

No comment.

## **PUBLIC WORKS DEPARTMENT**

### **Discussion and Vote: Authorization for the Mayor to Sign a Change Order with CKM Electrical Services Inc. – LED Lighting Replacement**

Commissioner Scirocco stated that this is a change order to the Parking Garage LED Fixture Replacements project. He said that CKM Electrical Services has completed the LED retrofit of the existing fixtures in the Woodlawn and Putnam Street parking garages and 18 fixtures on upper Caroline Street and a section of Maple Avenue and they discovered that the 18 pre-1988 poles along these streets required a special solution of special hardware and additional holes to tether the LED fixtures to the poles. This change order 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 that the City received from National Grid.

### **Discussion and Vote: Authorization for Mayor to Sign Agreement Addendum for CT Male Associates – Post Closure Monitoring Services**

Commissioner Scirocco explained that this annual contract is required by the New York State Department of Environmental Conservation. City Engineer Tim Wales said this is an annual reauthorization for CT Male to perform monitoring of landfill gas emission at existing monitoring wells, in existing buildings at the landfill and at temporary points surrounding the landfill. Services also include groundwater and surface water monitoring water quality analysis per the 6NYCRR Part 360 regulations, and preparing the 2015 annual report on environmental monitoring and the NYSDEC Air Facility Registration application for the new landfill gas flare; the agreement is in the amount of \$9,217.75.

### **Discussion and Vote: authorization for the Mayor to sign amended agreement with the County of Saratoga**

Commissioner Scirocco explained that on December 16,, 2014 the City Council agreed to enter into an agreement with Saratoga County for the City to take over the recycling operation at the City's transfer station currently being operated by the County. He said 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. For the City's on-sight 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 and \$35,000 for services in 2016. A copy of the agreement has been distributed to the City Council through Novus Agenda.

**Discussion and Vote: authorization for the Mayor to sign Agreement Addendum with CT Male – Wastewater Pump Station Upgrade Project**

City Engineer Tim Wales explained that a NYS Environmental Facilities Corporation Engineering Planning grant was received last year for the study of 8 of the City's Sanitary Wastewater Pumping Stations and the result was a prioritization of each of the pump stations for necessary upgrades. The two pump stations of the highest priority are the BOCES and the Casino Drive pump 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 in the amount of \$68,400.60 from the capital budget.

Commissioner Scirocco discussed adding an item to his agenda to set a public hearing to amend the 2015 Capital Budget for Route 50 Arterial safety project. City Engineer Tim Wales said the City is required to participate and report back to the CDTC on dam conditions. He said that the Rte. 50 arterial dam is a class B dam and we are required to have an engineering assessment conducted, along with a spillway analysis by August 2015, and basically prove that the dam will not fail. He said that the City has received 13 proposals from \$120k down to 40K and they want to select from those someone that is well qualified and can be relied upon to do a good job. He said the amount will be in the \$50k to \$60K range. Commissioner Scirocco said this might seem premature but no issues are anticipated. City Engineer Tim Wales said there is no creep or any indication of failure and they are required to go through a series of evaluations. Commissioner Madigan asked if this would require a resolution and Tim Wales responded that we just received the proposals. Commissioner Madigan suggested not adding this to the council agenda until the numbers are more specific and then all the bonding can be done at the same time.

Commissioner Scirocco added to his agenda an announcement of the receipt of two awards received from the American Public Works Association. The City received the Environmental Award for the Bog Meadow Infrastructure and Water supply project and the Historical Restoration award for the Canfield Casino Basement Moisture Remediation project. He said the APWA gave out a total of seven awards and the City received two of them.

Commissioner Scirocco said he will conduct a presentation on the City's water and sewer rates during the public hearing. Commissioner Franck said the public hearings can run later than planned but they cannot start earlier. Commissioner Madigan confirmed that this is the annual one to report the new rates.

**PUBLIC SAFETY DEPARTMENT**

**Discussion and Vote: Authorization for Mayor to sign agreement with Multi-Med**

Commissioner Mathiesen said that Multi-Med does the billing for emergency medical services performed as part of the City Fire Department EMT responsibilities. They have worked with the City for several years and it has worked out well.

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

Commissioner Mathiesen said there have been several controversial issues involving Police, Fire and the Public Safety Department and he has decided to establish an advisory committee to reach out and communicate with various sectors. The idea stems from the recommendations of the NY Civil Liberties Union to form a citizen's review board. He said he does not feel that it is necessary because in this form of government there is automatically civilian overview of the Police and Fire Departments because the Deputy and Commissioner are both civilians. He said we also currently hold monthly forums to provide the opportunity for the public to weigh in, however, we do need to make sure we have increased public input so the advisory committee is comprised of members of the public and they will meet several times a year with the ability to be brought together more frequently if another controversial issue arises again.



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

Commissioner Mathiesen said he is announcing another Public Safety forum to be held March 26, 2015 at 7pm in City Council Chambers and this one will include Police, Fire, Code Enforcement, Traffic Management, and he will be there in a legislative role as Public Safety Commissioner. He said that any questions or concerns will be addressed but the intended focus is on traffic regulations and safety including pedestrian, bicycle, and vehicle safety.

**Announcement: 2014 DPS Annual Report**

Commissioner Mathiesen said he will be distributing hard copies of the annual report to members of the City Council and briefly reporting some of the highlights of the year.

Commissioner Mathiesen added a fifth item to his agenda as Discussion: Rules of Conduct. He said that he will be imparting some suggestions and will include them at the meeting for the record and hopefully the City Council will be able to vote on these at their next meeting. His goal is to hear input from his fellow City Council members.

**Other Business**

Commissioner Franck asked about additional Comprehensive Plan workshops. Commissioner Madigan suggested that next week would be helpful. Commissioner Franck said that since the committee's vote on their draft document was very close, it is imperative that both sides of that committee be given equal opportunity to be heard; the City Council must hear all sides and have time to digest the material so they can make an informed decision.

Bradley Birge said there has been lots of discussion throughout the committee process and it is up to the City Council to determine what they need to make it whole; it is all about trying to get the information necessary to create the final document. Commissioner Franck suggested adding a discussion of the Comprehensive Plan to the Mayor's agenda.

Deputy Mayor Joe Ogden agreed to add to the agenda as a discussion the Update on the 2015 Comprehensive Plan Committee Progress.

**SUPERVISORS**

**MATTHEW VEITCH**

Supervisor Martin spoke in regards to Supervisor Veitch's agenda

**Occupancy Tax Law Home Rule Legislation**

Supervisor Martin said that the County has asked the State to amend legislation to allow the County to change the manner in which they apply their occupancy tax portion and to officially form a committee.

**Update: Saratoga County Prosperity Partnership**

Supervisor Martin said that Supervisor Veitch will update the Council on the most recent meeting, activities and current objectives of the partnership

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

Supervisor Martin explained that Supervisor Veitch has been traveling a lot attending State and National events on behalf of Saratoga County and he will be reporting on both of these conferences.

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

No comment

Update: Local Law Allowing Sparklers and Other Devices

Supervisor Martin said that Supervisor Veitch will explain why the County Supervisors pulled this item from their agenda at their last meeting.

Meeting with State Legislators – March 6

No comment

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

Supervisor Martin stated that Supervisor Veitch would be reading a proclamation and making the presentation to Todd Garofano and his staff at the city council meeting.

**PETER MARTIN**

Report: PACE Program

Supervisor Martin said he will update the Council on the County's involvement with the PACE program which will help local businesses retrofit their property with clean energy and renewable energy techniques.

Report: Board of Supervisor's February Meeting

Supervisor Martin said he will report on decisions, discussions and highlights from their most recent meeting.

Report: CDTA

Supervisor Martin said he attended the CDTA annual meeting and will report on priorities, highpoints, changes and progress made in 2014 and the impact of these on the City of Saratoga Springs.

**ADJOURN**

Commissioner of Finance Michele Madigan adjourned the meeting at 10:25 a.m.

Respectfully submitted,

Nancy Wagner, Clerk

Approved:  
Vote: