



April 7, 2015

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

- 6:40 PM - P.H. - Community Development
Block Grant
- 6:45 PM - P.H. - Amend 2015 Capital Budget
and Program for Loughberry
Lake Parcel
- 6:50 PM - P.H. - Revision to Tourist Related
Business Zoning District
- 6:55 PM - P.H. - New City Code Chapter
#205 - Street Performances

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. High Rock Park Springs Preservation

CONSENT AGENDA

1. Approval of 2/24/15 Comprehensive Plan Workshop Minutes
2. Approval of 3/16/15 Pre-Agenda Meeting Minutes
3. Approval of 3/17/15 City Council Minutes
4. Approval of 3/2/15 Pre-Agenda Meeting Minutes
5. Approval of 3/3/15 City Council Meeting Minutes
6. Approve Resolution for the Use of the Insurance Reserve - 10
7. Approve Resolution for the Use of the Insurance Reserve - 11
8. Approve Resolution for the Use of the Insurance Reserve - 12
9. Approve Resolution for the Use of the Insurance Reserve - 13
10. Approve Budget Amendments - Insurance Reserve
11. Approve Budget Amendments (Increases)
12. Approve Budget Transfers - Regular
13. Approve Budget Transfers - Revenue
14. Approve Payroll 03/20/15 \$424,412.17
15. Approve Payroll 03/27/15 \$448,579.60
16. Approve Payroll 04/03/15 \$426,558.58
17. Approve Warrant: 2015 Mid - 15MWAPR1 \$94,034.83
18. Approve Warrant: 2015 Mid - 15MWMAR2 \$117,221.60
19. Approve Warrant: 2015 REG - 15APR1 \$1,275,584.12

MAYOR'S DEPARTMENT

1. Announcement: Centennial Celebration – April 7th 2:00 pm at the Saratoga Springs Visitor's Center
2. Announcement: \$1.5 Billion Upstate Revitalization Initiative in 2015 – 2016 State Budget
3. Appointment: Saratoga Springs Housing Authority
4. Discussion: Linkage Study: Citywide Bike, Pedestrian and Transit Plan
5. Discussion and Vote: SEQRA Evaluation for Geysers Road Improvements
6. Discussion and Vote: Mayor's Department Employee Request for 17 Hours from Sick Bank
7. Discussion and Vote: Collective Bargaining Agreement – PBA
8. Discussion: Additional Information on D'Andrea Parcel
9. Discussion: Additional Information on Saratoga National Expansion

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Agreement for Appraisal of Spirit of Life
2. Discussion and Vote: Council Authorization to Settle Article 7 Case
3. Announcement: Grievance Class – May 7th
4. Award of Bid: Spirit of Life – Landscape Restoration to Mid-State Industries
5. Award of Bid: Website & Social Media Design and Upgrade to Civic Plus
6. Discussion and Vote: Authorization for Mayor to Sign Agreement with Stilsing Electric for Traffic Signal at West and Grand Avenue

FINANCE DEPARTMENT

1. Discussion and Vote: Determination of SEQRA for Proposed Zoning Text Amendment – Tourist Related Business District
2. Discussion and Vote: Proposed Zoning Text Amendment – Tourist Related Business District
3. Discussion and Vote: Resolution Declaring Intent to Continue Discussions with Gravity Renewables, LLC with Respect to a Proposed Power Purchase Agreement for Hydroelectric Power
4. Discussion and Vote: Referral to Planning Board – Proposed Amendment to City Code Chapter 240 Zoning Ordinance, Section 6.4.8 Supplemental Regulations – Solar Access
5. Discussion: New York State Budget
6. Discussion: 2014 4th Quarter Financial Report
7. Discussion and Vote: Budget Transfers – Payroll
8. Discussion and Vote: Budget Amendments – Assignment for Refund of Prior Year Taxes
9. Discussion and Vote: Budget Amendments – 2013 Fund Balance Excess for Web Redesign
10. Discussion and Vote: Budget Amendments – 2013 Fund Balance Excess for Centennial

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign a Renewal Agreement with Mahoney Notify-Plus, Inc. Alarms
2. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Greenridge Cemetery Association
3. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Mid-State Industries, Ltd – Spirit of Life
4. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Stewart's Shops Corp.
5. Discussion and Vote: Authorization for the Mayor to Sign Policy for the Procurement of Boots – DPW Unit
6. Discussion and Vote: Waiver Competitive Bidding Requirement Per Charter Section 11.6

PUBLIC SAFETY DEPARTMENT

1. Announcement: Appointment of Father Thomas Chevalier as Fire Department Chaplain
2. Discussion and Vote: Approval to Transfer 81 Days of Sick Time to a Police Officer

SUPERVISORS

Matthew Veitch

1. Saratoga County CHIP Funding
2. VLT Restoration for 2015 Saratoga County
3. NYS Budget Impact on Saratoga County
4. Saratoga County Prosperity Partnership
5. Racing & Gaming Committee Update

Peter Martin

1. Saratoga County Framework for Success
2. County Recycling
3. Equalization and Assessment Committee
4. Vietnam Veterans

ADJOURN

DRAFT



April 7, 2015

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

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

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

Vincent DeLeonardis

Matthew Veitch, Supervisor
Peter Martin, Supervisor

RECORDING OF PROCEEDING

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

Mayor Yepsen wished the City of Saratoga Springs a happy 100th birthday.

PUBLIC HEARINGS

Community Development Block Grant

Mayor Yepsen opened the public hearing at 6:42 p.m.

Brad Birge of the Planning Department stated the City is eligible for an entitlement grant. Based upon requests from the community, the board will review each application and distribute money. This is a continued public hearing from the last City Council meeting. Hopefully you can vote on the recommendations at the next City Council meeting.

Darlene McGraw of Saratoga Springs hopes we will get this grant as it will help the City.

Mayor Yepsen closed the public hearing at 6:46 p.m.

Amend 2015 Capital Budget and Program for Loughberry Lake Parcel

Mayor Yepsen opened the public hearing at 6:46 p.m.

Mayor Yepsen stated this purchase has been recommended by the Open Space Advisory Committee.

Tony Izzo, assistant city attorney advised the Council decided many years ago that any time land around Loughberry Lake becomes available that the City should purchase it if the sale is reasonable. The Real Estate Committee and the Open Space Committee recommends the purchase.

No one spoke.

Mayor Yepsen closed the public hearing at 6:50 p.m.

Revision to Tourist Related Business Zoning

Mayor Yepsen opened the public hearing at 6:50 p.m.

Commissioner Madigan advised this public meeting has been left open for a couple meetings waiting for response from the County Planning Board. They are ready tonight to take a vote on this.

No one spoke.

Mayor Yepsen closed the public hearing at 6:55 p.m.

New City Code Chapter #205 – Street Performances

Mayor Yepsen opened the public hearing at 6:55 p.m.

Tony Izzo, assistant city attorney, stated this is a proposal to create a new chapter. The regulation is bound by Constitutional issues. The proposed ordinance here establishes a minimal procedure for licensing.

Mayor Yepsen stated this is not going to take away performers but encourages them. People need to realize this is not going to be a huge change and we are trying to make it safer. This will be kept open for the next City Council meeting.

Linda Letendre of Saratoga Springs stated she has a concern about another regulation being put in place. It will be intrusive and keep people from being part of the downtown scene. We have enough regulation.

Susan Rivers of Saratoga Springs stated she was part of the task force the mayor put together to develop this proposal. They wanted to create something that would enhance the City and advocate for street performers while balancing the concerns of downtown business owners. The group looked long and hard at all facets of this issue. Presenting a photo ID and paying \$20 did not seem like seem like an onerous task.

Darlene McGraw of Saratoga Springs asked how they expect someone with a low income to pay for a license. They just want to go out and have fun.

Peter Copoletti of Broadway stated they look at this as an improvement of quality of life and applaud it. He has a couple additional ideas that he will present to the Committee at a later date.

Pastor Peter Barios of Jefferson Terrace asked how the children are going to come up with \$20 and will this affect them. The Council has to pay attention to what is going on out there. You respond to the people not the businesses.

Patty Riggi asked why the Arts Committee would be so restrictive and who came up with the restrictions. Also, after all these years, why would this need to change?

Randall Deshane stated he does a lot of advertising for local restaurants. This is a situation that has to be dealt with logically. He is not able to 'chalk' he would probably have to quit one of his volunteer jobs to get a job to help pay some of his other expenses.

Matt Griffin stated he paid for his second guitar through busking. The little money they do make goes back into the economy.

Sally Genovich of Waterbury Street stated her daughter has been busking for the past several years and is now in Ireland due to that. One of the things that appealed to her before she moved here was the buskers. It would be difficult for a certain population to get the license. She asked if there was a problem that sparked this.

Roger Borgen of Railroad Place stated he agrees with all the previous speakers. He hasn't heard what problem the regulation is trying to address. It is a solution without a cause.

Sean Corrigan stated he stays in Saratoga when traveling for business. He enjoys stopping to watch a magician or listen to someone play a guitar.

Karen Russen of Saratoga Springs stated any regulation has to be maintained. Does the City have a cost analysis of how much it will cost to support this? She would like to see it not move forward.

Jeffrey Halstead, a music teacher at Saratoga High School, stated if a performer has the talent to perform in front of a restaurant, should they be told by a police officer they have to go. Is this being done because we want the best performers? If yes, will we need to audition street performers?

Charles Howe (Sleepy) stated he is here as a concerned citizen and street performer. Before moving to Saratoga he was homeless and supported himself by busking. These ordinances are a step in the wrong direction and will encourage aggressive panhandling. This will also put stress on social services as the people will not be able to buy their own food or pay for a hotel room. He urged the Council to reconsider this ordinance.

Denise McDonald of Saratoga Springs asked if the Committee consists of street performers of various economic levels.

Steven Brundige stated he is a magician on the streets. He stated he has busked in different towns and sometimes the rules don't turn out as intended. The buskers are controlled by common sense and respect for each other. What happens when a busker has permission to be near a door and the rules say you can't be within 10 of a business? Will a cop just shut down his show when they see a large crowd? There were no buskers on the committee.

Dan, a magician, stated they use props. He purchased a DVD on sponge ball magic and it traced the history on sponge balls. It turns out there was a Count Orloff who performed with sponge balls in Saratoga in 1915.

Joy King of Saratoga Springs thought to herself if this is a way to weed out certain people or is it a revenue thing. We would be losing a lot if certain performers were not allowed to perform. She hopes we are careful and don't use control in a destructive manner.

Katana Chetwind stated she started doing chalk art in Saratoga last year. She doesn't know if she can find a spot that is 10 feet from an edge or crosswalk, 10 feet from a handicap parking spot, 10 feet from an entrance, 50 feet from another performer, and 50 feet from a special event. She doesn't know if there is a spot in Saratoga that isn't breaking one of those rules.

Courtney Berquist of Saratoga Springs stated she is a local artist. She is not opposed to making the City safer; but the rules about where you can't perform leaves you nowhere to perform.

Zak Jones, student at Skidmore, stated he is not a fan of this ordinance. He encouraged the Council to vote with the interest of the greater community and not with those who fund their campaign.

Lawrence White of Saratoga County stated he made a living for years selling his artwork on the streets of New York City. The permit process is not a good idea; it will create more problems than it solves.

Carl Bertrand of Saratoga stated he is in a band that frequently plays in local establishments. He started out by playing on the streets of Saratoga. It allowed him to gain the confidence he needed to be able to move forward.

Mayor Yepsen ended the public hearing at 7:50 p.m. and left it open.

CALL TO ORDER

Mayor Yepsen called the meeting to order at 7:50 p.m.

PUBLIC COMMENT

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

Mayor Yepsen opened the public comment period at 7:51 p.m.

Darlene McGraw of Saratoga Springs stated this Council needs to start acting like adults and not children. April 19 – 25 is crime victim rights week and April is child abuse awareness month.

Steve Edlewski of the Complete Streets Advisory Board stated they are excited about the Linkage Study and they also want to lend their support to the Geyser Road transportation projects.

Denise Graminski of Conner Drive Saratoga stated she has experienced noticeable change to topography and volume of traffic on Gilbert Road. Since the Springs opened there are now 17,000 cars per day coming off I-87 heading down Weibel Avenue and some head down Gilbert Road. At any given time there are 6 or 7 cars in line at the Gilbert Road/9P intersection. She asked the Council to look into the traffic situation with any additional changes to the area.

Dave Collins, owner of Palette Stone Corp. stated he is here regarding Commissioner Mathiesen's desire to rezone some of their lands into the conservation district. After nearly 2 years and 19 Comprehensive Plan meetings this is the first it is being brought up. Is this something he needs to concern himself with or can he go back to making big rocks and little rocks?

Denise Desmond stated she is here on behalf of her sister, Diane Pedinotti. She read a letter into the record (attached) regarding Commissioner Madigan's to amend City Code Chapter 240. The placement of the solar panels was a well thought out plan. It has been proven that the property can be developed without casting a shadow on solar panels on the top of the Mouzon House. The City Center stubbornly stuck to one plan.

Todd Garafano of the Convention and Tourism Bureau congratulated the City on its event today. His concern is to look at the ordinance for future development – zoning.

Denise McDonald of Saratoga Springs asked if the zoning ordinance proposed by Commissioner Madigan were to be changed; would that be on a go forward basis or retroactive.

Mayor Yepsen closed the public comment period at 8:04 p.m.

Commissioner Mathiesen responded to Dave Collins and reported he asked the Comprehensive Plan in 2001 why an industrial district 2 was located so close to a residential area. He was told not to worry about it at that time as that portion could never be built on because of the topography of that land. If that is true, he asked Brad Birge why that portion couldn't be included as part of the CDD.

Commissioner Madigan responded to Denise McDonald regarding the City Center. The question she asked is for the lawyers. She is asking the Council to send the ordinance to the Planning Board for an advisory opinion.

PRESENTATION

High Rock Park Springs Preservation

Mayor Yepsen stated this project is being planned for this year as part of the Centennial. She introduced Steve Sullivan, Charlie Kenzel, and Jamie Parrillo.

Mr. Parrillo advised High Rock Spring was the first spring discovered in Saratoga Springs and the most important spring in the City.

Mr. Kenzel stated this project is the redrawing of the spring to bring the waters back. The springs were drilled in specific spots for taste. High Rock Spring is a naturally occurring spring. They are trying to find the actual location of the vein that served the Mohawk Indians. Their goal is to target the spring and bring it back at a high enough flow rate so people can have a water product that matches as close as possible the original chemistry.

Mr. Parrillo stated in 1858 the first bottling plant was built in High Rock Park. He showed pictures of different structures that were erected as part of the bottling process.

Mr. Kenzel advised they are not changing the building in architecture but installing gates to prevent people from going in. They will also install some placards to provide information on the importance of the spring and geology and chemistry. Hawk Drilling is interested in donating their drilling services to this project.

Jamie stated they have had great support financially and raised almost \$20,000 to date. This should not impact anyone's budget.

CONSENT AGENDA

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

1. Approval of 2/24/15 Comprehensive Plan Workshop Minutes
2. Approval of 3/16/15 Pre-Agenda Meeting Minutes
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18. Approve Warrant: 2015 Mid – 15MWMAR2 \$117,221.60
19. Approve Warrant: 2015 REG – 15APR1 \$1,275,584.12

Ayes - All

MAYOR'S DEPARTMENT

Announcement: Centennial Celebration – April 7th 2:00 pm at the Saratoga Springs Visitor's Center

Mayor Yepsen advised she presided over an event today celebrating the City officially becoming a City 100 years ago today.

Supervisor Veitch, chairman of the Board of County Supervisors, read the proclamation from the County.

Mayor Yepsen thanked all the volunteers, staff at the Visitor Center, Putnam Market for the snacks, and her colleagues.

Announcement: \$1.5 Billion Upstate Revitalization Initiative in 2015 – 2016 State Budget

Mayor Yepsen stated this budget includes the governor's Upstate Revitalization Initiative. There are 7 regions in New York are eligible to compete for one of the revitalization pots. Her department will be taking a look and hope to work with the Economic Development Counsels to bring our region to the forefront.

Appointment: Saratoga Springs Housing Authority

Mayor Yepsen advised Ken Ivins' appointment has expired. Lu Lucas was appointed to replace Ken. Her term will begin this month and for the next 5 years.

Mayor Yepsen thanked Ken Ivins for his contribution.

Discussion: Linkage Study: Citywide Bike, Pedestrian and Transit Plan

Mayor Yepsen stated the City applied and received a CDTC grant. Alta Planning and Design was selected to conduct the study. The purpose of the Study Advisory Committee is to guide the work of the study and study outcomes.

Discussion and Vote: SEQRA Evaluation for Geyser Road Improvements (15-089)

Mayor Yepsen advised City Council is the lead agency. She asked Kate Maynard to go through part 2 and propose the appropriate response.

Kate Maynard of the Planning Department, advised part 1 contains the overall description of the project.

Mayor Yepsen read part 1 into the record. (A copy is attached to the minutes.)

Mayor Yepsen read part 2 into the record. (A copy is attached to the minutes.)

Mayor Yepsen moved and Commissioner Franck seconded that this project as described will present no significant adverse environmental impacts.

Ayes - All

Discussion and Vote: Mayor's Department Employee Request for 17 Hours from Sick Bank (15-090)

Mayor Yepsen stated they spoke with the CSEA City Hall Unit and they have approved this request.

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve the request from a CSEA City Hall employee to use 17 hours of sick time from the bargaining unit's sick bank.

Ayes - All

Discussion and Vote: Collective Bargaining Agreement – PBA (15-091)

Mayor Yepsen stated she is asking the Council to vote for the collective bargaining agreement with the PBA. She feels this is a fair contract.

Vince DeLeonardis, city attorney, advised the agreement outlines the changes that will be amended included wage increases, health insurance, and other concessions. The contract went stale on December 31, 2012.

Commissioner Franck asked for the time period this contract covers.

Vince explained this is a 4 year contract that runs from 2013 - 2016. This agreement provides a 2.5% increase annually; with the increase for 2015 being effective in July of that year. They agreed to increase the employee contribution to health insurance with a cap of \$1,500.

Commissioner Madigan stated the PBA contract will require an adjustment to the budget in the amount of about \$800,000. This contract will use the entire amount put aside for all contracts. She listed issues with the percentage of increases, the number of health care providers available to them, and the PBAs unwillingness to put ACA language in their contract. She believes it is time for the employees to be on one health care contract. All other units went to one health insurer with less percentage of increases and no step increases.

Commissioner Mathiesen asked why we go to the 14% versus the 12% differential between the patrolmen and the sergeants?

Vince advised there is a retroactive component we are faced with as the prior contracts were allowed to lapse. They are going through a process with the PBA to reduce the number of health insurance companies. Both sides have made some concessions.

Mayor Yepsen stated the sergeant pay was as a result in the change in duties.

Commissioner Mathiesen advised he has issue with the drug testing program removing alcohol from the test and the results go to the chief and the mayor. The mayor has no authority to discipline the police officers. He has a lot of difficulty with a lot of this. He can't support this.

Commissioner Madigan stated she will not support this tonight. She is ok with 2.5% in 2013 and 2015 but would like to see the 2.5% be pushed out to the middle of 2013. If we do 2.5% going forward all other contracts are going to ask for it.

Commissioner Mathiesen stated we have precedent with the other unions to pay 2%. They should go back to the PBA and ask the 2%.

Mayor Yepsen stated this proves the importance of staying on top of negotiations.

Commissioner Franck stated he feels both sides have made serious concessions. The points made by Commissioners Madigan and Mathiesen are valid. We have binding arbitration so the police don't go on strike. The potential to keep paying more is greater than what we have here. He is going to vote in the affirmative tonight.

Mayor Yepsen advised that if this goes to arbitration, it will be costly for the City and could be a higher percentage of pay than what we are settling for now.

Vince advised in the event this goes to binding arbitration, the award is only for 2 years.

Commissioner Scirocco stated there have been legitimate concerns at the table. This leaves us in a bad position if we support this now.

Mayor Yepsen stated if they don't pass this they will be operating in the dark.

Mayor Yepsen moved and Commissioner Franck seconded to authorize the mayor to sign a collective bargaining agreement with the Saratoga Springs PBA as ratified by the union membership and as presented to the City Council.

Roll Call:

Commissioner Franck – Aye
Commissioner Madigan – Nay
Commissioner Scirocco – Nay
Commissioner Mathiesen – Nay
Mayor Yepsen – Aye

Discussion: Additional Information on D'Andrea Parcel

Brad Birge of the Planning Department advised the Council that this item and Saratoga National expansion remain in need of definition. The Council has received additional information from both the D'Andrea family and Saratoga National.

Mayor Yepsen stated tonight is a discussion to relay information and considerations. The fourth workshop is scheduled for next week. The D'Andrea family has presented the Council with new concept drawings.

Matt Jones, attorney for the D'Andrea's, stated they recommend MDR-1. Compromise is the word they heard the last time and feel this is the most reasonable compromise.

Council had no comments.

Discussion: Additional Information on Saratoga National Expansion

Mayor Yepsen advised the Planning staff met with Mr. Newkirk on the Saratoga National proposal. They are willing to remove the 100 units of condos from their plan. We need to focus on our vision for this district. She does not feel a resort overlay district is not the way to go. She thanked Mr. Newkirk's team for their cooperation.

Mike Toohey, attorney for Saratoga National, advised they are asking for the time to further develop this concept.

Commissioner Madigan stated we haven't voted on anything; it sounds like we have a straw poll.

Commissioner Mathiesen stated Saratoga National is obviously looking for a redefinition of clubhouse.

Brad advised the CDD would remain as the base layer. The changes would be implemented through a zoning amendment.

** City Council took at break at 10:02 p.m.

** City Council returned at 10:09 p.m.

ACCOUNTS DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Agreement for Appraisal of Spirit of Life (15-092)

Commissioner Franck introduced Marilyn Rivers, director of risk and safety is here to explain the agreement.

Marilyn advised this contract is for a certified appraisal and a requirement of the City's insurance carrier. It is a \$5,000 contract.

Commissioner Franck moved and Commissioner Mathiesen seconded to authorize the mayor to sign the agreement with Betty Krulik Fine Art, Ltd. for an amount not to exceed \$5,000 for the appraisal of the Spirit of Life as described.

Funding is in line A3031914 / 54773.

Ayes - All

Discussion and Vote: Council Authorization to Settle Article 7 Case (15-093)

Commissioner Franck moved and Commissioner Mathiesen seconded for the City Council to settle the Article 7 case for parcel # 165.-2-10.1 for years 2010, 2011, 2012, 2013, and 2014 as follows:

Parcel #	Original Assessment	Negotiated Assessed Value	Reduction Amount	Refund Amt for Tax Year
165.-2-10.1				
2010	\$9,385,600	\$6,990,500	\$2,395,100	\$14,389.28
2011	\$9,385,600	\$6,990,500	\$2,395,100	\$14,250.37
2012	\$9,385,600	\$6,990,500	\$2,395,100	\$14,242.46
2013	\$9,385,600	\$6,990,500	\$2,395,100	\$14,351.44
2014	\$9,385,600	\$6,820,000	\$2,565,600	\$14,389.28
Total				\$57,233.55

The grand total of refunds for years 2010 – 2014 for this parcel is \$57,233.55.

Ayes - All

Announcement: Grievance Class – May 7th

Commissioner Franck announced we will be holding a grievance class again this year on Thursday, May 7, 2015 at 6:30 p.m. in the City Council Room. City residents are invited to attend to learn how to correctly fill out the application to grieve their assessments and understand the process.

Award of Bid: Spirit of Life – Landscape Restoration to Mid-State Industries (15-094)

Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for the Spirit of Life – Landscape Restoration to Mid-State Industries, Ltd. for \$240,000.

Funding is line H3036952 / 52000 / 1039.

Ayes – All

Award of Bid: Website & Social Media Design and Upgrade to Civic Plus (15-095)

Commissioner Franck moved and Commissioner Madigan seconded to award the bid for the Website & Social Media Design and Upgrade to Civic Plus for \$48,000.

Funding is in line A3021694 / 54720.

Ayes - All

Discussion and Vote: Authorization for Mayor to Sign Agreement with Stilsing Electric for Traffic Signal at West and Grand Avenue (15-096)

Marilyn Rivers, advised this is a \$15,000 contract. Travelers Insurance has fronted the funds for this and subrogating back to the drivers.

Commissioner Franck moved and Commissioner Mathiesen seconded to authorize the mayor to sign the agreement with Stilsing Electric for an amount not to exceed \$15,600 as previously described.

Funding is in line A3041934 / 54775.

Ayes - All

FINANCE DEPARTMENT

Discussion and Vote: Determination of SEQRA for Proposed Zoning Text Amendment – Tourist Related Business District (15-097)

Commissioner Madigan removed this item from her agenda.

Discussion and Vote: Proposed Zoning Text Amendment – Tourist Related Business District (15-098)

Commissioner Madigan removed this item from her agenda.

Discussion and Vote: Resolution Declaring Intent to Continue Discussions with Gravity Renewables, LLC with Respect to a Proposed Power Purchase Agreement for Hydroelectric Power (15-099)

Commissioner Madigan stated it was discussed how the City could engage in a hydroelectric purchase agreement. They believe there will be cost savings if they act now. Instead of receiving a financial credit; the credit can be turned into a gift card. In order to provide evidence to the PSC, she is bringing this resolution forward.

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

WHEREAS, since 1998, the Municipal Electric and Gas Alliance (MEGA), now including more than 30 New York State county governments, has collectively shopped through a public bid process for electricity and natural gas supplies, securing savings in

energy costs for more than 250 participating municipalities and others, and
WHEREAS, by resolution of one or more county governments, MEGA periodically bids the electricity and natural gas supplies so that participating municipalities and others can obtain the lowest cost for such supplies through New York State "piggybacking" law, and
WHEREAS, in 2012 New York State amended Section 66-j of the Public Service Law, allowing for the off-site production of up to 2 MW of solar, micro-hydroelectric, and farm waste-to-energy, and the purchase of the energy generated there from on a net metering basis, and
WHEREAS, as a part of MEGA's commitment to bring clean, renewable energy at a reasonable cost to its customers, MEGA has implemented a program to provide public sector customers with a long-term, price-certain supply of electric energy from renewable sources under NYSPL Section 66-j, and
WHEREAS, the potential outcomes of this initiative include fostering the development of small, renewable energy facilities in New York State, enabling MEGA participants to directly purchase electricity produced by such facilities, thereby stabilizing and potentially reducing the cost of electricity for such participants, while supporting private investment in renewable energy, and contributing to the reduction of greenhouse gasses, and
WHEREAS, MEGA requested and Tompkins County agreed to serve in the role of the Procuring Municipality for this renewable energy procurement, a designation that allows other municipalities, including the City of Saratoga Springs, to receive the same terms and conditions as are provided to the Procuring Municipality, and
WHEREAS, Gravity Renewables LLC of Boulder, Colorado, (the Company) was selected through such procurement to be MEGA's designated provider of renewable power from micro-hydroelectric generating facilities, and
WHEREAS, Tompkins County by resolution on September 13, 2013 approved the procurement and authorized all political subdivisions in the state to participate in the contracts awarded as a result of Tompkins County's procurement with MEGA, recognizing that specific authority must be provided by any other participating legislative body to enter into a final power purchase agreement between such participant and the Company, and
WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established by MEGA and are reflected in a Program Agreement between the Company, Tompkins County and MEGA,
NOW, THEREFORE, BE IT RESOLVED that the City Council finds that it is in the public interest for the City and Gravity Renewables, LLC to continue negotiations concerning a power purchase agreement, including consideration of appropriate sites, the potential costs and benefits to the City, and other matters, recognizing that final terms and conditions would be embodied in a Power Purchase Agreement subject to final approval by the City Council.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the resolution declaring intent to continue discussions with Gravity Renewables, LLC with respect to a proposed power purchase agreement as distributed with the agenda.

Ayes - All

Discussion and Vote: Referral to Planning Board – Proposed Amendment to City Code Chapter 240 Zoning Ordinance, Section 6.4.8 Supplemental Regulations – Solar Access (15-100)

Commissioner Madigan stated the Zoning Board of Appeals made a decision in accordance with this provision relating to Transect-6 urban core zoning district. She is trying to determine how it may affect new projects in the event new solar panels are installed on neighboring buildings or property. She is also trying to determine how the City might go forward with its own plans for the land behind City Hall. She proposed the following: "Except for properties located in a Transect – 6 Zoning District or as otherwise provided by this chapter, no property owner may erect". She would also appreciate any further advice the Planning Board might want to give; guidance, alternative language or approaches that the City Planning Board might want to revise. Should other zoning districts be considered?

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve asking the City Planning Board for an advisory opinion on a proposed amendment to the City Code, Chapter 240 – Zoning Ordinance, Section 6.4.8; Supplemental Regulations – Solar Access. The amendment would add after the first word 'Except' "...for properties located in a Transect – 6 Zoning District or...". In addition, any further advice, guidance, alternative language or approaches that the City Planning Board may provide regarding how this might otherwise be revised, such as including other zoning districts would be welcomed.

Commissioner Franck asked how many solar panels are in the T-6 zone.

Brad Birge advised approximately half a dozen installations. There are a couple commercial downtown.

Commissioner Franck asked if they have to come to the City for a permit.

Brad advised they come for a building permit and before the Design Review if they are in a historical district.

Mayor Yepsen advised she is in favor of looking at the ordinance and see how they can better apply it. She feels they should do it through a comprehensive effort. She is not in favor of doing this now.

Commissioner Madigan stated they are not asking the Planning Board to take a look at one lot. They are asking for them to look at the T-6 zone.

Commissioner Scirocco stated he feels it is a good idea to take a look at this. Mayor Yepsen can make her recommendations to the Planning Board.

Commissioner Mathiesen stated they are looking at one of the ordinances on the City books and seeing if they need to make minor changes. How we deal with solar can be done with other mechanisms.

Ayes – 3

Nays – 2 (Commissioner Franck and Mayor Yepsen)

Discussion: New York State Budget

Commissioner Madigan removed this item from her agenda.

Discussion: 2014 4th Quarter Financial Report

Commissioner Madigan removed this item from her agenda.

Discussion and Vote: Budget Transfers – Payroll (15-101)

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

Ayes - All

Discussion and Vote: Budget Amendments – Assignment for Refund of Prior Year Taxes

Commissioner Madigan advised the Council approved the assignment for the payment of prior year taxes so that we do not have to encumber large sums for these purposes. Our auditors found that practice unacceptable. This is the first time tapping this assignment. The original amount of assignments was \$523,517.42 and amount remaining after this budget amendment will be \$454,024.53.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget amendment – assignment for refund of prior year taxes which were distributed with the agenda.

Ayes - All

Discussion and Vote: Budget Amendments – 2013 Fund Balance Excess for Web Redesign (15-102)

Commissioner Madigan advised the amendment brings the funds into the budget.

Commissioner Madigan moved and Commissioner Franck seconded to approve the 2015 budget amendments – 2013 fund balance excess for web redesign which were distributed with the agenda.

Ayes - All

Discussion and Vote: Budget Amendments – 2013 Fund Balance Excess for Centennial (15-103)

Commissioner Madigan advised the amendment brings the funds into the budget. After this budget amendment there will be remaining \$19,575.

Commissioner Madigan moved and Commissioner Franck seconded to approve the 2015 budget amendments – 2013 fund balance excess for centennial which were distributed with the agenda.

Ayes – All

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign a Renewal Agreement with Mahoney Notify-Plus, Inc. Alarms (15-104)

Commissioner Scirocco advised this is an annual agreement for the lease maintenance, monitoring, annual inspections of the ice rink complex, and sewer locations.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign a renewal agreement with Mahoney Notify-Plus, for a high level alarm radio transmitter in the amount of \$12,096; billed monthly \$1,008 for the 24 sewer locations.

Funding is in line G3638124 / 54331.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Greenridge Cemetery Association (15-105)

Commissioner Scirocco advised this is an annual agreement to maintain a portion of the cemetery. The first installment of \$12,500 will be paid around July 15th and the remainder is payable around October 1st.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with Greenridge Cemetery in the amount of \$25,000.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Mid-State Industries, Ltd – Spirit of Life (15-106)

Commissioner Scirocco advised this agreement is for the landscape restoration; removal and location of existing planting materials, new trees and sod, improvements to the existing walkways, and new walkways.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign a contract with Mid-State Industries, Ltd. for the Spirit of Life in the amount of \$240,000.

Funding is in line H3036952 / 52000 / 1039.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Stewart's Shops Corp. (15-107)

Commissioner Madigan recused herself as she owns a house on Buff Road.

Commissioner Scirocco stated in partnership with the Stewart's Corporation, infrastructure upgrades will be done. The Stewart's Corporation plans to spend \$683,000 for the improvements. This is a benefit to the City in the money saved and general improvement of water fire flow.

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign an agreement with Stewart's Shops Corporation as presented.

Commissioner Scirocco thanked Stewart's for their contribution.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Policy for the Procurement of Boots – DPW Unit (15-108)

Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign the policy for the procurement of boots for the DPW Unit.

Ayes – All

Discussion and Vote: Waiver Competitive Bidding Requirement Per Charter Section 11.6 (15-109)

Commissioner Scirocco stated the Stewart's Shops will pay an estimated \$683,872 for a new waterline and be compensated by the City by a reduction in water rates to Stewart's of an approximate equal value over 30 years.

Commissioner Scirocco moved and Commissioner Franck second to waive statutory requirements for public notice in competitive bidding pursuant to its lawful authority under Section 11.6 of the City Charter. The project differs from other public contracts in that all of the initial costs for construction will be paid for by a private water user. This motion is made only with respect to the facts and circumstances for this project and is not intended to establish any precedent or policy hereafter.

Commissioner Madigan recused herself as she owns a house on Buff Road.

Roll Call:

Commissioner Franck – Aye

Commissioner Scirocco – Aye

Commissioner Mathiesen – Aye

Mayor Yepsen - Aye

PUBLIC SAFETY DEPARTMENT

Announcement: Appointment of Father Thomas Chevalier as Fire Department Chaplain

Commissioner Mathiesen announced the appointment of Father Thomas Chevalier as the Fire Department Chaplain. He thanked Father Chevalier for doing this.

Discussion and Vote: Approval to Transfer 81 Days of Sick Time to a Police Officer (15-110)

Commissioner Mathiesen advised 51 police officers donated 81 days of sick time to a fellow officer in need.

Commissioner Mathiesen moved and Commissioner Madigan seconded to approve the transfer of 81 days of sick time to a police officer.

Ayes - All

SUPERVISORS

Matthew Veitch

Supervisor Veitch announced he received a letter that he had been appointed to the IT Standing Committee and Telecommunications and Technology Steering Committee for the National Association of Counties.

Saratoga County CHIP Funding

Supervisor Veitch reported Saratoga County received \$175,352.61.

VLТ Restoration for 2015 Saratoga County

Supervisor Veitch reported \$166,114 will be received by Saratoga County.

NYS Budget Impact on Saratoga County

Supervisor Veitch reported they adopt their legislative program annually. The state did not change the STAR rebate program for personal income tax credit. The state budget continued the veteran peer to peer program.

Saratoga County Prosperity Partnership

Supervisor Veitch reported the search has concluded and they will have an announcement soon for the public.

Racing & Gaming Committee Update

Supervisor Veitch reported there is a significant impact financially to the area. The state should continue its path to privatization and will continue control of NYRA for another year.

Peter Martin

Saratoga County Framework for Success

Supervisor Martin reported this group has been put together by Congressman Tonko. The study will be issued in early June. Two new entrances in Global Foundaries will be completed by the end of this year. The sewer trunk lines between Luther Forest and the County plant are not sufficient.

County Recycling

Supervisor Martin reported less recycling materials are ending up in the landfill. We are very efficient in recycling in this county.

Equalization and Assessment Committee

Supervisor Martin reported they met yesterday and authorized the sales from the auction held two weeks ago. There were 28 properties sold and 13 did not receive a bid.

Vietnam Veterans

Supervisor Martin reported he met with the Vietnam Veterans Commemoration Group. They developed promotional text to advertise entertainment.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 11:07 p.m.
Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote:

DRAFT