



June 16, 2015

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

6:40 PM – P.H. – Solar Ordinance
6:55 PM – P.H. – Pedal Bus Ordinance

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

EXECUTIVE SESSION: Pending Litigation

PRESENTATION

CONSENT AGENDA

1. Approval of 6/1/15 Pre-Agenda Meeting Minutes
2. Approve Budget Amendments (Increases)
3. Approve Budget Amendments - CHIPS
4. Approve Budget Transfers – Regular
5. Approve Payroll 06/05/15 \$534,601.65
6. Approve Payroll 06/12/15 \$439,495.32
7. Approve Warrant: 2015 Mid – 15MWJUN1 \$95,789.12
8. Approve Warrant: 2015 REG – 15JUN2 \$4,183,466.35

MAYOR'S DEPARTMENT

1. Announcement: Saratoga Rowing Association National Champions
2. Discussion and Vote: Authorization to Proceed with Injunction (City Code Section 118-15)
3. Discussion and Vote: Resolution to Invite Triple Crown Winner American Pharoah to Run at the Spa
4. Discussion and Vote: 2015 Comprehensive Plan SEQRA Review
5. Discussion and Vote: Adoption of 2015 Comprehensive Plan
6. Discussion and Vote: Amend 2015 Capital Budget and Program for Purchase of Development Rights to the Pitney Family Farm
7. Discussion and Vote: City Council to Accept Donation of Materials and Labor: Blodgett Property Civil Work
8. Discussion and Vote: City Council to Adopt Resolution on "Saratoga Spur"
9. Discussion and Vote: Authorization for the Mayor to Sign the Saratoga City School District Transportation Agreement
10. Discussion and Vote: City Council to Approve 5-Year CDBG Strategic Plan
11. Announcement: Saratoga Springs Recreation Department Program & Registration
12. Announcement: Mayor's Senior Advisory Committee Survey
13. Announcement: First Public Linkage Study Meeting June 29th @ 6:00 PM

14. Announcement: Code Blue Event

ACCOUNTS DEPARTMENT

1. Nothing at this time.

FINANCE DEPARTMENT

1. Announcement: 2015 Bond Sale
2. Announcement: Public Access Wi-Fi
3. Discussion and Vote: Director of Finance Grade & Step
4. Discussion and Vote: Capital Budget Amendment for Purchase of Pitney Farm Development Rights
5. Discussion and Vote: Budget Transfers - Payroll

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to Sign Agreement with Green Mountain Pipeline Services – Adam Street Area Sewer Cleaning
2. Discussion and Vote: Authorization for the Mayor to Sign Curb Agreement with Lynn Feenan
3. Discussion and Vote: Authorization for the Mayor to Sign Sidewalk Agreement with Paul Waterfield

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Pedalbus Ordinance
2. Discussion and Vote: Resolution of the City Council of Saratoga Springs Regarding Nicholas' Law
3. Discussion: High Rock Parking Garage Meeting Held on 6/14/15
4. Discussion: Police Car Pursuit Policy

SUPERVISORS

Matthew Veitch

1. Tour of the County
2. NYRA Track Improvements – Local Advisory Board
3. Analysis of the Capital Region's High Tech Economy – CEG Event, June 10th

Peter Martin

1. Social Programs
2. Public Health
3. Trails
4. Lakes to Locks State Scenic Byway

ADJOURN



June 16, 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
Lynn Bachner, Deputy Commissioner, Finance
Maire Masterson, Deputy Commissioner, Accounts
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.

PUBLIC HEARINGS

Solar Ordinance

Mayor Yepsen opened the public hearing at 6:43 p.m.

Commissioner Madigan advised this is for the revision of the Zoning Ordinance 6.4.8. Under the current ordinance, dense downtown development building can be hindered by solar panels, undermining the City's Comprehensive Plan. The City and the County Planning Boards have been asked for opinions.

Brad Birge of the Planning Department advised this was written many years ago with good intentions at the time. The City has other specific objectives to support and increase the use of solar energy and decrease the use of greenhouse gas emissions.

Commissioner Madigan stated this public hearing will remain open for the next City Council meeting on July 7th.

Jane Weihe of 44 White Street stated this ordinance was written 25 years ago and needs to be re-written. It needs to be updated to carry-out our city in the country vision and the current state of solar technology. It is important to take a step back and take a broader view.

Susan Farnsworth of 105 East Avenue stated she agrees with changing the solar panel ordinance in the T-6 district. The DBA members pay dues which bring celebrations to Saratoga Springs.

David Pedinotti of the Mouzon House stated they built the restaurant in 2005. They had plans then to build solar panels. He doesn't understand why he is being vilified here. They do their best in the community to do the right thing. It was not on their minds that building the solar panels would stop the building of the garage. We have a great committee that can do something with the land; don't try to change the law to do this.

Larry Novak of Bonacio Construction read a letter from Sonny Bonacio in support of the Planning Board's advisory opinion limiting the scope of solar access.

Doug Winners, president of the Saratoga Builders Association, stated they are a non-profit 501 C-6 organization. The solar panel ordinance written over 20 years ago is poorly written. The current ordinance should be repaired expeditiously.

Matt McCabe of Piping Rock Circle stated we will constantly be looking at and revising ordinances as time changes. If the ordinance passes, he hopes the Pedinotti's example is expanded upon. He stands in support of it.

Tom Owens of Bette and Cring stated the solar access provision is not conducive to development downtown.

Bonnie Sellers of Saratoga Springs stated she has the opposite problem. She has planted trees that would have to be cut down if her neighbor wanted to put solar panels in. She has invested a lot of money in those trees.

Todd Schimkus of Railroad Place and President of the Chamber stated they are in favor of the change. The change in the ordinance will allow for the City to move forward. He urged the Council to follow the advice of the Planning Board.

Diane Pedinotti of the Mouzon House stated developing the urban core and making it more dense is fine. Cities around the world are looking for a solar plan and the right development. They are not against parking. We need to come up with a good solar plan that requires the elimination and recognition that developing the urban core is going to impact the environment.

Bret Paulser of a local architecture firm stated placing this one issue under the microscope does not translate well architecturally throughout the City. The future density and vibrancy is at risk.

Mayor Yepsen ended the public hearing at 7:10 p.m. and left it open.

Pedal Bus Ordinance

Mayor Yepsen opened the public hearing at 7:10 p.m.

Commissioner Mathiesen stated this is to regulate the pedalbus within the City.

Marilyn Rivers, director of risk and safety, explained there were some typos in the document which have been corrected. Also, they have increased the allowable width of the pedalbus to 96 inches.

Commissioner Mathiesen stated the Police Department have identified 2 routes for the pedalbus to take.

Greg Torisi, partner of the Brew Cycle, thanked the Council for the opportunity to bring this business to the City. He is a municipal attorney and stated there is a quality staff working at the City.

Mayor Yepsen closed the public hearing at 7:15 p.m.

CALL TO ORDER

Mayor Yepsen called the meeting to order at 7:15 p.m.

PUBLIC COMMENT

Mayor Yepsen said the public comment period is limited to a total of 15 minutes and individuals are asked to keep their comments to two minutes.

Mayor Yepsen opened the public comment period at 7:21 p.m.

Bill Pitney of Saratoga Springs stated the Pitney Farm has been in his family for 153 years. They have received many offers over the years for residential/commercial development but his family has held that they want it to stay agriculture. His father and grandfather were both Commissioners of Accounts

Field Horne of Granite Street stated he was requested to research the Pitney Farm as soon as he finished the book. He is fascinated by what he is finding. He is rushing to get it ready so the people interested in this project can learn about the farm.

Geoff Bornemann of George Street stated he is happy to see the milestone reached regarding the Comprehensive Plan. He thanked the Council for bringing it to completion and urged the Council to adopt it.

Suzanne Kwasnewski of White Street thanked the Pitney family for saving the farm for the City and for their donation by giving up a profit of approximately \$600,000. She also thanked the Council on their work on the Comprehensive Plan.

Paul Arnold of Argyle stated he is a farmer and has participated in the Farmer's Market for 28 years. Looking at preserving the Pitney Farm would be a great asset for training more farmers.

Deidre Ladd of Regent Street thanked Mayor Yepsen for the time she spent helping them develop a strategy to pass Nicholas' Law. This law is being debated right now on the Assembly floor.

Dee Dee Hill of Saratoga Springs and part of Citizens for Gun Safety stated she is here in support of Nicholas' Law.

Susan Steer of Phila Street thanked Commissioner Mathiesen for introducing the Nicholas' Law resolution. There is no reason not to support this.

Phil Diamond of Railroad Place stated he is glad to see one Council member has the good sense to not put their signature on the letter to the attorney general. He thanked Mayor Yepsen for not signing the letter.

Harry Moran, chair of Sustainable Saratoga, stated they hope the Comprehensive Plan process is coming to a close. This is a solid plan. The 2001 plan helped shape the City and make it what it is today. The 2015 plan will build on that and strengthen the City's position.

Tom McTygue stated the issue about the police office with the mace opened the eyes of all police officers. He was wrong in doing it; but rather than see the individual terminated, there should be a 4 week penalty. The investment you have in that individual to bring that person on full time is a lot. That learning experience could turn that person into one of the best officers you have.

Maria Trapka, executive director of Saratoga PLAN, stated the investment of the Pitney Farm will be worth much more than the amount of the bond. The return on this investment reeks permanent benefits for the City.

Kathryn Allen of Saratoga Springs stated she is here to voice her support of the Pitney Farm.

Mayor Yepsen closed the public comment period at 7:43 p.m.

Commissioner Mathiesen responded to a public comment regarding the letter to the attorney general and comptroller. They know they did nothing wrong and so far nothing of substance has been done.

EXECUTIVE SESSION

Mayor Yepsen asked for Council approval to adjourn to executive session for the purpose of pending litigation at 7:46 p.m.

Ayes – All

Council returned at 8:08 p.m.

Mayor Yepsen advised there was nothing resolved to report at this time.

CONSENT AGENDA

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

1. Approval of 6/1/15 Pre-Agenda Meeting Minutes
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Ayes - All

MAYOR'S DEPARTMENT

Announcement: Saratoga Rowing Association National Champions

Mayor Yepsen announced the Saratoga Rowing Association were recently national champions. She read the names of the teams and team members and presented the teams with a certificate.

Discussion and Vote: Authorization to Proceed with Injunction (City Code Section 118-15) (15-225)

Mayor Yepsen advised this was discussed yesterday morning in executive session. This vote will allow the City to file an injunction regarding illegal activity at a Westside residence.

Mayor Yepsen moved and Commissioner Mathiesen seconded to authorize the code enforcement officers to proceed with an injunction against alleged zoning and building code violations on property at 47 West Harrison Street.

Ayes – All

Discussion and Vote: Resolution to Invite Triple Crown Winner American Pharoah to Run at the Spa (15-226)

Mayor Yepsen stated there has been a lot of conversation about American Pharoah coming to Saratoga since his win as a Triple Crown winner. She stated it was announced a little while ago that he will be going to Haskell. Mayor Yepsen read the resolution into the record as follows:

WHEREAS, on June 6, at Belmont Park, American Pharoah became the first horse in 37 years to win racing's Triple Crown. Racing fans across the country and around the world cheered his victory, but nowhere was the joy greater than in Saratoga Springs. We eagerly await his next great race, and we hope it will take place at Saratoga Race Course; and

WHEREAS, we recognize that our enthusiasm for our great racetrack is influenced by the pride we feel for our city, but none can deny that a win at Saratoga Race Course is a win for the ages, a win that stands alongside the achievements of the greatest horses, jockeys, owners and trainers of all time. In a sport where every champion is measured down to the smallest detail against all the champions that have gone before, Saratoga Race Course matters, and it matter like no place else;

NOW, THEREFORE, BE IT RESOLVED, that this Council respectfully and enthusiastically invites Mr. Ahmed Zayat and Zayat Stables, Mr. Bob Baffert, and all of American Pharoah's team to bring him to the 2015 racing meet at Saratoga Race Course in this year of our city's centennial. Saratoga Race Course has seen more history than any other racetrack in America. We fervently ask American Pharoah to join in becoming a part of the next chapter in the history of Saratoga Race Course.

Mayor Yepsen moved and Commissioner Madigan seconded to approve the resolution inviting the 2015 Triple Crown winner American Pharoah to come to Saratoga Race Course this summer as read aloud this evening.

Ayes - All

Discussion and Vote: 2015 Comprehensive Plan SEQRA Review (15-227)

Brad Birge of the Planning Department advised this is a Type 1 action. New York State has changed the format and form for this which shortens what the Council will be doing in this SEQRA form.

Mayor Yepsen read through the SEQRA Review form and read the proposed answers. A copy of the form is attached.

Mayor Yepsen moved and Commissioner Mathiesen seconded for the City Council to adopt a resolution declaring a negative declaration for the City's 2015 Comprehensive Plan as read aloud this evening.

Roll Call:

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

Discussion and Vote: Adoption of 2015 Comprehensive Plan (15-228)

Mayor Yepsen stated there was tireless amount of volunteer work put into this. She read the following resolution into the record:

WHEREAS, the Saratoga Springs City Council appointed a Comprehensive Plan Committee in 2013 for the purpose of updating the City's 2001 Comprehensive Plan; and

WHEREAS, over the course 19 months the Committee held 19 meetings including 4 public workshops, a 2 day open house, numerous focus groups, a formal public hearing, and a received hundreds of comments from a large number of citizens and community organizations both through person and through written communication.

WHEREAS, the assistance of MJ Engineering and the staff of the City's Office of Planning and Economic Development, the Committee developed a draft; 2015 Comprehensive Plan Update, and

WHEREAS, the Committee forwarded the draft plan update entitled November Draft, together with a copy of 53 possible amendments to the November draft to the City Council as its final work product in December 2014; and

WHEREAS, the City Council discussed the November draft and the 53 potential revisions at 4 public workshops and reached a consensus on the revisions which were incorporated into the May 2015 Draft Comprehensive Plan; and

WHEREAS, the plan update was referred to the Saratoga County Planning Board which recommended its approval; and

WHEREAS, the City Council held a properly noticed public hearing on the Plan update and heard all interested persons; and

WHEREAS, the City Council conducted a review of the Plan update pursuant to the State Environmental Quality Review Act, determined that it will not have a significant adverse environmental impact and authorized filing of a negative declaration under SEQRA; and

WHEREAS, the City Council has considered, discussed, and deliberated the Plan update.

NOW, THEREFORE, IT BE RESOLVED, that the Saratoga Springs City Council hereby approves and adopts the 2015 Comprehensive Plan Update as submitted by the Comprehensive Plan Committee and subsequently revised by the City Council; and

BE IT FURTHER RESOLVED, that the City Council hereby authorizes and directs the city clerk, city attorney, and or the City Planning and Zoning to take any and all action necessary to effectuate all terms of this resolution.

Mayor Yepsen moved and Commissioner Mathiesen seconded to adopt the City of Saratoga Springs 2015 Comprehensive Plan by way of resolution read aloud this evening.

Roll Call:

Commissioner Franck – Aye

Commissioner Madigan – Aye

Commissioner Scirocco – Aye

Commissioner Mathiesen – Aye

Mayor Yepsen - Aye

Discussion and Vote: Amend 2015 Capital Budget and Program for Purchase of Development Rights to the Pitney Family Farm (15-229)

Mayor Yepsen stated the amendment to the capital budget and program is in the amount of \$1,165,000. They hope to partner with Saratoga PLAN to acquire this space.

Charlie Morrison, chair of the Open Space Committee, stated the Pitney Farm has been in the Open Space Plan for 20 years. The bond act money goes into a debt reserve fund for holding purposes. It goes from that fund into the capital budget. The Pitney farm was appraised at \$2,245,000 and the Pitney's donated \$675,000. We will have \$290,000 left in the bond act after this.

Mayor Yepsen moved and Commissioner Madigan seconded to amend the 2015 capital program and budget in the amount of \$1,165,000 to allow the City to purchase the development rights of the Pitney family farm on West Avenue in conjunction with the sale of the property to Saratoga PLAN.

Commissioner Mathiesen thanked the Pitney family for being generous and for what they are doing for the City. He is endorsing this.

Commissioner Franck stated he can see all the activities for the younger children. He thanked the Pitney family for doing this; couldn't pick a better location.

Mayor Yepsen entered into the record letters from various organizations and public comments in support of this. She thanked the Pitney family and all others involved in this project.

Ayes – All

Discussion and Vote: City Council to Accept Donation of Materials and Labor: Blodgett Property Civil Work (15-230)

Mayor Yepsen advised the Friends of the Kaydeross have provided a donation of volunteer efforts for the site work, construction of a walk, trail establishment. Work shall be in accordance with all legislative bodies. They will obtain any necessary permissions and permits.

Dave Guarino of the Friends of the Kaydeross advised they will be putting down some wood chips, enhance the roadway, and a little foot bridge.

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve the volunteer efforts of the Friends of the Kaydeross on the City land known as the Blodgett property as noted this evening.

Ayes – All

Discussion and Vote: City Council to Adopt Resolution on “Saratoga Spur” (15-231)

Mayor Yepsen stated this is a request from Lakes to Locks. The spur will extend from the byways intersection of US Rt. 4 and NYS Rt. 29 in Schuylerville west along NYS Rt. 29 to the intersection of US Rt. 9 in downtown Saratoga Springs.

Council agreed to waive the reading of the following resolution:

WHEREAS, Lakes to Locks Passage, the Great Northeast Journey All-American Road scenic byway links the towns, villages, hamlets, and cities along the interconnected waterway of Lake Champlain, Lake George, Champlain Canal and Hudson River; and

WHEREAS, the waters of Lake Champlain, Lake George, the Champlain Canal and Hudson River provide a beautiful backdrop to the scenic, recreational and natural resources along the corridor; and

WHEREAS, the cultural and economic history of the City of Saratoga Springs should be showcased to travelers along Lakes to Locks Passage in Saratoga County; and

WHEREAS, the City of Saratoga Springs recognized that tourism is an important industry to the region and believes that the designated route for Lakes to Locks Passage should direct the traveler through the City of Saratoga Springs to increase visitor's desire to stop and visit; and

WHEREAS, the overall economies of the communities along the Lakes to Locks Passage may benefit from the boost in tourism that would result from the travel route with a “Saratoga Spur”; and

NOW THEREFORE BE IT RESOLVED that the City of Saratoga Springs encourages the State of New York Department of Transportation to modify the designation of Lakes to Locks Passage State Scenic Byway to add the “Saratoga Spur”. The “spur” will extend from the byway's intersection of US Rt. 4 and NYS Rt. 29 in the Village of Schuylerville, west along NYS Rt. 29 to the intersection with US Rt. 9 in downtown Saratoga Springs; and

BE IT FURTHER RESOLVED that this resolution be distributed to: New York Representative in Congress, New York State Senator, New York State Assembly, NYS Department of Transportation, and Lakes to Locks, Inc.

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve the resolution distributed with the agenda encouraging the New York State Department of Transportation to modify the designation of the Lakes to Locks Passage State Scenic Byway to add the Saratoga Spur.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign the Saratoga City School District Transportation Agreement (15-232)

Mayor Yepsen advised this will allow the City to rent buses for Camp Saradac. The cost to the City is \$1,200 plus \$2.17 per mile. Funding is in line A3567154 / 54520 and A3567154 / 54530.

John Hirliman of the Recreation Department advised this agreement is for the field trips.

Mayor Yepsen moved and Commissioner Mathiesen seconded to authorize the mayor to sign an agreement with the Saratoga Springs City School District Transportation pertaining to the use of buses for Camp Saradac as distributed with the agenda.

Ayes – All

Discussion and Vote: City Council to Approve 5-Year CDBG Strategic Plan (15-233)

Mayor Yepsen advised it is recommended the City prioritize its funding for years 2015 – 2020.

Brad Birge of the Planning Department advised every 5 years the federal government request the municipalities to review their priorities. The Committee confirmed the current priorities are very sound. The City receives about \$350,000 each year.

Mayor Yepsen moved and Commissioner Mathiesen seconded to approve the CDBG strategic plan as distributed with the agenda.

Ayes – All

Announcement: Saratoga Springs Recreation Department Program & Registration

John Hirliman of the Recreation Department announced they are registering for summer clinics and programs. Registration ends June 21st for summer programs.

Announcement: Mayor's Senior Advisory Committee Survey

Mayor Yepsen announced the Senior Advisory Committee will be meeting in the City Council Room on June 24th at 1 p.m.

Announcement: First Public Linkage Study Meeting June 29th @ 6:00 PM

Mayor Yepsen announced the first public linkage study meeting will be held June 29th at 6 p.m. in the Music Hall.

Announcement: Code Blue Event

Mayor Yepsen announced the Code Blue Event will be held on June 26th at 6:30 p.m. Fingerprint Marketing will be holding a 'sleep out' in their parking lot.

ACCOUNTS DEPARTMENT

Nothing at this time.

FINANCE DEPARTMENT

Announcement: 2015 Bond Sale

Commissioner Madigan announced the 2015 bond sale took place June 9th. We received a 3.31%. The bond amount totaled \$5,978,242. The bond information booklet is on line.

Announcement: Public Access Wi-Fi

Commissioner Madigan announced the IT department has been working on public access. They are working to determine where the hotspots should be in City Hall.

Discussion and Vote: Director of Finance Grade & Step (15-234)

Commissioner Madigan advised there are 19 grades in the CSEA City Hall unit. The director of finance title is in the CSEA contract at a grade 16. Others included in this grade are the assistant city engineer, and the assistant assessor. Other directors are at a grade 18. She sees an inequitable salary distribution.

She is looking to change the director of finance title in the CSEA contract from a grade 16 to a grade 18. She would also like the current employee to retain her current step as well as longevity and accrual dates. The funds are available in the finance budget.

Commissioner Madigan moved and Commissioner Franck seconded to approve to change the title director of finance from a grade 16 to a grade 18 effective June 20, 2015. The grade will be grade 18 step 10. Longevity and accrual dates will remain the same and the new step date will be June 20th.

Ayes – All

Discussion and Vote: Capital Budget Amendment for Purchase of Pitney Farm Development Rights (15-235)

Commissioner Madigan stated this is a great project that has been worked on for many years. The budget amendment is permission to spend a certain amount of money obtaining the conservation easement. Once this expenditure is complete, \$260,000 will remain available to bond in the Open Space Bond Law.

Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget amendment – capital budget for the purchase of development rights to the Pitney family farm which was distributed with the agenda.

Roll Call:

**Commissioner Franck – Aye
Commissioner Madigan – Aye
Commissioner Scirocco – Aye
Commissioner Mathiesen – Aye
Mayor Yepsen - Aye**

Discussion and Vote: Budget Transfers – Payroll (15-236)

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

Ayes - All

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to Sign Agreement with Green Mountain Pipeline Services – Adam Street Area Sewer Cleaning (15-237)

Commissioner Scirocco advised this is part of the sanitary upgrade project. Green Mountain Pipeline will jet clean the lines and provide the inspection to determine if any upgrades are required.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign an agreement with Green Mountain for Adam Street pump station in the amount of \$11,780.

Funding is in line: H3638122 / 52000 / 1241.

Ayes – All

Discussion and Vote: Authorization for the Mayor to Sign Curb Agreement with Lynn Feenan (15-238)

Commissioner Scirocco advised this is for the installation of 38 feet of granite curb at \$35 per linear foot for a total amount of \$1,330 at 92 Lincoln Avenue.

Commissioner Scirocco moved and Commissioner Mathiesen seconded to authorize the mayor to sign a curb agreement in the amount of \$1,333.

Ayes - All

Discussion and Vote: Authorization for the Mayor to Sign Sidewalk Agreement with Paul Waterfield (15-239)

Commissioner Scirocco advised this is for the installation of 475 square feet of sidewalk at \$8 per square foot for a total amount of \$3,800 at 201 East Avenue.

Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign a sidewalk agreement in the amount of \$3,800 for Paul Waterfield.

Ayes - All

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Pedalbus Ordinance (15-240)

Commissioner Mathiesen moved and Commissioner Madigan seconded to create a new chapter 163 entitled pedalbuses.

Ayes – All

Commissioner Mathiesen moved and Commissioner Madigan seconded to add an item to his agenda regarding fees for the pedalbus ordinance. (15-241)

Ayes – All

Commissioner Mathiesen moved and Commissioner Franck seconded to establish a fee for the pedalbus ordinance to establish a fee of \$100 annual fee for the owner and a \$35 for driver annually and a \$100 fingerprint fee for the driver annually. (15-242)

Ayes - All

Discussion and Vote: Resolution of the City Council of Saratoga Springs Regarding Nicholas' Law (15-243)

Commissioner Mathiesen read the following resolution into the record:

A Resolution
of the City Council
of the City of Saratoga Springs

Whereas, the Saratoga Springs City Council has great concern for the safety and well being of its residents, and

Whereas, Nicholas Naumkin lived in our community, and

Whereas, Nicholas died as a result of an accidental gun wound that occurred when youngsters had access to the loaded firearm, and

Whereas, such tragedies can be avoided if firearms and ammunition are properly and securely stored, and

Whereas, Nicholas' Law has been written in order to mandate the proper and secure storage of firearms and ammunition in New York State, and

Whereas, the New York State Assembly and Senate are presently considering the enactment of Nicholas' Law,

Now, therefore be it resolved that, in order to assure the safety and security of individuals of all ages in our community, the Saratoga Springs City Council encourages our representatives in

both the New York State Assembly and the Senate to vote in favor of passage of A.53 and S.2291, the Child Access Prevention or Safe Weapon Storage Act (Nicholas' Law).

Commissioner Mathiesen moved and Commissioner Madigan seconded to approve this resolution.

Ayes - All

Discussion: High Rock Parking Garage Meeting Held on 6/14/15

Commissioner Mathiesen advised this meeting was well attended. Many of the people in attendance were in opposition to the parking garage. There were issues with the bridge over Maple Avenue; people are being funneled into the City Center only and not into downtown; there are no property taxes involved; and no sales tax involved. He believes there is a value of this to maximize the City Center. Relocating the entrance and exit makes a lot of sense.

Commissioner Franck asked Commissioner Mathiesen if he would be open to putting out an RFP.

Commissioner Mathiesen stated he would not be opposed. This is the time to hear if there is any other approach to meet the needs of the City Center.

Mayor Yepsen stated she has heard that the applicants spend a lot of money to apply and then either nothing happens or the Council doesn't take action.

Commissioner Franck stated he has been told there are geological faults there so he is not sure if they can cut into that land.

Mayor Yepsen stated this is a challenging lot but we could get 500 spots out of it.

Commissioner Madigan advised she met with Julie Cuneo today. She doesn't see how we can go forward with development without revising the solar ordinance. The City Center has about 1/3 of the parcel out there. She likes the idea of moving the entrances over to High Rock. She sees the corner piece being a build out for City Hall. She likes the idea of maintaining course and looking at what they can do up there.

Commissioner Scirocco stated the City Center was able to do core boring at the parking lot. It is contaminated with high levels of gas or diesel fuel in the soil. That would have to be disclosed in the RFP. There is a report on this that engineering has and could share.

Commissioner Franck stated he would never have an RFP where the City pays for anything. It is not economical. He could get an RFP out with the addition of the pieces Commissioner Scirocco mentioned.

Commissioner Madigan stated she is not open to an RFP that discounts what the City Center is trying to accomplish. She doesn't understand why this didn't go through in the past.

Commissioner Franck stated if we are going to do something we should do it quick.

Commissioner Mathiesen stated he continues to support the City Center garage. He does think changes can be made to the parking garage to make it look better and take up less area. The needs of the City have changed.

Mayor Yepsen stated the only way to find out is to do an RFP.

Commissioner Madigan stated she is not interested in having an RFP done.

Commissioner Franck advised he would put in the RFP the solar ordinance.

Discussion: Police Car Pursuit Policy

Commissioner Mathiesen advised the department has decided to put in place a more restrictive policy regarding police car pursuits.

Commissioner Mathiesen moved and Commissioner Madigan seconded to add an item to his agenda regarding a letter to the attorney general and the comptroller. (15-244)

Ayes – All

Commissioner Mathiesen read the letter into the record as follows:

Dear Comptroller DiNapoli and Attorney General Schneiderman:

We the undersigned duly elected members of the City Council of the City of Saratoga Springs are writing this open letter to publically call upon you to properly conclude your joint investigation of the complaint about our administration of the City's business. To that end, we would like to share with you our thoughts on the motivation behind what we are confident will prove to be an unfounded complaint. We understand the complaint was instigated by former members of the City Council; Ray Watkins, Remijia Foy, and Thomas McTygue, with support of a non-successful candidate for election to the City Council, William McTygue and a former city attorney Sarah Burger; who was required to resign because of unsatisfactory performance of the duties of her office. At the same time, the former City Council members are the nominal plaintiffs in a civil lawsuit against the City that, we believe, has little chance of success since their claims lack merit and their goal is clearly not to seek any legitimate remedy but solely to obstruct and delay the accomplishment of the City's business. We understand that the complaint alleged that the City, with the unanimous approval of the City Council, improperly awarded a contract for the purchase of a parcel of real property on Union Avenue, east of the Adirondack Northway, as a location for a new public safety facility to serve the recognized emergency service needs of the eastern part of the City. We further understand that the complaint also alleged that the City, again with the unanimous approval of the City Council, improperly awarded a contract for the sale of a vacant parcel of City owned real property on Broadway, in the heart of the City's downtown commercial district; the Collamer Lot, to be finally improved after decades of delay and in accordance with the City's master plan known as the Comprehensive Plan.

We understand that in reviewing the complaints, it was necessary for your staffs to devote an enormous amount of time to learning the peculiarities of our City's commission form of government in which each of the five elected members of the City Council has both the legislative and executive responsibilities; serving not only as law makers but also as chief executives of the City's Office of Mayor, Department of Accounts, Department of Finance, Department of Public Safety, and Department of Public Works. Each of our department have explained at length to your staffs the unique features of the Saratoga Springs City Charter. We have also cooperated fully with your staffs by providing full access to all relevant, non-privileged City records and giving complete answers to all their questions, repeated follow up questions, and requests for clarification both by our own staffs and the attorneys the City was forced to hire, at taxpayers' expense, to defend against the complainants' civil lawsuit. At the end of the investigations, we are confident that your staffs will conclude that all the evidence demonstrates the contracts were awarded as the result of appropriate procedures that were lawfully designed to take into consideration not only the City's needs but also special characteristics of each available piece of property; which by the very nature of real estate are unique. We are also confident that the evidence will also show the complainants', during their long tenures on City Council, utterly failed to address the City's needs to construct an east side safety facility at or near the Union Avenue property and to advance development of the Collamer Lot in accordance with the Comprehensive Plan. Furthermore, the evidence will show that one or more of the complainants or their supporters has a conflict of interest arising from their own plans for private development of the Collamer Lot. Additionally, two of the complainant's supporters, William McTygue and Sarah Burger, have announced they are candidates for election to the Saratoga Springs City Council in November. These announcements alone might make it obvious the complainant's only goal is to seek their own personal and political ends at the expense of the City's taxpayers. The fact Mr. McTygue and Ms. Burger are using your investigation and the lawsuit in their campaigns, meanwhile attending to the politically and self-motivated complaint has wasted your staff's time and the scarce resources of the state and city governments for no legitimate purpose. The investigation has dragged on for many months delaying progress on the east side public safety facility and development of the Collamer Lot.

Therefore, we respectfully call upon you to promptly complete your investigation, publically release the results, and allow the City of Saratoga Springs to proceed with its lawful business.

Respectfully yours,

Commissioner Michele Madigan
Commissioner Skip Scirocco
Commissioner John Franck
Commissioner Christian Mathiesen

Commissioner Mathiesen stated they asked all members of the Council to sign the letter and found later in the day yesterday that Mayor Yepsen did not sign it. He wondered why.

Mayor Yepsen stated she had not seen the written version and wanted to talk with the city attorney first. She was going to make some corrections and Commissioner Mathiesen's deputy said no thank you. She pushed send.

SUPERVISORS

Matthew Veitch

Tour of the County

Supervisor Veitch reported he has been attending meetings in various towns in the County. He will be going to the Town of Providence on Thursday.

NYRA Track Improvements – Local Advisory Board

Supervisor Veitch reported there was an informal meeting to discuss the track improvements. He sent a letter from the County to talk about the design. He also wanted to make a point to the state about the involvement of our land use boards as well as the City government.

Analysis of the Capital Region's High Tech Economy – CEG Event, June 10th

Supervisor Veitch reported there was an analysis of the Capital Region's High Tech Economy last week. They discussed the drivers of the growth of the high tech regions.

Legislative Gazette

Supervisor Veitch reported the Legislative Gazette comes out once a month. He brought copies to put in the hallway. There is an article in it about the centennial.

Deceased Veteran

Supervisor Veitch reported they honored Steven Conratt of Providence this month. He was in the Army and served in WWII as a mechanic.

Peter Martin

Social Programs

Supervisor Martin reported they sponsored 2 resolutions; both related to the youth bureau.

Public Health

Supervisor Martin reported the Committee sponsored a number of resolutions. They received funding from NYS for ebola preparedness training. The mental health department authorized the hire of a psychiatric nurse practitioner. In return they abolished 2 positions which have not been staffed for some time.

Trails

Supervisor Martin reported there was a celebration in the middle of Dix Bridge because they continue to work on the Champlain Canal Trailway. It is 63 miles in length with the County portion being between 60 – 70% complete.

Lakes to Locks State Scenic Byway

Supervisor Martin stated he hopes this will allow us to get some state funds to put in ancillary trails.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 11:03 p.m.

Respectfully submitted,

Lisa Ribis
Clerk

Approved:
Vote:

DRAFT