



July 7, 2015

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

6:50 PM – P.H. – Solar Ordinance

7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

PUBLIC COMMENT PERIOD / 15 MINUTES

PRESENTATION

1. Presentation: 2014 Audited Financial Statements
2. Presentation: Saratoga Raceway Centennial Race Awards
3. Presentation: Construction noise adjacent to the race track and horse awareness

CONSENT AGENDA

1. Approval of 5/19/15 City Council Minutes
2. Approval of 6/15/15 Pre-Agenda Meeting Minutes
3. Approval of 6/2/15 City council Meeting Minutes
4. Approve Budget Amendments (Increases)
5. Approve Budget Transfers - Regular
6. Approve Payroll 6/19/15 \$425,283.37
7. Approve Payroll 6/26/15 \$508,995.13
8. Approve Payroll 7/02/15 \$474,521.07
9. Approve Warrant: 2015 Mid – 15MWJUL1: \$10,812.44
10. Approve Warrant: 2015 Mid – 15MWJUN2: \$48,902.98
11. Approve Warrant: 2015 REG – 15JUL1: \$322,438.61

MAYOR'S DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to Sign Documents Related to Design and Construction for Safe Routes to School Project
2. Announcement: Recreation Program and Event Announcements
3. Discussion and Vote: Authorization for the Mayor to sign Agreement with County of Saratoga for Youth Services
4. Discussion and Vote: City Council to Accept Donations for the Camp Saradac Scholarships
5. Discussion and Vote: Authorization for Mayor to Sign Transportation Agreement with Saratoga County
6. Discussion and Vote: Authorization for Mayor to Sign Nutrition Agreement with Saratoga County
7. Discussion: city council to Approve Request from Mr. and Mrs. Timothy Yates to Purchase a Piece of Property off Arrowhead Road
8. Discussion: city Council to Approve Request From Ryan Berry to Purchase a Portion of Cedar Alley
9. Discussion and Vote: City Council to Approve Rules and Regulations for Waterfront Park

10. Discussion and Vote: Lieutenant's PBA contract
11. Discussion and Vote: SEQRA Review Loughberry Lake Parcel Purchase
12. Set Public Hearing: Use of Open Space Bond for Loughberry Lake Parcel Purchase
13. Discussion: Adirondack Trust SEQRA Review
14. Announcement: Waterfront park Grand Opening – July 9th
15. Announcement: Walk Friendly Community Award
16. Discussion: Update on NYRA Expansion

ACCOUNTS DEPARTMENT

1. Discussion and Vote: Award of Bid Chemicals
2. Discussion and Vote: Award of Bid Pre-Cast Curbs
3. Discussion and Vote: Award of Bid Pre-Cast Manholes, Catch Basins, Dry Wells and Frames and Covers
4. Discussion and Vote: City council to Approve Eight Hours on a Time Sheet
5. Set Public Hearing: Set Public Hearing Pedalbus Issuance of License Criteria

FINANCE DEPARTMENT

1. Announcement: 2016 Budget Call Letter
2. Announcement: Smart Parking Project – ParkMe App for Municipal Parking Guide
3. Announcement: Committee to Review New Solar Landscape
4. Discussion and Vote: Determination of SEQRA for Proposed Zoning Text Amendment – city Code Chapter 240, Zoning Ordinance Section 6.4.8 SOLAR ACCESS
5. Discussion and Vote: Proposed Zoning Text Amendment – City Code Chapter 240, Zoning Ordinance Section 6.4.8 SOLAR ACCESS
6. Discussion and Vote: 2015 finance Policies and Procedures Update
7. Discussion and Vote: Budget Transfers – Payroll
8. Discussion and Vote: Budget Transfers – Interfund
9. Discussion and Vote: Budget Amendments – 2013 Excess Fund Balance for the City Centennial

PUBLIC WORKS DEPARTMENT

1. Discussion and Vote: Authorization for the Mayor to sign Change Order with PCC Contracting Inc. – Spirit of Life
2. Discussion and Vote: Authorization for the mayor to sign Designated Engineering Agreement with Ryan Biggs Clark Davis
3. Discussion and Vote: Authorization for the Mayor to sign designated Engineering Service Agreement with Dente Engineering PC
4. Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Service Agreement with Clark Patterson Lee
5. Discussion and Vote: authorization for the Mayor to sign Designated Engineering Services Agreement with Barton & Loguidice DPC
6. Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Service Agreement with the Chazen Companies
7. Discussion and Vote: Authorization for the Mayor to sign Change Order with Trinity Construction Inc. – Bog meadow Source Development Project
8. Discussion and Vote: Authorization for the Mayor to sign agreement with Environmental Design Partnership LLP- Bog Meadow Source Development Project
9. Discussion and Vote: Approval to pay Chip Invoices

PUBLIC SAFETY DEPARTMENT

1. Discussion and Vote: Authorization for Mayor to sign Agreement with the County STOP DWI
2. Discussion and Vote: Authorization for Mayor to sign Agreement with Saratoga School District for the School Resource Officer for the 2015-2016 School Year

3. Discussion and Vote: Accept Donation to Fire Department
4. Discussion and Vote: Accept Resignation of an Employee

SUPERVISORS

Matthew Veitch

1. Saratoga County Prosperity Partnership
2. Tour of the County

Peter Martin

1. Report : Capital Region Strategic Power Assessment Forum
2. Report : County Trails
3. Announcement : Saratoga County Fair

ADJOURN

DRAFT



July 7, 2015

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

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

STAFF PRESENT: Joe Ogden, Deputy Mayor
Maire Masterson, Deputy Commissioner, Accounts
Lynn Bachner, Deputy Commissioner, Finance
Tim Cogan, Deputy Commissioner, DPW
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Peter Martin, Supervisor

Matthew Veitch, Supervisor

EXCUSED:

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 6:45 p.m.

Commissioner Madigan stated the revised ordinance would read: Except for properties in a Transect 6 zoning area no property owner may erect a structure of allow a tree to cast a shadow over a solar collector greater than the shadow cast by a hypothetical wall 6 feet high along the property line between 8am and 4pm eastern standard time. September 21st through March 21st. The reason for this is to promote smart solar energy. The Planning Board, The Planning Department, the Assistant City Attorney, The Chamber of Commerce, and others believe that the current ordinance is poorly written and out of date. I will also state that the revised ordinance does not prevent property owners in the T6 Transect zone from using solar. It should encourage them to use modern and more efficient techniques.

Valerie Meratorre - resident for over 35 years and Executive Director of Saratoga Bridges. Tonight I am speaking as my volunteer chair at the Chamber of Commerce. We are in favor of the Solar Ordinance and fully support this project. – Ordinance from the Chamber of Commerce was given to Council

Otis Maxwell of 191 Circular Street - Solar is greatly needed. It looks like this is allowing one particular project to go through. Take a step back and look at the long term.

Kate Shirosh - Bonnacio Construction 18 Division Street on behalf of Sonny Bonnacio. Kate read excerpts from a previously submitted letter Dated June 16, 2015 to the planning board. Copy of letter was given to council

Nancy Olson requested that the Council hold off on their vote on. She asked if the council has done their due diligence. If this ordinance is in fact archaic we owe it to ourselves to do the research.

Mike Hoffman of 38 High Rock – is one of the owners of the Hampton Inn and Suites. I fully support the amendment. I think it was a good ordinance 30 years ago but things have changed. The beauty of Saratoga is the strength of its downtown, if you have the ability to stop projects because of a solar panel in my mind it's wrong. I fully support this ordinance.

Jim Zack of 4 Woodland Drive - I understand the need for economic growth. I also understand sustainable energy should be rewarded. I would like to see somewhere where if previous solar users were to be blanketed or shadowed that early adopter would be compensated in some way.

John Goodway, general manager of the Saratoga Hilton – feels we should move ahead with the amendment. If we see a reason to change something there is probably a good reason for it. I am strongly in favor of this. He also stated there has been a proposition that he put a parking garage on the hotel property for logistical reasons that will not happen. He speaks for the owners as well that will not happen.

Rick Fenton of 23 Leffert Street is concerned that this is being addressed for a specific project specifically the parking garage at the City Center. Is there some sort of emergency because I have not been informed that there is an emergency in the T6 zone that someone was going to build a tall building that would impact the solar panels.

Harry Moran of Sustainable Saratoga said solar access rights in the City need to be protected. We continue to push for a City center parking structure that truly has the long term interest of the community. We applaud the city council for putting out a broader RFP for the entire parcel of city owned land. We see the need for more parking but there are other alternatives. This is a decision we will have to live with for a very long time, please let's do it right.

Susan Subson, general manager of the Pavillion Grand Hotel stated the biggest think we want to convey is this new growth that we are discussing is vital to the community. If there had been an access panel or photo panel next to us our building may not have been built. We do support the change and we also support re-examining and making the community better for all in what we doing with these legislation areas.

Phil Diamond of 55 Railroad Place said he doesn't see an immediate and pressing need for this. I do support Solar but to pass a law that is retroactive is unfair. To pass a law and punish someone who was at the forefront of this way before we even thought about this. It is ridiculous and vindictive.

Todd Garafano of Saratoga Convention and Tourism said he really wanted to focus on the opportunities here. One project I think of is the Saratogian and that lot and the opportunities that are there now all one has to do is put up a solar panel and all the options for that lot become restricted. I don't see this as being solely the City Center.

Bill Springnether of 55 Catherine Street said he thinks it's important to review the solar access issue. But it should be done throughout the entire city at the same time. If it's used to placate a few people and one project that is simply wrong. If it were to become retroactive then we will see where your hearts lie. The city center parking garage needs to be looked at comprehensively.

Chris Morrow, Northshire Bookstore owner said the most consistent complaint he gets is from people stating they cannot find parking. He received a letter stating that the person would not shop at his store because they cannot find parking. He is frustrated that he cannot do more to help this issue. Help me serve my customers better. Help us succeed here we love being here.

John Coffman of 44 White Street stated he supports the amendment and he wanted to thank Commissioner Madigan, Commissioner Scirocco and Commissioner Mathiesen for taking on a controversial issue. I also think there is a conflict that reaches out throughout the city. This doesn't have to do with trying to hurt anyone it is trying to strengthen the downtown area. I look forward to the dialog over this.

Bill McTygue of York Street said there have been really good comments this evening. There is a strong suspicion within the community that this is a back door way to revive the stand alone parking Garage. If that's not the case then I would like each council member to state that is not the case.

Tim Holmes of 440 Broadway Downtown Business Association stated we are in favor of the amendment we are looking at a very old law and looking to make it current. I think it's important to listen to the struggles of the new businesses. We want to make sure the merchants are happy and the land owners have tenants on a regular basis. It imperative you go forward with this there is also a need for more power and ideas for the downtown core.

Jonathan Tingley, attorney with Tuczinski, Cavalier & Gilchrist that represents the Mouzon House, read a letter that was submitted to council. (letter attached)

Jen Lightig from Saratoga Springs said what she is hearing is the Solar Ordinance is important. She looked at the planning board minutes and they only reviewed this issue for 45 minutes. I really should take more time to properly review this. Please give this issue 6 months and review it properly. It's unfortunate that this seems to be mixed in with the parking Garage issue.

Darlene McGraw of Saratoga Springs stated as far as the parking Garage and solar panels goes give it 6 months or longer. We are not lacking in parking. People should take the bus and not drive then they wouldn't need parking spaces.

Jay Staysack of Envision Architects stated we are very involved in sustainable architecture. He is the Architect for the City center parking structure. Take away the city center parking structure on this the solar ordinance encumbers the T6 zone. We are for the Amendment and we think the city is doing the right thing.

Denise Desmond, co-owner Mouzon House, said my concern is the T-6 needs to be reviewed. This is so transparent. This only thing I am asking is this does not need to be done tonight it is wrong. The council needs to take some time and review this better.

John Ellis of 2 Callagan Drive stated he also thinks it is a bit suspicious that we are now changing this law. He believes the Mouzon House should be grandfathered in for the Solar panels. This city is not a corporation it is we the people make the laws.

John Safford of 49 Second Street stated He was skeptical for many years of solar and recently has changed his mind about that. He congratulated the efforts in the city for the solar farm and things that are happening in the city. He also stated that the Ordinance is antiquated and needs to change now.

Diane Pedinotti, co-owner of Mouzon House, stated we have been through 2 and a half years of this and we have petitions with over 400 signatures. We understand the City Center needs parking and Northshire Bookstore. You didn't like the way this went and now you're going to change it. I don't understand the rush to build a standalone parking garage. I'm asking for you to do this right.

Tom Roohan of 55 Warren Street stated his properties are not candidates for Solar because of the way the buildings face. He has just become aware of the Solar Ordinance. We encourage you to act responsibly at the change in the ordinance so that we are not limited when we add apartment and buildings.

Tom Denhy of 205 East Avenue stated the only question he has is why now? We just went through a very lengthy comprehensive plan. Why is this so urgent? The city would be better served to table this and review it better.

Mayor Yepsen closed the public hearing at 7:49 p.m.

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 7:59p.m.

John Kaufmann of 44 White Street stated he sent a memo to Matt Veitch and Peter Martin in which he stated that the county government violated the NYS mental hygiene laws when they hired Dr. Michael Presioso for Director of the department of Mental Health. I asked them to address the issue tonight.

Kevin Connolly of Clinton Street stated he attended a CDTA forum and expressed concern with the Jefferson Street #473 bus that runs past my house on Clinton Street. This bus passes by my house every 15 minutes until 2am. His concern is the noise and air pollution. He also believes there is a low level of riders on the bus.

Bill Sprengnether of 55 Catherine Street said he wanted to talk about the parking garage issue he feels this is now a big hurry. He stated he sent the council a letter so that all the issues could be addressed. We are now in a situation where we are all panicking saying we need parking now. Take a breath come up with a good plan and decide with wisdom.

Darlene McGraw of Saratoga Springs stated she has no comment on Officer Baker whatsoever. Why not build an underground parking Garage. She will be working at the track July 25th. She said we are always talking about the police officers doing bad this and that. I had two police officers helped me up a hill because of the curb cutouts.

Ann Dolvin of Windingbrook Drive stated she has lived many places and she is inspired by what we could bring to this city. There might be something that could draw me and bring me there. I ask for you to look into the RFP look at the potential vibrant multi use attraction. Don't push this aside and rush through this.

Julie Cuneo of 7 Beacon Hill Drive stated she would like to thank Commissioner Mathiesen and Mayor Yepsen as well as Commissioner Franck. Citizens for High Rock have remained consistent in our mission and vision for High Rock parcel. We support a comprehensive mixed use development. We have advocated for a urban component in the RFP. The stand alone garage is out of scale for our community.

Rick Fenton of 23 Leffert Street stated that our city has a history of being the envy of the world. Do we really think the best we can do is a standalone parking garage with paid parking. Consider this our chance to hire the best people take time and to plan this out.

Jim Zack of 4 Woodland Drive stated this week marks the anniversary of the Canadian railroad tragedy. I don't think the County has a railroad tragedy plan. Commissioner Mathiesen asked him to look into whether we can contend with this kind of tragedy.

Jen Lightig of Saratoga Springs said she feels like a multi use garage is the most pro-growth option on the table. She stated she has received a lot of emails asking why now. Backdoor deals are not good and things should be put on the table. She asked if it was true that the director of the city center gets a huge bonus if the parking garage goes through. If that's true that needs to be addressed.

Phil Diamond of 55 Railroad Place stated there have been good arguments on both sides of this parking garage issue. I sympathize with the City center's need for parking. My question is what is the rush? This is a crisis that is manufactured. We need time to review this properly.

Brian Cuneo of 7 Beacon Hill Drive said he sees all the viewpoints on both sides. I see the very difficult decision you have in front of you. This property is a crown jewel and we will run out of this type of property to develop. So I see the need to take our time and do this right.

Rachel Byrne of 6 Royal Henley Court said I'm from England and we have a lot of standalone parking garages that are very functional but are very ugly. With a historic City like Saratoga you need something that fits. If you had different Architects and review plans you would get great ideas.

Jeannette Catoreno of Jackson Street said thank you for taking into consideration the residents. Thank you to Mark Baker being concerned about the City Center and its success. This is a very valuable piece of property and public piece of property. Hope we can look back and say the people of Saratoga Springs helped make that happen. I hope you are thoughtful in this process.

Laura Chodos of Saratoga Springs stated she has lived here for 15 years. I am here to support the RFP. I heard something I would like to repeat. We need to look at other cities and adopt new and exciting things. We have to have new things like family oriented. So it will bring people here. (Letter attached)

Mayor Yepsen closed the public comment period at 8:29 p.m.

Council took at break at 8:29 p.m.

Council returned from break at 8:34 p.m.

PRESENTATION

Presentation: 2014 Audited Financial Statements

A Copy of this report is in the Accounts Office Vault.

Willard Reynolds and Jonathan Gibbs with Sacks BST stated the Audit went well the City was well prepared.

Commissioner Franck wanted to thank Christne Gillmett-Brown Director of Finance for all she did.

Commissioner Madigan as well thanked Christine for her hard work.

Mayor Yepsen thanked all involved for their hard work and advised we have hired an HR person who will be updating manuals.

Presentations: Saratoga Raceway Centennial Race Awards

Mayor Yepsen stated we had a wonderful opportunity to give some local charities some contributions. We had a harness track race. Each council member sat in their own sulky with a driver in our silks. We had a great time.

Skip Carlson thanked the Mayor and all City council members who participated. We had a great time. Besides driving they went in the cash cue to win money. You really got to see what the jockeys see.

Donation checks were given to various charities.

Presentation: Construction noise adjacent to the race track and horse awareness

Commissioner Mathiesen stated that this is a very important awareness at our track.

We have a life and death situation with the horses. When Horses are scared they run. People can get hurt easily. It is dangerous when there is construction near the Oklahoma track it can spook the horses. Revving motorcycles or fireworks all affect the horses and the noise for the people who live near the Oklahoma track.

Commissioner Mathiesen stated he will try to change the noise ordinance with Tony Izzo Assistant city Attorney. At least on the the South side of the track. Horse racing takes precedence in this city certain times a year.

Commissioner Madigan stated she spoke with people as well that stated it can be very dangerous when the horses get spooked with loud noises.

Commissioner Scirocco stated this is an issue with the noises that scare the horses. Commissioner Scirocco thanked Commissioner Mathiesen for having brought this to the attention of the council.

Commissioner Madigan stated that she is pleased that we can do something with the noise ordinance.

CONSENT AGENDA

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

1. Approval of 5/19/15 City Council Meeting Minutes
2. Approval of 6/15/15 Pre-Agenda Meeting Minutes
3. Approval of 6/2/15 City Council Meeting Minutes
4. Approve Budget Amendments (Increases)
5. Approve Budget Transfers - Regular
6. Approve Payroll 6/19/15 \$425,283.37
7. Approve Payroll 6/26/15 \$508,995.13
8. Approve Payroll 7/2/15 \$474,521.07
9. Approve Mid Warrant: 2015 Mid – 15MWJUL1: \$10,812.44
10. Approve Mid Warrant: 2015 Mid – 15MWJUN2: \$48,902.98
11. Approve Warrant: 2015 REG – 15JUL1: \$322,438.62

Ayes – All

EXECUTIVE SESSION

Mayor Yepsen adjourned to executive session at 10:02 p.m. regarding collective bargaining.

Council returned at 10:09 p.m.

Mayor Yepsen advised there was nothing resolved to report to the public.

MAYOR'S DEPARTMENT

Discussion and Vote: Authorization for Mayor to Sign Documents Related to Design and Construction for Safe Routes to School Project (15-194)

Mayor Yepsen advised the safe routes to school is part of a larger initiative by the city to improve non motorized transportation on the Geyer Road corridor by providing a network of sidewalks trails and connections between residential areas, parks, schools, employment centers. The documents will state that we are in compliance with state and local laws and completed various required environmental determinations. We are ready to move forward with this important project.

Mayor Yepsen moved and Commissioner Mathiesen seconded for the City Council to authorize the Mayor to sign the following documents relating to the Safe Routes to School Project. The project approval sheet, The NEPA categorical exclusion determination, Design approval request memorandum, The smart growth screening tool, The right of way clearance certificate, Construction management plan, Project map, Cover Sheets, and the final design report as distributed with the revised final agenda.

Ayes - All

Announcement: Recreation Program and Event Announcements

Mayor Yepsen announced the Saratoga Springs Recreation Department is starting registration for fall soccer programs, summer programs and clinics. Spaces are limited and volunteer coaches are needed. Call the Recreation Center for more information 587-3550 x2300.

Discussion and Vote: Authorization for the Mayor to sign Agreement with County of Saratoga for Youth Services (15-195)

Mayor Yepsen stated this is under Recreation and is a yearly agreement we have with Saratoga County where they reimburse the City with funds from the New York State Office of Children and Family Services for our Youth Development program. Subject to the state providing the county with the funding the City will be reimbursed up to \$6,700 this year.

Mayor Yepsen moved and Commissioner Mathiesen seconded for the City Council to authorize the Mayor to sign agreement with Saratoga County in relation to the County reimbursing the City up to \$6,700 in costs associated with operating a youth development program as distributed with the revised agenda.

Ayes - All

Discussion and Vote: City Council to Accept Donations for the Camp Saradac Scholarships (15-196)

Mayor Yepsen stated the Recreation Department is requesting to accept donations from the Saratoga County Children's Committee in the amount of \$4000, George and Martha Parker in the amount of \$1,347.50, The Holly Foundation in the amount of \$35,965, Saratoga Springs Lions Club in the amount of \$695. Totalling \$ 42,007.50. Mayor Yepsen thanked all who have donated.

Mayor Yepsen moved and Commissioner Mathiesen seconded for City Council to accept the various donations to support the Camp Saradac Scholarships from the donors and in the amounts read aloud this evening and as listed with the revised agenda.

Ayes - All

Discussion and Vote: Authorization for Mayor to Sign Transportation Agreement with Saratoga County (15-197)

Mayor Yepsen stated this is a yearly agreement with Saratoga County Office for the Aging in the amount of \$6,008 dollars. This provides transportation for our Senior Citizens in Saratoga Springs funding is available in the 2015 adopted budget in line A3341679454720.

Mayor Yepsen moved and Commissioner Mathiesen seconded for the City Council to authorize the Mayor to sign agreement with Saratoga County Office for the Aged in the amount of \$6,008 for transportation Services as distributed with the revised final agenda

Ayes- All

Discussion and Vote: Authorization for Mayor to Sign Nutrition Agreement with Saratoga County (15-198)

Mayor Yepsen stated this is a yearly agreement that we have with Saratoga County Office for the Aged in the amount of \$6,008 dollars for the office to provide meals to our seniors in the City of Saratoga Springs. Funding is available in the 2015 adopted budget in line A3416784-54720.

Mayor Yepsen moved and Commissioner Mathiesen seconded for the City Council to authorize the Mayor to sign agreement with Saratoga County Office for the Aged in the amount of \$6,008 for Nutritional Services as distributed with the revised agenda.

Ayes- All

Discussion: City Council to Approve Request from Mr. and Mrs. Timothy Yates to Purchase a Piece of Property off Arrowhead Road

Mayor Yepsen stated she was removing this item and adding to the next council meeting.

Discussion: City Council to Approve Request From Ryan Berry to Purchase a Portion of Cedar Alley

Mayor Yepsen stated she was removing this item and adding to the next council meeting.

Discussion and Vote: City Council to Approve Rules and Regulations for Waterfront Park (15-199)

Mayor Yepsen stated she is asking for the City Council to adopt some basic rules and regulations for the Waterfront Park prior to official opening on Thursday July 9th. These will be posted for review and are as follows:

- Swimming or Bathing of any kind is not allowed.
- No Alcoholic Beverages.
- Visitors are responsible for removing all garbage and containers.
- Motorized boats cannot be docked at the park.
- No littering or dumping of any kind
- No glass containers
- No Vehicles beyond designated parking areas.
- No loud music.
- No posting of signs or posters except by permit.
- No Panhandling or solicitation.
- No fires of any kind except in designated area.
- Public performances are not allowed except by permit or permission from the City
- No vending allowed except by permit or permission from the City

Mayor Yepson moved and Commissioner Mathiesen seconded for the City Council to adopt the waterfront park rules and regulations as distributed with the revised agenda.

Ayes- All

Discussion and Vote: Lieutenant's PBA Contract (15-200)

Mayor Yepson stated after months of negotiation with the Lieutenants Police Benevolent Association we believe we have a very reasonable contract. This contract was revised on July 7th 2015 this was discussed in executive session and will be the one voted on this evening.

Mayor Yepsen moved and Commissioner Mathiesen seconded that the City Council approve the memorandum of understanding of Lieutenant's PBA contract that is dated July 7, 2015 as distributed to the City Council.

Ayes- All

Commissioner Mathiesen stated he would have liked to have seen a 9% over four year increase. Also stated this is a fair contract.

Mayor Yepsen wanted to thank Vince Deleonardis City Attorney for all his hard work this contract was done in house and saved the taxpayers money.

Commissioner Madigan wanted to read the cost outs into the record. Retroactive pay for gross wages received through 12/31/15 was about \$80,452. The 2016 budget amendment for base wage in the 2015 adopted budget is \$34,332 there will be an additional increase for Comp Time, holiday pay and education. Stated that the Lieutenants are taking a 2% for 2015 and 2016 she was set for a 2 ½ % and was glad to see they could stay at 2% or under.

Ayes- All

Discussion and Vote: SEQRA Review Loughberry Lake Parcel Purchase (15-201)

Assistant City Attorney Tony Izzo stated part one and part two of the SEQRA was filled out by him and provided to the council for review. The purchase itself does not have any environmental impact. Tonight you can choose to approve the part one and part two documents of the SEQRA. This is in reference to the City purchasing two parcels around Loughberry Lake. This is based on whenever possible we should acquire any land that is around that body of water.

Mayor Yepsen moved and Commissioner Scirocco seconded having completed all required parts of the State Environmental Quality Review Act I move for the City Council to authorize the Mayor to sign the short environmental assessment form for the city's purchase of a parcel of land on Loughberry Lake as read aloud this evening.

Ayes- All

Set Public Hearing: Use of Open Space Bond For Loughberry Lake Parcel Purchase

Mayor Yepsen stated previously we had a hearing to amend the capital budget in the amount of \$25,000 to support this purchase. Before we proceed with the actual capital budget amendment we need to have a second public hearing.

Mayor Yepsen set a Public Hearing for July 21st at 6:55

Discussion: Adirondack Trust SEQRA Review

Assistant City Attorney Tony Izzo stated this is a proposal by which The Adirondack Trust Company wants to buy a small piece of property that is adjoining the Adirondack Trust property to square off their property. The real estate committee approved this transaction for the sum of \$31,000. A copy of the contract was submitted to the council and part one and part two of the SEQRA have been completed by Assistant City Attorney Tony Izzo.

Mayor Yepsen stated the SEQRA will be done at the next meeting.

Announcement: Waterfront Park Grand Opening – July 9th

Mayor Yepsen announced that it has been nine or ten years since we purchased the property. We have received grants in the amount \$800,000 to upgrade and develop a beautiful park. Mayor Yepsen invited the public as well as the City Council on July 9th 12 noon and to take a tour through the park with the projects Architect Mike Ingersoll of the LA Group.

Announcement: Walk Friendly Community Award

Mayor Yepsen announced several months ago I announced we have been designated as a walk friendly community. This was quite an honor because only 55 communities across the country have been given this award. Last week the City received the award and wanted to pass it around to show the council and the public.

Discussion: Update on NYRA Expansion

Mayor Yepsen advised she requested an extension to get public comment to the OGS and the Franchise oversight board and they granted us a two week extension. On Tuesday June 23rd I had a community meeting in the City Council room and about 20 to 25 people came very eager with thoughts and ideas. I then submitted all public comments and about 30 emails June 29th was the deadline.

ACCOUNTS DEPARTMENT

Discussion and Vote: Award of Bid Chemicals (15-202)

Commissioner Franck moved and Commissioner Scirocco seconded upon the recommendation of the Department of Public Works I move to award the bid for Chemicals to Holland Company, Faesy & Besthoff, Surpass Chemical and Slack Chemical for an annual estimated total of \$112,962.50.

Funding is in line F3638334 / 54141

Ayes- All

Discussion and Vote: Award of Bid Pre-Cast Curbs (15-203)

Commissioner Franck moved and Commissioner Scirocco seconded upon the recommendation of the Department of Public Works I move to award the bid for Pre-Cast Curbs to The Fort Miller Company, Inc. For an annual estimated total of \$15,400.

Funding is in line A3335014 / 54180

Ayes- All

Discussion and Vote: Award of Bid Pre-Cast Manholes, Catch Basins, Dry Wells and Frames and Covers (15-204)

Commissioner Franck moved and Commissioner Scirocco seconded upon the recommendation of the Department of Public Works I move to award the bid for Pre-Cast Manholes, Catch Basins, Dry Wells and Frames and Covers to The Fort Miller Company, Inc. for an annual estimated total of \$50,686. Funding is in lines: A3335014 / 54180 (Streets), A3638144 / 54180 (Storm), F3638354 / 54180 (Water), and G3638114 / 54180 (Sewer).

Ayes- All

Discussion and Vote: City Council to Approve Eight Hours on a Time Sheet (15-205)

Commissioner Franck moved and Commissioner Mathiesen seconded to approve 8 hours on a time sheet. This was discussed in executive session for an Accounts Department employee.

Ayes - All

Set Public Hearing: Pedalbus License Criteria

Commissioner Franck set a Public Hearing for July 21st at 6:50 p.m.

FINANCE DEPARTMENT

Announcement: 2016 Budget Call Letter

Commissioner Madigan announced that the letter was sent to all departments, the City Center and the two special assessment districts on Monday June 29th. I did request that all departments stay within their 2015 budget amounts. I plan on keeping tax rates stable, and so not anticipate and increase in the tax rate.

Announcement: Smart Parking Project – ParkMe App for Municipal Parking Guide

Commissioner Madigan announced press release was sent out today 7-7-15 all 9 municipal and 1 county lot are on this APP. It is up and running and it will direct you to the closest parking spot that is available. It's a start and this service is free. We also have the option of working with them if the city ever decides to have paid parking. Paid parking would really help with maintenance.

Commissioner Scirocco stated it would be great to have some income to upkeep the parking lots and stairs. It's very expensive to maintain we just did the Putnam Street lot and the Woodlawn lot and it cost like \$270,000. So we really need a way to develop a revenue stream to keep us afloat.

Commissioner Madigan stated the next step might be to find out how we can offer real time parking. We can then tell people this lot is full and this one has availability online through GPS.

Commissioner Mathiesen stated we do a lot to attract people but not with the parking. Other municipalities have paid parking and it is great revenue. We need to look at the overall picture. We did have paid parking at one time. I believe that on a busy night a customer would pay a reasonable amount to park their car.

Announcement: Committee to Review New Solar Landscape

Commissioner Madigan announced at the June 2nd City Council meeting that she wanted to start a committee that will be reviewing the Solar Landscape. The science and technology most importantly the laws and regulations, also how other communities handle solar access. I have received recommendations and they are as follows:

Commissioner Mathiesen - Julia Rogers

Commissioner Scirocco - Kara Povich

Commissioner Franck - Marilyn Rivers - Director of Risk and Safety for the City of Saratoga Springs.

Supervisor Martin - Charlie Brown – Chair of the Saratoga Springs Democratic Committee
Mayor Yepsen – the yet to be named part-time parks open lands and preservation person.
Commissioner Madigan - Dennis Bouchard – Retired school teacher out of Ballston Spa. Has a lot of knowledge about solar science.
Commissioner Madigan - Larry Toole – who will be chairing the solar committee and brought the Spa Solar Park Project for the City of Saratoga Springs.

Commissioner Madigan stated she has one more appointment but is just waiting to hear back from that person who is on vacation. Also waiting on one additional from Supervisor Veitch. She stated she is very excited about this committee.

Discussion and Vote: Determination of SEQRA for Proposed Zoning Text Amendment – City Code Chapter 240, Zoning Ordinance Section 6.4.8 SOLAR ACCESS (15-206)

Commissioner Madigan read the current Solar Access Ordinance. Stated that she sees the Solar Ordinance as it is written today to be in conflict with the directive and the shadow test requirement under the current solar ordinance. She recommended the following revision it is the addition of 9 words. The additional nine words are except for properties located in a Transect 6 zoning district or otherwise provided by this chapter. All the other districts in the city will still fall under this shadow test, except for the T6 zoning district. The next step is to amend and do a full SEQRA.
Commissioner Madigan read the SEQRA long form into the record. (Copy attached.)

Commissioner Madigan moved and Commissioner Mathiesen seconded I put the language read in part three of the SEQRA in the form of motion for council and request council to approve statement A this project will result in no significant adverse impacts on the environment and therefore an environmental impact statement need not be prepared. Accordingly this is a negative declaration to be issued.

Ayes – 3

Nays – 2 (Commissioner Franck & Mayor Yepsen)

Discussion and Vote: Proposed Zoning Text Amendment – City Code Chapter 240, Zoning Ordinance Section 6.4.8 SOLAR ACCESS (15-207)

Commissioner Madigan stated this is the vote to actually amend the Ordinance. Two public hearings have been held the SEQRA has received a negative declaration. She stated that the solar and our downtown development growth can work together. There was a comment made earlier that this was a big rush and this was all about the city center. She stated she completely supports the City Center and said it needs parking now. Solar is important, I have spearheaded a 2 Mega Watt array on the Weibel Avenue landfill. Many communities are moving toward community Solar. Eventually businesses and homeowners will be able to buy into solar access. The Mouzon house has 4 solar panels that heat hot water and save them about \$100 a year that was stated at a planning board meeting. I will have a committee to review the solar landscape. This is the right move to make this change to the Solar Ordinance.

Commissioner Madigan moved and Commissioner Scirocco seconded for council to approve the amendment City Code Chapter 240, Zoning Ordinance Section 6.4.8 Solar Access as proposed. Accept for properties located in a Transect 6 zoning district or otherwise provided by this chapter no property owner may erect a structure or allow a tree or other flora to cast a shadow upon a solar collector greater than a shadow cast by a hypothetical wall 6 feet high located along the property line between 8am and 4pm eastern time from September 21st to March 21st.

Commission Mathiesen stated he was on the Board of the zoning board of appeals for seven years he does not remember this part of the ordinance ever being an issue. My reasons for supporting this ordinance are not specific to the parking garage or the Mouzon House. He is now aware of the fact that a number of projects in the T6 could be impacted negatively. Projects may not be able to be done because of the ordinance.

Commissioner Scirocco stated he agreed with Commissioner Mathiesen the T6 zone is where we want to keep the economic development. The ordinance when it was created has not created for a situation like this. He didn't feel this should be used against any developer come in who wants to develop. The only thing that was focused on tonight was the parking garage. It stifles economic development in the city especially in the T6 zone. It makes sense to take a look at this.

Commissioner Franck stated that there is nothing that is being said this evening that he disagrees with but why does it need to be done right now. We can do this comprehensively not just for the T6 but all the locations. Bad law is to change the law for one project. I have issues not with the parking garage but with the whole lot. Everything that has been said is very valid but this should not be rushed and should be done comprehensively. Is this a project specific vote we will find out next meeting.

Mayor Yepsen stated that we are getting more and more solar requests back when this ordinance was written people were not using solar as much. Kick off for Solarized Saratoga tomorrow night at 6:30pm. We will be offering solar at a discounted rate with two installers. Has been interviewing firms that will be doing an entire review and update of all our ordinances. I don't want to do this ordinance tonight if it makes sense in the future we can look at it with a more comprehensive look.

Commissioner Scirocco stated that he does not want this ordinance to be misunderstood the Mouzon House is going to continue to have their solar panels that's not going to go away it's in the ordinance. It just opens up the door for any sort of development that may happen adjacent to that building. There were comments that stated if we pass this ordinance it takes away the ability for the Mouzon House to put up more Panels. I encourage them to do that.

Ayes - 3

Nays – (Commissioner Franck & Mayor Yepsen)

Discussion and Vote: 2015 Finance Policies and Procedures Update (15-208)

Commissioner Madigan stated that each was reviewed and revised. Last week all departments received updates. They are also available on the public drive for review. The summary and red line reviews are also available to the public. Commissioner read the changes. These are available for review.

Commissioner Madigan moved and Commissioner Mathiesen seconded to request councils approval of the 2015 Finance Policies and Procedures as distributed with the agenda and made available on the public drive.

Ayes – All

Discussion and Vote: Budget Transfers – Payroll (15-209)

Commissioner Madigan stated she would like to waive the reading of all of these except for the one for the Accounts Department because those are general fund transfers that pertain to the item that was on the Agenda earlier. Line 21 through 22 that is going from the Accounts Admin to cover a deficit that had to be approved by council this evening and discussed in executive session.

Commissioner Madigan moved and Commissioner Mathiesen seconded to request councils approval of the 2015 budget transfers – payroll which was distributed with the agenda. This set of transfers is listed separately per the budget transfer policy and has met the transfer's guidelines.

Ayes - All

Discussion and Vote: Budget Transfers – Interfund (15-210)

Commissioner Madigan stated lines 1 through 4 Finance Department this general fund transfer to capital budget lines for two Public Safety projects Hydraulic tools and blood borne pathogens. This was distributed with the agenda.

Commissioner Madigan moved and Commissioner Mathiesen seconded to request the approval of the 2015 budget transfers – Interfund which were distributed with the agenda. This list of transfers is listed separately per the budget transfer policy and has met the transfer’s guidelines.

Ayes – All

Discussion and Vote: Budget Amendments- 2013 Excess Fund Balance for the City Centennial (15-211)

Commissioner Madigan said at the last meeting the Mayor’s office requested \$1,495 towards a billboard that would be shared with Adirondack Trust. This Budget amendment is to bring an additional \$65 for the City Centennial billboard. After this budget amendment there will be \$13,015 remaining in the assignment any remainder will go to the reserve.

Commissioner Madigan moved and Commissioner Scirocco seconded to request council to approve of the 2015 budget amendments 2013 excess fund Balance for the City Centennial billboard that was distributed with the agenda. These amendments are listed separately from other amendments and have met the amendment guidelines.

Ayes- All

PUBLIC WORKS DEPARTMENT

Discussion and Vote: Authorization for the Mayor to sign Change Order with PCC contracting Inc – Spirit of Life (15-212)

Commissioner Scirocco stated this change order is for repair and replacement of deteriorated lime stone units at the still way basin.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign the change order with PCC Contracting in the amount of \$5,695 for the Spirit of Life memorial and restoration project in Congress Park. 50% of this amount is reimbursed from the Saratoga Springs Preservation Fund based on the partnership agreement with the City. Funding is in line H3036952 - 520001039

Ayes - All

Discussion and Vote: Authorization for mayor to sign Designated Engineering Agreement with Ryan Biggs Clark Davis (15-213)

Commissioner Scirocco stated this is a master agreement for small engineering projects on a task order basis. This is a 2 year agreement and will use capital budget funds not to exceed \$19,900 in accordance with the cities purchasing policy.

Commissioner Scirocco moved and Commissioner Mathiesen seconded for authorization for the Mayor to sign agreement with Ryan Biggs Clark Davis for the City designated engineering services.

Ayes- All

Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Service Agreement with Dente Engineering PC (15-214)

Commissioner Scirocco stated this is a master agreement for small engineering projects on a task order basis. This is a 2 year agreement and will use capital budget funds not to exceed \$19,900 in accordance with the cities purchasing policy.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign agreement with Dente Engineering for the City designated engineering services.

Ayes - All

Commissioner Madigan asked if the next three items where the same and if they could vote on all them at once to save time.

Commissioner Scirocco was told yes they could.

Ayes - All

Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Service Agreement with Clark Patterson Lee (15-215)

Commissioner Scirocco stated this is a master agreement for small engineering projects on a task order basis. This is a 2 year agreement and will use capital budget funds not to exceed \$19,900 in accordance with the cities purchasing policy.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign agreement with Clark Patterson Lee for the City designated engineering services.

Ayes - All

Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Services Agreement with Barton & Loguidice DPC (15-216)

Commissioner Scirocco stated this is a master agreement for small engineering projects on a task order basis. This is a 2 year agreement and will use capital budget funds not to exceed \$19,900 in accordance with the cities purchasing policy.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign agreement with Barton & Loguidice DPC for the City designated engineering services.

Ayes – All

Discussion and Vote: Authorization for the Mayor to sign Designated Engineering Service Agreement with The Chazen Companies (15-217)

Commissioner Scirocco stated this is a master agreement for small engineering projects on a task order basis. This is a 2 year agreement and will use capital budget funds not to exceed \$19,900 in accordance with the cities purchasing policy.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign agreement with Chazen Companies for the City designated engineering services.

Ayes - All

Discussion and Vote: Authorization for the Mayor to sign change Order with Trinity Construction Inc. – Bog Meadow Source Development Project (15-218)

Commissioner Scirocco stated this allows control and programming upgrades at the Bog meadow facility. These upgrades will give plant staff greater control over the new ground water wells. The Bog Meadow Ground water source projects, as well as surface pumps, are online and available for city use as needed.

Commissioner Scirocco moved and Commissioner Mathiesen seconded for authorization for the Mayor to sign a change order with Trinity Construction in the amount of \$25,269 for the Bog Meadow Source Development Project. Funding is in line – H3638332 - 52000 – 1227.

Ayes- All

Discussion and Vote: Authorization for the Mayor to sign agreement with Environmental Design Partnership LLP – Bog Meadow Source Development Project (15-219)

Commissioner Scirocco stated this addendum is for additional time spent on the Bog Meadow upgrades and project closeout.

Commissioner Scirocco moved and Commissioner Madigan seconded for authorization for the Mayor to sign agreement with Environmental Design Partnership LLP in the amount a \$6,500 for the Bog Meadow Source Development Project. Funding is in line - H3638332 – 52000 – 1227.

Ayes- All

Discussion and Vote: Approval to Pay Chip Invoices (15-220)

Commissioner Scirocco stated this year the City received more than \$720,000 in CHIPS funding from the DOT. This funding will allow his department to repave many streets throughout the City. Paving began on May 18th and will continue to pave until early fall. Invoices have been received from Pompa Brothers, Palletti Stone, Kubricki and Robert Fink and Sons for CHIPS paving in the amount of \$155,647.81. Also additional invoices from Pompa Brothers in the amount of \$6,663.89 for repair of parking lots and streets was received.

Commissioner Scirocco moved and Commissioner Madigan seconded to pay invoices received from Pompa Brothers, Palletti Stone, Kubricki and Robert Fink and Sons for Chips paving in the amount of \$155,647.81 from lines A3335134-54100 (Ruble) A3335134-54180 (Other Supplies) A3335135-54530 (equipment and vehicle rental). Also requesting payment of additional invoices for Pompa Brother for repair of various streets and parking lots in the Amount of \$6,663.89. These invoices are to be paid from line A3335014-54100 (Ruble).

Ayes- All

PUBLIC SAFETY DEPARTMENT

Discussion and Vote: Authorization for Mayor to sign Agreement with the County STOP DWI (15-221)

Commissioner Mathiesen stated each year the City participates with the County Stop DWI program. The County distributes funds in the amount of \$34,200 on a semi-annual bases. The first installment of \$17,100 is payable upon execution of this contract the second installment of \$17,100 is payable no later than December 31, 2015.

Commissioner Mathiesen made a motion and Commissioner Scirocco seconded for authorization for the Mayor to sign the agreement with the County for STOP DWI.

Ayes- All

Discussion and Vote: Authorization for Mayor to sign agreement with Saratoga School District for the School Resource Officer for the 2015-2016 School Year (15-222)

Commissioner Mathiesen stated this is an annual agreement between the City and the School District. The school district will contribute 65% of the regular compensation and the City will cover 35%. The school district will pay any overtime.

Commissioner Mathiesen made a motion Commissioner Madigan seconded authorization for the Mayor to sign agreement with the Saratoga Springs School District for a School Resource Officer for 2015-2016 school year.

Ayes- All

Discussion and Vote: Accept Donation to Fire Department (15-223)

Commissioner Mathiesen stated that Heather Wadsworth made a donation on behalf of her mother Gloria Wiebicke in the amount of \$100. Ms. Wadsworth stated she had a positive experience with the Department.

Commissioner Mathiesen made a motion and Commissioner Madigan seconded to accept the donation to the Fire Department.

Ayes- All

Discussion and Vote: Accept Resignation of an Employee (15-224)

Commissioner Mathiesen made a motion and Commissioner Madigan seconded to accept the resignation of Nathan Baker effective June 4, 2015 and to accept the agreement between Nathan Baker and the City of Saratoga Springs dated June 23, 2015. As Commissioner of Public Safety I will execute said agreement on behalf of the City.

Ayes- All

SUPERVISORS

Matthew Veitch

Discussion: Saratoga County Prosperity Partnership

The board met on July 1st they discussed many items. There is a six month plan to get this up and running. Currently Marty Vanegs the director is currently in touch with various stakeholders as well as Global foundries and the council will have the opportunity to meet with him. He is also working on a marketing and outreach plan and is attending several conferences. He also has a potential applicant for the IDA.

Discussion: Tour of the County

The meeting in the town of providence had 25 people in attendance and Clifton Park had 2. They had a great discussion on the former County infirmary. The federal government is doing a remediation of that site. The town is in favor of doing something with that building.

Peter Martin

Report: Capital Region Strategic Power Assessment Forum

Supervisor Martin reported Monday the 29th of June Global Foundries sponsored a forum. The purpose of the all day forum was to discuss the overall power needs of advanced manufacturing firms. They discussed electricity as well as natural gas.

Report: County Trails

Supervisor Martin reported the county authorized \$100,000 dollars for use possibly as seed money for the greenbelt initiatives. We should start putting together a plan on how to spend that money. The local services can be either in cash or in kind services. No date yet to start this grant application, it will probably be this month. This will run from this month to September 21st of this year.

Announcement: Saratoga County Fair

Supervisor Martin reported the Fair will be open July 21 to July 26. This year marks the 174 year. The Saratoga County fair is one of the oldest. The fairgrounds open at 9am everyday and stay open till midnight concessions run from 10am till 10pm. Tickets are \$10 for adults Price Chopper will have discounted tickets.

ADJOURNMENT

There being no further business, Mayor Yepsen adjourned the meeting at 11:16 p.m.

Respectfully submitted,

Margaret LoPresti
Clerk

Approved:
Vote: