



August 18, 2015

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

6:45 PM – P.H. – 2016 Capital Program and Budget

6:55 PM – P.H. – Amend Chapter 148 of City Code - Noise

**7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**PRESENTATION**

1. Presentation: High Rock Springs Drilling Project

**CONSENT AGENDA**

1. Approval of 7/20/15 Pre-Agenda Meeting Minutes
2. Approval of 7/21/15 City Council Meeting Minutes
3. Approval of 7/6/15 Pre-Agenda Meeting Minutes
4. Approval of 8/3/15 Pre-Agenda Meeting Minutes
5. Approve Budget Amendments (Increases)
6. Approve Budget Transfers - Regular
7. Approve Payroll 8/7/15 \$464,793.70
8. Approve Payroll 8/14/15 \$474,388.11
9. Approve Warrant: 2015 Mid – 15MWAUG1: \$80,823.69
10. Approve Warrant: 2015 REG – 15AUG2: \$1,515,298.57

**MAYOR'S DEPARTMENT**

1. Presentation: Update on Saratoga Springs Housing Task Force
2. Set Public Hearing: Revision to City Charter to Transition Civil Service Functions to the County of Saratoga
3. Discussion and Vote: Resolution in Support of Saratoga PLAN Grant Application for Pitney Farm
4. Discussion and Vote: Merit for Review – Saratoga Hospital Planned Unit Development Amendment Referral to Planning Board for Advisory Opinion
5. Discussion and Vote: Deferral to Planning Board for SEQRA Lead Agency on Saratoga Hospital Planned Unit Development Amendment

### **ACCOUNTS DEPARTMENT**

1. Announcement: Commissioner of Deeds
2. Announcement: Saratoga County Economic Opportunity Council Food Drive – August 28th
3. Discussion and Vote: Contract with Direct Energy
4. Award of Bid: City United Development Ordinance to Behan Planning and Design
5. Award of Bid: Woodlawn Ave. Water Main Replacement to Creighton Manning Engineering
6. Award of Bid: Washington Street Water Main Upgrade to Gallo Construction Corp.

### **FINANCE DEPARTMENT**

1. Discussion: 2015 Requested Budgets
2. Announcement: Saratoga Spa State Park Dog park
3. Council Clarification – City Center Parking Garage Project
4. Discussion and Vote: Budget Transfers – City Center Contingency
5. Discussion and Vote: Budget Transfers - Payroll
6. Discussion and Vote: Budget Transfers - Benefits
7. Discussion and Vote: Budget Transfers - Interfund
8. Discussion and Vote: Budget Amendments - Interfund
9. Discussion and Vote: Budget Amendments - Benefits
10. Discussion and Vote: Budget Amendments – Assignment for IT Initiatives

### **PUBLIC WORKS DEPARTMENT**

1. Discussion and Vote: Authorization for the Mayor to sign agreement with Creighton Manning Engineering for the Woodlawn Water Main Replacement Project

### **PUBLIC SAFETY DEPARTMENT**

1. Discussion and Vote: Authorization for Mayor to sign MOU with Bechtel Marine Propulsion Corp. (BMPC)
2. Discussion and Vote: Authorization for Mayor to sign service agreement with Hope Janitorial
3. Discussion and Vote: Authorization to pay invoice that falls under Addendum 2 with Nixon Peabody
4. Discussion: Noise Ordinance
5. Discussion: Update on law suit and Attorney General Investigation

### **SUPERVISORS**

#### Matthew Veitch

1. Train Derailment incident in Saratoga Springs
2. Public Safety Committee Subcommittee Recommendations
3. 2<sup>nd</sup> Quarter Budget Report
4. Saratoga County Prosperity Partnership Town Hall Meeting
5. National Association of Counties Committee Assignments

#### Peter Martin

1. Report : Public Works Committee
2. Report : Racing and Gaming Committee
3. Report : Quarterly Budget Review

### **ADJOURN**



August 18, 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: Maire Masterson, Deputy Commissioner, Accounts  
Lynn Bachner, Deputy Commissioner, Finance  
Tim Cogan, Deputy Commissioner, DPW  
Eileen Finneran, Deputy Commissioner, DPS

Vincent DeLeonardis

Matthew Veitch, Supervisor  
Peter Martin, Supervisor

Excused: Joe Ogden, Deputy Mayor

### 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

#### 2016 Capital Program and Budget

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

Mayor Yepsen stated she chairs the Capital Budget Committee and members include represents from each department. This year's Capital Budget totals \$5,874,094 with \$5,169,324 being bonded projects. She will make an official presentation at the September 1, 2015 City Council meeting.

No one spoke.

Mayor Yepsen concluded the public hearing at 6:54 p.m. and kept it open.

#### Amend Chapter 148 of City Code - Noise

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

Commissioner Mathiesen stated they are looking into adjusting the hours of construction near the Oklahoma Track. NYRA should hear if there are complaints from neighbors regarding the time they prep the track.

Eddie Miller of 102 Ludlow Street has a letter from the Jockey Guild which states they want to work with the community and no one wants to see anyone get hurt. No one should be subjected to profanity but sometimes it happens. NYRA officials are going to start issuing fines to those out-riders that curse.

Robbie Davis of Stone Church Road stated he is a trainer and former rider. There is a lot of pressure on a rider when they get on a horse. Some people don't understand that the slightest noise can spook a horse.

Mark Chavez of 151 Excelsior Avenue stated he is an exercise rider. The roofing and loud sounds are hard. He wanted to apologize for some of the riders for using vulgarities; that's wrong. We need to find a happy medium.

Ms. Davis of Stone Church Road stated her husband has been a rider for many years and it is a dangerous sport. We have to watch what we do or noises they make. These horses are prey animals. We need to find a happy medium.

Eddie Miller of Ludlow Street stated he had a friend who had a very scary accident and broke bones. If they can prevent one person from getting hurt it is worth it.

Commissioner Scirocco stated both sides have good ideas. His biggest concern is if he was a homeowner and spooked a horse and it hurt someone, he would feel terrible. He hopes all sides can come to some agreement and work this out.

Mayor Yepsen closed the public hearing at 7:14 p.m.

#### **CALL TO ORDER**

Mayor Yepsen called the meeting to order at 7:16 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.**

Mayor Yepsen opened the public comment period at 7:17 p.m.

Julie Cuneo of Saratoga Springs stated she is chair of Citizens for High Rock. As a committee they are doing everything to advocate and facilitate its success. They request the City Center parking garage proposal be put on hold for the duration of the RFP.

Laura Chodos of Saratoga Springs stated she is also a member of the Citizens for High Rock. She asked the Council to wait for the RFP before acting on the proposal for the garage.

Phil Diamond of 55 Railroad Place stated he was surprised to see an item of discussion on the City Center parking garage. There should be no conversations on this until the RFP comes back. We are looking for the Mouzon House to sue us. He knows that they will sue us. To discuss this now makes no sense. The two items of the City Center and Nixon Peabody should be taken off the agenda.

Sam Brewer of Saratoga Springs stated you can put all the parking garages underground.

Ken Ivins of Saratoga Springs stated the Commissioner of Finance brought up at the last Council meeting return of findings from an outside consulting group ways to raise revenues. One of the items was paid parking. He and former Commissioner McCabe could have given feedback on paid parking if they had been contacted and the City wouldn't have had to spend a dime. None of the commissioners have this information. This should be put on the website. Please get this out to the public.

Mayor Yepsen closed the public comment period at 7:24 p.m.

## **PRESENTATION**

### Presentation: High Rock Springs Drilling Project

Mayor Yepsen introduced Charlie Kenzel and Jamie Parillo of the Centennial Committee.

Jamie Parillo, director of the History Museum stated a lot has happened since they were here in April. They will be dedicating the spring in about a month. There is water flowing.

Charlie Kenzel advised this water has not been tested yet but will be soon. September 12<sup>th</sup> is the anticipated date of the dedication. He thanked Commissioner Scirocco for all his hard work. The last time water flowed from this spring was 1911. The water has been sampled and it's not that bad.

Jamie Parillo advised everything has been done local. The fountain is an original and is being refurbished by DPW.

Mayor Yepsen thanked the Alfred Solomon Foundation for their \$10,000 grant, Vince Arpey, Jamie Parillo, Charlie Kenzel, and many others.

Commissioner Scirocco also wanted to thank all involved as well.

Mayor Yepsen stated we will have the Native Americans coming to help us rededicate the spring on September 12<sup>th</sup>.

## **CONSENT AGENDA**

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

1. Approval of 7/20/15 Pre-Agenda Meeting Minutes
2. Approval of 7/21/15 City Council Meeting Minutes
3. Approval of 7/6/15 Pre-Agenda Meeting Minutes
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10. Approve REG Warrant: 2015 REG – 15AUG2: \$1,515,298.57

**Ayes – All**

## **MAYOR'S DEPARTMENT**

Presentation: Update on Saratoga Springs Housing Task Force

Mayor Yepsen introduced Paul Feldman and Cheryl Perez.

Cheryl Perez, executive director of the Saratoga County Rural Preservation Company. Homeless veterans are 2 words that should never be used in the same sentence. There were 18 veterans identified as homeless in the City of Saratoga Springs and are no longer homeless. Veterans are not the only ones who are homeless. Poverty and a lack of affordable homes is the driving force for homelessness.

Paul Feldman stated one of things the housing task force has looked at is where we could put affordable housing. They will need community support if we are to be successful; it will have to be welcome. This will not be done overnight as it is a process. There is a lot that we just had the house demoed and we can build a new home on and could be a 2 or 3 story building on this lot.

Set Public Hearing: Revision to City Charter to Transition Civil Service Functions to the County of Saratoga

Mayor Yepsen set a public hearing for Tuesday September 1, 2015 at 6:40 p.m.

Discussion and Vote: Resolution in Support of Saratoga PLAN Grant Application for Pitney Farm (15-284)

Mayor Yepsen stated the City is partnering with Saratoga PLAN to acquire the farm on West Avenue. She read the following resolution into the record:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS  
AUGUST 18, 2015

In Support of Grant from Saratoga County to Saratoga PLAN for Acquisition of Pitney Farm

- WHEREAS**, Saratoga Plan is acquiring approximately 166.32+/- acres of real property, known as the Pitney Farm, located on West Avenue in the City of Saratoga Springs, Saratoga County New York; and
- WHEREAS**, the city of Saratoga Springs is partnering with Saratoga PLAN to permanently conserve the Pitney Farm as open space for the environmental, economic, and health benefits of the city's residents by purchasing the development rights and holding a conservation easement on the property; and
- WHEREAS**, the City of Saratoga Springs and Saratoga PLAN wish to maintain the property's open character and scenic state and ensure that it remains available for agricultural, forestry, wildlife habitat, water resource protection, educational, and other open space purposes; and
- WHEREAS**, the City of Saratoga Springs and Saratoga PLAN recognize the value and special character of the region in which the property is located, and have, in common, the purpose and objective of protecting and conserving the present state and inherent, tangible and intangible values of the Pitney Farm as a scenic and natural resource; and
- WHEREAS**, the Pitney Farm is part of a scenic landscape and has approximately 1,440 +/- feet of frontage on the west side of West Avenue, being a public highway in the City of Saratoga Springs, thereby yielding a significant public benefit; and
- WHEREAS**, the property consists primarily of agricultural land which produces crops, and also consists of woodlands, stream, riparian and wetland communities which provide valuable wildlife habitat, all of which help protect clean air and water, and is therefore an important natural resource; and
- WHEREAS**, the property is located adjacent to the Geyser Brook, also known as Coesa Creek, a class C(T) trout stream as classified by the New York State Department of Environmental Conservation and which is a tributary of the Kayaderosseras Creek, for a distance of approximately 5,376 +/- feet, therefore the preservation of the property's open, undeveloped character and wooded streambank buffering the stream may protect or improve water quality, aquatic habitat, and maintain natural hydrologic regimes; and
- WHEREAS**, the Pitney Farm is located along the Geyser Brook which flows downstream into Saratoga Spa State Park and is located downstream from Rowland Hollow Creek Preserve which is owned and managed by Saratoga PLAN, both of which are available to the general public for passive outdoor recreation and nature study; and
- WHEREAS**, the Pitney Farm consists of productive farmland with 128.54 +/- acres of "soils of statewide significance" and 7.05 +/- acres of prime soils if drained as classified by the United States Department of Agriculture (USDA), Natural Resources Conservation Service; and
- WHEREAS**, the city of Saratoga Springs adopted an Open Space Plan in 1994 which was updated in 2002 and both iterations of the plan identified the property as a priority for agricultural, open space, and scenic preservation; and
- WHEREAS**, the City of Saratoga Springs adopted an updated Comprehensive Plan in June 2015 which recommends, "the preservation, protection, and enhancement of open space...allowing all residents, regardless of income level, to live and recreate in an area that is beautiful, healthy, vital and safe"; and
- WHEREAS**, the property was identified as a highly ranked priority agricultural resource in the 2013 countywide landscape analysis by Saratoga PLAN based on the property's fertile and productive soils, groundwater recharge potential, and size; and
- WHEREAS**, the property is designated within a Natural System Hub, Corridor and Trail Area, and Gateway designated in Saratoga County's 2006 Green Infrastructure Plan and identified for preservation of natural and agricultural lands; and
- WHEREAS**, the property is located within Saratoga County, which adopted an Agricultural and Farmland Protection Plan in 1997 pursuant to New York State Agriculture and Markets Law ("AML") Article 25-AAA. The Plan recommends adopting a series of policy responses to protect viable agricultural land from non-farm development and its impacts to agriculture, including the use of conservation easements as a tool for agricultural protection; and

**WHEREAS**, Saratoga County established a Farmland and Open Space Grant Program to support the acquisition of high priority properties such as the Pitney Farm for significant public benefits; and  
**WHEREAS**, Saratoga County established a Farmland and Open Space Grant Program to support the acquisition of high priority properties such as the Pitney Farm for significant public benefits; and  
**WHEREAS**, the Saratoga County Farmland and Open Space Preservation Grant Program accepts funding application from nonprofit land trusts as long as they are endorsed by the municipality in which the conservation project is located and the municipality agrees to accept and transfer the funds to the nonprofit organization for the project; and  
**WHEREAS**, Saratoga PLAN wishes to seek \$100,000.00 in funding from the Saratoga County Farmland and Open Space Preservation Grant Program to assist with the costs associated with acquiring the Pitney Farm;  
**NOW, THEREFORE, BE IT RESOLVED** that the City of Saratoga Springs strongly endorses and supports Saratoga PLAN's application to Saratoga County for a Farmland and Open Space Preservation Grant for funding to acquire the Pitney Farm, and agrees to facilitate the grant, if awarded, by accepting it from Saratoga County and transferring it in whole to Saratoga PLAN.

**Mayor Yepsen moved and Commissioner Madigan seconded for the City Council to adopt the resolution that was distributed and just read with this agenda in support of Saratoga PLAN's grant application to Saratoga County for the purposes of obtaining funds to support the Pitney Farm acquisition.**

**Ayes – All**

Discussion and Vote: Merit for Review – Saratoga Hospital Planned Unit Development Amendment Referral to Planning Board for Advisory Opinion (15-285)

Mayor Yepsen advised this application is to expand their PUD.

Matt Jones, attorney for the applicant, advised the density would remain the same. They will work directly with the Planning Board.

**Mayor Yepsen moved and Commissioner Madigan seconded that the proposed amendment to the Saratoga Hospital PUD has merit for further review and to request an advisory opinion from the Planning Board on the proposal and specifically request the Planning Board evaluate zone F proposed uses and consider how generally defined proposed residential uses comport with the existing Saratoga Hospital PUD and offer any related recommendations.**

**Ayes - All**

Discussion and Vote: Deferral to Planning Board for SEQRA Lead Agency on Saratoga Hospital Planned Unit Development Amendment (15-286)

**Mayor Yepsen moved and Commissioner Madigan seconded for the City Council to defer lead agency status to the City's Planning Board for SEQRA evaluation with respect to Saratoga Hospital Planned Unit Development amendment.**

**Ayes – All**

## **ACCOUNTS DEPARTMENT**

Announcement: Commissioner of Deeds

Commissioner Franck appointed Carrier Spencer of the Accounts Department as a Commissioner of Deeds.

Announcement: Saratoga County Economic Opportunity Council Food Drive – August 28th

Commissioner Franck advised he is the city official on the board of the EOC. He announced they have teamed up with NYRA to hold a food drive on August 28<sup>th</sup> at the track. Non perishable foods will be accepted at the track's Community Booth. If you bring 3 items you will receive a giveaway from the track.

Discussion and Vote: Contract with Direct Energy (15-287)

Commissioner Franck advised that each year our energy broker looks for the best rate. This year the best rate is with Constellation Energy. The 12 month rate per kilowatt hour is .06042¢ and the 24 month rate is .06031¢. The Council has the option of approving either contract. In the past he has suggested 1 year contracts. This is the lowest rate seen in a long time, therefore, they gave us an option of terms.

**Commissioner Franck moved and Commissioner Madigan seconded to authorize the mayor to sign a 24 month contract with Constellation Energy for .06031¢ per kilowatt hour.**

**Ayes - All**

Award of Bid: City United Development Ordinance to Behan Planning and Design (15-288)

**Commissioner Franck moved and Commissioner Mathiesen seconded to award the bid for the City United Development Ordinance to Behan Planning and Design for an amount not to exceed \$129,300.**

Funding is in line: A3618684 / 54786.

**Ayes - All**

Award of Bid: Woodlawn Ave. Water Main Replacement to Creighton Manning Engineering (15-289)

**Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for the Water Main Replacement to Creighton Manning Engineering for a total cost of \$55,900.**

Funding is in line: H3638332 / 52000 / 1167.

**Ayes – All**

Award of Bid: Washington Street Water Main Upgrade to Gallo Construction Corp. (15-290)

**Commissioner Franck moved and Commissioner Scirocco seconded to award the bid for the Washington Street Water Main Upgrade to Gallo Construction Corp for a total of \$638,952.90.**

Funding is in lines: H3638332 / 52000 / 1167.

**Ayes – All**

**FINANCE DEPARTMENT**

Discussion: 2016 Requested Budgets

Commissioner Madigan stated the total for the general fund operating budget requests is \$3.6 million dollars greater than the current general fund operating budget. Much of the increase is due to the requests for more staff and expired contracts having been settled. The tax cap is CPI (.73%) or 2% whichever is lower. She intends to keep the budget at zero.

Announcement: Saratoga Spa State Park Dog Park

Commissioner Madigan advised the City partnered with the state and the City has agreed to pay up to \$33,000 of improvements to the dog park. There is a fence going up as we speak. This will keep the dogs from running in the street and getting hurt.



Commissioner Scirocco stated this was a great idea and wanted to thank Commissioner Madigan for bringing this up to have done.

Discussion: Council Clarification – City Center Parking Garage Project

Commissioner Madigan stated there has been some confusion about whether the City Center should continue. There were 3 Council members who felt the City Center should continue moving forward.

Commissioner Scirocco stated we need to keep the door open on every option. We might not like the RFP. Let the City Center keep doing what they do and they should be involved in this RFP. We should keep all options open.

Commissioner Mathiesen stated there is not a wrong answer here. We need to see what proposal comes in and see what we have then.

Commissioner Franck asked if the vote has been taken for the subdivision.

Commissioner Madigan stated the subdivision has not been voted on. She believes the vote will be September 9<sup>th</sup>.

Commissioner Franck stated votes before have designs is one thing; the final vote after getting specifics is what counts.

Commissioner Madigan stated changing the solar ordinance puts the City Center back to where they were in September. The City Center will be delayed by months.

Commissioner Franck asked what the ability is to un-subdivide it and how fast can it be done?

Commissioner Scirocco stated the ultimate decision is the Council's through the lease.

Mayor Yepsen stated that Planning Board was disappointed that they didn't get a response or direction from the Council to the Chair of the Planning Board's memo. The City Council has basically said yes to 2 things on the same property. The public is looking for something better; more parking. Hopefully we can wait on the subdivision.

Discussion and Vote: Budget Transfers – City Center Contingency (15-291)

**Commissioner Madigan moved and Commissioner Franck seconded to approve the 2015 budget transfers – contingency City Center that were made available with the agenda materials. The current budget amount in the City Center contingency line is \$673; there will remain \$.50 after this transfer.**

**Ayes - All**

Discussion and Vote: Budget Transfers – Payroll (15-292)

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

**Ayes – All**

Discussion and Vote: Budget Transfers – Benefits (15-293)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget transfers – benefits which were distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Budget Transfers – Interfund (15-294)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget transfers – interfund which were distributed with the agenda.**

**Ayes - All**

Discussion and Vote: Budget Amendments – Interfund (15-295)

**Commissioner Madigan moved and Commissioner Scirocco seconded to approve the 2015 budget amendments – interfund which were distributed with the agenda.**

**Ayes – All**

Discussion and Vote: Budget Amendments- Benefits (15-296)

**Commissioner Madigan moved and Commissioner Mathiesen seconded to approve the 2015 budget amendments – benefits which were distributed with the agenda.**

**Ayes- All**

Discussion and Vote: Budget Amendments – Assignment for IT Initiatives (15-297)

Commissioner Madigan stated the IT hardware budget will be increased by \$70,000. This money will items such as cover security initiatives, Wi-Fi in City Hall, and upgrade to the Council Chamber projector. The funding source is in the assignment of 2013 excess fund balance. After this budget amendment, there will remain \$4,645.

**Commissioner Madigan Moved and Commissioner Scirocco seconded to approve the 2015 budget amendments – assignment for IT initiatives for additional security and other IT initiatives which were distributed with the agenda.**

**Ayes – All**

**PUBLIC WORKS DEPARTMENT**

Discussion and Vote: Authorization for the Mayor to sign agreement with Creighton Manning Engineering for the Woodlawn Water Main Replacement Project (15-298)

Commissioner Scirocco stated this agreement is for the fieldwork, design, bidding, and construction phase. The project will replace approximately 4,700 feet of aging 4 inch pipe with new 8, 10, and 12 inch pipe. The project should be ready for bidding this fall.

**Commissioner Scirocco moved and Commissioner Franck seconded to authorize the mayor to sign an agreement with Creighton Manning Engineering for the Woodlawn Water Main Replacement Project in the amount of \$55,900.00.**

Funding is in line: H3638332 / 52000 / 1167.

**Ayes - All**

**Commissioner Scirocco moved and Commissioner Franck seconded to add an item to his agenda for discussion and vote to authorize the mayor to sign an agreement with Auburn Armature Incorporated. (15-299)**

**Ayes – All**

Commissioner Scirocco stated this is for the replacement of 2 Toshiba high lift pumps at the water treatment plant. On Friday one of the high lift pumps stopped working, there are 2 still working. The life expectancy of this type pump is 10 years and this pump is 15 years old. Auburn is the authorized distributor in the east; therefore a sole source. They obtained a quote from Auburn to replace 2 pumps for \$69,754; a savings of \$3,153 for doing both pumps at the same time. It is important that they at least have what they have now – 2 pumps running at all times.

**Commissioner Scirocco moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with AAI to replace 2 high lift pumps at the water treatment plant for a total of \$69,754. (15-300)**

**Funding is in line: H3638332 / 52000 / 1167.**

**Ayes - All**

#### **PUBLIC SAFETY DEPARTMENT**

Discussion and Vote: Authorization for Mayor to sign MOU with Bechtel Marine Propulsion Corp. (BMPC) (15-301)

Commissioner Mathiesen stated Bechtel Marine Propulsion is the safety and emergency preparedness engineers.

**Commissioner Mathiesen moved and Commissioner Scirocco seconded to authorize the mayor to sign an MOU with Bechtel Marine Propulsion Corp.**

**Ayes- All**

Discussion and Vote: Authorization for Mayor to sign agreement with Hope Janitorial (15-302)

Commissioner Mathiesen advised Hope Janitorial cleans the Public safety offices and bathrooms on the second floor of City Hall.

**Commissioner Mathiesen moved and Commissioner Madigan seconded to authorize the mayor to sign an agreement with Hope Janitorial in the amount of \$325 per month.**

Funding is in line: A3143014 / 54720.

**Ayes- All**

Discussion and Vote: Authorization to Pay Invoice that Falls Under Addendum 2 with Nixon Peabody (15-303)

Commissioner Mathiesen stated that Vince will explain this.

Vince DeLeonardis, city attorney, explained there are 3 agreements with Nixon Peabody; the original, addendum 1 and addendum 2. The amount before the Council to approve tonight falls between addendum 1 and addendum 2.

**Commissioner Mathiesen moved and Commissioner Madigan seconded to authorize payment in the amount of \$17,644.36 that is due in part retroactively under Addendum 1 – matters 1 and 2 and part under Addendum 2 of the contract with Nixon Peabody.**

Funding is in line: A3143014 / 54720.

### **Ayes- All**

#### Discussion: Noise Ordinance

Commissioner Mathiesen stated we have to raise awareness of this problem. The safety and well being of the horses and the horsemen is important.

Mayor Yepsen stated this was great that this issue was brought up and we don't want to discourage horse owners.

Commissioner Franck stated he worked at the Oklahoma track and has seen horses get spooked. There are always going to be injuries not related to that. Living near the track is a big selling point and it shows with the assessments.

Mayor Yepsen stated would it be a good idea to do signs like Commissioner Franck advised? We should at least communicate this with the owners.

#### Discussion: Update on law suit and Attorney General Investigation

Commissioner Mathiesen stated he wanted to cover these two issues and clarify them. There is a request for a stay on the case and our attorneys rejected that request. Our attorney stated a stay would require a formal decision. A decision has not been made so there is no stay.

Commissioner Mathiesen stated it has come to his attention that his opponent is going door to door telling people his is being investigated by the attorney general. This is not true. He spoke to the assistant attorney general in January to advise he and his staff would fully cooperate but the assistant attorney general would not tell him what the investigation is about. He seriously doubts the assistant attorney general has leaked any information.

## **SUPERVISORS**

### Matthew Veitch

#### Train Derailment Incident in Saratoga Springs

Supervisor Veitch reported on August 4<sup>th</sup> we had a train derailment near the Town of Milton line in Ballston Spa. The Saratoga County Office of Emergency Service was not notified until the next day. The director of emergency services is looking into how the County Board of Supervisors can pass a local law to enforce rails in the residential areas.

#### Public Safety Committee Subcommittee Recommendations

Supervisor Veitch reported the Public Safety Committee recommended the deputies be equipped with body cameras. The cost would be \$300,000 per year for Saratoga County. We had to call deputies in on overtime to be on patrol due to the amount of transporting of prisoners.

#### 2<sup>nd</sup> Quarter Budget Report

Supervisor Veitch reported the county is running under budget.

Saratoga County Prosperity Partnership Town Hall Meeting

Supervisor Veitch reported the town hall event will be held at HVCC tomorrow August 19<sup>th</sup>.

National Association of Counties Committee Assignments

Supervisor Veitch reported he has been reappointed to the IT Standing Committee at the Association of Counties.

Hazmat Coordinator

Supervisor Veitch state a resolution has passed today to assign a hazmat coordinator for the City of Saratoga Springs and will receive an annual stipend.

Peter Martin

Report: Public Works Committee

Supervisor Martin reported a portion of the bridge on the Zim Smith trail in Malta will be rehabilitated. The Board also authorized the re-painting of the Kenemore Bridge to Washington County.

Report: Racing and Gaming Committee

Supervisor Martin reported the Board adopted a resolution today regarding turning NYRA over to a not for profit entity. The Retired Race Horse Summit will be held September 1<sup>st</sup> at Fasig Tipton.

Report: Quarterly Budget Review

Supervisor Martin reported they received a report from the treasurer of sales tax received through August; they are ahead of projections. This does not include July or August sales tax.

**ADJOURNMENT**

There being no further business, Mayor Yepsen adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Margaret LoPresti  
Clerk

Approved:  
Vote: