Roll Call
Present:
Vince DeLeonardis, Chairman
Deputy Commissioner Michael Sharp, Vice Chairman
Deputy Commissioner John Daley, Secretary
Commissioner John Franck
Commissioner Peter Martin
Deputy Mayor Lisa Shields
Deputy Commissioner Maire Masterson

Absent:
Commissioner Skip Scirocco
Deputy Commissioner Joseph O’Neill
Commissioner Michele Madigan

Recording of Proceeding
The proceedings of this meeting were recorded for the benefit of the public and the secretary. Because the minutes are not a verbatim record of the proceeding, the minutes are not a word-for-word transcript.

Call to Order
Chairman Vince DeLeonardis called the meeting to order at 4:35 PM.

Public Comment
Vince DeLeonardis opened the floor up for public comment.

Bonnie Sellers, Saratoga Springs – Comments on Title 2 Supervisors. The Supervisors report at the end of a Council meeting and is it really necessary for them to sit through the whole meeting? Some of the meetings go very late. The Charter says that the 4 Commissioners & the Mayor work part time but it is really a 24x7 job. The Charter allows for the elected official to hold both their elected seat and a Supervisors position but by doing both it might dilute the job.

Margie Van Meter, Saratoga Springs – served on the successfully passed charter commission. She thinks they made a mistake in § 2.6.1 – Deputies have no requirements. Suggest you consider strengthening the quality of the professional skills as you revise this charter. In §2.6.2 All employees will be coordinated with Human Resources department. All employees shall be coordinated with the Human Resources department and one of the saddest things is that the department has not been developed and it was one of the important goals of her charter commission. This would allow for employees to be able to move from department to department and she doesn’t know if this is happening but it was a goal.

Vince DeLeonardis, Chairman wanted to address the Times Union article – Charter Change. While the article predominately dealt with a Supreme Court decision regarding a FOIL request
concerning ballot images. The article did contain a few paragraphs which dealt with the charter commission:

“Meanwhile, there is a newly formed charter review commission, created by new city Mayor Meg Kelly. The commission, which meets every other week on Wednesdays, expects to tweak the current charter. It also promises to preserve the commission form of government, which has been a point of contention in the city for more than a decade.

The new commission consists of elected officials and their appointed deputies. It is chaired by City Attorney Vincent DeLaurentis. (not certain who that is)

Most of the officials on the commission vehemently opposed any charter change and publicly campaigned against it, defying state law that requires elected officials remain neutral in a charter referendum.

During this new charter review, elected officials on the commission will have the opportunity to raise their own salaries and extend their terms in office. The changes may or may not have to be voted on in a referendum.”

Unfortunately even though it is a small portion of the article, what is contained in that portion is largely inaccurate. It should be pointed out that with respect to the claims in there regarding the Commissioners and their opportunity to effect their terms of office and raise their salaries, on something that may or may not be put on a referendum. I want to make this perfectly clear that the Certificate filed by the Mayor creating the Charter Commission made very clear that the “Commission will be tasked with producing a charter proposal to be submitted to the voters of Saratoga Springs for a referendum in the November 2018 election. So while we as a commission have not made any final determinations with regard to salaries or terms of office, what is clear is that any proposals that will be made will be decided by the registered voters of the City of Saratoga Springs and not by its elected officials. The other part of that article that was somewhat disturbing, and quite frankly irresponsible, was the claim that members of the commission and in particular the City Council, did anything that was in contradiction with the law. Providing the public with information, educating the public, and having the public participate in this process is something that we want and something that we encourage. Information that is contained in articles that is inaccurate and or misleading tends to frustrate that purpose so I would respectfully ask the author of the article in the Times Union newspaper, Ms Liberatore, to take some care and caution in educating herself on the issues she intends to write about in her paper so as not to ultimately render what would be the ultimate disservice in misinforming the public. So I just wanted to provide that clarification and set that out there.

End of public comment.

**Approval of Minutes**

V. DeLeonardis made a motion to approve the minutes of April 10, 2018. Commissioner Martin seconded the motion.

Vote:  Ayes – all  Nays – none  Motion carried.

**Discussion Items**

1. Title 1. Short Title; Territories; General City Powers; Severability
There were no comments regarding this section. All section will be reviewed by outside counsel prior to final submission for the referendum.

2. Title 2 – City Council, Supervisors, Deputies, and Employees

Deputy Commissioner Sharp designed forms that were submitted at the last meeting. These forms will be used going forward to submit specific sections for discussion and proposed changes. These will be reviewed at the meetings and Vince DeLeonardis will draft the changes and bring them for review at the beginning of the next meeting and a possible vote if the commission is comfortable doing that. Deputy Commissioner Sharp would like the forms to be used in the preparation of a section by each member of the commission to aid in identification of areas for discussion. Several forms were provided prior to the meeting which will be used for the discussion today.

The topic for discussion is §2.1 Officers; eligibility; terms of office; salaries. Deputy Commissioner Sharp started the discussion with his item: Current Language: The Mayor and each Commissioner shall receive a salary of $14,500 per year, except that for the year 2010 their salary shall be reduced 10% each pay period effective March 23, 2010, for the remainder of that calendar year, at the request of the City Council and due to the current fiscal crisis.

Suggestion: Pull salary language related to the Mayor and Commissioner salary, and instead have them stated via resolution.

Commissioner Martin agreed that the specific salary should be removed. The Charter is a difficult document to amend, which is a good thing, but you don’t want things in the document that need rapid change. We have been lucky in the past with the low rate of inflation but when you put specific salary in the charter it becomes quickly outdated and the discrepancy over time becomes greater and greater as inflation grows. I proposed in my form a method for establishing what the salaries would be and that is to have an independent citizens committee provide advice to the council as an independent body that does not report to the council. This independent group could objectively review the jobs, hours spent, expertise, consider inflation and other factors that would influence a salary and report back. Then it would be a local law that would set what the salary would be and pursuant to NY state law, it would not take effect until there is another election so you are not voting on an increase your own salary. A Supervisors salary at the County, Commissioner Martin believes, is done via local law.

Tony Izzo stated that §§23 & 24 of the Municipal Home Rule Law (MHRL) speaks to this. §23 talks about decreasing salary of an elected official during their term of office. Decreasing is a mandatory referendum. §24 discusses the increasing salary of an elected official during their term of office. That requires a permissive referendum only if enough people sign a petition. Tony will check on the legal issues of increases and decreases of salaries by resolution but §§23 & 24 of MHLR is the law that speaks to salaries by local law.

Vince DeLeonardis said that to the extent that the salaries do get pulled out of the charter, the idea of a local law vs. resolution does make a lot of sense and invites a greater level of public participation through public hearings that are a requirement of a local law. And in the event of an increase and there is a petition with the appropriate number of signatures, then the increase
would become subject to referendum. That does provide public participation that would be warranted for something like council salaries and if it did go through a local law, the law would take effect 45 days following the filing of the law with the state. There is no requirement to wait until the next term for the law to take effect but language could be include in the charter that no law would take effect until the following term.

Commissioner Frank agrees the salaries should come out and said that other government bodies, the Senate and Assembly and Counties have a mechanism to do this. It makes sense to have a study done and push the effective date to the next election cycle. The Supervisors vote on the salaries every two years the first meeting in January. Commissioner Martin said the vote is taken on the last meeting of the year for the coming January.

Vince DeLeonardis continued comment on Commissioner Martin’s suggestion that if the salaries do get pulled out, any change in the salary would have to be made by local law with language included that the change would take effect for the next term. Vince requested suggestions on the manner on which the change is arrived at.

Commissioner Martin suggested a citizens committee, not containing any employees of the City, would do the leg work and make a recommendation to the council. Hopefully there would be enough facts included on how they came to the recommendation so that the council would be able to agree that it makes sense. The language of a “citizens committee” should be included in the charter.

Tony Izzo said that in §2.2 there is already language that addresses ad-hoc committees that can be established by the council to address any issues in the public interest. Tony suggested that language might want to be included that addresses the specific committee.

Vince DeLeonardis asks that since the ability to form the committee already exists should additional language be included in the charter or would this suffice? Should there be a mandate for a committee to be formed prior to any increases? Deputy Commissioner Sharp said he would look at NYCOM and others to see how they accomplish this and report back at the next meeting. Vince asked if anyone had any objections to removing the salaries from the charter? There were none. He also asked if there was any objection to making any changes to the salaries by using a local law? There were no objections. Does anyone have any objections to having the local law changing salary take effect for the following term? There were none. The continuing discussion would be the mechanism to be used for obtaining the information for the basis of the change. Vince said he would draft some language for consideration. Commissioner Franck agreed that it is important to have some language in the charter for guidance and public clarity especially in light of the Times Union article which was incorrectly stating that this committee would be voting on their own salaries.

Deputy Mayor Shields brought forward §2.1 “Each officer shall be elected for a term of two years….”. Lisa’s question is - should the term be 2 years or 4 years or some other and should we discuss term limits?

Vince DeLeonardis said there are clearly different viewpoints on term of office. Currently they are 2 year terms and the question of moving to 4 years has pros and cons to both and has been discussed at every charter review. This is a topic that will be included in the outreach efforts for
opinions from the public and employees to assist us in making the determination. Deputy Commissioner Sharp thanked the Accounts Department for providing the previous survey and results. This question was included in that survey and the majority responded to keep the term at 2 years so it will be interesting to see if the answer remains the same or if there has been a shift. Vince said that we all live the 2 year cycle and it feels like the city is littered with signs and the election activity whereas a 4 year term would ease the election disruption. However on the flip side if the public is displeased with an elected official they can be voted out in 2 years. Deputy Mayor Shields commented that from the employee and staff perspective, a change every 2 years has an effect. Deputy Commissioner Daly agrees that this is a particularly important issue to the public. He has spoken to many people and has heard that after 2 years we can change a commissioner that we don't like. His experience with the Legislature is that they have 2 year terms and not a whole lot gets done that second year as all the election activity gets kicked off. That second year becomes about fund raising and attending events and not the business of public policy. Groups like Good Government, recommend 4 year terms for the Legislature. Obviously public opinion should guide what we do. Commissioner Martin commented that his 2 positions in government have been 2 year terms and he concurs with Deputy Commissioner Daly that there is a problem with efficiency and there is a disproportionate amount of money spent on campaigns for an office that is a part time office and he believes the City would be better served with 4 year terms. Commissioner Franck is in agreement that we will find out what the people want but he does not agree with a 4 year term. He feels that campaigning puts you closer to the public and you find out what they actually want and are concerned with. It is hard for the staff because their job is only for 2 years. Mechanicville has 4 year terms and term limits but you could run for another office if you served the 8 year maximum in a specific position but they have had times when they couldn't fill all the seats because of the term limits. But he is a pro term limit and has life time health insurance. If you put in term limits that would cut out the ability to get lifetime health insurance which may be something, but in the end we need to hear from the people and the questionnaire will provide the guidance. Deputy Mayor Shields said that when an administration changes in the Mayor's office there is no continuity so perhaps the executive assistant position becomes a permanent position and not appointed. Commissioner Franck suggested a hybrid approach as the Mayor being 4 years and Commissioners being 2 because even though this is a weak Mayoral form of government, the big election every 2 years is for that position. Commissioner Martin thinks the different terms for different offices is very interesting. It is done in our County. Some supervisors have 4 year terms but the towns have trustees with 2 year terms. Deputy Commissioner Daley likes the 4 year Mayoral term. It is done in our County but public opinion has to inform this. Vince DeLeonardis said that any further discussion will be deferred until after public opinion has been heard. Commissioner Martin suggests that the Mayor also hold one the two positions of County Supervisor. In all 19 towns the Chief Executive is the Supervisor. The 2 cities are different. There are real advantages of having the Chief Executive also serve because it is more efficient. The Supervisor spends a lot of time talking with the Mayor to determine the City’s position on different issues that are being brought forward that are serving the City. The other thing is the economic argument. The County pays $20,000 for the supervisors to attract the best qualified people for the positions. Deputy Commissioner Daley agrees that adding the additional salary to the Mayor’s makes the position more attractive. It also is more efficient as the position of the city would be clear but again public opinion should inform what we do. Deputy Commissioner Sharp said that this topic was on the 2001 survey and only 18% were in favor of the Mayor serving in both positions. Vince DeLeonardis thinks it is interesting from an economic perspective. In prior conservations with Mayors, the general consensus is that they are working 50, 60, even 70
hours a week in a job which is part time. It would be difficult to add a mandate to serve as supervisor. The option currently exists to serve, but to date, no one has taken advantage of that. Commissioner Franck doesn’t have a problem with this and thinks it a great idea but he is wondering if it is legal for a Mayor to hold both positions. Tony Izzo will check into this. Deputy Commissioner Sharp said that the residents with 16 more years in the city were 63% opposed however the newer residents were only 43% opposed to the idea. The new survey will be interesting. Commissioner Franck suggested that he heard that 53% of the residents who voted in the last election have lived in Saratoga Springs less than a decade. These surveys will be very helpful to understand what the public wants. Commissioner Martin stressed that the Supervisor role is truly a part time position. Vince DeLeonardis said that this brings up another topic for future discussion, should the Mayor and Commissioners remain part time or should one or more of them be full time? Commissioner Martin believes that having the Mayor at the County Supervisor’s table would be extremely helpful in providing the City’s position/policy directly to the County. Deputy Commissioner Sharp pointed out that the Mayor is only 1/5 of the voice of the city but is interested in knowing more about other cities.

Vince DeLeonardis brought §2.2 City Council and powers up for discussion. Deputy Mayor Shields began with “Agendas for regular meetings shall be finalized and filed in the City Clerk’s office for public review no later than noon the day preceding such meeting.” Suggested language “Agendas for regular meetings shall be finalized and filed in the City Clerk’s office for public review at least 24 hours in advance of the meeting.” The discussion provided “by the close of business the day before.” The timing of the agenda publishing is difficult especially on days when the pre-agenda and City Council meetings are on the same day. Commissioner Franck suggested it be removed from the charter. Tony Izzo suggested that perhaps this process could be established by resolution rather than be included in the charter. Commissioner Franck suggest the language in the charter could reflect that “we are following Open Meetings Law” and remove the rest. Commissioner Martin agrees that the charter is a lengthy document and could be pared down. Vince DeLeonardis thinks that the charter should not be vague. Tony Izzo agrees that somehow there needs to be a more definite direction and brings up the point that there is a section that states that if an item is not on the agenda it will not be voted on at the meeting. He feels that this is important and should be incorporated somehow. Commissioner Franck said that the meetings have not always been on Tuesdays, it just seemed to be a convenient day. Information in the past was presented in printed form but now we have the electronic ability so it makes it faster and easier for information to get to the public. Vince DeLeonardis has no problem with the change for posting the time for the agenda but wants the mechanism to be in the charter for ease of public access.

Commissioner Martin would also like to suggest in this section that a video conferencing option for attendance at meetings is available. Public Officers Law provides for this and electronic ability has progressed. Tony Izzo pointed out that the ability exists today as long as the attendance by video conferencing is noticed at each individual meeting and that this could be included in the Charter. Deputy Commissioner Sharp questioned what noticing means especially if someone was snowed in and couldn’t make the meeting. Tony Izzo sited §104 saying that the public notice must include the activity. Commissioner Franck wondered if the person who is on video conference is considered as part of the quorum? Both Tony Izzo and Vince DeLeonardis agree that they are.
§2.3 – Supervisors. Commissioner Martin suggested that if the change for the Mayor to be a Supervisor is made then this section must be changed to agree with that. Commissioner Franck suggests that the only change needed would be for the word Council to be changed to Commission. Commissioner Martin said that it would be difficult and expensive for someone to run two campaigns and that this may be why since 2001 no one has taken advantage of this section. Commissioner Franck suggested taking the section out but the legality of it would need to be researched. Vince DeLeonardis said due to the requirement of legislative and administrative duties, it is difficult for someone to run for office in the city. The Supervisor position allows for someone to exercise the desire to serve the community and if you take one of the two positions we have, and make it mandatory for the Mayor to hold one and allow a Commissioner to also run, you are removing the ability from the public to serve. Commissioner Franck suggested that from a budgeting perspective the Mayor would receive the additional Supervisor salary and in effect become full time. Deputy Commissioner Daley added that this may make the voice of the city more effective at the County level.

§2.4 Vacancies. Commissioner Martin said that there are a couple of areas that are vague and he would like to clean them up. One area says: “If the term of office of the officer vacating the office continues beyond the official year in which said vacancy occurs, a personal shall be elected at a special election held after the occurrence of such vacancy to fill such vacancy for the remainder of the unexpired term.” Proposed: If there is a vacancy that occurs with sufficient time before the next general election (60 days) then the spot would be filled at the next general election”. There would only be a special election if the vacancy occurs where there isn’t sufficient time to run at the general election. Commissioner Franck said he would have no election to fill the vacancy since it’s only a 2 year term. Special elections are expensive so we want to get rid of them anyway. There is a succession outlined for the Presidency. The Deputies would not want to take the pay cut to take over the position. Lou Benton left and the Council made an appointment to fill his place. Tony Izzo cited §42 of the Public Officers Law supporting the vacancy to be filled at the general election. Commissioner Martin would like to see the language provide clarity to when the vacancy would be filled because as it is, the section is vague and has potential for the public to misunderstand how to fill a vacancy. Commissioner Franck suggests we default to state law for direction.

The other section that is vague is in a catastrophe where we no longer have a quorum, Commissioner Martin suggests that the governor is empowered to make the appointment. Commissioner Franck asked about incapacity to fill the office. What direction would be followed? Deputy Commissioner Daley agreed that the continuity of government is at issue. In the event of temporary inability to serve, who takes charge? Does the Deputy step in and manage the day to day? Commissioner Franck said that since the Deputy still collects full pay, he could see them stepping into the empty position. Vince DeLeonardis suggested more research would be needed for these areas.

§2.5 – Civil Service. Deputy Commissioner Sharp submitted a comment on “There shall be a Civil Service Commission. The Council shall appoint three Civil Service Commissioners to serve for six-year staggered terms, without compensation.” Propose language “The City shall utilize Civil Service either through a Civil Service Commission or through the Civil Service Office of the County.” If there is a problem with Civil Service we have to go to referendum. Depending on the timing it may take time, efficiencies etc. allowing the council some flexibility may have some use. Vince DeLeonardis doesn’t believe that we can put in the charter that the
The council has the flexibility to have or not have a Civil Service Commission as the decisions effecting Civil Service must go to referendum but this idea requires more research. Commissioner Martin agrees that referendum is required for any change in the current situation but we need to make a change for efficiency. We could go to the County or we use a system that is similar to what is in Albany where there is a City Civil Service Commission but there are agreements between the commission and the HR department. He supports the change but we need to come up with the specifics on what the change is. Commissioner Franck said that we need to pare down some costs and this may be an area to explore. Vince DeLeonardis said that cost savings are needed and shared services are always a good thing to strongly consider and the issue is weighing the benefits of having Civil Service in the building or having to go to the County. There is a third option and this is using a Personnel Director that would take the place of the county or in City Hall. The individual under the law is subject to a 6 or 7 year term and serve in the capacity of an employee of the city. Commissioner Franck said we should research among the 60+ cities in the county to see what they do. The police department and DPW are probably the largest departments that utilize Civil Service. Commissioner Scirocco isn’t here but he should provide some guidance from his perspective.

§2.6 – Deputies and employees. Vince DeLeonardis believes this section warrants some discussion on having some level of qualifications for the deputies included. We have it in the charter that qualifications may be established but nothing has ever been incorporated. Commissioner Martin said that this is the one issue he has heard the most about from constituents. He recommends that the Charter is a difficult document to make changes to so if you change the current language from the “council may” to “the council shall” establish appropriate qualifications for deputies, then the council could establish the qualifications in a resolution and as things change the council could react and make the appropriate changes more quickly. Commissioner Franck said he hears more about the commissioners and the mayor not having the qualifications outlined. He thinks the word “shall” may make getting a Deputy more difficult than it currently is. Vince DeLeonardis said currently the only requirement is that the deputy be a resident of the city. Thinking of the political angle perhaps it should also say that no deputy could be an officer of a political party. Another area may be to call out the educational or equivalent years of experience in the related field requirements. Tony Izzo discussed §13.5 of the Code of Ethics and suggested that be reviewed. Commissioner Franck likes the political restrictions. Deputy Commissioner Sharp brought up the requirement for the deputies to live in the city. Commissioner Franck pointed out that deputies by appointment are Public Officers and the law requires them to live in the city in which they serve. Deputy Commissioner Sharp said that the city is very expensive to live in and if the area of residency requirements could be extended to some outlying towns that would be helpful. Could the wording “shall be a Public Officer” be removed? The language was added in the 2001 charter to provide clarity. Vince DeLeonardis will provide some language to review regarding deputy qualifications.

§2.7 – Code of Ethics. No changes, no discussion.

§2.8 – Removal from Office. Commissioner Martin had originally wanted some discussion on this section but is removing his recommendations from consideration.

Vince DeLeonardis recapped that §§2.3; 2.7; and 2.8 there are no recommended changes and should remain as is. The areas for additional research, review and/or revision are §§2.1; 2.2; 2.4;
Other Business

1. Establish Forum Date. There is a week in May where we don’t have a council meeting so the Forum Date will be Wednesday May 30, 2018 at 6:00 PM in the City Council Room. The intent of this meeting is for the public to provide their opinions.

2. Review & approve two proposed questionnaires for the public and current employees. Deputy Commissioner Sharp put together proposed questionnaires that are included in your packet. The intent of the current employee questionnaire is to gather the information that would have been provided in an interview and due to the time constraints, individual interviews are not possible. Commissioner Martin is not prepared to draft this at this meeting and would like this to be discussed at the next meeting. Deputy Commissioner Sharp will circulate this to the commission and it will be voted on at the next meeting. He also said the list of employees to participate will be provided at the next meeting. Vince DeLeonardis said that he was contacted by Supervisor Veitch requesting some time to discuss the charter. Due to the time constraints to have the document completed, Vince suggested that he and Vice Chairman Sharp conduct sub-committee interviews with Supervisor Veitch and other certain individuals who have experience with a charter effort, reminding them that the form of government will not change, and report back on the information they received.

The last item that Vince DeLeonardis wanted to advise the commission on is that the budget was passed and that will include Trish’s services, mailings and legal services. He was tasked with getting quotes and reviewing candidates to provide the legal services. He suggested that there are two thoughts on this. One is retaining a local attorney who is familiar with our form of government and city hall. The other is retaining a firm that has experience with the charter process, New York Law and other requirements but not with our particular environment. Tony Izzo and I interviewed Steven Rodriguez, a former City Attorney, familiar with our charter, working with the council and defended the charter. I want to use his services but would like to reserve the right to engage a larger firm, Hodgson Russ and Bob McLoughlin, for their review of the final document. We contemplated a budget of $15,000 for legal services and my thought was to essentially split that with no greater funds being spent but having the expertise we need. Commissioner Martin feels that it is important that whoever we hire has no conflict of interest such as an active practice with our land use boards, or currently involved in a law suit against the city.

V. DeLeonardis opened the floor back up for additional public comment.

Public Comment

Richard Sellers, Saratoga Springs resident. He just finished a blog for American Marketing Association on careers and job descriptions, its one of the things he does, and he found job specs to be useless. The only job spec that is important is that the Deputy can deliver on the Commissioner’s commitment to the city. Therefore the responsibility goes to the Commissioner not to some theoretical list of wishes. Second thing is two year terms. He’s said that “you find it a lot of work, we don’t care”. The public likes to see you, talk to you and tell you what we care
about and when he sees Peter on a Sunday before the election on a little street out talking to people on a lousy weather day it shows that he is committed to the city and really wants the job. That means a lot to us, it increases transparency, democracy, and effectiveness of the city. A little bit more on that is length of terms. That two year term keeps you in front of the people and one of the fundamental reasons that this government is successful. On the Mayor being a supervisor, we have no official opinion on that. Personally if it were a “may” versus a “shall” that would be fine.

Matt Jones, City of Saratoga Springs. Congratulations on the selection of counsel. He knows both of them well and has worked with them over the years and they will serve the Commission well. As for clean up items in the Charter, the last sentence under paragraph 2.2 is a horribly controversial section which reads “The vote of three members shall be necessary to pass any matter unless otherwise provided in the Charter.” We know that what that means isn’t exactly what that means. Counsel will probably draft this for you, but some provision that deals with the intention of pre-empting certain provisions of state law which provide otherwise as in the case of the Mayor for leases and easements and those kinds of things. So what we want to do is be clear that the vote of three members is the vote of the council notwithstanding any other provision contrary to state law. I think we want to pre-empt that if we can. Vince DeLeonardis commented that once we got to §8 he was going to strongly suggest language that would clearly articulate that right but certainly would be some value and benefit in strengthening the language in that section.

Margie Van Meter, Saratoga Springs. This just occurred to me but could we change the section on Mayor and say the Mayor will serve as one of the County Supervisors. I don’t know if it would be legal but it might be a way to do it. Vince DeLeonardis commented that if we go that route and determination is to have the Mayor serve in that capacity, we will look at the best place to put that. Margie Van Meter commented that it would certainly strengthen the city’s power in the county.

End of public comment.

Vince DeLeonardis thanked everyone for coming. As a reminder, there is the website for comments and he encouraged others to come to the meetings and provide their comments. The questionnaires will be up for discussion at the next meeting and the forum will be coming up also. We hope the public will participate in this process.

Vince DeLeonardis adjourned the meeting at 6:42 PM.

Respectfully submitted by Trish Bush.
2018 Charter Review Commission
City of Saratoga Springs NY
Sections To Be Addressed

Submitted by:  Vince DeLeonardis
Date submitted:  4/25/18

2.6  **Deputies and Employees**

2.6.1 - **Current Language:** "The Council may establish appropriate qualification for any deputy."

**Issue:** Should we incorporate specific qualifications/requirements for the deputy position?

**Proposed Language:**

Ayes _____  Nays _____  Abstentions _____
Vote Date: ____________________________
2018 Charter Review Commission
City of Saratoga Springs, NY
Sections to be Addressed

Submitted by: Peter Martin
Date Submitted: April 25, 2018

Title 2; Section 2.1

Current Language:

The elected officers of the City shall consist of the following:
Mayor
Commissioner of Finance
Commissioner of Public Works
Commissioner of Public Safety
Commissioner of Accounts
Two Supervisors
Each officer shall be elected for a term of two years, from and including the first day of January next succeeding the election until the election and qualification of his or her successor.
The Mayor and each Commissioner shall receive a salary of $14,500 per year, except that for the year 2010 their salary shall be reduced 10% each pay period effective March 26, 2010, for the remainder of that calendar year, at the request of the City Council and due to the current fiscal crisis. The Supervisors shall receive the salary enacted by the County Law.

Issues:

All towns in Saratoga County Combine the role of a County Supervisor with that of the Chief Executive Officer (Only the Cities of Mechanicville and Saratoga Springs separate these roles). There are many advantages to combining the roles. The mayor is more knowledgeable about and involved in the operation of the City and has more authority to represent the City in other venues. Further, the County pays a salary to Supervisors (currently almost $20,000 per year) and this could be added to the Mayor’s salary to make that position more attractive – more reflective of the full-time duties that are assigned to the mayor. The duties of a County Supervisor are truly part time and should fit within the Mayor’s capability.
We should consider four year terms for all of the City’s elected officials. Running for office every two years is an inefficient use of public and private resources. Time spent campaigning could be spent accomplishing the people’s business. Further, Campaign expenses are substantial and limit the ability of qualified people to run, especially if they are incurred every two years. Charter amendment is a clumsy and difficult process to adjust the salaries of elected officials. Salaries could be set by local law, in conformance with NYS public officers law, instead. A body of volunteer citizens, not reporting to the city Council, could review pertinent compensation factors, like hours required, expertise required and comparable salaries, and make a recommendation to the City Council on a periodic basis.
Proposed Language:

The elected officers of the City shall consist of the following:
Mayor/ Supervisor
Commissioner of Finance
Commissioner of Public Works
Commissioner of Public Safety
Commissioner of Accounts
Additional Supervisor or Supervisors as required by County Law

Each officer shall be elected for a term of four years, from and including the first day of January next succeeding the election until the election and qualification of his or her successor.

The Salary of the Elected Officers shall be set by local law. In setting such salaries, the City Council shall take into consideration recommendations from a volunteer body of residents, who shall be appointed by the council from time to time, as deemed necessary. All changes to salary shall be made in conformance with New York Public Officers Law. In addition to the salary paid by the city, the Supervisors shall receive the salary enacted by the County Law, and paid by the County.
Title 2; Section 2.2

Current Language:

The Council shall conduct open meetings in accordance with provisions of the Public Officers Law, and shall keep a public record of its proceedings. The Council shall state and enter into the record the reason(s) for closing to the public any part of any meeting. Members of the public shall be scheduled to speak at Council meetings at times and in such manner as the Council shall establish. Time shall be allotted at every Council meeting for the public to speak.

Issue:

The current charter does not provide for remote attendance. Technologies have developed that will allow effective participation of Council members from a remote location. New York law allows for and provides the requirements of remote attendance at a Public Meeting.

Proposed Language:

Immediately following the language cited above, insert the following:

Council may meet by phone or video conference provided such meeting is held in compliance with New York Public Officers Law sections 103(c) and 104 (4).
Title 2; Section 2.3 Supervisors

Current Language:

Nothing in this Charter shall be construed as prohibiting any person from simultaneously holding the office of County Supervisor and the office of a Council member.

Issue:

For reasons stated above, I recommend that the Mayor be one of the County Supervisors representing Saratoga Springs.

Proposed Language:

The Mayor shall be one of the Supervisors representing Saratoga Springs at the County Board of Supervisors.
Title 2; Section 2.4 Vacancies

Current Language:

In case of a vacancy caused by other than expiration of term, the Council shall appoint a person to fill such vacancy until the end of the official year in which said vacancy occurs. If the term of office of the officer vacating the office continues beyond the official year in which said vacancy occurs, a person shall be elected at a special election held after the occurrence of such vacancy to fill such vacancy for the remainder of the unexpired term.

Issues:

This language is too vague. Timing of the special election should be stated in the charter. Also, all polling places should be open.

If there is a catastrophe, and 3 or more council seats are vacant, there can be no quorum to appoint replacements. In that Case, the Governor should be empowered to appoint.

Proposed Language:

In case of a vacancy caused by other than expiration of term, the Council shall appoint a person to fill such vacancy until the end of the official year in which said vacancy occurs. If a quorum of the council is unable to meet because of the vacancies of three or more council positions, the Governor of the State of New York may appoint persons to fill such vacancies until the end of the official year in which such vacancies occur. If the term of office of the officer vacating the office continues beyond the official year in which said vacancy occurs, and the vacancy occurs at least 60 days before the next scheduled general election, a person shall be elected at the time of that general election. If the term of office of the officer vacating the office continues beyond the official year in which said vacancy occurs, and the vacancy occurs either within 60 days before the general election or during the remainder of that calendar year, a person shall be elected to fill such vacancy for the remainder of the unexpired term at a special election held on the first Tuesday of the February of the following year. (Also need to decide about polling places)
Title 2; Section 2.8 Removal from Office

Current Language:
The Mayor, Commissioners, and Supervisors may be removed from office for cause by the Governor in the manner provided for removal of the Chief Executive Officer of a City in § 33 of the New York Public Officers Law.

Issue:
§ 33 of the New York Public Officers Law does not empower the Governor to remove the Commissioners of Accounts, Public Works or Finance, or the Supervisors, from office. § 33 only specifies the Chief Executive officer, the Commissioner of Public Safety and the Police Chief. Do we need to make it clear that we are granting additional powers to the Governor?

Proposed Language:
?
2018 Charter Review Commission
City of Saratoga Springs NY
Sections To Be Addressed

Submitted by: Mike Sharp

Date submitted: 4/19

2.1 Officers; eligibility; terms of office; salaries.

Current Language: The Mayor and each Commissioner shall receive a salary of $14,500 per year, except that for the year 2010 their salary shall be reduced 10% each pay period effective March 26, 2010, for the remainder of that calendar year, at the request of the City Council and due to the current fiscal crisis.

Issue: No other salary is set in the Charter. City Council member salaries should be pulled out of the Charter entirely, as to allow for more flexibility, and included in the City Council Resolution that already exists.

Proposed Language: (Pull all language related to Mayor and Commissioner salary, and instead have them stated via resolution)

Notes: The salary itself was often discussed during the prior Charter debate. The determination of the salary would need to be determined. Possible options include adjusting the $14,500 to be brought current assuming cost-of-living increases since the prior Charter’s passage, hiring an outside firm to assess what the appropriate salaries would be given other municipal wages locally/nationally (perhaps reviewing all non-union salaries).

Ayes _____ Nays _____ Abstentions _____

Vote Date: ___________________________
2.5 Civil Service Commission.

Current Language: There shall be a Civil Service Commission. The Council shall appoint three Civil Service Commissioners to serve for six-year staggered terms, without compensation. No two members of the Commission shall be affiliated with the same political party.

Issue: The proposed change below would give the City flexibility to handle a variety of potential Civil Services issues in a timely manner. Currently any material changes to this structure would require a referendum, meaning that if a problem is determined, it may take months to address and may result in material costs, liabilities, and inefficiencies across City Hall. Additionally, if there was ever a sustained financial downturn impacting the City, being able to quickly transfer the Civil Service function to the County would free up resources for immediate City needs.

Proposed Language: The City shall utilize Civil Service either through a Civil Service Commission or through the Civil Service Office of the County. Should there be a Civil Service Commission, the Council shall appoint three Civil Service Commissioners to serve for six-year staggered terms, without compensation. No two members of the Commission shall be affiliated with the same political party.

Notes: I’m uncertain if this proposed language is legally allowable, or if any switch between City and County requires a referendum. Should it be allowable, other details about the dissolution or creation of a Commission would need to be included, as well as how the decision to go from the City to County would occur.

Ayes _____ Nays _____ Abstentions _____

Vote Date: ___________________________
2018 Charter Review Commission
City of Saratoga Springs NY
Sections To Be Addressed

Submitted by: _____Lisa Shields____
Date submitted: ____4/25/18____

2.1 Officers; eligibility; terms of office; salaries.

Current Language: Agendas for regular meetings shall be finalized and filed in the City Clerk's office for public review no later than noon the day preceding such meeting.

Issue: Agendas for regular meetings shall be finalized and filed in the City Clerk's office for public review at least 24 hours in advance of the meeting.

Proposed Language: The Mayor and each Commissioner shall receive the salary enacted by the City law.

Ayes _____ Nays _____ Abstentions _____
Vote Date: ______________________
2018 Charter Review Commission
City of Saratoga Springs NY
Sections To Be Addressed

Submitted by: ____Lisa Shields____
Date submitted: ____4/25/18____

2.1 Officers; eligibility; terms of office; salaries.

Current Language: Each officer shall be elected for a term of two years, from and including the first day of January next succeeding the election until the election and qualification of his or her successor.

Issue: Should the term be 4 years? Should there be term limits?

Proposed Language: (Leave blank if no immediate solution makes sense and if the section should be brought forward for a general discussion. In that situation, vote information below would be N/A.)

Ayes _____ Nays _____ Abstentions _____

Vote Date: __________________________
2018 Charter Review Commission
City of Saratoga Springs NY
Sections To Be Addressed

Submitted by: _____Lisa Shields____

Date submitted: ____4/25/18____

2.1 Officers; eligibility; terms of office; salaries.

Current Language: The Mayor and each Commissioner shall receive a salary of $14,500 per year, except that for the year 2010 their salary shall be reduced 10% each pay period effective March 26, 2010, for the remainder of that calendar year, at the request of the City Council and due to the current fiscal crisis.

Issue: Should the salaries be included in the charter? How often should they be reviewed?

Proposed Language: The Mayor and each Commissioner shall receive the salary enacted by the City law.

Ayes _____ Nays _____ Abstentions _____

Vote Date: __________________________
spread against a new charter that would have dissolved the commission form of government in favor of one run by a city manager.

It’s uncertain how far charter-change advocates will get with their request. Attorney James Walsh, who represents Allison McGahay, the Republican Commissioner for the Essex County Board of Elections in Kosmider vs. Whitney, is expecting to appeal the decision.

"Because it was 3-2, it is our right," Walsh said.

However, on Monday, the Personnel Committee for the Essex County Board of Supervisors, in a 6-3 vote, called an end to the legal wrangle by not appealing. Bethany Kosmider, the petitioner in the suit who attended the meeting, said the committee didn’t want to spend taxpayer money on more legal costs.

If the Board of Supervisors changes its mind and does appeal, Kosmider, who is the Essex County chair of the Democratic Committee, said she will see this court case through to the state Appellate Court.

"People are losing confidence in our elections," Kosmider said. "People feel it is rigged. I'm not sure what the election commissioners are protecting. But for now, this is the law of the third district in New York until they win an appeal."

The ruling represents the kind of change that Common Cause has been fighting for in New York State. While Executive Director Susan Lerner has not lobbied to make ballots subject to FOIL, her organization seeks to change the law so that voters can feel confident in election outcomes. Common Cause wants mandating risk-limiting audits that samples more than the current 3 percent of ballots. Her group would also like to see automatic hand recounts of any vote with a margin of .05 percent or less. The margin in the 2017 charter change vote was .001 percent with 4,448 for the proposed change and 4,458 against it.

"The problem is the state does not provide options for recanvassing and audits," Lerner said. "There is the arbitrary 3 percent audit provision. But voting has evolved and we want to bring it up to date so that the public can be confident in who the actual winner is."

According to the National Conference of State Legislatures, automatic recounts are mandated in 20 states and the District of Columbia. The trigger for a recount in these states typically falls between 1 to .5 percent winning margin. New York only permits automatic recounts in village elections.

Lerner said the problem lies with state elected officials who are invested in the system and don’t want it to change. Right now, to get a recount or a copy of ballots, a judge must order it. The Saratoga Springs FOIL request to the county was appealed in court. But state Supreme Court Justice Thomas Nolan ruled that "the petitioner presents no facts to support or justify" a recount of the November 2017 vote because there is no law that requires the Board of Elections to do so when the vote margin is slim.

"Election law in New York State is not friendly to voters," Lerner said. "It’s a pervasive problem. The law is written for candidates. It insulates the candidates and doesn’t protect voters."

Richard Sellers, spokesman for SUCCESS, the group that opposes charter change in Saratoga Springs, said that he has confidence in the county Board of Elections and its decision to reject the FOIL request.

"We will follow and support their course of action," Sellers said.

Meanwhile, there is a newly formed charter review commission, created by new city Mayor Meg Kelly. The commission, which meets every other week on Wednesdays, expects to tweak the current charter. It also promises to preserve the commission form of government, which has been a point of contention in the city for more than a decade.
The new commission consists of elected officials and their appointed deputies. It is chaired by City Attorney Vincent DeLaurentis.

Most of the officials on the commission vehemently opposed any charter change and publicly campaigned against it, defying state law that requires elected officials remain neutral in a charter referendum.

During this new charter review, elected officials on the commission will have the opportunity to raise their own salaries and extend their terms in office. The changes may or may not have to be voted on in a referendum.

Sellers believes this is the best course of action for the city.

"We are very supportive of the Mayor," Sellers said. "She put a group of people in charge who know what they're doing and can make good decisions on the charter. What the Mayor did was the right thing to do for the city."

The next meeting of the new charter review commission is 4:30 on Wednesday, April 25, in City Hall.
For current employees:

The 2018 Charter Review Committee is asking for your assistance with understanding how the current City Charter effects you. If you wish to participate, please answer the two questions below and please be as specific as possible. This URL will connect you to the Charter for reference: https://www.ecode360.com/12119268. If you do not wish to participate please reply leaving the questions blank. If you have any questions or concerns please feel free to call.

#1. What section(s) of the City Charter apply to your current or prior position(s) with the City? (If multiple positions, please connect the section with the position.)

#2. Keeping the current form of government in mind, what changes/improvements would you recommend be made to the Charter that would aide your effectiveness and the efficiency of your department?

Thank you for your time and participation, it is greatly appreciated,

For the Previous Position holders:

The 2018 Charter Review Committee is asking for your assistance with understanding how the current City Charter effected your time with the City. If you wish to participate, please answer the two questions below being as specific as possible. This URL will connect you to the Charter for reference: https://www.ecode360.com/12119268. If you do not wish to participate please reply leaving the questions blank. If you have any questions or concerns please feel free to call.

1. What position(s) did you hold while working for the City, when did you hold it and was it elected, appointed or were you hired?

2. Keeping the current form of government in mind, what changes/improvements would you recommend be made to the Charter that would have aided you in your job and the efficiency of your department?

Thank you for your time and participation, it is greatly appreciated,
Results of the 2001 Charter Review Commission’s Public Opinion Survey
Submitted by Denise F. Polit, Ph.D.

Executive Summary

- A random sample of 624 registered voters were invited to participate in a public opinion survey regarding various aspects of the city charter. A total of 206 voters completed the survey. Results of the survey are accurate to within ± 4.9 percentage points.
- The respondents represented a good cross-section of voters in terms of gender, political party, and area of residence within the city. The only indication of bias is that people who completed the survey appeared to be especially likely to be politically involved and to be likely to actually vote in the 2001 city election.
- Substantial minorities of respondents indicated that they were not yet sure about their views on various topics, suggesting the strong need for public education about the city charter and any proposed changes to it.
- Respondents generally were not especially critical of the current functioning of city government. People gave highest ratings to city officials' accessibility, and lowest ratings to the city’s effectiveness in dealing with neighboring governments.
- There was no clear mandate to keep or change the commission form of government. Nevertheless, more people wanted to change it than keep it—although many people had not yet formed an opinion.
- There was more support than opposition to the notion of expanding the City Council to more than five members; similarly, there was some support for ward-based election of City Council members.
- There was strong support for requiring the two city supervisors to have more formal ties with the City Council.
- Respondents did not endorse the idea of creating a deputy mayor position. However, there was very strong support for changing the mayor's job from part-time to full-time. Opinion was divided regarding the issue of giving the mayor veto power on the City Council.
- About three out of four respondents agreed that department heads should be professionally qualified experts in their fields.
- Respondents did not favor changing the term of office for City Council members from two years to four years. The majority of respondents did, however, want to establish term limits for elected officials.
- Half the respondents favored establishing a separate Recreation Department with its own commissioner; about one-quarter were opposed, and the remaining quarter were unsure.
- There was not even one question on the survey where opinions varied for respondents with different political party affiliations. Similarly, men and women shared similar views. The characteristic that was most consistently related to differing opinions was the respondent’s length of residence in Saratoga. The longer a person had lived here, the less likely they were to want aspects of city government to change.
Results of the 2001 Charter Review Commission’s Public Opinion Survey
Denise F. Polit

Background
In an effort to obtain the opinions of a representative group of Saratoga Springs citizens regarding key provisions in the city charter, the Charter Review Commission conducted a public opinion survey. Two-page questionnaires were mailed to a sample of 624 registered voters, who had been systematically random sampled from voter registration records.

The surveys were mailed on February 1, 2001. Reminder postcards urging non-respondents to complete and return their questionnaires were mailed on February 8, 2001. Beginning on February 11, volunteers began calling non-respondents, urging them to return their surveys or, if willing, to complete a survey via telephone interview.

Response Rate
A total of 206 registered voters completed a survey—180 by returning their mail questionnaire and 26 by telephone interview (as of February 23, 2001). Of the 624 original sample members, 10 were removed from the sample based on information that they were no longer “eligible,” that is, they were either deceased or had moved and were registered voters elsewhere. Thus, the final response rate was:

\[
\frac{206 \text{ respondents}}{614 \text{ presumed eligible}} = 33.6\%
\]

Given the nature of the survey, this is a very respectable response rate. It is highly probable that additional people were ineligible (died or moved) that we did not learn about, and also probable that many of the people who did not return their questionnaires were away during the survey period (e.g., in Florida for the winter, away at college, etc.) and could not have responded—and, indeed, we heard this repeatedly during the telephone interview stage. We also learned that a number of people were too ill or frail to respond. Thus, the refusal/noncompliant rate is likely less than 50%.

With a sample of 206 respondents, the results of the survey are reliable to within ± 4.9 percentage points. That is, a difference of 52% and 48% of agreement versus disagreement could not be considered a significant, reliable difference because the difference is sufficiently small that it could reflect chance fluctuations. However, a difference of 53% and 47% would be considered reliable—that is, it is likely to reflect true differences of opinion among the registered voters in Saratoga Springs.

Survey Bias
An analysis was undertaken to determine if the selected sample was a biased subset of registered voters, and whether respondents to the survey were a biased subset of those who were sampled, in terms of characteristics known through voter registration records. The comparisons, are as follows:
<table>
<thead>
<tr>
<th>Political Party</th>
<th>Voter registrants</th>
<th>Random Sample</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democrat</td>
<td>26.6</td>
<td>28.8</td>
<td>23.8</td>
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<tr>
<td>Republican</td>
<td>46.9</td>
<td>45.5</td>
<td>51.9</td>
</tr>
<tr>
<td>Other Party</td>
<td>5.2</td>
<td>3.7</td>
<td>2.0</td>
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<tr>
<td>Independent/No Party</td>
<td>21.3</td>
<td>22.0</td>
<td>22.3</td>
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<td></td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Differences between voter registration and selected sample members in terms of political party were not statistically significant; similarly, differences between selected sample members and respondents were not statistically significant—i.e., the differences in response rates among people with different political affiliations were likely the result of chance (p = .09).

<table>
<thead>
<tr>
<th>Gender</th>
<th>Voter registrants</th>
<th>Random Sample</th>
<th>Respondents</th>
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<tr>
<td>Male</td>
<td>45.8</td>
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<tr>
<td>Female</td>
<td>54.2</td>
<td>52.7</td>
<td>49.7</td>
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</tbody>
</table>

Differences between voter registration and selected sample members in terms of gender were not statistically significant; similarly, differences between selected sample members and respondents were not statistically significant—i.e., the differences in response rates among men and women were likely the result of chance (p = .30).

<table>
<thead>
<tr>
<th>Voting District</th>
<th>Voter registrants</th>
<th>Random Sample</th>
<th>Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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Differences between voter registration and selected sample members in terms of voting district were not statistically significant; however, differences between selected sample members and respondents narrowly missed being statistically significant (p = .051), suggesting that differences in response rates among districts were not totally the result of chance. The district with the biggest discrepancy between sample rate and response rate was District 1, where Skidmore College is located. Indeed, of the 34 surveys sent to Skidmore students residing on the Skidmore campus, not one was returned.

Other

The overwhelming majority of survey respondents (84%) indicated that they definitely intended to vote in the 2001 city election. Inasmuch as the majority of registered voters have not, in prior elections, voted in city elections, this suggests the likelihood that survey respondents were biased toward people who would, in fact, be voting on any recommended changes to the city charter. (This is consistent with the fact that Skidmore students, who would be especially unlikely to vote in a city election, did not return their questionnaires.)

Overall, however, the analyses of bias are encouraging. Respondents represented a good cross-section of voters in terms of political party, gender, and area of residence within Saratoga Springs. The only major type of bias—relating to political participation—was a bias that would create a more accurate indication of voter intention than if all registered voters had responded to the survey.

Description of the Sample

Slightly more than half the sample (52.5%) had lived in Saratoga Springs for 16 or more years; these will be referred to in the results section as the “long-term residents.” A relatively small percentage of the respondents were under 30 years of age (7.7%), while over a third were older than 60. In the analyses reported below, the 3 age groups that were used are as follows: 18 to 45 (34.7%); 46 to 60 (30.6%), and 61 and older (34.7%).

Most people in the sample (85.1%) indicated that they had voted in the 1999 city election and, as previously mentioned, 83.5% said they definitely intended to vote in the 2001 city election.

Some 5.2% of the respondents had been or still were city employees. Only 1.6% had ever served on a city board such as the Planning Board, Design Review Commission, or Zoning Board of Appeals. A fairly high percentage (39.1%) said that they had attended a City Council meeting. And 10.1% said that they had either run for city office or had thought about it.

Results

Knowledge of Issues

Respondents felt that they were moderately knowledgeable about Saratoga’s current commission form of government. As shown on the appended annotated survey form, the average
self-rated "knowledge" score was 2.7 on a scale from 1 (not at all) to 5 (extremely). Respondents who were male, had lived in Saratoga 16 or more years, and who were 46 or older felt more knowledgeable than those who were female, had moved to Saratoga within the past 15 years, and were younger than 46, respectively. There were no significant difference in self-rated knowledge among people with different party affiliations.

Sizeable percentages of people gave "Don’t know" or "Undecided" responses to questions. As shown on the attachment, there were some questions for which about one-third of the respondents had not yet formed an opinion. Only 14% of the respondents gave such a response to none of the questions (not shown on attachment). People gave “don’t know” or “uncertain” responses to an average of 7.1 questions. Degree of uncertainty was, not surprisingly, related to people’s self-ratings of knowledge. People who felt highly knowledgeable (rating of 4 or 5 to Q1) said they were undecided about only 2.2 questions, on average, compared to an average of 9.0 among those with lower knowledge ratings. Women were more likely to be uncertain than men, and newer Saratoga residents were more likely to be uncertain than long-time residents. Members of different parties were equally likely to give “don’t know” or “undecided” responses.

It is noteworthy that substantial percentages of people had not yet formed an opinion on many of the questions on the survey. This suggests both the need for good public education by the Charter Review Commission and the opportunity to play a role in voters decisions about any proposed changes.

**Ratings of Aspects of Current Government**

On average, people felt that the current form of government was doing a fair-to-good job in terms of accessibility, accountability, cost efficiency, effectiveness in long-range planning, adequacy of its checks and balances, and openness of the budget process. The aspect of government that got the highest ratings was the accessibility of elected city officials to the public—an average rating of 3.6 on a scale from 1 (extremely poor) to 5 (excellent). The aspect that got the lowest rating was the city’s effectiveness in dealing with neighboring governments (average of 2.8).

The ratings were similar for respondents of different political parties, for men and women, and for people who lived here varying lengths of time. However, baby-boomers (those aged 46 to 60) were significantly more critical of many aspects of city government than both younger and older respondents. People who rated themselves as being highly knowledgeable were more critical than less knowledgeable respondents about only one aspect of city government — its effectiveness in long-range planning.

**Opinions About the Commission Form of Government**

The story regarding views about the commission form is not entirely consistent, suggesting that some people may have misunderstood some questions, or interpreted words differently than their intent. The bottom line, however, is that more people appear to want to change the commission form than want to keep it—but that sizeable numbers have not yet made up their minds. This conclusion is based on the following:
- A significantly higher percentage of people agreed than disagreed that the current form lacks adequate separation of legislative and administrative powers (39.4% agreed versus 24.2% disagreed; 36.4% were undecided).
- Significantly more people disagreed than agreed that “Our form of government ain’t broke, so let’s not “fix it” (45.5% disagreed versus 33.0% agreed; 21.5% were undecided).
- A significantly higher percent agreed than disagreed that “The city’s form of government is antiquated and should be changed to better meet future challenges (44.0% agreed versus 25.0% disagreed; 31.0% were undecided).
- Finally, more people agreed than disagreed that the charter should be changed to have the City Council play a purely legislative role (34.2% said “yes” versus 28.1% said “no”; 37.8% said they weren’t sure.

These opinions were unrelated to political party affiliation, gender, or age. However, there was more support for changing the form of government among people who had moved to Saratoga Springs within the past 15 years than among longer-term residents.

It should be noted, however, that more people disagreed than agreed that “The city’s commission form of government has little to do with the city’s failure (55.3% versus 25.6%, respectively). And nearly half the respondents (49.5%) agreed that the current form of government works well in our city, compared to 25.3% who disagreed. In response to the statement that the commission form of government creates cooperation among City Council members, respondents were about evenly divided among people who agreed (31.3%), disagreed (30.6%) and were undecided (38.3%).

**Expansion of City Council**
There was more support than opposition to the statement “There should be a larger body of City Council members to develop policies and oversee government operations,” with 41.8% agreeing and 35.2% disagreeing. Some 23.1% were undecided. This opinion was not related to length of time in Saratoga, gender, political party, or age.

Similarly, more people agreed (42.5%) than disagreed (36.0%) that there should be an expansion of the City Council to accommodate members elected by ward rather than just city-wide. About one out of five respondents (21.5%) were undecided. Newcomers to the city were more likely than long-term residents to support elections by wards. A person’s age, gender, and party affiliation were unrelated to opinions on this issue.

**Supervisors**
There was strong across-the-board support for the proposition that “The city’s two county supervisors should have more formal ties with the City Council,” with 63.1% agreeing and only 8.1% disagreeing (28.8% were undecided). Long-term city residents were especially likely to agree (71.0%), but people from different parties, age groups, and gender had similar rates of agreement.
Respondents did not think that the mayor should serve as one of the two county supervisors. Only 18.0% thought this would be a good change, while 52.5% were opposed; some 29.5% were unsure. Respondents who had lived in Saratoga for 16 or more years were more likely than more recent arrivals to reject this idea (62.7% versus 43.0% opposed, respectively).

The Mayor

Respondents were divided in their opinion about whether the mayor should have veto power on the City Council. Some 36.7% thought such power would be appropriate, while a comparable percentage (39.7%) opposed such mayoral power. Nearly one-fourth the respondents (23.6%) were undecided on this issue. There were no significant differences according to the person’s age, party, or gender. However, those who had moved to Saratoga in the past 15 years were significantly more supportive of giving the mayor veto power than people who have lived here longer (46.2% versus 29.7%).

More people agreed (40.2%) than disagreed (29.6%) that “The mayor currently has an appropriate amount of control over city affairs”; 30.2% were undecided. Long-term residents were more likely than newer arrivals to agree (46.6% versus 38.3%, respectively). Once again, opinions were not related to the person’s age, gender, or political party.

A relatively small proportion of respondents (22.0%) thought that a deputy mayor position should be created. Some 47.5% opposed this proposal, and 30.5% were not sure. There was considerably more opposition among long-term residents (56.9% opposed) than among those who had moved here in the past 15 years (39.8%).

However, there was a strong endorsement for changing the mayor’s job from part-time to full-time (62.8% saying “yes,” 20.1% saying “no,” and 17.1% unsure). The majority of respondents in all party, gender, age, and length-of-residence groups agreed that the city should have a full-time mayor, but there was significantly more support among those who had moved here more recently (71.0%) than among longer-term residents (57.8%). People aged 45 or younger were also especially supportive of having a full-time mayor (76.5%).

Department Heads

More than three out of four respondents (77.4%) agreed with the proposition that “the city department heads should be professionally qualified experts in their fields;” 12.6% disagreed and 10.1% were undecided. Support was uniform across parties, gender, age groups, and length of residence in Saratoga.

Terms of Office

Only a minority of respondents (25.1%) thought that the terms of office for City Council members should be changed from 2 years to 4 years; 53.8% were opposed to an increased term length and 21.1% were undecided. Baby-boomers (aged 46-60) were the most strongly opposed (67.8%) to longer terms. Opposition did not, however, vary according to gender, party, or length of residence in the community.
Some 61.3% of the survey respondents were in favor of term limits for elected officials; 23.1% opposed term limits and 15.6% were not sure (one of the lowest levels of uncertainty in the survey). Support for term limits were uniform across parties, genders, age groups, and length-of-residence groups.

**Elections**
Significantly more people agreed than disagreed that “The current partisan election system makes it too difficult for people to run for office” (40.2% agreed, 34.7% disagreed, and 25.1% were undecided). There was no significant variation among any of the subgroups (party, age, gender, residence length).

Respondents were fairly evenly split in their opinions about the statement, “Knowing a candidate’s political party helps me make voting decisions.” Some 40.7% agreed, 44.7% disagreed, and 14.6% were undecided. People who had moved to Saratoga in the past 15 years were somewhat more likely than longer-term residents to agree (46.3% versus 36.7%, respectively).

The statement that the city’s commission form of government “makes it difficult to find candidates qualified for (or willing to perform) both legislative and administrative roles” was endorsed by 38.5% of the respondents, and rejected by 22.8%; however a substantial number of people said they weren’t sure (38.6%). People from different age, gender, party, and residence backgrounds responded similarly to this statement.

**Recreation Department**
Half the respondents (50.0%) said that they thought there should be a separate Department of Recreation with its own commissioner. About a quarter (25.5%) opposed this idea and another quarter (24.5%) were not sure. Newer city residents were especially likely to endorse this idea (58.1%), but a fairly high percentage of long-term residents (45.1%) also approved the notion of a separate Recreation Department. There were also significant differences among age groups, with younger respondents—those aged 45 or younger—most in favor (58.8%) and respondents older than 60 least in favor (44.8%). Support for a separate Recreation Department was similar among men and women and among people with different political affiliations.

**Subgroups**
It is worth noting that there was not even one question in the survey for which there was significant disagreement among those with different political party affiliations, nor between men and women. The characteristic that most consistently divided people’s opinions was how long they had lived in Saratoga Springs. In general, the longer a person had lived here, the less likely they were to want changes to the charter.
Okay, let's start. The first question is about your knowledge of the city's commission form of government.

Some people have detailed knowledge about how our commission form of government functions, while others have limited knowledge. How knowledgeable are you about Saratoga's current commission form of government, on a scale from 1 to 5, where 1 means "not at all knowledgeable" and 5 means "extremely knowledgeable"?

<table>
<thead>
<tr>
<th>Not at all</th>
<th>Moderately</th>
<th>Extremely</th>
<th>Mean</th>
<th>Median</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

2. Next, I'd like to rate the current form of government on a scale from 1 to 5, where 1 means "extremely poor" and 5 means "excellent." How would you rate our current commission form of city government in terms of:

<table>
<thead>
<tr>
<th>Extremely poor</th>
<th>Fair</th>
<th>Excellent</th>
<th>Don't Know</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. The accessibility of elected city officials to the public</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>b. Accountability of city officials for their actions</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>c. Cost efficiency</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>d. Effectiveness in doing long-range planning</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>e. Effectiveness in dealing with neighboring governments</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>f. Adequacy of its checks and balances</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>g. Openness of the budget process to the public</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

3. Currently, the five City Council members are both legislators who make policy (analogous to the U.S. Congress) and administrators who run departments and implement policy (analogous to the President and the Cabinet). To what extent do you agree or disagree with the following—you can answer that you disagree strongly, disagree somewhat, agree somewhat, or agree strongly. To what extent do you agree or disagree that this commission form of government:

<table>
<thead>
<tr>
<th>DISAGREE</th>
<th>AGREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disagree</td>
<td>Agree</td>
</tr>
<tr>
<td>Strongly</td>
<td>Somewhat</td>
</tr>
<tr>
<td>No opinion</td>
<td>Strongly</td>
</tr>
<tr>
<td>Somewhat</td>
<td>Strongly</td>
</tr>
<tr>
<td>Undecided</td>
<td></td>
</tr>
</tbody>
</table>

4. Using the same scale, to what extent do you agree or disagree with the following statements relevant to the charter of Saratoga Springs.

<table>
<thead>
<tr>
<th>DISAGREE</th>
<th>AGREE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disagree</td>
<td>Agree</td>
</tr>
<tr>
<td>Strongly</td>
<td>Somewhat</td>
</tr>
<tr>
<td>No opinion</td>
<td>Strongly</td>
</tr>
<tr>
<td>Somewhat</td>
<td>Strongly</td>
</tr>
<tr>
<td>Undecided</td>
<td></td>
</tr>
</tbody>
</table>

Place turn to other side
4. (Contd.) To what extent do you agree or disagree with the following statements relevant to the charter of Saratoga Springs.

<table>
<thead>
<tr>
<th>i. The current partisan election system makes it too difficult for people to run for office.</th>
<th>Disagree Strongly</th>
<th>Disagree Somewhat</th>
<th>Undecided</th>
<th>Agree Somewhat</th>
<th>Agree Strongly</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>34.7%</td>
<td>2 25%</td>
<td>3 40.2%</td>
<td>1 40.2%</td>
</tr>
<tr>
<td>j. Knowing a candidate's political party helps me make voting decisions.</td>
<td>1 44.7%</td>
<td>1 14.6%</td>
<td>1 39.7%</td>
<td>2 52.4%</td>
<td>1 39.7%</td>
</tr>
<tr>
<td>k. The mayor should have veto power on the City Council.</td>
<td>1 39.7%</td>
<td>1 30.2%</td>
<td>2 40.2%</td>
<td>2 40.2%</td>
<td>1 40.2%</td>
</tr>
<tr>
<td>l. The mayor currently has an appropriate amount of control over city affairs.</td>
<td>1 29.4%</td>
<td>2 30.3%</td>
<td>2 40.2%</td>
<td>2 40.2%</td>
<td>1 40.2%</td>
</tr>
</tbody>
</table>

5. Do you think that the charter should be changed in any of the following ways?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>No Sure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Having a City Council that plays a purely legislative (policy-making) role.</td>
<td>34.2%</td>
<td>28.1%</td>
</tr>
<tr>
<td>b. Having the Mayor serve as one of the two county supervisors?</td>
<td>33.2%</td>
<td>25.1%</td>
</tr>
<tr>
<td>c. Creating a new &quot;deputy mayor&quot; position?</td>
<td>29.0%</td>
<td>24.5%</td>
</tr>
<tr>
<td>d. Making the mayor’s job full-time?</td>
<td>42.8%</td>
<td>23.5%</td>
</tr>
<tr>
<td>e. Changing the term for City Council members from 2 to 4 years?</td>
<td>25.1%</td>
<td>22.1%</td>
</tr>
<tr>
<td>f. Having term limits for elected officials?</td>
<td>41.3%</td>
<td>28.1%</td>
</tr>
<tr>
<td>g. Having a separate Department of Recreation with its own commissioner?</td>
<td>58.6%</td>
<td>26.5%</td>
</tr>
</tbody>
</table>

6. The next few questions are included so that we can determine how representative our respondents are of the voters of Saratoga Springs.

a. How long have you lived in Saratoga Springs? 21.4% Less than 5 years, 11.7% 16 to 25 years, or 4 More than 25 years 40.2%

b. (Code or ask) Are you: 53.0% Male 2 Female 47.0%

c. Did you vote in the 1999 city election? 85.1% Yes 2 No 14.9%

d. Will you vote in the 2001 city election? Would you say: 83.5% Yes, definitely 41% Probably not, or 4 Not sure 15%

e. How old are you? Are you: 7.7% 18 to 29, 30.6% 46 to 60, or 4 Older than 60 34.7%

f. Are you: 31.3% 1 A Democrat, 14% 2 A Republican, 34.7% Affiliated with another party, or 4 Half of the people left this blank

8. Would you care to make any other comments regarding the city charter?

Thank you so much for your help! Your input is extremely valuable. The Charter Review Commission will be analyzing the survey data over the next few weeks and will issue a report summarizing the result. The Commission welcomes you to attend any of its public meetings, which are generally scheduled on Monday evenings at 6:30 p.m.