

**CHARTER REVIEW COMMISSION  
CITY OF SARATOGA SPRINGS  
MONDAY, FEBRUARY 12, 2001  
CITY COUNCIL ROOM  
6:30 P.M.**

**PRESENT:** Harvey Fox, Chair                      Vassar Curtis  
                  Lew Benton                                 Chris Whann  
                  Mark Lawton (arr. 6:45 p.m.) Rita Balmuth  
                  Elio Del-Sette                                     Lee Nelson  
                  Mia Mouzon                                         Denise Polit  
                  Margie VanMeter

**STAFF PRESENT:** Anthony J. Izzo, Assistant City Attorney

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**CALL TO ORDER**

Harvey Fox, chair, called the meeting to order at 6:30 p.m.

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**APPROVAL OF MINUTES**

Elio Del-Sette moved and Lew Benton seconded to approve the December 4, 2000, meeting minutes. Ayes all.

Elio Del-Sette moved and Chris Whann seconded to approve the January 8, 2001, meeting minutes. Ayes all.

Chris Whann moved and Elio Del-Sette seconded to approve the January 22, 2001, meeting minutes. Ayes all.

Lew Benton moved and Chris Whann seconded to approve the January 29, 2001, meeting minutes. Ayes all.

(Mark Lawton arrived.)

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**NEXT MEETING**

Harvey Fox reminded everyone that the next meeting would be held on February 19 at 6:30 p.m. He said there would be no meeting on March 5, however, committees may meet during that week.

## **BUDGET**

Harvey Fox informed Commission members that the Mayor had forwarded a request to the state to make funds available for the Commission's budget.

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## **SURVEY UPDATE**

Denise Polit said the survey was distributed 11 days ago to 624 individuals. She said it was her goal to have 200 responses (30 percent) and to date, 125 have been returned. She said she had begun to review some of the preliminary data for bias, under/over representation, etc. She said if 200 responses were received, the accuracy rate will be within 5 percentage points. She said she was confident that 200 responses would be received. Harvey Fox commended Denise Polit for her work on this survey.

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## **OUTREACH PROGRAM**

Mark Lawton distributed a list of more than 70 organizations that could be contacted. He said the Commission could ask the organizations: a) if they would like written material and/or; b) are they interested in having a speaker speak to their board or membership; c) if they have a newsletter or mailing would they include an insert from the Commission. He said he would set up a schedule and asked members of the Commission to commit to making presentations at a few organizations. He said talking points would be provided. He said two meetings have already been scheduled (2/19 Knights of Columbus and 2/28 League of Women Voters). Harvey Fox said there needs to be consistency by speakers when making the presentations, therefore the talking points will be reviewed and approved by Commission members. Mark Lawton said there has been some positive response to this outreach. He said the committee was also working on a written material that could be distributed at these meetings.

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## **DRAFTING**

Harvey Fox said there had been some frustration expressed by members since the last meeting on the drafting process. He said it is his recommendation that the Commission not draft the specific language but rather send the items to the drafting committee for that purpose. Tony Izzo said he would welcome language from any Commission member for the drafting process. Harvey Fox said all recommendations should be forwarded to Chris Whann.

## **MAYOR'S DUTIES & RESPONSIBILITIES**

Mark Lawton said it was now time to formally indicate the Commission's position on issues that have been discussed to date. Lew Benton said the Commission has done so in some cases and those items are listed in the protocols and summary. Mark Lawton said the protocol and summary were simply educational tools. He said Commission members expressed their view point, as they held it at that moment but the Commission has not formally adopted many.

Elio Del-Sette said there was agreement to retain this form of government and the modifications would simply fit into this mode.

Mark Lawton moved and Elio Del-Sette seconded that a goal of the Commission is to reduce conflict and streamline services by giving more specific definition to the roles and functions of each Council member. Ayes all.

Elio Del-Sette asked exactly what did the Commission do last week. He said he thought some of these issues had been discussed. Mark Lawton said they probably were discussed but no formal resolution had been passed.

Margie VanMeter moved and Elio Del-Sette seconded that the Mayor should hold one of the County Supervisor positions. Denise Polit said she would prefer to wait one more week on motions such as this until the results of the survey are available. Margie VanMeter and Elio Del-Sette agreed to withdraw the motion.

Elio Del-Sette moved to create the position of Deputy Mayor. There was no second.

Elio Del-Sette moved to adjourn the meeting. There was no second.

Mark Lawton said Commission members should address the roles and functions of the Council members after they have formally adopted positions on the issues.

Elio Del-Sette moved and Chris Whann seconded to establish a Human Resources Department and to place it under the Finance Department.

Denise Polit said at the November 20 meeting there was unanimous agreement on establishing a Human Resources Department, although there was no determination made on where it should be placed. Lew Benton questioned why the Commission was addressing this issue again.

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Denise Polit said the Commission did make formal resolutions on some items. Elio Del-Sette said those were general agreements and not resolutions. Denise Polit said there were dozens of items that Commission members have agreed upon though. Harvey Fox suggested clearing up these issues and moving on. Harvey Fox reminded everyone that eight votes are required to pass a policy issue.

Elio Del-Sette and Chris Whann agreed to withdraw their motion concerning the Human Resources Department.

Lew Benton said Human Resources, Civil Service Commission, Capital Budget, waive of bid and County Supervisor positions were all items discussed and agreed upon at the November 20 meeting. He wondered why they needed to be discussed again.

Elio Del-Sette moved and Chris Whann seconded to amend the existing charter to provide for the following items as previously discussed at the November 20 meeting including Human Resources, Civil Service Commission, contract negotiations, waive of bid, capital budget and operating budget. Ayes all.

Mark Lawton moved and Elio Del-Sette seconded that the City Attorney serve the legislative branch and all departments of the City and to provide unified legal services and that this be reflected in the charter. Ayes all.

Elio Del-Sette said annotations should be provided in the final document to allow for explanations.

Mark Lawton moved and Chris Whann seconded that the charter should mandate a comprehensive infrastructure program to include real property, capital equipment, buildings, streets, sewer and water, recreation, parks, open space, public safety facilities and equipment and that inventory of those items be mandated and tied to the appropriate planning budgets.

Denise Polit said Commission members already agreed to a motion very similar to this one at the November 20 meeting. She then read the language.

Lew Benton said at the November 20 meeting Section 99-g of the General Municipal Law was incorporated into the motion. Mark Lawton said General Municipal Law 99-g does not address this issue. Lew Benton said the capital budget should be consistent with 99-g. Lew Benton said the existing charter compels the presentation and adoption of a capital budget. Elio Del-Sette asked why not adopt 99-g. Mark Lawton said he wanted to ensure that infrastructure is not just part of the capital program but also is a part of the City's budget. Lew Benton said we have a capital budget process. Mark Lawton said items such as vehicles, infrastructure, etc., need to be tied to the general operating and capital budgets.

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Lew Benton asked how this resolution this evening differed from the discussion at the November 20 meeting. Mark Lawton said by adopting this resolution this evening the Commission was adopting a specific function to be reflected in the charter. Lew Benton said he felt that this evening was being wasted on items already agreed to.

Ayes all.

Mark Lawton moved and Chris Whann seconded that there be a person or office empowered to represent the City in negotiations with federal, state or local governments and/or their entities and that this be reflected in the charter.

Margie VanMeter said there are many sources for grants and she believed there should be one office that handled such items. Chris Whann said that was a separate issue.

Ayes all.

Mark Lawton moved and Chris Whann seconded that a provision for a grant function be incorporated into the charter. Ayes all.

Mark Lawton moved and Chris Whann seconded that there be a recognized public information function that is centrally located which would provide the public with information on the City's activities and that this function be recognized in the charter.

Denise Polit questioned whether items such as this needed to be in the charter. Margie VanMeter said currently everyone seems to go to the Mayor's Office for information. She said it was important that the City speak with one voice on certain issues, however, in some cases it would be more appropriate for the individual departments to do so. Lee Nelson said she was concerned about getting information out to the public and she believed a public information office could fill that function. Mark Lawton said he was not advocating to create a new office, but rather the function. Margie said this could help fulfill the Commission's goal of accountability.

Denise Polit asked what is the existing point of entry for City Hall. Some felt it was the switchboard operator. Mark Lawton said the Commission should adopt as one of its goals the incorporation of a public information process by establishing this function in the charter.

Ayes all.

Mark Lawton asked if Commission members wanted to consider a preamble to the charter that would set forth the vision and priorities of the community. Harvey Fox suggested that be left to the drafting committee. Elio Del-Sette said the drafting committee should be crafting the language not creating the idea. Harvey Fox said the Commission should deal with the specific idea and then direct the drafting committee to develop the language.

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Mark Lawton moved and Chris Whann seconded that a preamble be included in the charter. Ayes all.

Mark Lawton moved and Chris Whann seconded that there be recognition in the charter of long range planning and implementation thereof. Ayes all.

Mark Lawton moved and Chris Whann seconded that the charter reflect the need to reduce "turfism", increase accountability, streamline processes and establish greater oversight. Ayes all.

Mark Lawton moved and Chris Whann seconded that the preparation, management and periodic review of an integrated and multi-disciplined emergency management plan; a strategic traffic safety and enforcement plan; and the periodic update and review of the emergency medical services plan and certification by the state Division of Criminal Justice be reflected in the charter. Ayes all.

Mark Lawton said the role of the Civil Service Commission be redefined to include recruitment of City residents to public service. Lew Benton said the Civil Service Commission should be more proactive in minority recruitment.

Mark Lawton moved and Chris Whann seconded that positive recruitment of minorities be included in the Human Resources department responsibilities and to the extent practicable city residents be recruited. Ayes all.

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**NEXT MEETING**

Harvey Fox said next week's agenda would include the following: an update on the survey, and continuation of the discussion on functions of elected officials. It was agreed that Chris Whann would develop a list of existing functions as specified in the charter and to also include items as discussed in previous meetings.

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**ADJOURNMENT**

Lew Benton moved and Chris Whann seconded to adjourn the meeting at 9:15 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Kathy Moran  
Clerk

Approved: