

**CHARTER REVIEW COMMISSION  
CITY OF SARATOGA SPRINGS  
MONDAY, FEBRUARY 19, 2001  
CITY COUNCIL ROOM  
6:30 P.M.**

**PRESENT:** Harvey Fox, Chair                      Vassar Curtis  
                  Lew Benton                              Chris Whann  
                  Mark Lawton                                  Rita Balmuth  
                  Elio Del-Sette                                Lee Nelson  
                  Mia Mouzon                                    Denise Polit  
                  Margie VanMeter (arrived 8:00 p.m.)

**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. Harvey Fox informed Commission members that Margie VanMeter was at the Knights of Columbus meeting this evening as part of the Commission's outreach program.

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**OUTREACH PROGRAM**

Mark Lawton distributed draft talking points for Commission members' review. He asked that members get back to him with any modifications.

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**SURVEY UPDATE**

Denise Polit distributed a summary of comments received from the survey as well as a preliminary statistical report. She said she would have a final report at the next meeting. She explained that to date 179 individuals have responded out of the 624 distributed. She said that 10 of those 624 were ineligible (moved, deceased, etc.) and there was a 30 percent response rate.

Denise Polit said in her preliminary review of the survey, slightly more republicans returned their survey, however, it was not enough to make a statistical difference. She further explained that if there was no party affiliation, they are listed as independent. She said that by district there was a slight under representation, however, the male/female respondents were about the same. She said based on these numbers there is no substantial bias in the results.

Denise Polit said those responding felt moderately knowledgeable of the City government and overall gave the existing government high grades. She said accessibility of officials got high results while dealing with other towns was rated low.

**City of Saratoga Springs Charter Review Commission Meeting Minutes  
Monday, February 19, 2001**

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Denise Polit said a large amount of respondents (80 percent) said that City department heads should be qualified professionals, 45 percent said the existing City government "ain't broke", 62 percent said the county supervisors should have more formal ties with the Council, 51 percent said the Mayor should not be one of the county supervisors, 62 percent said the Mayor's position should be full time, 62 percent said there should be term limits and 50 percent said there should be a Department of Recreation with its own commissioner. Denise said the last set of questions on the survey simply shows the characteristics of the respondents. Denise Polit said she would present a final report next week but believed that the figures would not change much.

Harvey Fox said asked if in Denise Polit's professional opinion was 30 percent a good return rate. Denise Polit said for a random sample it was very good. She said she was pleased with the 30 percent return rate and that there was a good representation with no bias. Harvey Fox commended Denise Polit for doing such a great job on this survey.

Mark Lawton said the number of respondents saying that they voted, seemed high. Denise Polit said the voter registration list does not detail who voted.

Lew Benton said he thought that there could be some concern expressed about the existing city department heads on the "professionally qualified" statement. He asked specifically what were the targeted positions in that question. Denise Polit said she did not know what the respondents were thinking when they answered that question. Lew Benton said positions such as the fire chief and police chief, are licensed, credentialed individuals. Elio Del-Sette said it was his understanding that the Commission was referring to the deputy commissioner positions in that regard.

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**BUDGET**

Harvey Fox reported that less than \$500 was spent on conducting this survey. He said there had not been any changes to the budget since the last meeting.

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**DISCUSSION OF ROLE & FUNCTION OF MAYOR'S OFFICE**

Harvey Fox asked everyone to look at the spreadsheet developed by Chris Whann. Chris Whann said items listed on this sheet came from the existing charter, discussions at Charter meetings, protocol documents, etc.

Agenda preparation: There was consensus to leave this item in the Mayor's office with consultation from other departments in developing the agenda. It was further agreed that the drafting committee would craft the specific language. It was noted that language should be included on placing late items on the agenda.

**City of Saratoga Springs Charter Review Commission Meeting Minutes  
Monday, February 19, 2001**

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Engineering Department: Elio Del-Sette moved and Chris Whann seconded to move the Engineering Department from the Mayor's Office to DPW. Harvey Fox said at this time he was opposed to this motion. He said he believed the Commission could benefit from further discussions with the Engineering, Planning and the Building Inspector before making a decision. Elio Del-Sette said the Engineering Department was illegitimately moved from DPW to the Mayor's Office many years ago because of political reasons. He said he believed that employees would be put in an awkward position by asking them where their office belongs. Mark Lawton pointed out that engineering functions are one of those items that is likely used throughout City Hall. Lew Benton suggested that if Commission members felt they did not have enough information, than perhaps this item should be tabled. Lew Benton pointed out that since the Building Inspector's Office was moved to the Engineering Department there has been a great amount of integration and wondered whether the department should be split again now that it appears to be working so well. It was agreed that members of the Engineering Department would be invited to speak before the Commission. Elio Del-Sette moved and Chris Whann seconded to table this motion. Ayes all.

Long Range Planning: Lew Benton moved and Vassar Curtis seconded to retain long range planning in the Mayor's Office and that the drafting committee be directed to address the language and frequency of this item. Ayes all.

Supervising Recreation Parks/Open Space: Harvey Fox said the maintenance and upkeep of the fields is done by DPW while the Recreation Commission falls under the Mayor's Office. Denise Polit pointed out that in the survey, more than half of the people said there should be a department Recreation Department. Denise Polit said she would like to learn more about the function of the Recreation Department. Elio Del-Sette said the Recreation Commission is a quasi-independent agency which is responsible for the Recreation Department. He said the City Council adopts the Recreation Department budget and the Mayor appoints individuals to that Commission. It was agreed that because the City Council is awaiting the audit from the state on the Recreation Department that this item should be tabled. Elio Del-Sette moved and Harvey Fox seconded to table this item and discuss it at a later date. Ayes all.

Executive Instruments for the City: Lew Benton moved and Vassar Curtis seconded to keep this item in the Mayor's Office with the existing language. Ayes all.

General Supervision of public utilities and affairs: Chris Whann moved and Denise Polit seconded to delete this item from the Mayor's office. Ayes all.

General oversight of City departments: Chris Whann moved and Denise Polit seconded to retain this item, refer it to the drafting committee and that the drafting committee be directed to review the January 29 meeting minutes when crafting the language. Ayes all.

See to enforcement of laws applicable to the City: Chris Whann moved and Elio-Del Sette moved to retain this section in Mayor's Office, refer it to the drafting committee and that committee be directed to review the January 29 meeting minutes when crafting the language. Ayes all.

**City of Saratoga Springs Charter Review Commission Meeting Minutes  
Monday, February 19, 2001**

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(Margie VanMeter arrived.)

Preside at Council meetings: Elio Del-Sette moved and Denise Polit seconded that the Mayor preside at all Council meetings. Ayes all.

Supervise legal operations: Mark Lawton said legal operations should be across the board. He said when additional legal services are required they should be coordinated through the City Attorney. Lew Benton pointed out that attorneys are hired by the Council. Tony Izzo said only his dollar amount is approved by the Council and not specifically his contract. Margie VanMeter said it was her understanding the City Attorney is appointed by the Mayor with the approval of the Council. Mark Lawton said he wanted assurance that there would be more coordination of legal services. Elio Del-Sette suggested leaving the City Attorney under the Mayor with additional coordination powers. Tony Izzo suggested that there be a stipulation in the charter that all attorney contracts be approved by the Council. Tony Izzo said perhaps some of these concerns could be addressed under C-50.

Lew Benton moved and Denise Polit seconded that the Mayor appoint the City Attorney, the appointment be affirmed by the Council, the City Attorney shall provide legal counsel to all Commissioners, the City Attorney shall coordinate legal services and this be referred to the drafting committee. Ayes all.

Appointing Boards and Committees: Lew Benton moved and Margie VanMeter seconded that the Mayor appoint members of the Planning Board, Zoning Board of Appeals, Design Review Commission, Urban Heritage Board, Housing Authority, City Center Authority, Recreation Commission, Special Assessment Districts and that such appointments be made consistent with the General City Law, Public Authorities Law and other applicable laws. Ayes all.

Capital Budget: Mark Lawton said this should be called the capital program. He said capital budgets and capital programs are two different things in that the capital program is a planning tool while the capital budget is an implementation tool. Lew Benton said there is logical coordination existing. Mark Lawton said he liked the idea of establishing a committee.

Elio Del-Sette moved and Lew Benton seconded that the November 20 minutes, page 5 be reviewed by the drafting committee and appropriate language crafted. Ayes all.

Deputy Mayor: Elio Del-Sette moved and Chris Whann seconded that a Deputy Mayor position be created. Denise Polit asked what might the duties be of a deputy mayor. Elio Del-Sette said it could be general oversight for efficiency. He said that position could also be an administrator. He said a deputy would strengthen that department. Denise Polit asked if the Mayor's position was full time would it be necessary to have a deputy mayor. She pointed out that in the survey, 23 percent of the respondents suggested that a deputy mayor position be created while 62 percent said the Mayor's position should be full time.

**City of Saratoga Springs Charter Review Commission Meeting Minutes  
Monday, February 19, 2001**

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Harvey Fox asked which would be better a full time Mayor or the addition of a Deputy Mayor. Tony Izzo said in section C-25 it does not specifically state that the Mayor has a deputy. He said that language could be changed to read "Mayor and Commissioners". It was agreed this item would be sent to the drafting committee. It was further agreed the language would be added either under section C-25 or under each individual department.

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**FINANCE**

Mark Lawton said as a general rule the same office should not collect revenues, write out checks and audit. He said that is happening under the current charter. He said that budget preparation and execution needs to reside somewhere where it can be carried through in a comprehensive timely fashion. He said there can be a budget office that reports to the Council and produces and submits the budget to the Council for its adoption. Harvey Fox asked if Mark Lawton was suggesting that some of the responsibilities be divided. Mark Lawton said yes and perhaps some consideration should be given to moving functions to other areas.

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**OTHER**

It was agreed a letter of invitation would be sent to the Engineering/Planning/Building Departments inviting those employees to attend a Commission meeting. It was also agreed that the next agenda would include: a) Survey result update and b) functions of the DPS & DPW

Mark Lawton, Rita Balmuth, Lee Nelson and Mia Mouzon said they would not attend the next meeting.

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**ADJOURNMENT**

There being no further business, Harvey Fox adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Kathy Moran  
Clerk

Approved: