

**CHARTER REVIEW COMMISSION
CITY OF SARATOGA SPRINGS
MONDAY, JUNE 11, 2001
CITY COUNCIL ROOM
6:30 P.M.**

PRESENT: Harvey Fox, Chair Mark Lawton
 Lew Benton Margie VanMeter
 Denise Polit Vassar Curtis
 Lee Nelson Chris Whann

ABSENT: Elio Del-Sette Rita Balmuth
 Mia Mouzon

STAFF PRESENT: Anthony J. Izzo, Assistant City Attorney

CALL TO ORDER

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

APPROVAL OF MINUTES

Chris Whann moved and Vassar Curtis seconded to approve the April 30 meeting minutes with a few minor changes. Ayes all.

Mark Lawton moved and Chris Whann seconded to approve the May 7 meeting minutes with a few minor changes. Ayes all.

Chris Whann moved and Margie VanMeter seconded to approve the May 21 meeting minutes with a few minor changes. Ayes all.

BUDGET

Harvey Fox noted that at a previous meeting, the Commission agreed to send a revised budget request to the Council in the amount of \$32,000 as opposed to the previously adopted amount of \$26,000. He said since that time, one of the Commission members has expressed concern that there may not be enough in the printing line item. Tony Izzo said it is this Commission's responsibility to fund the printing of the final document before the referendum.

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Margie VanMeter asked how much it might cost the Commission to print 1,000 copies of this document. She said the Commission also needs to produce a rationale sheet. Denise Polit said it could cost about five cents per page. Margie VanMeter said she did not believe that the newly proposed amount for printing would be enough.

Harvey Fox said he recently met with Ben Mirling, Commissioner of Accounts, on this revised budget. He said Commissioner Ben Mirling expressed some concern with the Commission requesting an additional \$6,000. Mark Lawton reminded everyone that technically the Commission did not require the Council's approval for these funds.

Lew Benton suggested that the Commission get some quotes on printing this document before submitting a revised budget to the Council. Lew Benton said there might be other ways for the Commission to raise funds for these expenses. Margie VanMeter said she felt strongly that the City was obligated to pay these expenses. Lew Benton suggested that Commission members talk to the Commissioners on this issue.

Denise Polit said perhaps the Commission could print one fact sheet rather than two. She asked when the Commission thought the fact sheets might go out to the residents. Chris Whann said September and October. Vassar Curtis asked what would be the content of the fact sheets. Harvey Fox said they would be both informational and educational. Denise Polit said she would get quotes from printers for 1,000 copies at 50 pages.

Lew Benton said he would meet with Barbara Lombardo, *The Saratogian*, to discuss the possibility of the newspaper printing the charter in tabloid form.

Vassar Curtis said he checked into the statement stuffers for the Adirondack Truck Company. He said it could be limited to the 12866 zip code and it might also be possible to eliminate those with the 12866 zip code that actually live in the Town of Wilton. He said if those Town of Wilton residents can be eliminated, the amount required would be approximately 11,450. He said it would be limited to one stuffer per household. Denise Polit said she would get a cost on printing approximately 11,000 statement stuffers.

Tony Izzo said he revised Sections 37 & 38. He said in his review of those sections, he has determined that the old law (in connections with the WICKS law) would still stand. He said there was a case, *Diamond Asphalt vs. Sander*, concerning bidding and the award of contracts. He said that there is no proposal to modify the award of contracts and/or bidding procedures but rather to simply raise the limits. Therefore, the 1947 law would not be endangered and there is no problem in raising those limits and the WICKS law would remain in tact.

Tony Izzo said he had also talked to Deputy Commissioner Christine Gillmett-Brown on the CHIPS program and the apportionment of taxes. He said based on those discussions, he recommended keeping Section C-87 as it currently exists.

Tony Izzo said the Loughberry Lake moratorium had expired, therefore, Section C-86 could be eliminated.

Mark Lawton said Barbara Samel was to send a contract to Harvey Fox. Harvey Fox said he had not yet seen that contract. Mark Lawton said he would check on where it was. Mark Lawton said he had not been able to trace an appropriation in the state budget for reimbursement of the City's expenses on the charter revision. It was agreed that Harvey Fox would ask the Mayor to send another letter out to state officials on this issue.

Denise Polit said she had recently spoken to Helen Edelman on her editing services. She said Helen Edelman has asked for clear guidelines on what exactly her task would include. She said her normal fee is \$30/hour. She said Helen Edelman could begin work right away on this project but really needed to see the whole draft in order to get the concept.

OUTREACH PROGRAM

Mark Lawton reminded everyone that there would be a meeting sponsored by the Historical Society on June 28, at 7:00p.m. at the Casino on the charter.

Denise Polit said she recently met with the students at the High School and reviewed the results of their survey vs. the results of the survey sent to the random sample. She said there were some similarities but there were also some differences. She pointed out that the students were in favor of giving the Mayor more power.

FISCAL ANALYSIS

Vassar Curtis said he was working on the fiscal analysis statement.

DRAFTING COMMITTEE

Chris Whann said the drafting committee was almost done with their work. He said they are still working on just a few sections though. Margie VanMeter asked about the Election section. Chris Whann said they are still working on that section. Chris Whann noted that there were several sections that will remain as is.

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Chris Whann said the Commission had already discussed the Preamble and approved it on May 21 with minor amendments. Mark Lawton said he had some suggested changes to the Preamble. Chris Whann said he believed those changes to be substantial, therefore, had not made the changes. Mark Lawton distributed his proposed amendment to the Preamble. It was agreed that once the drafting committee made a recommendation to the full Commission, the Commission would review that recommendation. He said if a member of the Commission wanted to amend what the drafting committee had submitted, those amendments could be considered during the public comment period.

Sections of the charter that were just reviewed by the drafting committee were then distributed. It was then agreed those items would be discussed at the next meeting.

Lew Benton suggested that perhaps these draft sections be sent to Council members for their review. Chris Whann said it might be a good idea to get some feedback.

Margie VanMeter moved that all Commission members be prepared to vote at the next meeting on whether the Commission is prepared to release a first draft. There was no second.

Denise Polit said she would prefer to put this document out to the public all at once rather than in sections.

Chris Whann asked that Commission members review the newly revised sections of the charter that were distributed this evening and be prepared to discuss them at the next meeting.

C-1 B Short Title: Denise Polit moved and Lee Nelson seconded to maintain this section of the charter as it currently exists. Ayes all.

C-2 B Territories: Vassar Curtis moved and Lew Benton seconded to maintain this section of the charter as it currently exists. Ayes all.

C-3 B Tax Districts: Tony Izzo said based on his discussions with Deputy Commissioner Christine Gillmett-Brown, he recommended that this section of the charter remain as is. Commission members agreed that definitions should be added to the glossary (inside & outside districts). Tony Izzo also suggested that a statement be added to the Rationale paper on why this section was retained.

Denise Polit moved and Chris Whann seconded to maintain this section of the charter as it currently exists. Ayes all.

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C-3a -- Revision of Tax Districts: Chris Whann moved and Denise Polit seconded that this section of the charter be amended to state that the City shall have the power to adopt local laws and to modify the boundaries of the inside and outside tax districts. Ayes all.

C-4 B Highway Districts: Lee Nelson moved and Denise Polit seconded to maintain this section of the charter as it currently exists. Ayes all.

C-5 Exercise Districts: Chris Whann moved and Denise Polit seconded to eliminate this section of the charter. Ayes all.

C-6 -- Election Districts: Tony Izzo suggested that "as per the New York State Election Law" be added. Denise Polit moved and Chris Whann seconded to approve this section of the charter with the above noted modification. Ayes all.

C-8 -- General City Powers: Denise Polit moved and Chris Whann seconded to maintain this section of the charter as it currently exists.

C-8a, C-8b, C-8c: Margie VanMeter moved and Chris Whann seconded to eliminate these sections of the charter. Ayes all.

C-8d -- Reserve Fund for Recreational Development: It was agreed to wait on this section.

C-9 -- Substantial Performance: Chris Whann moved and Denise Polit seconded to eliminate this section of the charter. Ayes all.

C-10 -- Definitions: Chris Whann moved and Denise Polit seconded to replace this section of the charter with the glossary at the end of the charter. Ayes all.

C-15 -- Officers, Eligibility, Terms of Office, Salaries: Chris Whann moved and Mark Lawton seconded that this section be gender neutral and the dollar amount be reflected correctly at \$14,500. Ayes all.

Gender Neutral: Chris Whann moved and Denise Polit seconded that Helen Edelman be directed to make the charter gender neutral where appropriate. Ayes all.

C-16 City Council and Powers: Margie VanMeter moved and Denise Polit seconded to approve this section of the charter as presented by the drafting committee with a few minor corrections. Ayes all.

C-16a Limitations on bonding capabilities: Denise Polit moved and Chris Whann seconded to maintain this section of the charter as it exists in the current charter. Ayes all.

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C-16b -- Limitations on amount to be raised by real estate taxes: Denise Polit moved and Lee Nelson seconded to maintain this section of the charter as it exists in the current charter. Ayes all.

C-38 Exceeding \$1,000 limit: Denise Polit asked about raising the limits. Tony Izzo said the state law said the public works contracts may be up to \$20,000 and purchase contracts may up to \$10,000.

Harvey Fox moved and Lee Nelson seconded to send this section of the charter be forwarded to the drafting committee directing them to increase the limits to \$20,000 contracts and \$10,000 for purchases. Ayes all.

C-37 Expenditures not to exceed appropriations: Mark Lawton informed Commission member that this section would be moved to the Finance Department section.

C-76 Public Works and Local Improvements paid by tax: Tony Izzo said he was working on this section and it would be forwarded to the drafting committee.

C-77 -- Public Works and Local Improvements paid by tax assessments: Tony Izzo said this was at the drafting committee.

C-80 B Expenses added to Assessments: It was noted that this section would be combined with Section C-77.

C-81 Water & Sewer Rates: Mark Lawton said the drafting committee needs to review this section and determine where it needs to be placed.

C-90-C-97 New Language to be provided by Finance: Mark Lawton said the drafting committee has this language.

It was agreed to give the first 16 sections of the charter to Helen Edelman for her review.

It was agreed that Parks and Recreation would be discussed at a future meetings.

Commission members agreed to meet again tomorrow evening, June 12 at 7:00 p.m. with the following sections to be discussed: C-17, C-17a, C-17b, C-18, C-18a, C-18b, C-18c, C-18d; C-20, C-21, C-22 and C-24.

ADJOURNMENT

Lew Benton moved and Vassar Curtis seconded to adjourn the meeting at 9:00 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Kathy Moran
Clerk

Approved: