



March 29, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
Saratoga Springs Public Library
Public Forum
7:00 PM

PRESENT: Jeff Altamari
Laura Chodos
Devin DalPos
Elio DelSette
Matthew Jones
Pat Kane
BK Keramati
Mike Los
Barbara Thomas
Robert Turner
Beth Wurtmann

ABSENT: Gordon Boyd
Ann Casey Bullock
Robert Kuczynski
Minita Sanghvi

STAFF: Tony Izzo

RECORDING OF PROCEEDING

The proceedings of this meeting were taped for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript.

CALL TO ORDER

Chairman Robert Turner called the public forum meeting to order at 7:00 p.m.

Barbara Thomas asked everyone to take a seat and welcomed them to the public forum. She said this is a report on the work done by the commission to date. She said this was the opportunity for feedback from the community. There will be about 45 minutes of presentation and then time for a question and answer period.

Bob Turner, Commission Chair, thanked everyone for attending. He said there are 14 other members on the Commission with most of them here this evening. He said the current charter requires review every 10 years. This Commission has spent the last nine months reviewing the current charter, talking to officials, and researching alternative charters. In December, this Commission voted to draft a new charter and to change the existing form. Tonight is our current thinking. He said we want to hear from everyone and encouraged everyone to visit www.saratogacharter.com for more information.

Bob Turner said the Commission envisions the new form of government to have seven council members with four year staggered terms. There would be life time term limits after three, four year terms. They also believed that it was important to have head to head races, rather than the top vote getters. The specific powers of the Council are outlined in Article 2. Some of the key changes in the form would be the addition of a City Manager. The Mayor would also make appointments to the land use boards with the approval of the City Council. He said the City Council would no longer have administrative responsibilities. The Commission interviewed 23 people who have experience with the administrative responsibilities. They found that often, the administrative responsibility work discourages people from running for office. Commissioner Michele Madigan said it is the quality of the people, not the form of government that is important. Commissioner John Franck said one needs to be rich, retired or mentally ill to serve under the commission form of government. He said there are a lot of talented people in the city who would like to serve, but cannot because of the current form.

Bob Turner said the Commission surveyed people from the community and there were a number of people who feel they could serve as a Council member. He said 80 percent felt they had the skills and experience to serve as a Council member. The pool of people who believed they had the skills and experience nearly tripled by switching the form of government. He noted that only one woman served as DPW Commissioner in 1944-47 and that was because her husband died and she fulfilled his term. No woman has run for Accounts, DPW or DPS. He said it is clear that if we shift those administrative responsibilities to a City Manager, more people will run.

Bob Turner said the Commission looked at many alternative forms of government including a strong Mayor and a City Manager. This Commission wanted a blend of the models. He said we need a trained administrative professional to run the day to day operation of the City. He said interviewing past Mayors, all said the position of Mayor is more than part time. He said Saratoga Springs is an important, vibrant City and there needs to be someone in the Mayor's Office to "answer the phone." The Mayor will build consensus among the groups, attend community functions, etc.

Bob Turner said most small cities have a professional running the day to day operations. He said our City has a \$50 million budget with nearly 400 employees. A city manager is a highly trained professional. Requirements have been added to the proposed charter that this individual have at least five years' experience. This person will not be a patronage employee. This person will need to be a trained expert and appointed by the Council. The details of this position are in Article 3. He said the City Council sets the priorities, goals and the budget and the City Manager carries out the day to day operation of those items. He said the Council is the decision making body. The City Manager implements the Council's vision. He said the City Manager would be able to work with other City Managers in forming regional partnerships.

Jeff Altamari, Commission member, said the Commission's Finance goals are to bring high professional level of qualified management to the City's fiscal life; to maintain the very best of what our current charter offers with regard to fiscal management, to eliminate the check and balance weakness evident in the finance structure of our current form of government and to guarantee a less expensive City government. He said the vetting process for a qualified finance management representative will be arduous. He said the Finance section in the current charter is good and we want to maintain that process. The only difference is that the City Manager would have responsibility over the entire budget. We plan to keep the language on requiring a balance budget. We have strong debt limit language that we will keep. He said the primary check and balance weakness is that the Commissioner of Finance may be the internal auditor. He said typically that is not found elsewhere. In the new charter the Council will outsource for an auditor and that auditor will be report back to the Council. He said the Commission continues to work on the cost saving measures. He said there would be savings simply from going from five deputies to one city manager.

Bob Turner reviewed the current process to have a contract approved in the City – noting all of the departments that need to be involved. He said it is incredibly complicated process that is very bureaucratic and slow. He said there is a great deal of cooperation that needs to be had in order to get anything done. He said with a City Manager, that process would be far less cumbersome.

Bob Turner said they surveyed city employees and the employees' response was that the current form is not working efficiently. The people who work under this current form do not believe that it is managed well.

Bob Turner said it is difficult now for the average person to figure out who to contact with a problem. He said a resident must find the right Commissioner first. He said Commissioner Chris Mathiesen told them that when he went door to door to campaign, he found that residents do not understand this form. Under the new form, the point of contact will be the City Manager, the Mayor or any of the Council members. The Council members will be at large positions.

Bob Turner said they interviewed quite a few people who worked with the City. He said not one business, developer, planner, etc., said to keep this form. He said it is difficult for a business in the City to go to each of the five Commissioners to explain what it is they would like to do and to find a Commissioner who might want to take ownership. He said it is difficult to coordinate the efforts of five Council members.

Bob Turner said all of the information available this evening would be posted on the charter commission's web page. He said the Commission plans to spend the next two months reviewing the charter, listening to suggestions and making improvements.

Bob Turner opened the public comment period.

Otis Maxell said there was an earlier version where the Council members would be elected by districts – now the proposal is to have them at large. Bob Turner said the Commission discussed that at length and believed that identifying elections districts was just too big a challenge at this time. They were also somewhat a concerned that it could prevent people from running. He said they believed that six candidates at large would provide for diverse groups of candidates. BK Keramati said in their studies, districts are important when there is distinct diversity of cultures in a city.

Judy Stibow said she had never met a politician who didn't like Gerrymandering and she opposed wards.

Phil Diamond said the qualifications of the City Manager must be clearly defined. He asked if there were education requirements for Council seats. Bob Turner said there are no education requirements for Council members.

Ralph Burger asked if Council members would be paid. He also asked about the short term contract for a City Manager. He asked what happens when the City Manager goes on vacation. He asked if there would be a Deputy City Manager. Bob Turner said a department head would be designated to serve as acting City Manager. The Mayor could also appoint a Deputy Mayor. He said the contract for the City Manager could be short term, but that was the nature of the job. He said salary and benefits would be negotiated as part of the contract. The salary and benefits for the City Council will be determined by the City Council by December 31, 2018.

Andrea Rodgers said she had a brother-in-law who was a supervisor in Watertown noting that he represented a specific area of the City and asked if the Council members here would be like that. Bob Turner said no, that was a ward system. He said for a City our size, it is more common to have at large Council members.

Joanne Zangrando asked what the Commission members thought the salaries might be. Pat Kane said the City Manager could be in the range of \$115,000 – similar to school superintendents. He said the salary of the Mayor in Albany is \$138,000. Bob Turner said one prior City of Saratoga Springs Mayor suggested the salary be between \$120,000 and \$140,000. He believed it could be between \$60,000 and \$70,000.

John Sullivan, 102 Woodlawn Avenue, said he has served as a mayor and chaired a charter commission in Oswego. He said there are less than a half a dozen charters in the state that have passed in recent years. He suggested that because the date to vote on the charter had been moved from May to November that the Commission should expand its scope of inquiry. He was not convinced that the buck would stop anywhere with this proposal. He said this seems to be a seven person hydra and asked where with the buck stopped. He said he would be happy to share his experience and thoughts with the charter. He said it is important to give the voters a charter that can succeed.

Eliot Masie said he would have liked to have seen a nonpartisan process, but realized that might not be possible. He said we need to be very specific and detailed when writing a contract with a City Manager so that the City has the opportunity to remove him without paying a big penalty. He suggested that it be written into the charter. Bob Turner said there will be strong language on removal. He reminded everyone that this City is the best of the best and we will get many good City Managers interested in this position. He also said having a City Manager is a lot less partisan because the City Manager needs to work with everyone in order to keep his job.

Geoff Bornemann said it is important that the City Attorney work for everyone. Bob Turner said the City Manager would recommend a City Attorney to the Council and the Council would approve or disapprove the appointment.

Doug Ward, 116 Caroline Street, asked about a hearing process for the City Attorney if there was a dismissal. Pat Kane said the City Manager would make the recommendation to the Council. The City Attorney would not report to the City Manager. Bob Turner said the Commission could look into language on this matter. He said it might be possible that the City Attorney and the City Manager stays on for several years. BK Keramati said the City needs to have a fair process that is inviting to a City Manager and we cannot be too restrictive in this process.

Jose Pasciullo asked if the department heads would be civil service positions. Bob Turner said we would no longer have deputy commissioners and the department heads would report to the City Manager. He said the department heads would shift to management/confidential, civil service positions.

George Bergman said he had lived under a City Manager type government with a seven person council and a part time mayor. He asked why we would need a full time mayor with a full time salary here. Bob Turner said the mayor is a full time job. He said the Mayor would meet with constituents, attend to business of the city, and meet with businesses throughout the community. He said the role of the Mayor has increased over the years.

Barbara Lombardo said she can see that a lot of thought was put into this document. She asked why have lifetime term limits. She said she was not convinced that we need a fulltime mayor. She said it was important that the department heads not be civil service positions. She said we need to look into the health benefits situation. Bob Turner said the City Manager would handle collective bargaining agreements and health benefits packages. Barbara Lombardo asked why the Mayor would be the chair of the Finance Committee. Bob Turner said that after listening to many people on this matter, they heard that it was very important for an elected official to take responsibility and actually sign their name on the budget. He said the City Manager would propose a budget, give it to the Finance Committee, the Council would approve the budget and the Mayor would sign it.

Karen Klotz said she did not believe that the jobs of the deputies were described accurately. She said it is the responsibility of the City Council members to choose a deputy who can run the department. She also noted that several of the departments have a director. She said it is misleading to say that in order to run for a City Council position under the current charter that one must be somehow qualified to handle the administrative functions. She said she wanted to see the financial impact of the proposed charter.

Al Turkheimer said the recommendations are to have some sort of "out" clause in the City Manager's contract. He asked why not have an 8 year term limit and why not five Council members. Bob Turner said that talked about 5, 7 and 9 for Council members and settled on 7 because that seems to be where most cities settle. He said there really was no magic number.

Margie VanMeter said she was glad to hear that there would be some management/confidential positions. She said we need to address the fact there are five unions in the city. She hoped the City Manager would restructure that. She asked why the new charter would not allow a Council member to run for a Supervisor position. She said we need to have the ability to exercise more power at the County. Bob Turner said they looked at that, but Elio DelSette made a statement that "one cannot serve two masters at the same time, for they will love one and hate the other". Commission members believed there could be times when the City and the County could be at

odds. He said the new charter proposes to have the supervisors terms changed to four years and that will need to be addressed by home rule legislation.

Bill McTygue said he served for many years in DPW. He said the structure already exists in many of the departments with directors and chiefs of police and fire. He said those are civil services positions and they could be made management confidential. Bob Turner said there is a lot of detail in the new charter, but some things will be left up to the City Manager and the Council to figure out. Bill McTygue suggested that there be more opportunity for the public to communicate with the Commission on their thoughts. He said in the past, he has seen some pushback on having a City Manager. He said there is a strong desire in our community for the Mayor to not be just a ceremonial position. He said the Mayor's position should be held a little higher than the Council positions. Bob Turner said the Commission had heard that. He said though that the Commission did not want an Albany style mayor. He said under this new charter, the Mayor would be uniquely positioned to bring groups together, decide on chars, and form advisory committees.

Charles Brown, Chair of the City Democratic Committee, said he was not a fan of staggered election cycles. He said those who are running need to know what the compensation will be. They need to understand the depth of the commitment. He said if we choose poorly we will be stuck with that person for four years. He was worried that if it was made too easy to run, we might not get as good candidates that we deserve. Bob Turner said there are a lot of people with a lot of expertise who will run. He reviewed the survey results again noting the increase in those interested in running for DPW and DPS when the administrative roles were removed.

Rick Fenton said he is happy with what he has read about this charter. He said a strong Mayor was less desirable. He hoped we could separate politics from the service delivery. He liked the City Manager form of government and he was confident that the details could be worked out. He said there is only a small amount of City representation here this evening and there was a lot of work to do to convince those who are not here.

Julie Kunio said four year terms are good. She said there is a lot of work that needs to be done and two year terms are not long enough to do some of the larger projects. She suggested that more good work could be accomplished without the opposing forces. She said we need to be more efficient and this could do it. Bob Turner said they heard from many prior officials that two year terms were not long enough.

Keith Kaplan said he too believed it was important to have an active internal auditor. He said this is an important function that needs to happen and needs to be reported out to the Council on a regular basis. Jeff Altamari said it is important to bring someone on from a professional firm to do the random audits.

Bob Tuner thanked everyone for coming this evening. He said that civic engagement is a dying art. He thanked everyone for their suggestions, saying it has given the Commission a lot to think about. He encouraged people to contact them at saratogaspringscharter@gmail.com with their questions, thoughts and concerns.

Bob Turner thanked Tony Izzo, Assistant City Attorney, for all of his historical knowledge on prior charter commissions. He thanked the Commission members and their families for all of the many hours that they have put in on this matter. He also thanked Nancy Wagner and Kathy Moran for their administrative assistance in note taking and finding suitable rooms for them to

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meet. He thanked James Baker and the rest of the IT staff for assisting them in getting the videos, minutes and agendas on line.

ADJOURNMENT

Bob Turner closed the public forum meeting at 8:45 p.m.

Respectfully submitted,

Katherine A. Moran
Clerk;

Accepted: 4/6/2017