

**CHARTER REVIEW COMMISSION MEETING
CITY OF SARATOGA SPRINGS, NEW YORK
MONDAY, JULY 17, 2000
CITY COUNCIL ROOM
6:30 P.M.**

PRESENT: Harvey Fox, Chair Mia Mouzon
 Rita Balmuth Lee Nelson
 Lew Benton Denise Polit
 Vassar Curtis Margie VanMeter
 Elio Del-Sette Christopher Whann
 Mark Lawton

STAFF PRESENT: Anthony J. Izzo, Assistant City Attorney

CALL TO ORDER

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

Harvey Fox said all members of the committee should have received their packets with the information discussed at the last meeting. He explained that there are three ring binders coming for each committee member to keep all the information that will be gathered.

APPROVAL OF THE MINUTES OF JULY 10, 2000

Lee Nelson moved and Margie VanMeter seconded a motion to approve the minutes of the July 10, 2000 as drafted. Ayes all.

Harvey Fox noted that the minutes should be distributed to the Mayor, the Commissioners and the two supervisors.

VOTING PROCEDURES

Quorum

Harvey Fox said the committee needs to adopt a procedure on how decisions and voting will be handled. Elio Del-Sette said it is important to decide up front how the decision process will occur. He said that they could rule with super majority, simple majority, or minority. He said, though, that the committee needs to be very clear on how they want to handle this.

Harvey Fox said the commission is made up of 11 members. He explained that they should require a certain number of members be present in order to have a quorum. Lew Benton suggested six. Mark Lawton said that he felt strongly that the total commission should be present. Elio Del-Sette stated that there should be a majority number as someone could "misuse" the system, if in fact they did not show up because they did not want to vote on a particular issue.

Denise Polit moved and Mia Mouzon seconded that seven members of the commission must be present to have a quorum. Ayes all.

POLICY/PROCEDURE

Harvey Fox stated that the committee could have two different standards for procedure votes and policy votes.

Procedure

Tony Izzo said the definition of procedure is "something not involving the change or creation of text".

Lew Benton stated that the committee has established a quorum to be seven members. He stated that the majority of the committee would be six.

Mark Lawton expressed some concern regarding the legalities of the Commission voting. Tony Izzo said he would look into that issue.

Denise Polit asked if there was some way to do absentee voting. Margie VanMeter said she would have some concern with members not being present to vote.

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The committee as a whole felt they were not interested in absentee voting.

Lew Benton moved and Elio Del-Sette seconded that procedure matters need a total of six positive votes in order for a procedure issue to pass. Ayes all.

Policy

Elio Del-Sette moved and Denise Polit seconded that policy matters need a total of nine positive votes in order for the policy to pass.

Lew Benton stated it is very important that the committee establish a significant number for policy voting but expressed some concern that the committee may not be able to pass issues with nine members having to vote positive.

5 Ayes; 6 Nays. Motion denied.

Lew Benton moved and Christopher Whann seconded that policy matters need a total of eight positive votes in order for the policy to pass. Ayes all.

BUDGET

Harvey Fox stated that all committee members should have received a tentative budget to review. He explained that with the help from Deputy Commissioner Carol Kennedy and research of other committees the bottom line figure they have projected is \$29,350. He asked for comments from the committee.

Mark Lawton asked if the figure for legal fees will take the committee through November 2001. Tony Izzo stated that he did not review the figures but assured the committee that he will not abandon them if the fees run short. Harvey Fox stated that he met with the Mayor and additional fees can be acquired if necessary.

Mark Lawton noted his concern regarding some of the other figures. He stated that he feels the overall budget is not enough to get the committee through the scope of services that they may need to complete their task.

Christopher Whann stated that the committee is scheduled for 15 months of work. He stated that the \$29,350 may very well be eaten up with attorney fees and outside consultants.

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Deputy Commissioner Carol Kennedy stated that the Accounts Department has made a very strong commitment to this committee and they are willing to match the \$30,000 from their budget.

Mark Lawton stated that the committee should have a clear indication from the Mayor that any excess fees or necessary assistance will be covered.

Elio Del-Sette stated that a reserve fund could be established with the \$30,000 that the Accounts Department is willing to match or something in writing that they guarantee the funds will be available.

Harvey Fox expressed his concern that the committee cannot go to the City Council and ask them to pass an open ended budget.

Elio Del-Sette stated that it could be a very good possibility that the committee uses the entire \$60,000. He asked, how then, does the committee go to the City Council and ask for more money. He stated that it appears that the committee should get as close to the final figure as possible.

Mark Lawton stated that without knowing what the committee will spend there needs to be some guarantee of flexibility.

Denise Polit said with all the uncertainties any budget proposed is going to be an uneducated guess.

Harvey Fox said the commission needs to begin somewhere. He recommended that Mark Lawton and Lew Benton work together to come up with a tentative budget and bring it to the next meeting for the commission's review. Commission members agreed to that suggestion.

Denise Polit recommended that they contact Poughkeepsie, as they just went through Charter Review, and find out what their bottom line figure was.

TIMELINE

Harvey Fox stated that there was an error on the timeline that was handed out in the packets under 7/1/01 rough draft. The correction should read 7/1/01 rough draft completed.

ANNOUNCEMENTS

Harvey Fox stated that Nancy Wagner is currently organizing all the documents pertaining to the Charter and simplifying for the committee to review.

Harvey Fox stated that the requested information from NYS on the Mechanicville's 1997 Charter Review should be forthcoming.

Denise Polit suggested that the commission look on the Web for other Cities that have gone through a recent charter revision.

Elio Del-Sette suggested that the commission attend City Council meetings. He advised the Committee that Channel 16 broadcasts the Council meetings of Troy, Rensselaer and other local city's.

Harvey Fox also stated that the Mayor recently appointed Deniese Polit as Vice-Chair and Christopher Whann as Secretary.

GENERAL DISCUSSION

Margie VanMeter stated that she believes that the commission should meet as a whole body to get the feelings of each commission member prior to breaking up into sub-committees. She said she would like to know why this commission was formed. She said it was important that the members are educated about the Charter and how it works.

Lee Nelson said the commission should not focus on each members personal objective but rather why the commission was formed.

Elio Del-Sette said it was his understanding that this commission was formed because a Council members suggested the formation.

Margie Van Meter stated that she feels that the commission should review the charter section by section with Tony Izzo and while reviewing consider what changes could be made.

Lew Benton said it was critical to review the entire document and get a feel for the commission's objectives as compared to what is actually in the Charter.

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Elio Del-Sette agreed with Lew Benton that the Committee should understand the document and determine if it is inadequate, how to make it adequate, and how to make changes to the Charter.

Margie VanMeter said one question should be "What does the City Government need?" She said that the City developers and residents don't attack the Charter but rather they attack what they want. A goal of the commission should be, "What is in the best interest for the City."

Lew Benton said the suggestions from both Elio and Marge could make up the commission's work program and their goals.

Harvey said the scope for the next meeting could be to define the work program and goals of the commission.

Lee Nelson said another question that should be asked is, "What is it that the City needs, and what are the inner workings of the City"?

Elio Del-Sette suggested that the commission interview the Commissioners and then the Deputy Commissioners to obtain knowledge of how the City works.

Mark Lawton suggested that the commission invite the representatives of the City to come to a commission meeting and for a presentation.

Harvey Fox said the commission members should prepare a list of questions that they would be interested in asking.

Elio Del-Sette said the commission should consider having all the representatives including the Mayor, the Commissioners, the Deputy Commissioners, the department heads, the two City Supervisors and the Executive Secretary of the Civil Service.

Lew Benton suggested that members of the City's Boards also be interviewed. Harvey Fox stated that they will invite Chairs of the Boards under the Mayor's department.

Harvey Fox stated that each committee member should prepare a list of questions for interviewing the City Council members and bring 11 copies to the next meeting to review.

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Marge VanMeter moved and Lee Benton seconded to table breaking the committee into subcommittee's until a later date. Ayes all.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy Bambara". To the right of the signature, the initials "KAM" are written in a smaller, simpler script.

Nancy Bambara
Clerk

Approved: 7/31/00