

CHARTER REVIEW COMMISSION MEETING
CITY OF SARATOGA SPRINGS
MONDAY, JULY 16, 2001

PUBLIC HEARING

Harvey Fox, Chair opened the public hearing at 7:00 p.m., and introduced the members of the Commission.

Harvey Fox informed the public that 11 residents of Saratoga Springs were appointed to amend the City Charter. The Commission has had over 50 meetings, and have worked very hard. They have also utilized the testimony of citizens, as well as experts. The Commission focused on maintaining the present form of government while addressing serious issues with the City Charter. These issues included outdated language, policies and procedures applicable to all City departments, and the need for a human resource department. While addressing these issues, the Commission was also able to condense the City Charter to be more efficient and resourceful.

Harvey Fox explained that tonight's public hearing is the 1st of 5 public hearings. Each public hearing will be held on a different day of the week. The next four public hearings will be on: Tuesday, July 24th; Wednesday, August 1st; Thursday, August 9th and Friday, August 17th. The deadline for any written comments or suggestions is Monday, August 20th @ 12:00 noon, and should be sent to Kathy Moran. Harvey Fox announced that the draft can be reviewed on the City web site, and that copies of the existing Charter and draft Charter are available in the front of Council Room.

Elio Del-Sette explained that when the draft was completed he asked Patsy Berrigan to review the material and make any suggestions that she felt necessary because she is an outstanding and knowledgeable employee of the City.

Patsy Berrigan, representing the Civil Service office stated that there is a discrepancy between C-17K which states that the Mayor appoints civil service employees, and C-22K which states that the City Council appoints the Civil Service employees. She also points out that C-17M states that the Mayor is responsible for the "function" of the Civil Service, when in fact the Civil Service Dept is run by state laws and the civil service commission. Patsy Berrigan said that the Civil Service office

is under the Major's Department, and under the Finance Department for the budget only. Patsy Berrigan also points out that the development of the Human Resources Department should not result in taking job classifications away from the Civil Service office. She goes on to say that they should be working in conjunction with the Civil Service Commission. If the Civil Service Commission is abolished, the County will take over. Harvey Fox stressed that it is not the charter Review Commission's intention to abolish the Civil Service Office. Patsy Berrigan states that in the case of hiring Chief Examiner, Civil Service uses the NYS Department of Civil Service. In the Saratoga Springs Municipal Civil Service, Rule #2 gives the Commission authority over the secretary and staff. Harvey Fox said that the Charter Review Commission will get in touch with her to clarify and correct any discrepancies. Elio Del-Sette suggested that the members of the drafting committee meet with Patsy Berrigan to go over the proposed language, and make whatever corrections are necessary.

William McTygue, Director of DPW asked the Commission to look at Section C-19A which refers to the Department of Streets and Highways. He stated that if you compare Page 22 of the new document and Page 32 of the existing document, the Commission will see that some of the important meaning got lost. Bill McTygue also pointed out that the revised Charter states that all encroachments on the City streets, highways and public lands will be removed. He said that this is redundant and it should be deleted because the language "responsible for maintenance of" is sufficient. He pointed out that the proposed Charter said that sand is provided, and he said that it doesn't have to be in the Charter because sand is part of the City provisions. Other suggestions he made were: Section C-32 of the existing Charter - replace the word "gutters" with "curbs", and use the language: "may also require" when referring to a property owner repairing and maintaining... This would give DPW the authority to enforce.

Thomas McTygue, Commissioner of DPW asks the Charter Review Commission to schedule a public workshop with the City Council to clarify language, make recommendations, ask questions and make references. He also refers to page 23 of the proposed Charter "Rental and Use", and states that it is all new language. He said that in the past the policies were reviewed, and DPW determined the rental fees. He explained that in the past year DPW generated an additional \$40,000 for the City. He also refers to the music hall which isn't used much, and stated that DPW has always worked with different groups and the rental

fees. There are fixed fees for profit groups, but flexibility is needed in order to bring in the smaller groups. He stressed that the Commission needs to work on the language to allow for flexibility. Tom McTygue said that he has established fixed rates for the weekend use, and on weekdays the rates have been negotiable. He said that this practice can be built into the charter. The City Council is the policy making body for each department. They have been accommodating city residents, as well as city, civil and non-profit organizations. Tom McTygue said that the Casino is booked 2 years ahead of time. Harvey Fox said that the City residents should be the 1st priority for use of the casino, and have a differential in rates in order to accommodate further use. Tom McTygue also said that the section addressing the utilities department needs further review. He suggested that the Commission spend time on the human resources because they will be dealing with grievances that cause extensive paperwork, the commission should spend some time coordinating the grievance process. He said that a human resource person is essential to deal with grievances instead of the Commissioners having to deal with the grievance process. Elio Del-Sette suggested that Tom McTygue prepare a memo for the Charter Commission to review.

Robert Davis, 61 Phila Street said that he thinks that all the Enforcement entities of the City, with the exception of health and fire, should be in the same department because it would facilitate a more efficient process. He also suggested that these entities should be in DPS. Mark Lawton said that the Commission feels that these entities are designated the way they should be. Tom Curley said that he thinks Mr. Davis is confused with the issues involved in code Enforcement and Zoning Enforcement. He explains that they are 2 separate types of enforcement, and that they don't need to be under the same office.

Harvey Fox said that he wants to arrange a joint meeting for the City Council and the Charter Commission to work on some of the issues brought up this evening. He also said that the meeting must take place before August 20, 2001. He explained that it is typical of a growing City to modify the law to reflect the realities, and how to deal with them in the future. It was not the Commission's intent to establish a department. A system needed to be developed for recurring problems without overlapping existing authority.

Tom McTygue said that the Preservation Foundation and the Historic Foundation can make valuable recommendations as well.

He is also concerned about the City's walking paths becoming a DPW nightmare. Harvey Fox said that the budget section will prohibit that.

Other issues that Tom McTygue mentioned included people dumping land on the City; the budget section; the mayor's section and the capital program. He said that this is an extensive revision and that it should be examined closely.

Harvey Fox closed this public hearing at 8:18 p.m

Respectfully submitted,

Eve-Lynn Woodward