

**CITY OF SARATOGA SPRINGS CIVIL SERVICE COMMISSION
REGULAR MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY FEBRUARY 21ST, 2018
MINUTES**

PRESENT: ELIO DELSETTE, CHAIRPERSON
ROBERT MAINS, COMMISSIONER
MARK CACOZZA, COMMISSIONER

CHAIRPERSON DELSETTE CALLED THE MEETING TO ORDER AT 9:31am.

Commissioner Cacoza made a motion to defer the approval of the January 25th, 2018 Minutes until the February 2018 Civil Service Commission Meeting. Seconded by Commissioner Mains. Ayes all.

Chairperson DelSette opened the public speaking session at 9:31am, inviting anyone who wished to speak, including on the topic of the Mayor's Proposal. Human Resource Administrator Miriam Dixon introduced herself, and stated that this was not a 'presentation', but more of a discussion to answer any questions, as from her understanding at the last meeting, several questions came up that the Mayor and City Attorney were unable to answer. Ms. Dixon then invited the commission to ask any questions they may have.

Commissioner Mains asked Ms. Dixon to describe in the Cities current form of government the position of Human Resources Administrator is appointed by the Mayor, and the Coordinator reports to the civil service commission as independent, how would it be able to maintain the independence of this commission, if in the Coordinator, it then falls under the Human Resources Administrator.

Ms. Dixon responded that under the proposal, the idea is not to remove any powers of the civil service commission as it stands today. This reporting structure would be to address the operational needs of the civil service office, as far as it relates to the hiring process and meeting needs of the appointing authorities that the civil service commission serves. The Coordinator would still operate the same as she does today; everything would still be run through the civil service commission for approval. If it is something that the Coordinator currently reports on, it would all still remain for the civil service commission to approve. Ms. Dixon went on to say that nothing will change as far as who is responsible for approval of the transactions.

Commissioner Mains had one follow up, and asked Ms. Dixon if she had those same responsibilities while in Albany.

Ms. Dixons explained her role in Albany as she was appointed by the Mayor; that Albany has a Strong Mayor and a Weak Council form of government. With that, she had a dual role as Human Resources and Secretary to the Civil Service Commission. As Secretary she would run anything related to civil service by the Commission. With this Proposal, it would be similar and 'pretty much that same type of thing'.

Commissioner Mains said, that what's being proposed is some changes to what civil service would do, as far as duties.

Ms. Dixon mentioned the NYS Manual for New Commissioners has a template, and the duties are all duties that they allow for a commission to delegate to their Secretary, or in this case the Coordinator. The idea with this is that it helps with the efficiency of the day to day operations in the civil service office. This could be anything. Then there would not be a wait for a civil service commission meeting, in the event that something needed approval two days after the previous meeting; that power would be delegated to the Coordinator. For example, to establish an eligible list, or to allow grades to be sent out, once these duties have been delegated to the Coordinator.

Commissioner Mains asked if that was similar to how it was done in Albany. Ms. Dixon replied 'right'.

Chairperson DelSette pointed out the CSEA Union President Lisa Watkins and Union Vice President Kelly Gliosco sitting in the audience, whom he felt should be a part of this discussion. Chairperson DelSette offered the Union a chance to speak or to ask any questions at any time. VP Kelly Gliosco acknowledged the offer and thanked the Chairperson.

Chairperson DelSette invited Commissioner Cacozza to speak.

Commissioner Cacozza said it had been represented that one of the reasons for this proposal was that the School District was dissatisfied with the operation or performance of the Commission, and that there was an indication that they wanted to move their civil service operation to the County; that there would be some sort of meeting with the City and the School District. Commissioner Cacozza asked Ms. Dixon if there are any updates on that.

Ms. Dixon replied yes they had met with the School District "last week, maybe on Thursday" to get a better idea of what the Superintendent and Human Resource Director concerns were. Ms. Dixon said that she had been informed that the School District 'apparently, last year, had talked with their Attorney whether they could withdraw from the Cities civil service and move to the County'. Ms. Dixon said that at this point, the School District was waiting to see what the City is going to do in regards to the Proposal, and that that was the last conversation they had had.

Commissioner Cacozza asked if the School District had the power or ability to move directly to the County, if operations here are not changed.

Ms. Dixon replied that they did talk about that, and the School District said they spoke with their attorney and are currently looking into it further, but that it may not be an option they could pursue.

Commissioner Cacozza agreed, as that was what his research showed as well.

Ms. Dixon said that bigger than the issue of if they can or if they cannot, is what has lead the School District to get to this point. What is it in the way that the Cities civil service is serving them, which, "at this point, is the Cities biggest 'customer' per say in civil service business. And that's what our conversation was about; what made them want to look into that option." Ms. Dixon went on to say that one of their main concerns was that the operation of the City civil service was not working for them. They didn't feel like it was something where they were getting an opportunity to work with." An example was given of the School allegedly not receiving a copy of the Civil Service Rules Manual.

Commissioner Cacozza, to clarify, said then 'I think we're in agreement here, that the School District cannot opt out of the Cities civil service commission unless Option #2 of the Proposal is pursued by the City, is that correct?'

Ms. Dixon, "yes, correct, the School District goes where the City civil service goes.'

Commissioner Cacozza asked whether or not the Mayor's office has reviewed this Proposal with any of the Citys Labor Unions, as a change in the operation of the civil service commission may have an impact on labor and contracts.

Ms. Dixon replied "no, the City has not done that. If you check the Civil Service Law, changing the administration of civil service is up to the legislative body of the City. So while it may impact, and it will impact, multiple authorities, such as the City Center and the School District, all of those, it is still the decision of the Council as far as how the administration of civil service is done for the City."

Commissioner Cacozza, "This Proposal has not been discussed or reviewed with the Unions?"

Ms. Dixon, "It was our intent to bring this to the civil service commission first, because it is a Proposal, and to discuss with the commission its effects before it was discussed with anyone else, so this proposal was brought to your commission in January for discussion, before it was discussed with anyone else. It has been discussed between the Mayor and the Council, and now this commission."

Commissioner Cacoza stated that he had a concern whether the City was aware that if Option #2 was pursued, it would take two years before it could be implemented. Meaning that an Amendment to the City Charter would have to pass; there would have to be a Referendum, and then there is still a one year period if the Referendum is successful, before the transformation can take place under Civil Service Law.

Ms. Dixon, "The City is aware of the process to change the administration of civil service, and that does not change the fact that the City sees a need for that change. The time required to change it, does not matter."

Commissioner Cacoza wanted to clarify, that Option #2, in essence, unless the City authorizes a special Referendum, the City Council elects to proceed with Option #2, the Referendum would be November of 2018, making November 2019 the earliest that Proposal could take effect. Commissioner Cacoza asked Ms. Dixon if that City was aware of this.

Ms. Dixon replied with "we understand the process."

Commissioner Cacoza thanked Ms. Dixon.

Chairperson DelSette said that he had a series of questions. First one being, that if this Proposal was to improve efficiency, what was the connection between Option #1 and #2; Chairperson also asked why they were recommending that these commissions move to the County if Option #1 failed? How would that improve efficiency?

Ms. Dixon, "First of, what we want to say here is this is a Proposal. They're not recommendations. The idea was to bring this to the civil service commission as a discussion. If the civil service commission has other options that they would like to discuss and put on the table, then this is a great opportunity. What the City is saying is that this needs to be addressed. The two options that the City sees as options when we look at the Civil Service Law, is that you can make internal changes, which would be Option #1. Or the City and commission can agree to make internal changes.

Chairperson DelSette asked who can make these changes.

Ms. Dixon replied the City and the commission can agree to make internal changes.

Chairperson DelSette asked internal changes to the structure?

Ms. Dixon replied yes, the structure and the operation; the way that the civil service office operates.

Chairperson DelSette said we can, at will, change the Charter or make changes to positions, and restructuring under something different than what we are now, is that what you're saying?"

Ms. Dixon replied that they were not changing the Charter. Option A does not change the Charter. Option A, the way it is written in the Charter, is that there is a civil service commission and Option A does not take the civil service commission away, so the Charter will not be changed. What Option A does is suggest operational changes to the reporting structure of the staff of the civil service office. It does not change the civil service commission. It does not include a personnel director, that's a charter change. This is just operational changes, and the titles in Option A are just suggested titles. It is no different than when a department wants to change a title within their department. There is no intent to exclude the civil service commission from following Section 22.

Chairperson DelSett said the problem that “we both share, is what the laws tell us. I think what is lacking here, for all of us, is any material that you have that gives us your legal position to make any changes that you have recommended, can you provide that information to us, the laws to us giving us authority to make these changes?”

Ms. Dixon, “in order for titles to be changed, and that’s in Option A, a title change, so in order for a title to be changed, Civil Service Law section 22 is the reclassification. That’s what we’re saying in Option A. We would like the civil service commission to reclassify, re title, the position that is already established in the City Charter. The Human Resource Administrator would take a reclassification, presented to the civil service commission, after a New Duties Statement is completed...there is nothing in here that implies that we are planning on going around the process of the civil service commission.

Chairperson DelSette held up the Proposal. In your chart, where is Section 22 and what it says, very powerfully, what this commission has to do when you have a Civil Service Clerk and a Civil Service Coordinator subordinate to the Human Resources. That means that you are the boss, like a Personnel Officer.

Ms. Dixon’s response was that Personnel Officer is an appointed position that replaces the civil service commission; there is nothing in this Proposal that suggests this title would be the Personnel Officer. It actually says here, under this model, the civil service commission would continue to serve in the City. There is no replacement of the civil service commission, suggested or implied in this proposal.

Chairperson DelSette asked Ms. Dixon who would do the hiring and the firing?

Ms. Dixon asked, “the hiring and firing of whom”?

Chairperson DelSette replied “with any of the 1000 people that we represent”.

Ms. Dixon said no, the appointing authority would have the power to hire and fire.

Chairperson DelSette asked, who that would be?

Ms. Dixon replied that nothing is changing; the appointing authority remains the same appointing authority.

Chairperson DelSette stated to Ms. Dixon “your position would be to take over the entire operation of our jurisdiction. What I am confused about is you say we are the same, but under your Model, we are not the same. We are an independent entity, and in your chart you have made us subordinate to different positions and the Mayor’s office. We cannot be subordinate and keep our wall of separation.”

Ms. Dixon replied with “yes you can, multiple cities across the State, can be. “

Chairperson DelSette clarified with “OUR City, and our current form of government...that is why I am asking for documentation that supports your proposal here. The question here for us is what does the law provide in allowing this to take place”.

Ms. Dixon said that the State provides a manual, given to all new civil service commissions and personnel officers, or the county. In the back of that Manual is the Resolution that she’s referring of.

Chairperson DelSette replied “you’re taking something from other entities, which may not be applicable to this commission; you are asking for a new form of operation for the civil service. This is a new form, which will alter or terminate the powers and responsibilities under 22. If you’re going to make changes to civil service, it has to go to public referendum. You are altering the demands of the City Charter with regards to the operation of civil service. We need to

SCHOOL DISTRICT

Commissioner Cacoza made a motion to approve the following Labor Class Appointment(s). Seconded by Commissioner Mains. Ayes all.

Joanne Dwornik	School Monitor	Effective 02/08/18 – 02/08/19
Samantha Jacksland	School Monitor	Effective 01/11/18 – 01/11/19
Kenneth Neverett	School Monitor	Effective 01/06/18 – 01/16/19
Angela Politi	School Monitor	Effective 01/16/18 – 01/16/19
Karen Savage	School Monitor	Effective 01/31/18 – 01/31/19
Judith Tranka	School Monitor	Effective 01/16/18 – 01/16/19

Commissioner Mains made a motion to approve the following Non Competitive Class Appointment(s). Seconded by Commissioner Cacoza. Ayes all.

Joanne Dwornik	Clerk	Effective 02/08/18 – 02/08/19
	Keyboard Specialist	Effective 02/08/18 – 02/08/19
	Teacher Aide	Effective 02/08/18 – 02/08/19
Imelda A. Hommel	School Bus Assistant	Effective 01/23/18 – 01/23/19
Samantha Jacksland	Clerk	Effective 01/11/18 – 01/11/19
	Keyboard Specialist	Effective 01/11/18 – 01/11/19
	Teacher Aide	Effective 01/11/18 – 01/11/19
Karen Karadenes	Teacher Aide	Effective 02/09/18 – 06/30/18
Cynthia Moczydlowsky	Teacher Aide	Effective 01/26/18 – 06/30/18
Julie Moroney	Clerk	Effective 01/11/18 – 01/11/19
	Keyboard Specialist	Effective 01/11/18 – 01/18/19
Jennifer Parks	Teacher Aide	Effective 01/30/18 – 01/30/19
Angela Politi	Clerk	Effective 01/16/18 – 01/16/19
	Custodian	Effective 01/16/18 – 01/16/19
	Teacher Aide	Effective 01/16/18 – 01/16/19
Debra Rancour	Clerk	Effective 01/31/18 – 01/31/19
Karen Savage	Clerk	Effective 01/31/18 – 01/31/19
	Keyboard Specialist	Effective 01/31/18 – 01/31/19

CIVIL SERVICE

Chairperson DelSette asked the Civil Service Coordinator to read his resignation Announcement, dated February 21st, 2018.

It reads as followed:

“For the good of the Service, I tender my resignation only as Chairperson of the Commission effective immediately following adjournment of the commission’s regular meeting on February 21st, 2018.

Respectfully, Elio DelSette.”

Elio DelSette moved to nominate Commissioner Mark Cacoza as Chairperson. Commissioner Cacoza accepted. Seconded by Commissioner Mains. Ayes all.

Commissioner Mains made a motion to approve applications (1) for Network Technician Exam # 19-206. Seconded by Commissioner Cacoza. Ayes all.

Commissioner Mains made a motion approve applications (6) for Information Technology Support Technician Examination # 19-267. Seconded by Commissioner Cacoza. Ayes all.

Commissioner Mains made a motion to Table the Review and Approval of the following Exempt Class Positions until the February 2018 meeting. Seconded by Commissioner Cacoza. Ayes all.

Deputy Commissioner of Public Safety

Deputy Commissioner of Public Works

Approved: March 29th, 2018

Respectfully submitted by: Corissa Salvo Civil Service Coordinator