



March 6, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
City Council Room – City Hall
6:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

WELCOME AND ANNOUNCEMENTS

INTRODUCTORY REMARKS

MINUTES

COMMITTEE REPORTS

PUBLIC COMMENTS

ADJOURN



March 6, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
City Council Room – City Hall
6:00 PM

PRESENT: Jeff Altamari
Gordon Boyd
Ann Casey Bullock
Laura Chodos
Devin Dal Pos
Matt Jones
Pat Kane
BK Keramati
Robert Kuczynski
Mike Los
Barbara Thomas (left 7:00 p.m. returned at 8:45 p.m.)
Robert Turner, Chair
Beth Wurtman (arrived: 6:40 p.m., departed 8:00 p.m.)

ABSENT: Elio DelSette
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 meeting to order at 7:00 p.m.

PUBLIC COMMENT

Chair Robert Turner opened the meeting for public comment.

MINUTES

No minutes.

PUBLIC COMMENT

Robert Turner opened the meeting for public comment.

Bonnie Sellers asked that the public be provided with a copy of what the Commission was discussing this evening.

Joy King asked that there be a public comment period at the end of the meeting as well as at the beginning

There being no one else wishing to speak, Robert Turner closed the public comment period.

REVIEW OF CHARTER

Robert Turner said we would start with Article 4 tonight.

Article 4

Section 4.01A General Provisions: Ann Casey Bullock said there was a small change in 4.01A. After some discussion it was agreed the last part of the sentence would read, ". . . shall continue unless or until modified by the City Manager"

Section 4.01B General Provisions: Commission members agreed to leave "in consultation with the City Manager". It was agreed to add the word "modify after ". . . may establish, 'modify' or abolish"

Section 4.01C General Provisions: Commission members agreed to remove "The City Manager may reorganize departments and their functions subject to approval of the City Council". Gordon Boyd said the Council could eliminate anything through the budget process.

Section 4.05 County Supervisors: It was agreed to add the language "Supervisors may attend meetings of the Council and may report to and seek advice from the Council on matters affecting City residents and taxpayers"

Article 5

Ann Casey Bullock said Mark Lawton was still working on this Article and she expected to get his revisions soon. She suggested not making any changes to this section until Mark Lawton got his most recent revisions to her. Gordon Boyd said he would like to see this Article without all of the redlines. He suggested that the Commission go through this section. After some discussion, Commission members agreed to leave Article 5 until they received the revisions from Mark Lawton.

(Beth Wurtman arrived: 6:40 p.m.)

Article 6

Section 6.02 Staggered Terms: Insert, "Thereafter". Robert Kuczynski suggested that we state somewhere that it is the top vote getters in the first election. Gordon Boyd said we could set it up as the three top vote getters or head to head races. We need to specify for the initial election that it is the top vote getters if that is what we want. Matthew Jones said he like to see head to head challenges. He said it made a candidate easier to distinguish him/herself. Robert Turner said with the top vote getter it could be all of the same party. Matthew Jones said head to head races allow a candidate to distinguish him/herself and to draw contrasts with the other candidate. Gordon Boyd said the top vote getters works for school board elections; however, in city races there are political parties. Laura Chodos suggested that this question be brought to the citizens for their input. Bob Turner said he liked the head to head races. Beth Wurtman was concerned with confusing the candidates. Bob Turner said the political parties will play a role in these races. He said head to head races allow the candidate to create a brand for him/her. Devin Dal Pos said the current races have candidates running for a particular department. Bob Turner said the candidates must now focus on that particular department or function when running. As legislators they will not have to focus on a department. He again said he liked the idea of candidates contrasting themselves. Matthew Jones suggested the first election be the top vote getters and after that, they should run for a seat. Bob Turner said he believed that the Council seats would be fairly contested. Pat Kane said we currently have a lot of history of running unopposed. Bob Turner said this new form will encourage more people to run. Robert Kuczynski said that while we have discussed the level of complexity with wards, he liked the idea of having wards. Bob Turner said Robert Kuczynski's point is well taken that without wards there would be no discernible difference among the seats.

(Barbara Thomas left: 7:00 p.m.)

Gordon Boyd believed it would be easier to fill the seats with the top vote getters. With head to head races, he believed there could be a lack of opposition. BK Keramati said head to head races make more sense. He did not want to create geographic distinctions. Pat Kane said term limits help. Bob Turner suggested that we get some feedback from other cities before we make a decision. Robert Kuczynski said no matter what we do, we need to prescribe the initial election and the subsequent elections in the language. He also suggested that in section 6.03 we may or may not want to further define that jumping from one seat to another may or may not be a way around the term limits.

6.03: Ann Bullock said there was a suggestion to remove the word "consecutive". Turner said the text "consecutive" is significant. Devin Dal Pos said no one should do more than 12 years. Pat Kate asked if that someone could fill a term and then run twice more or three times more. Gordon Boyd said the language could read, "three, full four year terms". Matthew Jones said the word "elected" should be added. Devin Dal Pos suggested it read, "three, full elected terms". Matthew Jones asked if we had agreed to appoint Council members if it goes below five. Bob Turner said that would be rare that the Council might go below five. Matthew Jones suggested we eliminate the prohibition of serving 12 years, taking two years off and then going back to run again. Bob Turner asked if 12 years was meant to be "lifetime." Gordon Boyd said he was leaning towards Matthew Jones' line of thought of 12 years, taking time off and then running again. Matthew Jones said the spirit of term limits is to remove the incumbent. Gordon Boyd said the democratic value of not being able to vote for someone you really like is lost with term limits. Bob Turner suggested that we need public input on this matter. Gordon Boyd said

we need to have a document ready by March 29. Gordon Boyd moved to add lifetime limit of three year terms. Laura Chodos asked if it needed to be consecutive. Robert Kuczynski said with input from the public we will get focused on this issue. Bob Turner said he could poll the public on this matter. Beth Wurtmann said we could get input at the March 29 meeting.

Gordon Boyd suggested that the text "either Mayor or Council member" be added in the second line.

It was agreed to make a section 6.03 and 6.04: Section 6.03 will focus on Mayor and serving three full terms and Section 6.04 will focus on Council members serving three full consecutive terms. Matthew Jones suggested it should read, "not eligible to be elected more than three times".

Article 7

7.01: Bob Turner asked about the tax districts, in particular how they were formed and if they are necessary. Gordon Boyd said there were two distinct districts at one point. He said if we take this language out, the City could become responsible for plowing and maintaining all of the streets and roads in the City that the state and the county currently maintain. He said there is also a difference in the services between the streets and highways, albeit it is much less than years ago. BK Keramati said if the language is taken out the state would continue to plow the roads. Gordon Boyd said the state would not maintain the roads if the language was taken out. It was agreed to leave the language.

7.02: Ann Casey Bullock said there had been some prior discussion that the reference to a particular section in state law should be removed in case the state changed their laws. It was agreed to leave the reference. There was some discussion on the 2 percent indebtedness and whether that should be changed, it was noted that the state is at 7 percent. It was agreed to leave it at 2 percent.

7.03: BK Keramati suggested that this section was quite long. Gordon Boyd said we were lifting the language from the existing charter. BK Keramati suggested that it be modified to make it more understandable. Robert Kuczynski said we are handcuffed by state law and we should leave this language as is. Ann Bullock said she was not quite sure why the text "school" was included in section 7.04B. Tony Izzo said that language is in the existing charter. He said it put the burden of schools in the outside districts to pay for those schools. Gordon Boyd suggested that the language went way back to 1915 when the schools were the responsibility of the towns and villages. Once the City came into existence in 1915, perhaps that language was there so that the City was exempt from supporting those districts. Tony Izzo said he would do some research.

7.07C: Ann Bullock said there were some title changes in this section.

7.08: Ann Casey Bullock said there were some title changes. She also asked about the affirmative votes to waive a bid. It was agreed that the text should read "affirmative votes of five members" would be added.

(Beth Wurtman left: 8:00 p.m.)

Article 8

8.02: Gordon Boyd suggested that the language needed to be clear that the elections in 2109 are for the new Council and Mayor and they would assume their seats in 2020..

8.07: Pat Kane suggested that we remove all references to salaries. He said that salaries should be left to the Council. Gordon Boyd said the transition documents could address this and it should not be in the charter. Matthew Jones asked why not put salaries in the charter. Pat Kane said it was the responsibility of the Council to set salaries. Matthew Jones noted that potentially, they could be setting their own salaries if they choose to run again. Pat Kane said the Council that is in office in 2019 would handle salaries in the budget process. Bob Turner said when spoke to the former Mayors of this City, some suggested that \$65,000 - \$70,000 would be appropriate. One suggested \$120,000. Gordon Boyd said there is a moral and statutory obligation of the Council to set salaries. Laura Chodos asked who might head the transition team. Pat Kane said salaries could be set through the budget process. Robert Kuczynski said he was in favor of having the Council set the salaries and not stating it in the charter. Gordon Boyd said changing salaries by local law would require notice and a vote.

Pat Kane said we could provide a salary range. He asked though how we would present this to the residents. BK Keramati said some of the Council members could be setting their own salary. Gordon Boyd said salaries do not take effect until after the next election, so they are setting them for the next Council. Pat Kane said we could set salaries for the first election. Bob Turner said the Mayor is expected to be at more functions and suggested that the salary be higher for the Mayor. BK Keramati said he would like to establish salaries rather than leaving it to the Council. Pat Kane said the Department of State and NYCOM recommend that salaries not be in charters. Matthew Jones said we need to attract people to run for these positions. He said not having salaries in the charter makes it more difficult to develop the financial statements. Pat Kane said it should be addressed in the financial document with examples. There was some discussion on benefit costs, but Commission members agreed there was no way to project benefit costs. Gordon Boyd said the Council should set salaries. He said if they set the salary and then choose to run, that it is allowed under state law. Matthew Jones asked how we could develop financial statements with credible information on cost savings if we don't identify salaries. Gordon Boyd said we could provide guidance. Robert Kuczynski said he had concerns about setting salaries through the budgets when budgets are adopted after the elections. BK Keramati said there should be some reasonable ranges in the financial statements. Gordon Boyd said the current deputies make a fair amount of money and there would be a cost savings. Pat Kane said he could agree to ranges in the financial statements. He said there should be a salary study for the entire City organization. Ann Casey Bullock said we need to make residents comfortable that there is not a cost increase tied to this charter. Bob Turner said he could be swayed on salaries, staggered terms and three full year terms. Devin Dal Pos said the current charter has specific language that describes expenditures. Gordon Boyd said the budget has to be balanced.

(Barbara Thomas returned: 8:45 p.m.)

Mike Los said we need to have a financial document that is clear. He said he was not sure if it would be a "lightening rod" in having the salary language in the document or not. Pat Kane said most charters do not identify salaries in the charter. Gordon Boyd said if people are looking for a reason to not support this document, this could be it. He said we are designing the process and putting a number in could be a barrier. Mike Los asked if it should be described as full

time/part time. Gordon Boyd said we should not identify the positions as full or part time. Mike Los said the salary level would infer whether it is full or part time. Matthew Jones said that running for a position and not know the salary is not fair to any candidate. Pat Kane said the salaries need to be addressed before petition season. The salaries are currently set at \$14,500.

Bob Turner asked if Commission members wanted to go back to Article 5. Commission members agreed to wait for Mark Lawton to finish his work on Article 5.

OTHER

Pat Kane said he verified that when public funds are used, Commission members must inform and educate. He said when there are no public funds, Commission members could advocate. BK Keramati asked if Commission members could write letters to the editor. Bob Turner asked that Commission members refrain from commenting on the document until we have a final document. Gordon Boyd suggested that Commission members wait until there is a final document in place and then Commission members could articulate their views.

Barbara Thomas asked about the outreach plan.

Ann Casey Bullock said some of the items discussed tonight will be highlighted for the public form. Barbara Thomas asked if we were going to present an unfinished document at the forum.

NEXT MEETING

It was agreed the next meeting would be Monday, Mach 20, at 7:00 p.m.

PUBLIC COMMENT

Bob Turner opened the public comment period.

Joy King said residents will want to see a savings with this new document and said that the Commission will need to show some numbers. She agreed the salaries should not be in the charter but suggested that if Commission members wanted the public to get behind this proposal then the public would need to see numbers. She also said that anyone who might want to run for office would want to know the salary. She agreed there were items that do not need to be in in the charter, but they should be in the transition documents. She recommended head to head races rather than top vote getters. Pat Kane said the salaries could be lower than the existing \$14,500 and perhaps the Mayor could be higher. BK Keramati said the new Council members will not be running departments. Joy King said salaries should not be below \$14,500. Joy King said the public will focus on salaries.

ADJOURNMENT

Laura Chodos moved and Mike Los seconded to adjourn the meeting at 9:20 p.m. Ayes all.

Respectfully submitted,

Katherine A. Moran
Clerk

Accepted: 3/20/2017