



June 26, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
Music Hall – City Hall
7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

WELCOME AND ANNOUNCEMENTS

PUBLIC COMMENT

CHAIR'S REPORT

OUTREACH MEETING AND SUBSEQUENT EDUCATION EFFORTS

DISCUSSION OF OUTREACH EDUCATION MATERIAL

ADJOURN



June 26, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
Music Hall – City Hall
7:00 PM

PRESENT: Jeff Altamari
Gordon Boyd
Ann Casey Bullock
Laura Chodos
Elio DelSette
Matthew Jones
Pat Kane
BK Keramati
Robert Kuczynski
Mike Los
Minita Sanghvi
Robert Turner
Beth Wurtmann

ABSENT: Devin DalPos
Barbara Thomas

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

Chairman Robert Turner opened the public comment period.

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

CHAIR'S REPORT

Robert Turner said that there was a minor problem in getting the agenda and minutes posted, however, they were both eventually posted.

CHARTER AMENDMENTS

Section 4.06 – County Supervisors: Robert Turner said that according to Bob Baston, Supervisors could not have four year terms. There was some discussion on adding language for Supervisors to have four year terms if state law was to change. BK Keramati expressed concern about the top vote getter getting the four-year term and the lesser vote getter having the two year term. Gordon Boyd said that was an idea, previously discussed, which would have allowed for staggered terms. Matt Jones said that the current elections provide for the top vote getters. BK Keramati said he would prefer to see head to head races and staggering.

BK Keramati moved that the Commission go with the top vote getters in the Supervisor race to achieve staggering. Pat Kane said state law states that Supervisors have two year terms. Robert Turner said this Commission cannot anticipate when the state might change its laws. BK Keramati said though that if we add language we would be head of the game. Gordon Boyd said with the four year term language, the process would remain the same until the City requested home rule legislation change. He said at that point, staggering and two year terms could be addressed. It was agreed that under section 4.06 language would be added to address head to head elections for supervisors.

Gordon Boyd moved and Minita Sanghvi seconded that the language presented for head to head races be adopted.

BK Keramati moved and Laura Chodos seconded as a friendly amendment that language be added that at the time the state law is changed, that with the first subsequent City election the supervisor candidate receiving the greatest number of votes shall serve the four year term and the candidate with the next highest number of votes shall serve the two year term. Ayes all on the friendly amendment.

Matt Jones said that before 2001, Supervisor candidates ran head to head races. There was consensus that the supervisor positions shall be contested separately as Supervisor A&B.

Ayes all.

Section 2.07 – Transparency and Code of Ethics: Bob Turner said it should be the policy of the City that all activities of City Government be conducted in public to the greatest extent feasible to assure public participation and enhance public accountability.

Gordon Boyd moved and Laura Chodos seconded to add the following language: "It is the policy of the City that the activities of City government should be conducted in public to the greatest extent feasible in order to assure public participation and enhance public accountability."

Ayes all.

Barbara Lombardo, audience member, suggested that there are already laws governing open meetings and this language makes it sound like the City will do the best it can. She suggested that the language state that the City will follow the law.

Jeff Altamari said there are legal standards that must be followed. He said that by stating, "to the greatest extent feasible" was sufficient. He said he did not want to burden City Government.

Section 2.10 – Investigations: Tony Izzo said there is a section in the Public Officers law and there are Attorney General opinions on this matter. He suggested that this section be removed or at a minimum, reference the public officers law.

Robert Turner moved and Pat Kane seconded to delete Section 2.10.

Ayes all.

Section 2.24 - Compensation for Mayor and City Council Members: Robert Turner said he had reviewed his notes and emails on this matter and he believed the compensation for the Mayor and Council members was the issue he heard most about. He said salaries could be established after the adoption of this charter. Health care for these part time positions was another issue of concern. He said most Council people around the state do not receive health care. He pointed out that health benefits could cost as much as \$18,000 per Council member. He said because of the salary and the health care benefits, our Mayor and Commissioners are exceptionally well paid. Gordon Boyd said they also earn NYS pension credits. It was noted that once they serve for ten years they are also eligible for health care for life. Robert Turner said the Council could vote an increase in salary for the subsequent Council. Tony Izzo said the Council could change salaries for a subsequent Council without a referendum. Minita Sanghvi clarified that Council members earn pension credits and health care benefits. Tony Izzo said health care benefits and other benefits were done by resolution of the Council. He said there is nothing in the section of the charter that would prevent such resolutions. Matthew Jones said we should be clear that this charter would negate prior resolutions. Tony Izzo said pension credits are governed by state law. It was suggested that language be added as follows: "no Mayor or Council members shall be entitled to any compensation beyond the end of their elected term."

Jeff Altamari said he had read through NYCOM data and the average salary of a Mayor with the City Manager was \$19,000. Robert Turner said the data he had reviewed showed the median salary at \$40,000. Barbara Lombardo, audience member, asked why the City would give the Mayor free health insurance. Robert Turner said there are quite a few expectations for the Mayor and there should be some benefit of being Mayor. Beth Wurtmann asked if anyone thought that not having health benefits would discourage someone from running. Gordon Boyd said people running for these kinds of offices are not running for health benefits. Rob Kuczynski said he too looked at the NYCOM data and if we were to toss out New Rochelle, the next highest Mayor was earning \$17,000. He said that \$40,000 was too high for the Mayor's position. He reminded everyone that we will have a City Manager to do the work. Jeff Altamari said there are a lot of ceremonial duties for the Mayor to tend to. Rob Kuczynski said again, that he believed that \$40,000 was too high. Elio DelSette said we would be going from a Mayor who currently puts in 70 or more hours a week to a Mayor who will likely put in less hours because there is a City Manager. Gordon Boyd said we do not know what the demand will be on the Mayor's position. He said someone who is self-employed and puts in a larger number of hours as Mayor is taking away from their own business. He said adding the benefit of health insurance was reasonable for the time that the Mayor may put in. Pat Kane reminded everyone that minimum wage continues to rise.

BK Keramati said that no matter what number we put in the charter, the Council can change it. Robert Turner said it is a statement to the voters from the Commission on how much this new charter will cost the City.

Jeff Altamari moved and Beth Wurtmann seconded to adopt the language which includes \$14,500 for the Council members \$40,000 for the Mayor, health/dental/vision insurance for the Mayor and health/dental/vision for Council members if they choose to pay for it in full. There was some discussion on including a dollar number for health insurance. BK Keramati said people running for these offices do not run for health insurance. Jeff Altamari suggested that language be added that there is no compensation beyond the end of their term.

Ayes: eight (Jeff Altamari, Gordon Boyd, Pat Kane, BK Keramati, Mike Los, Minita Sanghvi, Robert Turner and Beth Wurtmann); Nays: five (Laura Chodos, Elio DelSette, Matthew Jones, Robert Kuczynski and Ann Bullock). Motion carried.

FINANCIAL

Jeff Altamari shared with Commission members a draft financial impact statement. He said he shared it a few weeks ago with Commission members. The statement shows a positive impact if this Charter was to pass. He reviewed the current compensation as follows: Mayor and Commissioners: \$14,500, Civil Service \$50,000, Deputies \$73,199, City Attorney \$65,000. He said there is also a 55 percent benefits included. The new salaries would be as follows: Mayor \$40,000, Council members \$14,500, City Manager, \$125,000, Assistant City Manager \$90,000, City Attorney \$90,000, and internal auditor at \$75,000. There are approximately 400 employees in the City and that would likely remain the same. He said the net savings with no efficiencies would be \$121,326. Jeff Altamari said the hard savings would be the reduction of the five deputies. The addition of six council members a Mayor, City Manager and internal auditor produced a hard savings of \$262,191. With the addition of an Assistant City Manager a full time City Attorney and the reduction of the part time City Attorney and the internal auditor at about \$37,500 there would be a savings of \$121,327 with no efficiencies. He said using the same numbers in case two but adding a .5 percent efficiency created a savings of \$295,176. In case three, using the same numbers but with a 1.0 percent efficiency created a savings at \$469,027. He reminded everyone that the internal auditor would pay for itself.

Laura Chodos said she liked that efficiencies would be created through attrition. Gordon Boyd agreed saying the savings were at the senior level and not with the regular employees. Pat Kane suggested that general attrition numbers should be sought from Civil Service. Jeff Altamari suggested that those numbers would be similar to the NYCOM ranges. He said there will be some savings with the collapsing of the five silos. There will also be efficiencies with better collective bargaining.

Matthew Jones said these assumptions and the point of our statement have come from our research, interviews and wisdom of the intricacies of the City government. He said there would be savings in benefits with the reduction of five deputies. He noted though that we did not interview any deputy commissioners and asked how confident we were in removing those positions without having spoken to them.

Jeff Altamari said payroll is processed in three departments and with the collapsing of the five silos there would be a savings. He said the day to day duties of the Deputies would be handled by the City Manager and one senior level person. BK Keramati asked if the City Manager will manage the Chiefs of Police and Fire. Jeff Altamari said this is just a draft. Bob Turner said

Deputies are political appointments with little or no experience in running departments. Pat Kane said voters are accustomed to changing of Commissioners and Deputies, but there are directors in each of the departments to handle the day to day operations.

Matthew Jones said the deputies are not political deputies. He said the City gets their money's worth out of them. He did not believe that removing all five deputies and giving those duties to one City Manager was possible, especially because we have not spoken to any deputy. He said there are too many assumptions that are being made and he was not sure there would be a savings of \$121,000. He said some things like the internal audit could be done now without charter change. Gordon Boyd said if we were comparing apples to apples, we would not be looking at an Assistant City Manager. He said most of the residents here in the City know that if they need a question answered, they must go down to the third level in department seniority to get their information. He said this is a restructuring, not necessarily consolidation. He said the employees who run the departments and do the work will still be here.

Jeff Altamari said these are all good thoughts and questions that need to be fully developed. BK Keramati asked what it would take to prove the efficiencies and savings. He thought that it would take a large team of auditors to go way beyond what this Commission could do. He said we have interviewed people, surveyed employees and others and in our best collective judgement are making the right decisions.

Jeff Altamari asked that Commission members send their thoughts to him and he could incorporate those suggestions into the numbers.

Elio DelSette asked about the survey. Bob Turner said he surveyed 75 City Hall employees. He said that in 2011 there were layoffs of employees and he did not believe that would happen with the adoption of this charter. He said the survey showed the culture of negativity in City government, but also showed that employees are proud of being City employees. He said the survey data was consistent with the interview data.

Bob Turner asked if Commission members were willing to accept that there would be a savings of somewhere between \$121,326 and \$469,026. Gordon Boyd pointed out that there is no assumption of layoffs.

Bob Turner said there have been 35 Commission meetings, 40 subcommittee meetings, 3 town hall meetings. We have interviewed 23 former and present City Council members and employees. We have interviewed local business leaders, consultants, and nonprofits. We have interviewed City Managers and reviewed 30 plus studies. Our time line has been from June 2016 to the present. Our timeline is very similar to the 2001 Charter Commission. We have spent 4 ½ months drafting the charter. We have listened and been deliberate in our discussions. We have taken under advisement suggestions from the community and have made those changes. All of that brings us to today. He said it was now time to move to the education phase.

Gordon Boyd moved and Pat Kane seconded the following resolution:

RESOLUTION #2
June 27, 2017

WHEREAS, the Saratoga Springs Charter Review Commission has for nearly one year, conducted thorough review of the Saratoga Springs

Commission form of government and the existing Charter, including interviews with existing and past elected officials and city employees, comment from the public, studies and research conducted by its members and discussion of the present Charter with all sides of the question vigorously represented, and

WHEREAS, the Commission in Resolution #1 of December 13, 2017, resolved to prepare a proposal for an alternative form of government, such proposal to be placed before the City's voters in 2017, and

WHEREAS, the Commission has prepared a proposed Charter that provides for newly structured City Council of six members plus the Mayor, all elected citywide, to set legislative, policy and fiscal priorities for the city and for a City Manager to administer a consolidated executive branch of city government, and

WHEREAS, the Commission has determined that adoption of the Proposed Charter will result in near term fiscal benefit of the City taxpayers by 1) requiring annual independent internal audits of City government, 2) eliminating redundant politically appointed positions in City government, thereby reducing expenditures and 3) providing the promise of cost saving efficiencies through professional management and administration, and

WHEREAS, the Commission has further determined that adoption of the proposed Charter will enhance and increase opportunities for citizen engagement in city government through the restructuring and increased membership of the City Council,

NOW, THEREFORE, BE IT RESOLVED the Commission hereby approves the Proposed Charter and authorizes the Commission Chair to work with the City Commissioner of Accounts and the Saratoga County Board of Elections to prepare a ballot proposition in keeping with New York State law and otherwise to meet any and all requirements for a referendum vote on the Proposed Charter to take place at the November 7, 2017, General Election.

Ayes: eleven (Jeff Altamari, Gordon Boyd, Laura Chodos, Patrick Kane, BK Keramati, Robert Kuczynski, Mike Los, Minita Sanghvi, Bob Turner, Beth Wurtmann and Ann Bullock). Nays: two (Elio DeSette and Matthew Jones). Motion carried.

ADJOURNMENT

Patrick Kane moved and Minita Sanghvi seconded to adjourn the meeting at 10:00 p.m. Ayes all. There being no further business, Robert Turner adjourned the meeting at 10:00 p.m.

Respectfully submitted,

Katherine A. Moran
Clerk

Approved: 8/22/2017