

City of Saratoga Springs Charter Review Commission
Tuesday, May 23, 2017



May 23, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
Music Hall
7:00 PM

CALL TO ORDER

ROLL CALL

SALUTE TO FLAG

WELCOME AND ANNOUNCEMENTS

APPROVAL OF MINUTES

FINANCIAL ANALYSIS REPORT

DISCUSSION OF PROPOSED CHARTER

VOTE ON FINAL DRAFT TO BE REVIEWED BY BOB BATSON AND PUBLIC ON MAY 30, 2017

DISCUSSION OF MAY 30, 2017 OUTREACH

ADJOURN



May 23, 2017
CITY OF SARATOGA SPRINGS
Charter Review Commission
Music Hall
7:00 PM

PRESENT: Jeff Altamari
Gordon Boyd
Ann Casey Bullock
Laura Chodos
Devin DalPos
Elio DelSette
Matthew Jones
BK Keramati
Robert Kuczynski
Mike Los
Barbara Thomas
Robert Turner

ABSENT: Pat Kane
Minita Sanghvi
Beth Wurtmann

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.

OUTREACH

Robert Turner said that Pat Kane and Gordon Boyd had met with the CSEA City Hall union. Gordon Boyd said it was about an hour long meeting where he outlined the charter proposal and answered questions.

MINUTES

Gordon Boyd moved and Laura Chodos seconded to approve the May 9 meeting minutes. Ayes all.

DISCUSSION OF PROPOSED CHARTER

Preamble: Robert Turner said the word "We" should be capitalized.

Section 2.04.10 - Mayor: Robert Turner said that 2030 had been inserted in section. He said if a subsequent Charter Review Commission wanted a ward system, 2030 would be an opportune time. He said nothing else was changed in this section.

Section 2.11 - Investigations: Robert Turner said there was a lot of detailed language in this section that after some thought and discussion was removed.

Section 2.24 – Succession to Office During Disaster: Robert Turner said there were minor changes in this section which clarified the language on disaster.

Section 3.04.5 – Powers and Duties of the City Manager: Robert Turner said this section was shortened and clarified. BK Keramati said the City has nearly 400 employees and the language needed to be made more clear. Elio DelSette pointed out that evaluations will need to be negotiated.

Section 4.01.B – General Provisions: Ann Bullock said there had been some prior discussion that word "abolish" be changed to "restructure". Matthew Jones said there are departments within departments which is challenging. Elio DelSette asked how the restructuring would take place. Gordon Boyd said the City Manager would handle reorganization. He said it is possible that some functions would be absorbed into other departments.

Section 4.03 - City Attorney: Robert Turner said this section was new based on conversations with Judge Jeff Wait. Devin DalPos said that after much discussion and thought, they believe that the Mayor should make the appointment of the City Attorney, in consultation with the City Manager and approved by the City Council. He said that would be consistent with how other cities handle such appointments. BK Keramati asked what happened after the next election. Would the City Attorney be out of a job? He said it seemed that it would make the City Attorney's position dependent on the election cycle. Gordon Boyd said giving this appointment to the Mayor, gave a little more stature to the Mayor's position. BK Keramati said it seemed that if the City Manager appointed the City Attorney it would be less political. Tony Izzo said that to completely sanitize the appointment process of the City Attorney would be to make the position civil service. Matthew Jones asked what the prior language was. Robert Turner said we went

from "the City Manager shall appoint in consultation with the Mayor" to the "Mayor shall appointment a City Attorney, following consultation with the City Manager".

Gordon Boyd moved and Laura Chodos seconded replace the prior language with having "the Mayor appoint". Ayes: two; Nays eleven. Motion did not carry.

It was agreed the language on the employment agreement of the City Attorney would revert to the prior draft language.

There was discussion on whether the City Attorney had the authority to engage other professionals. Tony Izzo pointed out that while the City Attorney and the City Manager may have the authority to hire outside legal counsel, the City Council was in charge of the money. BK Keramati said it should be up to the City Attorney on when additional outside counsel was necessary. Tony Izzo said that with this language, it seemed as though the City Attorney could hire as many outside counsel as the City Attorney deemed necessary. Gordon Boyd said that might be true, but the City Council funds the line. Ann Bullock suggested that the text "as needed" be added. Tony Izzo suggested that the text read "the City Attorney and the City Manager may engage outside services within the funds provided."

Section 6.02: Staggered Terms: Ann Bullock said this language, candidates could be run in head to head races rather than being the top vote getters. Matthew Jones said that when running for the supervisors positions, it used to be that they would run head to head, but it was changed to the top vote getters. Robert Turner said he thought it was all head to head races. Devin DalPos asked why we had listed the top vote getters. Gordon Boyd said it was for the first election. Devin DalPos said one political party could make a sweep with the top vote getters and the way to eliminate that possibility would be for candidates to run head to head. Robert Turner noted that often the candidates go uncontested in City elections. Matthew Jones said the school board election was held with a \$118 million budget and all uncontested seats. He said the last county supervisor election was uncontested. He said we need to have a way to get to staggered terms. Barbara Thomas asked about primaries. Gordon Boyd said there would be a primary if seven people filed petitions. He also pointed out that head to head races are very expensive campaigns. Robert Turner said that polling statistics show that two thirds of voters split their votes. Voting the party line is not always the case anymore. It was agreed to leave the language as is.

Section 8.03 – Civil Service: Elio DelSette said that all positions fall under Civil Service. He said Civil Service has the absolute authority over positions. He said the charter cannot state that some positions are not civil service. He said that Deputy Commissioners come under Civil Service but they are exempt. The City Manager and all of the other positions will fall under Civil Service. He said it is state law. Robert Turner suggested that Bob Batson look at this language. Jeff Altamari clarified that the City Manager will be Civil Service. Elio DelSette said yes. He clarified that some positions are exempt, some are noncompetitive, some are not classified, but they all fall under Civil Service. He said in some cases, a waiver from New York State can be obtained. Matthew Jones asked Tony Izzo if this language was inconsistent with New York State Law. Tony Izzo said New York State has a great deal to say about Civil Service and classification of positions. He suggested that the text "except as required by state law" be added. Gordon Boyd said we could simply delete this section. Robert Turner suggested that Bob Batson review this section. BK Keramati suggested that we add text that says "all positions will be consistent with Civil Service law". It was agreed that a sentence would be added to this

section as follows: "All positions specified in this charter shall be established in accordance with New York State Civil Service Law."

FINANCIAL ANALYSIS REPORT

Jeff Altamari said we need to quantify our explanation of the proposed charter. He said he developed an excel presentation that shows the status quo and the Council/Manager form with varying scenarios and simplified it to the extent possible. He said there are assumptions that we know such as the current salaries and benefits of the Council members and deputies, but there are assumptions that are not as clear. He said in the excel spreadsheet, he can toggle among the variables. He said he added items such as the new council member's salaries, the City Manager position and an Assistant Director for the City Manager. He also provided a full time City Attorney and outsourcing of an internal auditor. He said that under the new form of government those are the variables. He then said the sheet would show going from the worst case scenario with the least amount of savings up to the best case with the most of savings.

Jeff Altamari said in case one there is no savings. In case two, with one percent efficiencies there could be savings and in case three with two percent efficiencies, there is higher savings. Jeff Altamari explained that the internal auditor outsourced at \$75,000/year does not cover its fee in case one, in case two they would cover 75 percent of their fee and in case three they would cover 100 percent of their fee. He said that a good internal auditor will reduce the external auditor's fee.

Jeff Altamari said in his scenarios, the new council members would make \$20,000 with 55 percent benefit package. The Mayor would make \$50,000. The City Manager at \$120,000 plus benefits. The Assistant Director for the City Manager at \$90,000. The City Attorney at \$90,000 and the internal auditor at \$75,000. He eliminated the salaries of the two City Attorneys, Mayor, Commissioners and Deputies. With all of those assumptions, there was a cost savings of \$85,000 for the City in case one. He said that was with no efficiencies. In case two there is \$250,000 savings and in case three there was \$400,000 in savings. He said we owe it to the public to provide them with good information that they can understand.

BK Keramati said he had looked at the model and toggling through the scenarios was a great way for residents to visualize what we are talking about. He said we could easily create some scenarios that the public can understand. He said it would also be a great display for the May 30 public outreach program.

Jeff Altamari said a hard copy of this would be difficult to explain.

Gordon Boyd said Jeff Altamari did a great job on this spreadsheet and it has great value. He liked the scenarios. He said his only concern was the Assistant Director/Deputy City Manager position. He said that is not something that we had talked about or placed in the charter. It was agreed that the Deputy City Manager position would be an option.

Jeff Altamari said he would send this out to Matthew Jones and Gordon Boyd to review.

Elio DelSette said he would like to see a hard copy of this. Jeff Altamari said it would be difficult to understand it in hard copy.

City of Saratoga Springs Charter Review Commission
Tuesday, May 23, 2017

Robert Turner said if we think about this simplistically, there is an \$85,000 savings at a bare minimum. If we do other things the savings goes up. He said he thought the new Council positions should be funded at \$15,000 with no benefits. It was agreed to use the figure of \$15,000 without benefits.

OUTREACH MEETING

Gordon Boyd said the outreach meeting is set up for Tuesday, May 30, at the City Center. The room will be set up with six information stations and will run from 10:00 a.m. to 9:00 p.m. He said the City did pay for the room. He reminded everyone that we will be educating, not advocating. There will be coffee and ice cream served at various times throughout the day.

REVIEW OF THE CHARTER

Robert Turner said he will send the final draft charter out to Bob Batson for his review. He said anticipated that the Commission would vote on the charter at the next meeting. He said any more than changes to this document would be minor in nature.

FINAL DRAFT CHARTER

Gordon Boyd moved and Laura Chodos seconded that the document in hand with the changes made this evening is the final draft charter pending legal review. Ayes: eleven; Nays: two (Matthew Jones and Elio DelSette). Motion carried.

ADJOURNMENT

Matthew Jones moved and Jeff Altamari seconded to adjourn the meeting at 9:10 p.m. Ayes all. There being no further business, Robert Turner adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Katherine A. Moran
Clerk

Accepted: 6/13/2017