

**CHARTER REVIEW COMMISSION MEETING  
CITY OF SARATOGA SPRINGS, NEW YORK  
MONDAY, JULY 24, 2000  
CITY COUNCIL ROOM  
6:30 P.M.**

**PRESENT:** Harvey Fox, Chair                      Mia Mouzon  
                 Rita Balmuth                              Lee Nelson  
                 Lew Benton                                      Denise Polit, Vice Chair  
                 Vassar Curtis                                      Margie VanMeter  
                 Elio Del-Sette                                      Christopher Whann, Secretary  
                 Mark Lawton

**STAFF PRESENT:** Anthony J. Izzo, Assistant City Attorney

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**CALL TO ORDER**

Harvey Fox, Chair, called the meeting to order at 6:30 p.m. Harvey Fox distributed a letter from Joseph O'Hara and asked that Commission members review it at some point. He then reviewed with members the City's organizational chart.

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**Interviews**

Harvey Fox asked for volunteers to set up an interview schedule with Council members. Denise Polit and Christopher Whann agreed they would set up those interviews.

Denise Polit said she was somewhat concerned about asking the Council members for information that Commission members could gather from other sources. Lee Nelson said she would like to see how the Council members present their information as well as their perception of that information. It was initially agreed that interviews would begin on August 7.

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Elio Del-Sette said he did not want to be constrained to use the list of suggested questions that Commission members had submitted. He said he would also like to interview both the Commissioner and Deputy Commissioner together. There was a consensus by members that they would rather interview these individuals separately. Harvey Fox also said the suggested questions that had been submitted were just that - suggestions. He said members should not feel constrained when asking questions. It was agreed that Commission members would review these suggested questions and a final list would be discussed at the next meeting.

Harvey Fox then asked for volunteers to set up interviews with the Deputy Commissioners, County Supervisors and former elected officials. Rita Balmuth and Lee Nelson agreed to work on setting up those interviews. It was further agreed that two interviews per night would be the maximum in the beginning.

Lew Benton said he did not want Commission members to feel "overwhelmed" by Council members' presentations. He said members should concern themselves with whether the Charter is being followed. He said Commission members need to review the Charter in detail very soon.

Christopher Whann suggested that perhaps this Commission should interview the current elected officials, take a break and then interview former elected officials. He said he did not want the elected officials presentations to drive this Commission's agenda. He also suggested it might be possible that Commission members might want to speak to Council members a second time. Elio Del-Sette suggested that this Commission might want to consider inviting the Council members back at the end of the year to review their findings and/or recommendations.

Elio Del-Sette said he was somewhat concerned that the City's two representatives to the County Board of Supervisors did not "answer" to anyone except the voters every two years. He suggested that perhaps they should be ex-officio members of the Council and should report to the Council on a regular basis. He asked that Tony Izzo research their duties, responsibilities, and whether they could be ex-officio members.

#### Speakers

Harvey Fox said Mark Lawton had identified individuals who might be interested in speaking to this Commission. He also suggested that Stu Witt and Erwin Levine be contacted for their input. Marge VanMeter and Vassar Curtis said they would work on inviting speakers.

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Public Relations

Harvey Fox informed Commission members that Brad Birge, Community Development Coordinator, had agreed that the Charter Commission agendas, minutes, members names and any other information deemed pertinent by this Commission could be added to the City's WEB page. Denise Polit agreed to draft an introductory/mission statement for the WEB page.

Budget

Harvey Fox distributed a revised budget drawn up by Mark Lawton and Lew Benton. He said he had spoken to Mayor Kenneth Klotz and the Mayor's suggestion was that perhaps half of the budget could be funded this year and half could be funded next year. Harvey Fox said it was also his understanding that the state would reimburse up to 40 percent of the Commissions' adopted budget (\$16,340).

Elio Del-Sette moved and Vassar Curtis seconded to approve the budget as presented with a total budget figure of \$40,850. Ayes all.

Lew Benton said he had spoken to state officials and had been informed there is a line item in the state budget for reimbursement to cities for charter review, however, no funds had been appropriated to that line item. He said the mechanism is available for reimbursement, but that City officials would need to make a concerted effort to obtain that reimbursement. Harvey Fox said the Council would need to first approve this budget.

Other Charters

Harvey Fox said he had obtained a copy of the City of Mechanicville's charter which includes their recent amendments. Chris Whann and Elio Del-Sette agreed to work together on reviewing those changes and reporting back to this Commission.

Denise Polit said she would be interested in talking to representatives of other cities that have recently gone through charter revision. She pointed out that cities such as Buffalo and Poughkeepsie recently had charter revisions with one being successful and one not. She said there could potentially be important issues that could be learned from their successes and failures (Poughkeepsie, Buffalo, Corning, Albany, etc.)

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Commission members agreed that probably late September would be a good time to begin to talk to representatives from other cities.

Mark Lawton and Denise Polit agreed to work on this issue.

City Budget

Harvey Fox said he had obtained a City budget. Mark Lawton, Christopher Whann and Lew Benton asked for a copy of the budget.

Margie VanMeter said reviewing the City budget in connection with the Charter is quite important. She said often it appears that there should be certain information shared at the Council table that is not and the budget could enlighten them on some of those issues. Lew Benton said the budget did not tell the whole story

Lew Benton agreed to review the budget and give a breakdown by department/office to Commission members.

Charter Review

Harvey Fox suggested that charter review begin. Mark Lawton asked if were any state and/or city laws that preclude them from placing items in the charter and/or removing items from the charter. Tony Izzo said no. He said the City follows both general municipal law and general city law. He said some items in the charter were created under the city law.

Margie VanMeter asked about the reserved sections. Tony Izzo said they were simply reserved for future use.

Denise Polit asked if all amendments to the charter need to be put forth before the voters. Tony Izzo said no. He said there were several categories and only some require voter approval. Denise Polit asked for a list of those categories. Tony Izzo agreed to get copies of Section 20, 23 and 24 of the General City Law.

A question was raised on section C-3, Tax Districts and whether that section of the charter was still valid. Tony Izzo agreed to check on whether that was still valid.

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Denise Polit asked if the reserve funds actual exists. Tony Izzo said he was not sure, but would check.

Lew Benton said he was somewhat concerned that it appeared that the Charter may spend a disproportionate amount of time on issues that the City already has the power to do and/or is governed by another entity.

Denise Polit asked if there had ever been an instance where Section C-9, Substantial Performance, had been abused. Tony Izzo said not since he had been here.

Margie VanMeter said she would prefer to go through the charter before conducting interviews.

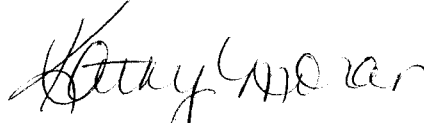
It was agreed that the Commission would review the charter before beginning interviews. It was further agreed that one interview would be conducted on August 14, two on August 21 and two on August 28. Commission members agreed that a good amount of time at the July 31 and August 7 meetings would be devoted to charter review.

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ADJOURNMENT

Elio Del-Sette moved and Margie VanMeter seconded to adjourned the meeting at 8:00 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 8:00 p.m.

Respectfully submitted,

  
Kathy Moran  
Clerk

Approved: 7/31/00