

**CHARTER REVIEW COMMISSION MEETING
CITY OF SARATOGA SPRINGS, NEW YORK
MONDAY, AUGUST 14, 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 Elio Del-Sette
 Mark Lawton Christopher Whann, Secretary
 Margie VanMeter

STAFF PRESENT: Anthony J. Izzo, Assistant City Attorney

CALL TO ORDER

Harvey Fox, Chair, called the meeting to order at 6:30 p.m.

APPROVAL OF AUGUST 7, 2000, MEETING MINUTES

Lew Benton moved and Chris Whann seconded to approve the August 7 minutes as written. Ayes all.

FINALIZE INTERVIEW SCHEDULE

Denise Polit reported that the interview schedule with the Commissioners had been finalized as follows:

Monday, August 21, 6:30 p.m.	Commissioner Bernard Mirling
Monday, August 21, 7:30 p.m.	Commissioner Michael Lenz
Wednesday, August 30, 7:00 p.m.	Commissioner Thomas Curley
Wednesday, August 30, 8:00 p.m.	Commissioner Thomas McTygue

It was agreed that the Commission would meet at 6:15 p.m. on August 21. It was also agreed there would be no meeting on Monday, August 28.

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Elio Del-Sette asked when the supervisors and deputy commissioners would be interviewed. Harvey Fox said those details had not yet been worked out. He said he hoped to discuss that issue at the next meeting. Elio Del-Sette asked who would be included in round two questioning. Harvey Fox said the Mayor and Commissioners would definitely be included in round two. Chris Whann encouraged Commission members to continue to submit questions to him or Denise Polit for the round two interviews.

REVIEW OF CHARTER

C67-C70 Tony Izzo said these were standard parts of the charter.

C71 Elio Del-Sette asked what was the difference between an ordinance and a franchise. Tony Izzo said local laws are subject to specific state procedures. He said that a franchise is not a legislative act but was more like granting a license. Mark Lawton asked if franchise was addressed in any other section of the charter. Tony Izzo said no. Margie VanMeter asked if the City was to contract out for services would that be considered a franchise. Tony Izzo said it could be if it was exclusive. Chris Whann asked about waive of bids in connection with franchises. Tony Izzo said there are specific competitive bidding procedures that must be followed, however, if a specific professional service is required the bidding process can be waived.

C76-C77 Tony Izzo said the enactment of local special assessment districts has become popular in recent years. He said SADs allow for the City to make improvements to the City's infrastructure without using general public funds. He said the driving force of an SAD is "are the people getting what they paid for?"

C78-C79 Tony Izzo said those sections have not been changed and are strictly procedural. Mark Lawton asked if it was usual to have these types of sections included in the charter. Tony Izzo said he was not sure why, but it appeared when this charter was originally written the Commissioner of DPW's responsibilities were detailed. He said the Commission may want to consider removing some of this detail.

C80 Tony Izzo again said this was simply procedural.

C81 Tony Izzo said the reference to the City's landfill had been removed from this section in the last revision. He explained that generally late in the year the water and sewer budgets are adopted. Elio Del-Sette asked if the county had any participation in setting the City's rates. Tony Izzo said no, that it was strictly up to the City. Lew Benton noted though that the rate structure must be reported to the comptroller's office. Mark Lawton suggested that perhaps it had something to do with the debt provisions in the state law.

C82 Tony Izzo said there are sections in the code which pertain to encroachments. He said this section of the charter could be transferred to other sections of the City's code.

Title 9A-9K Tony Izzo said those sections should be removed from the charter.

INTERVIEW WITH MAYOR KENNETH KLOTZ

Harvey Fox welcomed Mayor Kenneth Klotz to the meeting. Harvey Fox explained to the Mayor that this was for educational purposes only for Commission members.

Kenneth Klotz suggested that one of the best ways to determine how the charter works is to attend City Council meetings. He said becoming familiar with the functions of the Council as a whole would be useful to Commission members. He said he had not really thought as being guided only by the charter but also by how the Council acts in its normal activities.

Harvey Fox asked about the Mayor's staff. Mayor Kenneth Klotz said he has a staff of about 22 (full and part time). He said the Mayor's Office has a wide range of responsibilities including the City Attorney's Office, Urban Heritage Park, Engineering, Planning, Building Department, Community Development, Recreation, etc. He said although the Building Inspector's office had been moved to the Engineering Department, it was still in litigation.

Harvey Fox asked of all of the Mayor's staff, which are appointed and serve at his pleasure. Mayor Kenneth Klotz said the City Attorney, Assistant City Attorney and the Executive Assistant serve at his pleasure. He said, though, he also has the authority to appoint members to the many boards throughout the City. Mark Lawton asked how many boards/committees there are in the City. Mayor Kenneth Klotz said between 12 and 15. Mark Lawton asked which boards are required by the charter. Tony Izzo said the Design Review Commission, Zoning Board of Appeals, Planning and Recreation Commission are included in the appendix to the charter.

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Harvey Fox asked about an organizational chart. Mayor Kenneth Klotz said he would see that the Commission got an organizational chart of the Mayor's Office. Harvey Fox asked if there are any written manuals for procedures for the Mayor's Office. Mayor Kenneth Klotz said no.

Harvey Fox asked about purchasing procedures in the Mayor's Office. Mayor Kenneth Klotz said all purchases go through the Purchasing Department which is in the Accounts Department. He said his staff manages their budgets and makes the determination on what needs to be purchased. He said all paperwork is funneled through him and he signs off on purchase requests. He said the purchasing functions seem to run smoothly in the City. He further noted that the issues recently brought to light in the Recreation Department started with purchasing issues. Mayor Kenneth Klotz also noted that Commissioner Bernard Mirling is in the processing of writing purchasing procedures for the City.

Harvey Fox asked about the Mayor's budget. Mayor Kenneth Klotz said excluding the Recreation Department his budget is about \$500,000. He said the Recreation Department has a budget of \$1,000,000 half of which is used by DPW. Harvey Fox asked who prepares the budget. Mayor Kenneth Klotz said he prepares the budget in consultation with his staff. Margie VanMeter asked what percentage of the Recreation Department's budget was covered by fees. Mayor Kenneth Klotz said he was not sure of the exact amount but it was a large portion. Harvey Fox asked about revenue streams. Mayor Kenneth Klotz said there are not specific revenue streams to the Mayor's Office. He said revenues such as sales tax, property tax and state aid go directly to the general fund. He said compelling arguments have been made though for revenues from specific items to fund expansions of various programs.

Harvey Fox asked if the Mayor's Office prepares an annual report of its activities. Mayor Kenneth Klotz said he regularly reports at Council meetings on noteworthy issues concerning his office as well as the City, however, to the best of his knowledge there is no such annual report. He said, though, the Recreation Department does produce an annual report of their activities. Mark Lawton asked about the recreation reserve fund. Mayor Kenneth Klotz said it was his understanding that there are funds paid by developers and used by the City to fund recreational improvements throughout the City. Mark Lawton asked if this fund was a benefit or did it hinder the City. Mayor Kenneth Klotz said there was some value to having this fund because it allows the City to collect these funds from developers.

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Harvey Fox asked about audits. Mayor Kenneth Klotz said there is a citywide audit by an outside firm and periodic visits by the comptroller's office. Chris Whann asked if these audits were for budgets only or were procedures also reviewed. Mayor Kenneth Klotz said the audit performed by the outside firm is for budget purposes only, however, the visits by the comptroller's office can be for both.

Harvey Fox asked about long range planning. Mayor Kenneth Klotz said it is different for each department. He said the City Planner's job is long range planning. He said he has had discussions with the heads of the departments in the Mayor's Office on this issue but there is no office wide long range plan.

Harvey Fox asked about the internal functions of the Mayor's Office. Mayor Kenneth Klotz said some things work and some things don't. He said some of the things that don't work are due to personality conflicts. He said some of the structure and organization issues work better than others and he is now beginning to focus on those things that do not work. He said he was not completely pleased with how things function in the Mayor's Office and its departments but progress was being made.

Harvey Fox asked how the Mayor's Office functioned with other departments throughout City Hall. Mayor Kenneth Klotz said it seemed to function quite well. He said for the most part, politics do not play a role with individual employees and how they function together. He said there are good relationships and good cooperation throughout City Hall. Harvey Fox asked if there was good communication between Council members. Mayor Kenneth Klotz said that depends upon the personalities. Harvey Fox asked about interaction between the Mayor and the supervisors. Mayor Kenneth Klotz said the supervisors' attendance at Council meetings was formalized in January which was a positive step. He said it is unfortunate that there are built in political issues at the county level but because of that it is important to have active, aggressive supervisors. He said he would like to see two supervisors who are more aggressive on the City's behalf. He noted though that the relationship between him and the supervisors is improving.

Harvey Fox asked about the City's boards. Mayor Kenneth Klotz said the Boards act fairly independent. He said there is good relationship between him and the Boards however, he generally depends on his appointees to the Board for information. He said there are now quarterly meetings between all of the Boards which have been productive.

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Harvey Fox asked about the Mayor's goals. Mayor Kenneth Klotz said he had not thought in terms of goals for only his office, but rather in terms of the City. He said those goals include: 1) promote the development that is right for the City; 2) maintain and improve the quality of life; and 3) how to improve the efficiency of the operations in the Mayor's Office. Mayor Kenneth Klotz said one of the first things he did when arriving in the Mayor's Office was to ask the new City Attorney to review the money paid to all attorneys used by the City. He said that operation has since been streamlined and funds are now being saved. He said the City Attorney has handled many of the assessment cases with great savings to the City. He said though there are other departments under his purview that are overworked and simply do not have enough staff. He said it was likely that more staff and salary increases were in line.

Harvey Fox asked about barriers/hurdles in the Mayor's office. Mayor Kenneth Klotz said that generally the biggest barrier is the lack of funds. He said both taxation and land uses are also big issues that must be dealt with. He said the types of services that people desire and how to provide those services more efficiently were also issues. He said a question that needed to be answered was whether the taxpayers wanted these services, at what cost and how would they be funded. He said he also hoped to see the elimination of substandard parcels throughout the City.

Harvey Fox asked what were the Mayor's observations of the existing charter. Mayor Kenneth Klotz said he has simply looked at how he can work within the existing charter and not how the charter could be changed to meet his needs. He said it is apparent that some things could be changed that would simply make more sense than the current way things are being done. He said it is also apparent that some small, simple changes to the charter might be in order. He said the larger structural issues are a tough call. He said there are some problems with the current system, however, there are problems in other cities that don't have this type of governmental system also. He noted though that this City is in a better position than many other cities throughout the state. He said he would be cautious in moving very far away from what currently exists. He said the City is doing well in its current operative state.

Mark Lawton asked if there were any instances where things could be improved by adding to, deleting, modifying the existing charter. Mayor Kenneth Klotz said in some cases it might be easier if he had more control over some items which would allow him to make decisions more quickly, however, that is not the case. Mayor Kenneth Klotz said some items that he wished he had more control over were unfortunately part of union contracts, therefore, already have

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appropriate restrictions placed on them. He said he really feels the absence of a deputy Mayor. He also said he felt the lack of a public relations office. He said the community needs to be informed of what is happening at City Hall. Mark Lawton pointed out that there is a publicity fund. Mayor Kenneth Klotz said he thought the publicity fund was for legal advertising. He noted that other cities have deputy Mayors and public relations offices. He said some also have full time Mayors.

Lew Benton said this Commission is looking at the charter to see how it can be changed to make this government more effective. He said duplication will be eliminated, opportunities to better manage city personnel will be reviewed, etc. Mayor Kenneth Klotz said the City Attorney's office is an office that is overworked and that will be addressed through the need for more time and money.

Lew Benton asked about the capital budget. He said to the best of his knowledge a capital budget has not been done since Mayor A. C. Riley. He also noted that the move of the Building Inspector's Office was not done through a charter amendment.

Mayor Kenneth Klotz noted that many of the Commissioners do not look at the charter first, but rather do what is necessary and then look at the charter.

Elio Del-Sette asked if staffing was a problem in the Mayor's Office and whether the operations could improve with more staffing. He also said the Commission has discussed the possibility of using full time City Attorneys and asked what the value would be in having full time City Attorneys. Mayor Kenneth Klotz said a full time City Attorney could serve as the point person on all litigation matters that are contracted out. He said that person could oversee all of the City's legal issues.

Margie VanMeter asked why the Mayor's Office handles the capital budget. Mayor Kenneth Klotz said he was not sure.

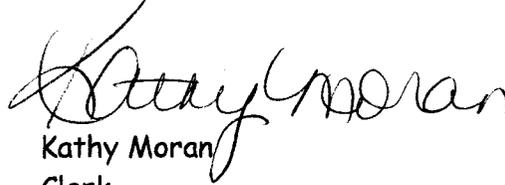
Harvey Fox thanked Mayor Kenneth Klotz for coming to tonight's meeting. He said at some point it was likely the Commission would invite the Mayor to return for another round of questions.

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ADJOURNMENT

Lew Benton moved and Margie VanMeter seconded to adjourn the meeting at 8:15 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 8:15 p.m.

Respectfully submitted,


Kathy Moran
Clerk

Approved: 8/21/00