

**CHARTER REVIEW COMMISSION  
CITY OF SARATOGA SPRINGS  
MONDAY, NOVEMBER 6, 2000  
CITY COUNCIL ROOM  
6:30 P.M.**

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

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

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**CALL TO ORDER**

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

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**APPROVAL OF OCTOBER 23 MEETING MINUTES**

Rita Balmuth moved and Mia Mouzon seconded to approve the October 23 meeting minutes with a few minor corrections. Ayes all.

**APPROVAL OF OCTOBER 30 MEETING MINUTES**

Elio Del-Sette moved and Denise Polit seconded to approve the October 30 meeting minutes with a few minor corrections. Ayes all.

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**UPDATE ON SCHEDULING**

Margie VanMeter said Bill Dake had said he would try to attend the public hearing next week. She said she has mailed out announcements of this public hearing to several community organizations. Harvey asked that Commission members inform people of this public hearing and encourage them to attend. It was agreed that Commission members would distribute and post a flyers throughout the community on this public hearing. Harvey Fox also agreed to call Barbara Lombardo, editor, *The Saratogian*, to see if an editorial could be done.

**FOCUS GROUPS/SURVEY**

Denise Polit said the subcommittee working on the focus group and survey issues recently met and are now recommending to the commission that three focus groups with between five and eight

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participants be held. She said they have identified two moderators for these groups. She said they proposed the groups consist of: 1) neighborhood and civic associations; 2) service organizations; and 3) DBA, SADs etc. She said they envisioned these meetings lasting approximately 90 minutes and would likely meet at the public library. She said that either a transcript or report from the moderator would be submitted to the Commission.

Denise Polit said they have also given a great deal of thought to the survey. She said in order to achieve a higher rate of accuracy, they would need to have at least 200 respondents. She said the higher the rate of return the higher the rate of accuracy. She said they have talked about whether to do this survey by phone or mail. She said the cost for mailing would be between \$500 and \$1,000 and labor costs would be minimal. Harvey Fox asked what might the cost be for a telephone survey. Denise Polit said it would be very minimal and likely at no expense. Lee Nelson asked if it would be a closed ended questionnaire. Denise Polit said yes, but there would be one open-ended question. Lee Nelson said she would prefer to use the mail rather than the telephone. Vassar Curtis asked about correlation between the length of the survey and the response rate. Denise Polit said it was important to keep the survey short. Denise Polit said in order to achieve a higher response rate a combination of mail and telephone survey could be done. It would be possible to note in the survey that if no response is received, a telephone call would be made to that individual.

Denise Polit said she would like to recommend that a mixture of the mail and telephone survey be done. She said the cost for mixed mode would be about \$500. Elio Del-Sette asked how the survey would be distributed. Denise Polit said it would be done randomly among registered voters.

Elio Del-Sette moved and Rita Balmuth seconded to authorize a mixed mode survey (both telephone and mail) with a budget of \$500 be approved. Ayes: eight; Nays: one (Lee Nelson). Motion carried.

### **FACT SHEET**

Mark Lawton distributed copies of the final Fact Sheet. He reported that the Fact Sheet would be mailed out to approximately 12,000 households throughout the City. He said 15,000 sheets were printed and the remaining 3,000 would be distributed to strategic locations throughout the City. He said that boxes will be placed in the public library, Visitor's Center and City Hall for those individuals who want to communicate with the Commission.

Margie VanMeter moved and Rita Balmuth seconded to approve mailing and distribution of the Fact Sheet. Ayes all.

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### **PRESENTATIONS**

Judge William Ford thanked the Commission for inviting him to speak. He said as he remembers nonpartisan elections, they were still politics involved in getting on the ballot. He said partisan politics are the way to go now. He said in relation to the supervisors role, they are elected by the

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voters and represent those voters, however, they also represent the City at the County level. He said they should keep the City informed of what is happening at the County, however, was not sure that they should be required to attend the Council meetings.

Judge William Ford reminded Commission members that the charter has been reviewed several times but the proposed change has not been successful. He said he opposed the previous recommendations on charter change and he opposes changing it in a substantial way at this time. He said the existing form of government is efficient. He said this government has stood the test of time and has served the City well. He said the Commissioners and the Deputy Commissioners are easily accessible under this form. He said the Commission should not make changes just for the sake of making changes.

Judge William Ford said he was not sure if the Mayor should be given more power. He pointed out that there are many other types of governments out there and they all have problems. He said perhaps our charter should be streamlined somewhat but if it affected the basic structure of this government he would oppose it.

Tony Izzo asked if Judge William Ford had any thoughts on how the charter could be changed to encourage people to run for offices. Judge William Ford said he did occasionally have problems in persuading people to run for office. He said reasons included the loss of privacy, they were comfortable in the positions they currently held, etc. Judge William Ford said he had some concerns with hiring professional help. He said the Commissioner truly runs the office and it should probably remain that way.

Harvey Fox thanked Judge William Ford and welcomed Bob Bristol, The Saratoga Associates. Bob Bristol said he liked this form of government. He said this form has a tendency to balance things out. He said he felt that the nonpartisan days have since passed and we should embrace this form of politics. He said if we had a strong mayor it would likely require a substantial salary increase. He said he felt the City's officials are under compensated.

Bob Bristol suggested that some sections of the charter were outdated and should be removed. He said there should be some consideration given to establishing the flexibility of moving staff around in City Hall, i.e., the building inspector. He said accountability between the departments also needs to be reviewed. He said the Recreation Department/Recreation Commission was a prime example. Bob Bristol said though this system seems to work and there is no real reason to change it.

Lew Benton asked Bob Bristol, that as a member of the committee that reviewed the building inspector's office, why did that committee not recommend a change to the charter to move that office from Public Safety to the Mayor's Office. Tony Izzo said the committee did not specifically deal with the mechanics of how that move should be made. He said they simply recommended the move take place. Lew Benton said it seems that those who like the charter are the same people who treat it in a cavalier fashion when it suits their purpose. He asked how might the Council be persuaded to deal with public policy issues.

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Mark Lawton said commissioners are supposed to make reports to the Council and asked that under the charter how could they be made to do those reports. Bob Bristol said there are both formal and informal ways to do that. He pointed out that the City's Boards now meet on a quarterly basis which has helped considerably with communication and to find ways to solve some of the pertinent issues. He said the employees of City Hall manage to keep the place going and at the same time keeping the political stuff out of it. Mark Lawton said the charter requires a capital register be presented, however, that has not always been done. He asked that under the charter if there was anyway to enforce this requirement. Bob Bristol said he was not sure, however, he noted that the comprehensive plan is one part of how the capital register should be developed. He said the comprehensive plan shows where the money should be spent. He said the City currently runs like a "mom and pop" store when it is really something much bigger. He said though he was not sure that the Charter needed to define some of these issues.

Chris Whann asked how the charter could be kept in tact with Bob Bristol's recommendations changes and with no increase to the budget. Bob Bristol said in some cases the employees of City Hall are underpaid. He said the City has been very fortunate over the years to have a very dedicated staff at City Hall and the City should invest in the employees with more training and/or knowledge. He said there is a history in City Hall of asking staff to do more than they are trained for.

Margie VanMeter asked if commissioners should have some qualifications. Bob Bristol said he felt that more skill was needed at the staffing level. Margie VanMeter asked how he felt about establishing an economic development department. Bob Bristol said with the proper staffing that could likely be handled through the planning office.

Elio Del-Sette asked how Bob Bristol would account for the City's success over the last 80 years. Bob Bristol said the City is blessed with a large percentage of citizens who volunteer. He said this is a very attractive city, with better educated and more sophisticated residents than elsewhere. He said they now form local organizations and speak with one voice. Elio Del-Sette asked about accountability. Bob Bristol said that perhaps the Mayor should have a deputy and that deputy could handle some of the administrative issues. He said human resources is an important issue. He said training and compensation need to be reviewed.

Harvey Fox thanked Bob Bristol and then welcomed Harry Snyder, attorney.

Harry Snyder said he has served in many position throughout the City including: county supervisor, Chair of the Zoning Board of Appeals, acting City Judge and chair of the democratic party in the City. He said he felt the nonpartisan system was history. He said even in nonpartisan elections, everyone knew who was supporting who. He said it is often difficult to get someone to run against an incumbent in nonpartisan elections. He said they need the support of a party to help the newcomer. Harry Snyder said supervisors should keep the Council informed. He said though it would be interesting if the supervisors played a larger role on the council.

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Harry Snyder said that this government has its flaws, but it has worked for many years. He said that he would not support any substantial changes to the charter. He said there is a good staff in City Hall as well as a good number of well-qualified volunteers.

Denise Polit asked for his thoughts on Council members playing both the legislative and administrative roles. She said the Commission has also heard from many presenters, that there could potentially be a lot more people interested in running if the Council was a legislative body.

She asked if he thought we might be losing good candidates because of the administrative functions of the Commissioners. Harry Snyder said the day to day operations should be handled by the deputy, however, the commissioner is ultimately in charge. He said perhaps there could be more interested candidates if the role was simply legislative.

Elio Del-Sette asked for his thoughts on the role of the county supervisors. He said there are very important issues such as the sewer/water expansion, sales tax, traffic issues, etc., that the supervisors need to be more representative on at the County. Harry Snyder said the supervisors should not act contrary to the Council. Elio Del-Sette asked if the supervisors should run at large. Harry Snyder said he would recommend at large.

Mark Lawton said under the charter is there something that could be done to make the commissioner full time with full time pay and/or remove them from the administrative functions and simply make them legislators. Harry Snyder said sometimes people do not run because they enjoy their anonymity. He said these positions require a lot of time and that is difficult for some people. He said it also costs money to run for office now. He said he was not certain that increasing the pay of commissioners was the answer but perhaps increasing the pay of the deputies and staff would help. He said the commissioners' salaries are not what influences people to run for these offices. Mark Lawton asked if deputies should be appointed or should they hold civil service status. Harry Snyder said they should be appointed by the commissioners.

Harvey Fox thanked Harry Snyder and then welcomed Tom Roohan, Roohan Realty.

Tom Roohan said he has served in many volunteer positions throughout this community and has worked with all of the City's departments. He said this commission form of government makes the commissioners easily accessible. He said he liked that the commissioners were not elected by ward. He said one of his greatest concerns about the City is the rise of all the neighborhood associations. He said everyone is now only worried about their own backyard and overall it could be destructive to the City. He expressed some concern with trying to buy the best qualified staff for this government. He said we do not want to hire career politicians, but rather people who have served this community.

Margie VanMeter asked for his thoughts on the capital register and whether departments should

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be informing other departments on the age/status of their equipment. Tom Roohan said it was likely that commissioners know what needs to be done but simply put the projects aside because of the cost. He pointed out that the parking deck was very important to the City, however, if the City had to depend strictly on its own funding the project would not have happened. He said it only happened through the grant from Senator Bruno's office.

Mark Lawton asked, that under the charter, was there anything that could be done to alleviate the issue of funding large scale projects. Tom Roohan said it is a challenge that needs to be reviewed.

Denise Polit asked if there were things that the City could do to help developers. Tom Roohan said increased staffing over the recent years has been a great improvement.

Harvey Fox thanked Tom Roohan and then welcomed Michael Toohey, attorney.

Michael Toohey said he served on the last charter review commission. Michael Toohey said this form of government often disenfranchises qualified people from running for office. He agreed the City has been blessed with many qualified commissioners and deputies. He said though he was concerned that it appears a specific knowledge was required in order to run for office. He said these are hands on kinds of jobs and it is difficult to run the office if the commissioner is not able to be there frequently.

Michael Toohey said there needs to be some type of checks and balances for the legislative responsibilities. He pointed out that only a majority is needed to pass a budget and if a commissioner obviously supports his own budget, he/she only needs to convince two other commissioners to adopt the budget. He said another concern of his was the lack of an identified individual in the City who can speak for the City. He said for example that when going to a surrounding town for development, they simply go to the town supervisor. He said here in the City there are many departments that need to be contacted.

Michael Toohey said this City has blossomed due in great part to the volunteers. He said the residents are not dependent on the city government but more so on the volunteers. He said the City needs to find more staff who are qualified and properly compensated. He said there was nothing wrong with a legislative form of government because subcommittees could be established to deal with the individual departments.

Elio Del-Sette clarified that Michael Toohey thought that the present system works. Michael Toohey said yes, but the city government is becoming much larger and more complicated. Elio Del-Sette asked if there was any public outcry for this change. Michael Toohey said no.

Margie VanMeter said there are problems in the City that do not get blamed on the charter, i.e.,

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truck traffic. She said perhaps with a different form of government there might be better cooperation between the City and the surrounding towns. Michael Toohey said that was a possibility. He said it is much easier to deal with the surrounding towns than the City. Margie VanMeter pointed out that some problems such as the truck traffic are not simply the City's problem.

Lee Nelson asked why Michael Toohey thought the charter revision commission he served on was not successful. Mike Toohey said it was a great civics lesson for the commission at that time, however, there was no public outcry for change.

Denise Polit asked if education was part of the problem. Michael Toohey said there seemed to be a good educational process but perhaps it could have been better. He reminded Commission members though that they had the support of both political parties. He said the residents seem to feel that there is some level of control through this form of government.

Lew Benton clarified that the "point of entry" with other communities was much easier and asked if he meant legislative or administrative. Michael Toohey said legislative. Michael Toohey said for example, if he wanted to know how a town felt about a certain project, he would simply go to the town supervisor. He said here in the City there are a number of departments and boards to go through. He said the level of bureaucracy in the City can sometimes be difficult.

Mark Lawton asked, that under the charter, could that be handled with better definitions or redistribution. Michael Toohey suggested perhaps the mode of operation be changed rather than the charter itself.

Elio Del-Sette asked how the supervisors could be made more active in their roles. Michael Toohey agreed there needs to be a stronger tie between council members and the supervisors. He said he was also concerned about the relationship with the surrounding communities. Elio Del-Sette said it seemed appropriate that the supervisors be the liaison on that issue. Michael Toohey said it was his understanding they already serve in that role.

Harvey Fox thanked Michael Toohey and welcomed Bruce Levinsky, developer

Bruce Levinsky said this is conservative community, fearful of change and suspicious of loss of control. He said the present form of government is cumbersome and there is no one voice that speaks for the City. He said it is an expensive and outdated form. He said it is expensive because the five departments compete with one another on budget issues and there is limited accountability on the budget. He said this present form of government is easy to manipulate because of the compromises that must be made. He said this form of government is a dinosaur.

Bruce Levinsky said the parking deck was constructed only because of the grant that was received from Senator Bruno. He said this form of government discourages professional leadership and long range planning. He said the City would be better served with a four-year mayor position. He said the City has been successful because of its location, its inheritance and unique recognitions but it was now time to change its approach to doing business.

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Margie Van Meter asked how charter revision could be sold to the community. Bruce Levinsky said longevity of commissioners often discourages people from running. He said nepotism was also not in the City's best interest. Bruce Levinsky said the City needs to cooperate with its neighbors

Lew Benton said he was not convinced that a different form of government would bring out the best and brightest. He asked if Bruce Levinsky had any recommendation on amending the charter without abandoning the commission form of government. Bruce Levinsky said no.

Mark Lawton asked for Bruce Levinsky's thoughts on long range planning. Bruce Levinsky said the City needs a well defined ten year plan. Mark Lawton asked, if under the charter, there was a way that could be done. Bruce Levinsky said unfortunately, he had not read the charter, therefore, was not able to answer that question. Mark Lawton encouraged Bruce Levinsky to submit written material if he thought of something at a later date that might be useful to the Commission.

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**NEXT MEETING**

Harvey Fox reminded everyone that the next meeting would be held on Monday, November 13 in the City Court Room. He asked that Commission members arrive at 6:45 p.m. and the public hearing is scheduled to begin at 7:00 p.m.

Mark Lawton distributed information on democracy in America and asked that Commission members read it at some point. He said he found it very interesting.

Lew Benton said he would put to rest at the next meeting the issue of lack of annual reports to the Council. He said he would bring reports done as Commissioner of Public Safety and submitted to the Council for the Commission members review.

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**ADJOURNMENT**

Vassar Curtis moved and Mark Lawton seconded to adjourn the meeting at 9:15 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Kathy Moran  
Clerk

Approved: