

**CHARTER REVIEW COMMISSION
CITY OF SARATOGA SPRINGS
MONDAY, FEBRUARY 26, 2001
CITY COUNCIL ROOM
6:30 P.M.**

PRESENT: Harvey Fox, Chair
Lew Benton
Elio Del-Sette
Margie VanMeter
Vassar Curtis
Chris Whann
Denise Polit

ABSENT: Mark Lawton
Lee Nelson
Rita Balmuth
Mia Mouzon

STAFF PRESENT: Anthony J. Izzo, Assistant City Attorney

CALL TO ORDER Charter 2/26/01

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

PRESENTATION TO THE CITY COUNCIL

Harvey Fox informed Commission members that he and Chris Whann would make a presentation before the City Council on March 20 to update the Council on the Commission's progress. He encouraged those who could attend that meeting to do so.

NEXT MEETING

Harvey Fox reminded Commission members that there would be no regularly scheduled meeting next week, however, committees may meet. He then informed Commission members that Paul Male, City Engineer; Geoff Bornemann, City Planner; Brad Birge, Community Development Director; and Mike Biffer, Building Inspector all accepted the invitation to appear before the Commission on March 12.

BUDGET

Harvey Fox reported that other than staff salaries, there were no expenditures to the budget.

SURVEY UPDATE

Denise Polit reported that there was a total of 206 respondents (34.2 percent) to the survey. She said the results do not vary significantly since her preliminary report last week. She then distributed a summary of the results. She pointed out that based on the responses, there is no partisanship or bias. She did note though that respondents answered "do not know" to many questions and she believed that in itself showed the Commission that there is a lot of work to be done in informing the public. She said the results of this survey would be distributed to Council members tomorrow.

Elio Del-Sette moved and Chris Whann seconded to commend Denise Polit for a job well done. Ayes all.

OUTREACH PROGRAM

Vassar Curtis reported that as part of the outreach program he met with the City Republican Committee. He then distributed a summary of items/questions/concerns discussed at that meeting. He said there was some concern expressed by individuals about educating the public on the charter before the Commission changes it. He said there was also some concern expressed that many of the proposed modifications to the charter could be done by the Council at any time if they so desired. Elio Del-Sette agreed but noted that the Council has chosen not to do so. Vassar Curtis said there was some discussion on the supervisor positions and more specifically it was asked by an individual if the Commission thought that the City is not being properly represented at this time. Harvey Fox said the supervisor positions were being reviewed for a number of reasons, but in particular as to how they relate to surrounding communities. Elio Del-Sette said it shows in the survey that the community feels there should be more involvement between the supervisors and the Council. Margie VanMeter said another reason for that review is to look at how the City could have a stronger voice at the county and with neighboring communities.

Vassar Curtis said one question posed to him was whether the Council needed to approve the proposed changes to the charter before it went to the voters. Tony Izzo said it is the sole responsibility of the Commission to propose charter changes and to present it to the voters.

Lew Benton asked if there was any consensus on the City Republican Committee's part on what should or should not be changed in the charter. Vassar Curtis said the committee thought that once there was a concrete document presented then they could make comments.

Margie VanMeter said the outreach program is underway with several organizations wanting to have a speaker from the Commission. She said Mia Mouzon would attend the Participation in

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Government class run by Dave Patterson at the High School on three separate occasions. She said other requests are as follows: on March 21 the Open Space Committee, on March 28 the Arts Council, on April 21 the City Center Authority Board and on May 14 the Senior Presbyterians. She said anyone interested in speaking at one of these engagements should contact her. She said the Waters Edge Homeowners Association has asked for some written material and a speaker at a later date.

Harvey Fox distributed talking points from Mark Lawton and the Outreach Committee. Denise Polit asked what was the purpose of the interim report. Harvey Fox said it would be used by members of the Commission during their presentations to community organizations. He said this document will allow for consistency among speakers when making presentations. Elio Del-Sette asked if approved modifications to the charter should be included in the presentations. Harvey Fox said this was a "living document" and would be continually updated. He said specific decisions by the Commission could be included in presentations.

**CONTINUED DETAILED DISCUSSION OF THE ROLE AND FUNCTIONS OF THE
MAYOR, DPS & DPW**

Mayor's Office

UCP/Historian: Elio Del-Sette moved and Denise Polit seconded to retain the Urban Cultural Park and the City Historian functions in the Mayor's Office and to send them to the drafting committee for the appropriate language. Ayes all.

Department of Public Safety

Animal Control Officer: Elio Del-Sette moved and Chris Whann seconded to retain this function in the Department of Public Safety and to refer it to the drafting committee for the appropriate language. Ayes all.

Code Enforcement: It was agreed this item would not be addressed until after the March 12 meeting.

Manage/maintain/operate fire police apparatus, Manage/direct care for DPS land/buildings/apparatus, Manage/direct fire/police/corrections: Elio Del-Sette moved and Chris Whann seconded to retain these functions in the Department of Public Safety and to refer them to the drafting committee for the appropriate language. Ayes all.

Health Officer: It was agreed that discussions concerning the health officer would be tabled until after the March 12 meeting.

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Administer/enforce building/zoning/housing/plumbing codes: It was agreed this item would not be discussed until after the March 12 meeting.

Appoint a Health Officer: It was agreed this item would not be discussed until after the March 12 meeting.

Make arrests: There was consensus to delete this item from the charter.

Registrar of vital statistics: Elio Del-Sette moved and Denise Polit seconded that this function be moved to the Accounts Department and to refer it to the drafting committee for the appropriate language. Ayes all.

Disaster Emergency Plan: Elio Del-Sette moved and Margie VanMeter seconded to retain this item in the Department of Public Safety and refer it to the drafting committee. It was further noted that the language in Lew Benton's November 20 memo should be reviewed by the drafting committee. Ayes all.

Public Health Emergency Plan: Vassar Curtis asked if the County might have such a plan available. Lew Benton said the public health officer's duties are articulated in the public health law; and if needed, the City would draw on the expertise of the state Department of Health. He said he was somewhat confused as to what was meant by a public health emergency plan. He asked if it might be in connection with emergency medical services and the fire department. Elio Del-Sette wondered if emergency medical services were contractual obligations and how that would affect the City. Lew Benton said there is a duty statement and minimum qualifications that must be met by employees. Lew Benton said in his November 20 memo there is specific language addressing this issue. Elio Del-Sette moved and Chris Whann seconded to retain this item in the Department of Public Safety and refer it to the drafting committee. Ayes all.

Coordinate traffic flow issues through the City: Elio Del-Sette moved and Chris Whann seconded to retain this item in the Department of Public Safety, refer it to the drafting committee and the drafting committee be directed to review Lew Benton's memo of November 20 for suggested language. Ayes all.

Reports/Reporting: Chris Whann suggested that the drafting committee review language to be included in all departments concerning reports and reporting. Commission members agreed.

Professional Qualifications: It was noted that Mark Lawton had made a suggestion that professional qualifications be so noted in the charter. Lew Benton disagreed saying that qualifications could change at any time.

DEPARTMENT OF PUBLIC WORKS

Manage/maintain/operate public works: Margie VanMeter said she would like a definition of public works. Elio Del-Sette moved and Chris Whann seconded to retain this function in the Department of Public Works, refer it to the drafting committee and the drafting committee look at giving "public works" a definition.

Supervise construction/repair/maintenance of City owned facilities/land; Supervise construction/repair/maintenance of water/sanitary supply/storm water; Recommend water/sewer/landfill rates to the Council; Manage DPW employees; Serve as acting Mayor after Finance: Denise Polit moved and Elio Del-Sette seconded that the above noted functions be maintained in the Department of Public Works, they be referred to the drafting committee and the specific language regarding streets and maintenance of infrastructure be reviewed by the drafting committee. It was also suggested that the term "landfill" be reviewed. Ayes all.

Develop and maintain infrastructure program/infrastructure inventory: Denise Polit said she believed this item was addressed in the capital program discussions. Lew Benton noted that in his November 20 memo there was specific language on this function. Lew Benton moved and Denise Polit seconded to retain this function in the Department of Public Works, refer it to the drafting committee and that Lew Benton's memo of November 20 be reviewed by the drafting committee.

Manage DPW employees: Denise Polit noted that the charter specifies this function under DPW, however, does not do so in all other departments. She suggested there be some consistency. Lew Benton said in his November 20 memo there is suggested language. Denise Polit moved and Chris Whann seconded that such language regarding this function be consistent among all departments and that it be referred to the drafting committee. Ayes all.

Tony Izzo said section C-25 of the charter should be reviewed when developing that language.

Lew Benton said he would like to see citizens from the City given preference when hiring. He said he was not proposing to supercede state law, however, he would like to see the practice of hiring from within the City when possible. Elio Del-Sette said there must be conformance with Civil Service Law.

OTHER

Capital Program Development: It was agreed this item had been previously discussed and addressed under the Mayor's department.

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Section C-62: Margie Van Meter said she would like to see this section deleted. Commission members said they had agreed to delete this section some time ago.

ADJOURNMENT

Elio Del-Sette moved and Chris Whann seconded to adjourn the meeting at 8:30 p.m. Ayes all. There being no further business, Harvey Fox adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Kathy Moran
Clerk

Approved: