

CHARTER REVIEW COMMISSION
CITY OF SARATOGA SPRINGS
TUESDAY, JUNE 12, 2001
PLANNING DEPARTMENT BOARD ROOM
7:00 P.M.

PRESENT: Harvey Fox, Chair Mark Lawton
Lew Benton Chris Whann
Lee Nelson Margie Van Meter
Denise Polit Vassar Curtis

ABSENT: Mia Mouzon Rita Balmuth Elio Del-Sette

STAFF: Anthony J. Izzo, Assistant City Attorney

CALL TO ORDER: Harvey Fox called the meeting to order at 7:05

POTENTIAL CONFLICT OF INTEREST DISCUSSION

Harvey Fox noted that he had suggested having the Executive Committee meet with Lew Benton about any potential conflict of interest arising from his membership on the Commission in light of his decision to run for office. Lew Benton wanted to have the discussion before the full board.

Harvey Fox had, upon learning of Lew Benton's decision to run for Supervisor, asked the Assistant City Attorney for an opinion about whether any law or regulation prohibited Lew Benton's membership on the Commission. No conflict of interest was found. However, several members of the Commission had raised the issue of whether there might be a perception of a conflict, or whether Lew Benton's political involvement might adversely affect the Commission's work.

Lew Benton expressed his concern about Harvey Fox's inquiry into the matter. He himself had looked into it and was of the belief that there was no conflict of interest. He noted that others were currently on various boards and were also running for office. He acknowledged, however, that he wanted to make sure that other members of the Commission felt comfortable about his being on the Commission. Chris Whann and Mark Lawton both expressed their strong regard for Lew Benton's contribution to the Commission, but also noted their discomfort with his ongoing role in light of his decision to run for office. Chris Whann said that he did think there was a conflict of interest and he felt that Lew Benton should resign. Lee Nelson disagreed. It was further noted that everyone in a small town has a potential in conflict of interest and some were not uncomfortable with Lew on the Commission. All members expressed strong praise for Lew

Benton's involvement, but were unsure about how to handle the situation. Harvey Fox stated that the issue would be tabled, pending any further developments that might suggest potential problems.

DRAFTING COMMITTEE

The remainder of the meeting was spent on reviewing, discussing, and voting on sections of the charter that had been drafted by the Drafting Committee

C17, Office of the Mayor. Margie Van Meter moved and Chris Whann seconded to approve the Drafting Committee's version of C17, A through M, with minor editorial changes, and the addition to AM@ (City Department Administration) of the Recreation Commission. Ayes all.

C17a, Capital Program. Denise Polit moved and Chris Whann seconded to approve the Drafting Committee's version of C17-a, with the addition to paragraph one, line 4: A...and shall contain recommended priorities. Ayes all.

C17b, Human Resources Department. Chris Whann moved and Lee Nelson seconded to approve the Drafting Committee's version of C17-b, with the following changes:

- (1) Add the phrase "and shall coordinate any grievance process" to the 8th paragraph on page 7 of the distributed draft;
- (2) Delete "a city code of ethics" from the second paragraph on page 7;
- (3) Add the sentence "Such policies shall be consistent with collective bargaining agreements" to the end of the second paragraph, page 7;
- (4) Add a new paragraph as third paragraph on page 7: "The Human Resources Department shall assist city departments and entities in the recruitment and employment of personnel."; and
- (5) Delete the second to last paragraph on page 7.

Ayes all.

C17c-e. These sections were not yet completed by the Drafting Committee and will be reviewed at a later date.

C18, Commissioner of Finance. Lew Benton moved and Mark Lawton seconded to approve the Drafting Committee's version of C18, A through G, with minor editorial changes. Ayes all.

C18a, Tax Collector. Chris Whann moved and Denise Polit seconded to approve the Drafting Committee's version of C18-a, with minor editing and with the following changes:

- (1) Change six percent (6%) to five percent (5%) in third line of last paragraph on page 12, Section C
- (2) Delete "if not paid within 30 days thereafter, a penalty of 6% shall be imposed." in 4th and 5th line of last paragraph on page 12, Section C
- (3) Change the last sentence of the first paragraph of section F (page 13) to read: "The Commissioner of Finance may cancel an tax sales certificate."

Ayes all.

C18b, Custodian of City Moneys. Chris Whann moved and Lew Benton seconded to approve the Drafting Committee's version of C18-b, with minor editing and changing the phrase "scope of services" to "Request for Proposals" (page 14, Section B). Ayes all.

C18c, Keeper of the City's Financial Records. Margie Van Meter moved and Chris Whann seconded to approve the Drafting Committee's version of C18-c, with minor editing and with the following changes:

- (1) Delete "at the request of the City Council" at the end of the first paragraph (page 15)
- (2) Add "no later than June 1" to the end of the last sentence in Section C (page 15)
- (3) Delete the timeline in Section C

Ayes all.

C18d, Budget Content, Preparation, and Administration. Margie Van Meter moved and Chris Whann seconded to approve the Drafting Committee's version of C18-d (Sections A through C8 only), with minor editing and with the following changes:

- (1) Add to end of first paragraph of Section B: A...according to the timeline set forth herein and summarized in Appendix A.
- (2) Bold all dates in the section to make timeline apparent.
- (3) Amend last paragraph of section B to read as follows: The Commissioner of Finance (the budget chairperson) shall, after consultation with council members, prepare a proposed comprehensive budget by October 1, and shall submit it to the City Council at the first regularly scheduled meeting of the City Council in October of each year. The proposed budget shall be submitted in balance, that is, the proposed expenditures shall not exceed the total of estimated income as determined by the Commissioner of Finance."
- (4) Amend Section C (2), page 18, as follows: change "complete financial plan" to "preliminary financial plan". Add following sentence to end of paragraph: The financial plan shall also include a comparison of expenditures and income to the prior fiscal year."
- (5) Change the paragraph on "Capital Budget" under section C (4), page 18, as follows: Change the first line to read: "Proposed capital projects, as recommended by the Capital Program Committee for the ensuing fiscal year..."; Amend the last sentence to read: "No equipment may be purchased during the course of the fiscal year, except in accordance with Section C-17a."
- (6) Change Section C (5), page 19, to A...shall publish in the official city newspaper or newspapers of the city the general summary...@
- (7) Add a third paragraph to section C (7), page 19: Upon the adoption of the budget, the Commissioner of Finance shall amend the financial plan to reflect the actions of the City Council.
- (8) Change the title of Section C (8), page 19, from "Maintaining a Balance Sheet" to "Maintaining a Balanced Budget."

Ayes all.

The remaining sections of C18-d (Section C9 through C13) were not discussed in this meeting and were put on the agenda for the next meeting on Monday, June 18.

ADJOURNMENT

Margie VanMeter moved and Chris Whann seconded to adjourn the meeting at 9:30 p.m. There being no further business, Harvey Fox adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Denise Polit
Vice Chair

Approved: