

thought should be given to changing the approach of the presentation by taking time to explain in more detail how this form of government works.

(Lew Benton arrived 6:40 p.m.)

BARBARA SAMEL CONTRACT

Tony Izzo said he recently talked to Barbara Samel and he is drafting the contract. He said this contract would limit the number of hours worked, establish the hourly rate and would also establish a monetary cap of \$4,000. He said in her letter she requested additional money for mileage, photocopies, misc. expenses. Tony Izzo said those expenses appeared to be minimal and should fall within the \$4,000. Tony Izzo said he requested that when she hit the half way mark of expenses that she contact him. Elio Del-Sette asked if Tony Izzo thought that \$4,000 was enough. Tony Izzo said Barbara Samel agreed to work within that figure. Tony Izzo said she would like to review the entire document first before addressing specific questions by the Commission members. Tony Izzo said he also requested that she complete her review by the end of July. There seemed to be agreement that a contract would be offered with a \$4,000 cap.

TITLE IX

C-81 Water & Sewer Rates: Vassar Curtis moved and Rita Balmuth seconded to move the existing C-81 into Title X, Assessment Taxes and Use Fees. Ayes all.

C-87 Apportionment of Taxes: It was agreed that the third paragraph should be deleted. It was further agreed that it would be determined later where to place this section in the charter.

C-76 Public Works & Local Improvements paid by tax & C-77 Public Works and Local Improvements paid by tax assessments: Elio Del-Sette moved and Mark Lawton seconded to approve this section as submitted. Ayes all.

C-8d Reserve: Chris Whann moved and Elio Del-Sette seconded to accept the existing language and if necessary, expand the language upon review by the City Attorney. Ayes all.

C-18c Keeper of City's Financial Records: Vassar Curtis moved and Mark Lawton seconded to approve section C-18c noting that the following language be added: "the annual audit will be made available to the public not later than five business days after issuance of the audit by the City's accounting firm, but in no event later than the first hearing on the upcoming budget." Ayes all.

C-18d Budget Content, Preparation and Administration, subsection 10 supplemental appropriations: Elio Del-Sette moved and Lew Benton seconded to approve this section of the

charter and change the title to "Budget Amendments". Ayes all.

C-18d Budget Content, Preparation and Administration, subsection 12: transfers of money: Elio Del-Sette moved and Lew Benton seconded that the following language be approved for this section: "All budget transfers of monies shall require a certification of availability by the Commissioner of Finance. Those transfer requests that exceed ten percent (10%) of the amount of a budget line item appropriation shall be accompanied by a written explanation. Transfers for purposes of implementing contract agreements regarding personnel service shall be permitted notwithstanding the 10 percent limitation, upon approval by the City Council. No transfer shall be made within a department involving accounts for payroll and employee benefits without City Council approval. Transfers shall be submitted by the close of business on the Thursday before the next City Council meeting. Those received afterwards will be reserved for the following meeting unless there is an emergency certified in writing by the Commissioner making the request. Those transfers to be approved by the City Council will be distributed prior to the meeting for review by the City Council." Ayes all.

C-51 Service of Papers: Elio Del-Sette moved and Vassar Curtis seconded that the text of this section would reference Section 311 of the state law which provides the categories of those individuals who may accept service of papers. Ayes all.

C-55 Notice of Injury: Elio Del-Sette moved and Lew Benton seconded to approve this section as presented. Ayes all.

C-56 Condemnation B Sale of City Property: Margie VanMeter moved and Rita Balmuth seconded that the language "for fair value" be added to this section. Ayes: ten; Nays: one (Mia Mouzon). Motion carried.

Title VIII: Elio Del-Sette moved and Vassar Curtis seconded to approve Title VII with sections C-67, 68, 69 & 70. It was noted that section C-71 would be relocated. It was also agreed that both ordinance and local law would be added to the glossary. Ayes all.

Rationale Paper: Tony Izzo said he would get copies of previous rationale papers to Commission members.

Director of Human Resources: Elio Del-Sette said the intentions were good to fund this position within the current limitations, however, he believed it was unrealistic. He said it was unlikely that any commissioner would give up a position or two to fund this position. He said he understood that this position was important but it would simply cost money to fund it.

Harvey Fox suggested inserting the word "may" instead of "shall". Lee Nelson moved and Mia

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Mouzon seconded to insert the word "may" instead of "shall". Elio Del-Sette suggested that perhaps some statement be added to the rationale paper on this subject.

Mark Lawton said this is an important position and it needs to be funded. Lew Benton said if it was that critical of a position, then why should the City wait until a vacancy occurs before funding. Mark Lawton said he wanted this to be a budget neutral position. Elio Del-Sette said there should be some language inserted that because of the importance of this position, it be given priority in funding. Mark Lawton said the message is already clear that it is a priority. Lew Benton said this could impact on collective bargaining because it compels the City to fill this position with a vacant position.

Ayes: seven; Nays: four (Denise Polit, Vassar Curtis, Elio Del-Sette and Lew Benton). Motion denied.

Elio Del-Sette said the Council should make every effort to ensure that this position is staffed appropriately. Mark Lawton said if it is not funded, the City would suffer. He said it needs to be identified as a priority.

Vassar Curtis said he believed that if the charter was adopted, the Council would be forced to fund the position.

Elio Del-Sette said he did not believe that the Council could or would tell the residents of this City that a Human Resources Director would take precedent over fire and police. Harvey Fox suggested that perhaps some language that states this is a high priority be inserted. Lew Benton said this position and the Director of Parks, Open Lands and Historic Preservation would likely cost the City approximately \$150,000 annually. He said if these positions are important then they should be funded.

Elio Del-Sette moved and Vassar Curtis seconded that the following text is to be inserted: It is hereby declared to be the public policy of the City of Saratoga Springs to maintain a Human Resources Department and to provide adequate resources to maximize its efficiencies.

Lew Benton said that in 20 years when someone reads this charter, they will wonder why this text was included. Mark Lawton said these positions need to be funded. Lew Benton said that to suggest that these positions could be funded through existing funds, that likely would not be found, would be bad public policy. He said the Council should be the body that ensures that these positions are funded.

Lew Benton moved and Mark Lawton seconded that the first paragraph of this section read as follows: "There shall be a Human Resources Department which shall reside in the Mayor's Office. The head of the Human Resources Department shall be the Director of Human Resources who shall

be appointed as an exempt (management confidential employee) under the Civil Service laws, rules and regulations by the Mayor, with the advice and consent of the majority of the City Council. The Director shall be a qualified professional in the field of Human Resources. The Director shall be appointed on the basis of education, and experience in Human Resources work in like jurisdiction. To the extent practicable, the position of Director of Human Resources shall in the first instance be funded from existing budget appropriations." Ayes: ten; (Lee Nelson absent). Motion carried.

Director of Parks, Open Lands and Historic Preservation

Margie VanMeter moved and Elio Del-Sette seconded that the same text as used for the Director of Human Resources be used in the Director of Parks, Open Lands and Historic Preservation section. Ayes all.

Organization of Text

Mark Lawton moved and Elio Del-Sette seconded to appoint Chris Whann & Lew Nelson to organize the sections of the charter in an appropriate order. Ayes all.

DRAFT TEXT

It was agreed that the draft document would be ready by the end of the week. It was further agreed that Helen Edelman and Barbara Samel would continue their work over the next few weeks. Chris Whann said he would be in touch with Brad Birge to ensure that it is placed on the City Hall WEB page.

PUBLIC HEARINGS

It was agreed the following public hearings would be held:

- Monday, July 16, 7:00 p.m. City Council room
- Tuesday, July 24, 7:00 p.m. City Court room
- Wednesday, August 1, 10:30 a.m. City Council room
- Thursday, August 9, 7:00 p.m. City Council room
- Friday, August 17, 7:00 p.m. City Council room

It was further agreed that the next regularly scheduled meeting of the Commission would be on Monday, August 20 at 6:30 p.m. in the Council room.

Harvey Fox said a news release would be distributed notifying the public of the draft charter's availability. It was further noted that the draft charter would be placed at the public library, Urban Cultural Park and City Clerk's Office.

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LeW Benton suggested that a brief summary of the Commission's work be presented at the beginning of the public hearings. Denise Polit suggested that a handout with bullets of the major points be considered.

Chris Whann said once Commission members receive copies of previous rationale statements, he would then work with members on determining who would write each section.

ADJOURNMENT

There being no further business, Harvey Fox adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Kathy Moran
Clerk

Approved: