

A Special Meeting of the Johnstown Common Council was held on July 13, 2015 at 7:00 p.m., in the Council Chambers, City Hall.

PRESENT:

Michael B. Julius	: Mayor
Christopher Swatt	: Council Member-at-Large
Kathi Iannotti	: Council Member
Helen Martin	: “ “
Vernon Jackson	: Charter Review Chairman
Dr. Gerald Benjamin	: Charter Review Consultant
Lester Steinman	: Charter Review Legal Consultant
Mark Gifford	: Police Chief
Bruce Heberer	: Fire Chief
Erika Wing	: Library Director
Christopher Vose	: City Engineer
Michelle Jones	: Senior Center Director
Michael Gifford	: City Treasurer
Brett Preston	: City Attorney
Cathy A. VanAlstyne	: City Clerk

Also present were members of the Charter Review Commission, the press and Water Dept.

ABSENT: Cynthia Lakata, Council Member

Mayor Julius called the meeting to order the led in reciting the Pledge of Allegiance.

PROPOSED CHARTER REVISIONS

Chairman Vernon Jackson made a presentation to the Common Council on the proposed Charter revisions. The 15 member Charter Review Commission, appointed by Mayor Julius, met twice a month beginning in February. Dr. Gerald Benjamin, Director for the Center of Regional Research Education and Outreach at SUNY New Paltz and Attorney Lester Steinman of White Plains, NY were hired as consultants. Commission members were asked to provide their suggestions and ideas. The Mayor, Council Members, Department Heads and members of the Water Board were invited to the meetings so there thoughts, ideas and suggestions could be heard. At the conclusion of this process, the Commission reviewed and discussed all the material and arrived at a decision of where changes to the Charter were needed.

The following are the proposed changes. The changes are not final. A public hearing will be scheduled for 7pm on July 27, 2015. A final meeting will be held to allow the Commission to make any final changes, if needed, and to review and approve the proposition to be placed on the ballot on Election Day. If approved, the changes will become effective the day the election results are certified by the Fulton County Board of Elections. The meeting will take place in August.

OVERVIEW OF SOME OF THE PROPOSED CHANGES TO CHARTER

1. Annual Organizational Meeting date to be changed to the first business day in January at 7pm.
2. City Treasurer to appoint a deputy treasurer for a term the same as the Treasurer.
3. The Common Council to establish a dollar amount the Treasurer could spend without council approval for payment on claims. A fixed amount to be determined annually.
4. Date for Mayor to submit budget to Council be changed to the third Monday in October instead of October 1st.
5. Notice regarding public hearing on the budget to be posted on the City's website as well as in the newspaper.
6. Abolishment of the offices of the Water Board, Clerk of the Water Board, and Water Superintendent transferring the property, rights, responsibilities and liabilities to the Common Council and the City of Johnstown.
7. The Water Department to become a part of the Department of Public Works with City Engineer as the head of the department and responsible for the day to day operation.
8. The water fund for receipts of revenues and payment of expenses in connection of the operation of the water works to be established. The establishment of a water advisory board, appointed by the Mayor and approved by the Common Council. This board would be authorized to make recommendations as to the operation and funding of the water works.
9. A five member Ethic's Board be established, appointed by the Mayor with the approval of the Common Council.

The above items mentioned are not all the changes. There are several minor changes in various Articles. The complete draft is now available on the Charter Commission's website which can be accessed through a link on the City's website.

Chairman Jackson thanked the Mayor, City Council, Department Heads and members of the Water Board for their assistance in this process. He also thanked Attorney Steinman and Dr. Benjamin for their invaluable assistance. They truly are experts. Thank you to fellow Commission Members. They have demonstrated that they truly care and only want what is best for the City of Johnstown; and a special thank you to Commission Member and Recording Secretary Cathy VanAlstyne.

Council Member-at-Large Swatt asked Chairman Jackson what is the next step? The next step is the public hearing on July 27th. Once that is done the Commission will meet again in early August to go over comments from the public and revise if needed. Mr. Steinman will have the proposition prepared for the Commission to vote.

Council Member Martin asked if the public hearing notice will include the City's website where people can go to look at a copy of the Charter revisions. It will include the website as well as copies to be available in the City Clerk's Office.

Council Member-at-Large Swatt stated that several of the items mentioned for revision are water related. We have spent a lot of time and budgeted money for the expertise of the consultants. He would hate to see all the time and effort go down because of one of the topics in the Charter, the Water Board. Could you separate the Water Board issue on one referendum from the rest of the proposed revisions to the Charter? Having two proposals could prevent the entire thing from being voted down.

Chairman Jackson said that was discussed at a Commission meeting. He had originally suggested there be two separate propositions on the ballot, Water Board on one and the rest on the second. Mr. Caraco made the comment that it would look like we are on a witch hunt for the Water Board. That is not what we are here to do.

Council Member Queeney sees it as just the opposite. If the city residents had a chance to vote on the Water Board and the other referendums separately it distinguishes between the two as opposed to being all mulled together.

Council Member-at-Large Swatt said he has been approached by several people in the community who have told him that, if that's the hot topic then why don't we separate it out.

Chairman Jackson said this was discussed among Commission members and they were of the opinion that propositions at the bottom of a ballot rarely get read. If we split this into two, people will look at both of them and think, that is too much reading and I'm not going to vote on it. This can be addressed at the public hearing and if we need to change anything we can do it at the meeting in August.

Council Member Martin said the Commission was tasked at looking at the Charter as a whole, and that is what was done. If you start piecemealing it out it diminishes what you were trying to do.

Dr. Benjamin said, as a professor he has to have one last word. There is a discussion of the history of the Water Board dating back to the creation of the City which is two pages long in the report. He asked that people read that piece of history through the periods of when they had an elected board and when they didn't have an elected board. A lot of the concerns now are being repeated.

EXECUTIVE SESSION – At 7:20p.m., Council Member Iannotti made a motion to go into executive session for litigation and sale of real property. Motion was seconded by Council Member-at-Large Swatt. Motion carried.

A motion to come out of executive session at 7:47p.m., was made by Council Member Martin and seconded by Council Member-at-Large Swatt. Motion carried.

A motion to adjourn was made by Council Member-at-Large Swatt at 7:48p.m., and seconded by Council Member Iannotti. Motion carried.

Respectfully submitted,

Cathy A. VanAlstyne
City Clerk