

CHARTER REVISION & SHARED
SERVICES FEASIBILITY
STUDY FOR THE
CITY OF MECHANICVILLE, NY
OCTOBER 2010

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CITY OF MECHANICVILLE, NY

OCTOBER 2010

PREPARED FOR:
CITY OF MECHANICVILLE
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TABLE OF CONTENTS

	PAGE
Introduction	4
Community Profile	5
Table 1 Population by Gender	5
Table 2 Median Age	6
Table 3 Median Household Income	6
Table 4 Crime in Mechanicville by Year	6
Existing City Services	8
Table 5 Organization Chart of Duties of Elected Officials	9
Table 6 Mechanicville government finances in 2008	11
Opportunities for Consolidation and/or Shared Services	13
Other Savings Opportunities	17
City Charter Options	18
City Charter Trends, U.S. and NYS	25
Opportunities and Timetable for Change	25
Acknowledgements	29
Appendix List	30
Appendix I - Website Links of State City Charters of Similar Size to Mechanicville	31
Appendix II - 2010 Mechanicville City Budget	33
Appendix III - Website Link for Revising City Charters in New York State	34
Appendix IV – Sample Telephone Survey on Government in Mechanicville	35

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INTRODUCTION

The City of Mechanicville in recent years has been faced with the dilemma of absorbing increasing costs of delivering essential municipal services while both its population and tax base have been declining. The community is atypical in this regard, insofar as other surrounding Saratoga County communities have been experiencing robust growth and development.

At the same time, the State of New York has recommended that all communities consider the advantages of consolidating and/or sharing services with other municipalities to bring the cost of municipal government into better balance with available local tax revenues. Along these lines, the State in 2005 initiated a program to provide financial assistance to municipalities considering adopting such efficiencies and consolidations. In 2009, the City of Mechanicville applied for a state grant to undertake such a study to see if changes leading to shared services and consolidation would provide both greater efficiency and cost savings to local taxpayers.

In the case of Mechanicville, this study also considers the broader issue of whether or not the City's 1915 Municipal Charter is still an effective instrument of local governance. Hence, while evaluating the possibility of consolidating services, broader possibilities are raised: amend the existing charter; adopt an alternate form of governance; or leave the present charter as is. Again, the primary goal of this survey seeks methods to maximize efficiencies while stabilizing or lowering the cost of local government.

The Mayor and City Council have commissioned West and Company, CPAs, PC consultants, to analyze the services currently delivered to local residents, determine where efficiencies in their

delivery might be achieved, and ascertain whether or not altering the form of government might promote such goals.

Pursuant to the Request for Proposals, the terms of the grant from New York State Department of State, and the guidance of Mayor Anthony Sylvester and Commissioners, this Preliminary Report outlines the extent and scope of city services, fiscal and demographic trends that may affect their future delivery, and points toward opportunities for achieving efficiencies.

COMMUNITY PROFILE

The initiative for this study is timely. The city faces a number of challenges as it seeks to make choices about its future.

Mechanicville’s population continues to dwindle, continuing a trend that began in the 1930s and that has become more pronounced in recent decades. Between 1990 and 2000, the City’s population declined 4.2% to 5,019 from 5,249 and in the last nine years, it has declined another 2.5% to 4,895. This pattern is out of step with the rest of the County where population has increased by more than 20% since 1990. As an historical footnote, the Village of Mechanicville’s population in 1905 was 5,780. Over the next two decades, the new City’s population had doubled, but a long-term trend of decline set in soon thereafter.

Population in July 2009: 4,895. Population change since 2000: -2.5%

Table 1 – Population by Gender

Males: 2,305	(47.1%)
Females: 2,590	(52.9%)

In addition to declining numbers, the city’s population is getting older. The population 65 years of age and older is expected to increase by 17%, from about 800, today to 940 in 30 years, while the overall population is expected to decline from 4,895 in 2010 to 4,812 in 2040. The 65+ elderly will then constitute nearly 20% of the total.

At the same time, the population of school age children, age 5 to 19, is anticipated to decline from 964 today to 884 in 2040, a decline of more than 8%. A further indication of this condition is that as of the 2000 census, there were 2,219 households in the city, of which only 29.1% had children under the age of 18 living in them, 40.9% were married couples without children, and 12.3% were female householders with no husband present. 36.5% were individuals, and 19.4% had someone living alone age 65 or older. The median age of residents is 36.3 years, compared to the New York State median of 35.9.

Table 2 - Median Age

<i>Median resident age</i>	36.3 years
<i>New York median age</i>	35.9 years

Table 3 - Median Household Income

Estimated median household income in 2008: \$44,654 (it was \$34,509 in 2000)

<i>Mechanicville</i>	\$44,654
<i>New York</i>	\$56,033

Estimated per capita income in 2008: \$22,271

One beneficial effect of the city’s population trends is that crime is declining. Between 2001 and 2008, the rate of major crimes declined by more than 31%.

Table 4 - Crime in Mechanicville by Year								
Type	2001	2002	2003	2004	2005	2006	2007	2008
Murders	0	0	0	0	0	0	0	0
per 100,000	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Rapes	2	2	0	2	0	0	0	1
per 100,000	39.8	39.5	0.0	39.9	0.0	0.0	0.0	20.5
Robberies	11	4	15	5	0	1	3	4
per 100,000	218.8	78.9	298.3	99.8	0.0	20.0	61.1	82.0
Assaults	27	43	30	30	40	34	33	10
per 100,000	537.0	848.6	596.5	598.7	795.9	678.6	671.8	205.1
Burglaries	12	15	9	14	19	19	11	22
per 100,000	238.7	296.0	179.0	279.4	378.0	379.2	223.9	451.2
Thefts	54	42	42	31	44	43	41	78
per 100,000	1074.0	828.9	835.2	618.6	875.4	858.3	834.7	1599.7
Auto thefts	3	5	7	2	4	2	5	5
per 100,000	59.7	98.7	139.2	39.9	79.6	39.9	101.8	102.5
Arson	1	N/A	N/A	N/A	N/A	1	1	0
per 100,000	19.9	N/A	N/A	N/A	N/A	20.0	20.4	0.0
City-data.com crime index (higher means more crime, U.S. average = 320.9)	269.3	286.8	265.9	229.1	227.0	205.8	209.9	185.8

Mechanicville's demographic trends are also reflected in its economic make-up. In 2008, average household income was estimated at \$44,654, compared with \$64,000 for Saratoga County and a state average of \$56,033. Median home values were listed as \$177,400, compared with \$225,200 countywide and a state-wide value of \$318,900. One positive note in all of this, however, was that the Cost-of-Living Index for Mechanicville was almost 9% lower than the national average.

There has been a slight up-tick in local real estate sales in the past year, but this does not belie the fact that as a municipality composed of less than one square mile, Mechanicville possesses little opportunity for expansion and development, an attribute that makes it unique in Saratoga County, if not in the entire state. Under the best of circumstances, CDRPC anticipates that no more than fifteen housing units would likely be built here over the next three decades.

All of these observed trends have confronted the City for decades. Nevertheless, as the cost and complexity of providing government services to an increasingly elderly population continues to rise, mobilizing public support to provide basic services such as education, utilities, and police protection will present new challenges.

The City's infrastructure, like its housing stock, is aging. Sixty-six [66] percent of the current residential units were built prior to 1939. Throughout Saratoga County, no more than 24.7% of the housing stock was erected before 1939. In terms of assessed valuation, 84% of Mechanicville residences fall into the \$50,000 to \$99,000 range while the only 51% of residences throughout the County are assessed in that range of value. The City's infrastructure [water, sewer, and street systems] were built in the late 19th and early 20th centuries and are in need of repair and modernization. Yet, the tax base to support this infrastructure is eroding. Given the potential public health threats that would arise from inaction in dealing with this situation, the City is confronted with both structural and financial challenges that are not amenable to easy solutions.

Yet, despite all of these shortcomings, Mechanicville residents display a powerful pride of place and sense of loyalty to their community manifested by their sense of voluntarism and participation in community organizations. These positive intangible characteristics of community life are being increasingly recognized by people from outside of Mechanicville and may be a factor that has led to renewed interest in attracting investment in local real estate. Ironically, while declining property values, foreclosures, and the collapse of the real estate market have characterized recent trends in the region, state and nation, Mechanicville is going against the grain in presenting attractive opportunities for some investors. This may also be a manifestation of the fact that local real estate was undervalued in recent years.

Yet, once again, given the long-term trends pointing to a declining and aging population, lack of space for development, and an aging infrastructure, the City must begin to make changes now that will increase property values, stabilize tax rates, and deliver public services that meet the needs of the community and its residents.

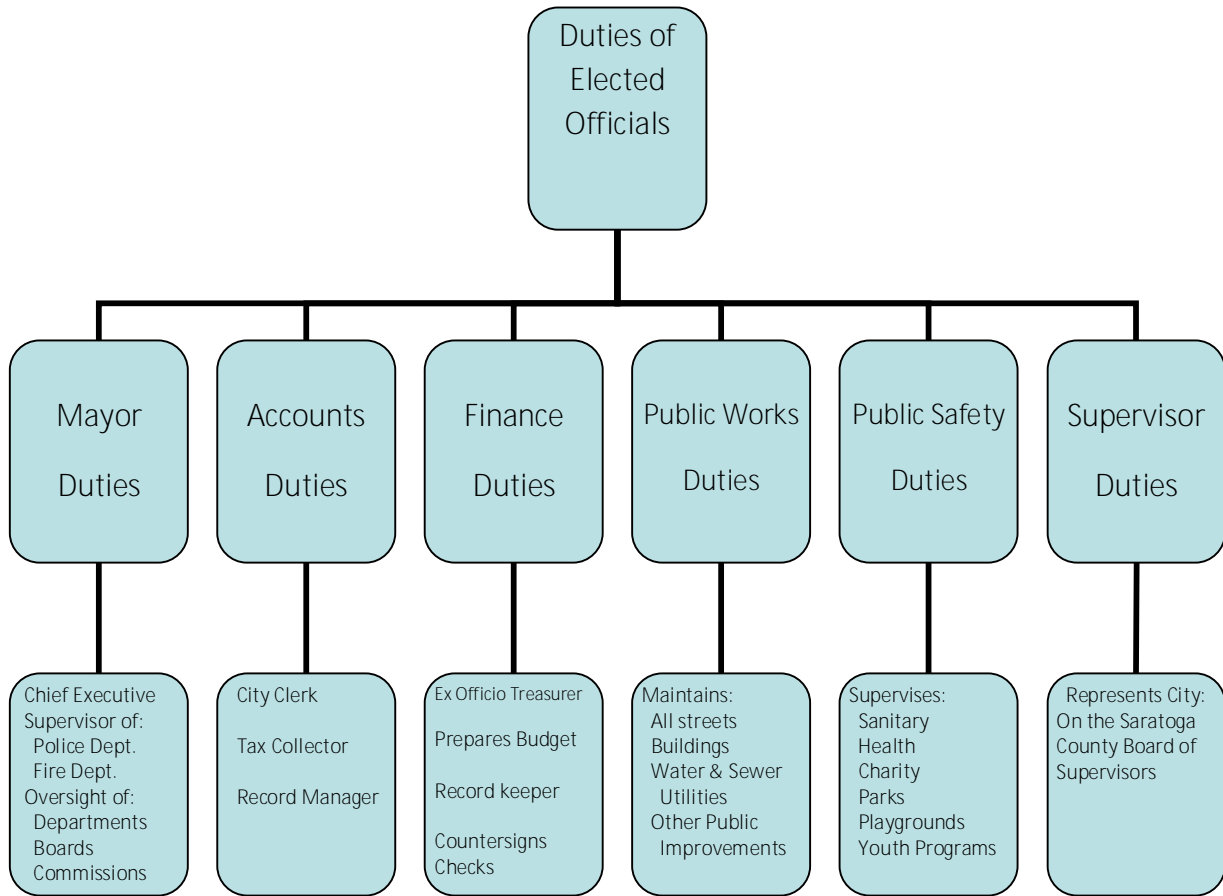
EXISTING CITY SERVICES

This section will examine the existing services provided by city government in Mechanicville, how they are structured and paid for, and which elected official is responsible for executing them. As the consulting team examined the condition of government in Mechanicville, including interviews with current elected officials and others, it became plain that it will be exceedingly difficult to develop significant efficiencies on top of the existing governmental structure. Some efficiency gains may be feasible within the existing form of government, but may in turn require a reallocation of responsibilities between the commissioners, or eliminating services that are provided for in the Charter. Other efficiencies may be possible only by scrapping the Commissioner form of government and adopting an alternative structure.

Administrative Structure—Commissioners and Mayor

Administration of city services is presently shared or divided between the Mayor and the four Commissioners. Although the five elected officials act in concert as the City Council, the day-to-day operation of the Departments of Public Works, Public Safety, Accounts, Finance and the Mayor's office are separately supervised by the commissioners in charge. This is the form of government that has been in place in Mechanicville since 1915. Whether this form of government is the best for the city going forward will be addressed elsewhere in this report. The present City Charter provides for the apportionment of responsibilities among the elected officers of the city.

Table 5 – Organization Chart of Duties of Elected Officials



The Mayor is the chief executive officer of the city, has general oversight responsibilities for all departments, boards and commissions, and in addition supervises the Police and Fire Departments. The Mayor also presides at City Council meetings.

The Commissioner of Accounts serves as the clerk of the City Council, the City Clerk, tax collector and the Accounts Office serves as the repository for all city documents and records.

The Commissioner of Finance maintains the financial records of the city, receives all taxes, fees or other income from other city offices, and makes regular and special reports to the Council on the state of the city’s finances. The Commissioner of Finance shall also serve as the ex officio City Auditor, with the responsibility to audit all bills payable by the city before they are authorized by the City Council. The Commissioner shall also prepare and present to the Council the annual budget.

The Commissioner of Public Works has responsibility for maintaining all streets, buildings, water and sewer utilities and other public improvements.

The Commissioner of Public Safety has responsibility for youth recreation programs of the city, but not for, as the title would suggest, police and fire protection.

A City Supervisor is elected in Mechanicville to represent the city on the Saratoga County Board of Supervisors. The Supervisor does not have any operational or legislative responsibility on the City Council or within city government.

The City Charter authorizes full-time Deputy Commissioners for the Commissioners of Accounts, Finance and Public Works, but not for the Mayor or Public Safety Commissioner. The Deputies generally are authorized to exercise the responsibilities of their elected Commissioner, and to provide day-to-day supervision of their department.

Other Offices

Assessor. The Charter provides for an assessor, who is responsible for preparing the property assessment roll for adoption by the Council.

Boards and Commissions

A Board of Assessment review is provided for in the Charter with the responsibility to review and correct the assessment roll prepared by the Assessor.

A Planning Board and Zoning Board of Appeals are appointed by the Mayor with Council approval to serve as land use boards.

A Municipal Civil Service Commission is appointed by the Mayor with Council approval to establish the proper classification of employment positions within city government.

Court

The City Court is established to hear violations of city ordinances and/or local laws, as well as various civil actions. The City Judge is elected every four years, however he or she does not have to reside in the City of Mechanicville to perform his or her official functions provided that such person resides in the county of Saratoga.

Services

Planning and Zoning (2010 budget \$52,800). The city budget provides for a full time Building & Code Enforcement officer. The Charter, however, does not address their responsibilities or how their determinations may be appealed.

Police (2010 budget \$1.02 million). The city operates a 24/7 police department that provides law enforcement within the city limits. As of 2010, the police department has a force of 23 officers, which includes a Police Chief, Lieutenant, Investigator, and 18 patrolmen, along with a full-time and part-time dispatcher.

Fire (2010 budget \$130,083) The City operates out of 2 stations that protect a residential and commercial area. The department is a public department whose members are on a volunteer status. In 2010 the City budgeted nominal salaries for the Fire Chief, and 1st & 2nd Assistant Chiefs in the amount of \$6,067.

Refuse and Garbage collection (2010 budget \$350,000). The cost of this service has risen 18% over the past three budgets, and is not offset by any fees paid by the users of the service.

Highways and Department of Public Works

The DPW provides maintenance of all city streets, including improvements, repairs, snow removal, etc. It also maintains the municipal garage, sidewalks, and street lighting.

Water (2010 budget \$1.1 million). The city operates and maintains its own water system, including a reservoir, treatment and distribution system. The infrastructure is mature and in need of a variety of improvements, some pursuant to state health department orders. Nevertheless, the water department is anticipated to generate a surplus of more than \$200,000 in 2010. This service will be discussed in depth in the section on service consolidation.

Bus operations (2010 budget \$84,071). The city operates transportation services primarily for senior citizens. The service is elective on the city's part, not mandated by the state.

Other programs. Mechanicville provides and allocates money for Programs for Aging, Economic Opportunity and Development, Parks, Playgrounds, Youth Commission, City Historian, various celebrations, the Senior Citizens Center.

Employment in city government is distributed throughout the above services and others, mostly to full time employees.

Table 6 shows the overall expenditures for various functions of city government as of 2008

Table 6 - Mechanicville government finances in 2008 (Office of the State Comptroller):

- **Community Services: \$34,986**
 - Elder Services \$25,030
 - Miscellaneous Community Services \$3,000
 - Natural Resources \$6,956
- **Culture And Recreation: \$69,154**
 - Cultural Services \$6,020
 - Recreation Services \$37,935
 - Youth Recreation \$25,199
- **Debt Service: \$288,706**
 - Debt Principal \$265,452
 - Interest On Debt \$23,254
- **Economic Development: \$857,568**

- Development Infrastructure \$48,725
- Economic Development Administration \$110,845
- Miscellaneous Economic Development \$697,998
- **Employee Benefits: \$1,072,090**
 - Disability Insurance \$1,691
 - Losap/Miscellaneous \$117,206
 - Medical Insurance \$590,204
 - Retirement-Police & Fire \$90,998
 - Retirement – State/Local \$113,611
 - Social Security \$154,430
 - Unemployment Insurance \$3,950
- **General Government: \$688,888**
 - Administration \$379,466
 - Judgements \$7,464
 - Operations \$300,691
 - Zoning And Planning \$1,267
- **Health: \$10,000**
 - Mental Health Services \$10,000
- **Public Safety: \$1,276,222**
 - Correctional Services \$31,564
 - Emergency Response \$104,158
 - Fire Protection \$167,188
 - Miscellaneous Public Safety \$38,056
 - Police \$894,396
 - Public Safety Administration \$40,860
- **Sanitation: \$851,250**
 - Refuse And Garbage \$262,583
 - Sewer \$588,667
- **Transportation: \$795,919**
 - Bus Service \$77,944
 - Highways \$597,695
 - Transportation Ancillary \$120,280
- **Utilities: 797,628**
 - Water \$797,628

OPPORTUNITIES FOR CONSOLIDATION AND /OR SHARED SERVICES

Key Opportunities	Estimated Savings	Other Benefits	Difficulty
Regionalize Water Supply	Long term capital expenses	Reliability, risk management	Neutral
Share police patrols with County Sheriff	\$150,000	Off-hour security	High
Share Fire and EMS Services with Town of Stillwater	\$55,000	Reliability	Low
Eliminate (privatize) refuse collection	\$350,000	Reduce compliance risk	Low
Consolidate Civil Service Commission with Saratoga County	\$12,000	Regulatory compliance	Low

Regionalize Water Supply

The city’s water supply system poses the major financial and physical challenge to the city’s future, one that could precipitate either a fiscal or public health emergency or both. A recent study by a consulting team consisting of The Chazen Companies and Barton & Loguidice, P.C. (June 2010), funded through a Shared Municipal Services Incentive (SMSI) Grant from the New York State Department of State, evaluated ways to consolidate or improve water supply, storage and distribution systems and operations of both the City of Mechanicville, and the Town and Village of Stillwater. The consulting team recommended that the City of Mechanicville reservoir be decommissioned, and that the city, together with the Town of Stillwater, connect to the Saratoga County Water Authority as its regional water supply source.

The estimated capital costs, annual operating and maintenance costs, and annual life cycle costs were compared among nine alternatives, including continuation of the city operating its system alone. The SCWA option represented the most favorable mix of cost and reliability among the nine alternatives.

There are at least three chronic problems with the existing Mechanicville water system that must be addressed no matter which water supply option is adopted:

1. Inadequate flow for fire protection,

2. Lack of universal metering to assure water accountability and “fair share” billing, and
3. A 28% rate of unaccounted-for water, nearly doubling from 2008 to 2009 (*Chazen/B&L Table 3.1 page 12*).

Without question, the city is facing major capital expense just to maintain its existing service. The existing system provides inadequate flow for fire protection (*Chazen/B&L page 107*). It will be necessary for the city to replace its current aging and undersized system “to provide proper fire flow capabilities.” In addition, the consulting team recommended complete replacement of existing antiquated residential water meters, and installation of meters on “all un-metered connections.” Expansion and updating of meters will help monitor what the consultants describe as “the high unaccounted-for water in the distribution system.” (*Chazen/B&L page 108*). This means that 93 million gallons of water annually are being lost either in the distribution system or at the water treatment plant, or both. The consulting team attributed much of the unaccounted for water to leaks, flushing, fire fighting and to about a dozen un-metered locations, all of which are public buildings, parks, playgrounds or other amenities (*Chazen/B&L page 13*). While the amount of water used at such locations may be significant, it does not explain the sudden increase from 2008 to 2009, nearly doubling the rate of unaccounted-for water.

In addition to the problems in the city’s distribution system, siltation in the Terminal Reservoir has increased to the point of limiting the amount of water that facility is capable of holding (*Chazen/B&L page 5*). In addition, the particulate content of water delivered to customers has increased and the State Department of Health has determined that it exceeds recommended limits.

The city’s efforts to remove the silt from the water have produced a reserve of sediment requiring management and disposal subject to rules of the State Department of Environmental Conservation. While the city may be able to properly dispose of the sediment based on DEC’s rules in the near term, the need to improve drinking water quality to satisfy DOH will generate the need for significant capital investment, an investment that will push water rates up for consumers.

Whichever alternative the city chooses for future supply options, it is likely that the city will lose its largest single water customer, the Town of Stillwater, to the Saratoga County Water Authority, the effect of which will be to narrow the city’s water rate base at the very time it is attempting to finance its most significant capital need in decades. And even without accounting for the revenue required to underwrite the needed capital investment, water rates will go up any way because of the loss of revenue from Stillwater which totaled \$94,807 in 2009.

Based on the City’s Independent Audit Report for the year ended December 31, 2008 the Water Department collected \$854,008 in revenues and had total Expenditures of \$897,391 which included \$200,195 in Debt Service netting to a loss of **(\$43,383)**.

The Audit also reported the City's Indebtedness on Water related bonds as of December 31, 2008 as follows:

<u>Serial Bonds</u>	<u>Issue Date</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Principal Balance</u> <u>12/31/2008</u>
Water Project EFC	9/2007	9/2037	0.00%	\$5,520,000
1992 Water Project	4/1994	4/2012	6.00-6.20%	<u>240,000</u>
				<u>\$5,760,000</u>

To avoid the consequences of this “perfect storm” (declining rate base, acute capital requirements, ongoing operational needs), the city should pursue a merger with SCWA. Although there are capital costs associated with this option, there are even greater capital costs associated with remaining independent, or with any other option. While pursuing the SCWA option, the city should also do a thorough review and appraisal of its real property assets associated with the water system, especially the reservoir and surrounding properties and easements. If the reservoir and other properties are to be decommissioned in connection with merging with the SCWA, they could be sold to offset the oncoming capital requirements, reduce system debt, or water rate reduction.

Charter Impact: The Charter broadly assumes that the city will own and operate its own water system. It provides for the city certain powers necessary to operate a water system—setting rates, collecting arrearages, securing and maintaining rights of way, etc. If consolidation with SCWA is pursued, the Charter’s provisions regarding water services and operations should be reviewed and extensively modified. It may still be practicable for the city to continue a rate-setting function for its retail customers, depending on the arrangement, if any, it agrees to with SCWA.

Share police patrols with County Sheriff.

The city’s police force represents another area that could be considered for inter-municipal cooperation. Again, Saratoga County, with its Sheriff’s Department, should be considered as a potential cooperating agency as the city seeks to reduce the expenses of services that can be provided more efficiently through other means. One option to consider would be to use Sheriff’s Department patrols between sunset and sunrise, or during designated nighttime hours, and use the city’s police force during the daytime.

This approach would allow the city patrol officers to be used where they are strongest, in daily routines, personal contact with the citizenry, during business hours. With the Sheriff providing

nighttime coverage, it would be possible to concentrate Mechanicville's forces during the daytime, improving the deterrent effect on crime and increasing traffic and pedestrian safety.

The fiscal impact of this option would be to allow the existing force to be reduced through retirements and attrition, with minimal impact on overall public safety.

Charter Impact: The Charter presently requires the city to "maintain Fire and Police Departments..." (Section 24) but does not specifically prohibit the city from entering into an inter-municipal agreement with the County to provide for such services, especially if they are contracted for with the supervision and approval of the City Council. Notwithstanding, if the city chooses to pursue such an option, it may want to amend the Charter to expressly permit such an arrangement.

Share Fire and EMS Services with Town of Stillwater

Given the demographic profile of Mechanicville, and the ongoing expense of equipping and staffing the Fire Department, it seems timely to consider an inter-municipal arrangement with the Town of Stillwater and its volunteer emergency services to provide Fire and EMS coverage for at least part of the time or to a specified section of the city. Existing personnel could be assigned to fire code enforcement and other tasks, others let go by attrition.

Charter Impact: The Charter presently requires the city to "maintain Fire and Police Departments..." (Section 24) but does not specifically prohibit the city from entering into an inter-municipal agreement to provide for such services, especially if they are contracted for with the supervision and approval of the City Council. Notwithstanding, if the city chooses to pursue such an option, it may want to amend the Charter to expressly permit such an arrangement.

Refuse and garbage collection, establish fee structure or abolish service.

Refuse and garbage collection in Mechanicville is a non-mandated municipal service paid for from tax dollars. So far as the consulting team could determine, Mechanicville is the only municipality in Saratoga County that provides this amenity, other than perhaps some private, gated communities. For purposes of bringing the city's budget into balance, the service should either be abolished or a fee charged to meet the entire cost.

The simplest way to transition out of providing this service would be to notify all residents that refuse collection will not be provided by the city after a certain date, perhaps three or six months hence. Private collection companies would then solicit business from the residents, and the residents would pay a fee to the private companies.

Alternatively, if each household paid \$15 per month, the entire cost could be met, and the city would save \$350,000 per year from the General Fund for tax relief or to bolster essential services or capital projects. Offsetting the savings, however, would be the cost of collection of the fee and of enforcement.

Charter Impact: There is no requirement in the Charter for the city to collect refuse, so no amendment would be needed to stop providing the service.

Municipal Civil Service, consolidate with county .

This service could be taken over by the county, saving the city the time and expense of more than \$12,000 per year. Saratoga County Civil Service is fully capable of maintaining compliance with state law, classifying offices, places and terms of employment, and providing for proper examinations for competitive positions in the city.

Charter Impact: Consolidating this function with Saratoga County would require an amendment to the Charter (Section 17).

OTHER SAVINGS OPPORTUNITIES

In addition to the service consolidations and inter-municipal sharing opportunities detailed above, the city has several areas where savings can be achieved.

The Senior Bus Service could be consolidated with Capital District Transportation Authority. This expense is budgeted at \$84,000 in 2010.

Consolidate dispatchers with Saratoga County. Providing for county dispatching would save the city \$61,881 in today's dollars, with no sacrifice of reliability. No significant legal or administrative hurdles exist to such a consolidation.

Providing property assessments jointly with either the Town of Stillwater or the Town of Halfmoon would allow the city to improve efficiency and reduce expenses due to consolidation. The Assessor's current budgeted salary is \$16,803 before benefits.

Purchasing is presently handled by each of the departments under the commissioners. Purchasing should be consolidated under the Commissioner of Accounts or similar unit if the Charter is revised. *A Charter change would be required to implement this savings opportunity.*

Finally, the city's fleet of Public Works vehicles is aging and in need of increasing maintenance. Every opportunity to share equipment with Halfmoon, Stillwater or Saratoga County should be pursued before investments are made in replacement equipment.

CITY CHARTER OPTIONS

The city Charter provides for the Commissioner form of government, a form that is gradually disappearing among municipalities the size of Mechanicville. Notwithstanding its uniqueness, however, Mechanicville’s level of spending and taxation compares rather favorably with other cities its size in New York State that have alternative forms of government.

<i>Municipality</i>	<i>Government Form</i>	<i>Population (2000 Census)</i>	<i>2008 Expenditures</i>
<i>Mechanicville</i>	Commission	5,019	\$6,742,411
<i>Sherrill</i>	Council-Manager	3,147	\$6,068,815
<i>Little Falls</i>	Mayor-Council	5,188	\$9,249,105
<i>Salamanca</i>	Council-Manager	6,097	\$15,410,088
<i>Norwich</i>	Mayor-Council	7,355	\$9,416,849
<i>Hudson</i>	Mayor-Council	7,524	\$10,676,228
<i>Rensselaer</i>	Mayor-Council	7,761	\$16,204,766
<i>Johnstown</i>	Mayor-Council	8,511	\$20,394,839
<i>Port Jervis</i>	Mayor-Council	8,860	\$15,064,033
<i>Hornell</i>	Mayor-Council	9,019	\$15,511,806
<i>Watervliet</i>	Mayor-Manager-Council	10,207	\$13,445,519
<i>Corning</i>	Council-Manager	10,842	\$18,346,972
<i>Oneida</i>	Mayor-Council	10,987	\$19,475,303
<i>Canandaigua</i>	Council-Manager	11,264	\$18,718,375
<i>Fulton</i>	Mayor-Council	11,855	\$25,730,788
<i>Ogdensburg</i>	Council-Manager	12,364	\$18,778,901
<i>Dunkirk</i>	Mayor-Council	13,131	\$22,104,746
<i>Oneonta</i>	Mayor-Council	13,292	\$22,663,563

<i>Municipality</i>	<i>Government Form</i>	<i>Population (2000 Census)</i>	<i>2008 Expenditures</i>
<i>Geneva</i>	Council-Manager	13,617	\$30,866,649
<i>Beacon</i>	Mayor-Council	13,808	\$24,382,279
<i>Glens Falls</i>	Mayor-Council	14,354	\$33,034,642
<i>Rye</i>	Council-Manager	14,955	\$44,725,064
<i>Olean</i>	Mayor-Council	15,347	\$21,992,690
<i>Gloversville</i>	Mayor-Council	15,413	\$19,096,257
<i>Cohoes</i>	Mayor-Council	15,521	\$23,210,257

There are basically three options facing the city regarding its commission form of government:

- 1) Leave the present Charter in place, but modernize it.
- 2) Consider a City Manager-Council form of government.
- 3) Consider a Mayor-Council form of government.

Whichever form of government Mechanicville elects to pursue, certain important principles will no doubt be considered:

1. **Democratic accountability.** Elected representatives must be accountable for the policies of the city on behalf of the citizens and taxpayers.
2. **Professional administration.** Whoever ends up with the day-to-day executive responsibilities should have the appropriate training, experience and qualifications.
3. **Political leadership.** An elected head of the council, whether the Mayor or some other title, will be responsible for setting the agenda, being a spokesperson for the city, and for leading other elected officials to agreements.
4. **Representation.** Should the council be elected city-wide or from smaller units? There are good arguments on both sides of this question.
5. **Citizen participation.** A new or revised Charter should provide for ample citizen participation in the decisions and forums of local government.

6. **Regional integration.** A new or revised Charter should provide flexibility for the city to embrace new opportunities for inter-municipal cooperation where economic efficiencies can result. Recognizing especially Mechanicville's small size, any changes in the form of government should be aimed at maintaining an open door to working with the city's neighbors.

The value of any change in Mechanicville's charter should be measured against the above criteria.

The next section will outline the basic framework attendant to each option, and how it would affect, if at all, the fiscal efficiency of services delivered by the city.

Modernize existing Charter.

This section will examine the option of retaining the existing form of government, while modernizing the Charter and streamlining the functions and organization of city government.

As indicated in the section "Opportunities for Consolidation and/or Shared Services," a great deal of fiscal benefit can be attained by reallocating the responsibility for various public safety functions: police patrols that could be consolidated with the County Sheriff, sharing fire and EMS services with the Town of Stillwater, and letting Saratoga County take over the dispatching function. Some of these would require amendments to the current Charter. The end result would be a significantly reduced city budget, smaller police and fire departments, and no less efficient or reliable dispatching.

Other service curtailments that would save expense in the city budget would include elimination of refuse collection, and letting CDTA take over the Senior Bus Service.

Inter-municipal service-sharing opportunities that could require a Charter amendment include conducting assessments jointly with the Town of Stillwater or the Town of Halfmoon, and sharing public works equipment with either or both towns.

Joining in the Saratoga County water system and decommissioning the city's current water supply assets would provide long term fiscal, safety and public health benefits. Charter amendments would be indicated by the city exiting the water supply business, performing only the billing function and possibly maintenance of the distribution system, all of which are provided for in the current Charter.

Additional options for streamlining or rationalizing city government are possible under the current form of government, albeit with amendments to the current Charter. Reallocation of responsibilities between the elected commissioners could be considered, such as consolidating the purchasing power in one office. Presently, significant administrative responsibility is in the

Accounts Commissioner's domain. Consideration may be given as to whether that should be increased or not.

Again, the principles of democracy, representation, leadership, professionalism, participation and regionalism should be considered. A significant imbalance of responsibilities between the Commissioners could be seen as recognizing professionalism on the one hand, or as a challenge to democratic accountability on the other hand. One example is the scope of the Public Safety Commissioner's responsibility, which have almost nothing to do with public safety per se, but with recreation and senior-care.

Finally, our interviews with current elected officials, and examination of the city's fiscal condition suggest that a more transparent, orderly and effective budgeting and financial control system could be devised in an amended Charter, to the city's long term benefit.

City Manager-Council Option

Over the course of the 20th Century, many cities of all sizes changed their form to provide for a professional, appointed City Manager with an elected City Council and Mayor.

Under this form, the elected city council retains appointment powers, including a professional manager to lead the executive branch of government and other department heads such as police and fire chiefs. The council may also reserve to itself appointment power for regulatory bodies such as the zoning and planning boards, assessment review, etc.

For Mechanicville, such a change would mean consolidating the Departments of Police, Fire, Public Works, Accounts and Finance under one executive manager. The elected City Council members would adopt ordinances, the budget, set tax rates and make policy for the executive to carry out.

An important question in crafting this form of government is how much power to leave with the City Council and how much to place with the appointed manager. A corollary question is how long the terms of office of the Council members should be and whether they should be staggered terms. The longer the term, and the more staggering, the more power will devolve to the manager, and the ability of the voters to "clean house" will be reduced. The National League of Cities, which strongly advocates for the professional manager form, recommends 4-year staggered terms for the City Council, "to avoid dramatic changes in council composition at each election." The NLC model also recommends at-large council seats, rather than districts, because "the at-large system has generally allowed citizens to choose council members best qualified to represent the interests of the city as a whole." This recommendation may be especially applicable to a small city such as Mechanicville.

The elected Mayor under this form takes on a role more like a legislative leader than an executive. The mayor can be expected to preside over the council, to be a policy and political leader, to be the intergovernmental representative for the city to outside communities, and to be a liaison between the manager and the council. The mayor can also be given appointment power for boards and commissions, with or without council approval.

In some cities, the council chooses the mayor from among its members. This form confirms the mayor as a legislative leader. It is recommended by NLC that a mayor chosen this way not be given unique voting status on the council or be allowed to encroach on the executive responsibilities of the manager.

The City Manager, under the NLC model, is chosen by a majority vote of the City Council for an indefinite term with fixed compensation. The manager is expected to be appointed on the basis of education and experience in “the accepted competencies and practices of local government management.” There being no licenses or certifications for such professionals, council members are expected to exercise their judgment as to qualifications.

Removal of the manager may also be accomplished by majority vote on a resolution of the council. The resolution would be served immediately upon the manager, who would then have fifteen days to reply in writing, after which a public hearing would be required. After the hearing, a final vote of the council would be taken, providing for removal. In the NLC model, the manager receives full salary pending the final resolution of removal.

While in office, the Manager would be empowered to appoint all full time city employees and administrators, pursuant to civil service or charter requirements, supervise and direct all departments, attend council meetings, make reports, provide staff support to the council, and perform other duties as may be required by the council.

A new Charter providing for this form would provide an opportunity for the drafters of the Charter to define and designate the departments of city government with a 21st century outlook. The present Charter dates from the 1915 to 1930s era, when the role and responsibilities of local government were vastly different than they are today, and when citizens’ expectations were different. As indicated in the assessment of existing services and savings opportunities above, a number of charter requirements appear outdated or require more expense than the city can reasonably be expected to bear going forward.

As indicated above, a change from the Commission form to a strong executive model requires due attention to the values of democratic accountability, professionalism, political leadership, representation, citizen participation and regional integration that make for a successful community of any size.

Another consideration for Mechanicville is whether the city can afford a full time executive, a qualified professional manager, within the constraints of its fiscal limitations.

Mayor-Council Options

The form of government known as Mayor-Council is based on the familiar American principles of “separation of powers” and “checks and balances.” Such principals are also present in the New York State and United States Constitutions. In such a form, the executive powers are granted to one office or branch of government, and the legislative and taxing powers are given to the legislative branch. There may be some interaction between the branches involving the approval of legislation, appointments by the executive subject to confirmation by the council. However, in general the legislative body establishes the policies, approves the ordinances adopts the budget and sets the tax rates, while the executive is charged with carrying out or “executing” the council’s laws and policies.

Proponents of the Mayor-Council form favor the clarity of purpose between each branch of government, and the similarity with other levels of government familiar to citizens at the state and national levels.

Proponents would also say that Mechanicville’s present Commissioner form distributes executive functions between multiple elected officials in a way that does not contribute to efficiency, while making the Commissioners legislators as well, which allows them to vote on each others’ affairs, budgets and personnel decisions.

If consideration is given to changing the form of government to Mayor-Council, those charged with drafting such a charter should consider a number of questions. There is no universal “right” answer to these questions, but there is probably a good answer for Mechanicville, if it decides to pursue this form.

1. What is the best balance of powers or authority between the Mayor and the Council? Should there be a complete separation, or should some powers be shared?
2. If a Mayor is the chief elected official, should a full time professional administrative officer be provided for under the Mayor? Doing so would add to the expense, but may increase executive effectiveness as well.

Analysis of the first question leads to discussion of whether it is more appropriate to have a “strong mayor” or a “weak mayor.” No matter how separate the powers are, the question is how much authority is given to the mayor to act alone, and how much requires city council assent. Across the U.S., both approaches exist and both have success stories to tell.

In the “strong mayor-CAO-council” model, sometimes including a Chief Administrative Officer, there are clearly defined powers for the executive, and clear separations from the council.

A middle course, a “mayor-council,” model provides for separation of powers, but with some shared authority between the mayor and the council. In some cases the shared power concerns appointments or other matters where the mayor must seek approval of the council.

A “weak mayor-council” model also exists. This is possibly the closest to Mechanicville’s present form. In the weak mayor model, other key offices are often elected separately from the mayor, but given substantial powers. Budgeting can be handled by a committee of the council separate from the mayor. Such a form was common in the late 19th century, but the reform movements of the early 20th century discarded it. The National League of Cities states, “Although it is based on the premise that extensive checks will prevent excessive concentration of power and direct election of many offices will promote democratic control, in practice many weak mayor cities functioned poorly and it was difficult to pin down who was responsible for problems in performance. It is difficult to estimate how many cities still use these approaches, but the proportion is fairly small,” i.e. less than 14% as of 2001.

The second question, whether a CAO should be provided for, may be relevant to Mechanicville’s outlook. Executive functions in Mechanicville are presently divided among the five elected officers, but not equally. Consolidation of executive functions, administered by a full time professional, could lead to clarity of purpose, greater efficiency, and long term savings. Capital expenses alone, divided as they are between Public Works and the Mayor for purchases of equipment, make coordinated planning more of a coincidence than a policy.

A professional administrator should be able to provide executive vision as well as directing the delivery of services. So long as the elected officials remain accountable for the administrator’s performance and results, the administrator should be responsive to the council’s needs and requirements, while assuring professional administrative leadership across all city departments and service units.

Again, as above, a new Charter providing for this form would provide an opportunity for the drafters of the Charter to define and designate the departments of city government with a 21st century outlook.

The National League of Cities recommends that “practices associated with traditional weak-mayor forms should be eliminated. These practices include direct election of department heads and commissions, appointment of administrative officials by commissions, having a body other than the mayor and council formulate the budget...and assigning other policy-making authority to commissions.” While Mechanicville does not suffer from a plethora of independent commissions, it does separately elect department heads (the Commissioners), a practice which the NLC recommends against.

CITY CHARTER TRENDS, U.S. AND NYS

While Mechanicville leaders must make the best decision for Mechanicville as to form of government, it is informative to consider the trends nationally and within New York State as other communities confront these issues.

Between 1984 and 2010, the number of cities with the Council-Manager form increased to 48.9% from 34.7% of the cities surveyed by the International City Manager Association. During the same period, those with the Mayor-Council form declined to 43.6% from 55.8%.

Commission forms, similar to what Mechanicville has now, declined from 2.7% in 1984 to 2% in 2010. The survey covered municipalities with populations of 2,500 or greater, of which there are about 30,000 nationwide. Generally, the prevalence of the council-manager form increased with the size of the cities surveyed.

In the population block where Mechanicville falls, 5,000 to 9,999, about 47% have the council-manager form, and 44% the mayor-council.

In New York State, among 25 cities of less than 15,500 population, 16 have the mayor-council form, 7 have council-manager, 1 (Mechanicville) has a commission form, and 1 has a mayor, a general manager and a council. Within the Capital Region, both Schenectady and Troy previously had city managers, but now have strong mayor forms.

OPPORTUNITIES AND TIMETABLE FOR CHANGE

A plethora of choices is before the city of Mechanicville. It can attempt to achieve some cost savings within the framework of the existing charter. It can amend the existing charter, retain the form of government, and proceed with certain service consolidations and curtailments. It can change the form of government to a Council-Manager form or to a Mayor-Council form, and use a strong executive with a legislative body to develop the efficiencies outlined here.

Based on interviews with existing officials, both elected and appointed, the City's most pressing structural need is to consolidate administrative functions. It is the consulting team's view that a City Manager, per se, may be unaffordable in Mechanicville's present fiscal situation.

Alternatively, a city administrative officer, accountable to a Mayor and City Council, could be established, rationalize administrative functions, be affordable, and be accountable to the elected officials of the city. In either case, a significant revision of the city charter is warranted.

There are three ways to revise a city charter outlined in the New York State Municipal Home Rule Law: by charter commission, by initiative and referendum, or by direct legislative action (i.e. by the existing City Council voting to amend the Charter). (Revising City Charters in New York State, Coon 2008)

Charter Commission Option

In 2010, the city established a Project Committee to review and supervise the work attendant to this report. The Committee is comprised of nine members representing a diverse cross-section of the community. The Committee began meeting during the late winter, and has continued to meet with the consultants and review the progress of this report.

There are a number of ways to establish a Charter Commission. The City Council could establish it by local law. The Council could also place on the ballot a question as to whether or not there shall be a charter commission, with the local law implementing the result taking effect upon approval by the voters. In either case, the local law would designate the number of members of the commission, and prescribe the manner of election or appointment of the commission members.

Alternatively, the Mayor can create a charter commission with at least nine and up to 15 local residents. The Mayor would name the chairman, vice chairman and secretary. One option that is available to the Mayor would be to reconstitute the Project Committee as a Charter Commission pursuant to Section 36 of the Municipal Home Rule Law.

A third means for creating a charter commission is via a voter initiative and referendum. Petitions would have to be collected with a minimum of 15 percent of the votes cast for Governor at the last gubernatorial election. The petition can provide for the establishment of a charter commission, or it may contain the legislation implementing a completely new charter. It may provide for the method of appointment or election of the commission members, and even include the names of specific persons to serve.

Once a commission is formed under Section 36, it reviews the entire existing charter and drafts a proposed new or revised charter. Once the new charter or amendments are decided upon, they are filed with the city clerk in time for submission to the voters at the next general election or special election. The proposal can be presented either as a whole package, or in parts which the voters may choose.

Initiative and Referendum Option

Under Section 37 of the Municipal Home Rule Law, a group within the city can gather signatures equal to 10% of the voters at the last gubernatorial election and with City Council acceptance place a charter proposal on the local ballot. The petition and proposed charter changes must be filed with the city clerk, who is required to determine the legal sufficiency of

the petition, subject to judicial review. Such a procedure is presently under way in Saratoga Springs.

If the proposed changes are not of a scope that requires a mandatory referendum, the city council may adopt them if it wishes. If the proposal requires a referendum, the council may submit it to the voters at the next general election.

If the council chooses not to accept the petition, the petitioners must secure an additional 5% of voters as signers, file again with the city clerk, and thereby require the proposal to be placed on the next general election ballot.

If the proposal receives a majority of the votes in the referendum, it is adopted and the new charter takes effect as provided in the proposal.

Direct Legislative Action by Council

The method of revising the charter by council action is provided in section 10 of the Municipal Home Rule Law. Although the option is not used frequently, it is possible for the council to take this path, and directly revise the charter without the time and effort of an independent Commission and referendum. In such a case, the council, in effect, becomes the charter commission and proceeds through its own committees to develop and draft amendments. Whatever changes are agreed upon may then be enacted by local law, subject to mandatory referendum (Municipal Home Rule Law Sections 23 and 24) (Coon).

Work Plan and Public Involvement

If the Mechanicville council and/or Mayor acted now to create a charter commission, the commission would not have enough time to place a measure on the ballot for November 2010 general election. Therefore, assuming a charter commission commenced its work some time before the end of 2010, it could follow roughly the following steps.

A sound work program for a commission would begin with one or more orientation and education sessions to acquaint members with the functions of city government, existing budget and organization, and examination of sample charters from other communities or national organizations.

Department heads would be interviewed and possibly other employees to provide information about current operations.

The commission could then review the existing charter to determine whether it is appropriate to the needs of the city, accurately and clearly describes the lines of authority and interdepartmental functions, whether it is internally consistent, and review any past charter revision efforts to determine why they succeeded or failed. As it deliberates, the commission should identify areas

of concern and reach conclusions before drafting begins. Once a draft charter is prepared and reviewed by the commission, it can be presented to the public.

An effective public education program of adequate duration is highly desirable in order to familiarize the public with the background and rationale for major charter changes. Failure to do this doomed the 2006 Charter proposal in Saratoga Springs, which was rejected by the voters.

Recommendation

The consulting team recommends the Mayor and/or council establish a Charter Commission by reconstituting the Project Committee, keeping it at nine members. This recommendation is based on the premise that a representative Commission, deliberating separately from the city council, can bring a worthwhile perspective to the structural and long term issues affecting the operations of city government, the question of consolidation or curtailment of certain services, inter-municipal cooperation, and other issues. The consulting team also suggests that the City apply for Local Government Efficiency (LGE) Grant Funds to implement these recommendations.

Timetable Considerations

Regardless of which route the city chooses to update or change its charter, it is recommended that ample time be allowed for study of the issues and for education of the public. A timetable for these efforts must allow for both deliberation by the commission and education of the community.

The consultants believe that, allowing sufficient time for deliberation and public involvement, the earliest a comprehensive charter proposal could be prepared for the ballot would be for the general election of 2011. That election coincides with the next election for Commissioner of Accounts, however. Changing the form of government, if that is the recommendation of the commission or council, at the same time that one of the current positions is being contested, could complicate the ballot and lead to potential confusion among the voters.

To avoid that outcome, it would be possible to hold a Special Election earlier in 2011. But a Special Election would have to be scheduled and the proposition settled upon well in advance of the state election calendar start of petitioning for the Accounts position (June). That consideration would push a Special Election back into the Spring (April or May). The council or commission would in turn have to have its work completed at least 60 days in advance of such a Special Election (February or March).

Another option would be to provide in any charter change for the fate of the Accounts Commissioner position in a transition phase. This could result in a shorter term, but still allow for the election of the position in November 2011.

Further legal review of this question would be advisable before a firm timetable is arrived at.

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We also want to thank the head of the Project Committee Jay Silverman who was instrumental in scheduling various meetings.

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APPENDIX LIST

- I. Website Links of State City Charters of Similar Size to Mechanicville
- II. 2010 Mechanicville City Budget
- III. Website Link for Revising City Charters in New York State – James A. Coon Local Government Technical Series
- IV. Sample Telephone Survey on Government in Mechanicville

APPENDIX I – Website Links of State City Charters of Similar Size to Mechanicville

Mechanicville	http://www.mechanicville.com/Government/citycode/citycode.htm
Sherrill	http://www.sherrillny.org/?q=node/3
Little Falls	http://www.cityoflittlefalls.net/
Salamanca	http://www.salmun.com/
Norwich	http://www.ecode360.com/?custId=NO0235
Hudson	http://www.ecode360.com/?custId=HU0410
Rensselaer	http://www.rensselaeronline.org/node/2
Johnstown	http://www.cityofjohnstown-ny.com/index.html
Port Jervis	http://www.ecode360.com/?custId=PO0478
Hornell	http://www.cityofhornell.com/index.htm
Watervliet	http://www.ecode360.com/?custId=WA1568
Corning	http://www.cityofcorning.com/
Onedia	http://ecode360.com/?custId=ON1850
Canandaigua	http://www.ecode360.com/?custId=CA2661
Fulton	http://cityoffulton.com/
Ogdensburg	http://www.ogdensburg.org/pdf/omc.pdf
Dunkirk	http://www.dunkirktoday.com/node/215
Oneonta	http://www.ecode360.com/?custId=ON1737
Geneva	http://www.ecode360.com/?custId=GE1846
Beacon	http://cityofbeacon.org/
Glens Falls	http://cityofglensfalls.com/
Rye	http://www.ecode360.com/?custId=RY0730
Olean	http://www.cityofolean.com/

APPENDIX I – Websites Links of State City Charters of Similar Size to Mechanicville (Continued)

Gloversville <http://www.cityofgloversville.com/index.cfm>

Cohoes <http://www.ecode360.com/?custId=CO0376>

APPENDIX II – 2010 Mechanicville City Budget

**APPENDIX III – Website Link for Revising City Charters in New
York State – James A. Coon Local Government
Technical Series**

<http://www.dos.state.ny.us/lgss/pdfs/citychrt.pdf>

APPENDIX IV – Sample Telephone Survey on Government in Mechanicville

2010–2011 CHARTER REVIEW COMMISSION SURVEY – TELEPHONE VERSION

1. Some people have followed local government more closely than others, while others have limited knowledge. How knowledgeable are you about Mechanicville’s current commission form of government, on a scale from 1 to 5, where 1 means “not at all knowledgeable” and 5 means “extremely knowledgeable”?

<u>Not at all</u>	<u>Moderately</u>	<u>Extremely</u>	<u>Not sure</u>
1	2	3	4
		5	8

2. Next, I’d like to rate the current form of government on a scale from 1 to 5, where 1 means “extremely poor” and 5 means “excellent.” How would you rate *our current commission form of city government* in terms of:

	<u>Extremely poor</u>	<u>Fair</u>	<u>Excellent</u>	<u>Not Sure</u>
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a. The accessibility of elected city officials for their actions	1	2	3	4	5	8
b. Accountability of city officials for their actions		1	2	3	4	5
c. Cost efficiency			1	2	3	4
d. Effectiveness in doing long-range planning				1	2	3
e. Effectiveness in dealing with neighboring governments					1	2
f. Adequacy of its checks and balances						1
g. Openness of the budget process to the public						1

3. Currently, the five City Council members act *both* legislators who make policy (analogous to the U.S. Congress) and administrators who run departments and implement policy (analogous to the President and the Cabinet). To what extent do you agree or disagree with the following—you can answer that you disagree strongly, disagree somewhat, agree somewhat, or agree strongly. To what extent do you agree or disagree that this commission form of government:

	Disagree Strongly	Disagree Somewhat	Undecided/ No opinion	Agree Somewhat	Agree Strongly
a. Works well in our city	1	2	3	4	5
b. Lacks proper separation of legislative and administrative powers	1	2	3	4	5
c. Aides cooperation among City Council members	1	2	3	4	5
d. Makes it difficult to find candidates qualified for both legislative and administrative roles	1	2	3	4	5

4. Using the same scale, to what extent do you agree or disagree with the following statements relevant to the charter of Mechanicville.

	Disagree Strongly	Disagree Somewhat	Undecided/ No opinion	Agree Somewhat	Agree Strongly
a. Our form of government “ain’t broke,” so let’s not “fix it.”	1	2	3	4	5
b. The city’s commission form of government has little to do with the city’s success or failure.	1	2	3	4	5
c. The city’s form of government is antiquated and should be changed to meet future challenges.	1	2	3	4	5
d. City Council members are accountable because they can be voted out of office if they don’t run their dept’s well.	1	2	3	4	5
e. The city’s department heads possess expertise in their fields.	1	2	3	4	5
f. There should be a larger body of City Council members (now 5) to develop policies and oversee government operations	1	2	3	4	5
g. The City Council should be expanded to include members elected by geographic districts and not just city-wide.	1	2	3	4	5

