

**COMMUNITY CONVERSATION ON THE  
BETHLEHEM TOWN GOVERNANCE MODERNIZATION PLAN**

Tuesday, May 24, 2011, St Stephen's Church, Delmar  
Cosponsored by the Bethlehem 2020 Advisory Committee  
and the League of Women Voters of Albany County

**SUMMARY OF THE COMMITTEE FINDINGS**

Welcome from Terri Egan co-chair

History of 2020 committee

Susan Hagar and John Clarkson summarized the Town Governance Modernization committee findings to be discussed tonight.

Question the committee tried to answer: What is the governance model that will foster efficient and effective management of town departments? What changes should be presented to voters for referendum?

What has been holding Bethlehem back?: Lack of political will for changing the governance structure to one that is more conducive to moving forward reforms that many in and out of town government think are advisable.

Term for the supervisor is 2 years; term for the Town Board members is 4 years.

Not enough time for the supervisor to identify and move forward on solutions.

Not enough time to develop inter-governmental partnerships and relationships.

Many towns across the state have moved to 4 year supervisors.

Elected town department heads: Clerk, Receiver of Taxes, Highway

12 departments, only 3 have elected heads; why? History; towns are no longer rural low population areas as in the past. In 1900 those town jobs were typically the only ones, and state law dictated that they would be filled by election. Hard to change tradition.

Why change? To vest full responsibility and accountability with the town board and the supervisor, not with independently elected people to whom people can turn directly. Current situation saps the power of the supervisor. Also, there could be savings and efficiencies in combining functions; can't combine the responsibilities of an elected and an appointed department head. Half of towns in NYS have already switched to an appointed tax receiver, and were able to mesh those functions with those of other departments; that's not as true for the other roles, clerk and highway supervisor.

Right now the supervisor has limited executive power to manage town operations; hamstrung. There is a need for stronger executive control.

Why change now? There must be a referendum to change state law; needs substantive lead time, so it's time to start the discussion. To have the flexibility for the future we need to start talking now. Many other towns have found efficiencies through change. Committee has found that our town supports this effort to pursue more efficient operations and consolidation (2009 random survey). The town board must act this year and the referendum must be presented to the public in 2011 to have changes take effect in 2014.

## **DISCUSSION [EACH DASH REPRESENTS A COMMENT FROM THE AUDIENCE]**

### **1. CHANGING THE TERM OF THE SUPERVISOR FROM 2 TO 4 YEARS**

- Difficult to focus just on that change in isolation from the issue of the appointment of currently elected department heads, since he would have more executive power for a longer period.
- Why is supervisor's term currently 2 and board 4? Ans: Law; about 33% of towns have changed that.
- Prior town referendum in '73 to change that that went down.
- Reminder that town board terms are staggered to ensure continuity.
- Two issues here: super has two functions – executive, and accountability to the electorate; while it's extremely important that we have continuity on the town board, there are good reasons that we have 2 yr supervisor.
- Should have appointed heads for all departments and civil service underneath (e.g. shouldn't have a civil service police chief).
- Difficult for a supervisor to cope with problems and to move things forward when always looking at re-election.
- If the supervisor has done a good job should have no trouble being re-elected; if incompetent 4 years is too long.
- If we go to 4 years, is there a recall option? Ans: Not easy, rare, equivalent to impeachment, no recall for town officials.
- Arguments on both sides for long or short term. Supervisors feel they are always running. Want to give a good supervisor time to operate. 6 years too much, 2 years too little, 4 years just right.
- Biggest concern: now, with staggered cycle majority of the board/supervisor is up for election every two years so gives the public a chance to really change things; a good thing.
- People shouldn't see the supervisors role as a career, but a way to give back to the town; if you make the position less complex, government less complex, reduce government, maybe more experience in position is not necessary.
- Wasn't the point of 2020 to save money? Ans: No – efficiencies and effectiveness. Have already been efficiencies achieved by town departments with no change in department heads election.
- Committee did come to the conclusion that a more powerful executive supervisor was necessary in these complex times, with a longer focus. While town supervisor isn't a mayor, would be good to move towards that type of executive power.

### **2. MOVING AWAY FROM ELECTED DEPARTMENT HEADS**

- Concerns: there are valid reasons for electing dept heads; political appointees can be incompetent cronies, corruption such as that at the state level could spread to the town level. Checks and balances should vest the voter with the power to prevent that. We need to see evidence that it will be financially advantageous to the town to move to appointees.
- Appointments are not meant to be political, meant to be professional; town board could confirm, there could be a skills review, background check. Voters will still elect the super and board that make these professional appointments.
- Of department heads currently elected, one dept has 60 employees; two of them have 3.
- As to which offices are elected, what we have now is purely dictated by history.

-It's been said that now we have four CEOs. Government is not a business. The town clerk should always be elected and independent from town board. Highway department should be accountable to the public (Albany cited as good argument for that). Police chief should not be civil service.

-In the tax and clerk jobs, there is no policy making; these are administrative functions; technology and records management skills are important and functions are or should be automated. Highway is a different story.

-Many town department have very complex requirements and regulatory framework. Most towns have an elected hwy dept head for this complex operation, but otherwise what we have is largely a product of history. If complexity of function is the litmus test for having an elected dept head, then two of the three we have don't make sense.

-What guarantees do we have that the new supervisor won't create upheaval by appointing new people every four years? Ans: That typically doesn't happen; while it could, historically it hasn't in this town. Once you're in the office and doing a good job it's not likely that you'll be replaced. Not like the state.

-Chaos would result if all dept heads were to be elected (Terri). This would not be a better more accountable town gov structure.

-We are lucky to have 3 excellent incumbents in the elected offices. Pretend they vacate and we have to find replacements. How do we want to do that? Political parties? Supervisor to put before town board? (John Sm) Let's get the best people to fill our positions. We could develop credentials and criteria.

-We the public need more detail about the general recommendations. Too vague. How would it work? What are the checks and balances?

-The citizens of Beth will not stand for these positions becoming appointed; would be taking freedom away from the people.

-Real efficiencies can be achieved by combining DPW and Hwy and if having appointees would allow that – good.

- See no advantage to having a mandate that prevents the town from achieving more effective government.

-Power of the supervisor to “nominate” only, not just appoint outright, is less scary.

-Town board will make determination of what the referendum includes, not the committee.

-You need really good people for a town to be successful. Will have a better structure if we move to this new structure, but need good people also.

### **3. REORGANIZING TOWN DEPARTMENT STRUCTURE/MANAGEMENT**

-Real efficiencies could be made in combining hwy and DPW, but they should be under one roof. Greg has done a lot already to share resources to save some money.

- Some positions could conceivably be combined, including some of them that are elected now; until that changes they can't be combined. It's typically been the case that if the receiver of taxes position becomes non-elected it is eliminated altogether. Right now our hands are tied.

-Speak to civil service vs not civil service? Report doesn't really take that on. We should be looking at all positions to see how we can best get the most qualified people into them. (Ans – That part of the study is underway; adopting report recommendations would clear the way and create the opportunity to do that).

-Whenever you change an elected official's duties you need to have a referendum.

-Sam: Came to supervisor job after serving on the town board and 40 years of working in large organization. Took him a long time to learn the job, big learning curve. Two years isn't long enough to learn the job, develop relationships and move reforms along. He doesn't run for office during the work day; he has to do that at night and on weekends.

-There's no reason why sharing and cost reduction can't go on now with the structure as it is.

-The conversations that take place here that foster ideas about other opportunities should spur a continued community dialogue.

-These elective positions involve money. Who is / will be making sure that checks are in place on their activities? Ans: St Comptroller, town controller, audit processes.

-If we change from elected to appointed, what's on the other side of that decision? What happens then? Ans: Committee has to cope with how much meat they should try to put on the bones and what should be left to the town board. Public can't make a decision based on this simple a recommendation.

-Where are we going from here? June 8<sup>th</sup> town board will have public forum after the meeting. Other public forums?