

SARATOGA COUNTY GOVERNMENT FUNDAMENTALS

BY

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BACKGROUND AND PURPOSE

Saratoga County Government is “big business”; it affects all the County’s residents and thousands of visitors. The 2009 budget for the County is approximately \$240 million derived mainly from property and sales taxes. The later 7% sales tax is particularly important given the County’s economic role as a tourist destination which has the effect of “exporting” some of the impact of the tax to visitors.

Services provided by Saratoga County impact us on a daily basis. For those who drive a motor vehicle, there is vehicle registration at a facility managed by the County even though it is a State registration requirement. County road construction and maintenance consume about 5% of the budget. The County Sheriff is active in patrolling these roads and others while managing the County prison, the major incarceration facility for the County and local criminal justice system. This service consumes about 14% of the budget. Health and economic assistance popularly know as “Medicaid” and “welfare” respectively consume about 40% of the County budget. These programs are integrally linked to federal and state mandates and funding sources. In short, if you live in or visit Saratoga County, its services are ubiquitous.

The purpose of this article is to provide a basic description and explanation of the governing and policy making institution of Saratoga County -- The Board of Supervisors. Local newspapers and other media outlets focus on the issues and Board participants for understandable “story” reasons; thus, the media assumes most readers have a grasp of the basic policy making aspects of the Board. In fact, however, participants and issues are interacting within a governmental structure and process that may be little understood by local readers. Hopefully this article will provide sufficient background descriptions and explanations to make the actions of the participants and mechanics of issues more understandable, discernable and “transparent” to local citizens.

LEGISLATURES vs. SUPERVISORS

In the State of New York, there are fifty-seven non New York City counties. Of these fifty-seven counties, seventeen, at the present time, have boards of supervisors; the remaining forty counties have legislatures. Saratoga County is one of the seventeen “supervisor systems.” Historically and constitutionally, this is the case due to a local option in State law based on a series of United States Supreme Court decisions in the 1960’s. Two cases dominate the reapportionment/ equal protection rulings that impact local government. The first case *Baker vs. Carr* establishes the “one man-one vote”

rule. A subsequent case of *Reynolds vs. Simms* dictates that all state and local governments must also abide by the “one man-one vote” rule.

Prior to intervention by the U.S. Supreme Court, town supervisors in New York State participated in county government on a “**one town-one vote**” rather than on a “**one man-one vote**” basis. This meant that each town supervisor, regardless of population, had the same voting impact on the county board. In the interim, forty (70%) of New York’s fifty-seven counties have chosen by county referendum to embrace the “legislative system”; Saratoga County has stayed with the seventeen (30%) counties utilizing the “supervisor system.”

THE BOARD OF SUPERVISORS

The Board of Supervisors is the governing and policy making body of Saratoga County. But why is it called a Board of Supervisors and not a County Legislature? The reason is that the twenty-three Saratoga County Supervisors are not elected directly by the voters from single member districts as are U.S. Federal and state legislators. Instead they are town supervisors elected by the town voters who **first** have municipal responsibilities; **second**, these **same** town supervisors go to Ballston Spa to be representatives on the Saratoga County Board of Supervisors. Consequently, the same supervisor wears “**two hats**” -- Town Supervisor and County Board Supervisor. In essence, when voters vote for a town supervisor, they are voting for **one person to fill two offices** -- one at the town level and one at the county level. This “two hat” supervisor model is the dominant format for the Saratoga County Board of Supervisors; but there are some important variations to this model.

The Saratoga Springs model has **two** supervisors directly elected by the voters; these supervisors wear “one hat” **only** and have only County Board duties. Mechanicville follows the Saratoga Springs model with a supervisor directly elected by the voters but sends only **one** supervisor to the County Board. Clifton Park has a “mixed model” consisting of two supervisors. **One** supervisor wears “two hats” with municipal and county duties but **another** supervisor wears “one hat” with only County Board duties. Regardless of the number of hats they wear, the two supervisors from Saratoga Springs and Clifton Park split equally the number of weighted votes for the municipality they represent.

“Two hat” supervisors are paid by both the municipality **and** the County; “one hat” supervisors are paid only by the County. All supervisors are paid a minimum of \$15,908 (Chair \$26,648) by the County. Terms of office are two years except for supervisors from Edinburg, Providence and Galway which are four years. Terms of office are a local prerogative, with the town supervisor term carrying over to the county supervisor term. Table I illustrates the participating municipalities, the names of the most recently elected supervisors, their “hat” designation, partisan affiliation and weighted votes.

TABLE I: SUPERVISOR CHARACTERISTICS
Arrayed by weighted votes

Municipality	Supervisor	Partisan I.D	# of "hats"	Weighted votes
1. Clifton Park	Philip C. Barrett	Republican	two	16,555
2. Clifton Park	Anita Daley	Republican	one	16,555
3. Saratoga Springs	Mathew E. Veitch	Republican	one	13,093
4. Saratoga Springs	Joanne Dittes Yepson	Democrat	one	13,093
5. Halfmoon	Melinda Wormuth	Republican	two	18,359
6. Milton	Frank Thompson	Republican	two	17,103
				Sub-total 94,758
7. Moreau	Preston L. Jenkins, Jr.	Democrat	two	13,549
8. Malta	Paul Sausville	Republican	two	13,005
9. Wilton (Chair)	Arthur J. Johnson	Republican	two	12,541
10. Ballston (T)	Patricia Southworth	Democrat	two	8,729
11. Waterford (T)	John Lawler	Republican	two	8,515
12. Stillwater	Shawn P. Connelly	Republican	two	7,522
13. Greenfield	Richard Rowland	Republican	two	7,362
14. Corinth	Richard Lucia	Republican	two	6,259
15. Saratoga (T).	Thomas N. Wood III	Republican	two	5,114
16. Mechanicville	Thomas Richardson	Democrat	one	5,019
17. Northumberland	Willard H. Peck	Republican	two	4,603
18. Charlton	Allan Grattidge	Republican	two	3,954
19. Galway (4 yrs.)	George J. Hargrave	Republican	two	3,569
20. Hadley	Arthur M. Wright	Republican	two	1,971
21. Providence (4 yrs.)	Richard C Hunter Sr.	Democrat	two	1,841
22. Edinburg (4yrs.)	Jean Raymond	Republican	two	1,384
23. Day	Mary Ann Johnson	Republican	two	920
				Total 200,635

1. (T) denotes the Town thereof not a Village or City; (4 yrs.) denotes a 4 year term
2. Majority vote requires 100,318 votes
3. Two-thirds vote requires 133,757 votes; resolutions affecting a single town when offered by the Supervisor of that town require the two-thirds majority
4. Total weighted votes based on 2,000 census with latest adjustments made in April 19, 2005
5. The best guide to Saratoga County and municipal officials is "OFFICIAL COUNTY, TOWN, VILLAGE & CITY OFFICERS' DIRECTORY 2007; SARATOGA COUNTY NEW YORK.
 - a. An updated guide is issued in the spring of each year.
 - b. Guide can be obtained from Clerk of the Board at 40 McMaster St., Ballston Spa, NY, 12020
 - c. For Clerk of the Board's office, Phone 518-885-2240 or e/mail sarckbd1@govt.co.saratoga.ny.us

WEIGHTED VOTING

Weighted voting has nothing to do with the body size of the county supervisors. But it has a lot to do with the “clout” each supervisor wields on the County Board. When the U.S. Supreme Court required state and local governing bodies to be equalized by population, it did not dictate the structure of that equalization. So Saratoga County kept the previous county supervisor system and assigned voting power equal to the population of the town represented by its supervisor. Numerically there are about 200,000 people **and** supervisor votes on Saratoga County Board; at the two extremes, the Town of Day has 920 votes and Clifton Park has about 33,000 votes. They are called “weighted” votes because the voting supervisor carries the “weight” of the population in his/her municipality as opposed to representing a voting district of roughly equal populations as is the case in legislative systems. The “supervisor system” retains existing municipal boundaries and the integrity of the “one man-one vote” rule by weighting the votes of **each** county board supervisor.

Given the recent changes in the partisan composition of Saratoga Springs, what is the impact on the County Board of Supervisors? Will the five Democrats presently on the Board impact the Republican dominance? Unlikely. Even if the five Democrats hold together as a firm block, they can muster only 42,231 votes. This number has little impact on the simple or two-thirds numerical majority needed to pass Board resolutions. What is more interesting is the numerical line-up between Clifton Park and Saratoga Springs and the other larger towns. Together, Clifton Park and Saratoga Springs muster almost 60,000 votes; with Halfmoon and Milton, the number becomes 94,758 (see Table I for this subtotal). At this point, a host of smaller towns can push the number over the necessary 100,318. In other words, the four largest municipalities (“big bergs”) in Saratoga County almost numerically control the County Board of Supervisors; ironically a Democratic vote from either Moreau or Ballston (T) would complete the hegemony of the “big bergs.” Since both of these towns elected Democratic supervisors in 2007, the end result is that if Moreau joined the “big bergs” to create a numerical majority, two of the seven supervisor votes would be Democrats; if Ballston (T) rather than Moreau were to join the “big bergs”, four of the seven voters would be women ---- two Democrats and two Republicans. However, due to the quorum rules, no numerical majority can pass resolutions without at least twelve municipalities present.

BOARD COMMITTEES

If weighted votes are the muscles of the Saratoga County Board, then the Board committees and their committee chairs are the nervous system. As in other legislative bodies, issues (resolutions at the local level; bills at the state level) do not make it to the floor without prior and sometimes significant committee perusal and work. Unlike the full board, however, committee member votes are not weighted (one town-one vote). The effect is that small towns have a disproportionate weight in committee discussion and voting.

Committees are where the issues are processed, negotiated and then translated into formal resolutions. Want to watch an issue develop; attend committee meetings because by the time an issue gets to the full Board it is usually ready for voting not negotiation. At present there are 12 permanent Board

Committees with seven members on each committee. The Chair of the Board is an ex-officio member of all committees. The duties of the committees are specified in the Rules of the Board.

One committee deserves special mention: Law and Finance. This Committee is the “traffic cop” for the full Board; as such, this committee meets the week before the full Board meeting and develops and presents the agenda for the Board meeting the following week. In addition, the Chair of the Law and Finance Committee is the Vice Chair of the Board and traditionally succeeds to the Chair of the Board the following year. Following is a list of the permanent committees and their chairs.

TABLE II: STANDING BOARD COMMITTEES AND CHAIRS

1. Buildings and Grounds: Frank Thompson (Milton)
2. Economic Development: Anita Daley (Clifton Park)
3. Equalization and Assessment: Mary Ann Johnson (Day)
4. Law and Finance: Willard Peck (Northumberland)
5. Legislative & Research: Richard Rowland (Greenfield)
6. Public Health: Richard Lucia (Corinth)
7. Public Safety: Mindy Wormuth (Halfmoon)
8. Public Works: Alan Grattidge (Charlton)
9. Personnel: Thomas Wood (Corinth)
10. Racing: Mathew Veith (Saratoga (C))
11. Social Programs: Paul Sausville (Malta)
12. Veterans: Phillip Barrett (Clifton Park)

Note: For a Committee Meeting Schedule and Rules of the Board for 2006, contact Barbara J Plummer, Clerk of the Board at 518-885-2240: email; sarckbd1@govt.co.saratoga.ny.us

If committees are the Board’s nervous system, then the committee chairs are the Board’s synaptic connections. Committee chairs are not just leaders by designation of the Board Chairman (Arthur Johnson of Wilton for the 2009 session) but they also control the committee agenda. Control of the agenda is tantamount to controlling the work flow of a committee. There is no formal or apparent “seniority” system for choosing committee chairs but, the Saratoga County Republican Caucus undoubtedly plays a key role in the selection process.

An interesting feature of the Board is the choice of Chairman. As in other legislative bodies, the formal choice of a leader is by a majority vote of the members. But for the Saratoga Board, there are two informal conventions. The first was previously mentioned and involves the expectation that the Chair of the Law and Finance Committee and the Vice-Chair of the Board will move up to the Board Chair. The second is an annual “rotation” expectation for the Board Chair. This convention assures that one person or a small cabal does not dominate the leadership of the Board. As a result, the Chair of the Board rotates annually among the Republican majority members of the Board.

BOARD PROCEDURES

The quorum rules for the Saratoga County Board of Supervisors are different than other county legislative systems. In legislative systems, a quorum usually constitutes a majority of elected members with passage of legislation requiring the same number. For the Saratoga Board, there is a two factor quorum with weighted votes interacting with the number of municipalities. Specifically, a quorum is at least twelve members representing over one-half of the Board's total weighted votes. Passage of resolutions is, as previously mentioned, a majority of the Board's weighted votes of 100,318 -- the same number necessary for a quorum. Based on the numbers in Table I, it is very difficult for the small municipalities to assemble a quorum without a "big berg." Numerically, sixteen smaller towns could meet but still not constitute a quorum without adding one of the "big bergs." Likewise, seven of the "big bergs" could assemble with sufficient weighted votes for a quorum but then they would need to round up five additional small municipalities to do business. Interestingly, Consistent with committee voting procedures, committee quorums do not have weighted vote requirements; thus a quorum is a simple majority of the committee members.

Other procedural rules are more conventional:

1. The Board convenes at 4:00 PM on the third Tuesday of every month except February which is the fourth Tuesday.
2. Persons wishing to address the Board must notify the clerk 24 hours in advance; but a weighted majority vote waives this requirement.
3. Persons may address committees with the same 24 hour notice but again this requirement may be waived by the Chair of the Committee.
4. Statements of persons addressing the Board and debate time for members of the Board are limited to five minutes with time extensions for each available.
5. All resolutions to the Board shall be in writing and include the name of the sponsoring member(s).

CONCLUSION

Compared to single member legislatures with single member electoral districts, county boards of supervisors with weighted voting are complex systems. Of New York State's fifty seven non New York City counties, seventeen (30%) including Saratoga County are "supervisor systems." The purpose of this paper is to try to describe and explain the Saratoga County Supervisor System with the hope that a better understanding of the Board's structure and processes will encourage a higher degree of awareness and participation by Saratoga County citizens.