

Minutes of the Charter Revision Commission March 12, 2008

Present: Chairman Ernie Petkovich, Dr. Douglas Viets, Rodney Dillman, Bobbie Kling, Elaine O'Brien, Thomas J. Sheridan, Jr., and Eric Remington. **Absent:** John P. Murphy

Mr. Petkovich opened the meeting at 7:00 p.m. in the Town Hall conference room.

Citizen Input: None

Minutes: Dr. Viets made a motion to accept the Minutes of February 27, 2008. Elaine O'Brien made an amendment to the Minutes on Page 3 she stated that she wanted to add in the words that she stated "we shouldn't give credence to those who are the loudest." The motion with amendment was seconded by Bobbie Kling. The motion and amendment was passed with all voting in favor and Eric Remington abstaining.

Old Business:

There were 4 action items which have all been completed. (update the tracking log, handout for the public hearing, publish the legal notice and hold the first public hearing). The town attorney will attend the Commission's next meeting to suggest any changes he has.

Reschedule of May 14th meeting. This is the same date of the annual town budget meeting. Bobbie Kling made a motion, seconded by Eric Remington to reschedule the Charter Revision Commission's May meeting to May 21, 2008. The motion was approved by unanimous vote.

New Business:

Item #C1 on page 5 of the Charge which has to do with changing the form of Government was changed to "Review". The Suffield Observer contacted Ernie who gave them the public hearing "handout" stating this is what the Commission is doing.

The First Selectman wanted the budget submitted as soon as possible. Ernie responded and said it will only be an estimate by the Commission to submit a budget at this point. Costs for the Commission's secretary and the use of an outside Attorney is still unknown.

Rod Dillman said the going rate for an attorney that we would want to take a look at this will be \$400-\$500 per hour. So he felt \$20,000 to \$30,000 would be in the ball park.

Following discussion, it was determined that Ernie Petkovich would submit a budget request for \$12,500 comprised of \$10,000 for outside attorney fees, and \$2,500 for the recording secretary. Additionally, the Board of Selectmen will have to budget for legal notices, possible mailing of information and the possibility of holding a special referendum for the proposed Charter revisions.

Review of Public Hearing of March 11th: There were only 4 residents who attended, who all supported a change to the form of government.

Bobbie Kling said that the language regarding alternates of the Board of Finance does need to be cleared up.

Doug Viets said the issue regarding the election of officers and if there will be a balance was interesting point. We should have a standard policy on how all the Boards and Commission function.

Elaine O'Brien said she is never clear on when the Charter section comes first and when the State Statutes comes first. Rod Dillman said it is limited. In Zoning and Election issues the Statute takes priority but almost everything else you can (unless it's a constitutional issue) override locally. Rod Dillman said that Attorney McAnaney can give clarification on this.

Eric Remington felt that a "one size fits all" may not apply to all Boards and Commissions because some operate very differently than others. He felt we should look at this, but is not sure the commission should suggest that all Boards and Commissions should follow the same set of rules.

Doug Viets added that we should at least have a base-line standard. Right now we wouldn't be able to find on most Boards or Commission a definition on when the alternate is going to be appointed, etc.

Eric Remington asked if we even need them. The Board of Ed seems to function fine without alternates and it is an extended board. Doug Viets said this is something we should have discussion on.

Ernie Petkovich said he added more items to the Tracking Log, based on the discussion tonight. Anything that is added will be on a single sheet of paper.

Ernie Petkovich mentioned the issues brought up from the Public Hearing. The two issues with a common theme were regarding the Town Manager form of government and the issue regarding the confusion of alternates on the Board of Finance. Also Mr. Watras brought up his opinion regarding appointed v. elected people.

The discussion followed on how the Commission will proceed. Rod Dillman said we don't want to commit anybody to anything in perpetuity in these preliminary meetings, but what we do want to do is to move things to a short list for further consideration. If there are other issues that we may all agree that we don't want to consider, then it should be moved to a "deferred" list. We should have two lists, a deferred list which means unless it is brought up again in the future, we are done with that issue. The other would

be a short list stating that the Commission wants to consider that issue again in the future. Ernie suggested even a third list that states, the Commission is not going to tackle an issue. Rod said do a technical correction list, a short list and a deferred list.

Ernie said there are some items will require a lot of work by the Commission. For example, the form of government. The Commission should start working on the bigger issues and start gathering information.

Doug Viets said it would be helpful to get one or two examples of different types of government to get a general idea of those types of government. The Town of Granby which has a Town Manager form of government was recommended to be looked at. The difference between a Town Manager or Town Administrator was discussed. Elaine O'Brien said a Town Manager is the CEO of the Town and runs the day to day operations, while a Town Administrator does more of the administrative work and would report to a Board of Selectmen. Eric Remington said the Town Council is the legislative body of the Town. Bobbie Kling you could have a town Administrator that reports to a Board of Selectmen and still keep Town Meetings as we now have.

Elaine O'Brien said that Simsbury has a First Selectman and Board of Selectmen and a position that is called a Director of Administrative Services. This started out as an Assistant to the First Selectman. He takes care of everything that a Town Administrator would do, and reports to the First Selectman, not the Board of Selectmen. Windsor Locks is a three member Board of Selectmen. Columbia is a Town Administrator form of Government.

Eric Remington suggested that each member study a different Town Charter with a different form of government. Eric Remington said we should also study the East Granby Charter which was actually rejected. Bobbie Kling and Tom Sheridan will study Granby. Elaine O'Brien and Doug Viets would review Simsbury, Eric Remington will take East Granby, Rod Dillman and John Murphy will review Columbia. Ernie will review Windsor Locks.

The Commission then reviewed the list of possible changes to the Charter as drafted by Rod Dillman dated February 27, 2008. The Commission discussed each item on the tracking Log.

1. Section 201 change to "biennial town election". Rod Dillman made a motion, seconded by Doug Viets to move this to the technical list. Approved.
2. Section 203 there is a general statute which covers the Board of Selectmen which is separate from CGS Sec. 9-167a. The Board of Selectmen is a different minority representation rule. Rod Dillman made a motion that this is placed on the deferred list. Approved.
3. Section 204. Rod Dillman asked if we should consider unaffiliated persons which are more than any political party in this Town. Ernie said there is nothing in the

Town's Charter or State Statute that states we have to fill a vacancy on an appointed Board of Commission with the same political party. Doug Viets and Tom Sheridan felt this is an issue not worth fighting over, and should leave it the way it is in the Charter for the time. Doug Viets, made a motion, seconded by Eric Remington, to move this issue to the "N-Rec" (Not recommended) list. Motion passed with 6 in favor and Elaine O'Brien voting opposed.

4. Sec.206. Rod Dillman said people approached him regarding adding another voting district for West Suffield. Confusion regarding what this section means. Is it having district representation or the addition of another polling place? Rod Dillman said he is not in favor of Enfield's type of government and is not in favor of multiple wards. Rod Dillman made a motion, seconded by Eric Remington to move this to the N-Rec. list. Approved.
5. Sec. 301. Robert Rules of Order would be the standard rules unless a board or commission affirmatively elects to adopt a different system. Rod Dillman moved, seconded by Eric Remington to move to the Technical corrections list. Approved.
6. Sec. 301(C) Executive Session. No minutes are filed. Rod Dillman moved, seconded by Doug Viets, to place this on the N-Rec list. Approved.
7. Sec. 302(A) Should the term of the First Selectman be 4 years. Rod Dillman said he would not have run if the terms of the Selectmen were more than 2 years. Professionally he could not commit to that much time. However people feels 2 years lack continuity because every two years new people come on without any knowledge of what the prior Selectmen have done. Two Selectmen with 2 year terms and 2 with 4 year terms were discussed. This way it gives the Board some continuity. Staggered terms of the Selectmen were also discussed. Rod Dillman made a motion, seconded by Doug Viets to place this on the "Short List." Approved.
8. Section 302 B, C, D. Appointments versus election of Treasurer, Town Clerk & Tax Collector. Elaine O'Brien asked if she should leave the room. The consensus from the Commission was that she stay. Rod Dillman felt the Tax Collector should be an appointed position. It's not a controversial position. Bobbi Kling said felt if this position is appointed, there is loyalty and a bond created and they would feel responsible to whomever appointed them. If you are elected, you are responsible to the voters. She also felt these positions are checks and balances for the government. Doug Viets asked how this became a Charge from the Selectmen? Was there a complaint or problem with these positions elected? Eric Remington said this topic has been before all the Charter Revision Commissions that he had been on and there was never a good reason to do it. Unless the form of Government is changed to a Town Manager, with all reporting to that person, that may be the time to change these elected positions to appointed positions. Doug

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10. Rod Dillman moved, Eric Remington seconded, that the Tax Collector go on the N-Rec. list. Approved. Rod Dillman moved, seconded by Doug Viets that the Town Treasurer go on the N-Rec. list. Approved.

11. Should the Board of Finance be merged into the Board of Selectmen and have a single legislative body approving the budget and governing the Town? Bobbi Kling said the Board of Finance should be separate. Rod Dillman said he has heard that the Board of Selectmen gets frustrated because they want to do something and can't if the Board of Finance doesn't approve. Doug Viets said if the Selectmen set the policy, but the Board of Finance doesn't give the money to implement that policy, in essence, the Board of Finance is setting policy. Whoever controls the purse strings is actually the one who determines what is going to happen in Town. Doug Viets said he knows of several towns that have the same Board who makes policy is also deciding where the money is going to be spent, so when you elect someone, voters know that they are electing them to set policy and spend the money. Ernie Petkovich said they will pick up with this discussion at the next meeting.

The next meeting will spend time on going over the Charters from the other Towns and focusing on the Town Administrator/Manager vs. Selectmen form of Government.

The meeting adjourned at 9:30 p.m.

Transcribed from tape recording
Christine Koren, Recording Secretary