

Minutes of the Charter Revision Commission May 21, 2008

Present: Chairman Ernie Petkovich, Rodney Dillman, Bobbie Kling, Elaine O'Brien, Thomas J. Sheridan, Jr., Eric Remington and John P. Murphy. **Absent:** Dr. Douglas Viets
Mr. Petkovich opened the meeting at 7:00 p.m. in the Town Hall conference room.

Citizen's Comments:

Charles Watras, 32 Wendover Road. Mr. Watras believes that Suffield would be well served by separating the political aspects and the administrative aspects. He commented on the Annual Town Budget Meeting process and felt that the three separate entities consisting of the Board of Selectmen, Education and Finance, could do a better job of collaborating on the town budget by all working together. These Boards all work towards the benefit of the town, but they do not share the same vision on how to get there. He asked the CRC to look at anything they can do during the budget review process, that would help these three Boards to meet and discuss the major issues facing the Town, and to how to reach the necessary goals. He also brought up the fact that there were only approximately 130 votes to pass a 50 million dollar budget. He hoped the CRC could come up with some other remedy that would encourage greater citizen participation in the budget process. Many municipalities go directly to a referendum on the budget, which he was personally in favor of. Another change he asked the CRC to consider was that many people didn't vote at the budget meeting because they felt intimidated by the process of either standing up to vote or yelling out their vote. Therefore, he suggested a better way to handle this.

Mr. Petkovich said the first three items that Mr. Watras spoke of are already on the CRC's plate to be considered.

Elaine O'Brien followed the Towns that automatically go to a Referendum on the budget i.e., Farmington, Avon, Simsbury and also Somers. Also there is a process for giving out paper ballots out at a Town Meeting and it was her intention to do that, but no one requested a paper ballot.

Mr. Petkovich added one additional item #84 which will be called "Voting at Town Meeting" to pick up on this discussion later.

Minutes: Mrs. Kling made a motion, seconded by Eric Remington to accept the Minutes of April 9, 2008. The motion was passed by unanimous vote.

Old Business: Review of Action Items:

There is only one current action item which is communications. At this point, the Suffield Observer is the best vehicle to provide communication. An article regarding

appointment vs. elections of Tax Collector and Town Clerk can be done since the Commission has addressed this issue.

Review of other Town Charters:

(Granby Town Charter)

This is a First Selectman and Board of Selectmen form which have legislative authority and the Town Manager has the executive and administrative authority. With the powers vested in the Town Manager, he acts as the CEO of the Town. This is different from Columbia's form of government.

Columbia's Charter has a First Selectman and four additional Selectmen and they have a Town Administrator that is appointed by the Board of Selectmen. The First Selectman is still the Chief Executive Officer of the Town, and the Town Administrator is the Chief Administrator Officer of the Town. The Town Administrator reports to the First Selectman and the Board of Selectmen and the functions of the Town Administrator are determined by the Board of Selectmen. There is a division of Executive v. Administrative powers of the Town Administrator.

Bob Skinner who is the Town Administrator for the Town of Columbia, does the day to day operations, minimal amount of work with the politics, but a lot of consistency in the job. Mr. Murphy discussed with Mr. Skinner the difference between an Administrator and a Town Manager. The First Selectman sets all the policies and executive decisions, but the Administrator gets to sit in on all the meetings, so that is where the consistency comes in.

When you have a Town Manager form of government, the tendency is no full time First Selectman. However, when you have an Administrator, the tendency is a full time First Selectman. It was discussed to possibly redefine the jobs of the Human Resource Director and the Economic Development Director and merge those positions into a Town Administrator, which would be a more gradual transition.

Bob Skinner is hired under a three year contract. They can terminate him by a super majority of the Board of Selectmen (4 out of 5). Mr. Skinner is on his second three year term. If one of the arguments for an Administrator is consistency and stability, and there is turn over every 2 years, that would then defeat the purpose of continuity.

Mr. Petkovich felt that the key to making it work is the duties of an Administrator needs to be spelled out clearly in the Charter and in some cases, we currently do not have clear lines of authority. For example, the Parks & Recreation Director, does she work for Parks & Recreation Commission or the First Selectman?

The Commission continued to discuss the differences of the Town Administrator and Town Manager form of Government, by comparing the Town of Granby and Columbia Charters.

The Commission then reviewed the Simsbury Charter. They have a First Selectman, Board of Selectmen form. The First Selectman is the full time person. The First Selectman serves as the Chief Executive and Chief Administrative Officer. They also have a Director of Administrative Services and that position started as an Assistant to the First Selectman who does a lot of administrative work. This position serves the First Selectman and does the budget, etc. Also, this position isn't even in their Charter. So, this is just an employee staff position that they budgeted for and got approved. The First Selectman is the personnel director and the Board of Selectmen has a "personnel committee" for hiring and firing. The Town Clerk/Tax Collector positions are appointed and not elected. In Simsbury Charter, the First Selectman can perform the duties of any other administrative person if they are qualified to do so. They also have an automatic budget referendum and the Board of Selectmen serves both as the legislative body and executive body. The Commission examined the Charter in further detail.

In the Granby Charter, it states that Board of Selectmen cannot add duties to the Town Manager that are not specified by Charter. This is why it is important that the duties are outlined specifically in the Charter.

It was suggested that the Commission discuss the form of government we currently have, examine what works about it and what doesn't, and understand what may be broken in our system first. Before a change in government is considered, there must be something wrong with the system we currently have.

East Granby's Charter was then reviewed. Basically it is a Town Manager form of government which Charter was rejected at referendum overwhelmingly. However, it was similar to the Granby Charter. There is a Town Administrator, but actually it is a Town Manager form of Government, as all the powers is vested in this Town Administrator. You have an elected First Selectman who doesn't have much power and no administrative duties according to the Charter.

It was suggested to have a brain-storming session where the CRC talks about the strengths and weaknesses of the current form of government we have, and from that, we can decide how to fix those things.

There being no further business, the meeting adjourned at 8:45 p.m.

June 11, 2008

Present: Chairman Ernie Petkovich, Rodney Dillman, Elaine O'Brien, Douglas Viets Thomas J. Sheridan, Jr. and recording secretary, Chris Koren. **Absent:** Bobbie Kling, Eric Remington and John P. Murphy. Mr. Petkovich called the meeting to order at 7:00 p.m. in the Town Hall conference room.

Citizen's Commnet: None

Minutes:

Mr. Dillman stated that the level detail in the Minutes of May 21st was beyond what the Commission agreed they wanted the Minutes to reflect. The issue wasn't with the accuracy of the minutes but rather the "format". Mr. Sheridan felt, however, that it is better to have more information in the Minutes than not enough. Mr. Viets suggested trying to revise the Minutes to reflect only general topics and not quoting individuals and vote at the next meeting. After much discussion, Mr. Petkovich said he will meet with Chris Koren tomorrow and discuss revising the Minutes.

Old Business:

Elaine O'Brien was going to work on an Organizational Chart of the town. Mr. Petkovich was looking for layout that showed who is appointed vs. elected people. Ms. O'Brien said she will have it for the next meeting.

New Business:

During the last Charter Change, Section 1009 is a new section. The intent of this section was that any item that would be presented at a town meeting could go to Referendum as long as the issue went to a town meeting first and was decided upon. Under the old Charter and under State Statutes, the Board of Selectmen could take any item and put the issue to a Referendum without a vote at a Town Meeting. There was much discussion on how a referendum would be called. Mr. Petkovich will add an item for Section 1009 having to do with calling Referendum from a positive or negative vote at a Town Meeting. Currently, the Town's Bond Counsel is saying that a negative vote cannot be sent to a Referendum. Number #85 will be one allowing for a Referendum regardless of the vote at a Town Meeting and #86 will be the standardization of the number of days within a Referendum being called after a Town Meeting.

Old Business:

Discussion on what is working with the current form of government and what is not working was previously discussed. The three topics were: (1) The town doesn't need a Town Administrator, but rather just to redefine the role of the Finance Director; (2) the Town needs a very strong Town Manager form of Government and give that person the Chief Executive Powers and (3) or a Town Administrator that the First Selectman remain as the Chief Executive Officer, but assigns the day to day operating powers to a Town Administrator.

Mr. Viets made a motion, seconded by Mr. Dillman to table discussion on this until the July meeting. The motion was approved by unanimous vote.

The Commission then moved onto the Tracking Log.

#11 – Section 302(a) Should the Board of Finance be merged into the Board of Selectmen. The Commission felt this suggestion might be too controversial and the commission would need to decide on what their recommendation would be for changing the present form of government. Mr. Dillman suggested not getting into this issue and just deal with the technical corrections since most of the members were absent.

#302 A-K are all addressing whether elected positions should be appointed positions.

#12 302(G) Board of Tax Review be appointed or elected. Also, there needs to be a Charter change to re-name to Board of Assessment Appeals. State Statute changed the name. Mr. Viets made a motion, seconded by Mr. Dillman to make this a Technical Correction changing the name to Board of Assessment Appeals. The motion was approved by unanimous vote.

#13a 302(H) Should the Police Commission be appointed? Mr. Sheridan made a motion, seconded by Mr. Viets to place this not recommended list. The motion was approved by unanimous vote.

#13b 302(H) #14b 302(I) Should the number of members be changed from 6 to 5. Mr. Dillman made a motion to authorize Mr. Petkovich to discuss this with the Police and Fire Commissions chairmen for input if this change in the number of members is an issue. The motion was approved by unanimous vote.

14a 302 (I) Should the Fire Commission be appointed. Mr. Sheridan made a motion, seconded by Mr. Viets to move this to the Not Recommended list. The motion was approved by unanimous vote.

#15 302(K) Should the Water Pollution Control Authority be appointed? What does the Bond Counsel say about the WPCA ability to Bond and is the WPCA budget separate or is it part of the town's budget. What rule is being used to determine that? Is it a Statute? Ms. O'Brien will ask the Bond Counsel and also Finance Director about this.

#16 (401) Technical correction, line 2, change the word "whom" to the Board of Selectmen". Mr. Dillman made a motion, seconded by Mr. Viets to move this to the Technical Correction. The motion was approved by unanimous vote.

#17 (403) Should you be able to remove an appointed Board member or individual, or Town Counsel, Dog Warden, Tree Warden, etc., mid term without cause. Cause means that they are negligent in their appointed duties, not responding to direction, etc.

It was suggested having a set term where the Board of Selectmen reviews the performance of an individual is appropriate. Removing "at will" could throw it open to the politics of a change of the Board every two years, and this might not be good for the

Town, but a term limit would be a good idea. Town Counsel should serve at the pleasure of the Board of Selectmen, not just the First Selectman.

Mr. Viets made a motion, seconded by Mr. Sheridan to move this to the Short List. The motion was approved by unanimous vote.

#18 (406) Determination of an Emergency. Mr. Viets made a motion, seconded by Mr. Dillman to recommend this for the Short List. The motion was approved by unanimous vote. Mr. Dillman will prepare a draft wording on what it should read.

#19 (407) If Section 403 is modified, section 407 will also need to be changed.

#20 (408) Should this section also apply to appointed town officials, in addition to elected town officials. Mr. Dillman made a motion, seconded by Mr. Viets, to move this to the Technical List. The motion was approved by unanimous vote.

#C1 (508) Review the town Administrator/Town Manager vs. First Selectman form of government. Discussion was tabled until a full Commission is present.

#21 (501) Tabled.

#22 (501) Mr. Sheridan made a motion, seconded by Ms. O'Brien to make a Technical correction change "office" to "Officer" add the word "a" after the word "be". The motion was approved by unanimous vote

#23 (502) (B) (D) & (E). Discussion followed regarding Board of Selectmen approval before a contract is entered into. Mr. Dillman suggested to table this discussion.

#24 (603B) Discussion on the Zoning Board, Tax Collector and Board of Education using counsel other than the Town Counsel. Further discussion will continue on this when more members are present.

Adjournment: There being no further business, Mr. Dillman made a motion to adjourn, seconded by Mr. Viets and approved by unanimous vote. The meeting adjourned at 9:00 p.m.

Respectfully submitted,
Christine Koren, Recording Secretary