

MINUTES
CHARTER REVISION COMMISSION
September 21, 2016

PRESENT: Chairman James Staunton, Commissioners: Karen Marsden, Lynn Hidek, Dennis Donovan, Brad Sullivan, Eric Bergman, Art Kuever, And Gary Bousquet

Absent: Peter Nye

Also present: First Selectman Bruce Farmer and Barbara Farmer

The meeting was called to order at 7:00 p.m.

Correspondence/ emails: None

Minutes of September 7, 2016 regular meeting and September 7, 2016 public hearing:

A motion was made by K. Marsden, seconded by E. Bergman to approve the minutes of the September 7, 2016 regular meeting as submitted. The motion carried unanimously.

A motion was made by D. Donovan, seconded by L. Hidek to approve the minutes of the September 7, 2016 public hearing as submitted. The motion carried unanimously.

Visitors: No one spoke

Old Business:

- First Selectman Farmer shared with the commission information he gathered after speaking with the Lower Connecticut River Valley Council of Governments (RiverCOG), CCM, and COST
- He provided a memorandum from River COG explaining the pro and cons of the three forms of government found in these municipalities – First Selectman and Board of Selectmen/Town Meeting, Town Manager/ Town Council and Mayor/ City Council
- He also distributed a list of the forms of government found in each Connecticut town
- Included in his letter to the Charter Revision Commission were a key points, here are a few:
 - Average starting salary for a Town Manager is \$130,000 plus benefits
 - Most town managers have a 3 year contract (these can be broken; however could be costly to do so)
 - 28 CT towns have a Town Manager, 29 Mayor/Town Council, 100 First Selectman/Board of Selectmen,
 - 12 a hybrid municipal form of government
 - If a town switches to a Town Manager form of government they cannot go back to their previous form of government
 - A Town Manager must have a master's degree
 - A Town Manager though a non-political position often times does become political
- While campaigning B. Farmer asked people "Would you be in favor of a Town Manager/Town Council form of government?". He had to explain what that entailed.
- Discussion by the commission on what the next step for the commission is now that they have received input from the residents and there is a deadline for the charter draft to the Board of Selectmen.
 - Consider making subcommittees to work and report back to the commission

As this Commission voted at their first meeting to run all commission meetings by Robert's Rules that is how the next portion of the meeting was run.

A motion was made by G. Bousquet, seconded by B. Sullivan to vote tonight on the Town Manager/ Town Council issue

Discussion:

- take the document and cross out and make changes
- create work groups and revise the charter and create the document

- the public hearing was to educate the public and decide if the commission should go forward with a Town Manager form of government

The motion was approved unanimously.

A motion was made by B. Sullivan, seconded by L. Hidek to approve the idea of a Town Manager. The motion carried with a vote of 7 in favor and 1 opposed (G. Bousquet).

A motion was made by B. Sullivan, seconded by A. Kuever to establish sub-committees to begin drafting the language necessary to create a Town Manager form of government.

Discussion:

- Create small groups either by volunteering or have the chairman decide who should be on it
- If commission moves forward with the Town Manager form of government and it fails at referendum, then what do the people vote on, what happens
- How many people on the sub-committee – no more than three (3)
- D. Donovan called the question

The motion was approved with a vote of 7 in favor and 1 opposed (G. Bousquet). The motion carried.

A motion was made by G. Bousquet, seconded by D. Donovan to have another committee formed to make the revisions to the charter with the government as it is now (First Selectman/Board of Selectmen/Town Meeting).

- Fear that if we make the changes to include the Town Manager it will be a whole new document (excluding zoning).
- Can't imagine we would meet the deadline if it is voted down
- Create a second document to be ready for the Board of Selectmen to review
- There are contingencies to go to vote in November rather than in May
- Put in verbiage to change to Town Manager form of government, if it fails it goes back to the current charter
- Put two questions on the ballot:
 - First question would be: Town Manager form of government or First Selectman/Board of Selectmen/Town Meeting
 - Second question would be: All the other revisions to the charter
- Have two independent working groups: Town Manager CRC group, General CRC group
- D. Donovan called the question

The motion was approved with a vote of 4 in favor (D. Donovan, K. Marsden, A. Kuever and G. Bousquet) and 3 opposed (B. Sullivan, L. Hidek and J. Staunton). The motion carried.

A motion was made by L. Hidek to make the goal of the Charter Revision Commission to work cooperatively on the document to present to the Board of Selectmen and voters.

Discussion:

- Form working committees to work on the other items that were brought before the commission
- There was no second or vote taken on this motion

A motion was made by G. Bousquet, seconded by B. Sullivan to have an informal discussion.

Discussion:

- One group will work on the detailed verbiage for the Town Manager/Town Council
- The other group will tackle the other issues brought before the commission
- Discussed how revisions to the charter would be handled

The motion was approved unanimously.

A motion was made by G. Bousquet, seconded by B. Sullivan to appoint members to the two separate sub-committees:

Discussion:

- Have B. Sullivan on the Town Manager charter revisions

- It is your decision, if you won't accept the job then they should be removed from the commission

The motion was approved unanimously.

A motion was made by G. Bousquet, seconded by B. Sullivan to go into informal discussion.

Discussion:

- Who wants to be on which sub-committee?
- Town Manager revisions: B. Sullivan, J. Staunton, A. Kuever
- Board of Selectmen: G. Bousquet, D. Donovan, L. Hidek, K. Marsden and E. Bergman

The motion was approved unanimously.

A motion was made by G. Bousquet, seconded by K. Marsden to reach out to P. Nye to determine if he wants to continue on the Charter Revision Commission and if not ask the Board of Selectmen to appoint a new member. The vote was taken with 5 in favor (J. Staunton, G. Bousquet, E. Bergman, K. Marsden and L. Hidek) and 3 opposed (B. Sullivan, D. Donovan and A. Kuever). The motion carried.

A motion was made by D. Donovan, seconded by K. Marsden to suspend running the meeting by Roberts Rules.

Discussion:

- J. Staunton will conduct the business in an informal mode of Roberts Rules.

The vote was taken with 7 in favor and 1 opposed (G. Bousquet). The motion carried.

A motion was made by G. Bousquet that if the chairman finds the meeting is getting out of control, the chairman can then reinstate Roberts Rules.

Discussion:

- The group will work together
- The charter is about amending the rules the town is ruled by
- Roberts Rules of Order is the default in the charter

No second was made and no vote taken.

A motion was made by B. Sullivan, seconded by K. Marsden to adapt special rules for the Charter Revision Commission, at a minimum the recording of the minutes. The motion carried unanimously.

Can a subcommittee work on a document in the cloud, reviewing it independently and noting revisions. This question will be put to the FOI Commission.

The subcommittees will meet on regularly scheduled meeting nights at 6 p.m. and then make their reports to the Charter Revision Commission at 7 p.m. Agendas will be posted for both the General Charter Revision Subcommittee and the Town Manager Charter Revision Subcommittee.

A motion was made by B. Sullivan, seconded by D. Donovan to say any business conducted by Motion, Second, debate and vote and all informal discussion can be done without a motion. The motion carried unanimously.

A motion was made by B. Sullivan, seconded by D. Donovan that the Town Manager subcommittee proposes a Town Manager/Administrative Officer/ Board of Selectmen form of government.

Items for discussion in subcommittees:

- The Board of Selectmen remain at 5
- Town Manager/Administrative Officer report to Board of Selectmen
- All Department Heads report to the Town Manager/Administrative Officer
- Eliminate the Board of Finance – Town Manager prepares the budget and gives it to the Board of Selectmen and then it goes to budget referendum for voters to decide

- A quorum requirement would be needed for any town meeting votes, if quorum not met goes to referendum
- During the course of the year the Capital Expenditure budget is prepared and included in budget referendum
- There would be no special appropriations – appropriations only for emergencies
- No money should be spent without a referendum (that is why the town has a budget)
- New rules for bonding and sinking funds – include in subcommittee discussions
- Contract bidding – the loop hole needs to be closed
 - A mechanism needs to include all town qualified bidders – town contractors should be given a request for bid
 - May consider a provision that local contractor gives a 10% percentage in the a bid process
 - It may also have the appearance of impropriety or they do not have the manpower, equipment or knowledge for a particular large project
- Any change needs to be included in the Town Manager subcommittee’s charter
- How does a Town Planner work with the Town Manager? Should a Town Planner be included in both subcommittee’s charters
 - Keep “may” hire a Town Planner as it could/would be a big financial burden on the town
 - Though some say the town is in desperate need of a Town Planner
 - Hiring for two (2) new positions might be difficult, maybe the Town Manager would have some Town Planner skills (overlapping skills)
 - However some feel each positions (Manager and Planner) should be done by separate individuals
 - The Town Planner would report to the Planning and Zoning Commission, this would be in Section 8, as is the ZEO (hired by P&Z) and IWO (hired by BoS)
 - The Town Manager would ensure the Town Planner is doing his job
- Discussed hiring an engineer, though we currently have a consulting engineer

A motion was made by B. Sullivan, seconded by A. Kuever to amend the charter to include the hiring of a Town Planner. The motion carried with a vote of 7 in favor and 1 opposed (D. Donovan).

A Town Planner can increase the town’s revenue.

Eliminate the change term limits for Board of Selectmen.

Leave the Losing First Selectmen Rule (Drop Down Rule) as is.

Open up positions on Boards/Commissions/Committees to unaffiliated voters.

A motion was made by G. Bousquet, seconded by D. Donovan to have no First Selectman, just a Board of Selectmen with five (5) members. The Board of Selectmen would then vote for a chairman. This motion was withdrawn.

The First Selectman would be a full time position.

Chairman’s remarks:

J. Staunton thanked A. Genovese (Woodbridge Town Administrator), M. Milone (Cheshire Town Manager) and L. Hidek for their work on the September 7th Public Hearing.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,
Wendy McDermott, Clerk