

CHARTER REVISION COMMISSION
TOWN OF NEW MILFORD

Members

Kenneth Taylor- Chair
Liba Fuhman- Vice- Chair
Roger Szendy- Sec.
Warren Braren
Carlos Carridad
Clark Chapin
Michael Crespan
Sue Fogarty

Robert Guendelsberger
Robert Kinney
Robert Mullen
William Quinnell
Robert Sherry
Lynn Umbarger
Louis White

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~~Interim Report~~ Final Report of the Charter Revision
Commission
~~July~~ March 14, 2006

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The Charter Revision Commission, appointed by the Mayor with approval of the Town Council, ~~began its work with held~~ its first meeting on April, 5, 2005. ~~At that first meeting t~~ The Commission elected Ken Taylor as its Chairman, Liba Fuhman as ~~it's~~ Vice-Chairman and Roger Szendy as ~~s~~Secretary. The Town Council ~~had the opportunity to limit the areas of the Charter or specific topical areas that the Commission would examine. They choose however to give~~ gave the Commission ~~at the~~ broad charge ~~to of~~ review~~ing~~ the entire charter.

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PROCESS

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The first few meetings of the Commission ~~revolved around~~ allowed the members to get~~ting~~ to know one another, ~~throwing around~~ exchange ideas and discuss ~~as to~~ what each member believed ~~were to be~~ the important issues to focus ~~in on~~, and set~~ting~~ up a process to complete the task at hand. ~~Attorney We also hired legal counsel in~~ Dan Casagrande and ~~his the office~~ firm of Pinney Payne, PC were retained as legal counsel to assist us with our task. ~~The Commission was impressed by Attorney Casagrande's past involvement with Charter Revision Commissions in other towns.~~ We also ~~hired~~ recruited a Commission intern, Robert Popricki, a ~~student at~~ WestConn ~~student~~. Robert has been a great help to the Commission and has attended virtually every Commission meeting as well as ~~providing research and information taking care of the information request~~ ~~sed from the members of the Commission by Commission members.~~

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While the Commission is required to hold two public hearings, ~~the Commission members~~ felt that it would be prudent to hold a series of issue-~~focused~~ public hearings. ~~To that end t~~ The Commission ~~has~~ held public hearings on land use issues, Board of Finance and Town Manager. ~~The Commission also held two other Public h~~ Hearings, one at the start of the process and one on July 13, 2006 to present the final "draft" ~~and listen to comments and incorporate any changes, if necessary.~~

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The Commission soon determined early on that the amount of information and the possible alternatives required some intensive study, which would not be as not possible by for the entire Commission. To that end the Commission decided to split up into a number of subcommittees. The purpose of the subcommittees which was to gather information, determine what alternatives were available and then bring that information back to the Commission in a condensed fashion. The subcommittees were not necessarily charged with making recommendations to the entire Commission. The subcommittees were Land Use, Board of Finance, Town Manager, Town Attorney/Corporation Counsel, Administrative Offices/Appointments and Elections.

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RECOMMENDATIONS

Over the first six months, the Commission focused on gathering information, listening to the many comments and suggestions received and holding public hearings. The first public hearing was on the subject of Land Use. There were a number of individuals in attendance and the Commission heard from members of both the development and preservation communities. Surprisingly, these often disparate groups shared many of the same opinions on Planning, Zoning and Inland Wetlands. The issues raised concerned the combining of Planning and Zoning commissions, the need for a Town Planner and whether the Inland Wetlands Commission should be elected or appointed.

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We have sought input was sought from other communities who have combined Planning and Zoning Commission, and have discussed at length the issue of a Town Planner was discussed at length. The Commission has strongly recommended the addition of a Town Planner and that position is included in the proposed Charter. The Commission has recommended no change the structure of the Planning and Zoning Commissions and is not recommending that the Inland Wetlands Commission be changed to an elected position board. The general sentiment is that the addition of a professional town planner should help to solve many of the "problem/issues" that face both the Planning and Zoning Commissions. We have sought input from other communities who have combined Planning and Zoning and have discussed at length the issue of a Town Planner.

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The second public hearing focused on the Board of Finance. The Commission has heard from a number of Board of Finance members, public officials and members of the public testified. The Commission considered a number of options to refine the role of the Board of Finance. The final structure recommended by the Charter Revision Commission limits the role of the Board of Finance. If an after an annual budget is defeated at a first referendum, the budget is then referred to the Town Council for further action. and transfers that power to the Town Council. The Commission's theory is that by recommending the initial budget to the Town the Board of Finance is suppose to determine the level of spending that it feels is appropriate. yet once the voters have decided voted by through referendum, the Board of Finance's role is done finished and the Town Council is the board who should then make any additions or cuts to the budget as dictated by the referendum results. The Commission believes that this new structure requires the Town Council to take a more active role, which is appropriate as they are the Town's legislative body.

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The third public hearing focused on ~~the issue of~~ the Town Manager form of government. ~~The Commission was disappointed by the turnout at this public hearing. The Mayor addressed the Commission at this public hearing, however no other member of the public was present to address the Commission.~~ Prior to the public hearing ~~the Commission invited~~ three Town Managers from Canton, Mansfield and Bristol ~~to address~~ the economic, political and financial ramifications of the Town Manager form of government. The presentation was quite impressive and the Town Managers provided the Commission with a number of resources that ~~were~~ used to further research the issue. ~~Under the Town Manager form of government, the Mayor's position would be eliminated, as and a professional manager would be hired to run the day-to-day operation of the Town. The Town Manager would report directly to the Town Council (supervised by the Council Chairman, which could be a Mayor) and would have no official role in setting policy. In many Town Manager governments there is no need for a Board of Finance since at this professional is also responsible for budgets and taxes.~~

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The Commission heard a number of supporter and opponents of this fairly drastic change. In the debate leading up to the vote, many members of the Commission echoed the comments of ~~many those~~ who indicated that ~~the~~ the town, with an \$80-million ~~dollar~~ budget, complex technical challenges, labor issues and ~~trying~~ the need to attract a diverse ~~business~~ tax base, requires the leadership of a professional. There was concern that the town is unable to attract candidates for office who have the experience and training necessary to effectively run such a complex organization.

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Many members of the Commission did not feel that the town was ready for such a change. They were concerned about the ability of the Town Council to interface with a professional manager and thought that the Council's ability to give the Town Manager a clear direction could be compromised by politics.

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A compromise position developed in light of these arguments, ~~that of a Chief Administrative Officer. Under this model the Town would still retain the Mayor, yet most of the day-to-day administrative responsibility would fall to the Chief Administrative Officer. The CAO is essentially a Town Manager who would have to work closely with the Mayor. The Town Council would still be responsible for setting policy. Under both options it was believed that much of the minutia that the Town Council currently deals with could be eliminated.~~

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~~The Commission will not be recommending that the Charter be modified to include a professional manager. The vote on the Commission was interesting. The vote on a Town Manager was defeated by one vote. There was a vote on the concept of a Chief Administrative Officer; this was also defeated by one vote. When ~~l~~ looking at the two votes together, it is clear that there was a majority of members who favored some type of professional management when it came to the administrative/ executive function in Town Government. However, the Commission will not be recommending that the Charter be modified to include a professional manager.~~

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The Commission is ~~also~~ recommending that the Board of Education membership be reduced from 12 to 9. Recently there have been many press articles ~~in the press~~ about the ~~inability of the~~ Board of Education ~~having the inability~~ to get a quorum at meetings. Our review of other towns in Connecticut also revealed that our current 12-person Board is one of the largest in the State.

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The Commission spent some time discussing and debating terms limits or limits on the consecutive terms that individuals may sit on a Board. In the end no change is being recommended.

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The Commission also examined the concept of a Corporation Counsel. The Commission felt that the current system seems to work to everyone's satisfaction and that there would be little or no cost or efficiency savings with a Corporation Counsel.

The Commission also recommends that the annual budget go budget proceeds directly to a referendum vote, with the Annual Meeting remaining in place to serve as a public hearing for the proposed budget. The Commission also recommends retaining the Town Meeting for other matters such as the purchase of real estate, sewer issues bond issues, etc.

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The Commission spent a number of meetings with its counsel reviewing many technical revisions to the Charter. We believe that the changes we are recommending make the Charter easier to read, in language and form that all can understand, and will hopefully eliminate gray areas that are often the cause of confusion and controversy.

ISSUES OF IMPORTANCE

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The Commission has identified the following as the major issues that will be addressed:

Town Manager/Chief Administrative Officer

Board of Finance

Combining of Planning and Zoning Commissions

Term Limits

Board of Education - reducing membership numbers and different role in the Budget Process.

Town Meeting form of government

Corporation Counsel/Town Attorney

Budget Process

Technical Issues

ISSUES "SETTLED"

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~~*Board of Finance. The Commission will recommend that the Board of Finance role in the formulation of the initial annual budget will remain essentially the same. If a budget is defeated it will then be returned to the Board of Education and the Town Council and the Board of Finance's role, if any, will be purely advisory. The Commission will also be recommending eliminating the Board of Finance role in some supplemental appropriations, giving the Town Council the ability to overrule the Board of Finance in some emergency financial decisions and increasing the dollar amount that the Mayor and Town Council may adjust within a departmental category before having to go to the Board of Finance. The Commission is currently working on the correct language between the many different sections of the Charter that reference the Board of Finance.*~~

~~*The Commission also agreed that the annual budget should go directly to a referendum vote, with the Annual Meeting remaining in place to serve as a public hearing for the proposed budget.*~~

~~*The balance of the remaining major issues has yet to be decided. The Commission was hoping to have much of its work completed by now; however the complexity of the issues as well as the sheer volume of information to be considered has slowed our anticipated completion date. It is anticipated that we will be moving at a much more rapid pace when it comes to deciding between many alternatives that we have discussed. We do not anticipate any problem meeting our deadline for a completed recommendation.*~~

~~*Town Clerk, George Buckbee has offered a number of technical improvements to the Charter and the Commission will likely address these issues as well in the next few weeks. The Commission will likely shorten the budget season as most members of the Commission and those who have addressed the Commission have indicated that they believe that the budget process is too long and time consuming.*~~

CONCLUSION

The Charter Revision Commission has investigated a number of alternative forms of government. The Commission has been mindful of our heritage, our current financial and economic position as well as our duty to provide a structure of government that will be both efficient and responsive to the needs of its citizens. We ~~expect that the next few months will be our critical period for making final decisions and refining the language of the Charter so that we can come before the Town Council with a final product that we can all be proud of.~~ recommend adoption of the proposed Charter and believe it will meet the needs of our Town and citizenry for years to come.

Respectfully submitted,

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