

*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*

*Interim Report of the Charter Revision Commission
March 2006*

The Charter Revision Commission, appointed by the Mayor with approval of the Town Council began its work with its first meeting on April, 5, 2005. At that first meeting the Commission elected Ken Taylor as its Chairman, Liba Fuhman as its Vice-Chairman and Roger Szendy as 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 the Commission a broad charge to review the entire charter.

PROCESS

The first few meetings of the Commission revolved around the members getting to know one another, throwing around ideas as to what each member believed were the important issues to focus in on and setting up a process to complete the task at hand. We also hired legal counsel in Dan Casagrande and his office 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" a Commission intern, Robert Popricki, a student at WestConn. Robert has been a great help to the Commission and has attended virtually every Commission meeting as well as taking care of the information requests from the members of the Commission.

While the Commission is required to hold two public hearings, the Commission felt that it would be prudent to hold a series of issue focused public hearings. To that end the Commission has held public hearings on land use issues, **Board of Finance** and **Town Manager**.

The Commission soon determined that amount of information and the possible alternatives required some intensive study which was not possible by the entire Commission. To that end the Commission decided to split up into a number of subcommittees. The purpose of the subcommittees 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 are land use, **Board of Finance**, **Town Manager**, **Town Attorney/Corporation Counsel**, administrative offices/appointments and elections.

In 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, the need for a **Town Planner** and whether the Inland Wetlands Commission should be elected or appointed. The Commission has not made any decisions yet as to the land use departments. We have sought input from other communities who have combined Planning and Zoning and have discussed at length the issue of a **Town Planner**.

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.

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 we used to further research the issue.

ISSUES OF IMPORTANCE

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”

The Commission spent a number of months discussing the idea of a Town Manager. Under the **Town Manager** form of government, the **Mayor's** position would be eliminated 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 a professional is responsible for budgets and taxes.

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 who indicated that the

town with an 80 million dollar budget, complex technical challenges, labor issues and trying to attract a diverse business 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. 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.

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. Attached hereto as Schedule "A" is a pro/con list that we developed when considering the different proposals.

In the end, there was no clear vote in favor of either alternative and therefore the Commission will not be recommending that the Charter be modified to include a professional manager.

The Commission has also spent considerable time, effort and discussion regarding the Board of Finance. Many have believed that the Board of Finance has overstepped their perceived role as bottom line guardian of the budget and have delved into the areas of policy making. Others have argued that the Board of Finance has been the only group that has kept a rein on spending. The subcommittee of the Commission provided the Commission with information concerning other municipalities and alternatives that the Commission might consider. A motion to eliminate the Board of Finance was defeated. The Commission has voted in favor of modifying the role of the 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.