

**Brookfield Charter Revision Committee**  
**MINUTES – Approved December 15, 2011**  
**Thursday December 1, 2011, 7:00 p.m.**  
**Selectman’s Conference Room (2<sup>nd</sup> Floor), Brookfield Town Hall**

Vice and Acting Chairman Park convened the meeting at 7:06 p.m. and established a quorum of members.

**Present:** Chairman L. Miller (arrived at 7:09 p.m.), Vice Chairman J. Park, Secretary D. Miles, S. Martone, M. Labadia, R. Jaffe, G. Dembowski

**Absent:** P. Scalzo

**Also Present:** Recording Secretary D. Cioffi

**1.0 Public Comments (15 minutes).**

*J. Friedrich was present, but had no comment.*

**2.0 Correspondence.**

None.

**3.0 Review and Accept November 17, 2011 Meeting Minutes.**

Commissioner Propper noted the following correction: on Page 3, sixth paragraph, in the third line, to remove “First” so that the line reads, “ ... was pointed out that the language regarding salary for the Selectman be removed from the ... “. **Commissioner Jaffe moved to accept the Minutes of the November 17, 2011 meeting as amended. Commissioner Martone seconded the motion, and it carried unanimously.**

**4.0 Student intern research – new information and follow up discussion.**

Commissioner Labadia indicated that he emailed Ms. Salvato; however, he did not get a response from her as of yet.

*Chairman Miller arrived at 7:09 p.m.*

**5.0 Review draft charter changes.**

**5.1 Financial and voter thresholds (Greg Dembowski)** – Commissioner Dembowski advised that he visited the Republican Town Committee last night to share the CRC’s discussion regarding Voter Quantity and Financial Thresholds. Additionally, he will be attending another meeting of the RTC next Thursday.

The group’s consensus (5 of 6, or 6 of 6 present) opinions are as follows: With regard to the Financial Thresholds, C 8-5A, it would prefer to see a fixed dollar amount of \$50,000, rather than a percentage of .5 percent. Also, it agreed with the CRC’s recommendation regarding a change from thirty to forty-five days for the Board of Finance to act when the Board of Selectmen acts (C 8.5 E.). With regard to borrowing amounts (C 8-8. B (1)), it did not wish to change what is currently in the Charter because borrowing amounts are usually larger.

With regard to borrowing in excess of \$25,000 requiring written bids (C 8.8 D.), the RTC members deferred this question to the Controller.

With regard to Voter Quantity Requirements, of the nine items on that list, the only one that the RTC members wished to see a change was Item 2 (Petition for overrule of action of Selectmen (by Town Meeting)); and there, they would recommend an increase from 1 percent to 2 percent. As far as the other items on the Voter Quantity Requirement list, the RTC members felt that increasing those percentages would make it burdensome for smaller numbers of people to be heard.

Commissioner Jaffe stated that when he spoke with Attorney Grogins, regarding Connecticut General Statutes Sec. 7.7, which also addresses voter thresholds, Attorney Grogins advised him that the statute would “trump” thresholds in the Charter.

Commissioner Propper noted the importance of the CRC in prioritizing its recommendations prior to presenting them to the public.

It was noted that the RTC’s feedback represents only a small portion of the public. Commissioner Dembowski did advise the RTC of the January 26, 2012 public hearing.

With regard to the recommendation to change to a Town Manager/Five Selectmen form of government, the RTC wanted to ensure that policy decisions would remain with the BOS. RTC members felt that installing a Town Manager would add another layer of management. It was suggested by one of the RTC members that the Town consider increasing the pay for the First Selectman position to attract better candidates. Commissioner Dembowski stated that the group found the professionalization of the position, of Town Manager and the average stay of 7-8 years, as appealing factors. The RTC also wanted to ensure that the First Selectman would continue to have ownership in the Town budget. The CRC reiterated that this duty would stay with the BOS. Commissioner Dembowski indicated that an RTC member’s research of the last three municipal elections indicated that voter turnout is lower in Towns that have Town Managers. Commissioner Labadia pointed out that if the comparison were to be done properly, it would look at voter turnout prior to moving to a Town Manager form of government, and then after the change. It was suggested that this research information from the RTC member be submitted for the record.

*J. Friedrich was present*, and indicated that the timing of the Town Manager’s contract in conjunction with an election may affect turnout.

It was further pointed out that the Charter does not say anything about other hired professional positions, such as Superintendent or controller, and like those other positions, the Town Manager is an employee of the Town. The overwhelming nature of the current First Selectman’s duties was noted.

With regard to the CRC's recommendation to move to a five-member BOS, the RTC members were not in favor of this proposal. They indicated that the current three-member BOS could meet more often, have emergency meetings if necessary, and pointed out that this proposal has been presented, and denied, on two prior occasions. The RTC members also felt a five-member Board would make for more complexity in government. Commissioner Labadia countered that having five selectmen allows more opportunity for representation, and Commissioner Propper pointed out that a five-member BOS increases the ability of members to participate.

Commissioner Dembowski pointed out that the RTC group agreed with the proposed advisory questions, and the bifurcated vote. He will be meeting with the group again next week.

It was further noted that the CRC must make its final presentation to the Board of Selectmen by May of 2012.

Vice Chairman Park reiterated the need to prioritize the items in its presentation to the BOS prior to the public hearing.

**5.2 Revised duties of the First Selectman and proposed duties for a Town Manager (Mark Labadia and Dottie Miles).** – Commissioner Labadia will rewrite the duties for Town Manager. Additionally, Secretary Miles shared language from the Granby, Connecticut Town Charter regarding the duties of its Town Manager. She requested that the other Commissioners go through the Town of Granby document and highlight items that would constitute changes.

There was discussion regarding whether the CRC should address issues involving the number of people on appointed Boards (Section 7.7 in the Charter).

Secretary Miles and Commissioner Labadia will work with the language from the Granby charter. Secretary Miles will put the current Charter into a word file and track the changes as she edits the language. Commissioner Labadia will get his changes done and to Commission Dembowski within a week, who will send it to Secretary Miles, who will make her revisions. The document will then go to Attorney Grogins. Commissioner Propper indicated he would have small "spot" changes he would send to Commissioner Dembowski. This will all be accomplished prior to the next meeting on December 15, 2011.

Commissioner Jaffe requested that the Commission spend the next meeting working on the presentation for the public hearing.

**5.3 Draft language for the advisory question (Dave Propper)** – Commissioner Propper indicated that he sent his suggestions for the advisory questions after speaking with the Town Manager of Avon. There was discussion regarding whether or not the advisory questions add value to the process, or if they are reliable. *Mr. Friedrich, who was present*, indicated that he feels advisory questions support what the Board of Finance does. Section 9.1-C, regarding advisory questions, was read.

Mr. Friedrich asked if the Town meeting is the ultimate authority on what the questions are, and was informed that it is. It was noted that even if the BOS decides not to bring an advisory question or questions to a Town Meeting, one or more questions could be proposed from the floor.

Commissioner Propper inquired about the status of the losing candidate for First Selectman, and Commissioner Jaffe indicated it is set by state statute, and he will send the language to Commissioner Propper. There was discussion regarding the outcome when there are three or five selectmen.

It was noted that when the Charter was first written in November 1975, there was already a three-member Board of Selectmen, and the Town's population was six to eight thousand. The Town's current population is approximately 16,500. Commissioner Labadia reiterated that a five-member Board allows for better representation.

Mr. Friedrich inquired if the "at large" concept had been discussed, and the Commission advised him that it had, but CRC members believed that the concept might lead to increased divisiveness in the Town.

Commissioner Propper will utilize the state statute language to draft the portion of the Charter that deals with the losing Selectmen's candidate.

**5.4 Revisions to the land use, Board of Library Trustees and Police Commission sections of the Charter (Joni Park).** – This portion has been done.

- 5.5. Draft press release for the January 26, 2012 public hearing (Susan Martone and Larry Miller) / Outline for Presentation at January 26, 2012 public hearing.** – Commissioner Martone submitted and reviewed her Draft of the summary of the Commission's work since January 20, 2011 (see attached). Vice Chairman Park suggested that the comments rendered by members of the public at the February 3, 2011 meeting be identified by name. The Commission then divided the comments into three areas of work, Form of Government, Fiscal, and Legal/Technical.

There was lengthy discussion regarding the format of the presentation. Vice Chairman Park noted the importance of getting across to the public that the CRC has welcomed and continues to welcome comments from the public. Commission members agreed that Chairman Miller should present the changes during the public hearing.

After discussion, it was determined that there would be a one-page overview of what the Commission was charged with, what it has done, how the topics were divided, the things that are not changing and those that are, and the pros and cons associated with each. It was suggested that the hearing be held in the Seminar Room at Whisconier Middle School.

Commissioner Propper recommended that the various forms of government also be explained to the public.

It was suggested that a brief press conference be held at the first meeting in January. Chairman Miller will draft a press release after the next meeting. Commissioner Propper suggested that the Brookfield Webmaster also be utilized. Commissioner Jaffe will work with Chairman Miller and Commissioner Martone on a PowerPoint presentation.

Commissioner Jaffe will also send Commissioner Dembowski the language that addresses the two-week gap in Board of Education members taking office.

#### **5.6 Revisit the concept of merging the BOS and BOF into a Town Council (Ron Jaffe).**

Commissioner Jaffe inquired if the Town should continue to maintain separate Boards of Selectmen and Finance, or if they should be combined into one organization that has policy-making authority and fiscal responsibility to institute that authority. There was discussion regarding checks and balances under both models. Chairman Miller indicated he believes the BOF has too much authority because it decides what dollar amounts go to the voters for annual budgets. Commissioner Jaffe acknowledged that a combination would be a radical change for the Town to accept. He indicated he feels there is a value to having members qualified to look solely at fiscal and audit issues. Commissioner Jaffe noted that there are benefits to both models. He believes that the combination may be worth considering as the town grows in population.

There was discussion regarding the combination of the two groups being more efficient, as well as noting the importance of the separation of powers.

Secretary Miles indicated that when she researched different forms of government throughout the State, she saw several towns that had Town Council/Town Manager. She feels it leads to cooperation among members of the Town Council.

Vice Chairman Park reviewed each Board's role in the current budget process. Chairman Miller suggested that a change be made to make the first review by the Board of Finance advisory in nature. Commissioner Labadia noted his concern that if the Boards are combined to become a Council, individuals may be elected who do not have qualifications in the financial area.

Commissioner Jaffe emphasized the need for the CRC to be open-minded as changes are considered, and indicated he does not believe the Town would accept this particular change at this time.

It was also discussed that with a membership of seven to nine, there would be individuals with different areas of expertise, financial and otherwise.

**6.0 Develop presentation and other communications materials for the January public hearing.**

See discussion under 5.5 above.

**7.0 Open Discussion.**

No additional discussion.

**8.0 Public Comments (15 minutes).**

None.

**9.0 Adjourn.**

Vice Chairman Park moved to adjourn the meeting at 9:08 p.m. Commissioner Propper seconded the motion, and it carried unanimously.

***\*\*Next meeting to be held December 15, 2011\*\****