

BROOKFIELD CHARTER REVISION COMMITTEE
DRAFT MINUTES (APPROVED 2/2/2012)
PUBLIC HEARING
THURSDAY JANUARY 26, 2012, 7:00 P.M.
SEMINAR ROOM – WHISCONIER MIDDLE SCHOOL

Acting and Vice Chairman Park convened the meeting and established a quorum of members.

Present: Acting and Vice Chairman J. Park, Secretary D. Miles, G. Dembowski, R. Jaffe,
M. Labadia, S. Martone, P. Scalzo

Absent: Chairman L. Miller

Also Present: M. Hart, Town Manager, Town of Mansfield, CT
J. Stille, Administrative Officer, Town of Bolton, CT
D. Cioffi, Recording Secretary
Members of the press and interested public

1. Open Public Hearing

1.1 Preamble for the public hearing.

Secretary Miles read the preamble.

1.2 Introduction of commission members.

Acting and Vice Chairman Park introduced the Commission members. She noted that Chairman Miller's absence was related to a business obligation, but pointed out his commitment to the Commission and to its work.

1.3 Reading the legal notice.

Secretary Miles read the legal notice.

2. Chairman's Comments

2.1 Presentation of the Charter Revision Commission (CRC) preliminary positions (Mr. Peter Scalzo).

Commissioner Scalzo presented a PowerPoint presentation entitled, "Brookfield Charter Revision Commission: Public Hearing." Copies of the PowerPoint presentation were available for those in attendance (and also attached hereto). He explained that after receiving comments at tonight's hearing, the Commission would continue to meet and then present its recommendations to the Board of Selectmen (BOS). The BOS will then

hold a public hearing after which the Board of Selectmen’s recommendations will be put forth to the voters at the November election.

While following the aforementioned Power Point presentation, Commissioner Scalzo noted that the CRC did not suggest a change unless there was a compelling reason to do so. He also explained that the Commission contacted many municipalities in Connecticut that had changed their forms of government, and spoke with various elected officials and town managers.

Secretary Miles introduced Mr. Matthew Hart, the town manager of Mansfield, Connecticut, explained his role in various long-term projects in that town, including the development of a town center near the University of Connecticut and briefly reviewed his professional background. Secretary Miles also introduced Mr. Hart’s colleague, Ms. Joyce Stille, Town Administrator of Bolton, Connecticut.

2.2 Presentation on the role of a Town Manager – qualifications, responsibilities and limitations of authority (Mr. Matt Hart, Town Manager, Mansfield, CT)

Mr. Hart reviewed the demographics of the Town of Mansfield and the Village of Storrs. He explained Mansfield has a \$44.5 million budget; a population of 26,000, of which half are students of the University of Connecticut; approximately, 150 full-time employees; a K- 8th grade school system and also provides partial support of Regional School District 19.

Mr. Hart stated that the form of government should be the form preferred by the citizens, and noted that “excellence” can be achieved in any form of municipal government.

Mr. Hart reviewed the history of the council-manager form of government, advising that the professional society, the International City Management Association, was formed in 1914. (A copy of the ICMA publication, “Council-Manager Form of Government”, was also made available to the audience, and is attached hereto.) The town manager form of government was established in the Progressive Era, when the rationale was to establish a non-partisan leader who could apply business principles to government operations for greater efficiency. Mr. Hart referenced the following analogies for the town manager’s role with a council/BOS: that of a superintendent with a Board of Education; and that of a Chief Executive Officer with a Board of Directors.

A handout of Mr. Hart’s PowerPoint presentation was available for the audience at the public hearing, and is attached hereto. In it, Mr. Hart reviewed the roles of town manager, chair of the council/BOS, and council members, as well as the duties of the appointed manager; the benefits of this form of government, the value of the professional manager position, and the incidence of its use compared other forms of town government.

With regard to the role of the town manager, Mr. Hart noted that there is specialization in various types of communities (i.e., university, resort, urban communities). He indicated that the position serves as the chief policy advisor to the council/BOS, however, the council/BOS must create and approve all policies, and the role of the manager is to ensure the implementation those policies

Further, as town manager, Mr. Hart also serves as the human resources director and as the public safety director. He added that as the supervisor of the budget process, he is charged with researching and ensuring that up-to-date fiscal practices are being followed. The Town of Mansfield provides “cradle to grave” services (from daycare to cemetery management) for its residents and Mr. Hart coordinates those services through communication with department heads.

With regard to the development of the Mansfield Town Center, Mr. Hart indicated that he was responsible for the coordination of special projects such as this in various ways, such as the attainment of grants and negotiations with developers. The mixed-use development was a public/private partnership, and has added to the Town’s grand list.

Mr. Hart reviewed the benefits of the council-manager form of government, as outlined on pages 4 and 5 of the PowerPoint presentation, and the value to the community of the role of town manager (page 6).

Ms. Stille added that her role as Administrative Officer in Bolton is similar to Mr. Hart’s. She has served in that position since 1995, and she reports to the BOS. Ms. Stille noted that in Bolton, the Planning and Zoning Commissions have been combined, and Bolton has maintained its Board of Finance (BOF).

2.1 Presentation of the Charter Revision Commission preliminary positions (Mr. Peter Scalzo) – (continued).

Commissioner Scalzo continued the PowerPoint presentation (on page 5 of that handout). He indicated that the Commission found no compelling reason to combine the BOS and the BOF. Other details of the CRC’s recommendations concerning Fiscal Responsibility and Technical Legal Issues are noted on pages 6 through 10 of the PowerPoint presentation. Other non-charter Recommendations listed on Page 10 of the PowerPoint presentation was also reviewed by Commissioner Scalzo.

Commissioner Scalzo summarized the CRC recommendations, and encouraged the audience to comment this evening, and to attend future CRC meetings, which are held on the first and third Thursday evenings of every month. The CRC contact information was also provided for the audience.

3. Public Comments

Acting and Vice Chairman Park explained process for public comment.

M. Flynn, 18 Farview Rd. was present. He thanked the Commission for its work. Mr. Flynn spoke in opposition of the proposal for a five-member Board of Selectmen, citing the following reasons: it would promote a secretive town government; “if it’s not broke, don’t fix it,” noting that the proposal has been defeated twice (in 1997 and 2007); and that it would allow 40% representation by the minority party.

Rolf Enger, 13 Deerfield Rd., was present. He asked Mr. Hart questions about the town center development in Mansfield. Mr. Hart advised him that all current tenants had had an opportunity to seek entrance into the new buildings and that any businesses which wished to relocate were eligible for a monetary benefit. Mr. Hart stated the town center planning began in 1999, and ground was just broken this past spring due to the time needed to obtain permits and financing. When Mr. Enger asked the identity of an anchor store, Mr. Hart indicated that there is a combination of local and regional stores, as well as national chains. He added that the University of Connecticut has been actively involved in an attempt to add off-campus amenities. Mr. Enger inquired how Brookfield could get a “draw” to its Town Center District (TCD). Commissioner Jaffe pointed out that the continuity of the town manager role was part of the success in Mansfield for this long-term project.

L. Orban, 95 Stony Hill Rd., was present. She stated her belief that there were missed opportunities for getting input by the public because of the way that the Town of Brookfield conveys information to its residents. She inquired who is responsible for that task now, and if it was something that the town manager would do. Mr. Hart indicated that his office coordinates communication in Mansfield.

P. McIlvane, 127 Long Meadow Hill Rd., was present. He asked who supervises how the office of the town manager is operating. Mr. Hart indicated that the department heads report to him, and he, in turn, reports to town/city council, with quarterly financial statements and operations reports. Additionally, he receives a performance evaluation annually by the council.

B. McIlvane, 127 Long Meadow Hill Rd., Chair of Library Board, was also present. She inquired if the proposed changes in the Charter would be presented as one question for approval or if portions of the recommendations would be voted on individually. Acting and Vice Chairman Park explained that it has not been decided yet, but likely residents would be able to vote separately on various recommendations.

J. Voris, 26 Silvermine Rd., was present. He indicated he is in favor of the CRC recommendations, and suggested that the roles of the town manager, First Selectman and

selectmen be clarified. He also inquired if there might be a benefit from consolidating town and education department activities.

Commissioner Jaffe advised that Mr. Hart has had effective communication between those departments in Mansfield. Commissioner Jaffe indicated that rather than seeing the town manager as a CEO, the CRC viewed the role as more a Chief Operating Officer. Commissioner Propper likened the BOS to the “strategic arm”, and the town manager as the “tactical arm”. Ms. Stille added that in Bolton, the town and education departments share a technology person, and there are different opportunities in various municipalities for this coordination of services.

D. Swanson, 8 Silvermine Rd., was present. He thanked for the CRC and Mr. Hart for their presentations. He stated he is in favor of a town manager; however, he is opposed to increasing the number of selectmen and to changing the percentages for petitions and spending appropriations. Mr. Swanson inquired if the town manager would replace the First Selectman as an *ex officio* member of the BOF, and the Commission advised that the town manager would not.

S. Holko, 25 Drover Rd., was present. She indicated she agreed with Mr. Flynn’s, Mr. Swanson’s and Ms. Orban’s statements. She stated she believes that the town needs to take bigger steps to get the public involved. Additionally, she urged that the qualities of professionalism and merit be a requirement in all of the roles being discussed tonight.

J. Van Hise, 14 Long Meadow Hill Rd., was present, as Chairman of the Planning Commission. He indicated that the members of the Planning Commission are unanimously opposed to combining the Planning Commission with the Zoning Commission. He argued that the roles of each Commission are completely different. Mr. Van Hise believes that this recommendation was made due to the current economic climate, and the fact that currently none of the land use boards have heavy agendas. He indicated that the perception that there is no land in town is incorrect, citing a report given by the Land Use Department last April showing that there are a number of oversized lots that could be subject to subdivision, as well as smaller lots that could be combined. Additionally, the development of the Town Center District would require re-subdivision and the combination of lots. Mr. Van Hise further noted that the Planning Commission is responsible for Section 8-24 referrals under the Connecticut General Statutes. He advised that the neighboring towns of Danbury and New Milford have separate commissions, and do not have a town planner. Further, he noted the amount of time it takes for new commission members to become familiar with the regulations, and stated it would be burdensome for the individuals to learn two sets of regulations. Lastly, Mr. Van Hise stated that the meetings/public hearings of the combined boards would be too long.

K. Swift, 25 Pocono Ridge Rd., was present. She thanked the Mr. Hart and Ms. Stille for attending tonight’s meeting. She indicated she is opposed to raising the limit for

spending to \$250,000. She inquired if the Commission were recommending the elimination of the Town Treasurer, and was advised that the Commission was not. Further, Mrs. Swift is opposed to increasing the number of selectmen to five. She asked Mr. Hart if he thought that the meetings with a council were political, and he indicated that it can happen, but, when it does, the manager needs to address and handle that issue.

Commissioner Dembowski explained that in many towns in Connecticut, the role of the town treasurer has been eliminated or made “honorary” with no compensation. He explained that this is not part of the CRC’s recommendation to BOS. Commissioner Jaffe added that whether compensation for the role was going to be provided is not a Charter issue, but rather one to be addressed by the BOS and BOF.

M. Grimes, Horse Hill Rd., was present. He thanked the Commission and Commissioner Dembowski for its work and information that has been provided. He indicated he is opposed to having a town manager. He stated that the townspeople could hire and fire its leader every two years. Mr. Grimes cited the excessive cost that would be involved in firing a town manager. He stated that voter turnout in towns with managers is very low. He believes that the town needs to keep a town treasurer for checks and balances. Mr. Grimes indicated that initially, he was supportive of the merger of the Planning and Zoning Commissions, but would reconsider that given Mr. Van Hise’s comments.

Commissioner Jaffe disagreed that the cost of terminating the town manager would be as great as Mr. Grimes stated it would be. Commissioner Propper encouraged Mr. Grimes to submit his research to CRC at its regular meetings on the 1st and 3rd Thursdays of each month. Commissioner Labadia stated it would be necessary to look at the history of voter turnout in towns prior to converting to a town manager. Mr. Grimes indicated he would provide this data to the Commission as well.

M. Foncello, 11 Drover Rd., was present. He thanked the CRC and its guests. He advised that he feels approval of the change in the form of government, and the increase in the number of the BOS, would lead to less democracy. He stated that he does not believe that the First Selectman’s job has changed enough to warrant a change to a town manager. Mr. Foncello stated that no chief elected official is expected to be an expert in everything, but rather, he/she could hire experts in certain areas or obtain volunteers. He agreed with Mr. Grimes’ comment about the excessive cost and difficulty of removing a town manager. He further believes that hiring a town manager may lead to hiring an assistant or assistants. When Mr. Foncello asked about the salary range, Vice Chairman Park stated that it ranges from \$95-150,000. Commissioner Jaffe noted that the contracts with town managers have limited terms and are not renewed unless the BOS remains satisfied with the town manager’s performance. Commissioner Propper pointed out that there is no provision for a recall of an elected member of the BOS.

A. Kerley, 13 Obtuse Rocks Rd., was present. He also thanked the Commission and its guests. He pointed out that, as it stands now, voters are only allowed to vote for two of

three selectmen. He suggested that the BOS offers its recommendations to the public separately and have each question on the ballot.

Chris Lynch, 9 Appleby Tree Farm Rd., was present. He spoke in favor of the town manager position. In his professional experience with municipalities, he has found that municipalities run by town managers are run more efficiently and professionally. Mr. Lynch indicated that procedures for terminating town managers involve a public hearing. He added that the cost of a town manager's salary would be recovered through cost-saving measures.

P. Kurtz, 154 North Lakeshore Dr., was present. She questioned why a town manager would be necessary if the current department heads are competent in their areas.

L. Samuel, 68 Meadowbrook Rd., was present. He noted the number of major issues that have been handled by elected officials, private citizens and private developers, namely, water, zoning and traffic issues. Mr. Samuel stated that the town manager form of government would eliminate a check and balance system that is currently in place. He recognized that there are fourteen departments that could combine functions without a town manager. He believes that the citizens of the town have voting rights that will allow them to make changes that are needed. He is opposed to the proposal for a town manager.

J. Friedrich, 10 Cherokee Dr., was present. He also thanked the Commission and its guests. He acknowledged good arguments both in favor of and opposed to any changes. He suggested that the town manager form of government be tried out without putting it in as a Charter change, because if it were unsuccessful, it would not be difficult to return to the current form. He also recommended that a specific term of employment be assigned to the position of town manager.

Commissioner Scalzo asked Mr. Hart if the town manager would serve as an at-will employee. Mr. Hart advised that he/she would, and could be fired at any time if there were legislative votes determining that terms of the conflict were violated.

B. Belden, 7 Red Barn Lane, was present. He pointed out that the form of government should not be changed unless there is an overwhelming reason to do so. He indicated that a majority of the selectmen has performed satisfactorily.

Commissioner Jaffe advised that there are compelling reasons to do this, related to the Town's ability to move forward on significant issues, i.e., Four Corners.

Commissioner Propper stated that an individual educated in the rules of running a town is an appealing concept. He acknowledged that the Town does have someone performing the duties of a town manager in the First Selectman position, but cited long term projects, such as the high school renovation project, which have been handled by numerous First Selectmen without the continuity needed during these projects.

David Frankel, 12 Old Turnpike Rd., was present. He indicated he is a member of the Planning Commission. Mr. Frankel underlined the favorability of having two Commissions (Planning and Zoning) review applications, as being cost-effective and allowing individuals talented in each area to see the projects.

William Davidson, 19 Cove Rd., current First Selectman, was present. He indicated that he is in favor of the town manager form of government. Mr. Davidson advised that running the Town is complex, and involves compliance with federal and state regulations and oversight of long-term projects. He believes that someone professionally trained would be much more efficient in handling these complexities. With regard to the increase in the number of selectmen, he does not believe it would lead to secretive government, but rather, would promote a better exchange of ideas. Mr. Davidson suggested that decisions should not be based on party, but instead, “What’s the best thing for Brookfield”. He asked Mr. Hart about the size of his staff, and Mr. Hart replied that he has a full-time executive assistant, a full-time assistant to the town manager that provides human resources support to the town and the schools, and a part-time human resources assistant. Mr. Davidson suggested that the percentage changes proposed be clarified to state if it is part of the operating, operating debt or capital budgets.

4. Adjourn

Commissioner Jaffe moved to adjourn the meeting at 9:23 p.m. Commissioner Propper seconded the motion, and it carried unanimously.