

Brookfield Charter Revision Committee
DRAFT MINUTES
Thursday March 29, 2012, 7:00 p.m.
Selectman's Conference Room (2nd Floor), Brookfield Town Hall

Chairman Miller convened the meeting at 7:05 p.m. and established a quorum of members.

Present: Chairman L. Miller, Vice Chairman J. Park, Secretary D. Miles (arrived at 7:11 p.m.), G. Dembowski, R. Jaffe, S. Martone, D. Propper

Absent: M. Labadia, P. Scalzo

Also Present: Recording Secretary D. Cioffi, Interested members of the public

1.0 Public Comments (15 minutes).

Jane Miller, 115 Obtuse Hill Road, was present. She encouraged the Commission to consider proposing a change that would have the budget come to the public for a vote prior to being adjusted by the Board of Finance (BOF). She noted that residents have a right to petition to overturn a decision of the Board of Selectmen (BOS), but do not have the same opportunity regarding decisions of the BOF. Commissioner Propper explained that per State statute, voters have an opportunity to overturn line items during a Town Meeting, but only to reduce them.

Commissioner Jaffe noted that if the Town proposed spending on something, and the BOF turned the request down, residents do have the ability to petition to bring it to a Town meeting for a vote.

Vice Chairman Park inquired if the Commission could propose the change being suggested by Mrs. Miller. She was not sure if this change could be proposed at this point, after the CRC has presented its recommendations to the BOS. Commission members felt that it could be.

Secretary D. Miles arrived at 7:11 p.m.

Vice Chairman Park inquired of Mrs. Miller if she had a preference about the budget being presented to the Town as a whole or separated by Town/School. Mrs. Miller did not have a preference.

Commissioner Jaffe noted three potential questions for Town Counsel opinion: 1) can initial budgets, as presented by BOS and BOE, go directly to the Town without BOF modification? Chairman Miller proposed that the BOS and BOE discuss and review the budget, and based on that review, make modifications, however, the BOF would not have the right to modify it before it is presented to the voters. If that budget fails at referendum, then it would go to the BOF for modification. Commissioner Jaffe continued: 2) Can voters be given the right to petition the BOF? and 3) Can voters add funds to line items at the Town meeting?

Commissioner Jaffe expects that Attorney Grogins will advise that in any areas that affect fiscal control of Town none of the above, would be permitted. He pointed out that the BOF is charged with maintaining the fiscal well-being of the Town, including maintaining its bond rating.

Commissioner Martone inquired regarding the BOF responsibilities. Commissioner Jaffe explained that the BOS is the “policy making body” and determines what the Town’s strategic goals and what financial initiatives are needed to run the Town. He noted that the BOE does the same thing for the Education Department. Commissioner Jaffe continued that the BOF oversees the Town finances, reviews the requests for appropriations, and sets the mill rate. He stated that there are often control issues between the Boards. He does not believe that the State would allow the budget to go to the voters first.

Chairman Miller pointed out that the current arrangement allows four individuals on the BOF to decide what goes to the voters. Commissioner Jaffe suggested that a Charter change to allow line items to be addressed at Town Meetings would be helpful in addressing that issue. Commissioner Propper stated that he believed that per State statute, voters may only lower line items at Town meetings. Commissioner Jaffe will find out from Town Counsel. He also noted that at a Town meeting a simple majority of voters can bifurcate the vote or move the date of the referendum.

Matthew Coleman, 13 Stony Brook Rd., Brookfield, was present. He commented on the current system of checks and balances between the BOS and the BOF. He noted that while the BOE is also made up of elected officials, he does not see the BOF having the “same level of intimacy” and understanding of the BOE budget.

There was discussion regarding caucusing between BOF members. It was also noted that there is a great amount of review that goes into the budget by the BOE members and school administration.

Commissioner Propper reminded the group that the elected individuals are the “people’s choice”.

Mr. Coleman suggested that the number of members on the BOF be limited, however, Commissioner Jaffe noted that State statute dictates the number of members and minority representation.

With regard to the suggestion of raising line items at Town meetings, Chairman Miller pointed out that most people do not attend these meetings. He would rather that the BOS and the BOE let the voters decide. There was further discussion regarding the checks and balances between the BOS, BOE and BOF. It was stated that the only form of appeal to the BOF is by rejecting the proposed budget.

Commissioner Dembowski pointed out that in terms of proposed Charter revisions; the CRC has already decided that the current role of the BOF would not be changed.

Commissioner Propper suggested that the CRC check with Town Counsel of find out if motions can be made to alter line items. Chairman Miller asked for other Commissioners' opinions on the idea of allowing the budget to go to the voters first. Secretary Miles indicated she would not support that; she believes the BOF serves a function and she supports the Town Meeting form of government. The remainder of the Commissioners agreed.

Commissioner Propper read Section C9-3B of the current Charter that would have to be changed to permit an increase a line item of the budget at a Town Meeting. Commissioner Jaffe suggested that the change state that the Town could modify the budget up to the amounts recommended by the BOS and the BOE, but not to exceed those amounts.

Vice Chairman Park suggested that the Commission move on to consider and discuss the comments at the BOS on March 19, 2012.

2.0 Correspondence.

None.

3.0 Review and Accept March 1, 2012 and March 19, 2012 Meeting Minutes.

Vice Chairman Park moved to accept the Minutes of the March 1, 2012 and March 19, 2012 Meeting Minutes. Commissioner Propper seconded the motion, and it carried, with Secretary Miles abstaining from the vote on the March 19, 2012 Minutes.

Commissioner Martone pointed out that the final presentation needs to be corrected in terms of the recommendation for eight police commission members.

Vice Chairman Park inquired if the CRC should advise the BOS that it has noted the comments made at the March 19, 2012, and ask if BOS members have additional comments.

Commissioner Jaffe noted that the BOS is meeting on Monday, April 2, 2012, and that the CRC recommendations are on its agenda.

4.0 Review Comments from the March 19, 2012 Special BOS Meeting.

It was noted that the CRC addressed most of the comments at the March 19, 2012 meeting. The members further pointed out that despite the belief that there is nothing "broken" with the current form of government, the changes that the Commission is suggesting are improvements.

Commissioner Jaffe stated that he felt the current three-member BOS is a factor of the form of the government that is "broken" and Chairman Miller agreed. Commissioner Propper also cited the high school renovations as an example of what is broken, and pointed out that a Town

Manager would be less likely to attempt to sidestep protocol in such projects knowing that his/her employment could be terminated for such action.

There was discussion regarding the challenges of the current First Selectman position: that the job is “too big” and that “you can’t fire him”, along with the lack of professional training and continuity. Chairman Miller noted that the First Selectman himself advised that the current system lacks efficiency in managing human resources. Secretary Miles indicated that she would be willing to do additional research on job descriptions for First Selectman to help describe what that individual would still do.

Commissioner Dembowski pointed out that until the BOS meeting on Monday, the CRC has no formal recommendations to work with.

There was additional discussion regarding the merging of the Planning and Zoning Commissions and the impact of the presence of a Town Planner. The lack of enforcement in Planning matters was also noted. Commissioner Dembowski and Vice Chairman Park would support combining the commissions if the BOS does.

Discussion followed regarding the time frame for transitioning to a Town Manager form of government, if that recommendation succeeds. There was additional discussion regarding Selectman Lasser’s concern regarding getting a non-resident (town Manager) to be “aligned with the community”, and it was noted that the Superintendent of Schools does not live in town, and that a residency requirement would restrict the pool of qualified individuals for the position. It was also pointed out that the Town Manager would not be making policy decisions.

Commissioner Jaffe discussed the continued concern about Selectmen having “secret” meetings, and noted that political parties can legally caucus now, and that they do. He reiterated that increasing the number of selectmen to five will allow such discussions, and his belief that there is a benefit to that. Vice Chairman Park also pointed out that the additional selectmen would allow for more representation by Town residents.

Commissioner Propper pointed out the increase in the number of residents who become “unaffiliated” voters.

The Commission also indicated it would continue to endorse the change for the swearing in procedure for newly elected officials. The recommendation of all elected officials be volunteers, with the exception of the Town Clerk, was also noted.

There was brief discussion regarding the BOS comments on the ballot questions, and it was noted that the BOS will ultimately have control over how the questions are presented to the public.

Secretary Miles will research information on job descriptions for First Selectman.

The CRC will meet again on Thursday, April 19, 2012.

5.0 Public Comments (15 minutes).

No additional public comment.

6.0 Adjourn.

Vice Chairman Park moved to adjourn the meeting at 8:37 p.m. Commissioner Martone seconded the motion, and it carried unanimously.