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TOWN OF NEWTOWN

CHARTER REVISION COMMISSION

Minutes of the Charter Revision Commission Public Hearing Meeting held on Monday October 18, 2010 in the Council Chamber at the Newtown Municipal Center, 3 Primrose Street, Newtown, CT.

Charter Revision Commission Chairman William Lavery called the meeting to order at 6:30 PM.

PRESENT: Robert Duero, John Godin, Joseph Golden, William Lavery, Eric Paradis, Carey Schierloh.

ABSENT: Peter Spanedda.

ALSO PRESENT: Two members of the press.

APPROVAL OF MINUTES:

Mrs. Schierloh made a motion to approve the minutes of the October 4, 2010 meeting. Motion seconded and unanimously approved.

NEW BUSINESS:

Chairman Lavery read an email received from Dick Zang, Chairman of the Water and Sewer Authority (Attachment A). The email requests that the Commission consider including the Water and Sewer Authority in the Town Charter. The email will be forwarded to First Selectwoman Pat Llodra and Legislative Council Chairman Jeff Capeci for comment.

The Commissioners summarized the feedback they received from questioning other towns on the impact they've seen from bifurcated budgets and advisory questions:

- Mr. Duero spoke to the Town Clerk in Cromwell. Cromwell has a bifurcated budget after many years of having a combined budget passed through public hearings. With the current bifurcated budget, once one side passes it cannot be changed. The failed side goes back to their board of finance where they can reduce Board of Selectmen, but not Board of Education line items. Cromwell does not have advisory questions but the clerk thought they would be helpful.
- Mr. Golden contacted Lisbon, but did not find them to be a relevant comparison as the town has only 4,000 residents and does not operate by a charter. New Milford has had a bifurcated budget with advisory questions since 1985. They do not feel that it increases

voter participation and the advisory questions are not helpful because they are voluntary and only a small percentage of voters answer them. Mr. Golden provided a copy of New Milford's ballot for reference (Attachment B). Simsbury has a trifurcated budget (Board of Selectmen, Board of Education, and services offset by fees such as sewer use, animal control, etc.). Typically Simsbury's budget passes 3 or 4 to 1 every year with less than 10% of eligible voters participating. They did not have strong feelings on their budget process other than that they've always done it this way and it has worked. Mr. Golden provided a copy of Simsbury's ballot for reference (Attachment C).

- Mr. Godin contacted Weston who in 2010 changed to a bifurcated budget and referendum after having a single budget approved through town meeting since 1996. This year both the town and school side both passed. Westport has a representative town meeting. They view the budgets individually but combine them to a single budget for the vote which typically passes.
- Mr. Lavery contacted Oxford which has a bifurcated budget. There has been a lot of tension in Oxford in recent years on the BOE side and they have had trouble passing the budget. Ridgefield also has a bifurcated budget. There is little tension in Ridgefield and they place a high emphasis on education and both budgets usually pass.
- Mrs. Schierloh summarized her findings on Wilton and Killingly in a written memo (Attachment D).
- Mr. Paridis contacted many education officials, many of whom don't work in towns with bifurcated budgets, but all had concerns over the inability to compromise on failed budgets and the issue of shared services. Mr. Paridis provided a comparison of Bond Ratings for towns within Newtown's comparative group DRG B (Attachment E).

Mr. Lavery made a suggestion that the Charter specify that a failed budget would go back to the Legislative Council *with the advice of the Board of Finance*. The Charter currently states that the budget goes back to the Legislative Council, however Mr. Lavery feels that the Board of Finance has an incredible knowledge of the Town. The other Commissioners seemed to generally agree with the suggestion.

A general discussion ensued regarding the Commissioners feelings on the charges from the Legislative Council:

- Mr. Lavery favors charge #3. Mr. Golden and Mr. Godin generally agreed. Mr. Godin added that after all of the feedback he's received, bifurcation does not make sense, but it would be nice to get a better sense of voter intent and charge #3 may help.
- Mr. Duero still disagrees. He feels that divisiveness is created by issues and that issues need to be debated and resolved. By not bifurcating, the Town is more focused on getting the budget passed instead of finding out what the issues are and going through them. He added that perhaps Westport typically passes their budget on the first time because they're working their issues out at the town meeting.
- Mr. Paridis is leaning towards not bifurcating but understands Mr. Duero's point. His primary concerns are: the inability to compromise on a failed budget, the Town potentially being penalized by the State for BOE cuts, and the issue of shared services.
- Mr. Duero responded that shared services are an accounting issue that should be able to be worked around. He added that the Town needs to back the process up so that timing issues are resolved and discussions are had upfront. He feels that all the issues

already exist and his concern is that we're trying to sweep them under the rug to get the budget passed.

- Mrs. Schierloh agreed with Mr. Paridis' point regarding the inability to compromise between sides on a failed budget and added that there are State Statutes on bottom line funding for education and that the State can penalize towns if they don't meet it.
- Mr. Godin feels that there are already many public hearings and trigger points in the process where the budgets are being reviewed and feedback is received. He thinks that issues come to the surface in that process.
- Mr. Lavery agreed with Mr. Godin's point and added that advisory questions would give the intent of voters.
- Mr. Paridis thinks that issues regarding the last budget were not resolved and that is why the Charter Revision Commission was formed.

PUBLIC PARTICIPATION:

None

ADJOURNMENT:

Chairman Lavery moved to adjourn the meeting. Motion seconded and unanimously carried. Having no further business, the meeting was adjourned at 7:29PM.

Patrick M. Kelley, Clerk

A

From: Zang (jezang@charter.net)
To: billandjoanlavery@yahoo.com;
Date: Fri, October 15, 2010 3:14:46 PM
Cc: abeng1@charter.net; LBE413@aol.com; brownmmn@yahoo.com; hilou@earthlink.net;
wren3147@aol.com; arlene.miles@newtown-ct.gov; richardconte@charter.net; ejv6@sbcglobal.net;
Subject: Charter Revision Request - WSA

Hi Bill,

I request that your commission consider adding the Water & Sewer Authority to Chapter 4 - Appointive Boards to the Charter. The WSA has served the town continuously since it was established by Ordinance 56 in 1980 and revised by Ordinance 56A, April 7, 2004. The WSA is now responsible for an annual budget of over one-million dollars and total assets of over \$40 million.

I suggest the following language:

WATER AND SEWER AUTHORITY

There shall be a Water and Sewer Authority composed of seven members serving four-year terms appointed by the Board of Selectmen, except that two of the members shall be appointed on the recommendation of the Board of Burgesses of the Borough of Newtown; with the authority to plan and direct the development, acquisition, financing, construction, operation and maintenance of such water supply and distribution systems and sewerage systems as may be required to properly serve the needs of the Town. The Water and Sewer Authority shall have such powers and duties prescribed by ordinance and the General Statutes.

Respectfully,

Dick Zang
Chairman, WSA
203-426-5413

B

**LEGAL NOTICE
REFERENDUM
ANNUAL TOWN BUDGET
June 8, 2010**

To the electors and persons eligible to vote at town meetings in the Town of New Milford:

PLEASE TAKE NOTICE that the Town Council of the Town of New Milford, acting pursuant to Section 7-7 of the Connecticut General Statutes, has submitted the vote on the annual Town Budget for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to a referendum by machine vote by the persons qualified to vote in Town Meetings to be held on June 8, 2010 at the polling places designated below, and in the form of the following questions:

1. Shall the sum of \$ 33,482,539.00 be appropriated as the annual town government budget for the 2010-2011 fiscal year?
2. Shall the sum of \$ 56,945,211.00 be appropriated as the annual Board of Education budget for the 2010-2011 fiscal year?
3. Advisory only, if the budget is defeated, do you wish to see the amount of \$ 33,482,539.00 appropriated for general town government increased?
4. Advisory only, if the budget is defeated, do you wish to see the amount \$ 56,945,211.00 appropriated for education increased?

The hours of voting at said referendum and location of the polls for eligible voters will be as follows:

Hours of Voting: 6:00 a.m. to 8:00 p.m.

Voting District and Location of Polling Places:

- | | |
|-------------|---|
| District 1: | Northville School, Hipp Road |
| District 2: | Catherine E. Lillis Building, East Street |
| District 3: | Pettibone School, Pickett District Road |
| District 4: | Gaylordsville Fire House, Kent Road |
| District 5: | Schaghticoke School, Hipp Road |
| District 6: | Hill & Plain School, Old Town Park Road |
| District 7: | Sarah Noble School, Sunny Valley Road |

Taxpayers will vote at Catherine E. Lillis Building at 50 East Street.
Absentee ballots will be counted in the Loretta Brickley Room, basement, 10 Main Street.

Final results will be tabulated in the Loretta Brickley Room.

Dated at New Milford, Connecticut, this 28th day of May, 2010.

George C. Buckbee
Town Clerk

C

**Local Referendum May 18, 2010
Town Meeting May 4, 2010
Town of Simsbury, Connecticut**

QUESTIONS	District 1	
	Yes	No
1. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the BOARD OF SELECTMEN annual budget for the fiscal year ending June 30, 2011, be approved and implemented in the amount of \$17,823,752?	1,245	349
2. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses for the BOARD OF EDUCATION annual budget for the fiscal year ending June 30, 2011, be approved and implemented in the amount of \$61,842,329?	1,154	449
3. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Sewer Use (Sewer Treatment Plant), Residential Rental Properties, Animal Control, Simsbury Farms/Special Programs, Non-Public Schools, Debt Retirement, and Capital & Nonrecurring annual budgets for the fiscal year ending June 30, 2011, be approved and implemented in the amount of \$12,575,283?	1,273	321
Total Number of Names on Official Check List of Electors	16,236	
Total Number of Names Checked as Having Voted by Absentee Ballot	23	
Total Number of Names Checked as Having Voted at the Polling Place	1,577	
Percent of Electors Who Participated	9.85%	
Total Number of Property Owners Checked as Having Voted	3	



Wilton, as we know, has 3 questions on their ballot: a) Approve the budget, b) reject b/c it is too low, c) reject b/c it is too high.

In speaking with the Wilton Registrar of voters, who has held the position for 13+ years, said she has never seen the budget fail.

They do have a town meeting the Tuesday before the referendum, in which the budget can be reduced (and usually is), but can not be increased. The referendum is held the following Saturday. She did say she thought there needed to be better communication/publicity concerning what changes are made to the budget at the town meeting.

Killingly, has a bifurcated budget and advisory questions...a) is the budget to high b) is the budget to low.

Spoke with the town clerk (over 10 years in position) and the town manager's (7 years) office.

Their budget process is a huge mess and they have, in the past, reached October and still did not have an approved budget. The town side of the budget usually passes, the BOE almost always fails. Usually takes 2 to 3 votes. Budget is always decreased, has never been increased. If one side of the budget passes and the other does not, the approved one can not be changed.

E

DRG B Town	Moodys Rating	Budget Type
Avon	Aaa stable	vote - single budget
Brookfield	Aa1 stable	vote - single budget
Cheshire	Aa1	Town Council
Fairfield	Aaa negative	Council vote - separate
Farmington	Aaa	single vote
Glastonbury	Aaa	single vote
Granby	Aa2	single vote
Greenwich	Aaa	single vote
Guilford	Aa2	single vote
Madison	Aaa	vote separated
Monroe	Aa2	single vote
New Fairfield	Aa1	vote separated
Newtown	Aa1	
Orange	Aa1	single vote
Simsbury	Aaa	vote separated
South Windsor	Aa2	single vote
Trumbull	Aa2	Town Council
West Hartford	Aaa	single vote
Woodbridge	Aa2	part of Region 5
Region 5		
Region 15		
	Highest - Aaa	
	Next - Aa1, Aa2, Aa3	