

CHARTER COMMISSION

Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION

June 24, 2008

Meeting Room "B"

Wilton Town Hall

PRESENT: Robert Russell, Michael Kaelin, Alice Ayers, Paul Burnham, Marilyn Gould,
Louise Herot, Christopher Weldon **ABSENT:** Toni Lee, Douglas Levene

GUESTS: Phil Schenck, Town Manager of Avon, CT; Mary Alice Schenck;
Carol Russell

ALSO PRESENT: Brian Shea, member of press

Chairman Bob Russell called the meeting to order at 7:08 p.m. and introduced Mr. Phil Schenck, Town Manager of Avon, CT.

Mr. Schenck stated that he grew up in Wilton and that Avon is very similar in many respects. They have a population of 18,000, with 7,000 households over 23 square miles, but a smaller budget of approximately \$70 million. Of 169 towns in Connecticut, approximately 35 have a town manager/chief administrative officer. Most of these are in Hartford County.

Avon has a hybrid type of government. The Home Rule Act in CT allows municipalities to set up their government as they prefer so long as they follow a specific process as outlined in the Statutes. Avon has an Annual Town Budget meeting. The budget is sent to referendum each year. They are governed by a five member Town Council, which used to be a Board of Selectmen. That was changed in 1980 in order to permit the majority party to have as many as four of one party, unless a greater minor representation is provided in a charter or other law, a five member Board of Selectmen may have no more than three of one party. Avon has generally been a Republican community and the Council has generally been 4 to 1, although now they have 2 Democrats and 3 Republicans. The Town Council meets once per month and acts on approximately 150 agenda items per year. Of the 150+/- items, there may be one or two votes that are split – along issues not party lines. The five members of the Council select the chairman. That individual conducts the meetings and has certain responsibilities under the Charter in an

emergency situation. It is a lay board that does not get paid. The day-to-day running of the town is left to the Town Manager and the staff, similar to the school system where the Board of Ed hires a Superintendent and he/she manages the school system.

Other elected boards include a seven member Board of Finance; a nine member Board of Education, the Zoning Board of Appeals; and the Board of Assessment Appeals. An appointed Inland Wetlands Commission, which has powers of a conservation commission. There is a Natural Resources Commission that has no regulatory authority. The Planning & Zoning Commission is appointed by the Town Council. Library employees are town employees. They also have a facilities maintenance management committee jointly with the Board of Education. They have an all-volunteer Fire Department with 1.5 full-time equivalents who work as support for the volunteer department, an administrative person and a part-time clerical. There are four fire stations, three owned by the town and one owned by the fire department itself. The fire companies are a 501(c)3 corporation with a Board of Directors. The town owns the equipment and gives operational control to the volunteer fire department. The chief is appointed by Board of Directors. There is a captain at each fire department, appointed by the Chief. They submit their budget requests to the town. There is no Police Commission.

Regarding the budget process, guidance is prepared for both the capital and operating budgets and sent out to various boards, commissions and departments. The Town Charter says that capital budget items are submitted (including Board of Ed) to the Town Manager, who then submits it to the Town Council. Budget meetings are held strictly on capital requests during November and December where individual departments submitting must come in and make formal presentations on their capital budget, with the Board of Finance being invited. Once those meetings are completed and the town manager gets some indication as to priorities of projects, he is responsible for putting together a capital budget which is then provided to the Town Council in January, which fits in with debt service and scheduling of a capital program. This is a ten year capital budget, with only the first five years being in detail.

The operating budget guidelines are sent out at the end of August. All departments, including Fire and Library, have to submit their operating budgets to the town manager by the end of October, with the exception of the Board of Education. The Town Manager sets up meetings with each department, board, commission, etc. This process is rather lengthy, beginning before Thanksgiving through the beginning of January, holding meetings every couple of days. The Town Manager goes through each item being requested and why. The Town Manager goes through a review of statistics and how they relate to the overall budget. The town manager consolidates the town operating budget with the capital improvement program scheduled for that fiscal year. The capital budget includes education projects. Anything over \$20,000 and having an expected life expectancy of 5 years or more is a capital budget item. The only exception is police cruisers which are in the operational budget. The general rule regarding the threshold for bonding is that anything from \$20,000 to \$750,000 will be funded on a cash basis, sometimes over a two or three year phase with funds accrued and encumbered for subsequent years. Anything over that amount and they begin to look at bonding. Since bonding costs alone can be \$100,000, items are bundled – probably a minimum of \$3 million. For the debt schedule, they work with a financial advisor to stay at no more than a 3-4% increase per year in debt structure. If you have spikes in debt, then there is pressure on the operating budget. They have been on a 20 year educational infrastructure program that was set up in 1988 as part of an educational master plan to upgrade infrastructure, both physical and curriculum and program changes.

The Board of Education operating budget is 60% of the total and the Municipal operating budget is 25%. If debt service is allocated, the split is 70% schools and 30% municipal. They have tried to stay away from leasing but are now starting to lease computers as they have a fast turn over.

Some of the protocols are in the Charter. The thresholds are policies developed by the Town Council and Board of Finance.

The Town Manager is responsible for putting the town operating and capital budgets together and gives to the Town Council by the third week in January. The Town Council then sets up work sessions. At the end of that process, the Town Council makes their adjustments to the budget. The Board of Ed has to submit their budget to the Town Council on February 15. The Town Council can only make recommendations to the Board of Finance. They cannot actually adjust the Board of Education budget, other than capital items. The Town Council can cut capital items from the Board of Education budget. Now the Town Council has a total of all budgets being recommended for the next year and with the grand list information, they can now establish a preliminary tax rate by the end of February. At that point, the Town Council recommends a combined budget to the Board of Finance. The Town portion of the budget is different than the Board of Ed in that the Town Council can only make recommendations to the Board of Finance regarding the Board of Education side.

Like Wilton, Avon does not get much state aid and budgets quite conservatively. They usually go by what the Governor's budget looks at. Mid-course corrections may or may not be included – generally not. They do not use numbers from the state Finance Committee and Appropriations Committee in their budget calculations. They do financial planning ahead of time looking at the prior year's expenditures and revenues. They are usually tracking the fund balance and do quarterly financial reports for the Council and Board of Finance, including the Board of Ed info. This is all packaged by the Finance Director.

By Charter, the Board of Finance conducts a public hearing, usually held at end of March, on the town-wide budget. Attendance depends on the level of the proposed tax increase and any controversy. They have two registered political action committees – the Avon Taxpayers Association and Avon Citizens for Responsible Spending (a pro-education group).

The Public Hearing is designed to give the Board of Finance public feedback. The BOF then schedules 2-3 work sessions – they meet with the Town Council, the Board of Education and then the third meeting does not allow public participation. The BOF then reduces or adjusts the budgets. Although they have the authority to decrease single line items on the town side, they do not. The Board of Finance can reduce the Board of Education budget.

The Superintendent and Town Manager get things out to be evaluated by the Board of Ed and town Council. The combined budget goes to Board of finance who looks at broader financial capacity of community. Then they make a decision as to what the community should be doing, usually reducing further and further prioritizing. They reduce and leave it up to the two boards as to where the reductions should take place.

Now the Board of Finance budget goes to the ATM the first Monday in May, by Charter. It is somewhat of a repeat but with the reduced amounts. There is no opportunity at the ATM to

change the amount of the budget. The method of voting is then adjourned to a referendum. If less than 9% of voters come out, the budget is automatically passed. The vote is yes or no. All capital projects that involve debt are separate votes at the referendum. If the budget is rejected at the referendum, the Board of Finance makes adjustments and there is a revote. If it fails after three tries, the council sets the mill rate.

Mr. Schenck handles labor negotiations, although he now has a human resources director. Of 109 full-time employees, approximately half are in a bargaining unit. Ambulance services are contracted out to AMR and there is no cost. The police are the first responders and are all either MRTs or EMTs. For paramedic service, they have a joint contract with Farmington.

Mr. Schenck feels that New England in particular likes to have a lot of participation and a lot of local control. The systems set up in the six New England states encourage and extend that through our processes. One of the issues that always comes up is accountability. Accountability is something you have with any employee and a town manager is like any employee. Mr. Schenck serves at-will for the Avon Town Council. They could vote next week to let him go. He does not have a contract. It is becoming more prevalent now but only about 50 – 60% of town managers today have contracts, not like a School Superintendent but moving in that direction. What you are looking at is getting full-time professional administrative experience. Administrator, Business Manager, Town Manager, whatever you call it, you can do what you want under Home Rule Laws – by Ordinance, Charter, etc. There are a variety of ways to have professional management help out elected officials and that is really what it is designed to do – to help out community by giving them the best professional management. It doesn't have to be a dictatorship and it doesn't have to be something that has no authority whatsoever. It's what the community is comfortable with. Most start out with a Chief Administrative Officer, Town Administrator, Town Manager and they decide what authority and powers that individual will have - some centralized administrative expertise to serve the elected officials in a fashion that they determine.

Change in itself can be a concern. Generally, we approach those types of changes somewhat incrementally. There comes a point where you realize you need professional help in management. Sometimes for elected people, it's a matter of unloading some of the day to day routine management items. Town managers are taught that their role is to give the credit to the elected officials and if somebody has to take the hit, that is their job as well.

In Avon, the Charter provides for the Council to select the Manager based on professional experience and education. He reports to Council but in terms of day to day issues, he talks to the Chairman of the Town Council, who is a lay person.

The role of the Town Council is to set the policy and provide feed-back. He looks at it as a team effort. He is preparing agenda items and talking with the Chairman. If something hot comes up, he is e-mailing the Town Council, a lot of it informational. There is a lot of communication between himself and the three boards.

When asked if he is permitted to get involved in issues that the voters will vote on, i.e. to advocate for passage of the budget, Mr. Schenck replied that the Code of Ethics keeps town managers out of all political matters. If the Town Council directs him to handle something, like land issues when doing economic development work and there are issues such as expansion, he

goes to the Council for direction. He is unaffiliated and does not participate in elections or contribute to anything political. That is part of the Code of Ethics of Town Managers.

The Town Council gives him a review every year when they go over the budget. They have asked him to prepare goals and objectives for them and for himself.

When asked about his background, Mr. Schenck advised that he has a BA in History and Political Science. He grew up in Wilton and then moved to Massachusetts. He has a Masters in public administration from Northeastern in Boston. He was in the military during the Vietnam conflict and stayed in the reserves. He then became Asst. Town Manager in Brattleboro, VT for 3 ½ years, and Town Manager in Farmington, Maine for four years, before he came to Avon. He was mobilized during Desert Storm, during which time his assistant took over as Town manager. He retired from the military as a Lt. Colonel.

Town manager salaries are generally between that of a high school principal and a school superintendent, which can vary by community and by responsibilities given to the manager. In Avon, there is a residency requirement for the town manager. He is very involved in the town, such as Rotary Club, United Way, etc. This helps to provide feedback about what is going on in the community.

Chairman Russell asked if CCM could be a resource in looking at Charters in other towns. Mr. Schenck advised contacting Jim Finley, the Director. They could give examples of other charters, put you in contact with other communities going through it and what they are doing and have done. Mr. Schenck mentioned that both Monroe and Stratford have recently dropped the Town manager form of government.

Acceptance of Minutes

Louise Herot moved to accept the minutes of the 6/12/08 meeting. Motion seconded and unanimously carried.

Future Meetings

At the July 2 meeting, there will be discussions with Joe Dolan and Sarah Taffel. At the July 10 meeting, there will be discussions with Rudy Marconi, First Selectman of Ridgefield and Natalie Ketcham, First Selectman of Redding. On August 11, Jeb Walker, First Selectman of New Canaan, will meet with the Commission. Bill Brennan would like to speak at some point.

A meeting was tentatively added to the schedule for August 19.

Having no further business, the meeting was adjourned at 9:08 p.m.

Jan Andras

Clerk (not present, minutes taken from audio recording)