

CHARTER COMMISSION

Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION

July 2, 2008

Meeting Room "B"

Wilton Town Hall

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

GUESTS: Joseph Dolan, Sarah Taffel, Ted Hoffstatter, Carole Kleinfeld

OTHERS: Brian Shea (Wilton Bulletin)

Chairman Bob Russell called the meeting to order at 7:04 p.m.

Acceptance of Minutes: Louise Herot moved the following amendment: On page 1, third paragraph, substitute the sentence – “This was changed in 1980 in order to permit the majority party to increase its number of members”. Motion seconded and amendment unanimously carried.

Ms. Ayers moved to approve the minutes as amended. Motion seconded and unanimously carried.

Schedule: It was decided to meet on July 10 with Natalie Ketcham of Redding and Rudy Marconi of Ridgefield as guest speakers. There will be a meeting on August 11 and then August 26, when First Selectman Bill Brennan will be invited.

Guest Speakers: Chairman Bob Russell advised that Joseph Dolan has been Chief Financial Officer since February 1990 and during that time has assumed many additional duties. Sarah Taffel was hired in 1996. She initially dealt with labor negotiations and large contracts. Her role has expanded so her title is now Director of Human Resources, Labor Relations and Administrative Services. These two employees handle a lot of the matters that it would be expected that a Town Manager would handle. As long as we have people of their quality to fill those positions and a competent First Selectman, Wilton is well served. Hopefully, we can continue in the next twenty years to have that quality of service.

Sarah Taffel:

Director of Human Resources, Labor Relations and Administrative Services. Personnel and Human Resources, which includes all employee hiring other than Police Department. She handles everything associated with hiring, including establishing job descriptions, posting and advertising, to actual hiring. She also maintains compliance with applicable laws and employment practices. Municipalities are different and you have to know the distinctions between private and public employment. In the HR field, there is a piece that involves just basic knowledge of employment law. We do have outside labor counsel available for advice and counsel. If we have a case that goes to the CHRO (Human Rights) the labor counsel will handle it but unless something rises to that level, it is managed internally. HR also includes organizational issues, training, supervisory issues, some disciplinary matters and motivation. She tries to keep abreast of labor relations. We have four unions and 160 full-time and part-time permanent employees, not including school system employees. We have a Fire Union, Police Union, Teamsters (public works) and then there is AFSCME (general employees). Union employees are a large chunk of our total employee count. She negotiates contracts with the four collective bargaining units. We have gone to longer contracts which can be good or bad, depending on how well the contract is working. All employees contribute a percentage of the premium for health care as a payroll deduction, which varies depending on the union. There are grievances that have to be resolved through a determined process. There are prohibitive practices complaints that are held before a labor board. That is, if the union feels that you have violated a determined condition or practice of employment. Those are the main pieces of the labor relations. You need to have a working relationship with your unions so that you can get things done cooperatively. The PD has a labor management committee that the chief is very pleased with.

If we don't know where to put something, it goes into "administrative services". If something comes up that she's interested in or it hasn't fit in anywhere else or no one is doing it, such as purchasing, other than office supplies or something department specific, as with public works, police and fire who have things that require an expertise. She has not ventured into those. She began the purchasing of heating oil, gasoline and diesel almost as soon as she came here. The heating oil and diesel are purchased in conjunction with the school system. When Bill Brennan made some organizational and reporting changes, he added the Town Clerks and Registrars office to report to her. There is also a safety committee we are required to have by Statute. They meet almost every month and she is secretary of that committee which is an interesting, creative group that consists of representation from all major departments. The safety committee was mainly formed to try to address workers comp injuries. Statutorily you are required to have inspections and training and we do both of those. Inspections of town facilities are held each month and comments are received from the occupants of those facilities. Those are given to her and she is the person who keeps bringing back issues that have not been resolved.

We have workers comp insurance through CIRMA. They have a broker who comes to all of the meetings and CIRMA regularly attends as well. CIRMA will handle training, but the inspections are handled by the insurance broker representative (H. G. Segur). CIRMA provided a checklist that we took and added to the one that we had been using previously. Some of the facilities are consistently good and some of them, in part because of the nature of the work in the building, are harder to maintain a level that we would like. Then we would ask Gordon Stuart to come down and do the inspection with the team. The schools are part of the safety committee but they may go and create their own separate committee. Joe Dolan added that we hired an insurance

consultant and it was his recommendation that the Board of Ed create its own safety committee for several reasons. One is the nature of their operation (single use) which is very different than what the town committee handles. Many workers comp claims in the schools are not from positions you would think are dangerous – but are from teachers and secretaries. Because of their schedule, it is very difficult to get someone from each school to come to a safety committee meeting but when they create their own, they can craft their own schedules. We do joint procurement of insurance with the Board of Education. This fiscal year, we expect savings of approximately \$200,000 on insurance premiums (jointly between town and schools).

Sarah stated that she also is involved with Joe’s department in regards to payroll and benefits. Particularly she deals with the payroll person.

The last thing is that she has been involved in facilities management, only by default. That is an area that really should not be part of administrative services. Is the facilities manager a job that is open and available? Sarah replied that there is a position for that and we have restructured it a few times. The first attempt was a fairly modest level position and we underestimated what was really required. The person who was hired for that was a very good handyman but it was not addressing management items. The Board of Education has its own facilities manager. The Police Dept. is the only town facility that has its own custodian.

She is only involved with library personnel regarding pension and health insurance.

Joe Dolan stated that we have four very complicated union contracts that need to be administered. There are still some legacy provisions in some of those contracts. It is Sarah’s job to interpret and administer them and that is not an easy thing to do. Grievances can be filed and it is a lengthy process to settle them. Sarah estimated approximately 10 grievances per year.

Joe Dolan

His department is responsible for all financial accounting (excluding Board of Ed), reporting and budgeting. We do the processing and anything that involves money passes through his office. Any expenditure of funds has to pass through him in some format, including payroll, procurements, risk management. They do all bank reconciliations, including Board of Ed, except for student activity funds. His office is responsible for debt management which means putting together bond sale, sizing the bond sale, preparing official statements. We maintain all of the pension records for active employees including those employees of the Board of Ed who are in our plan. We are the primary interface between Vanguard, who does the issuance of the retirement checks, and the town. The town’s IT director reports to him. He supervises the Assessor and the Tax Collector. Those departments run very well on their own. He rarely has to get involved in the day to day operations. The finance department as a whole is probably the sole function in government that does not directly serve the public. They are entirely a “back room” operation. The purpose of his department’s existence is to serve the other departments. He has a controller, accountant, payroll benefits administrator, treasurer, a clerk, a bookkeeper, and a part-time scanner. His department also includes someone who does the ambulance billing and collection. The Finance Dept. does billing and collection for the transfer station, police and fire private duty. He shares a Management Analyst with the IT Director. He has gradually morphed into more IT but still does some cash management functions. We have a segregation of duties when it comes to moving funds around. He personally cannot move money and cannot authorize someone else to do it. The treasurer is responsible for that operation.

One important function is that we are responsible to be the primary contact with the external auditors. Next week, they will be in to begin their initial testing and it will go through the end of December. The finance department provides information to them. McGladrey and Pullen have been our auditors since 1992. The municipal market is a very small market for auditors.

The budget process is fairly good. There are so many groups who have their say. There is some tweaking that probably needs to be done. The role of the board of finance needs to be a little bit more specific in the Charter.

Regarding the process, the Board of Education has a different schedule and starts at a different time than we do. What the Charter starts with is the submission of the budgets and the five year Capital Plan from the Board of Selectmen and the Board of Education, separately but at the same time, to the BOF 35 days before the Annual Town Meeting. The date is specified in the Charter and that is fine. The BOF then has to hold public hearings usually on the last Monday and Tuesday of March (one for the municipal budget and one for the Board of Education). Then the BOF has until the first or second week in April to craft a mill rate and budget, which then goes to the Town Meeting.

The Charter leaves unspecified what each of the boards (Selectmen and Education) do before the budget is submitted to the BOF and that is something that should be left to the individual boards.

Does the Board of Finance have any training or knowledge of town finance before they become members? Mr. Dolan - before they do, we take them through the process and give them copies of various documents. The way the Charter has the staggered terms, there are usually three veterans on that board who can give on the job training. It can be awkward if you have half of the members new for the budget. There is a tendency to misunderstand their powers. For the BOE, under state law, the BOF has no line item authority over their budget.

On the town side, the BOF does have individual line item authority over the BOS budget. For example, the BOF could say we are going to cut out the funding for a particular position. If it is a non-union position, that person is terminated on June 30. That is by Charter. In the very first part of the Charter, it gives the BOS certain responsibilities over the management of town affairs and the powers and authority to fulfill those responsibilities. If you look at the same theory that governs the BOE's single line, the BOF ability to go in to a particular line item, the BOF can usurp that power from the BOS and actually create policy through budget manipulation. Rather than if the BOS's operating and capital were considered the single line, the BOF could easily say we're cutting half million, you decide where it's coming from, which is what the BOF does now.

In our budget, not including capital items, we have over 800 line items. If the BOF starts going through them line by line, it will take three years to get a budget. There is a tendency to get side tracked. The BOF's primary responsibility is to recommend a total budget to the Town Meeting and a tax rate. Policy decision is what will that budget be, the taxes needed to support it and what comes in between is how much of the Fund Balance to use to support the succeeding year's budget. Those are the policy decisions they need to make. If I had to write a Charter, I would say that the BOF, in recommending a budget to the town would have to consider the BOS operating, capital as a single number, not separate. If they recommend a cut, the Board of Selectmen should be the ones decided where it comes from. Since the BOF is a department in

the BOS budget, they should probably have complete line item control over their (the Board of Finance) budget.

The Police and Fire Commissions are statutory or ordinance commissions. They approve before the budget comes to the Selectmen. Then when the departments make the presentation or explain their budgets to the BOS, the commission members are present to explain the budget along with the department head. The commissions are generally very knowledgeable about what is in budgets. The BOS will have hearings at which the larger departments will represent their budgets. They extend that also to the library as a courtesy and to get information. Those are items best left out of the Charter. Let the Selectmen decide how they want to manage the information that comes to them.

When asked if he recommends that the Charter be revised so that the BOS budget is treated the same as the Board of Education, Mr. Dolan replied that he does. What applies to decrease applies to increase as well. There are valid times when the BOF might have to increase the budget such as this year when the actuary miscalculated and our budget for the contribution was \$30,000 lower than it should have been so the BOF had to add \$30,000. The change he is suggesting would still allow them to do that with the understanding that it is by line item. They could still do that with the change he is suggesting.

What about not having a Board of Finance at all? Joe – You are left with dealing with how to get a budget to a Town Meeting because you have a budget coming from the BOE and one from the BOS. Who does it go to? Someone has to look at the entire budget. The BOF does not have the responsibility of the day-to-day management of the town operations. The BOF goal is to set a budget which then can do just as well with having a single line item control.

You need someone to set the policy and decide how much of the fund balance to use. That is a calculated decision. That and setting the total budget for the town, including what to determine for elderly tax relief. We do need to maintain our Aaa standard.

Regarding the Town Meeting, would you venture an opinion on the town's ability to line-item the BOS budget? Joe – it seems pointless to have the Town Meeting be able to do that when they can't do it to over one-half of the town budget (BOE). He proposes that "appropriation" be defined in the Charter. (Mr. Dolan was asked to submit his definition.) He also proposes that the Charter specify a floor amendment would have to specify only which appropriation to change. They can't increase but they can decrease. Only by ruling of the town attorney is the debt service an appropriation. The existing format makes it almost impossible to amend the BOS budget from the floor but at the same time it gives the Town Meeting the same micro-management authority that makes him nervous with the BOF.

Town manager or Administrative CEO? – Mr. Dolan's point of view is that a town manager still couldn't do it all. We would still need a Finance Director and an HR. Many towns with town managers have separate risk managers, some may have budget directors. It is a replacement for what we currently have as the Chief Executive Officer. You end up maybe changing the title more than the function of the job. The chief executive still needs staff to help do the work. That person is responsible for all of the day-to-day operations, not policy, of that government. He sees no problem with the Chief Executive Officer being the Chief Elected officer.

Mr. Dolan will submit any other suggestions he has for the Charter.

Regarding his background, Mr. Dolan stated that from the late 60's to 1990, he worked in the New Haven Controller's office and ended as Acting Controller for New Haven – also City Treasurer and Chief Accountant. When he retired and came to Wilton but still lives in New Haven.

Having no further business, the meeting was adjourned at 9:05 p.m.

Jan Andras

Clerk (Not present. Minutes taken from audio recording)