

CHARTER COMMISSION
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TOWN HALL
238 Danbury Road
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PUBLIC HEARING
WILTON CHARTER COMMISSION
June 3, 2009, 7:30 pm
Wilton Town Hall, Room B

PRESENT: Robert Russell, Michael Kaelin, Alice Ayers, Paul Burnham, Marilyn Gould, Louise Herot, Toni Lee, Chris Weldon **ABSENT:** Doug Levine

ALSO PRESENT: First Selectman William Brennan, Second Selectman Susan Bruschi, Selectman Richard Creeth, Selectman Harold Clark, CFO Joseph Dolan, Board of Finance members – Warren Serenbetz, Robert Kelso, Dick Dubow, Al Alper, Andy Pforzheimer, Registrar Carole Young-Kleinfeld, Board of Ethics Chairman Stephen Hudspeth, approximately 8 members of the public, two members of the press

Chairman Russell called the hearing to order at 7:32 p.m. and announced that tonight's public hearing is being broadcast live on Channel 79.

By June 19, 2009, the Charter Commission is obligated to submit a Draft Charter Report to the Town Clerk and the Board of Selectmen. The BOS will then be reviewing the proposals. In July, the BOS are required to hold another public hearing, as per State Statute. Following that, the BOS will make their final recommendations to the Charter Commission. The Commission will then complete their final recommendations by mid-August. If this is satisfactory to the BOS, they will vote no later than September 3 to place the proposed new Charter on the November ballot.

Ms. Louise Herot had prepared a summary of the Charter Commission recommendations, which she reviewed with those present.

Mr. Warren Serenbetz, Board of Finance Chairman: Contrary to what has been said, the BOF members believe they did use line item veto, at least in part, this year. Through give and take between the BOF and BOS, the line item veto works and removing it will serve no purpose. He asked the Commission to take the unanimous opinion of the Board of Finance members into consideration in their deliberations.

First Selectman William Brennan: Regarding line item authority, this debate is not shaped by partisan politics. The suggestion was first made by CFO Joe Dolan, who worked closely with the

BOF for over 19 years. The debate is over the wisdom of having the BOF able to specifically designate which line item expenditures in the BOS budget should be cut. He believes that this authority has seldom been used. The BOF has the ability to reduce the total budget expenditures of the BOE and BOS, if necessary, and that authority is unquestioned.

Mr. Mike Lindberg, 149 Thunder Lake Road: He served on the BOF for 8 years, during a period that is similar in economic duress to what we are experiencing today. Traditionally, the BOF has been very prudent in exercising line item veto. They worked closely with the BOS for the best of the community. With that authority to look and comment on line item funding, there comes a lot of responsibility. A lot of time is spent in researching the needs of the different departments. Many times, the BOF came back with recommendations that actually had little impact on the overall budget. He urged retaining the line item authority with the BOF. It encourages the BOF to get into the budget in the depth that is needed. He feels now is worst time to make this change. We have benefited from two decades of Joe Dolan's expertise. A lot of his institutional knowledge will be lost when he leaves.

Mr. Louis Reens, 9 Forest Lane: Regarding line item authority, he strongly recommends limiting the authority of the BOF. People attending the annual town meeting can address a particular line item and seek to amend. At the Annual Town Meeting, a lot of time is spent discussing an insignificant portion of the budget when time should be spent discussing the overall budget. He suggests removing line item authority from the Annual Town Meeting. The BOS should handle the line items in their budget and a second line by line review by the BOF is not necessary.

Mr. Robert Kelso, 64 DeForest Road, member of BOF for the past 9 years: He respects Joe Dolan's opinion most of the time but respectfully disagrees on the matter of eliminating the BOF line item authority. The BOF has worked effectively over the last several years and produced a quality financial environment in town. He urged the Commission to keep things as they are because they have worked well in the past.

Mr. Harold Clark, 28 Wilton Crest, member of the BOS: He believes that the BOF line item authority should be eliminated. The BOS spends an entire year listening to the various departments, boards and commissions of the town. They go into executive session on a regular basis to discuss things such as labor matters, individual employee issues and policy changes that could have a strong financial impact. There are many things that go into the make-up of policy and a lot of that information cannot be made available to the public. The BOS and Town Meeting have the legislative power, yet power of purse gives legislative authority to the BOF. Those decisions can have enormous consequences that the BOS have to live with.

He does not believe the Town Meeting should be allowed to eliminate or increase line items. They must be considered within the total context. We need judgments of those who have studied and understand the issues.

He is concerned with succession issues. The First Selectman is CEO of the town. The proposal in the Charter is that there be a special election in the event of an absence in the First Selectman position. This could take 2-3 months. The Town cannot operate while we try to figure out who will be first selectman. This is not a ceremonial job. He feels commission needs to come up with an alternative.

Mr. Richard Creeth, 250 Catalpa Road, member of BOS: The BOF line item veto has not been used during the 6 years he has served on the BOS. It is not the use that is the problem - it is the possible abuse. With line item veto, the BOF could technically eliminate the library or teen center and that is not an appropriate power. The BOS is charged with the day to day running and budget of the town.

Mr. Andy Pforzheimer, 199 Hurlbutt Street, member of BOF: Regarding the change in the draft budget to allow the reconvened Town Meeting to reduce or increase the reconsidered budget, where does the Charter address where the additional money would come from? With this scenario, 15% of the electorate can allot tax money from the rest of the town. A minority constituency would not have the greater interest of the town at heart nor would they have all information that is available to the BOS, BOE or BOF.

Mr. Al Alper, member of BOF: This year, the BOF put out 200 questions about specific line items. Line item authority gives them the ability to see the detail and helps them to understand the dollars that make up the line items.

Ms. Carol Russell, 15 Hemmelskamp Road: If the BOF does not have control over any line items in the BOE budget, why should they then have the ability to make line item cuts in the BOS budget? The Charter will not be looked at again for another 10-15 years, so the time to make a change is now.

Ms. Deborah McFadden, 109 Westport Road: She agrees with separating the election of the First Selectman from that of the Board of Selectmen. She also agrees with having four year terms and is strongly in favor of staggering terms. She does believe that succession for the First Selectman should be addressed, which the Charter Commission is proposing. The power should be with the people of the Town Meeting and they should be allowed to petition. Mr. Russell advised that the number of signatures on a petition is recommended to be increased from 50 signatures to 2% of the electorate, or 224 signatures. Ms. McFadden agrees that is reasonable.

Ms. Gail Lavielle, 109 Hickory Hill: She is a strong advocate of the Town Meeting form of government. It is an opportunity for citizens to provide input. She is not clear about the language "reject" or "adjust" the budget by the Town Meeting. The people who are elected to serve on boards/commissions represent the entire town. When the Town Meeting adjusts a line item, the people there are representing themselves. They are not vested with the responsibility for representing the population. She is not comfortable with the Town Meeting being left with the last word on what happens with the budget. Those present at the Town Meeting can amend the budget and bypass oversight by the BOF. This is in the current Charter and continues in the proposed Charter.

Mr. Moses Alexander, 61 Ryders Lane: He is in favor of keeping line item authority with the BOF and expanding it as much as possible into the BOE budget, perhaps by segregating out parts that might not be mandated "education" by the state. He is also concerned that a small number of voters can reduce the budget at the town meeting on Tuesday and that is what goes directly to the machine vote on Saturday.

Mr. Stephen Hudspeth, 6 Glen Hill Road: Regarding the BOF line item authority, he has heard good arguments on both sides of the issue. He suggests a compromise, i.e. the BOF determines

the bottom line and suggestions for line item reductions, which goes back to the BOS, where by super majority, they can override particular line item proposals but not the bottom line determined by the BOF.

Ms. Louise Herot then explained the process for transitioning into four-year staggered terms for the BOS.

Ms. Carole Young-Kleinfeld, Registrar: She thanked the Commission for televising this meeting. Regarding language in the proposed Charter for a machine voting for bonding, supplementals and the Annual Town Meeting and special Town Meetings, she reminded that there are extra expenses involved in programming the machines. She asked why it is needed for every special Town Meeting. Mr. Russell advised that there is a provision stating that the machine vote is only required for Special Town Meetings that are brought by a petition.

Ms. Barbara Quincy, 81 Grey Rocks Road: She is disappointed that there is no recommendation to go to a town manager.

Mr. Al Alper: He is in favor of the Town Meeting form of government, which empowers the people. He does not agree with the 15% threshold for the number of people who can amend the budget and change the financial situation of the town. It is too easy to marshal such a small number.

Hearing no further comments or questions, the hearing was closed at 9:46 p.m.

Jan Andras
Recording Secretary
Minutes taken from video recording