



Ellen O'Shaughnessy
Chairman

Mark Joyse
Vice Chairman

STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187

TEL 860-870-3100 FAX 860-870-3102

www.ellington-ct.gov

RECEIVED

MAR 16 2016

ELLINGTON TOWN CLERK

John L. Daigle, Jr.
Bruce Fader
Robert Harvey
Dale Roberson
Michael Stupinski

Charter Revision Commission

MEETING MINUTES

MARCH 9, 2016

MEMBERS PRESENT: Bruce Fader, Mark Joyse (Vice Chairman), Ellen O'Shaughnessy (Chairman), Dale Roberson, Michael Stupinski

MEMBERS ABSENT: John L. Daigle, Jr., Robert Harvey

OTHERS PRESENT: Tom Palshaw; James Prichard, Deputy First Selectman

I. CALL TO ORDER:

Chairman O'Shaughnessy called the meeting of the Charter Revision Commission (CRC) to order at 7:03 p.m. in the Town Hall Meeting Hall, 55 Main Street, Ellington, Connecticut.

II. CITIZEN'S FORUM:

Mr. Palshaw spoke on the approval on March 7 at the Ellington Board of Selectmen (BOS) meeting of a DEEP grant for an artificial turf field and lights at Ellington High School. Mr. Palshaw noted that the process of approving this grant was haphazard with the BOS more often than not being out of step with those groups and commissions that were tasked with obtaining the grant. Costs were mostly unknown except for old estimates. Mr. Palshaw said that the BOS asked the right questions and the situation was mollified to a degree. He concluded that a Town Manager/Town Administrator would have been inordinately helpful in this particular situation.

Mr. Palshaw also expressed a desire for the CRC to address the Audit Committee, the Human Resources Coordinator, the budget process, the recall process, the Town Meeting minimum vote requirement, and the trigger of a budget referendum.

III. APPROVAL OF MINUTES:

A. February 10, 2015

The CRC requested the following correction: on page 2 under "Unfinished Business", second paragraph, second sentence change the word "advisable" to "advisory".

MOVED (JOYSE), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 10, 2016 CRC MEETING MINUTES AS CORRECTED.

IV. UNFINISHED BUSINESS

A. Consider Changes to Town Charter

The CRC briefly considered changes to the news release regarding changes to the Town Charter prepared by the First Selectman's office. Mrs. O'Shaughnessy suggested a change to reflect the actual role of the Town Manager. Mr. Fader suggested leaving the document as is. Mr. Joyse suggested removing reference to the Town Manager from the document and simply referencing a change in form of government. The CRC agreed to Mr. Joyse's change.

The CRC next considered the Recommended Charter Changes document (attached). Mr. Fader objected to the creation of a permanent Design Review Board and asked if there was an opening to re-visit the topic. Mrs. O'Shaughnessy said that the time to review the recommended change had passed.

MOVED (JOYSE), SECONDED (STUPINSKI), AND PASSED UNANIMOUSLY TO APPROVE THE RECOMMENDED CHARTER CHANGES DOCUMENT WITH THE MODIFICATION OF SECTION 911 FROM "EX-OFFICIAL" TO "EX-OFFICIO".

The CRC next discussed the approval of the document "Recommendation of the Charter Revision Commission Regarding the Addition of a Town Manager to Our Present Form of Government" (attached).

Mr. Fader expressed concern that approving the document would be a tacit endorsement of the Town Manager form of government. Mrs. O'Shaughnessy assured him this was not the case.

Mrs. O'Shaughnessy discussed her research into three towns with a Board of Selectman and a Town Manager; Hebron, Tolland and Granby. She recalled that the Town Manager of Hebron has secured grants totaling millions of dollars and that the bond rating of Hebron has improved under a Town Manager. According to O'Shaughnessy the Town Manager of Tolland cited efficiencies, grants, and legal actions as the advantages of having a Town Manager. Tolland's bond rating has also improved under the Town Manager and the Town Manager has lowered Tolland's health care costs.

Mr. Fader asked what the Town of Ellington's current bond rating is. Mrs. O'Shaughnessy remarked that it was Double-A Three. Mr. Joyse noted that the Town has a fund of several million dollars that is not earning interest. Mr. Fader noted that the fund is losing money due to inflation.

Mrs. O'Shaughnessy noted that Granby's bond rating has also improved under a Town Manager. She said the Town Manager of Granby noted that having a Town Manager is not a diminishment of elected powers but rather a separation of powers. He said he contacts the First Selectman daily and everything goes through the Granby Board of Selectmen.

Mrs. O'Shaughnessy noted that Finance Officer Nicholas DiCorleto is the closest thing Ellington has to a Town Manager but his experience is limited to finance.

Mr. Joyse suggested presenting a few slides of Mrs. O'Shaughnessy's research to the BOS. Mr. Fader suggested including bond rating information for Ellington and similar towns to that

presentation. Mr. Fader agreed to research the bond rating information on the behalf of the CRC.

Mr. Stupinski suggested that groups should not be applying for grants independent of the BOS. Mr. Palshaw noted that the BOS was blindsided by the DEEP grant for an artificial turf field and lights at Ellington High School.

Mr. Fader asked if the First Selectman has, like a department head, any sort of performance review. Mr. Stupinski said there is an informal review in the form of setting the First Selectman's salary. Mrs. O'Shaughnessy added that by state statute there can be no recall of the First Selectman. Mr. Fader noted that the lack of recall is a reason to appoint a Town Manager because the Town Manager is subject to a performance review and can be dismissed if not performing adequately.

Mr. Roberson suggested that the vote should not be taken with two members missing and he said he does not support the recommendation to hire a Town Manager.

Mrs. O'Shaughnessy emphasized that the CRC is not recommending a change to the form of government but rather an addition to the government with the hiring of a Town Manager.

Mr. Roberson considered Mrs. O'Shaughnessy's remarks as downplaying what would be seen by the public at large as a major change to the form of government.

MOVED (JOYSE), SECONDED (STUPINSKI), AND PASSED (AYE: FADER, JOYSE, O'SHAUGHNESSY, STUPINSKI; NAY: ROBERSON) TO APPROVE THE DOCUMENT "RECOMMENDATION OF THE CHARTER REVISION COMMISSION REGARDING THE ADDITION OF A TOWN MANAGER TO OUR PRESENT FORM OF GOVERNMENT."

V. NEW BUSINESS

A. Public Hearing – March 23, 2016

Mrs. O'Shaughnessy said that she had asked to be put on the agenda of the BOS meeting of April 11, 2016 so that she can answer any questions they may have. She invited the CRC to join her.

Mrs. O'Shaughnessy noted the procedure for the public hearing and said that there would be a regular meeting of the CRC following the public question and answer session.

Mr. Fader asked if the recommendations shouldn't have been finalized until after the public hearing. The CRC agreed that the recommended Charter changes can be amended after the public hearing. Mrs. O'Shaughnessy remarked that the purpose of the public hearing is to inform the public of the changes the CRC is considering recommending.

Mr. Fader suggested using the word draft on all documents presented to the public to imply that changes can be made after the public hearing.

Mrs. O'Shaughnessy suggested that the CRC might be recommissioned if their work is incomplete by the deadline but she suggested that recommission would probably not be necessary.

Mrs. O'Shaughnessy suggested that a working group would need to be formed to put recommended changes into language appropriate for a ballot. She volunteered herself to be part of such a working group. Mr. Joyse suggested that the working group seek guidance from the BOS.

VI. CORRESPONDENCE

The CRC received an e-mail from Finance Officer Nicholas DiCorleto which stated that he would suggest charter changes by April 1, 2016. The CRC agreed that it would be very difficult to consider changes recommended at this time.

VII. ADJOURNMENT

MOVED (JOYSE), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE CHARTER REVISION COMMISSION AT 8:14 P.M.

Respectfully submitted,



Joseph Tarzi
Recording Secretary



Ellington Charter Revision Commission

Recommended Charter Changes

CHARTER SECTIONS

ELLINGTON CHARTER REVISION COMMISSION RECOMMENDED CHANGES

- | | |
|----------------|---|
| 205-A | Vacancies of elective offices filled by Board of Selectman appointment will serve until the end of the term in which the vacancy occurred. |
| 302-D | Board of Library Directors to be renamed Library Board of Trustees. |
| 302-G | The regular members of such Zoning Board of Appeals shall not be members of the Planning and Zoning Commission. |
| 605 | Remove the provision that a special town referendum needs a "majority equal to at least fifteen (15) percent of the qualified electors of the town" in order to overrule the action of a town meeting. |
| 820 | The alternate members of such Zoning Board of Appeals shall not be members of the Planning and Zoning Commission. |
| 823 | Remove this section; Senior Center Endowment Fund Committee. |
| 827 | Add a section creating a permanent Design Review Board. |
| 828 | Add a section creating a permanent Patriotic Committee. |
| 901 | Add language creating the position of Town Manager. |
| 911 | The Building Official to be named an ex-officio non-voting member of the Permanent Building Committee. |
| 917 | Change "offices" to "officers"; delete the words "not later than thirty (30) days after the commencement of their first term of office under the provisions of the Charter"; add language allowing the Fire Marshal to appoint and remove deputies, assistants, and employees in his or her office. |
| 922 | Add "Design Review Board" to paragraph (b); remove the word "ordinances" from paragraph (c). |
| 924 | Add a section delineating the duties of the Town Manager. |
| 1011 | The minimum monetary amount that would require competitive bidding should be increased from \$7,500 to \$25,000. |
| Various | Spelling, syntax, punctuation, capitalization, and grammar corrections. |

RECOMMENDATION OF THE CHARTER REVISION COMMISSION REGARDING THE ADDITION OF A TOWN MANAGER TO OUR PRESENT FORM OF GOVERNMENT.

Based on many months of exhaustive study and research, the Charter Revision Commission strongly recommends that the Board of Selectmen consider adding the position of Town Manager to the present group of administrative officers. We make this recommendation for the following reasons:

- Historically, Ellington has been governed by a Board of Selectmen whose members had both executive and administrative responsibilities, many of which were handled by the First Selectman, who is the Chief Elected Official. This system functioned very well when municipal government was limited in scope and complexity. With the expansion of responsibilities however, the policy-making demands of governing bodies has greatly increased, as has the need for technical competence in the administration of services. Today's elected board members can better fulfill their policy-making roles and maintain their overall control of service delivery by delegating the day-to-day management of the town to an appointed professional.
- Hiring a professional would free the First Selectman from the administration of daily operations and gives him or her time to focus on policy-making duties. It empowers the First Selectman to effectively provide leadership and develop a vision for the community, while a trained professional oversees the day-to-day operations.
- Professional managers have degrees in public administration or other related field, and are well-trained to operate a municipality and supervise its operations, including administering budget oversight. Ellington has grown into a government with 31 different departments, commissions, boards and agencies (not including the Board of Education), more than 16 administrative officers, and a budget of nearly 54 million dollars. Some of these departments additionally have a number of programs under their direction. Just one such example is Youth Services, which lists at least 15 different programs, 5 paid positions and a number of volunteers to run these programs. The large number of departments in similar positions is creating complications in efficiency. Further, presently each department has a liaison from the Board of Selectmen who reports to the full Board and during the budget process can come back with board recommendations for cuts or additions to their individual budget. Again, complicating this process further is the situation where some department expenditures may overlap with those of other departments such as Land Use with Building Maintenance, or Recreation with Board of Education. Traditionally, this scenario has been thought to be a good thing, inasmuch as it results in many different boards and agencies having their own political power: no one person or agency is in control and responsibility for decision-making is shared among many people. However, as the size of our government continues to grow, this scenario is becoming more and more unwieldy, with too much de-centralization of power and a resulting lack of timely decision-making. We have heard from many Ellington department heads who have urged simplification of the process. If we think of Ellington as a 54 million dollar business, then having a professional manager as the single liaison between all departments and the Board would greatly streamline the process and provide continuity of reporting among all facets of the government. The budget process is only one issue among many that having an appointed manager would help to streamline.

- Under the current system, the First Selectman is the Chief Elected, Executive and Administrative Officer, with myriad responsibilities for overseeing all facets of the municipality, and also serves on various regional boards, while reporting regularly to the full Board regarding the condition of the town, and overseeing all aspects of the budget process, among many other duties. To be elected to this office, one need only be a registered voter in the town. On the other hand, a professional manager is selected strictly on the basis of experience, education and qualifications specified by the Board of Selectmen. If a First Selectman is not responsive to the electors, there is no method to remove them from office before the next election. However, if a manager is not responsive to the elected officials, he or she may be terminated at any time, in accordance with the contract under which he or she is employed. In that sense, the manager's responsiveness is tested daily. He or she is appointed by, and serves at the pleasure of, the Board of Selectmen.
- The Board of Selectmen, the Board of Finance and the other elected boards in Ellington would benefit in several ways from adding a professional manager. For one thing, the manager is charged with carrying out the policies established by the Board and with delivering public services efficiently, effectively, and equitably, allowing the Board members and the First Selectman to spend more of their valuable and limited time focusing on policy issues, community goals, and major projects rather than on administrative details. Additionally, the Selectmen will get more comprehensive information and analysis from the manager in a staff role to enable them to make more informed decisions. Also, a professionally trained manager would be a knowledgeable and valuable resource for recommending new procedures across all facets of government.

TYPICAL DUTIES OF AN APPOINTED MANAGER

- Carries out the policies adopted by the elected officials
- Manages city or town services, which may or may not include public works, public safety, planning and economic development, parks and recreation, libraries, youth services, resource recovery and recycling and utilities, depending on each town's requirements.
- Prepares a comprehensive annual budget and capital improvement program
- Ensures fiscal responsibility and modern accounting practices
- Develops performance measurement systems for city or town services
- Applies for and administers federal, state, and private foundation grant funding
- Recruits, hires and supervises the workforce of the city or town, including key department heads
- Prepares council or board meeting agenda materials
- Develops long-range plans with guidance from elected officials and assists in the achievement of common goals and objectives
- Facilitates the flow and understanding of ideas and information between and among elected officials, employees and citizens

It should be noted that the implementation of adding a Town Manager to the government structure, if approved, once approved, would take up to three years to complete: a job description that encompasses Ellington's expectations and outlines measurable objectives that the Board would want to accomplish would have to be drawn up; decisions would have to be made regarding what qualifications would be sought in the candidates; and a management profile of the manager that matches the Board's expectations should also be developed. Generally, when a change in the Town Charter is voted on and approved, the actual changes don't take effect until the next election cycle, giving the Board of Selectmen a good deal of time to make the appropriate adjustments.

It should also be noted that many of the above duties of an appointed manager are assigned to the First Selectman according to the present Town Charter. Assigning these administrative duties to a Manager would enable the First Selectman to spend more time in a leadership role, assessing the needs of the community, representing the community on the various regional boards and agencies to which he or she belongs, and concentrating on developing goals for the community. In other words, the Board and the First Selectman can spend more time deciding on how to use limited resources in creative ways, while the manager would be responsible for the methods of implementation.

From the point of view of the voters, little if anything would change; elected officials would remain the same, including the First Selectman, who would continue to be the Chief Elected Official and preside over the Board of Selectmen, while carrying out all the other leadership duties presently assigned. Administratively, however, all town departments and agencies would be linked by one professional, simplifying and speeding up the process by which decisions are made. This professional would be hired by the Board, would be an employee of the town, would work closely with both the Board and the First Selectman and would bring consistency to the governance of the town. Allowing the First Selectman to concentrate on leadership rather than management might also encourage more people to run for this office, an ongoing problem in Ellington.

METHODOLOGY OF THE CHARTER REVISION COMMISSION IN ARRIVING AT THESE RECOMMENDATIONS

The following resources and methods were used by the Charter Revision Commission members in order to formulate the charter revision recommendations, including the addition of Town Manager:

- Public input via meetings, public hearing and e-mail correspondence,
- Commission research of the existing charters and revisions of other towns,
- Commission interviews of Town of Ellington personnel, past and present First Selectmen and Board of Selectmen, and personnel of other towns,
- Commission research and evaluation of printed and online materials and books about municipal government, especially those published by the Connecticut Conference of Municipalities,
- Acquisition of written suggestions for changes from agency and department heads,
- Commission discussion and debate regarding revision suggestions.