

Final Report of the 2016 Groton 2016 Charter Revision Commission

November 2017

Appointing Resolutions

By resolution 2015-0298 on May 3, 2016 the Town Council of the Town of Groton established a Charter Revision Commission “whose membership shall consist of 11 electors of the Town, not more than one-third of whom may hold any public office in the Town, and not more than a bare majority of whom shall be members of any one political party, and that such Commission shall make its report including any proposed revision of or amendments to the existing Charter to the Town Council not later than 16 months from the date of this resolution.”

By resolution 2016-0135 on May 16, 2016 the Town Council set the date for the Charter Revision Commission to make its report to the Town Council to be not later than September 2, 2017 and appointed the following persons, effective immediately, to the Charter Revision Commission:

Scott Aument
Kathy Chase
Jane Dauphinais
Robert Frink
Patrice Granatosky
Dee Hauber
Rosanne Kotowski
Brandon Marley
Daniel Mello
Darcy Peruzzotti
Jennifer Lobrin White

The Town Council further provided lists of Charter Revision items they wanted the Commission to consider. Those lists are provided as **Attachment 1** and the CRC gave due consideration to the items on those lists.

The members of the Charter Revision Commission wish to thank the Town Clerk, Betsy Moukawsher and assistant Nathan Caron for their untiring assistance throughout this process. We would also like to thank all the citizens who spoke at our Public Hearings, Citizens Petitions and sent us written communications for their thoughtful input.

Executive Summary

The Commission first met on May 23, 2016. At this inaugural meeting, Dee Hauber was elected Chairman of the Commission, and Scott Aument was elected Secretary of the Commission. The diverse membership of the Commission consisted of two former Mayors of the Town, a former Town Councilor, 4 former members of the RTM and 4 members with no prior experience in Town Government.

The Commission held thirty-one meetings, approximately two each month including two public hearings, one on June 6, 2016 and one on August 21, 2017. Meetings were noticed in advance, open to the public and included a period for citizen comments. The minutes of all the meetings and Public Hearings are available on the Town Web site. This is the link; <http://www.groton-ct.gov/meetings/minutes.asp?mt=68>.

Cindy Landry, Groton Director of Finance, attended the June 25, 2016 meeting and provided the members with detailed background and answered questions on Groton's budget process and items regarding Town financial management.

Mark Oefinger, Town Manager, attended the September 12, 2016 meeting and provided his overview of Town Government, suggestions for the Charter Revision and answered many questions.

Ms Mary Ann Jacob, the Chair of the Town of Newtown Legislative Council addressed the Commission at its May 22, 2017 meeting by telephone and discussed and answered questions regarding their budget referendum process.

The Commission held its second Public Hearing on August 21, 2017 and subsequent to that submitted its Draft Report to the Town Council in accordance with the September 2, 2017 deadline. The Town Council held a Public Hearing on the proposed Charter revisions on October 3, 2017, discussed its recommendations at the October 10, 2017 Committee of the Whole meeting and voted on those recommendations at the October 17, 2017 Town Council meeting. The Commission then held meetings October 23 and 30 and November 2, 6, 13 and 15 to resolve the Town Council recommendations which also included comments from the Town Attorney. **Attachment 2** lists the Town Council's recommendations that were favorably voted on, the Commissions resolutions are indicated for each one.

Resources referenced include the Office of Policy and Management (OPM); the Sacred Heart University publication, "Financial Performance in Connecticut's Municipalities: A Comparison of Manager, Mayor-Council and Selectman Forms of Government"; Office of Legislative Research (OLR); Connecticut School Finance Project, District Reference Groups; City of San Luis Obispo, CA, "Integrating Goal-Setting into the Budget Process"; Government Finance Officers Association

The recommendations resulted from 97 motions that were made and voted on by the members. The list of motions is included as **Attachment 3**.

Finally when revising the Charter with the recommendations, the red-line method was used throughout except for Chapter IX, Budget and Finance, which was extensively re-written. The marked-up Charter is included as **Attachment 4**.

Highlights- Groton Charter Revision Commission Recommendations

The Charter Revision Commission is recommending the changes to Groton's Charter as indicated on **Attachment 4**. The list below contains the more significant changes and is not all-inclusive.

1. That the RTM be eliminated on approval of the revised Charter.

This was voted on at the Feb 13, 2017 meeting and it passed 7-2-0. Although the subject of the RTM came up many times, the pertinent RTM discussions and debate were held at the following meetings;

- Sept 12, 2016 – Town Manager Mark Oefinger provided his input and thoughts.
- Sept 26, 2016 – The CRC conducted a straw poll on government structure.
- Oct 3, 2016, Dec 10 and Dec 19, 2016 General discussions and debate
- Jan 9, Jan 23 and Feb 13, 2017 General discussions and debate
- Oct 23, 2017 – Resolution of Town Council comments

2. That a 7 person Board of Finance be implemented.

This was also voted on at the meeting on Feb 13, 2017. It passed 7-2-0. The pertinent Board of Finance discussions and debates were held at the following meetings;

- Oct 3, Nov 11, Dec 5 and Dec 19, 2016
- Jan 9, Jan 23 and Feb 13, 2017
- June 19, 2017 – vote to make the BOF 7 members
- Oct 23, 2017 – Resolution of Town Council comments
- Nov 6, 2017 – Resolution of Town Council comments

In response to Town Council comments the interim 7 BOF members will be appointed by voting district. The election of 7 BOF members will be by voting district.

3. That the annual budget development process shall be revised to include the following additional elements; Board of Finance, Community input, Budget Guidance from the Town Council and an Annual Budget Referendum.

The initial vote on this item was at the March 27, 2017 meeting and passed 6-2-0 and was on the overall budget process leaving the question of an Annual Budget Referendum to a future vote. The flow chart depicting the overall budget process is included as Attachment 5. The specific Charter language for the annual budget development process was discussed, debated and voted on at the following meetings; March 27, April 10, April 24, May 8, May 22, June 19, July 10, July 17 and July 24 2017.

In response to Town Council / Town Attorney comments the Commission also discussed this item at the October 30 and November 2, 2017 meetings. During these meetings the term 'Budget

Workshops' was replaced with 'Community input' and the Budget development no-later-than dates were adjusted.

The initial vote on the Annual Budget Referendum was at the March 27, 2017 meeting and it passed 6-2-0. The vote was for a referendum with no conditions; no minimum voter turn-out; no "trigger"; and no limit to the number of referendums. Those elements were discussed, debated and passed by individual votes at the May 22 and June 5, 2017 meetings. Those votes approved the following recommendations;

- That the Annual Budget Referendum shall be bifurcated,
- That the Town and BOE budgets shall be voted on separately;
- That there be no requirement for a minimum voter turnout; and
- That there be no limit to the number of referendums, ie., keep voting until the budgets are approved.
- There will be advisory questions as to the budget being too high or too low.
- That if there is no approved budget by June 30, previous year's budget is adopted until a new budget is approved.

The Commission made one change to the last bullet above during its meeting on Nov 13, 2017. That was that if there is no approved budget by June 30, the Town Council will use its April 30 approved budget as an interim budget for the next year until a final budget is adopted by referendum.

4. Recommended changes related to the Town Council. The meeting dates of the votes are indicated for each item. Discussion and debate on these votes occurred during the meetings in September through November of 2017.
 - That the Town Council term of office shall be 4 year staggered – June 19, 2017.
 - That the Town Council can change Town Attorneys any time by majority vote – June 19, 2017.
 - That new Town Councils are seated the first Tuesday after election – June 19, 2017
 - That Town and Board of Education employees are not allowed to serve on Town Council – Sept 17, 2016.
 - That the number of affirmative votes needed to remove the Town Manager is reduced from 7 to 6. – Feb 3, 2017.
 - That Town Council members shall be limited to 3 consecutive terms – June 19, 2017.
 - That the Town Council shall issue an Annual Report of the Town (not the Town Manager) – June 19, 2017.
 - On elimination of the RTM the CGS minority representation rules shall apply to the Town Council – Feb 13, 2017. (Note this is a change to the charter that is required by the CGS that results from the recommendation to eliminate the RTM).

The Commission made the following changes to the bullets above during its meetings discussing its responses to Town Council comments in October and November 2017.

- To the 1st bullet; that the Town Council term will not be staggered.
- To the 4th bullet; That CGS will be followed in regard to Town and Board of Education employees serving on the Town Council and Board of Education.

- To the 6th bullet; that there will be no term limits for Town Council members.
 - To the 7th bullet; that the Town Manager, not the Town Council, will issue the Annual Report.
5. That the duties of the Board of Finance shall be to support all fiscal decisions of the Town Council by providing research and data and support to the budget development process as delineated in Chapter IX, including but not limited to the following:
- Develop the schedule for annual budget development and communicate it to the citizens of Groton.
 - Support the Community input with fiscal data including a five year financial forecast of spending and revenue.
 - Provide input regarding the form of the Board of Education and Subdivision budgets
 - Provide critical analysis and visibility to the Town's public financial reports.

All of these items were voted on June 19, 2017. The pertinent discussion and debate on the Board of Finance occurred on Oct 3, Nov 11, Dec 5 and Dec 19, 2016 and Jan 9, Jan 23 and Feb 13, 2017.

In response to Town Council / Town Attorney comments the Commission also discussed this item at the October 30 and November 2, 2017 meetings. During these the term 'Budget Workshops' was replaced with 'Community input'.

6. Other Recommendations
- That the Town shall have an Ethics Commission and that the requirement for an Ethics Policy is eliminated – July 10, 2017.
 - That the dollar limit for emergency appropriations is raised from \$75,000 to \$100,000 per occurrence and that the limit of one emergency appropriation per year is eliminated – July 17, 2017.

To the first bullet; in response to Town Council / Town Attorney comments the Commission deleted the requirement for an Ethics Commission at the November 9, 2017 meeting.

Attachments

- 1. Town Council CRC Focus Areas**
- 2. Town Council recommendations with Commission comments**
- 3. List of Motions**
- 4. Marked-Up Revised Charter**
- 5. Budget Flow-Chart**