

SPECIAL MEETING: WINDHAM CHARTER REVISION COMMISSION

**WINDHAM HIGH SCHOOL MEDIA CENTER
DRAFT MINUTES**

THURSDAY, DECEMBER 19, 2013 7:00 PM

Minutes submitted by Jessica Niles , Clerk of Town Charter Commission

Attendees: Jan-Maya Schold, Erika Haynes, Dennis O'Brien, Doug Lary, Barbara McGrath, Chuck Pennewell

1. 1. Call to order: Erika Haynes called the meeting to order at 7:16pm
2. 2. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): none
3. 3. Discussion and Possible Action to Approve Minutes for December 12, 2013- Barbara McGrath made a motion to accept the minutes with the corrections, seconded by Doug Lary; motion passed (1 abstention: Dennis O'Brien)
4. 4. Commissioner Discussion and possible action related to: Budget planning process, phase-in of Board of Finance phase-out, any additional impacts of the merger of board of finance and town council and the role of the Mayor, Town Manager and Town Clerk: Jan-Maya Schold stated the goal was to try and simplify things. Doug Lary handed out a packet regarding the work him and Jan-Maya Schold did (see attachment A). Doug Lary reported that while going through they ran into a few minor challenges, the first being the service districts- we only have three represented currently, what would happen once the numbers are decreased? In 2017 if the districts still exist those elected will still do the duties in those districts but anyone new would be at large. The Town Council is the only thing not consolidated in the town. Charlie Krich had approached them to look at the dispatch center- he would like to have the charter allow things to happen across borders. Jan-Maya Schold stated she was looking at regional statutes. Discussion took place regarding regional services: currently the town is not able to contract out. Doug Lary stated we need to start thinking of services in new ways. Jan-Maya Schold brought up another conflict: the Town Manager is the CEO of both sides: he has executive powers not the Town Council. Doug Lary mentioned the Town Manager works for 10 but listens to 7. If the Town Manager was not involved it would make things a lot simpler. Erika Haynes mentioned if you have the Town Council elected at large then there should be no

service districts. Jan-Maya Schold stated the service districts are thrown into the charter, maybe if the districts are stripped out of the charter and put into their own section it would make things clearer. The service districts should be able to pick who they would like as their executive director and the town should not impose on them. Dennis O'Brien stated the reason we have split elections is because of the service districts. Jan-Maya Schold mentioned it would be nice to have Board of Directors of Willimantic- the Town Council could manage the town. Discussion took place regarding the language on page number 17 in regards to Police and Fire. Commissioners agreed allowing services to contract out should be allowed. Erika Haynes stated these are very risky discussions because there is so much to disentangle. When thinking of the changes you would like to make you have to think of the Town Council and the voters. Chuck Pennewell stated the Town Council should make their own bylaws. Erika Haynes stated that the 1st decision the commissioners need to decide is: are they talking about electing at large. Dennis O'Brien stated he does not want to make more boards. Barbara McGrath stated it makes more sense to have the Town Manager run if you split it out but over time it may morph back together. Erika Haynes stated the reason we are looking to downsize is to have enough people. She is not sure that all the changes will be acceptable to the voters because there are a lot of changes but you could do small changes and set the next charter commission up for the next set of changes. Erika Haynes made a motion to move the Y chart with districts opposed to at large, seconded by Dennis O'Brien: motion passed (1 abstention: Chuck Pennewell).

Role of Mayor: Will the Mayor be elected at large, will the Mayor have specific duties or tasks, etc. Chuck Pennewell stated the Mayor should not get a stipend but instead have any expenses paid for related to the job and the Mayor should be treated as chairman and have a function. Dennis O'Brien stated the Mayor is the presiding officer. Erika Haynes mentioned you would be sending a mixed message and there is danger with trying to have an effective Town Manager while empowering the Mayor. Jan-Maya Schold questioned where the checks and balances are for the people. Erika Haynes questioned how much checks and balances are needed? Dennis O'Brien has offered to develop language regarding the Mayor and the overall input from the commissioners. Doug Lary made a motion to add to future agenda (second meeting in

January) discussion as to who can handle nominations to boards and commissions, who moderates the meetings of the Town Council and who sets the agenda for the Town Council, seconded by Barbara McGrath: motion passed unanimous.

5. 5. Future Agenda Items :

Budget planning process, phase-in of Board of Finance phase-out, any additional impacts of the merger of board of finance and town council, the role of the Mayor, Town Manager and Town Clerk and item #7 from Town Council Resolution 2595

1. 6. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): Dr. Bloomer stated that by electing the Board of Finance at large the proportion may be skewed.
2. 7. Adjournment: Barbara McGrath made a motion to adjourn, seconded by Chuck Pennewell: motion passed (unanimous).

Meeting adjourned at 9:15pm

Attachment A

Draft text by Douglas Lary

Phase in of Board of Finance phase-out

Quick View:

ElectionYear:	Mayor	TC
BOF	Total	
2013	1	
10		7
18		
2015	1	
9	5	
15		
2017	1	
7	5	13

2019	1	
10		11
2021	1	
8		9
2023	1	
6		7
2025	1	
6		7

Highlights: One Town, One Board, One Decade

- Service and Taxing Districts, if any, where ever and however many, are managed by their own board(s) outside the Town of Windham Charter government and may negotiate for services they might seek (or provide their own) as any other region or entity might. Current arrangement ends *no later than* 2017 election.
- At-Large representation is elected at least through achievement of target size in 2023, at which point future Charter Revision Commissions may have chosen equal size ward representation or stopped the shrinking of the Town Council at some higher number than we in 2013/4 specify.
- Board of Finance and Town Council roles and members gradually become one entity named

Town Council in late 2019

- The size of the Board of Finance and Town Council both decrease while meeting in each other's presence with gradually increasing cross participation. They then the merge in late 2019, and then continue to decrease in size, freeing skills for other civic tasks and needs.

<see detailed timeline, over>

This Charter includes features designed to transition Windham's governance model. In 2013 Windham has a Town Manager working for and sitting with (in a non-voting role) a 10 member Town Council legislative body which primarily handles policy decisions. The Mayor sits as an 11th voting member of the Town Council and has a 4 yr term expiring in 2017. The Council consists of 7 members from one service district (with 4 seats expiring in 2015 and 3 in 2017), and 3 from another service district (with 1 seat expiring in 2015 and 2 in 2017). All are serving 4 year staggered terms elected in odd years in November. Separately, a Board of Finance consisting of 7 members also serving staggered 4 years terms (4 expire in 2015 and 3 in 2017) serve key roles near budget, finance, and mil rate decisions. Thus the Town Council with Mayor and Board of Finance 18 voting officials total in addition to the Town Manager. Over a nine year period this Charter defines a merger of the roles served by the Town Council and the Board of Finance and a reduction in the number of elected officials serving in these roles with expectation of a Mayor and 6 member body still named Town Council but serving *both* the policy and finance roles by 2023.

The phase-in proceeds gradually, so that the officials serving in these roles have an opportunity to see how each other's organization handles its challenges.

- From adoption onward, during the budget development process both the Town Council and Board of Finance perform their traditional roles except that **during all presentations by staff or input from the public, both the Town Council and the Board of Finance hear input, and ask questions, during joint session(s)** presided over by a moderator (Mayor, President of TC, or selected at the meeting?).
- From adoption through to after the 2017 municipal elections the Town Council and Board of Finance perform the duties of the "Policy Role" (those formally associated with Town Council) and the "Finance Role" (those formally associated with the Board of Finance) as in years past, but all input and questioning occurs during joint sessions. **It is expected that there may be fewer meetings as many will not have to present multiple times, but that each meeting will likely be longer as there are more officials to question presenters and public, and a larger discussion before each vote.**

- Post adoption of Charter and during the 2015 election cycle **all newly filled seats are At-Large**, but those already serving in service district roles continue to through 2017 elections or the district’s change in management. **By November 2017 the management of any service or taxing districts still recognized by the town is handled outside the Town Council by service district boards or similar entities each (if any) shall devise.**
- Until November 2017, should there come to be less than 2 such Town Councilors still elected in service district roles from each then existing service district, **the Mayor shall nominate and the Town Council appoint sufficient electors to maintain at least 2 persons and no more than 3 in Service District roles until the districts disband or are replaced.**
- In the 2015 November elections
 - ○ the Mayor continues as a 4 yr incumbent elected in 2013.
 - ○ Sufficient 2 year Town Council seats with terms that expire in 2017 will be filled in the election to bring the total to 5 expiring in 2017.
 - ○ 3 Town Council seats with 4 years terms will be filled in 2015 for a total of 8 Councilors and 1 Mayor; 9 members total at the end of calendar year 2015.
 - ○ Sufficient 2 year Board of Finance seats with term that expire in 2017 will be filled in the election to bring the total to 3 expiring in 2017.
 - ○ 2 Board of Finance seats with 4 years terms will be filled in 2015 for a total of 5 board members at the end of calendar year 2015.
 - ○ This totals **14** voting officials

- **By late November 2017 the Town Charter’s governing bodies act town wide, and separate district entities if any are independent of this Charter** save for how they might negotiate to have the town assess taxes, manage property, or staff, etc.
- From the 2017 November election onward the **Town Council members gain non-voting participatory roles on the Board of Finance, and (vice versa) the Board of Finance members get non-voting roles (similar to that of the Town Manager) at the Town Council**

meetings. Quorums are determined from the voting members of each entity for that entity for such meetings. After the 2017 municipal elections ***all meetings of the Town Council and Board of Finance are held as joint meetings for all business, including Executive Sessions***, so that the officials in each learn more about the challenges and procedures of the other. Voting in such joint meetings is still by those elected to the role then voting. Until after the 2019 municipal election the shrinking Town Council and Board of Finance continue to make their own decisions, but they do so in joint sessions. In 2019 only one, smaller, body remains.

- During the 2017 election cycle all seats are at-large, and each of any service or taxing districts then existing may negotiate with the Town of Windham for assistance, if any, they desire. **No formal “district” governing roles remain in Windham Town Charter based government after the November 2017 elections.**
 - ○ the Mayor’s seat is open and the election determines who is the Mayor going forward.
 - ○ 3 Town Council seats (or more if vacancies are being filled) will be filled for a 2 year term to bring the total Town Council seats to 6 plus the Mayor.
 - ○ 3 Board of Finance seats (or more if vacancies are being filled) will be filled for a 2 year term to continue having 5 seated members.
 - ○ This totals **12** voting officials

- During the 2019 election:
 - ○ The Mayor’s role is still filled by a 4 year incumbent expiring in 2021.
 - ○ 10 At-Large Town Council seats are to be filled, 4 that are 4 year, 6 that are 2 year. The Board of Finance ceases to exist by end of 2019.
 - ○ This new Town Council has both the policy and finance roles, and **11** voting officials (including the Mayor).

- During the 2021 election:
 - ○ If vacancies have left the Town Council with less than 4 members with terms that expire in 2023, then 2 year terms will be filled in the election to bring the total to 4 expiring in 2023.
 - ○ 4 Town Council seats with 4 years terms expiring in 2025 will be filled in 2021 for a total of 8 Councilors and 1 Mayor; **9** members total at the end of calendar year 2021.

- During the 2023 election:
 - ○ If vacancies have left the Town Council with less than 3 members with terms that expire in 2025, then 2 year terms will be filled in the election to bring the total to 3 expiring in 2025.
 - ○ 3 Town Council seats with 4 years terms will be filled in 2023 for a total of 6 Councilors and 1 Mayor; **7** members total at the end of calendar year 2023.

- In 2025 onward the Town Council is filled by 3 new 4 year terms and if less than 3 seats are still filled that expire in 2 years, then they too are filled for those 2 years. (**7** members total)