

Town of Durham
CHARTER REVISION COMMISSION

Regular Meeting
Minutes
May 6, 2006

1. Call to Order

The Charter Revision Commission (CRC) met at the Temporary Town Hall located at 350 Main Street on Saturday, May 6, 2006. Chairman McLaughlin called the meeting to order at 8:05 a.m.

Members Present: Laura Francis, Martin French, Carol Kleeman, Mark McLaughlin, Pat Murawski, Betty Long, Ron Melnik, John Corona. Alice Tucker arrived later.

Also Present: Jeremy Renninghoff and Wendy Manemeit (Durham Treasurer)

2. Public Comments.

Jeremy Renninghoff, resident of Middlefield, strongly urged Durham to change the election of Board of Education members to the November election. In reading the minutes of Durham's CRC meetings it was obvious the commission remained undecided as to whether to change the way Board of Education members are elected. Citizens are frustrated with the Board of Education. He stated that CGS 10.46 in respective subparagraphs (b) and (c), states that the election of Board of Education members is determined by the legislative body. Having Board of Education members elected at a town meeting is a disservice to the voters. The Board of Education has a great deal of power that impacts taxes and the quality of life. No one has produced a document that states Durham must do what Middlefield does and vice versa. The hands of the citizens are pretty much tied relative to the educational system, which is virtually controlled by the state. However, the one thing the people do have a say in is election of Board of Education members.

Chairman McLaughlin thanked Mr. Renninghoff for his comments. He stated the CRC is in the process of looking at the manner in which school board members are elected. He has asked the first selectman to have town counsel review this matter. Before any decision can be made to change the way school board members are elected the determination first needs to be made as to whether the CRC even has the ability to make a change.

Wendy Manemeit, Treasurer, commented that the CRC has a tremendous task at hand making revisions to the charter and thanked the commission for not taking this charge lightly. She added that the minutes are well written, easy to follow and she has recommended to other citizens that they keep up to date on the charter revision process by going to the town's website.

Wendy explained her duties as Town Treasurer. This is her third term and she really has a grasp on what the job entails. It does take a couple of years to get comfortable with the position and to realize that styles are different with changes in administration. She prefers keeping the Treasurer an elected position versus appointed. She is happy about the proposed Finance Director position. This is a step in the right direction and sees this position as a very high level global position that will include looking at the future of the town and the direction the town should take to maintain and improve financial health. The finance director will be a tremendous asset to the town and she sees this position as much more

Town of Durham
CHARTER REVISION COMMISSION

than dealing with the day-to-day accounting functions that the treasurer handles, i.e., grant writing, etc.

Wendy would not be in favor of eliminating the treasurer position or having it be an appointed position. Power would be taken away from the citizens if the treasurer's position were to be appointed. Towns are different depending on size and structure but most treasurers are elected. At the state level, even though state treasurers are different from town treasurers, only eight states have appointed treasurers, all the rest are elected.

An elected treasurer has to be from the town, however, the finance director being appointed does not necessarily have to be from Durham. She would not feel comfortable having people in both positions from out of town.

Wendy explained the areas she is responsible for:

- 1. Water Grant Expenditures:** balances accounts with Jan Muraca's input.
- 2. Animal Control Officer:** receives money and monthly report from the dog warden (animal control officer) and town clerk. Deposits the money and uses monthly reports to file appropriate information with the State of Connecticut. There are various statistics that need to be kept for the state to determine how much money the town receives back from the State using a formula from the Department of Agriculture. Wendy also prepares the annual budget for the animal control officer.
- 3. Durham Water Company:** this is a new genre for the town. Balances statements in conjunction with the first selectman's assistant. All the money paid by the customers is submitted to the water company in Clinton; they make the deposit into the Town of Durham bank account on the town's behalf; then the bookkeeper enters this information into the Munis system. The bills (3-4 per month) are then paid out of this account. It has taken a year to figure out the timing issues with another entity making the deposits.
- 4. Short Term Investment Fund (STIF):** money allocated to this fund each year during the annual budget process. This is an investment vehicle for town to reserve funding. There are ten (10) accounts for such items as fire truck, ambulance, etc. Wendy keeps track of the accounts for interest earned, etc. She transfers money from this account when necessary upon approval at town meeting.
- 5. Short Term Bonds:** this is in transition. The building and health department generates the money. There is approximately \$88,000 in short-term bonds and the selectmen have asked Wendy to handle this now.
- 6. Small Cities Grant:** administered through Jan Muraca. Martin asked why and Wendy responded because Jan is the grant coordinator.
- 7. Move Account (Town Hall Renovation Account):** John and Mary Jane approve all expenditures.
- 8. Long Term Bonds:** There is a lot of record keeping with these bonds. There are approximately fifteen (15) bonds. The interest earned goes back to the bondholder and 1099s are filed at the end of the year.
- 9. Friends of Conservation and Gazebo on the Green:** these are two small accounts that she reports on once a year.

Town of Durham
CHARTER REVISION COMMISSION

- 10. General Fund:** Wendy met with Citizens Bank to renegotiate a better interest rate. She keeps \$300,000 minimum balance at all times. The interest rate fluctuates monthly but she was able to get the interest rate increased by 75 basis points. There is an average of \$2,000,000 in the deposit account. Monthly check averaging \$1,400,000 written to Regional District 13.
- 11. Insufficient Checks:** The town receives quite a few of these in cyclical times; when there is a lot of building and during tax time. A fee was instituted for these returned checks that is going to be increased. She and Martin communicate about this.
- 12. Collection of Fees:** This has changed with the advent of electronic payments. These payments clear differently than regular checks causing a timing issue. She is working with the bank to fix this problem.
- 13. Mary Weber Account:** Wendy explained that quite a few years ago Mary Weber left \$31,528.36 in a trust instructing that all the interest be spent on the care of animals. The trust further specified that these funds be administered at the discretion of the Board of Selectmen secretary.
- 14. John Spencer Camp Fund:** 70% of the interest goes to education.
- 15. ADA Grant:** administered through Jan Muraca.

Wendy explained she comes in a couple times a week in the evening and on the weekends, and if an emergency situation arises she will come in right away. She added most of what she does is day-to-day, and some things are monthly.

Laura asked, with the pending Finance Director position, would this person take over these duties? Wendy replied with the salary that is going to be paid the Financial Director his or her responsibilities should encompass much more than day-to-day bookkeeping functions. She added, as a manager at Aetna she would have been fired if she allowed a person at the level of Finance Director perform only daily tasks for the amount of money he/she is going to be paid.

Wendy likes reporting to the Board of Finance, this keeps them in the loop. The Finance Director could do the reporting to the Board of Finance instead of the treasurer. This is her sixth year as Treasurer and she has put a lot of thought into the charter after reading the CRC minutes. She thinks the term for Treasurer should be increased to four (4) years. It took her more than one term to realize that she could make changes that would benefit the town. She feels very good about what she, Carol Kleeman, Karen Antin and Rett Mancinelli have accomplished thus far. Short-term bonds is a new function for the treasurer and a significant one.

Betty stated the Finance Director is a new position and she asked Wendy what functions she sees this person performing. Wendy responded the Finance Director is a high level position, more along the lines of a comptroller. She does not see this person performing the day-to-day tasks of writing checks, etc. She sees this position assisting in grant writing and looking at trending in municipalities, handling capital expenditures and getting a good handle on all the property the town owns. Looking at the ages of town vehicles and putting in place a system for accumulating reserves and a replacement program. Future forecasting of replacement so the town might save some money.

Town of Durham
CHARTER REVISION COMMISSION

John asked what the minimum requirements are to be treasurer. Wendy replied an overview of banking structure would be helpful, and the person must be able to interact with all departments and utilize resources to do the job, but these are difficult to quantify. Laura stated there is no mechanism to require qualifications for candidates.

Wendy wants people to have a voice. If any nominating committee does their job right they're going to get candidates qualified to do the job.

3. Review of minutes

Motion by Laura Francis, seconded by John Corona to approve minutes of the May 1, 2006 as amended with the following correction to page 2, 4th paragraph, "Laura remarked she does "not" like talking percentages." Motion passed unanimously.

4. Report on Subcommittee Research. No report.

5. Discuss/Decide Charter Revision Items

Section 3.3 Annual Budget

Motion by John Corona, seconded by Carol Kleeman to approve CRC comment for Section 3.3 Annual Budget to read as follows: "Comment (Section 3.3. Annual Budget): The CRC strongly believes that the Annual Budget vote continue to be held at Town Meeting. The TM provides a number of opportunities for informed public debate and for voter participation in shaping the budget by voting out items. The TM also provides the BOF and BOS a fuller, more detailed understanding of public sentiment about the Town's budget, and this information can be invaluable in the development of future budgets. Moreover, the current arrangement provides three ways to bring the budget vote to referendum: 1) the Board of Selectmen can bring this to a referendum on their own accord, 2) the townspeople can petition for this to be voted on at a referendum, or 3) the Town Meeting can adjourn to a referendum vote. Motion passed unanimously.

Section 5.5 Treasurer

Laura stated Beth requested information from CCM but has not received yet. There is no great will to change anything with the treasurer position. Chairman McLaughlin is reluctant to change anything with the treasurer position at the current time because it is unknown what the financial director will bring to this position

Quite lengthy discussion continued regarding the treasurer position, finance director and what the responsibilities of each would be. Should the finance director do all the accounting etc., and the treasurer just review and transfer funds? Some members agree it is too premature to eliminate the treasurer.

John states it is unfortunate that this commission is moving at such an accelerated rate because there could be time for the Finance Director to become familiar with the position and then a decision could be made as to whether the town needs both. He doesn't think both positions are necessary. Wendy has taken on duties because no one else wanted to do them. Martin stated a strong Finance Director should be able to determine tasks the staff can do. Question asked will the Finance Director be subordinate to the treasurer?

Chairman McLaughlin suggested the CRC submit rewording and then in light of new information follow up with a revision. John commented there is an inherent conflict between a Finance Director and Treasurer. It might be unwise to have both in existence at the same time.

Town of Durham
CHARTER REVISION COMMISSION

Ron expressed concern that the commission is running into a self-imposed deadline to change or not to change some items, i.e. Board of Education, Treasurer. John commented the overall function of accountability of town finances is probably most important part of the charter revision.

Carol asked why the treasurer is handling some of the items that should be bookkeeper functions. The treasurer is an important roll in the town at this time. The determination needs to be made in what direction the Board of Finance plans to go, as far as financing. The whole picture needs to be looked at in terms of town finances and who is responsible for particular functions. Why is the Building and Health department holding short-term bonds? No one seems to know how much money there is. Carol believes this item should be tabled until our government can tell us what they want in this regard.

Betty agrees with everyone's view, however, there is no question in her mind that the position of town treasurer should be kept and she would not make any charter changes to this section at this time.

The finance director is an employee of the town. Ron sees this position as subordinate to the treasurer. John asked if it is the intent of CRC to shift accountability for finances to the Board of Selectmen instead of the Treasurer? Comment made that the treasurer should oversee the finance director as a checks and balance.

Ron stated the next treasurer could be a 22-year-old kid with no experience. Betty trusts the electorate more than that. John pointed out the electorate has limited choices depending on the candidates put up by the town committees.

Martin remarked all finance problems of the town cannot be cured by getting rid of the treasurer position. Having a treasurer review the financial activity is like having an ongoing internal audit. He does not see the treasurer as being a roadblock or conflict with the full time finance director. John asked who is ultimately responsible for the town's financial affairs?

Laura noted that perhaps procedures haven't been updated as they should be but the auditor comes in every year, and every year the audit shows the town is in good fiscal shape. Sometimes internal policies and procedures have to evolve. John commented it seems like a financial hodge podge. Laura added if we have a full time finance director that person can streamline financial functions in the town.

Pat commented with the anticipated arrival of a finance director, perhaps this section should be left as is for the time being because there is going to be a transition period for the finance director to be brought up to speed. Wendy didn't know what the job of treasurer entailed until someone told her. It would be premature to eliminate the treasurer position at this time.

Alice stated it would be helpful if there were a job description as to what the finance director is expected to do in this position. There should be oversight of people doing their job so checks aren't left in a drawer undeposited. This, however, is not a charter issue.

Too much is expected of the treasurer. An elected official should not have the responsibility to balance checkbooks and write grants. Until we have a finance director in place the recommendation should be to keep the treasurer position in the charter. Betty stated she would not vote to get rid of the treasurer position. She would not like to see the whole charter revision voted down because the CRC overstepped its bounds by removing the treasurer position.

Town of Durham
CHARTER REVISION COMMISSION

Pat asked, can we leave the treasurer in for a period of time with wording in the charter to eliminate in 2008 as a way to get through the transition phase? Can there be a sunset clause?

Chairman McLaughlin suggested asking the Board of Selectmen if having the two positions would be redundant. He stated that in the absence of detailed outline of what the finance director is expected to do the CRC is unable to make a decision at this point. John commented it won't be that long before we will know what we need to do with the treasurer's position.

Lengthy discussion continued. Chairman McLaughlin suggested leaving Section 5.5 Treasurer as is. The charter can't speak to future possibilities based on a job description. Let whatever action take place once a Finance Director is on board. Discussion continued about deleting this whole section. Comment made that there seemed to be some support to change the treasurer to an appointed position instead of elected.

The belief is that the finance director position will be accepted at the Annual Budget Meeting. There needs to be a transition period for the new finance director to become acclimated to the position and to work with the treasurer to learn how finances are handled within the town and then a determination can be made as to what the treasurer would then be responsible for and what the finance director would be responsible for. There may always be room for both positions.

There are currently four (4) people who have the authority to sign checks. Three signatures are needed for each check. Wendy has gone to the Board of Finance with problems and those meetings are open to the public.

*Motion by John Corona, seconded by Ron Melnik to table Section 5.5 Treasurer until more information received. Ayes: John Corona, Laura Francis, Mark McLaughlin, Ron Melnik, Pat Murawsk. Nays: Martin French, Alice Tucker, Betty Long. **Motion passed.***

Section 6.1 Regional Board of Education

Chairman McLaughlin reported that Section 6.1 Regional Board of Education is still tabled, however, the first selectman has contacted town counsel and this is under review. Chairman McLaughlin asked Betty to submit her handout to everyone via the email.

Section 6.17 Board of Library Directors

John would like to see the language stay the same in this section. He is not comfortable with giving the library more power. The town boards should be able to use the meeting rooms. Chairman McLaughlin stated the library has been very cooperative about letting boards use the meeting rooms but these were not constructed for that purpose. Several CRC members disagreed and stated that a selling point to getting the library addition project approved was that the conference rooms could be used for town functions, i.e. board meetings, etc.

Members agree that "control" is too strong a word, (who has authority to sign the parking lot lease....the board of selectmen). There is a great deal of frustration with the limited use of town owned property (library and fire house) and the school property. There is nowhere else for boards, commissions, etc. to meet.

Town of Durham
CHARTER REVISION COMMISSION

Chairman McLaughlin reiterated that the library bends over backwards to accommodate as many of the requests as possible.

Motion by John Corona, seconded by Laura Francis to maintain wording of Section 6.17 Board of Library Directors as it presently exists in the charter. Ayes: John Corona, Laura Francis, Carol Kleeman, Ron Melnik. Nays: Martin French, Mark McLaughlin, Pat Murawski, Alice Tucker, Betty Long. **Motion defeated**

Pat commented this is the one board that did show up at the joint meeting to express their concerns. She feels the commission should give strong consideration to changing the wording in this section.

Members commented that the library already handles the scheduling of events and meetings. Changing the wording in this section will enhance the authority of the library. Some members are not ready to give the library absolute authority about use. Another comment was made that there doesn't seem to be a problem 99% of the time so why change the wording just because there was a problem one time, years back.

6. Other Items as Appropriate.

The CRC revision with comments is due to the Board of Selectmen May 19th. Chairman McLaughlin reported he spoke with Renee and she informed him that she built in a little extra turnaround time so if this commission needs a little more time that is acceptable.

Chairman McLaughlin believes information from town counsel regarding the Board of Education should be forthcoming very soon.

Need to consider a second public hearing. After some lengthy discussion commission members agreed to keep working at the pace that has been set.

7. Prepare for Next Meeting.

John spoke with Geoff Colegrove about preparing language regarding acceptance of roads by the board of selectmen.

Request for information from CCM regarding term limits; Beth Moncata, First Selectman's assistant, to facilitate this request.

Craft language for membership in land use boards.

8. Adjourn. Chairman McLaughlin adjourned the meeting at 10:07 a.m.

Respectfully submitted,

*Kimberly D. Garvis
Recording Secretary*