

MEMORANDUM

TO: JOHN CHIOTA, CHARTER REVISION COMMISSION CHAIR

CC: RUSSELL FRIEDSON, MEMBER
GAIL HANNA, MEMBER
WILLIAM HOLDEN, MEMBER

FROM: JAMES CORDONE, MEMBER
PAUL TAMPANELLI, MEMBER

RE: MINORITY REPORT – CHARTER REVISION COMMISSION

DATE: April 25, 2011

I. INTRODUCTION

Over the past several months, it has been an honor to have had the opportunity to work with each of you and to discuss and debate the efficacy and current structure of Trumbull governance as provided for in our Town Charter. We believe that our discourse has been productive and, although we have on occasion disagreed, we also believe that each of us is sincerely interested in creating what is best for the voters, taxpayers and residents of our community in terms of the structure of their local government.

The purpose of the following minority report is not to lay out a Republican or a Democratic position on matters of charter change. Rather, it's (i) to state for the record where we take issue with the majority on a number of critical issues we feel are vital to the way in which our town is, or will be, governed, and (ii) to state for the record our alternative proposals.

We start with the belief that our current system of government has served our residents and taxpayers quite well for some years. Trumbull is one of the more desirable and better-managed communities in the State of Connecticut. Consequently, we believe that any significant changes to the structure of our local government should be approached with great caution and with a sense of deference for a system that has served us so well for so many years.

We say this as a preamble to the conclusion that we have reached with respect to certain provisions approved by this commission. Assuredly, there is room for improvement in the existing charter. There are many proposed changes that this commission has made that we consider to be smart and forward-thinking, and that we wholeheartedly support. Those include:

- Regulation for the electronic posting of minutes and other information by boards and commissions.
- A clear line of succession in the event the first selectman is temporarily or permanently absent or unable to perform his duties.
- Public accessibility to all audit reports.
- Accountability for expense account charges by the first selectman and the superintendent of schools.
- A clear statement that this council shall enact by ordinance a purchasing policy to govern all purchases made on behalf of the town.
- A limit on bid waivers to any one vendor.
- A direction that the internal auditor is under the control of the Board of Finance.
- Elimination of Personnel Appeals Board, Jury Commission, Conservation Commission, Civil Service Board and Youth Commission.

II. REVIEW OF CERTAIN PROPOSALS

However, the majority membership of this commission has approved other recommendations that dramatically alter a system of government that has worked exceptionally well for decades. The sweeping changes approved by the majority will endanger the balance of a strong two-party system and a well-functioning structure that has developed, nurtured and preserved a very desirable, well-managed community. There are five areas in particular that we strongly differ with, and it's our duty as members of this commission to share them with you and with the community.

COMMISSION PROPOSAL 1: EXTENDING TERMS TO FOUR YEARS

Extend the terms of the first selectman, town clerk and town treasurer from two to four years, while continuing a two-year term for the Town Council.

Why We Object

We believe that the extension of terms for the first selectman in particular, while maintaining the two-year term of the Town Council, fundamentally alters the balance of political power in the town by giving the majority party an overwhelming advantage. Whatever the party in power—and this could as easily work against Republicans as it could against Democrats—the ability of the incumbent first selectman, freed from having to run his or her own election, to influence council elections, is clearly enormous. We would agree with the terms of this revision if all terms were extended to four years, including the council. That said, the four-year term for the first selectman is not an essential need for Trumbull. The two-year term has kept the government close to the people, and allows for a more responsive government—a very healthy characteristic—while not creating any lack of stability or continuity at all over the last 50 years or more. Finally, we cannot agree with extending term lengths at a time when we're required to remove the recall provision in the charter.

What We Propose

Leave a system that works exceedingly well alone. Recent elections are evidence of the fact that the current system has worked well.

COMMISSION PROPOSAL 2: REVAMPING THE TOWN COUNCIL

Overhaul the makeup of the Town Council. This revision calls for the election of two, rather than three, members of the council from each of the seven districts, and for the election of seven members on a townwide, at-large basis. It also calls for the adoption of minority-representation rules for the council. Under those rules, the charter would reserve two positions on the council for the minority political party.

Why We Object

There's absolutely no discernable rationale for creating seven at-large seats on the Town Council. We don't understand, and the majority members of this commission have not explained, what problem this extraordinary restructuring is intended to fix. We don't know why seven at-large members of the Town Council will better serve the town than the current three members from each district.

What We Propose

Elect three Town Council members from each district, but allow voters to select three candidates, not the current two. Do not modify the charter to include at-large members of the council.

COMMISSION PROPOSAL 3: OVERHAUL THE BOARD OF EDUCATION

Expand the number of members of the Board of Education from its current seven, with a maximum of four from one political party, to nine members with a maximum of six from one political party.

Why We Object

We remind all members of the commission that there are a lot of reasons people choose Trumbull as a community in which they want to live and raise a family. At the top of the list is the quality of our school system. This without question is what drives our property values and our town's desirability. There are many factors at play that historically have accounted for our school system's quality performance. One of those factors, in our opinion, has been the absence of partisan politics within the school governance structure, starting with the Board of Education. We fear that the commission has leaned in a direction to change that, and we believe emphatically that is a grave mistake. Many were not in favor during the last charter revision to change the make-up of the school board from six to seven, eliminating, for the first time, the political balance. Most observers now are clearly opposed to changing that number to nine and allowing one political party to have up to six seats. Party control has never been, and must not be the objective with regard to the school board. More than that, by 2015, the entire Board of Education will be up for election every four years, leaving the town vulnerable to a 100 percent turnover in any given election.

Let us not forget that there is no measurable voice within the current board calling for this change. In fact, it's the opposite: The consensus on the school board is to leave the current structure alone. But most important, let us look at the only thing that should drive our decisions as to whether we need to consider changing the way in which our school

system is governed: Student performance and school-system performance. In each of those measures, Trumbull outperforms the competition.

What We Propose

Leave the makeup of the Board of Education as it is, with one modification: Make the length of terms four years for all seven seats. Eliminate “safe” seats and make all seats competitive, while limiting any one political party to no more than four seats.

COMMISSION PROPOSAL 4: A BUDGET REFERENDUM

Creation of a new provision in Chapter 8, Section 9 of the charter calling for a “Budget Referendum Threshold.” Under the terms of this proposed change, any budget adopted by the town that exceeds the Consumer Price Index plus 1 percent could trigger a referendum process, with a referendum occurring if at least 3 percent of the voters in the prior election sign a petition supporting it. If a majority of voters in the referendum vote to reject the adopted budget, then the budget process basically starts over, with the first selectman required to submit a revised budget that fits the criteria of less than CPI plus 1 percent.

Why We Object

We have clearly recognized the need to change the charter to provide a better and more reasoned opportunity for our taxpayers/voters to have a say in budget and capital expenditure matters. We all have agreed that what is currently provided in the charter is too cumbersome, and makes challenging spending decisions almost out of the question. So, we all agreed in concept to make referendums easier to come by. We object to the excessively low threshold. We fear that budget-referendum outcomes could easily be altered and controlled by small minorities of angry, agitated, unreasonable naysayer groups. This would greatly impair our successful form of government.

What We Propose

We recommend the following:

1. Change the language in the adopted proposal with regard to the budget referendum to require 5 percent of the voters who voted in the last municipal election to sign a petition (that number would likely be about 600 signatures, which lessens the current requirement significantly, but raises it from this commission’s current recommendation of 3 percent, which would amount to about 300 people.)
2. Change the language in the adopted proposal with regard to participation in the referendum to 30 percent of those that voted in the last municipal election must turn out, and one-half plus one of those must vote to overturn the budget in order for the action to be effective. What that means effectively, is that if 12,000 voted in the last municipal election, 3,600 would have to turn out to vote in the referendum and 1,801 would have to disapprove of the budget as enacted in order for it to be sent back to the budget making elected authorities.

COMMISSION PROPOSAL 5: A BONDING REFERENDUM

Creation of a provision for a referendum on bonded debt initiatives that exceed \$15 million.

Why We Object

Again, we don't for an instant object to providing our taxpayers/voters with more control over municipal spending and debt. We look at this as a positive direction. In this instance, though, we believe that conducting an automatic referendum for any project exceeding \$15 million is too low. As costs increase over time, the number will become even smaller, so we're not acting in the long-term manner necessary for revising the town's charter here. It's better, in our view, to provide the process for a possible referendum here, rather than making it an automatic event under the charter.

What We Propose

Enabling a referendum opportunity on all bonded debt expenditures that exceed 15 million, but with an orderly and accessible path to a referendum, not with an automatic trigger.

III. CONCLUSION

Fellow members of this commission, it's worth noting at this point that the 2003 Charter Revision Commission was bipartisan. That panel, with three Republicans and three Democrats, was truly bipartisan. Unfortunately, that is not the case in 2011. And it has resulted in party-line votes on any issue of consequence.

For that reason, as well as because of our differences of substance, we are making this report. As mentioned, many of the other things we've discussed in the months since this commission was formed have merit. But the changes we've itemized above, taken as a whole in their current form, become dramatic changes to our structure of government that will upset the balance of power currently provided by our strong two-party system. These changes will potentially lead to one political party being placed in a position of control that no single party can currently enjoy under the existing charter. We believe that altering this check and balance is not good government and will not be in the best interest of the residents of this town.

We are a town that is fairly evenly balanced among Republicans and Democrats and unaffiliated voters. Our charter has accurately reflected that balance. What this commission's majority is now proposing is to upset that balance.

Anyone would be hard pressed to come up with an example in our region of a town that has been governed better than Trumbull over the last 40-50 years, under either Republican or Democratic leadership. We also believe that one of the reasons for that good governance is the appropriate balance that has been achieved politically between a strong chief elected official and a traditionally bi-partisan Town Council. The adopted proposal that we oppose could change that dramatically.

In conclusion, we have appreciated and respected your leadership, John, in the conduct of our charter revision business. More important, your long history of quality service to the Town of Trumbull leads us to believe that you too would not want to see our historically effective, balanced, and successful local system of governance change in a substantial way. We have offered our proposals in good faith and with the hope that we can find mutual agreement on these matters. We look for your leadership in guiding us toward a needed compromise on these important issues. If not, the case in opposition to these changes will be made to the Town Council and to the town's voters.