


**TOWN OF CROMWELL
CHARTER REVISION COMMISSION
ROOM 222
41 WEST STREET, CROMWELL, CT 06416
JUNE 1, 2022 7:00 P.M.
MINUTES**

RECEIVED FOR RECORD
Jun 08, 2022 08:33A
JoAnn Doyle
TOWN CLERK
CROMWELL, CT 

Present: Chairperson Jennifer Lepore, Ann Grasso, Mike Cannata, Lou Menendez, Marie Roberto, Geoff Oryell (joined by phone at 7:25 p.m.)

Also Present: Town Attorney Kari Olson (joined by phone at 7:25 p.m.)

A. CALL TO ORDER

Chairperson Lepore called the meeting to order at 7:27 p.m.

B. APPROVAL OF MINUTES

Motion to approve the May 25, 2022 minutes made by L. Menendez, M. Cannata seconded. *All in favor; motion passes.*

C. APPROVAL OF AGENDA

Chairperson Lepore asked for a motion to table Item D, Selection of Vice Chair, from the agenda. M. Cannata made the motion, M. Roberto seconded. *All in favor; motion passes.* Motion to approve the May 25, 2022 agenda, as amended, made by L. Menendez, M. Cannata seconded. *All in favor; motion passes.*

D. SELECTION OF VICE CHAIR

Chairperson Lepore asked for a motion to amend the agenda to reinstate Item D, Selection of Vice Chair, after accepting a resignation from Phil Gagnon. M. Cannata made the motion, Mr. Menendez seconded. *All in favor; motion passes.*

L. Menendez made a motion to nominate M. Cannata as Vice Chair. M. Roberto seconded. *All in favor; motion passes.*

E. PUBLIC COMMENTS

Chairperson Lepore discussed an item she received in writing over Facebook from Rosanna Glynn, who is in favor of the automatic referendum.

F. OLD BUISNESS

A letter from Finance Director, Marianne Sylvester to Town Manager Salvatore saying that she is recommending the 10% figure for the automatic referendum provision (Attachment).

G. NEW BUSINESS

The Commission reviewed their draft of the Charter and went over any updates and changes.

Article II

TOWN COUNCIL AND MAYOR

Section 2.02. Composition, Election and Terms.

Subsection (c) Election and Terms.

In the sentence "The regular election of all Town Council members whose terms are expiring shall be held on the first Tuesday after the first Monday of November quadrennially in odd numbered years." Attorney Olson recommended taking out "terms are expiring."

The Commission agreed that the term of Town Councilors changing from two to four years s to be a separate question on the ballot.

Section 2.03. Mayor.

Subsection (a) ...and shall, subject to Section 2.07, serve until his successor shall be elected.

2.06 Deputy Mayor.

The first sentence should read: "At its first regular meeting, after each municipal election in which Town Council members are newly elected, the Town Council shall elect from its membership a Deputy Mayor."

Section 2.08. Investigations.

In the first sentence, change "make" to "conduct."

Article III

TOWN MANAGER

Section 3.02. Removal.

Subsection (b) "A copy of such resolution shall be delivered to the Town Manager."

Section 3.04. Powers and Duties of Town Manager.

Ms. Roberto asked if this would be the section where a "master plan" for the Town would be. The Commission discussed this further and discussed the fact that there is not enough time to write the language for this, at this time. Attorney Olson stated that strategic planning for a town would need a committee.

Ms. Grasso said that what she is hearing from people on the Town Council and the Board of Finance is that there is strategic planning. Her question is of whether there could be something in the Charter that could address those questions. Attorney Olson asked who would create the strategic plan.

Mr. Menendez answered that some towns form a committee with difference agencies or boards, and actually hire an outside source.

Mr. Oryell referred to Section 4.21. Appointed Boards and Commissions. They have the power to make their own commissions, falling more under the Town Council. Chairperson Lepore agrees with Mr. Oryell that it should be a commission, where they meet and are members of the Town and they develop the strategic plan with different ideas and can present it to Council. Is there any binding effect on that? Attorney Olson said that she doesn't have an issue with a strategic planning committee, but when

it comes down to it, she would always recommend by ordinance and not by Charter. The Commission can make a recommendation to the Town Council.

Chairperson Lepore suggested that the Commission come up with a recommendation to Council that makes the ordinance or some sort of procedure or mechanism by which a strategic plan is developed. We can lay out what we would like to see in it, so that it is more likely to go to an ordinance. Then it is on the record, then it's an ordinance. If the next Charter Revision Commission likes that language, they can decide to put it in the Charter.

Article IV

DEPARTMENTS, OFFICES AND AGENCIES

Section 4.03. Administrative Officers.

Changed Town Planner to Director of Planning and Development.

Section 4.08. Tax Collector and Section 4.09. Town Clerk.

Regarding the issue of the Tax Collector and the Town Clerk being appointed rather than elected, Chairperson Lepore would like them to be separate questions on the ballot. Mr. Cannata and Mr. Menendez think this should be one question on the ballot. Chairperson Lepore said the Commission will leave it as two separate questions for now and can come back to it, if need be.

Section 4.10. Director of Emergency Management.

Changed the title to Emergency Management Director.

Section 4.14. Building Official.

The first sentence should read, "The Town Manager shall appoint and may suspend or remove, each such action with the approval of the Town Council, a Building Official who shall serve for a term of four (4) years.

Section 4.21. Appointed Boards and Commissions.

Subsection (b) Appointment and Eligibility.

The first sentence should read, "All members of such boards and commissions shall be appointed by an affirmative vote of not fewer than five members of the Town Council."

Subsection (c) Removal.

The first sentence should read, "Any member of any appointive Town board or commission may be removed by an affirmative vote of not fewer than four members of the Town Council for cause."

Article V

ELECTED OFFICIALS

Section 5.02. Election and Terms of Office: Town Elections.

Number 5. should read, "The Board of Finance which shall be composed of five members who shall serve terms of four years. Commencing with the 2023 election, one of the two seats that have members with expiring terms shall be eliminated such that only one seat will be available to be filled for a four-year term. At each election thereafter, the expiring term seats shall be filled for a term of (4) years."

Article VI

POWERS OF INITIATIVE AND OVERRULE

Section 6.02. Minority Representation.

The first sentence should read, "Minority representation on any elective or appointive board, commission, committee or similar body of the Town, except the Board of Education, shall be determined in accordance with the provisions Section 9-167a of the Connecticut General Statutes and other relevant provisions as amended."

Section 6.08. Power of Overrule.

This paragraph should read, "All ordinances adopted by the Town Council pursuant to the provisions of the chapter, except emergency ordinances adopted in accordance with Section 2.12 of this Charter shall be subject to overrule by a special Town referendum in the following manner:"

Article VIII

TOWN EMPLOYEES

Section 8.04. Board of Finance Action on Budget.

Subsection (b). Amendment Before Adoption.

The last section should read, "Notwithstanding anything to the contrary in this section, if the Board of Finance modifies the proposed budget presented to it by the Town Council and Board of Education, the Town Council may make a further amendment thereto and reallocate expenditures in an amount not exceeding one percent (1%) of the total proposed budget, inclusive of the Board of Education. The Town Council may make such amendments by a two-thirds (2/3) majority vote of those present and voting during a special meeting within (3) three business days following the public hearing on the budget. Any reallocation approved by the Town Council pursuant hereto shall be adopted by the Board of Finance without further amendment prior to the referendum within the timeframe herein."

The Commission agrees that this one-percent (1%) reallocation change should be a separate question on the ballot.

Section 8.08. Tax Bills.

In the first sentence, removed Section numbers and put in Chapter 204.

Section 8.09. Amendments after Adoption.

Subsection (b). Emergency Appropriations.

In the first sentence it should read, "...not fewer than three members of the Board of Finance."

Section 8.10. Lapse of Appropriations.

A sentence was added to the end of the paragraph which is, "The foregoing shall not apply to any non-lapsing accounts established in accordance with law."

Section 8.12. Capital Improvement Program.

Subsection (b). Contents.

The first sentence should read, "The capital program shall include, but is not limited to:"

Section 8.15. Borrowing.

A sentence was added to the end of the paragraph which should read, "Any proposal to incur bonded debt in an amount equal to or greater than ten percent (10%) of the operating budget for that fiscal year shall be subject to a referendum vote."

The Commission agrees with this language.

Article IX

CONFLICTS OF INTEREST

Section 9.01. Conflicts of Interest.

A sentence was added to the end of the paragraph which should read, "Nothing in this section shall limit the power of the Town Council to adopt ordinances, regulations, and policies regarding Town employees and elected and appointed officials regarding conflicts of interest and ethics consistent with state and federal law."

Article X

CHARTER AMENDMENT

Section 10.01. Review and Amendment of Charter.

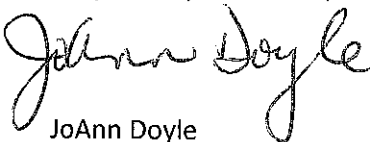
The Commission, along with Attorney Olson, reviewed Connecticut State Statute 7-339 and will leave fifteen percent (15%) in the second paragraph.

The updated draft will be presented to the Town Council, then come back to Commission and the Commission will schedule a public hearing. Attorney Olson emailed a new red lined version and she will do a comparison document from the original 2011 Charter. She suggested that the Commission make a brief presentation and overview to the Town Council with the proposed changes. Chairperson Lepore asked the Commission to review Attorney Olson's copy and get back to her by Monday.

H. ADJOURNMENT

Chairperson Lepore asked for a motion to adjourn. L. Menendez approved, seconded by M. Cannata. *All were in favor; the motion passed.* Meeting adjourned at 9:20 p.m.

Respectfully submitted,



JoAnn Doyle
Recording Secretary



Town of Cromwell

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416

DATE: MARCH 16, 2022
TO: ANTHONY SALVATORE
FROM: MARIANNE SYLVESTER, FINANCE DIRECTOR
RE: CHARTER REVISION – REFERENDUM RECOMMENDATIONS

Some questions have been raised over the past several years regarding provisions for referendum in our Town Charter. Currently, the Charter only has a provision for an annual budget referendum (see Section 8.05(a).)

Special Town Meetings are called in Section 8.03 (c), last paragraph, for the approval of some specific Special Revenue Fund budgets, and in Section 8.09 for the approval of supplemental appropriations in excess of 1% of the current budget. A referendum can only be called if a petition is filed with the Town Clerk at least 24 hours prior to the Special Town Meeting.

If the Commission is desirous of including a provision for referendum in the Charter, I would recommend that this provision be applicable for specific types of projects and called for by the Town Council. The types of projects that the Commission may want to consider could be any new facility or infrastructure, including roads, sidewalks, etc, in excess of 10% of the total annual budget.

Projects that include the maintenance and upkeep of existing assets (facilities, roads, parks, etc.) should not be based on a referendum vote since it is the Town's obligation and responsibility to maintain these assets. Referendum should also not be based on a dollar amount as prices can increase and (not often) decrease with economic cycles and global situations.

Special Town Meetings always have the ability to be petitioned for referendum, as outlined in State Statute.

If you have any questions or want to discuss, please let me know.