


**TOWN OF CROMWELL
CHARTER REVISION COMMISSION
TOWN COUNCIL CHAMBERS
41 WEST STREET, CROMWELL, CT 06416
AUGUST 17, 2022 7:00 P.M.
SPECIAL MEETING MINUTES**

RECEIVED FOR RECORD
AUG 24, 2022 02:47P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT



Present: Chairperson Jennifer Lepore, Vice Chair Mike Cannata, Ann Grasso,
Marie Roberto, Geoff Oryell

Also Present: Town Manager Tony Salvatore, Town Attorney Kari Olson

Absent: Lou Menendez, Phil Gagnon

A. CALL TO ORDER

Chairperson Lepore asked for a motion to call the meeting to order. A motion as made by G. Oryell, seconded by A. Grasso. *All in favor; motion passes.* Chairperson Lepore called the meeting to order at 7:12 p.m.

B. PUBLIC COMMENTS

None

C. NEW BUSINESS

The Commission discussed the Town Council's recommendations.

Chairperson Lepore discussed the Town Council's Public Hearing and Special Meeting which were held on August 10, 2022, beginning at 6 p.m. She and Vice Chair Mike Cannata presented all of the significant changes in the Charter to the Town Council. The Town Council agreed to some of them and did not recognize others.

The Town Council agreed to change to a four-year term from a two-year term for the Town Council, as well as for the Mayor. They also agreed to appointing the Town Clerk and Tax Collector, rather than electing. The terms for the Town Council and Mayor will be one question on the ballot, as well as one question for the appointed vs. elected for the Town Clerk and Tax Collector.

The Council also agreed to the automatic referendum for budget issues over one percent and also the technical wording changes to Section 4.12, removing "Youth Services" and the revised language in Section 5.02(b) regarding the Board of Assessment Appeals term being four years, not two, as per C.G.S. 9-199.

Chairperson Lepore also went over what was not accepted by the Town Council. The Town Council did not accept what was the one percent budget lookback where the Council gets another bite of the apple before it goes back to the Board of Finance. There was a lot of really passionate testimony on that. As far as the number of Board of Finance members, they would be kept at six. Changes to the terms of the Board of Finance from six years to four years was not accepted.

Attorney Olson asked to go through each section of the Charter to go over the changes on the copy that she will make, that will go back to the Town Council. Attorney Olson and the Commission reviewed all of the changes and discussed that the Town Council would need to schedule a special meeting to adopt the final report with the changes that were made and set the referendum questions for the ballot for the November 8, 2022 election.

Ms. Roberto expressed that there was concern raised at the Public Hearing that some adjustments would be made by the Town Council to the Board of Education Budget. There was also concern about the terms of Planning and Zoning terms staying at six years and not the Board of Finance. There was not so much for the checks and balance piece. One of the reasons the Commission struggled with this question is that they wanted to have the Board of Finance have to report back so there would be some consistency with the overall planning for the Town.

Ms. Grasso spoke that her concern was that her interpretation of what she heard at the Public Hearing was that she was not sure if the Town Council, Board of Finance, or the Building Committee really understood the intent of what was behind our request, because the way it was portrayed was only in the negative. What she was trying to do was to empower the Town Council to have a look at more of the checks and balance rather than limiting the checks and balance.

It's too bad that it got conflated; that the idea of limiting terms along with sharing some collaboration by sending the budget back. If those two had been separated out more carefully, there might have been a better understanding that this Charter was not intended to be a negative influence.

Attorney Olson asked if members of the Commission had a chance to speak during the Public Hearing to explain what they were thinking and why. Ms. Grasso said that she felt that Chairperson Lepore and Vice Chair Cannata put a lot of time into the presentation, did a good job, and she wouldn't have felt comfortable speaking in that forum.

Ms. Grasso stated, in another five years we can look at this again and maybe educate the Council, the school committee and even the Board of Finance. They've done a great job and I'm sorry to the Town Manager, but keeping the mill rate static for ten years and having schools that are a problem and football fields with problems, and having buildings that are a problem and having our water culverts as a problem - I don't see that as a check and balance, I see that as an issue. Yes, it's wonderful that the tax rate has been maintained, but I don't think that's all there is to running a town and that's why I personally wanted it to go back to the Town Council for that bigger look at what's important to the Town.

Attorney Olson agreed with Ms. Grasso. Attorney Olson stated that yes, the Board of Finance sets the mill rate, but the mill rate is based on perceived income and expenses. When the Town and its economic development is flourishing and you have extra tax dollars coming in, that's what gives the

Board of Finance the ability to set the mill rate and keep the taxes low. That is a function of planning, economic development, approval of the items by the Town Council, and the Planning and Zoning Commission. The tax income anticipated is a direct function of all of the planning effort that this Town makes.

Ms. Roberto asked about Mr. Maley's comment during the Public Hearing regarding the question of appointing the Tax Collector and Town Clerk, rather than electing them, with him stating that this was one of the main reasons the Charter Revision failed last time.

Vice Chair Cannata stated that during the last Charter revision, he always maintained that this should have been a separate question on the ballot. There was a lot of pushback by people saying that we were taking away their right as a voter to choose. He believes that was what brought the Charter down last time. That being said, whether it's one question or two questions, I honestly feel it's irrelevant. As a separate question, you don't risk the whole Charter on one question.

Attorney Olson asked if the Commission explained the nuances of how things have changed and why to have an appointed Tax Collector and Town Clerk. Vice Chair Cannata said that Chairperson Lepore explained that in the presentation.

Attorney Olson said that people who were listening will understand why. Cromwell went to a Town Council form of government because they recognized that things are way more complicated than it was when it was a Board of Selectman. There's just too much to do to run a town like Cromwell under all of the new laws - it's a full-time job.

Town Manager Salvatore stated that speaking from experience now, both positions need to be appointed because of all the reasons I hear here tonight and what I heard last week. There's just so much responsibility and training that needs to be had for both positions. People just coming in off the street have to go through so much training now and get certification and it usually takes two to three years for both positions to be certified. To get elected to these positions – it just doesn't make any sense. Occasionally, I do get complaints about both positions and I have to tell people that they don't work for me. However, I do have a good relationship with both offices. Since I took over as Town Manager, I have had good relationships with both the Town Clerk and the Tax Collector and have been able to resolve problems in both offices. However, there could come a time with them being elected that a Town Manager could have a problem with a Town Clerk or a Tax Collector, where you wouldn't have that situation and be able to resolve that situation, if the person in the position was elected. You're going to need to look at this seriously because really those positions should be reporting to whoever the Town Manager is. I do strongly urge that this needs to be looked at seriously.

Previously, as Vice Chair Cannata said, there was a lot of misinformation and there was movement in the past about you're taking a right away from the people. I don't think you're taking a right away from the people, you're providing a better service. I think they both need to be on the same question. The reason being, is that you don't want to have one of them approved and one of them fail. Then you have one of the appointed and one elected. I urge you to continue with appointing both of them and I think the citizens recognize the time has come that those two positions should be appointed.

There was continued discussion regarding Sections 4.08 and 4.09, the Town Manager, with approval of the Town Council, appointing the current Tax Collector and Town Clerk into those positions. Attorney Olson pointed out that in the minutes of the 8/10/22 Town Council Special Meeting, that the Town

Council did approve the question regarding the Tax Collector and Town Clerk being appointed (Sections 4.08 and 4.09), pursuant to how the Commission has it worded in the Charter.

Chairperson Lepore stated that the next thing the Commission needed to do is to vote on what the Town Council has recommended and what we are going to be sending back to the Council. Attorney Olson asked if she could make sure that she understood what that included. She and the Commission proceeded to review what would need to be changed in the final copy of the Charter. This would need to go back to the Town Council for a special meeting for a final adoption of the Charter, and approve including the questions on the ballot for a referendum vote at the November 8, 2022 election.

Attorney Olson presented the proposed draft three ballot questions (Attachment 1).

Chairperson Lepore asked for a motion to accept the three proposed draft ballot questions as presented by Attorney Olson. A motion was made by Vice Chair Cannata, seconded by M. Roberto. *All in favor; motion passes.*

Vice Chair Cannata made a motion to accept all of the Town Council's recommendations as proposed and draft a new, final document to be presented to the Town Council. The motion was seconded by A. Grasso. *All in favor; motion passes.*

Town Manager Salvatore pointed out that in Question 1, it should refer to Section 2.02(c) of the Charter.

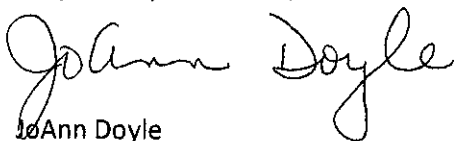
Ms. Grasso asked where the final Charter document will reside for the public to be able to see, before the referendum. Attorney Olson answered that it is required to be in the Town Clerk's Office. Town Manager Salvatore also said it will be published on the Town website.

Vice Chair Cannata asked Attorney Olson if the whole Charter revision has to be published in the newspaper. She said some people say yes, but she says no. It would cost thousands of dollars. She suggests putting the table of contents or a summary. She will also develop the explanatory text, once the Town Council adopts the final revision and questions. When the summary is published, you can put in a link to bring the public to where they can find a copy of the Charter.

D. ADJOURNMENT

Chairperson Lepore asked for a motion to adjourn. M. Cannata approved, seconded by G. Oryell. *All were in favor; the motion passed.* Meeting adjourned at 8:10 p.m.

Respectfully submitted,



JoAnn Doyle
Recording Secretary

Draft referendum question for the Town Council

Question 1: Shall the proposed Charter Amendment to Section 2.02^(c) of the Town's Charter changing the term of each of the members of the Town Council, including the Mayor, to four (4) years, as set forth in the Charter Revision Commission's Final Report and accepted by the Town Council, be adopted?
YES/NO

Question 2: Shall the proposed Charter Amendments to Sections 4.08 and 4.09 of the Town's Charter changing the positions of Tax Collector and Town Clerk from elected to appointed positions, as set forth in the Charter Revision Commission's Final Report and accepted by the Town Council, be adopted?
YES/NO

Question 3: Shall the remaining proposed Charter Amendments contained in the Charter Revision Commission's Final Report, which Report was accepted by the Town Council on August ____, 2022, be adopted?
YES/NO