


**TOWN OF CROMWELL  
CHARTER REVISION COMMISSION  
Regular Meeting  
May 11, 2022  
7:00 PM Town Hall Senior Center  
Minutes**

RECEIVED FOR RECORD  
May 17, 2022 11:35A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT 

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**Present:** Phil Gagnon, Mike Cannata, Ann Grasso, Lou Menendez, Marie Roberto,  
Geoff Oryell, Chairperson Jennifer Lepore (joined the meeting at 7:05)

**A. CALL TO ORDER**

Vice Chairman Gagnon called the meeting to order at 6:17 p.m. (immediately following the public hearing).

**B. APPROVAL OF MINUTES**

Vice Chairman Gagnon called a recess at 6:17 p.m. for the Commission to review the minutes of the April 27, 2022 Regular Meeting. Vice Chairman Gagnon called the meeting back to order at 6:21 p.m. Motion to approve minutes of the April 27, 2022 Regular Meeting made by M. Cannata, M. Roberto seconded. *All in favor; motion carried.*

**C. APPROVAL OF AGENDA**

Motion to approve the May 11, 2022 agenda made by Vice Chairman Gagnon, seconded by M. Cannata. *All in favor; motion carried.*

**D. OLD BUSINESS**

None

**E. NEW BUSINESS**

**Section 5.06. Board of Finance.**

Mr. Cannata referred to the 4/27 minutes stating that the Commission is waiting for Town Attorney Kari Olson to paint us some scenarios. In concept we agreed on four years for the term and we agreed on five members. Attorney Olson was going to create some scenarios to show how staggered terms would work for the future election cycles; assuming we have four years and five members. Section 5.06 is not locked in stone, but we need to hear from Attorney Olson on those scenarios so we continue to all agree on the five members and four years. Vice Chairman Gagnon mentioned that Attorney Olson will let us know how a staggered process would be implemented and she would give us options to review.

**Section 5.07. Board of Education.** Insert "Connecticut" before "General Statutes" and throughout the document.

**Section 5.08. Board of Assessment Appeals.** No changes or additions.

**Section 5.09. Zoning Board of Appeals.** No changes or additions.

**Article VI ELECTIONS, POWER OF INITIATIVE AND OVERRULE**

**Section 6.01. Town Elections.**

**Subsection (a). Regular Elections.** No changes or additions.

**Subsection (b). Registered Voter Defined.** No changes or additions.

**Subsection (c). Conduct of Elections.**

Vice Chairman Gagnon said the first two sentences are fine. Ms. Grasso and Ms. Roberto suggested changing the sentence that ends in "Council" with the following:  
In the part of the sentence "recount of ballots...consistent with law" the word "law" needs definition and there should be a period after "Charter." A question for legal counsel would be what does this really say - that they may do this, but they don't have to do this in terms of setting up ordinances - and is it significant? Vice Chairman Gagnon said the question is, are there currently ordinances? Mr. Cannata mentioned that this subsection doesn't appear to have any changes from the last go-around and it is in the current Charter. The Commission agreed to have Attorney Olson review this section.

Chairperson Lepore called a recess from 7:20 to 7:24, so that the Commission can go back to take a look at Section 6.01, Subsection (b), for Chairperson Lepore's benefit, because she was absent. Ms. Roberto said that the Commission discussed that the second to last sentence was too long and there were two issues. It is stated that the Town Council "may" adopt ordinances. The question is, should it be "shall" adopt ordinances? Also, it states "shall be consistent with law and this Charter." The Commission is asking, what law?

Chairperson Lepore responded by saying that it should not say "shall" adopt ordinances and leave it up to the Town Council's discretion.

Chairperson Lepore and the Commission agreed that the wording should be: "The Town Council may adopt ordinances consistent with Federal, State and local law, as well as the Charter." This information will be deferred to Attorney Olson for clarification.

**Section 6.02. Minority Representation.**

The Commission discussed whether or not include the statutory reference. This will be deferred to Attorney Olson. Section 9-176a is a typo - transposed and supposed to be Section 9-167a. This is noted as an editor's note in the current Charter.

**Section 6.03. Breaking a Tie.** No changes or additions.

**Section 6.04. Vacancies – Elective Offices.** No changes or additions.

**Section 6.05. Board of Admission of Electors.** No changes or additions.

#### **Section 6.06. Right to Petition for Referendum.**

Vice Chairman Gagnon asked if any of the Commission members have ever seen a petition that overturned a town ordinance. No one had. Vice Chairman Gagnon called a recess at 6:48 p.m. to refer to Section 7-9 of the Connecticut General Statutes.

Ms. Grasso left the meeting.

Vice Chairman Gagnon called the meeting back to order at 6:59 p.m. and referred to Section 7-9 of the Connecticut General Statutes; "said petition shall contain the full text of the ordinance proposed or the ordinance to be repealed and shall be signed in ink or indelible pencil by qualified electors of the Town equal in number to at least (5) percent of the total electors of the Town as determined from the latest official lists of the registrars of voters.

Mr. Cannata mentioned Section 9-3 of the Connecticut General Statutes; "Referenda" sets up the format under which you have to follow if you're going to circulate a petition.

Chairperson Lepore arrived to the meeting at 7:05 p.m. Vice Chairman Gagnon made a motion to recognize Chairperson Lepore. *All were in favor; motion passed.*

Vice Chairman Gagnon summarized what was covered in the meeting so far to Chairperson Lepore.

Mr. Cannata mentioned to Chairperson Lepore that Section 6.06 was added to the Charter the last time. In reviewing 7.9, it appears 7.9 is all about procedure. Mr. Cannata deferred to Chairperson Lepore on this. Chairperson Lepore agreed to leave this Section 6.06 as is.

Chairperson Lepore mentioned that someone called her asking the Commission to consider discussing how we handle referendums for large capital projects. The Commission will discuss this further when they get to **Article VIII Annual Budget and Financial Procedures**.

#### **Section 6.07. Power of Initiative – Adoption and Repeal of Ordinances.**

Chairperson Lepore said we may make some technical changes regarding Connecticut General Statutes and look at the actual section number for some of the statutes, but there are no substantive changes in Section 6.07.

#### **Section 6.08. Power of Overrule.**

Chairperson Lepore asked the Commission if they have ever seen anything like this happening before. Mr. Cannata mentioned that he doesn't ever remember there being any ordinance having a vote to repeal. Chairperson Lepore said that she has no perspective to state one way or the other. After "section 2.13" regarding emergency ordinances, Chairperson Lepore added "of this Charter."

#### **Article VII TOWN EMPLOYEES**

Mr. Cannata mentioned that a lot was stricken previously when we went to a Town Manager form of government. Everything that was previously stricken, is still in effect because the Charter revisions didn't pass.

**Section 7.01. Town Employee Personnel Rule.** No changes or additions.

**Section 7.02. Salaries.** Remain as is with blue-lines items. As mentioned before, review with Attorney Olson as to keeping the actual statutory reference in this section.

**Section 7.03. Official Bonds.** No changes or additions.

**Section 7.04. Retirement of Town Employees.**

Mr. Oryell asked if the commission could legally put something in this section along the lines of if an employee retires from one position to another, that they're not entitled to that retirement until they're fully retired? CPL said she thinks that this would be left to what their pension plan says and what their employee contract says.

**7.05 Appointment and Removal of Town Employees.** No changes or additions.

The Commission agreed that **Article VIII ANNUAL BUDGET AND FINNCIAL PROCEDURES** will be tabled for the next meeting.

**Article IX CONFLICTS OF INTEREST.**

**Section 9.01. Conflicts of Interest**

Mr. Cannata stated that this is not happening now. Recusing himself but not notifying Town Council. Vice Chairman Gagnon asked if this would be grounds for removal? The Commission agreed that these would be questions for Attorney Olson. MC does the swearing in of an elected official need to change? Mr. Oryell mentioned that it should it be a signed policy that every elected official has to sign. Ms. Roberto said there should be a signed document by someone on a board or commission, stating that they have no financial interest. Mr. Cannata mentioned that, as being an elected member of a board or commission, you have to be sworn in by the Town Clerk.

Chairperson Lepore talked about perhaps when you're elected, you're mandated to receive not only a copy of the Charter, but in addition, this section of the Charter. Mr. Cannata mentioned that if we are all doing the correct thing by recusing ourselves, is that not correct according to the Charter, the way it is written?

Chairperson Lepore asked the Commission what their concerns area. Mr. Oryell asked if the Town Manager could be the one that gets reported to instead of the Town Council; at least for town employees. Vice Chairperson Gagnon said there should be language regarding recusal. Mr. Cannata asked, if when being sworn in, as an elected official, is there more language that can be added to the swearing in process to address this? Mr. Menendez stated there would have to be something else added to the Charter addressing this for elected officials to review.

**Article X CHARTER AMMENDMENT**

**Section 10.01. Review and Amendment of Charter.**

Chairperson Lepore said that this talks about the Town Council initiating the amendment and about the charge to us and then the Commission actually enforces it. The Commission discussed the percentage of voters needed to pass the Charter.

**Section 10.02. Effective Date.** The Commission agreed to change the year from 2018 to 2023.

**Article XI TRANSITION**

**Section 11.01. Transition.** No changes or additions.

**Section 11.02. Pending Matters, Bonds, Debt, and Contracts.** No changes or additions.

**Section 11.03. Present Employees to Retain Positions.** No changes or additions.

**Section 11.04. State and Municipal Laws.** No changes or additions.

**Section 11.05. Savings Clause.** No changes or additions.

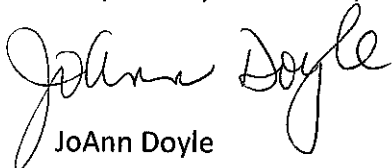
**Section 11.06. Usage.**

There was discussion about the language in this section. "When the context is required..." Mr. Oryell asked if there is a more modernized version of this section and suggested taking "feminine" out and replacing it with "all genders." Mr. Cannata agreed with replacing "feminine" with "all genders." Ms. Roberto agreed and also suggested asking Attorney Olson about this.

**F. ADJOURNMENT**

Motion made by M. Cannata, seconded by L. Menendez to adjourn. *All in favor; motion carried.* Meeting adjourned at 8:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "JoAnn Doyle".

JoAnn Doyle  
Recording Secretary