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TOWN OF CROMWELL

CHARTER REVISION COMMISSION REGULAR MEETING

WEDNESDAY, SEPTEMBER 21, 2016
7:00 P.M. TOWN HALL ROOM 224/5

Amended
Minutes

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Present: Marie Roberto, Michael Cannata, Paul Beaulieu, Tony Amenta, Shirley Banic, Karen Spotts.

Also Present: Town Manager, Anthony Salvatore.

A. CALL TO ORDER:

Chairman Paul Beaulieu (in place of Michael Camilleri) called the meeting to order at 7:05pm.

B. APPROVAL OF AGENDA

Chairman Paul Beaulieu asked to approve the agenda. *All were in favor; the motion passed.*

C. APPROVAL OF MINUTES - Meeting, August 3rd, 2016.

Paul Beaulieu asked to approve the minutes for the meeting on August 3rd, 2016. *All were in favor; the motion passed.*

D. CORRESPONDENCE

Anthony Salvatore sent Mr. Camilleri a letter recommending that the title of the Finance Director be changed to Chief Financial Officer, asking that it be considered by the Commission.

Paul Beaulieu stated this could be put on the agenda for the next meeting.

E. PUBLIC COMMENTS (no more than 5 minutes per speaker - agenda items only)

L. Waters (86 L street) posed a question about the future of the Board of Finance and whether it would stay in its full capacity. He cited a press release that mentioned the Board of Finance may have its responsibilities changed, or otherwise be eliminated altogether.

Paul Beaulieu and Mike Cannata responded that the consensus from the last meeting was that the Board of Finance would not be done away with, but its responsibilities could be amended in the future.

Tony Amenta mentioned there were communication problems with the Board of Finance in the past and clarified a point from the last meeting agenda that the goal is to improve coordination between the Board of Finance, Town Manager and Town Council, not to rid of the Board of Finance.

Paul Beaulieu and Tony Amenta both added that they couldn't speak for what the press reports and that there were no members of the press present at the last meeting.

Karen Spotts also responded to L. Water's concern, stating that an important question to be discussed (in the future) is which body has the ultimate say on budgeting concerns; the Board of Finance or the Town Council.

Amanda Drew, current Board of Finance member (4th year in position), in regards to requiring joint meetings of the Board of Finance and Town Council (item 3 on Old Business), stated that to outsiders this may seem like a good idea, but in practice the meetings would likely be long and arduous. She reasoned that the Town Council and Board of Finance have different priorities. For example, the Board of Finance focuses on the numbers and is more experienced with handling the Board of Education's financial concerns. Additionally, she stated that it took her to around her 3rd or 4th year serving on the Board to have a good understanding of her responsibilities, especially in regards to budgeting complexities for the Board of Education. Therefore, she believes the Board of Finance's responsibilities and term length for members should be kept the same.

F. OLD BUSINESS

1. Review structure, purpose, and organization of Water Pollution Control Authority (For reference, please see Section 4.17(a).3 of the Charter) and discussion of possible changes.

Paul Beaulieu stated, in the interest of satisfying State statutory requirements for appointed Commissions, the Charter should be amended to reflect only basic language (i.e. "there shall be XYZ Commission") thus establishing, in perpetuity, the current (seven) regular appointed boards and commissions, but allowing the Town Council to determine all of the details, including the numbers of members, terms, and exact purposes of each commission by administrative ordinance. Therefore, it is not necessary to outline the responsibilities, number of members, etc. of the Cromwell Water Pollution Control Authority (CWPCA) in the Charter.

Alice Kelly, Chair of the CWPCA, mentioned that an ordinance has existed since 1965 that established an autonomous, Water Pollution Control Authority in Cromwell. She agreed that it's not necessary to include the details of how the CWPCA is appointed, the terms lengths for its members, exact purposes, etc. in the Charter.

Tony Amenta mentioned that they CWPCA needs to tie in with the Town as an appointed body.

The Commission agreed in principle on Paul Beaulieu's proposal to simplify the section of 'Appointed Commissions' to detail 7 specific commissions.

1.a (amended agenda) Consideration of citizen request to expand definition of eligibility to serve on appointed boards and commissions to non-electors who are otherwise eligible to vote in annual budget referendum.

Paul Beaulieu, referring to page 417 section B of the Charter, stated that to be eligible to serve on a Commission, one must be an elector. He pointed out that citizens have sent letters taking issue with that qualification requirement.

Anthony Salvatore proposed the following eligibility revision: If you're a landowner that does not reside in the Town of Cromwell, but pays taxes to the town, then you are eligible to serve on a Board.

Marie Roberto moved to establish the authority to determine who can and cannot be appointed to a Commission through ordinance, rather than having it outlined in the Charter, to allow for more flexibility in appointing various Boards. An opinion corroborated by Mike Cannata, who believes the Town Attorney should be consulted to revise the language of 4.17 B, C, D and E.

Paul Beaulieu clarified the issue in question is eligibility requirements for being appointed to a Board, citing the reality that certain citizens are allowed to vote in the Budget Referendum but aren't considered an elector for appointment to a Board.

The Commission agreed to table this topic until the Town Attorney was consulted on whether the balance of sec 4.17 Par. (b), (c), (d) dealing with the issues of eligibility for appointment, causes for removal, and the filling of vacancies, should be similarly relegated to administrative ordinances.

The Commission also moved to endorse the concept of expanding the definition of those eligible for appointment to boards and commissions to non-electors who are otherwise eligible to vote on budget referenda. The Commission requests legal opinion of whether language to that effect should appear in the Charter or in the form of an administrative ordinance.

2. Propose revised language regarding appointed Town Commissions (to include requirement for commissions in Charter, while having Town Council determine details for each by ordinance, including number and terms of members) - Please see Section 4.17 of the Charter.

Marie Roberto mentioned that the specific Connecticut statute needs to be explicitly cited in the Charter Revision, regarding the authority of the Town Council to appoint Special Commissions.

Paul Beaulieu responded that it's problematic to cite a specific State statute, because it can change. He proposed the following language to address compliance with State statutes, to be submitted for approval at subsequent meeting of CRC:

"The Town Council shall appoint such regular and special boards and commissions as may serve the various purposes of the town and/or may be required by the laws of the State of Connecticut as amended. The functions and composition of such boards or commissions and terms of members so appointed shall be prescribed in the establishing ordinance."

3. Discussion of possible revisions requiring joint meeting/workshops of Board of Finance and Town Council and discussion of approval processes of Budget by Town Council and/or Board of Finance (*For reference, please see Charter Article VIII.*)

Anthony Salvatore went on record stating that regular joint meetings/workshops would be cumbersome. He referenced Amanda Drew's public comment that the Town Council and Board of Finance have different priorities, thus holding joint meetings/workshops would be an arduous process.

Tony Amenta mentioned that the goal is to streamline the budgeting process. He asked Mr. Salvatore if the process for making cuts could be more inclusive of Department heads in the budget process, by allowing them to have the chance to respond to proposed cuts to their budgets, after they make their budget presentations to the Town Council/Board of Finance. Mr. Salvatore responded that it's too difficult to allow for such leeway when Departments Heads propose their budgets for review.

Marie Roberto took issue with the Board of Finance's prerogative to make cuts and issue a 'bottom-line' to a proposed budget from the Town Council, or the Board of Education, for example. Several members of the Commission responded that a public hearing/budget referendum is the accountability mechanism in place that would ensure programmatic needs (i.e. for an Education budget) are fulfilled. Ms. Roberto stressed in response that there needs to be a feedback loop mechanism in place, wherein the Town

Council/Town Manager may sit down (i.e. through a meeting) with the Board of Finance if there's disagreement over programmatic budgeting concerns.

Tony Amenta and Mr. Salvatore both mentioned that the current system works, and instituting a system of checks and balances on the authority of the Board of Finance (other than what's already in place), would not work.

The Commission agreed to table this issue and recommended no changes in the budget approval process by the Town Council or the Board of Finance and no mandatory joint meeting/workshop.

4. Review of independent auditor appointment process (Section 2.09 of Charter) to include possible revisions to: implement the recommendation of the Finance Director making the Board of Finance responsible for appointing the auditor.

The Commission concurs with the Finance Director's recommendation to have the auditor appointed by the Board of Finance. Draft language of changes to relevant sections of Charter to be submitted for approval at subsequent meeting of CRC.

G. NEW BUSINESS

1. Review of proposed revisions to approval processes for special revenue funds (Section 8.03 of the Charter).

The Commission recommended that the language of Sec 8.03 of the current Charter be amended to reflect that the approval process for all special revenue funds, including the Sewer Usage, Sewer Assessment, and Dog Fund, require only the approval of the Town Council. Draft language of changes to relevant sections of Charter to be submitted for approval at subsequent meeting of CRC. In other words, all special revenue funds can be approved by the Town Council, not at a special town meeting.

2. Discuss proposed clean-up revision to confirm budget referendum vote should occur with 3 different votes as is done in current practice- general government budget, bonded debt and Board of Education (Section 8.05 of the Charter).

The Commission recommended that the language of Section 8.05 of the current Charter be amended to reflect that in voting in the annual budget referendum reflect three separate questions (i.e. the General Government, Bonded Debt, and Board of Education budgets). Draft language of changes to relevant sections of Charter to be submitted for approval at subsequent meeting of CRC.

3. Discuss possible change of Board of Finance member terms from 6 to 4 years (Section 5.02).

The Commission recommended no changes in the current six year terms of Board of Finance members.

4. Set discussion topics for next meeting


Karen Spotts mentioned her 'Other Issues List', which is provided in the 'Submitted Materials' section of the minutes, below.

H. ADJOURNMENT

Mike Cannata motioned to adjourn the meeting. *All were in favor; the motion passed.* The meeting was adjourned at 9:05pm.

Please contact Charter Revision Commission Chairman, Mike Camilleri, at mikecamilleri13@gmail.com with any questions or comments.

Respectfully Submitted,


Arthur Atkin
Recording Clerk

Submitted Materials:

Submitted by Karen Spotts:

Other issues for Cromwell Charter Revision Commission 2016

Other than the six major areas * we identified as needing review, here is my list (in no particular order) of other issues/questions/requests raised by members of the public and town officials.

Stipend for mayor - Phil Gagnon 5/18/16

Name change: Human Services to Social Services - Joan Ahlquist 5/13/16

Process for reappointment to boards and commissions - Enzo Faienza 5/3/16

Joan Ahlquist 5/13/16

Enzo Faienza 5/4/16 public hearing mins

Conflict in wording: (1) section 6.02 and General Statute 9-167a re: election of mayor and T/C and (2) section 3.04(7) and GS 7-406 - Bob

Jahn 5/4/16 public hearing minutes Note: Bob's ?? re 3.04(7) - what period covered, when due, who does, how to distribute ?

Clean-up language (1) section 8.03 (eliminate special town meeting re: budget), (2) 8.04 (clarify) and (3) 8.09a and 8.16 seem redundant - Maryanne

Sylvester 5/4/16 public hearing mins

Health Director and CWPCA - connect in section 4.09 - Marie Roberto 5/4/16
public hearing mins

Civil preparedness authority should be clarified in charter - Marie Roberto 5/4/16
public hearing mins - Ed

Wenners 5/4/16 public hearing mins

*The six major areas are:

- ✓ BOF - yes/no
- ✓ Town Clerk and Tax Collector - appoint or elect
- ✓ Town Council/Mayor terms - how long and stagger
- ✓ Sewer dept and CWPCA - separate or under Public Works
- ✓ Boards and Commissions - # members and terms
- ✓ Referendum for budget - keep/no