


**TOWN OF CROMWELL
CHARTER REVISION COMMISSION
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET, CROMWELL, CT 06416
MARCH 16, 2022 Special Meeting Minutes**

Present: Chairperson Jennifer Lepore, Phil Gagnon, Ann Grasso, Lou Menendez,
Marie Roberto

Absent: Mayor Allan Spotts, Mike Cannata

RECEIVED FOR RECORD
Mar 23, 2022 02:51P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT 

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

A. CALL TO ORDER

Chairperson Jennifer Lepore called the meeting to order at 7:05 p.m.

B. APPROVAL OF AGENDA

The Commission moved past this item and stated that this is a Special Meeting and changing or adding any items on the agenda is not allowed.

C. APPROVAL OF MINUTES

Motion to approve minutes of the March 2, 2022 Special Meeting Minutes made by L. Menendez, A. Grasso seconded. *All were in favor; the motion passed.*

D. PUBLIC COMMENTS

No public comments. There was one spectator.

E. OLD BUSINESS

Town Manager Salvatore talked about the Town Council giving a charge to the Charter Revision Commission at their March 9th meeting. After a brief discussion, the Council came up with the following: To explore four-year terms for the Town Council, to explore the expansion of the Council to nine members. In conjunction, they looked at the elimination of the Board of Finance, looked at the possibility of staggered terms, to change the Tax Collector and Town Clerk to appointed employees rather than elected, and to explore a stipend for the Mayor. It was unanimously carried by all members of the Council present. This is written in the minutes of the March 9th Town Council meeting and the minutes discussing the Charge will be an attachment to these minutes.

Town Manager Salvatore had a number of pieces of information, which he handed out to those attending this meeting, and each will be attached to these minutes. His Executive Assistant did do a survey with municipalities in regards to those that have a Mayor/Town Manager form of government, and with regards to a stipend. The majority of the towns listed did not have a stipend for the Mayor. In conjunction to that survey,

the Town Manager's Office contacted The Connecticut Conference of Municipalities (CCM), which provided some information listing municipalities that do have staggered terms; although the majority do not. It also points out those municipalities that do have four-year terms for office.

Two other pieces of information attached are from the Finance Director, Marianne Sylvester. The first being Charter Revision Recommendations and the other is regarding Referendum Recommendations to the Charter Revision Commission.

A section from the 2011 Charter, Chapter VII, The First Selectman, is also attached. Town Manager Salvatore pointed out that it was stated in this section that "The first selectman or his designee as provided in Section C501 of this charter, shall be an ex officio member of all other town boards, commission and agencies, but without power to vote." His recommendation would be that the Charter Revision Commission make it clear in the revised Charter that the mayor is an ex officio member and not include a designee. Attorney Olson had the question of whether the Mayor was an ex officio member of all town boards, commissions and agencies. She does not have an issue with it if the Mayor is.

Mr. Menendez asked Attorney Olson if she saw any downside to having the Mayor as an ex officio member of all boards, commissions and agencies. Attorney Olson said that she didn't necessarily see a downside. But on a case-by-case basis, if rather than speaking in their individual capacity, if the Mayor were to join discussions on a particular topic for a board that has a statutory maximum, she might advise that they don't do so.

Mr. Gagnon asked that regarding the language of a prior Charter or the adopted 2011 Charter, regarding the Mayor being an ex officio member; has there ever been an instance when this language was abused or any of the potential outcomes that Attorney Olson is talking about ever happen? Town Manager Salvatore responded "No.". Mr. Gagnon then stated that he had no problem with this language coming into the new Charter, pertaining to the Mayor.

Ms. Roberto asked for clarification on this language. What does "agency" mean and how is that defined for the Town of Cromwell? Attorney Olson responded by saying that there are certain things that are talked about as a committee, commission or a board, that by state law are called agencies. For example, the Water Pollution Control Agency. The reason we are putting the word agency in there is that if something is nominally called an agency, as opposed to a commission or a board – it covers it. Ms. Roberto asked whether or not the term agency was defined in state statute. Attorney Olson said that she cannot state whether there is any statutory definition for an agency that applies across the board. Attorney Olson went on to say that specific statutes, that deal with specific topics of concern, will determine whether something is called a commission, a board or an agency.

Mr. Gagnon suggested that since this language has stood the test of time in the old Charter, he suggests that the Charter Revision Commission adopt it exactly the way it is; barring any unforeseen circumstances that legal comes up with in terms of gross negligence at some point in the past.

Ms. Roberto has a disagreement with that. Unless you can find nothing in the state statute that addresses what a definition is of these things, she is okay with it. Until she sees that, she thinks there can be some real difficulties. The definition of ex officio needs to be addressed.

Town Manager Salvatore responded, saying that up until 2011, the Mayor was an ex officio member of all boards and commissions and had a right to come before them and speak and deliberate, only not vote.

Mr. Gagnon said every five years we look at the Charter, so if there were an instance between now and 2027, we can address it at that time. Town Manager Salvatore stated that the language doesn't prohibit the Chair from ruling anybody out of order. So, if there were abuse, certainly the Chair has the right to rule the Mayor out of order.

Ms. Grasso asked if it was stated in writing that if there is abuse, would there be a way of controlling it. Town Manager Salvatore replied that that would be *Robert's Rules of Order*. Chairperson Lepore also stated that *Robert's Rules of Order* is how all boards and commissions are governed.

Chairperson Lepore asked Ms. Roberto if this satisfies what she was talking about. Ms. Roberto said that it does, but she would still like to see from Attorney Olson a review of state statutes and if there is a definition of an agency.

Chairperson Lepore talked about the items that were tabled in the last meeting. All of them are items that the Council charged that we consider. One of them was the staggering of Town Council terms, which we tabled pending receiving more information. Town Manager Salvatore has provided us with information on other towns from CCM. It appears that the majority of the towns surveyed do not have staggered terms. Chairperson Lepore has had conversations with various members of the public who have stated that they were concerned about staggered terms. They thought it would be very confusing and would very much prefer simpler, cleaner four-year terms and whenever the next election comes about where this Charter would be in place, that there would be four-year terms, not staggered. Chairperson Lepore then asked everyone's thoughts given this new information that the Commission has.

Ms. Roberto stated that she doesn't think staggered terms makes sense in elected terms. Mr. Menendez agrees with not changing to staggered terms and to keep things status quo. Mr. Gagnon agrees with Chairperson Lepore and the consensus of the members present.

Ms. Grasso stated that she is not in favor of staggered terms.

Chairperson Lepore mentioned that in discussing staggered terms, we are talking about four-year terms. At the last meeting, all were in favor of four-year terms for both the Mayor and Town Council.

Ms. Roberto stated that she did not have a chance to weigh in on that and asked why four-year terms for the Council? She doesn't have a problem with that for the Mayor, but wanted to know why four-year terms instead of two-year terms for the Council.

Chairperson Lepore answered that some of the reasons mentioned is that there is a lot of turnover every two years. It takes a bit to get acclimated and get your bearings and then your term is almost over and you have to focus on campaigning again. It can allow people to actually govern and not be so swayed by the politics of the moment and not letting the urgent outweigh the important. The four-year terms lend themselves to that. Obviously, there are some reasons not to do it Mr. Menendez provided a good list of them; we do want people with fresh ideas coming in, we don't want entrenchment. We thought that four-years was a good compromise to allow people to come in because people do generally get re-elected. A lot of the Council members have been re-elected; not just once, but twice and some even more than that. It wouldn't be a huge, drastic shift in practice.

Ms. Roberto stated that the reason she would not be in favor of four-year Council terms is because they represent the townspeople. The Mayor is a figurehead because we have a Town Manager who is running the town. The Mayor, as a figurehead, will give leadership and direction, but it is the Council members – I want to hold them accountable so that they hold themselves accountable every two years; plus, the fact that you may find people who don't want a four-year term of office, and we need to get beyond entrenchment in the Town of Cromwell. I've seen how the Council operates for many years but if they want to represent me as a resident in the Town of Cromwell, I would expect them to give me their best in the two years they are there, and then I want to know what their platform is going forward.

Mr. Gagnon talked about the example of serving on the Board of Education and how he didn't understand how it really worked until the third year, when he was on the budget committee. The reason he would support the four-year term, would be for that. He doesn't think a two-year term gives a candidate the opportunity to get up and running and to learn what they need to learn to be effective Councilors.

Ms. Grasso asked Town Manager Salvatore his opinion. He stated that Ms. Roberto does make a very good argument; but this was debated by the Council at their last meeting and the consensus was four years for the reasons that were stated. Town Manager Salvatore said that Councilman Demetriades brought up the fact that after getting elected, he pretty much turned around and had to re-run again right away, because it's a two-year term; he made some very good points. It could be a detriment if it's a turnover every two years and you have a project running and certain people are supporting the project from the Council. Town Manager Salvatore does understand the argument for the four-year term. Councilman Demetriades also

made a very good point about staggered terms; if the citizens aren't satisfied with the Council and the direction the Council is going, the voters can express that view. If there were staggered terms, it could possibly take two terms for a change.

Town Manager Salvatore stated that he is used to the two-year terms, throughout his entire career. Most of the time, a lot of the Board of Selectmen members or Council members do get re-elected. He thinks four years would give more stability to the Council.

Ms. Grasso stated that she saw the amount of time and effort that went into the last election cycle. She felt it detracted from the work of the Council. Anybody who was running, did not show up for their liaison commission – you can't do it all. If we didn't have to run an election, she would go for the two years because she thinks turnover is healthy; however, she doesn't think it works very well.

Ms. Roberto talked about avoiding entrenchment and having the same people run all the time, without allowing new blood to come forward. We need to make room for the young people in the town to come forward and take leadership. She is in favor of two-year terms for the Council and a four-year term for the Mayor.

Chairperson Lepore said that she didn't think it would make a difference to a young person who wanted to run for office, whether it was a two-year term or a four-year term.

Mr. Menendez said he has no problem with a four-year term for Mayor and staying with two years for the Town Council. He likes the way it is now for the Council and he likes the energy.

Chairman Lepore thinks it is important for this to be brought to the voters. Ms. Roberto thinks that is appropriate and would like to see this come out for a public hearing so that people can talk about it. Town Manager Salvatore said that this is all outlined in the statute. He said that the Council was desirous of knowing how many questions can this be broken down to on the ballot. They were looking at the possibility of some of the bigger questions being standalone.

Mr. Gagnon asked Town Manager Salvatore, regarding the charge of exploring four-year terms from the Town Council, if there was a consensus amongst the Council that they desired four-year terms. Town Manager Salvatore stated that he believed there was.

Ms. Grasso said that she is glad that we are focusing on the public and getting this not solved this evening and that we will have another time to discuss it. To Ms. Roberto's point – that the public understands that this has been the conversation among this group as well. Chairperson Lepore mentioned that one of the other items Town Manager Salvatore brought up is the possibility of expanding the Council to nine members. If that is something we consider, that very well may change somebody's vote regarding whether or not we want a four-year term, so it can be more of a fluid discussion.

Mr. Gagnon posed a procedural question to Chairperson Lepore of whether or not we will need a consensus among the Commission regarding a two-year vs. four-year term, in order to put forth one or the other to a public hearing. Chairperson Lepore responded by suggesting to wait until the Commission decides as to how many are going to be on the Council. The proposal is the expansion of Council members to nine and eliminating the Board of Finance. Chairperson

Lepore suggested waiting until the Finance Director and perhaps members of the Board of Finance had a chance to speak, to provide whatever insight they might have.

Ms. Roberto added to Mr. Gagnon's point. The terms are probably less significant; we have major decisions to make related to the Board of Finance and the Town Council. We also have real questions about the Tax Collector and the Town Clerk. Chairperson Lepore understood and stated that there does seem to be some disagreement on the terms in and of itself and it is an important facet to discuss.

Chairperson Lepore instructed members of the Commission to review all of the attachments from Finance Director, Marianne Sylvester, prior to the next meeting on April 6th. Chairperson Lepore will also reach out to the Chair of Finance, or a designee to attend the April 6th meeting.

Chairperson Lepore brought up the point that the discussion about the Mayor receiving a stipend, **Section 2.04. Compensation; Expenses**, had been tabled at the last meeting, pending further information from the Town Manager. The consensus was leaving things as is - which is the Mayor can submit for reimbursements for specific receipts that he or she may incur, within the duties that they perform as Mayor. Chairperson Lepore asked if anyone had any comments on the *CT Municipal Salary Survey – Mayor*, that Town Manager Salvatore provided. Ms. Roberto asked if zero and n/a meant the same thing. Town Manager Salvatore responded that was the way this was reported by CCM; zero and n/a mean that the Mayor or First Selectman is not receiving any type of a stipend. Attorney Olson mentioned that with some of the towns and larger cities, where the salary is over \$100,000, that is a full-time job.

Mr. Gagnon noted that Rocky Hill, Glastonbury, Wethersfield and Berlin – other towns of similar composition to Cromwell – were not on the list. Town Manager Salvatore responded that this is what CCM had provided to him. Town Manager Salvatore also stated that Rocky Hill, Wethersfield and Newington do not compensate their Mayors. Chairperson Lepore asked if there were any objection to leaving things as is, without a stipend for the Mayor. All agreed.

Town Manager Salvatore stated that Heather Polke submitted her resignation from the Charter Revision Commission to Mayor Spotts. The resignation will be accepted by the Town Council at a Special Town Council Meeting, Tuesday, March 22nd at 4:30 p.m. The Council is looking to appoint Geoff Oryell to the Commission at that time.

F. NEW BUSINESS

Article III TOWN MANAGER

Section 3.01. Appointment; Qualifications; Terms; Compensation.

Chairperson Lepore asked if anyone had any questions or comments on subsection (a).

Mr. Menendez mentioned that "Town Council" and "Council" were both listed and should be consistent. It was agreed upon that "Town Council" will replace "Council" and "Town Manager" will replace "Manager" throughout the entire Charter.

Subsection (b)

No changes or additions.

Subsection (c)

No changes or additions.

Subsection (d)

No changes or additions.

Section 3.02. Removal.

Subsection (a)

No changes or additions.

Subsection (b)

The first sentence will read: "The Town Council may approve the suspension or removal of the Town Manager by a resolution approved by two-thirds affirmative votes of the entire Town Council which resolution shall set forth the reasons for suspension or removal."

The last sentence will read: "A copy of such resolution shall be delivered to the Town Manager."

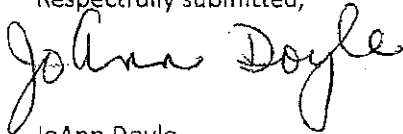
Subsection (c) through Subsection (f)

Chairperson Lepore will bracket these subsections for further discussion with the understanding that the general consensus, as it stands today, is that this is really something that belongs in contractual language and perhaps even bargained for.

G. ADJOURNMENT

Motion to adjourn made by L. Menendez, seconded by M. Roberto. *All were in favor; the motion passed.* Meeting adjourned at 9:07 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "JoAnn Doyle".

JoAnn Doyle
Recording Secretary

- He has received calls regarding paving and he is in discussions with the Town Engineer and Finance.
- Thanked the Town Council and BOF for approving the tennis court project. He said that an electrician is coming tomorrow to fix the light switch. He also has an assessment being done on the lights to cover them to LED which will be a cost savings to the Town.
- The Public Works crew is prepared for Spring as far as their sweepers and mowers and other equipment. They are ready to go once the winter weather is behind us.
- He will be changing three trees downtown. There are existing shrubs, he brought in an arborist for some advice and they are going to swap them out within the next two weeks.
- An assessment will be scheduled on the basketball court lights to also change to LED for a cost savings.

K. NEW BUSINESS

1. Discussion and possible action for the Town Council to provide a Charge for the Charter Revision Commission.

A brief discussion was held regarding suggestions for revisions to the Charter. Motion **made** by J. Demetriades and **seconded** by J. Henehan to explore four-year terms for the Town Council, to explore the expansion of the Town Council to 9 members and to look at the possibility of staggered terms, to change the Tax Collector and Town Clerk to Town appointed (employees) from elected officials, to eliminate or clarify the duties of the Board of Finance, and to explore a stipend for the Mayor.

In favor: A. Spotts, S. Fortenbach, J. Demetriades, J. Donohue, J. Henehan, P. Luna. **Motion carried.**

2. Discussion and possible action for conceptual approval to utilize Town-owned land between Evergreen Estates (55+ community) and the Landon Apartments for a District water/communications tank (map provided).

Town Manager Salvatore stated that there are no restrictions on the highlighted parcel provided to the Town Council. He added that we have a regulation that allows governmental use in any zone. The Fire District only has one water tank. They would like to have a back up tank in the event that they would have to service their existing water tank. He informed the Council that the reason for this requested motion is so that he can at least have open discussion with the Fire District to discuss this and move forward with them.

Survey Reports :: CT Municipal Salary Survey - Mayor

Municipality	Mill Rate	Population	Land Area	Government Type	Mayor Salary
Bolton	39.00	4916	14.4	Selectman-Town Meeting	n/a First Selectman & Interim Town Administrator
Cheshire	33.22	29330	32.9	Council-Manager	n/a Mayor & Town Manager
Coventry	32.20	12439	37.7	Council-Manager	n/a Mayor & Town Manager
Cromwell	30.33	13956	12.4	Council-Manager	0.00 \$ Mayor & Town Manager
Darien	16.47	21887	12.9	Representative town meeting	n/a First Selectman & Town Administrator
Derby	41.87	12581	5	Mayor-Council	65,000.00 \$ Mayor & Chief of Staff
East Hampton	33.14	12901	35.6	Council-Manager	n/a Mayor & Town Manager
Enfield	34.23	44585	33.4	Council-Manager	0.00 \$ Mayor & Interim Town Manager
Farmington	27.97	25572	28.1	Council-Manager	n/a Mayor & Town Manager
Granby	39.61	11357	40.7	Council-Manager	n/a First Selectman & Town Manager
Greenwich	11.682	62855	47.9	Representative Town Meeting	n/a First Selectman & Town Administrator
Groton (T)	24.17	39075	31.3	Council-Manager	n/a Mayor & Town Manager
Hebron	37.05	9507	36.9	Selectman-Town Meeting	n/a Mayor & Town Manager
Killingly	24.96	17172	48.5	Council-Manager	n/a Mayor & Town Manager
Manchester	36.52	57932	27.3	Council-Manager	3,000.00 \$ Mayor & General Manager
Meriden	40.86	59927	23.7	Council-Manager	16,788.00 \$ Mayor & City Manager
New Haven	42.98	131014	18.9	Mayor-Council	134,013.00 \$ Mayor & Chief of Staff
Newington	39.45	30404	13.2	Council-Manager	0.00 \$ Mayor & Town Manager
Norwich	40.28	39470	28.3	Council-Manager	45,000.00 \$ Mayor & City Manager
Plainville	34.62	17705	9.7	Council-Manager	0.00 \$ Mayor & Town Manager
Putnam	22.06	9357	20.3	Selectman-Town Meeting	44,000.00 \$ Mayor & Town Administrator
Stratford	39.87	52345	17.6	Mayor-Council	123,000.00 \$ Mayor & Chief Administrative Officer
Waterbury	60.21	108629	28.6	Mayor-Council	136,341.00 \$ Mayor & Director of Operations

Calve, Amanda

From: Brian West <BWEST@CCM-CT.ORG>
Sent: Tuesday, March 15, 2022 10:47 AM
To: Calve, Amanda
Subject: Staggered Terms For Legislative Bodies

March 15, 2022

Amanda Calve
Senior Exec. Asst.
Town of Cromwell
41 West Street
Cromwell, CT 06416

Dear Amanda,

The following is in response to your request looking for municipalities that have staggered terms for their legislative bodies.

I reviewed our records and surveyed municipalities and found the following information:

Killingly and New Canaan have staggered terms;

Bristol, Derby, Hamden, Milford, Naugatuck, New Britain, New Haven, Milford, Plymouth, Prospect, Vernon and Wallingford do not have staggered terms; and

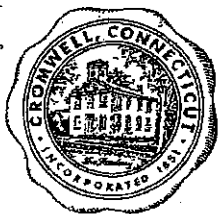
The following municipalities have a Mayor who has a four year term of office and a legislative body with a two year term of office: Bridgeport, Ledyard, Montville, New London, Norwich, Stratford, Torrington and Waterbury.

I hope this information is helpful. If you have any additional inquiries, please feel free to contact me directly at (203) 498-3077 or by email at bwest@ccm-ct.org.

Sincerely,

Brian

Brian West
Senior Research Analyst
Connecticut Conference of Municipalities (CCM)
545 Long Wharf Drive, 8th Floor
New Haven, CT 06511



Town of Cromwell

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416

DATE: MARCH 18, 2022
TO: CHARTER REVISION COMMITTEE
FROM: MARIANNE SYLVESTER, FINANCE DIRECTOR
RE: CHARTER REVISION RECOMMENDATIONS

I am recommending the following revisions to our existing Charter that was adopted November 2011. Please let me know if you have any questions or need additional clarification.

I would strongly advocate for changing the **town clerk** and the **tax collector** positions from elected to appointed positions. Both of these positions require specific skills sets, training, and knowledge. The state-wide certification process for each position is intensive and lengthy, combining years of experience, coursework, and examinations; however, it is beneficial for the individuals in the position to obtain the respective certification. Ideally, a candidate would be hired possessing some or all of the qualifications for these positions. In the past, the individual obtained their certification while in the position with all costs covered by their operating budget. This becomes wasted time and money if the individual is then voted out of office at the next election. Also, the operations of both offices impact the General Fund budget for revenue and expenditures, and the Town Manager has no authority to enforce cooperation with policies, procedures, or general Town direction. In addition, there is no provision for dismissal of these elected officials for improper execution or non-performance of duties until the next election, if then.

There has been discussion regarding the continuation of a separate Board of Finance. With the professional expertise of the Director of Finance and the Town Manager, the role of the Board Finance has become somewhat redundant to the actions of the Town Council. If the Board of Finance is eliminated, the Town Council should be expanded to nine (9) members. A sub-committee could be identified for Budget & Audit/Finance matters. The budget process would need to be revisited as well if the Board of Finance is eliminated.

Regarding the budget process, **Section 8.03**, items numbered 1, 2, and 3 may not be fully applicable to the Town's budget process and accounting structure. Understandably, proposed

goals and objectives for current and proposed operations should be included, as they have been in the past 7 years, but perhaps this element should be indentified in 8.03(c), as should the proposed capital expenditures. Capital expenditures are also addressed in Section 8.13 Capital Improvement Program, so may not need to be addressed in this section. The sentence under item #3 ("For any fund, the total..."), should be deleted.

The four (4) other funds for which we have annual budget appropriations, Sewer Usage, Sewer Assessment, Dog Fund, and Sidewalk Fund, currently go to a special town meeting for final approval. Town Council (and Board of Finance, if not eliminated) should be authorized to set these budgets without going to special town meeting.

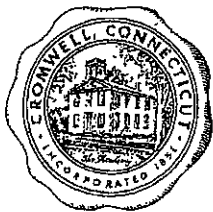
In **Section 8.04(b)**, I would recommend allowing ten (10) "business" days after the public hearing. At times it has been difficult to arrange meetings and locations for such meetings within this short time-frame.

Section 8.09(a) for Supplemental Appropriations should be clarified. "...The Board of Finance [or Town Council, if Board of Finance eliminated] shall also have the power, by resolution, [insert: *to authorize the Town*] to incur indebtedness for any specific purpose in order to finance said supplemental appropriations provided for in this section [eliminate if Board of Finance eliminated: and shall have such other powers and duties not inconsistent with this Charter, conferred or imposed by the General Statutes, on town boards of finance.]" The rest of this sentence should be deleted as it does not tie into the preceding language. The last sentence in this section, starting with "Any additional [in excess of 1%??] supplemental appropriation" should be moved up to follow the sentence referring directly to a supplemental appropriation, prior to "The Board of Finance shall also have the power...".

Section 8.09(a) seems to make Section 8.16 on Borrowing redundant.

I would be happy to review any draft that concerns the financial activities of the Town or answer any questions as the Commission moves through the Charter.

Thank you for your consideration of the above recommendations.



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.

Section C607. Procedure.

All town meetings shall be called by resolution of the selectmen fixing the time and place of said meeting, notice of which shall be given at least seven (7) days but not more than fifteen (15) days in advance by publication in a newspaper having general circulation in said town, and by posting a notice in a public place provided, however, that this provision shall not apply to the annual budget meeting. All town meetings shall be called to order by the first selectman or his designate to elect a moderator who shall conduct all business in the manner now or hereafter provided by Chapter 90 of the General Statutes, as amended, except as otherwise provided in this charter. The town clerk shall serve as clerk at all town meetings, but in his absence an acting clerk shall be designated by the moderator. Any town meeting may be adjourned from time to time as the interests of the town may require.

CHAPTER VII
The First Selectman

Section C701. General.

At each town election a first selectman shall be chosen by the electors of the town as provided in Chapter III of this charter. The first selectman shall be the full-time chief executive and chief administrative officer of the town and shall receive such compensation as shall be recommended by the board of selectmen and approved in the annual budget. Said first selectman shall be a full voting and participating member of the board of selectman and shall preside, when present, at meetings of said board. The first selectman or his designee as provided in Section C501 of this charter, shall be an ex officio member of all other town boards, commissions, and agencies, but without power to vote.

Section C702. Duties. [Amended approved 11-2-82']

The first selectman shall be directly responsible for the administration of all departments, agencies and offices in charge of persons appointed by him and shall supervise and direct the same. He shall see that all laws and ordinances governing the town are faithfully executed. He shall make periodic reports to the board of selectmen on the conditions and affairs of the town and shall assist the board of finance in the preparation of the annual town report. The first selectman shall recommend to the board of selectmen such measures as he may deem necessary or expedient, shall keep the selectmen and board of finance fully advised as to the financial condition of the town; shall prepare and submit to the selectmen an annual budget as provided in Chapter X of this charter; and shall exercise such other powers and duties as may be authorized by ordinance and resolution of the board of selectmen not inconsistent with this charter. The first selectman shall appoint and may remove for good cause shown, each such action with the approval of a majority of the entire board of selectmen, and in accordance with such provisions of the General Statutes as may apply to said appointments and removals, a public works director and a finance director who shall serve indefinite terms. The first selectman shall have all the powers, duties and responsibilities conferred or imposed on that office by the General Statutes, except insofar as the same are inconsistent with the provisions of this charter. The first selectman may, with the approval of the board of selectmen and subject to such other limitations as are contained in this charter and in the General Statutes, enter into contracts or agreements with the United States Government or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, any person, or any other body politic or corporate. The board of selectmen shall not diminish by ordinance, vote or otherwise the powers and

¹ Editor's Note: Pursuant to the House of Representatives, April 30, 1983, "An Act Validating the Amendments to or Revision of the Charter of the Town of Cromwell" reads as follows:

"Notwithstanding the late filing by the town of Cromwell pursuant to section 2-14 of the general statutes and notwithstanding the late filing by the clerk of said town of a statement pursuant to section 9-369a of the general statutes, setting forth certain information concerning the referendum on the amendment or revision of the charter of said town held November 3, 1982, the amendments to or revision of the charter of said town approved by the electors of said town on November 2, 1982, are hereby validated."

duties of the first selectman, except those powers and duties imposed on him by said board under the provisions of this section.

Section C703. Appointments and Terms.

The first selectman shall appoint and may remove, each such action with the approval of a majority of the entire board of selectmen, and in accordance with such provisions of the General Statutes as may apply to said appointments and removals, such administrative officers as are assigned to him for appointment by the several provisions of this charter, and such other assistants or employees as may be required pursuant to the performance of his duties, subject to such rules and regulations concerning town employees as may be adopted by the board of selectmen pursuant to the provisions of Chapter XI of this charter. The terms of all such administrative officers hereinafter named, except those of

(Cont'd on page C27)