

**TOWN OF CROMWELL
CHARTER REVISION COMMISSION
SPECIAL MEETING
WEDNESDAY AUGUST 3rd, 2016
6:00 PM TOWN HALL ROOM 222
MINUTES**

RECEIVED FOR FILING
8-9 2016 at 11:44 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Paul Macofia, Not.
TOWN CLERK

Present: Paul Beaulieu, Michael Cannata, Karen Spotts, Shirley Banic, Anthony Amenta, Marie Roberto and Michael Camilleri

Also Present: Joseph Corlis, Town Manager Anthony Salvatore, and Mayor and Town Council Liaison Enzo Faienza

A. Call To Order

Chairman Michael Camilleri called the meeting to order at 6:00 pm.

B. Approval of Agenda

Chairman Michael Camilleri asked for a motion to approve the agenda. Shirley Banic made a **motion** to approve the agenda. Paul Beaulieu **seconded** the motion. *All were in favor; the motion passed.*

C. Approval of Minutes

1. Regular Meeting June 8th, 2016

Paul Beaulieu asked that the word "duplicitious" in Section b. under "New Business" be changed to "redundant."

Karen Spotts read into the record her recommended wording changes to make certain passages more clear and concise. The proposed changes have been included in the attachments.

Chairman Camilleri and Marie Roberto asked to include pagination on these minutes and for future minutes. Marie Roberto also stated that "discussed" under Section C. 2 on page 4 should be changed to "discussion."

Anthony Amenta made a **motion** to approve the minutes as amended for the meeting on July 13th, 2016. Paul Beaulieu **seconded** the motion. *All were in favor; the motion passed.*

D. Correspondence

Chairman Camilleri read the attached correspondence from Sandy Muller, Rodney Bitgood, Joseph Yorski, and Kari Olson into the record.

E. Public Comments (no more than 5 minutes per speaker - agenda items only)

Chairman Camilleri reviewed the rules for public comments, asking that speakers discuss agenda items only and limit their comments to 5 minutes.

Martha Rennie, 9 Wexford Lane, rose to speak about the Library Commission. She asked about the consequences of allowing an easier process to modify the commissions by ordinances. Chairman Camilleri responded that he would address Mrs. Rennie's question when that topic is addressed later in the agenda.

Jack Henehan (Chairman of the Board of Finance), 17 Crest Drive, spoke favorably of the commission's decision to maintain the Board of Finance. He also asked the commission to maintain the board as it is, stating that it is a firewall for the financial process. There is a significant benefit with having a specialized body reviewing the budget. Mr. Henehan agreed with the Finance Director that they should have the responsibility of choosing the independent auditor. Chairman Camilleri clarified that the Charter Revision Commission is discussing the flow of the budget process. One member of the commission had proposed a draft budget process that was used as a starting point for discussion, but the Chairman explained that nothing had been decided on yet.

Anthony Varricchio, 6 Cole Drive, stated that he agreed with Mr. Henehan that there is a significant benefit with having a non-political specialized body reviewing the budget. He stated that they have a good group of experienced people on that board who are responsible for the great bond rating that we have. Mr. Varricchio continued, explaining that there is no use in fixing something that isn't broken. He doesn't support streamlining everything to the point that there are only 7 people in charge of most things.

Mertie Terry, 589 Main Street, read into the record an open letter to the commission that she printed and distributed (see attachments.)

James Demetriades, 2 Bonnie Briar, spoke in favor of maintaining the current function of the Board of Finance. He stated that because the Town Council wears many hats, it should be the Town Council that is advisory to the Board of Finance regarding the budget and not the other way around. He asked that the commission treat the Charter Revision process as if they were changing a constitution; everything should be explicitly outlined. He recommended not changing the current balance of power.

Al Waters, 86 South Street, rose to concur with those who spoke ahead of him, stating that he agreed with everything they said and appreciated their participation in our democracy.

Joseph Corlis, 17 Redwood Court, he rose to express agreement with all the comments made by the Chairman of the Board of Finance.

Bob Jahn, 3 Woodside Road, also expressed agreement with the chairman of the Board of Finance.

Loraine Caruso, 9 Summerbrook, past member of the Board of Finance, spoke to urge the commission to maintain the Board of Finance's current powers.

Alice Kelly, 47 Willowbrook Road, spoke to persuade the commission to maintain the current checks and balances of our government. She recommended no changes for the Board of Finance.

Mike Gengler, 5 Forest Road, stated that he is in favor of maintaining the Board of Finance's current powers and that they should be in charge of setting the mill rate. He also expressed appreciation for those who spoke also spoke in favor of these sentiments.

Phil Gagnon, 13 Harrison Drive, spoke regarding changing the Board of Finance terms from 6 years to 4 years because it is enough time to understand the budget and it would allow more people to find that commitment more accessible. He suggested that more people would likely run because of the decreased term.

Madeline Lowry, 22 Franklin Road, spoke in favor of maintaining the Board of Finance as is, stating that her husband, a former Board of Finance member, would also be in favor of this position.

Joy Hollister, Senior Center Director, submitted a letter into the record from the Senior Services Commission written by Pat Alsup (see attached.) Chairman Camilleri read the letter into the record.

Mr. Varicchio, in response to Mr. Yorski's letter, stated that he believes that the candidate's qualifications should be focused more on their knowledge of the town instead of higher education.

Stanley Jasiecki, 33 Shadow Lane, recommended an annual evaluation of the Town Manager as a number of other towns have instituted.

Chairman Camilleri thanked everyone for attending the meeting tonight and participating in the process.

F. New Business

1. Review of 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

Alice Kelly, Chair of the Water Pollution Control Authority, stated that she has been on the Water Pollution Control Authority (CWPCA) since 2001 and has served in several capacities over the years. She stated that they are not funded by tax payer dollars and only by usage and assessment fees. Karen Spotts asked what percentage of the town uses the sewer system? Richard Peck responded that it is approximately 80%. Marie Roberto asked if the CWPCA receives any outside funding from the federal government and the Clean Water Act? Alice Kelly stated that they have in the past but they have recently been applying for grants as well. Anthony Amenta asked what the effects would be if the CWPCA was put under the authority of the Town Council? Alice Kelly responded that they specialize in the sewer system and their sole focus is maintaining the infrastructure and serving the community. She explained that when a group has a lot of other focuses, some aspects receive less attention, but with a separate authority, that would not happen. Chairman Camilleri asked for clarification regarding why the CWPCA should be treated differently than other authorities, for example those in charge of the highways. Alice Kelly stated that a number of town have a separate sewer authority and that it is beneficial to have a separate group in control of such a specialized field. She then described the 2007 update of the GIS system as an example of how the CWPCA has been able to keep up with the times. Karen Spotts asked who was the employer of the person who instituted the new GIS system? Alice Kelly responded that they were an employee of the Town of Cromwell but the salary came out of CWPCA funds.

Paul Beaulieu asked about sewer bonds. Marianne Sylvester responded that there are no outstanding bonds. Richard Peck explained that they have been in the black for a while now but they are looking into other funding for operation. Paul Beaulieu asked what the typical balances are in the CWPCA accounts? Marianne Sylvester responded that the Sewer usage account is between \$1.5 and 2 million and the assessment account has approximately \$950,000. Paul Beaulieu asked Alice Kelly to discuss the previous financial problems that CWPCA had. Alice Kelly discussed their attempts to build up their reserve funds and dealing with the deficit that they had. Town Manager Salvatore stated that the town had to lend money to the CWPCA. Alice Kelly also explained that the town put out the sewer bonds because the CWPCA did not have the authority.

A discussion of the budget process for the CWPCA ensued. Town Manager Salvatore stated that the sewer budget requires a town meeting for budget approval. He explained that the CWPCA is under the supervision of the Public Works Director. Alice Kelly stated

that the CWPCA had the authority to hire their own employees, although they never have, but they recently lost that right through an ordinance. A discussion ensued regarding rights of the authority to hire their own employees. In response to Karen Spotts' question, Alice Kelly explained that when the sewer needs to be accessed underground, the CWPCA handles that. A discussion occurred regarding use of equipment and insurance payments. Town Manager Salvatore stated that the CWPCA and the Public Works department share some equipment.

Chairman Camilleri asked what inefficiencies there are in having two separate authorities. Marianne Sylvester stated that having the CWPCA does not affect the accounting. In response to Michael Cannata's question, she stated that nothing would change accounting wise if any structural changes were made. Marie Roberto asked who would be responsible if a sewer line breaks and causes a major problem. Alice Kelly responded that the CWPCA would handle the costs associated. If the costs exceeded available funds, they would ask the town to go to bond, but the CWPCA would still be in charge of the response. Marianne Sylvester stated that the ultimate financial buck stops with the Finance Department and therefore the Town Manager, but that is only in response to a situation where the associated costs exceed the CWPCA available funds.

Anthony Amenta stated that although the CWPCA has done a good job cleaning up their finances, the commission has been asked by people who work within these departments to make this arrangement more efficient.

Paul Beaulieu asked about the necessity of the Public Works Garage and the incorporation of the CWPCA into that garage. Alice Kelly stated that the CWPCA had started looking for a space for the garage but it did not make sense to have solely a CWPCA garage, so they asked that Public Works be included. Louis Spina, the Public Works Director, commented that the project is in the works and that they have seen many properties but for one reason or another it just has not worked out. Chairman Camilleri asked Mr. Spina his views on the separate entities. Mr. Spina responded that it works okay, though he could argue it both ways. He believes that it is somewhat specialized because of all the projects, but he believes it could work with it either way. Richard Peck, in response to Chairman Camilleri's question, stated that the group is specialized and is only accountable to those people who use that utility. He stated that their budget is extremely in depth so that they can do the best that they can for the people. Marie Roberto asked where the legal authority lies for the creation of a separate CWPCA. According to Alice Kelly and Town Manager Anthony Salvatore, there is a state statute that requires the authority exist. A discussion ensued regarding the how and where the authority for the CWPCA is spelled out. Town Manager Salvatore brought up the idea of a Sewer Administrator.

Chairman Camilleri discussed the previous Town Manager Mr. Sistera's recommendations regarding the CWPCA (full statement included in the May 4th

attachments) and a Sewer Administrator. Alice Kelly stated that she was unaware of these recommendations and they had not been discussed with the CWPCA previously. Mr. Sistera's memo recommended that the authority of the CWPCA should be brought under the control of the Town Council. Alice Kelly responded that there would still have to be separate public hearings done regarding assessments. She continued to explain that there is significantly more involved with taking over the functions of the CWPCA.

Mayor Enzo Faienza stated that the Town Council, while they do wear several hats, are a very capable body and that the buck does stop with them. Although they are not specialists, they are elected to represent the people of this town and can handle a variety of duties. He also stated that he respected the decision of this commission and will support whatever the outcome is. Karen Spotts asked what makes the sewer authority different in that it cannot have the same working relationship as the police department who has specialists but are also accountable to the Town Council. Alice Kelly responded that the functions are different and there are a number of state statutes that need to be followed regarding public hearings.

Tim Griffin, 95 Willowbrook Road, member of CWPCA, spoke to advocate maintaining the authority of the CWPCA as a separate body.

Bob Jahn stated that he would like to see the CWPCA stay as it is, except the financial aspect.

Chairman Camilleri asked the commission to pose questions for the attending department members so that they can provide answers before the next meeting. Michael Cannata asked what the accounting benefits are possible from streamlining the process. Anthony Amenta asked how the commission can better understand what the CWPCA does. Richard Peck suggested looking back into past CWPCA meetings to understand their process and see what projects they have been working on. Marie Roberto asked what it would look like from various perspectives if there weren't separate entities.

Mayor Enzo Faienza, in response to a previous comment, stated that there has been an issue in the past filling the boards and commissions. He also supported the statement that the boards and commissions in this town have been great about leaving their politics at the door and working together for the town.

Chairman Camilleri stated that the next meeting on August 17th would be solely dedicated to discussing the CWPCA.

G. Old Business

1. Review Charter Revision recommendations and proposed revisions

a. Review of purposes and continuing need for Town Commissions (including opportunities for consolidation and/or splits and number of members/alternates) - all in Section 4.17 of the Charter:

1. Recreation and Youth Services Commission
2. Library Commission
3. Conservation Commission
4. Economic Development Commission
5. Senior Services Commission

Martha Rennie rose to speak about the Library Commission. Chairman Camilleri explained the ordinance process and how it might work if the commission relegates the authority to spell out boards in ordinances. Martha Rennie spoke about her concern with allowing the Town Council to appoint boards and commissions because it would give too much power to the Town Council and she is worried about the future of the commissions. Town Manager Salvatore stated that there is no desire to abolish the Library Commission, they are only looking to standardize the boards and commissions. Martha Rennie stated that she believes that the library serves an important function in the town and doesn't wish to see it changed too much. Chairman Camilleri stated that the Charter Revision Commission believes highly in the importance and function of the Library Commission but that this change would allow for flexibility.

On behalf of the Library Commission, Marie Roberto stated that she has received several phone calls from people worried that the Library Commission was going to be eliminated. She believes that this is evidence that the library is very important to the people of the town and the other libraries that they are associated with. The Library Commission recently helped the Library Director to apply for a million dollar grant, which Marie Roberto explained, demonstrates how valuable they are to the community. Directing attention to Section 4.17, she stated that this detailed language could be outlined in an ordinance, however, the names of the commissions would be maintained in the charter. Chairman Camilleri agreed that the commissions under state statute should certainly be named in the charter.

Mayor Faienza stated that he fully supports Marie Roberto's idea that the commissions remain named in the charter but the details outlined in an ordinance. Chairman Camilleri suggested outlining the fields of interest that the boards and commissions would cover. For example, there would be a board or commission concerning the library, senior services, etc. but without explicitly including a group name.

Chairman Camilleri asked the commission if there was a consensus regarding this idea. The commission nodded in agreement. Chairman Camilleri stated that he and Paul Beaulieu would work on some language for the next meeting.

Dick Nobile stated that he has no objection to Marie Roberto's idea. A discussion ensued regarding the overlap of Economic Development Commission and the Redevelopment Agency.

Chairman Camilleri asked for a motion to table the remainder of the agenda for the next meeting. Anthony Amenta made a **motion** to table the remainder of the agenda until the next meeting. Michael Cannata **seconded** the motion. *All were in favor; the motion passed.*

b. 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.) (TABLED)

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

d. Other proposed revisions in working draft of Charter (TABLED)

H. Additional New Business (TABLED)

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

2. Discuss game plan for review and revisions to remaining Charter provisions

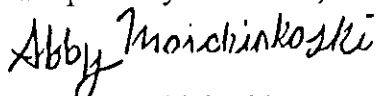
3. Set discussion topics for next meeting

I. Adjournment

Paul Beaulieu made a **motion** to adjourn the meeting. Anthony Amenta **seconded** the motion. *All were in favor; the motion passed.* The meeting was adjourned at 8:45 pm.

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

Respectfully Submitted,



Abby Marchinkoski
Recording Clerk

Submitted Materials:

Submitted by Karen Spotts:

Changes to be made to the 7/13/16 minutes:

Pg 3 (b)

Chairman Camilleri reviewed the working idea that a concurrent BOF and T/C workshop(s) following budget preparation and review/modification by the Town Manager. The purpose would be to ask questions and clarify assumptions and have everyone hear the conversation at the same time. No vote would take place. Chairman Camilleri directed attention to Section 4.17a where the relevant language can be found. He began the discussion by explaining that the Recreation and Youth Services Commission as named in the charter is listed, in the List of Cromwell Boards and Commissions as (1) Park and Recreation Commission and (2) Youth Services Advisory Committee. The first suggestion made was to eliminate the word "park" from the name of the commission. Paul Beaulieu stated that there is a significant number of administrative ordinances that relate to this commission and its function. The point was raised that the charter may not have to specifically name appointed commissions, but rather could give the Town Council the authority to appoint commissions as needed. Town Manager, Tony Salvatore stated that it may be possible to only list commissions/committees that are required by the state. This would include the Inland/Wetlands Commission, Water Pollution Control Authority, and Conservation Committee. The Youth Services Advisory Committee is required by a state grant agreement with Cromwell (needs to be verified).

Chairman Camilleri asked the members present to consider only specifying the boards/commissions/committees required by the state and relegating the authority to the Town Council to create and staff ad hoc commissions as needed. (See 2.01 for current language).

Pg 3 (b)

Chairman Camilleri reviewed the working idea that there would be that a concurrent BOF and T/C workshop(s) following budget preparation and review/modification by the Town Manager. The purpose would be to ask questions and clarify assumptions and have everyone hear the conversation at the same time. No vote would take place.

Submitted by Sandy Muller:

I've participated in Cromwell town government in one capacity or another for almost 40 years, I think I've earned the right to have a voice in the current conversation about what town government will look like in the years to come. Last time around, I supported the Charter change and the efforts to update and professionalize Cromwell government. I knew then that change was long overdue and it would be a change for the better.

Although I'm not able to come Wednesday, from what I read in the paper, and have heard from friends, I'm far less convinced that the changes being talked about on your commission are changes for the better. I'm worried your commission is about to throw out the baby with the bath water.

I do not support eliminating the Board of Finance or limiting its authority by changing the budget process. Back when I was on the Board of Education, and as its chairman, I may have disagreed with some of the Finance Board's decisions; that's the nature of the relationship. Despite an occasional difference of opinion over what got spent, the process and the relationship between the boards worked. Over the years, Cromwell schools improved, the high school expanded and a new school got built. And, thanks to some responsible and well-respected people on the current Finance board, the relationship with the school community has never been better. As chairman of the Board of Ed, I'm sure you know that too. Please leave the Finance Board as it now exists; there's no need to change it with if it is not broken do not fix it.

Thank you for listening.

Sandra Muller

Past Chairman BOE

Past Chairman WPCA

Submitted by Rodney Bitgood:

Hi Mike,

I am writing you about suggestions for the charter revision. In 2013 Mertie Terry picked me for the Outboard Assoc./ boat launch committee, while we didn't get very far I did enjoy the experience. When the Riverfront Redevelopment Agency was being formed Former Town Manager Jonathon Sistare was going to place me on that committee, but it was decided that because I was not a resident(I live in Higganum), but only a property owner/taxpayer to the town I couldn't be on that. Last night I went to the first meeting of the new committee concerning the boat launch and Ed Wenners asked me why I wasn't on the new committee, I explained to him the situation. I have also discussed this with Stuart Popper and The Mayor. Stuart said that in other towns he has worked in that business owners/taxpayers/property owners, but non-residents/non-electors have been allowed to serve on certain town committees. So basically I am asking that as you discuss and consider changes for the charter, can my situation be considered? As most people know I work hard to help the town and Main St. and my heart is down here and the riverfront and to not be able to help in any decision making is very discouraging.

Thanks for your time,

Rodney Bitgood
Cromwell Automotive, LLC
860-613-2355
860-635-2271 fax
www.cromwellautomotive.com

Submitted by Joseph Yorski:

Good Afternoon,

Your email is listed on the town's website for suggestions pertaining to the charter revision. If this is not the case, please let me know and I'll send this to the appropriate person.

So the one thing I can think of right off the bat is the qualifications for town manager. Our current charter says this about qualifications:

"The Town Manager shall be appointed solely on the basis of executive and administrative qualifications, character, education, professional training, and experience."

Why would we allow such an ambiguous statement when it comes to such an important job? The only reason I can think of is so a crony can be given the job. I propose we require at least a Master's in Public Administration, or a related field. Experience in THAT job (not an unrelated job like police or fire chief, say) could count if the education standard is not met, but to go any lower than a Bachelor's in this day and age where education is so accessible does our town a disservice and really serves no purpose I can think of. I'm a Federal employee and positions of far lesser importance than managing a whole town in my agency require a Master's Degree, if not a Doctorate. Why would Cromwell not want the best qualified unless town government was just taking care of its own?

My family and I are moving out of state next year in any case, so this doesn't really do anything for us personally. But if Cromwell wants talented, qualified applicants for town manager instead of cronies, this really needs to be codified. Otherwise we'll continue to get what we've got right now.

Good luck in your duties of charter revision.

Joseph A. Yorski
Cromwell, CT

Submitted by Enzo Faienza/Kari Olson:

M E M O R A N D U M

TO:

Enzo Faienza, Mayor
Charter Revision Commission
Anthony Salvatore, Town Manager

FROM:

Kari L. Olson

DATE:

July 30, 2016

RE:

Charter Revisions Regarding Boards and Commissions

The following questions have been posed to me by the Mayor, Enzo Faienza, on behalf of the Charter Revision Commission.

1. What Boards or Commissions are required by statutory obligation and are they required to be in the Charter or can they be established through the Town Council and ordinance.

There are two ways in which a Town can act: by the terms of its charter or by ordinance. Indeed, many towns have no charter at all and act purely by ordinance. Accordingly, the short answer is that none of your boards or commissions MUST be included in your Charter. However, if they are not in the Charter, you will need an ordinance establishing each one.

Having said that, it may make sense to make sure that all elected boards and commissions are included in the revised charter so that they fall under your election rules.

It was interesting, to say the least, that in the new Charter, there is a missing reference to the actual establishment of several boards or commissions. For example, I have found no ordinance or charter provision that actually states "There shall be a planning and zoning

commission comprised of ___ members.....” (See C302i of the old charter). Similar references are missing for the Board of Education and the Board of Finance. I recommend correcting this.

You currently have 7 appointed boards outlined in your charter. (See Section 4.17). You may want to consider removing all appointed boards from the charter and replacing those references for ordinances or for modifications to relevant existing ordinances. (See, e.g. Chapter 25 regarding the wetlands commission). Ordinances often give you greater flexibility, especially to modify without the need for a charter revision. On the other hand, if you create boards and commission by ordinance, then the statutory rules governing same may need to be followed. In other words, charter provisions in many, but not all, circumstances may trump statutory rules where the matter is of local concern.

If you leave the appointed boards in the Charter, I would make reference to any relevant ordinance and/or state that the board or commission shall act in accordance with all relevant ordinances and state laws.

2. There is a section in the Charter 2.01 that says the Town Council shall have the power to appoint regular and special Town boards, commissions and agencies. Is this verbiage enough or does it need to be strengthened?

I would preface this sentence with the following: “Consistent with authority granted to it by this Charter and state law..... “

Please let me know if you need anything more or if you have any additional questions.

Submitted by Mervie Terry:

An open letter to the Members of the Charter Revision Commission

July 3rd, 2018

Let me begin by saying that my following remarks are not meant in any way to demean our current Mayor and Town Manager.

But as in any political arena there is no guarantee how long these two gentlemen will be sitting in those seats – they may have an opportunity to move onto bigger and better things, or decide they don't need the everyday stress of running the town. - In the past other people have wrestled with those same decisions.

But one of the tenants of a democracy is for the "gatekeepers" – that's us – the taxpayers, the voters and members of the community – to take the responsibility seriously of keeping an eye on decisions that are made today – and how they may impact our town tomorrow.

We are all familiar with the phrase "If you see something, say something" and that does not only apply to an abandoned bag in a bus station – but also to decisions that will impact Cromwell. And that is why I am here tonight to say something.

It wasn't too long ago that the town was involved in a mess over the Siemens contract – and as I delved back into the past – because I admit I had heard rumors of problems, - but at the time I was more involved with my husband's health than I was with what was transpiring in town- I discovered that we, "the Town" was in a mess.

I have made copies of the Board of Finance minutes of Thursday January 22, 2009 in order to refresh your memory.

I discovered that the First Selectman, the Board of Selectmen, and the Board Of Finance were at "loggerheads" – there were charges and countercharges. the phrase "misuse of authority" was used – attorneys were involved – and the town was the recipient of a lot of nasty articles.

More recently the town was engaged in another dispute over town land – because of a piece of property being sold to a town resident without any input from the "gatekeepers."

Again attorneys were involved and I ask you – do we need to go down that path again? I think not.

I like the checks and balances in our town. I like the fact that decisions that impact our town have another set of eyes looking at them.

Have I always agreed with Board of Finance decisions? Of course not – as anyone sitting in the Town Managers or Mayors seat will agree. But that is what democracy is all about.

But let me give you an example as to why the Board of Finance is a vital part of our town government. I reviewed the Town Budget the first year I was in office – and in good faith - presented it to the Board of Selectmen – and we, then presented it to the Board Of Finance, who pointed out that one of the very

large pieces of equipment (a tri-axle truck) - that was requested in our budget - was the same piece of equipment they had authorized in a prior town budget - before I took office.

If it hadn't been for our gatekeepers- I would never have known that! But their astute stewardship of the town's pocketbook kept me from making a "costly" mistake.

I have also noticed that the commission is reviewing the necessity of various boards and commissions. Why?

To quote an old phrase: "if it ain't broke - why fix it?"

Members of the community who serve on these commissions do so out of love for the town. . .

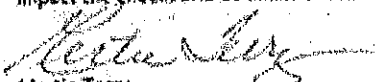
In many instances they have no authority to make financial or final decisions- and yet I believe that their input is vital - they are the voice of the people.

Will they always agree with decisions that are made by town government? No- and I don't want them to- again - this is democracy at work.

So I ask you - why would this commission even consider trying to erode the democratic process of our town?

The very fabric of our democracy has been built on a system of checks and balances put in place by our Founding Fathers- from our Federal government's three branches, (judicial/executive/legislative) to our State Government and, at the local level, our town government. The democracy that has worked so well for this country was founded on the principal that no single entity would hold the majority of the power- that in fact, the power would stay with the people- and those in leadership would be subject to a check and balance system designed to avoid any accidental or intentional abuse of that power and privilege. To erode this democratic model- and to place power in the hands of just a few offices, without oversight and review- is pure folly.

Therefore, I hope you will think long and hard and consider carefully any decisions you make before you impact the checks and balances of the Town of Cromwell. Thank you.


Merthe Terry

589 Main Street Cromwell, CT 06416

**TOWN OF CROMWELL
BOARD OF FINANCE
REGULAR MEETING
THURSDAY, JANUARY 22, 2009
CROMWELL TOWN HALL 7:30 p.m.
Room 224/225**

MINUTES AND RECORD OF VOTES

Present: Michael Gengler, Ed Maley Jr., John Flanders, Loraine Caruso, Joe Corlis, Jack Henahan, Alternate Jamie Klefer, Alternate Julius Neto, Alternate Dan Kelly

Absent:

Also Present: Finance Director Marianne Sylvester, Selectman Richard Newton, Selectmen Allan Waters, Selectman Rich Waters, Town Attorney Jack Bradley

A. CALL TO ORDER

Chairman, Michael Gengler called the meeting to order at 7:38.

B. SEAT ALTERNATES

No alternates were seated.

C. APPROVAL OF AGENDA

Motion was made Joe Corlis, seconded by Loraine Caruso to approve the agenda with the addition of an item under New Business F1 Auditor Report and moved item 1. to 2. All were in Favor. *Motion Passes.*

D. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. Regular Meeting, December 18, 2008

Motion was made Loraine Caruso, seconded by Jack Henahan to approve the minutes of the December 18, 2008 Regular Meeting. All were in Favor. *Motion Passes*

E. CITIZENS COMMENTS

Jon Schoenhorn of 108 Oak Street Hartford Connecticut introduced himself as Jeremy Shingleton's Attorney. Attorney Schoenhorn explained that Mr. Shingleton was declining the Board of Finance's invitation to the meeting. Attorney Schoenhorn stated that the Board does not have the authority to investigate, and remarked on the suggestion that there was somehow a misuse of authority. Attorney Schoenhorn suggested that this might be politically motivated by John Flanders who is considering a run for First Selectman. Mr. Flanders asked Chairman Gengler to intervene. Chairman Gengler asked Attorney Schoenhorn to stop. Attorney Schoenhorn read an email from Chairman Gengler to First Selectman Gengler dated September 25, 2008 congratulating him on the Siemen's contract and inviting him to meet for dinner.

Dick Newton, member of the Board of Selectman, remarked that he has been an elected official for 31 years and has never been so ashamed to be an elected official. Mr. Newton commented that he had been assured that the process was legal and complete. He has never felt so bad working under 7 First Selectman and never has communication been so bad. The communication needs to be repaired between the BOS and the BOF from the First Selectman.

Ann Hallbozek, 7 Christian Hill Rd commented that the Board was going to be visible in the next few months. Ms Hallbozek asked for a show of hands on who had a background in finance. She asked whether they were monitoring the economy and what was happening. She read from the newspaper some current events and asked if they were looking at the Town's best interests.

F. REPORT OF THE FIRST SELECTMAN - No Report

G. BUDGET REPORT

Finance Director Sylvester had provided the Board with a report and summary. Finance Director Sylvester stated that legal fees are a concern, but hopes that contract negotiations are resolved shortly, especially with 2 new negotiations about to begin. Ms Sylvester commented that with recent snow removal due to the storms that those budgets are getting close. Mr. Neto asked what the possible projection of overtime could be in legal expenses if it continues at the rate of the first 6 months. It could be \$50,000 over budget. Finance Director Sylvester discussed that this was a reevaluation year and that \$17,520 has been associated with tax appeals compared to about \$13,000 last year. There is one more case outstanding that may go to court. This is the TPC. Chairman Gengler asked Town Attorney Bradley what the potential drop in taxes could be.

H. REPORT OF THE TAX COLLECTOR

The Tax Collector had provided the Board with a report. Ms Sylvester said that collections were at 67% and that they were not anticipating anything different than previous years.

I. OLD BUSINESS

1. Discussion of Siemens Contract Procedures

Chairman Gengler commented on two items: (1) the merits of the Siemens contract were never an issue; (2) the November minutes reflect that Mr. Shingleton took responsibility for actions that an emergency appropriation should have been taken. Chairman Gengler acknowledged that CCM Andy Morrello, Town Treasurer Darlene DiProto were present but the Director of Public Works and First Selectman were not present.

Town Attorney, Jack Bradley stated that the assumption of illegal conduct was unfortunate. Attorney Bradley reviewed the Siemens program and a chronological review that he prepared and provided to

the Board of Finance. There was some discussion of the wording of "energy cost issues."

Mr. Maley Jr. asked about the phone polls and whether they are legal under the FOI act. Attorney Bradley was not able to clarify.

Mr. Maley Jr. inquired and asked several questions as Attorney Bradley reviewed the chronology. Specifically what would happen if the contract had not been approved at the Town Meeting?

Mr. Maley, Jr. remarked that he was sorry that they were having this conversation. The contract was discussed and a dialogue of the misunderstanding of the Town Attorney's involvement when the BOF approved this. The BOF thought something different when the contract was approved.

The Town Attorney believes the Town was unrepresented during the contract of the chiller. Mr. Maley Jr. read the chiller contract between the Town and Siemen's and discussed the meanings of the clause.

Mr. Maley Jr. continued talking about whether proper procedures were followed. Attorney Bradley said that at any time, any transaction could be looked at under a microscope.

Attorney Bradley said that a procedural irregularity was approved afterward and has been validated. Attorney Bradley was concerned about improving communication.

Ms Caruso commented that the First Selectman does not come to the BOF meetings or communicate.

Chairman Gengler read from the Town Charter section regarding appropriations.

Attorney Bradley remarked that there was not an anticipation of a payment. There was a commitment but it was resolved in global financing by the Siemen's contract.

Ms Kiefer points out that in April 2008 a commitment was made and that the purpose of this discussion was so that going forward the same mistakes are not made again.

The Town Auditor, Joe Kask described the transaction of the chiller and the appropriate recording. Mr. Flanders asked if this would have an impact on the Town's bond rating. Mr. Kask said he couldn't answer that question.

Chairman Gengler reviewed the process. Attorney Bradley said there is a lawful process in place now. Mr. Maley Jr. mentioned that the First Selectman was aware of the emergency clause. Mr. Flanders asked how we prevent this from happening again.

Mr. Maley Jr. reviewed the process and how it happened. The Board can't ask Mr. Hood or Mr. Shingleton how they thought it was okay because they aren't present.

Attorney Bradley suggested a recommendation that the Town Attorney review all contracts. The Board of Finance felt that this was something that should already be in place.

Mr. Neto asked Mr. Bradley if the Charter was violated. Attorney Bradley felt that it had not been violated because no payment was made.

Ms Caruso comments that this would not have to have gone so far if the First Selectman had come two months ago when the Board asked for a discussion.

Motion was made by Ed Maley Jr., seconded by Lorraine Caruso to table. *Motion withdrawn.*

Mr. Nowton asked that everyone work together. Chairman Gengler stated that we do try to communicate.

Mr. Morrello of CCM explained that the goal was to keep the staff comfortable in the summer and winter. The project started in the summer of 2007, it has been around for a while and he wasn't aware of any irregularities. Mr. Maley Jr. asked if he has encountered similar situations with other towns. Mr. Morrello has had a comparable situation at a school but it is not typical.

Motion was made by Ed Maley Jr., seconded by Lorraine Caruso to table. All were in Favor. *Motion Passes.*

J. NEW BUSINESS

1. Auditor's Report

Town Auditor, Joe Cask from Blum Shapiro reviewed the reports and remarked that a clean opinion was given on the financial reports for the Town of Cromwell. Mr. Cask commented that GASB 45 would have to be dealt with for the end of next fiscal year.

Mr. Neto asked about the Management letter and how it would be addressed. Ms. Sylvester said that she would address the items in a letter. Mr. Flanders asked that it be placed on next month's agenda.

The Board moved on to Item K while waiting for Mr. Shingleton's attorney regarding the next item.

2. F.O.I. request

Attorney Schoenhorn stated that he had spoken with Mr. Shingleton and he had withdrawn his request.

3. RFP Town Auditor

Motion was made by Ed Maley Jr., seconded by Loraine Caruso to approve pursuit of RFP and RFQ for Town Auditor. All were in Favor. Motion Passes.

Ms. Klefer volunteered to be on the committee. Chairman Gengler had asked Ms. Caruso and Paul Beaulieu to help. Mr. Kelly agreed to help as well. Mr. Don Swanson from the Cromwell Fire District was advised of the process and invited to participate.

K. BOARD OF EDUCATION- LIASON REPORT

Mr. Corlis had attended two BOE meetings. The meeting on January 13th with the four principals discussed no increase in their budgets except personnel contracts. They discussed unfunded mandates. The January 20th meeting discussed special education, no increases except for contract personnel. There are 200 students and 26 are bused out and are incurring increased costs. Mr. Corlis suggested regionalizing. The Central Office costs did not go up except contracts. The budget increase was 3.78% at \$25,369,200, an increase of \$941,978.

Mr. Corlis responded to the question on the Choice program and that the cost is \$2,500 per student and there are 42 students in the program for a total cost of \$105,000.

L. CHAIRMAN'S COMMENTS

Chairman Gengler asked the Board whether they felt the Town should go out to RFP on a Town Auditor. It was discussed that there was no record of when this was done last. The Board was in agreement that the process should be looked at.

Motion was made by Ed Maley Jr., seconded by Loraine Caruso to amend the agenda to discuss RFP on the Town Auditor. All were in Favor. Motion Passes.

M. VICE CHAIRMAN'S COMMENTS- None

N. GOOD AND WELFARE - None

O. ADJOURNMENT

Motion was made by John Flanders, seconded by Loralne Caruso, to adjourn the meeting at 10:00pm. All were in Favor. Motion Passes.

Respectfully Submitted,

Jennifer L. Donohue
Finance Clerk

Submitted by Joy Hollister on behalf of Pat Alsop:

August 1, 2016

Town of Cromwell
Charter Revision Commission

To Whom It May Concern:

As Chairperson of the Town of Cromwell Senior Commission I would like to address the need for the Commission and also the number of members on this Commission.

In my opinion, the Senior Commission is an excellent group of citizens representing the senior segment of the town population. Town members feel free to either come to one of the Commission meetings or contact a Commission member with ideas for new programs or services or with their concerns. Citizen input is crucial to the success of the Town's Senior Center.

As of this date, the Commission is comprised of eleven (11) members. Fortunately, since I have been Chairperson, there has never been a problem with meeting attendance by the members. Each member is a dedicated, positive member who takes their appointment seriously. However, I do feel that this commission does not need eleven (11) members. The size of the commission could be reduced through attrition. Five (5) to (7) members would be ideal, but I do not know how the reduction from eleven (11) to the smaller membership can be achieved in a timely manner. As I stated previously, there has not been a problem achieving a quorum since I have been Chairperson.

One of the benefits of living in a smaller town such as Cromwell is that it is a welcoming, caring community. I am not in favor of reducing the number if it affects a member already on the Commission who wants to continue to serve. If ones term is up and that person does not want to serve again I am in favor of not filling that seat. I realize this may cause a problem with equal representation of each party, but it is my belief that serving our senior population should take precedence over equal political party representation.

Sincerely,


Pat Alsop