

**TOWN OF CROMWELL
TOWN COUNCIL
PUBLIC HEARING
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET, CROMWELL, CT 06416
MINUTES**

Wednesday, August 10, 2022
6:00 p.m.

Present: Deputy Mayor S. Fortenbach, J. Demetriades, J. Donohue,
P. Luna, J. Henahan, A. Waters

Absent: Mayor A. Spotts

Also Present: Town Manager Salvatore, Charter Revision Commission Chairperson
J. Lepore, Charter Revision Commission Vice Chair M. Cannata

A. CALL TO ORDER

Deputy Mayor Fortenbach called the meeting to order at 6:00 p.m. and read the Public Hearing notice.

"The Town Council will hold a Public Hearing on Wednesday, August 10, 2022 at 6:00 p.m. at the Cromwell Town Hall, Council Chambers, 41 West Street, Cromwell, Connecticut. The purpose of the hearing is to obtain public input and comments on the changes that have been proposed by the Charter Revision Commission to the Cromwell Town Charter.

The Town Council will hold a Special Meeting immediately following the Public Hearing in the Council Chambers at Cromwell Town Hall.

Copies of the proposed changes to the Town Charter will be available for review in the Town Clerk's Office, the Library and on the Town's website, www.cromwellct.com.

Dated at Cromwell, Connecticut, this 2nd day of August 2022."

B. PRESENTATION

Charter Revision Commission Chairperson Jennifer Lepore and Charter Revision Commission Vice Chair Michael Cannata presented documents titled "CRC Highlights" and "CRC Highlights Addendum – Suggested Changes" (Attachment 1 and Attachment 2) to the Town Council.

Chairperson Jennifer Lepore thanked everyone for their interest in Charter of the Town of Cromwell. It is our foundational document and I think it is a testament to how involved the public is. You're coming here tonight having thoughtful questions, and I really hope that we can answer all of this for you.

Just briefly, the Charter Revision Commission started meeting in February and we recently completed our review and recommended changes to the Charter. There was a group of seven of us and we voted by majority to include the changes that I am going to discuss here today, along with my Vice Chair, Mike Cannata.

I will start with the "CRC Highlights" which are the major changes. The first major change that we are proposing is Elected members of council (including mayor) will serve 4-year terms instead of 2-year terms. The terms will be continuous rather than staggered. This would amend Section 2.02(c) of the Charter. We are proposing to the Council that this be a separate ballot question. You may remember in 2017 that the Charter was put forth as one document, a yes or no vote. The majority of the Commission decided, in order to have a better chance of getting the Charter passed, we would break the major things and the contentious items up into separate ballot Questions, and this is one of them.

Next, not contentious, not a ballot question, we more clearly defined the process of filling a vacancy on the Council. Both the Mayor and members of the Council will continue to serve without compensation. It was something that was discussed amongst us and in the 2017 Charter Revision Commission, so we renewed that discussion but ultimately didn't change much there.

In recognition of the rigorous professional requirements (e.g., statutorily mandated training) of their offices, the elected Tax Collector and the Town Clerk will become appointed positions effective Jan. 1, 2023. The same individuals elected to those roles in the November 2021 municipal election will be appointed for the positions as of January 1, 2023. We ask that these be two separate ballot questions. You can find those changes in Section 4.08 and 4.09.

We really felt that these should be appointed rather than elected positions, for a couple of reasons. First of all, they're not political in nature. The Tax Collector, nor the Town Clerk don't serve political functions. Their party affiliation does not matter because their duties are statutorily mandated. We thought that this would be a better and more efficient use of Town resources to have the right people in these roles. We also noted that, for the Town Clerk, there is a lot of educational requirements to be a Town Clerk, and that education takes two-and-a-half years to complete. So, it is conceivable that we would have somebody elected into the position, do their two years of training, and then get voted out. The Town pays for the training, so it's an investment in the future of the Town Clerk, which is an incredibly important position.

We did hear a lot from the community about automatic referendum. There's been a lot of projects that have come up in the past couple of years. In the case of the CMS School Building Committee, the members of the public again were really engaged and put out a petition and they got a referendum. We have proposed a change that any proposal can incur bonded debt in an amount equal to or greater than ten percent of our operating budget for that fiscal year, with the exception of emergency expenditures, will be automatically subject to a referendum vote. For example, if the budget is \$50 million, and there is something that costs \$5.6 million, that is going to automatically

go to a referendum. This would modify Section 8.15 of the Charter. We're not suggesting that this be a separate ballot question. The reason for that is that we had a lot of support from people in the community, a lot of people were really clamoring for this. We did consult with Marianne Sylvester in getting that 10% figure, which she agreed with.

Another document is the "CRC Highlights Addendum – Suggested Changes". Some of these are technical changes. Section 4.12, regarding the Director of Recreation and Youth Services, Town Manager Salvatore asked that we remove Youth Services from this section. You will see in Section 4.19, that it is added there.

Lastly, another technical change to comply with the statutes. Section 5.02(b), the Board of Assessment Appeals has to serve four-year terms, not two-year terms. This was a technical change.

With the Board of Finance issue, Vice Chair Mike Cannata will take over.

Mike Cannata – With the Board of Finance, one of the questions that we were posed was whether or not we should eliminate the Board of Finance. After a lot of back-and-forth on the Council and Commission, we have chosen to not eliminate the Board of Finance. What we have chosen to do, and what we're suggesting, is to take the number of members from six and bring it down to five.

Part of the reason for bringing it down to five is that it eliminates the possibility of a tie vote and it probably makes it a little bit easier during election time to fill the number of slots. That is in section 5.02. The other thing that we discussed was the term of the Board of Finance. In discussing that, the thought process was that we are reducing it from a six-year term to a four-year term. Part of the reason for that is that six years is a long time for anyone to sign on to a job that's a non-compensation job. We wanted to open it up and keep it so that more people would be willing to serve a four-year term vs. a six-year term. We thought it was an easier situation to fill a four-year term than a six-year term. The terms will still remain staggered so that we will still have the continuity of experience on the Board as elections go forward.

The last thing I want to talk about is Section 8.04(b). Section 8.04(b) is a fairly major change.

Revised language: "Notwithstanding anything to the contrary in this section, if the Board of Finance modifies the proposed annual budget presented to it by the Town Council and Board of Education, the Town Council may make a further amendment thereto and ~~reallocate~~ restore or remove the funds of affected items not to exceed or reduce the original amount. The Town Council may restore or remove expenditures in an amount not exceeding one percent (1%) of the total proposed budget, inclusive of the Board of Education. The Town Council may make such amendments by a two-thirds (2/3) majority vote of those present and voting during a special meeting within three (3) business days following the ~~public hearing~~ Board of Finance approval on the budget. Any ~~reallocation~~ restoration or removal of funds approved by the Town Council pursuant hereto shall be

adopted by the Board of Finance without further amendment prior to the referendum within the timeframe herein.”

The way the process works right now is that the Town Council takes the budget, they give it to the Board of Finance. The Board of Finance can modify certain sections of the budget and then it goes to referendum. The Town Council doesn't get a “second bite of the apple”.

Here are some examples - The Town Council takes the budget, passes it to the Board of Finance and the Board of Finance thinks it's a great budget and does nothing with it. Then it goes to referendum.

-The Town Council gives the Board of Finance their budget that their happy with. The Board of Finance says, “Wait a minute, we don't want to spend \$350,000 on new dump trucks – we're going to take that out.” That is a change to the budget and that triggers it going back to Town Council. Town Council, once it gets it back, can only act on that \$350,000 change. If Town Council wants to, they could restore all or part of it. If Public Works said we really need these trucks and we couldn't convince the Board of Finance that we need them, the Town Council can then restore them. The Town Council sends it to referendum. If it gets approved at referendum and there ends up being a tax increase – it's on them.

Another example, kind of a hot button item - Let's say the Board of Finance reduces the Board of Education budget by \$750,000. Then it goes back to the Town Council. The Town Council can look at that reduction and say that they don't really want to reduce that budget by \$750,000. The most the Town Council can restore to that budget is \$500,000 based on our combined budget, before state aid is applied. That is where the one percent kicks in. I know it's a little bit hard to follow, but the long story short is that the Town Council can restore funds eliminated by the Board of Finance out of the Board of Education budget, but only to a maximum of one percent – that's the \$500,000. They may choose to restore only \$350,000 of it, but they don't have the ability to rewrite the book. The only items that they are able to change are items that were changed originally by the Board of Finance, after they gave the Board of Finance the budget the first time.

Jack Henehan said that he believes what Mike Cannata is stating is that, say you're looking at the aggregated budget of \$50 million, for example, \$50 million for the Town and \$35 million for the Board of Education. When you're saying they can only reduce it by the one percent, it's the one percent of the \$50 million, and that is why they could only take out \$500,000 or restore \$500,000? M. Cannata said yes, that is correct.

Mike Cannata said another example would be if the Town Council passes that budget forward and the Board of Finance doesn't touch the Board of Education budget at all, but they do touch something else in the budget, that doesn't give the Town Council the ability to do anything with the Board of Education budget. The Board of Education budget was presented, it wasn't changed, so it goes forward.

James Demetriades asked for clarification on the documents named "CRC Highlights" and "CRC Highlights Addendum, Suggested changes."

Charter Revision Commission Chairperson Jennifer Lenore answered by stating that the addendum is for Council to consider if they want to send it back to the Commission for revision.

Deputy Mayor Stephen Fortenbach announced that the floor was now open for public comments and limited to two minutes.

C. CITIZEN COMMENTS

John Ireland, 12 Crest Drive, Board of Finance Chairman – I have a hard time seeing how any of these proposed changes to the Board of Finance is going to help the Town. From a term limit perspective, the explanation I was given was that going from six to four years will make more people run. I have a full board and two alternates. Another item was talk of increase of term limits from the Board. I'm trying to figure out what message is exactly trying to be sent here. As far as reducing our membership - again, from a Town perspective - how is taking out a set of eyes and a good mind trying to solve problems and create solutions going to be good for the Town?

As far as the one percent, what I'm failing to see is, what problem is there from the standpoint of - our bond rating is AAA, our mill rate has been flat for a decade, and we just went through and put forth \$60 million for a new middle school. What is it that we're doing that is so awful or egregious that we need to overhaul this system? I'm asking you all to vote "no" on this.

Steve Wygonowski, 20 Chelsea Drive, Board of Finance member - I certainly agree with everything that John said. I feel we work well with the Town and with Council. As far as the six to four-year term, I haven't seen that issue with the six-year term. As far as changing from six to five members, with the six members that we have, there is actually better discussions - especially on financial matters and more is better. For me, if we do go with any overrides, we end up with another cycle that the Board of Education has to go through, dealing with other people and back to Town Council again. Please reconsider these three items.

Ed Maley, 4 Shawnee Court, Board of Finance member - I agree with Mr. Ireland and Mr. Wygonowski. If it's not broke, why fix it?

One of the things that you guys need to know, is that you do have the ability to vote "no", which I hardly recommend. If that happens, then there is the possibility that the population could ask for a referendum and ask for it to be put on a future ballot. But, you can end it right here, and I think that's what you should do.

I was very much opposed to the provisional Charter that we had ten years ago; it was very

poorly drafted. I'm probably the only person in here who does this for a living. I've been paid to do municipal charters many times over my career. This is not a good one. There is a number of things and one of them actually does relate to the Board of Finance. There is a provision that seems to say in the existing Charter that states that you folks actually propose the Board of Education budget to the Board of Finance, which I don't think is actually true.

In the example of the possibility of a dump truck being taken off the budget, a dump truck wouldn't be in the budget, it would be in the other budget.

The thing about hiring a Town Clerk and Tax Collector, absolutely we should do that. The thing about having people who were elected to that job automatically get it, is undemocratic and incredibly elitist. I can't believe that we would vote for something like that. That is one of the major reasons that people didn't vote for previous charters. I again suggest that you vote down the whole Charter, or at least that part of it.

Brian Stermer, 16 Sovereign Ridge, Board of Finance member - I wanted to add my opposition to that 8.04(b) clause as well. I think that with the other aspects with the term limits, the other members will find this troublesome. The clause seems to eliminate the need for the Board of Finance and I think it would make people really not want to serve on the Board of Finance if everything comes back to the Town Council. It's a linear process right now. The Board of Finance really deliberates and carefully looks at the budgetary items.

Celina Kelleher, 125 North Road, Board of Education Chair – I am also here to express concern over some of the proposed changes. I learned of these changes in June and I heard there was a public hearing the following day, which I was unfortunately unable to attend. I did reach out to Chair Lepore shortly after, to get a better understanding and to get some questions answered. At that point, unfortunately, it was too late. I believe there was only one opportunity for comment and that was back in May. It concerns me that some of the changes affect multiple boards and have financial impact. We weren't consulted for any of these changes that were made. I feel that in the spirit of collaboration, it would've been nice to have been looped in on some of the changes that affect our boards. In reading the minutes and the comments expressed at the June 8th public hearing, I feel that the comments made by Mr. Ireland were not even taken for consideration or changes were not made following his valid concerns. Again, my main concern is in Section 8.04(b) and after the explanation by Mr. Cannata tonight, I'm even more concerned because I realize now that the one percent, which would be huge for our education budget, is actually one percent of the entire budget, meaning both the Town and the Board of Education budget. That would really be detrimental to us. I also want to mention that the Board of Finance Chair, John Ireland spent countless hours with us, and with the Superintendent to ensure that the Board voted for all the processes relating to running the school. He also voted to continue in our teacher negotiation process. All of these are drivers in the budget. The majority of our education budget is impacted by salaries and benefits, and other factors

such as special education, which is non-negotiable. In closing, one percent is a huge amount. When a budget is carefully planned and transparent as it has been, and the Board of Education and the Board of Finance have been collaborating so well, I just don't see this as positive.

Dipti Post, 206 Evergreen Road, Board of Education member – I'm here to express my concern for Section 8.04(b). I've been a special education teacher for 26 years and I am also currently a Board of Education member and as such, have been involved in the budget process for the past three years. The budgets have reflected restricted student needs and no extra. The Cromwell administration and Board of Education have worked collaboratively and transparently with the Board of Finance. A possible additional decrease of one percent in the Board of Education by the Town Council might seem like a very small number, but please consider this: a one percent decrease in a \$30 million budget is \$300,000. This could potentially be a loss of many qualified teachers and a reduction of school resources and educational technology. This soon will result in larger class size and a reduction of quality educational services to our students; especially to our students with the greatest needs. Numerous studies have shown how budget cuts affect student outcomes. Examples include lower achievement for students in the classroom and lower test scores. At a time when there is a teacher shortage and a mental health crisis, especially with our students, an arbitrary one percent cut in the budget will have a significant impact on our students. They deserve better than that. Please think of the children and remove this language.

Charles Epstein, 19 Crest Drive – I would like to go on record as opposing any changes to the Board of Finance at this time. The Board of Finance has been our checks and balances for many years and it has been working very well. I think that we should consider keeping it. Any change to it will take away the rights of the citizens to have somebody that's going to overlook our money.

Matt Brown, 7 Court Place – I'm here to agree with the statements from Chairman Ireland and all those conversations about the Board of Finance. I think that the Charter should be focusing on how we empower the Board of Finance as a checks and balances instead of trying to remove that. I think that the Town Council has a lot of great responsibilities as well, so I also think that the override is just adding additional responsibilities, when really that checks and balances should be sitting within the Board of Finance.

Removing a member is not the right approach. Again, there should be more focus on empowering that group to be more of that checks and balance. I do agree with a lot of the revisions as well, so I do know that people are going to be making some changes. In terms of the Tax Collector and Town Clerk and a four-year term for the Mayor, I think are really stronger changes, but I do think that the Board of Finance should be empowered and I do not support the override.

Heidi Neumann-Venetianer, 34 Hemlock Court – I am opposed to the language in Section 8.04(b), especially where it says that the Town Council can remove the funds of affected

items. If it is that the Town Council can take the recommendation of the Board of Finance and take away from what they suggested, what they approve on, and if that's the case, then we could lose funding for the Board of Education. As a concerned parent and community member, I know that schools are losing teachers to other districts that are paying higher salaries and we cannot afford to lose any more of our good teachers. Also, when Mr. Cannata referred to Planning and Zoning having six-year terms, it seems hypocritical to say that it shouldn't be that way for the Board of Finance, but not for Planning and Zoning.

Kelly Franklin, 150 County Squire Drive, Board of Education member – I just wanted to talk a little bit about the budget process between the Board of Education and the Board of Finance and also, I should say that I agree with what everyone has said already. Individuals on the Board of Finance are expected to have a specific skill set and they are elected to serve on both the Town and school districts, reviewing both budgets, asking challenging questions and either accepting or amending the budget. The school administration this year responded to a variety of questions asked by Board of Finance members both in advance of, and while in presentation to their board. Chairperson Ireland and Celina did a great job of answering questions beforehand, as well as putting a lot of time and effort into the budget process. Going through that collaboration, to get back to the Town Council after, for further review for a potential amendment, is counterproductive to the work that's been done throughout the year. It will belabor the annual budget process, create political divisiveness and potentially lead to job loss. One percent of the overall budget can be \$500,000; that is incredibly impactful to a Board of Education budget. I do appreciate that these are separate ballot questions so that people who can vote can decide for themselves if they want to the Town Council to do the job of the Board of Finance, or if they want the Board of Finance to continue with their responsibilities that we have elected them to do.

I do want to thank the members of the Charter Revision Commission, and do realize you are volunteers who have spent a lot of time and energy into positive changes for the betterment of our Town. Thank you to the Town Council for your careful consideration and I do ask that you do not move forward with these revisions.

James Demetriades read a letter (Attachment 3) from Shannon-Hughes Brown, 7 Court Place.

Deputy Mayor Fortenbach read a letter (Attachment 4) from Matt Zabroski, 25 Sovereign Ridge, Board of Education member.

Kathryn Russ, 7 Robbie Road, Board of Education Secretary – I am also opposed to the items listed regarding the Board of Finance. If they are concerned about the number of six members being uneven, then we can always increase it to seven. The Board of Finance has done a great job. I don't always agree with everything they've done, but they are our checks and balances for the Town. We did have a Board of Finance member on the Building Committee project and there are several other people in Town who wanted to be on that Building Committee and learned a lot about the entire Town process, Town Council, Board

of Finance and Board of Education. I don't think we're going to have problems to fill positions, so I'm not quite sure why we would want to decrease it. I also do not like eliminating their power as a board. We spend a tremendous amount of time with them. I do agree with what everyone has said, but I wanted to make it clear that I do support removing the Board of Finance portion on this. Thank you to the Charter Revision for all of your hard work.

Deputy Mayor Steve Fortenbach asked three times if there were any further public comments. There were none.

Al Waters asked the Board of Finance how many members they need to have a quorum. John Ireland answered "four". Mr. Waters then asked how many alternates there are. Mr. Ireland answered "two". Mr. Waters asked, if you reduce it down to five, that means if one person doesn't show up and you can't get the two alternates to show up, you have to cancel the meeting, correct? Mr. Ireland stated that if the board was down to five members, then they would need three for a quorum. Mr. Waters stated that his concern was with the number of members being reduced, and not having enough for a quorum and having to cancel.

James Demetriades asked the question of if the Board of Finance was reduced down to five members, how many are required for a quorum, for a vote to pass? Mike Cannata answered that he believes it is three. Town Manager Salvatore mentioned that this is not stated in the Charter.

James Demetriades asked what was the reason for decreasing the number of members of the Board of Finance. but increasing the number of alternates? Mike Cannata said that he didn't have a good answer because we played with the numbers with regard to quorum and with regard to people being able to be elected. It was reduced because we didn't want to have a position where there would be a three-three vote. The Chair has said that this virtually never happens and I understand that, but now it can happen.

James Demetriades said that his question was about the increasing of the alternates from two to three. So, you're decreasing the number of members on the board, but the proposal is to increase the number of alternates and I'm just trying to understand the logic behind that. Mike Cannata said that he honestly didn't have a good answer.

James Demetriades also had a question in regard to "restore or remove the funds" in Section 4.08(b). Mr. Cannata explained it as: If the Board of Finance cuts, the Town Council can restore. If the Board of Finance increases, Town Council can cut, but only the item that's affected; not anything else in the budget.

James Demetriades stated that there were times where he has been unhappy with decisions that the Board of Finance has made, but I believe that is the purpose of having a Board of Finance. I believe the purpose of having a separate board and having a multiple-

step review process, is to have an additional set of eyes on each step of the budget approval process. I believe very strongly, especially at the local level, that we should be encouraging community involvement. I think having three boards, the Board of Education, Town Council and Board of Finance, with specific delineated roles and abilities, is very important to ensure that a municipality stays, a., connected to its community and b., stays transparent to its community. I think it's really important that if we're going to retool how the Board of Finance operates, we don't nip around the edges, but actually assess what the Board of Finance can and cannot do. I understand the Charter Revision Commission wanted to look at how the Board of Finance operates, but I don't believe that this provision would be beneficial to the Town, beneficial to any of the boards, beneficial to community involvement, and ultimately in the best interest of the Town; although I appreciate the effort and deliberation that has gone into this provision, in particular.

Mike Cannata asked James Demetriades to consider that the Charter Revision Commission was given several things to consider, and one of them was the elimination of the Board of Finance. To that end, we agreed among us that we did not want to eliminate the Board of Finance. What we also thought was that the result of Section 8.04(b) was that we tried to come up with a way to make the Board of Finance and the Town Council function better together. At the of the day, we threw a bunch of stuff at the wall and now it's up to these groups to choose what works and what doesn't. I appreciate everybody's input.

Deputy Mayor Steve Fortenbach stated that the Charter Revision Commission really did yeoman's work -- going through line by line, letter by letter of the Charter revision. You guys started months ago, and what probably should be a year long process, you did in six months. That's really quite the haul, and I appreciate all of your efforts.

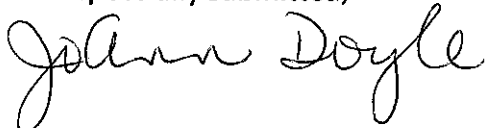
Jack Henahan made a comment as a long-term member of the Board of Finance, as well as the Chairman for a number of years, I respect very highly what gets done there. I think they do an incredible job and take time to look at the details and I've always respected what gets done there. I'm definitely in support of the Board of Finance. I've had some conversations with some folks in the last day or so about that one percent piece and how it could add some additional complexity that may not be needed. Maybe that's true, and I'm sort of leaning that way. We'll have our discussions here and try to come to some conclusions.

Deputy Mayor Fortenbach asked if there were any more comments. Hearing none, he called for a motion to close the Public Hearing.

MOTION made by J. Donohue and **SECCONDED** by J. Henehan to close the Public Hearing.
In favor: J. Demetriades, J. Donohue, S. Fortenbach, J. Henehan, P. Luna, A. Waters
Motion carried.

The Public Hearing was closed at 6:59 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "JoAnn Doyle". The signature is written in black ink and is positioned above the printed name of the Recording Secretary.

Recording Secretary

CRC Highlights

- Elected members of council (including mayor) will serve 4-year terms instead of 2-year terms. The terms will be continuous rather than staggered. (Section 2.02(c))
 - Separate ballot question
- CRC more clearly defined the process of filling a vacancy on the Council. Both the mayor and members of the council will continue to serve without compensation
 - Section 2.04 – compensation
 - Section 2.07(c) – filling of vacancies
- In recognition of the rigorous professional requirements (e.g., statutorily mandated training) of their offices, the elected Tax Collector and the Town Clerk will become appointed positions effective Jan. 1, 2023. The same individuals elected to those roles in the November 2021 municipal election will be appointed for the positions as of January 1, 2023.
 - 2 Separate ballot questions
 - Section 4.08- Tax collector
 - Section 4.09- Town clerk
- The Board of Finance will now be composed of 5 members rather than 6 members with the same number of alternates.
 - separate ballot question
 - Section 5.02(e)
- The Board of Finance members will serve 4-year terms instead of 6-year terms, however, the terms will remain staggered.
 - separate ballot question
 - Section 5.02(e)
- There is a change on amendment to the budget before adoption. The new language reads as follows: "Notwithstanding anything to the contrary in this section, if the Board of Finance modifies the proposed annual budget presented to it by the Town Council and Board of Education, the Town Council may make a further amendment thereto and reallocate expenditures in an amount not exceeding one percent (1%) of the total proposed budget, inclusive of the Board of Education. The Town Council may make such amendments by a two-thirds (2/3) majority vote of those present and voting during a special meeting within three (3) business days following the public hearing on the budget. Any reallocation approved by the Town Council pursuant hereto shall be adopted by the Board of Finance without further amendment prior to the referendum within the timeframe herein."
 - Separate ballot question
 - Section 8.04(b)
- Any proposal to incur bonded debt in an amount equal to or greater than 10% of the operating budget for that fiscal year (except for emergency expenditures) will be automatically subject to a referendum vote.
 - Section 8.15

CRC Highlights Addendum – Suggested changes

Section 4.12: Director of Recreation and Youth Services.

Summary: Per the request of Town Manager Salvatore, remove Youth Services.

Revised language: **"Section 4.12: Director of Recreation and Youth Services.** The Town Manager shall appoint and may suspend or remove, each such action with the approval of the Town Council, a Director of Recreation and Youth Services who shall serve for an indefinite term. Said Director shall be in charge of the administration of the recreation program in the Town, and shall be responsible for the implementation of recreational policies approved by the Town Manager. Said Director may appoint and may suspend or remove, subject to the approval of the Town Manager and subject to such rules and regulations concerning Town employees as may be adopted by the Town Council pursuant to the provisions of this Charter, all deputies, assistants or employees in his office."

Section 4.19: Senior Center and Human Services Director

Summary: Add "Youth Services" to the Senior Center and Human Services Director position.

Revised language: **"Section 4.19. Senior Center, Youth Services, and Human Services Director.** The Town Manager shall appoint and may suspend or remove, each such action with the approval of the Town Council, a Senior Center, Youth Services, and Human Services Director who shall serve for an indefinite term. Said Director shall be responsible for planning, organizing, and directing a community social services program, including emergency assistance, information, and referral services, and working with the Senior Services Commission and the appropriate Town staff and others in order to plan and administer elderly services and programs for the Town and to otherwise provide opportunities, new experiences, advocacy, and to promote dignity, personal growth, health, friendship, and an improved quality of life for all older adults in the Cromwell community. Said Director shall supervise all operations of the Cromwell Senior Center and Transportation Division, including staff and volunteers."

Section 5.02(b): Election and Terms of Office: Town Elections

Summary: Per C.G.S. 9-199, the term for members of the board of assessment appeals must be four (4) years, not two (2) as currently stated in the charter.

Revised language: "Board of Assessment Appeals, consisting of three (3) regular members for terms of ~~two (2)~~ four (4) years. Two (2) alternate members of the Board of Assessment Appeals shall be appointed and may be removed by the Town Council in accordance with Section 4.21 of this Charter"

Section 8.04(b): Board of Finance Action on Budget.

Summary: There was a concern about the possibility of the budget (town or BOE) twice and to clarify the timing of the provision.

Revised language: "Notwithstanding anything to the contrary in this section, if the Board of Finance modifies the proposed annual budget presented to it by the Town Council and Board of Education, the Town Council may make a further amendment thereto and ~~reallocate~~ restore or remove the funds of affected items not to exceed or reduce the original amount. The Town

Council may restore or remove expenditures in an amount not exceeding one percent (1%) of the total proposed budget, inclusive of the Board of Education. The Town Council may make such amendments by a two-thirds (2/3) majority vote of those present and voting during a special meeting within three (3) business days following the ~~public hearing~~ Board of Finance approval on the budget. Any ~~reallocation~~ restoration or removal of funds approved by the Town Council pursuant hereto shall be adopted by the Board of Finance without further amendment prior to the referendum within the timeframe herein."

Dear Members of the Town Council and Charter Revision Commission Members,

First allow me to express my gratitude to those volunteering their time to review and revise the town's charter. The significant level of work required does not go unnoticed.

I do think there could be some more clarification around the proposed revision to section 8.04(b) Board of Finance Action on Budget. As written today it sounds as if the Town Council could either reduce or increase a line item in a budget up to 1% of the total town budget.

Is this the intent? With the current language does that mean that if the BOF changed a department's budget the Town Council could then go on to cut a department's budget by 1% of the total town budget?

I would suggest there be further review of this section to be sure the intent is accurately captured and to reduce the risk of interpretation in the future.

Best Regards,
Shannon Hughes-Brown
7 Court Place.

08/08/2022

Members of the Cromwell Town Council,

I am writing to express my concerns with some of the proposed changes to our town charter being suggested by the Charter Revision Committee.

Unfortunately, I will be unable to attend the Public Hearing scheduled for Wednesday, August 10. Instead, I ask that one of you read my remarks below during the public comments portion of the meeting.

The proposed changes I find concerning are in sections 5.02(e) and 8.04(b).

The proposed changes to 5.02(e) would:

- Reduce the number of Board of Finance members from 6 to 5
- Reduce the term length of Board of Finance Members from 6 years to 4 years

My overall concern with these proposed changes is that by all measurements, the Board of Finance has been doing a great job for the Town of Cromwell as-is. Cromwell currently has a AAA Bond rating and the mill rate has not increased in 8 years. Not many towns can make that claim, including our neighbors Rocky Hill and Wethersfield. **Why would we seek to make such drastic changes to a body that clearly functions as well as it does?**

Regarding the reduction of the number of BOF members: As a taxpayer, I want MORE eyes on managing the budget, not less. It would seem that **reducing the number of BOF members would be doing the taxpayers a disservice** with regard to having less members to scrutinize the various moving parts of the overall budget.

With regard to reducing the term length of BOF members: I have read the record of the Public Hearing held on June 29, 2022, and it seemed that the current Chairman of that Board, in his comments, was against this idea for reasons cited at the meeting. While I can understand the idea of making term lengths more consistent across elected positions, I also see the value in having those overseeing town finances in their positions for their current six-year terms. **There is immense value in knowing and especially having directly experienced the various items that come up with regard to town finances.** For example, a BOF member in their sixth year will be able to recall discussions around major projects that had been put on the "back burner" when renewed interest in such projects resurface, allowing the board to have some insight on why they were shelved the first time they came up.

It is interesting to note, that during the April 27, 2022 Charter Commission Meeting the Board of Finance Members who attended, and previous members currently serving in different roles, opposed these changes.

The proposed amendment of section 8.04(b) would:

- Allow the Town Council to increase or decrease the town budget (including the Board of Education Budget) by 1% after the Board of Finance modifies the proposed annual budget presented to it by the Town Council and Board of Education, inclusive of the Board of Education.

As a current member of the Cromwell Board of Education, and a taxpayer, my concerns with this proposed amendment are:

- When this proposed amendment was first discussed by the Charter Commission Committee on May 25th, it was noted (as stated in the minutes) that "the majority of the commission agreed with the proposed language, pending Attorney Olson's review. However, in the subsequent meetings, **there is no note or mention of Attorney Olson having reviewed it, or commented on it in any way.** There is no evidence that our attorney ever reviewed the language, or any historical data of other examples of this type of amendment giving a town council power or sway over a Board of Finance's budget process.
- In addition, when the language was initially discussed during that May 25th commission meeting, Attorney Olson was not present for most of the discussion. She had left the meeting at 7pm, shortly before the discussion commenced, and did not return to the meeting until 7:40pm as the discussion was ending. It appears that **our attorney was not present to provide any legal insight or knowledge-based suggestions with this regard.**
- There are no reliable records of similar provisions in other town charters. I have been unable to find, in any Connecticut Town Charter, an example where the Town Council can take this type of action and essentially overrule the Board of Finance with regard to the town and board of education budgets. In other words, **this type of provision is not only uncommon, it may be unprecedented.**
- I am concerned that if this provision is adopted to our Town Charter, it has the potential to lead to corruptive behaviors. While we always hope our elected officials act with integrity, honesty and transparency, we know from history that some do not. **I fear a situation could arise where one or more town councilpersons could use the threat of withholding 1% of the budget to "strong-arm" decision-making in other boards and entities within the town.**
- Likewise, I can envision a situation where a town board, office, or entity reliant on taxpayer money may overestimate projected expenses by 1% or more, in order to counteract an expected 1% decrease enacted by the board. Again, we hope that this would not occur. But **this proposed amendment makes such actions more likely.**

I appreciate the time and effort the members of the Charter Revision have put into this process, and the efforts of the Town Council to provide the high-level leadership the citizens of this town deserve.

I respectfully ask that these changes be reconsidered, or tabled and further researched for the next charter revision process.

Matthew S. Zabroski
25 Sovereign Ridge