

Present: Mayor E. Faienza, Deputy Mayor R. Newton, E. Weners, F. Emanuele, A. Waters. T. Tokarz
Absent: S. Slade

A. PUBLIC HEARING CALL TO ORDER

Mayor Faienza called the Public Hearing to order at 7:03 p.m.

B. LEGAL NOTICE

Mayor Faienza read the Public Notice into the record.

The Charter Revision Commission was thanked for all of their hard work.

Town of Cromwell
Town Council
Public Hearing
2017 Charter Revision

RECEIVED FOR FILING
7/27/2017 at 8:59AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst.
TOWN CLERK

Cromwell, CT-Notice is hereby given that the Town Council of the Town of Cromwell will be holding a Public Hearing on June 28, 2017 at 7:00 p.m. at the Cromwell Town Hall, 41 West Street, Cromwell CT., Room 224/5 for citizens comments on the proposed amendments to the municipal charter.

The Town Council will hold a Special Meeting immediately following the Public Hearing in Room 224/5 of the Cromwell Town Hall.

Copies of the draft amendments will be available for review in the Town Clerk's Office, the Library and on the town website, www.cromwellct.com.

Enzo Faienza, Mayor
For the Town Council

C. CITIZEN COMMENTS

The following citizens thanked the Charter Revision for all of their hard work and commented on the proposed Charter Revisions.

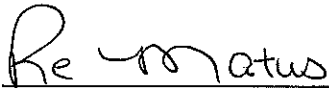
1. S. Stachura, Geer Street
2. M. Terry, Main Street -
3. R. Rowland, Club House Drive -
4. R. Jahn, Woodside Road -
5. A. Amenta, Charter Revision Commission member
6. C. Banic, Geer Street
7. A. Salvatore, Town Manager
8. E. Faienza, Mayor -Read letter from Alice Kelly into the record (attached)
9. S. Stachura, Geer Street
10. T. Tokarz, Council
11. M. Camilleri, Charter Revision Chairman
12. K. Smith, Elm Road
13. A. Drew, Bellevue Terrace
14. Town Attorney K. Olson

After listening to the speakers, Councilors discussed the comments and concerns and made recommendations to the Charter Revision Commission. The motion was made in the Special Council Meeting that immediately followed the Public Hearing.

D. PUBIC HEARING CLOSED

Mayor Faienza closed the Public Hearing at 8:08 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Re Matus", is written over a horizontal line.

Re Matus
Secretary

Alice Kelly Memo
Charter Revision Public Hearing
June 28, 2017

June 28, 2017

To: Mayor Enzo Faienza,
Council Members: Richard Newton, Frank Emanuele, Samantha Slade,
Thomas Tokarz, Al Waters and Edward Wenners

I am unable to attend tonight's public hearing regarding the upcoming Revised Charter therefore, I am requesting that my comments be read into the record.

The revised Charter is changing two elected positions, Town Clerk and Tax Collector to become appointed as of January 1, 2018. As these appointments date conflicts with their duly elected term of office ending in November 2019.

I did contact the Secretary of State's office on the legality of a duly elected office being terminated before the end of the term which voters voted on in November. I asked if there is a State Statute for this and Ted Bromley, Esq. informed me that no, not really that is why the town attorney needs to be involved. It is case law. I asked what is meant by case law – court decision not statutes.

I am requesting that our Town Attorney provide CT court decision on this before this section of the Charter is approved and put on the November ballot. I have listed all of my correspondence and replies to and from the Secretary of State office on page 2.

I fully understand that the November 2017 elected officials will be duly appointed under the terms of the Charter. That does negate that a duly elected term of office is being eliminated less than 2 months from the election. That is why I am insisting that a case law decision regarding this important issue will be given by the town attorney to the Council, Charter Revision Commission and to me and also recorded with Council meeting minutes.

Thank you.

Alice Kelly

Alice Kelly Memo
Charter Revision Public Hearing
June 28, 2017

1. Thursday, June 8, 2017 4:13 PM

Mr. Bromley:

Our town is changing its Charter which will be a question of the upcoming election. The new Charter, if approved, changes the Town Clerk and Tax Collector from being elected to appointed positions. The public hearings held by the Charter Commission stated that the appointed positions become effective immediately as of January 1, 2018 even though these positions are on the upcoming ballot for a two year term.

Is it legal for these elected positions become appointed before their elected term is fully ended which would be November 2019?

Thank you.

Alice Kelly, **Registered Voter**

2. On Friday, June 9, 2017 7:31 AM, "Bromley, Ted" <Ted.Bromley@ct.gov> wrote:

Ms. Kelly-

Unfortunately, our office would not be able to issue an opinion regarding this matter. It would be the Town Attorney that would have to opinion on this issue. I apologize that we could not be of assistance.

Sincerely,
Ted Bromley

3. Sent: Friday, June 9, 2017 9:29 AM

To: Bromley, Ted

Subject: Re: Question Regarding Elected Positions

Thank you for your quick response. Is there a statute that one can refer to regarding elected officials and their term of office that a town attorney would be consulting regarding a decision?
Alice Kelly

4. Sent: Friday, Jun 9 at 1:25 PM , "Bromley, Ted" <Ted.Bromley@ct.gov> wrote:

To Alice Kelly

?No, not really that is why the town attorney needs to be involved. It is case law

5. Jun 9 at 2:00 PM

To [Bromley, Ted](#)

Thank you but what is meant "It is case law"?

Alice Kelly

6. Sent: Jun 9 at 4:40 PM "Bromley, Ted" <Ted.Bromley@ct.gov> wrote:

To [ALICE KELLY](#)

?Meaning the town attorney will have to research it for you., Court decisions not statutes