

MINUTES OF THE TOWN OF SOUTHLINGTON
2008 CHARTER REVISION COMMISSION

July 1, 2009

The Charter Revision Commission of the Town of Southington held their regular meeting on Wednesday, July 1, 2009. Chairman David Zoni called the meeting to order at 7:00 o'clock p.m. with the following in attendance:

James M. Verderame, William M. Knoegel, Kenneth J. Paradis, Sandra E. Feld, Andrew Meade, Brian F. Callahan, Dennis Conroy, Joseph Landrie, Richard Post, James Michlewski, Philip Landino and David Zoni.

Absent: David Derynoski

Staff: Town Attorney, Mark Sciota, Absent

A quorum was determined

Summary Minutes – meeting recorded on video tape.

The Pledge of Allegiance to the American Flag was led by Philip Landino and was recited by everyone in attendance.

Approval of Minutes

Chairman Zoni called for a motion to approve the minutes of the June 3, 2009 meeting. **Mr. Meade made a motion to approve the minutes. Mr. Callahan seconded.**

Minutes passed unanimously on a voice vote.

Commissioners Communications

Chairman Zoni asked for any commissioner communications. There were none.

Public Communications

Stephen Salerno, 69 Lazy Lane, President of the Southington Police Union – I came here tonight to speak about the Fire and Police Commissions but in particular the Police Commission. Over the last several months everyone is aware of what has been going on in town, but we want to put that aside. When the Charter was created over 30 years ago the town was different and police work was different. In the 13 years since I have been a police officer the job has evolved as well as the town. The current way the Charter is set up is that the commissioners are politically appointed. There are no qualifications. It is how much work you have done for the party and how loyal you have been. As officers, we don't think that is fair and it isn't fair to the commissioners either.

The police department is a paramilitary organization with rules and regulations. The job of a police officer gets more complicated every year. There have been times when we have gone to a Police Commission meeting and the commissioners don't understand what is going on. We don't expect them to. It is too difficult to understand all the inner workings of a 66 man department with a budget in the millions. Most towns have gone away from these types of commissions. We feel it is time for Southington to move forward with this too. It is not fair to the officers and it is not fair to the taxpayers. Commissioners often get only one side of the information and they make a decision. They are the ultimate authority, they are the ultimate oversight. Their decision is final and there is nowhere else to go. I have spoken to several Town Councils about this and we are always told that the Police Commission is in charge. There is nothing they can do. Something needs to be changed desperately.

Several officers have asked that we come forward and speak about this and I thought it was a good idea. It is time to bring the commission structure into the future. The way it was set-up years ago worked then but we don't think it is working now. The commission has too much responsibility. They are the oversight for the entire police department and if something happens there is no place else to go. It is just too much responsibility for a job that has become so professional and complicated over the past several years. We hope that you will make a decision to move forward and change this as other towns have done. Whether the commission reports to the Town Manger, Town Councilors or a public safety committee that reports to the Town Manager, changes in the structure are desperately needed, Thank you.

Mr. Conroy asked if the suggestion is that there would be no civilian oversight of the police department at all? Are you saying do away with the commission because you are a paramilitary organization?

Mr. Salerno said not do away with it, but often citizens don't understand the structure of a police department. They should not have the ultimate authority.

Mr. Conroy said then you think the ultimate authority should be the Town Manager? Why is that different than having the citizens involved?

Mr. Salerno responded, the Town Manager does this for a living, overseeing departments. There would be more professionalism. Now you have citizens who get on the commission based on how much work they have done for the party; how loyal they have been to the party. Now they are in charge of the Police Department. Do they know about what goes on there everyday? Do they understand everything? Most of them don't. It's not their fault; it is not expected of them. It is too much responsibility for an ordinary citizen. There could be a citizen public safety board that would report to the Town Manager . He deals with labor issues on a daily basis, he knows the ins and outs of a police department.

Mr. Callahan asked for some examples of other towns in the state that don't have a commission.

Mr. Saleno responded, Glastonbury doesn't have a commission. Cheshire's commission reports directly to the Town Manager. Meriden has a public safety committee that reports to the mayor or the council, but that committee is elected.

Mr. Callahan questioned if this is a personality thing between the police department and the current people sitting on the commission.

Mr. Salerno said it is not a personality thing, the commission just has too much responsibility. This is something that should have been changed years ago. You have citizens who are appointed and they are in charge of a police department, which is a very complicated business. A lot of them don't understand how it works. If they report to the Town Manager they could go to him for guidance on various issues. The way it works now is the commission makes a decision and it is final. There are no checks and balances.

Ms. Feld asked Mr. Salerno if he was the head of the Southington Police Union in 2006.

Mr. Salerno responded, no, he was not involved in the union then

Ms Feld said no one has come forward before asking for this change and there was a Charter Revision Commission in 2006.

Mr. Conroy commented that your suggestion is that the citizen commissioners don't understand what is going on in the police department. That same theory could apply to the members of the Town Council. How would they know what is going on in the day to day operation of the police department they would be responsible for?

Mr. Salerno responded certain members have been on the Town Council for many years and they have the guidance of the Town Manager and the Town Attorney. The police commissioners don't.

Dennis Conroy pointed out that the commissioners have the guidance of the Chief of Police and his captains and lieutenants.

Mr. Salerno suggested that is another issue that he had not discussed.

Mr. Conroy said he felt that might be the issue here.

Mr. Salerno said he has been an officer for 13 years and others in the audience have been in the department for as long as 20 years. In that time the police commission has always sided with the Chief of Police. We are looking for impartial oversight. If the commission reported to the Town Manager he could guide them. He could explain the issues going on in the police department whatever they are. It would be more professional.

Mr. Conroy asked what if the rank and file union officer disagrees with a decision made by the Town Manager?

Mr. Salerno said it would be better than what they have now.

Mr. Conroy said he didn't necessarily agree with that. Right now you have five heads making the decisions.

Mr. Salerno said, but they don't have any qualifications for running a police department.

Mr. Conroy said the commission is a civilian oversight board, that is what they are. They are not supposed to know everything.

Mr. Salerno reiterated that they are making the ultimate decisions. They hire and they fire. It is a lot of responsibility. There should be some professional oversight for the oversight.

Virginia Nichols, 110 Manor Rd in Plantsville – Ms. Nichols said she is totally against the budget referendum proposal. She has been a resident since 1963. She loves this town and is very proud to live here. Her two sons and their families also reside in town. She is upset that the town is considering holding a referendum to accept the town budget in the future. This would be a waste of money, costing the town a minimum of \$6,000 to hold a referendum at one location only. The Town of Southington has been running fine without this. We elect a Finance Board and put our faith in their decisions. Taxes will always increase, but I know that the Finance Board works very hard to keep tax increases at a minimum.

The town has an AA credit rating which means it is running very efficiently. Residents in surrounding towns like Meriden, Waterbury and New Britain pay much higher taxes with no comparison in property. The average citizen in Southington is too busy to look at all the details of the budget. Most likely they would vote no to a tax increase which would lead to multiple referendums until a budget was accepted. This would cost the town more money and would also postpone the collection of taxes if a budget was not approved by July 1st. Taxes would be late and we would be losing interest on the money collected. This is a no win situation. We do not need a referendum to accept the budget. Have faith in the people you have elected. As the saying goes if it isn't broken don't fix it. Thank you.

Philip Pomposi, 1215 Pleasant St. – Regarding the issue of the Police and Fire Commissions. The argument you have heard tonight is why the commissions should be left alone. I am strictly opposed to changing something that has worked. Obviously the individuals who are seeking to change it have a vested interest in the change. It has worked well since the Charter was established. Once you take it out of the hands of the civilians it will become a political football. You see what can happen when some special interest doesn't get their way. This proposal would give the Town Council the ultimate authority. Councilmen would be lobbied for various issues. If someone has a grievance or other problem in either the police or fire departments, councilmen would be pressured. Councilmen have to be elected and that is why this issue is so important.

This is being brought up this year because some people feel they are not getting their way. The question for you is who do you want running your departments, the administration, the commissions that are appointed to do the job or the employees. The pressure will be unbelievable on the council people in the future if this is changed. It will be politics, politics, politics. Mr. Pomposi strongly encouraged the commission to reject this proposal. It is not broken and he urged the commission to totally reject this. There is no reason for it. The commissions have done a very good job and to say that they don't know anything about what is going on in these departments is totally false. You can ask the town manager or any councilman if they know how the police department or the fire department is run. The commissioners only job is to deal with those in command, the police and fire chiefs and their staff. The Council and the Town Manager already have plenty on their plates. This should not be touched.

You could also look at the Parks and Recreation Department. There is a park board that is appointed to oversee that department. No one is saying that should be in the hands of the Town Manager or the Town Council. How could the council deal with all the parks issues in town? The Parks department is a big department. The system we have now works well. Leave it alone.

Mr. Michlewski remarked if the members of any commission like police and fire are appointed by the Town Council are they not already political

Mr. Pomposi responded that there is nothing wrong with people who have worked for the party being appointed. These people are willing to work doing civic duties. Appointed and elected officials don't get paid. Over the years the parties have appointed people who want to be involved. But once they are appointed they take over dealing with the issues. If you take the commissions away and put the departments under the Town Manager then when you have people who are not happy with a decision made by the Town Manager they will go to the council. The council is elected and they will inevitably think about the next election. The pressure will be enormous. That pressure is not on an appointed body.

Arthur Cyr, 103 Berlin Ave. – I would like to see this commission do away with the Police, Fire and the Board of Park Commissioners. I think that the park commissioners also don't have a clue as to what is going on. I know some of the people on all three commissions and I don't feel that they really have a handle on what's going on.

Regarding the financial amount required to go to a public referendum, the time has come to either raise the limit or make it a percentage of the budget. Also tonight you are going to discuss the big issue of a referendum vote on the annual budget. I have been opposed to that from day one. It would cost us a lot of money to do annual referendums on the budget. This room is not filled with people demanding budget referendums. There are towns that do it every year, but they don't have our form of government. If we want a budget based on informed decisions we should keep the system we have now, the Board of Finance overseen by the Town Council. How many in the public will have the time to look at the budget closely? They may only look at the bottom line number. Thank you.

Elio Fusciello, 84 Autran Ave. – The town has done a lot of good things for a lot of people, but not for everybody. For me the town did the most terrible thing in my life. Mr. Verderame mentioned before that the Chairman of the Council is the mayor. I understand that 4,000 people signed the petition and that doesn't mean anything. When Mr. Meade said that when he was on the council they built roads and schools and a lot of good things. And that is true. But, Chairman Meade and others know, where is my lot? What they said was get yourself a lawyer. But the lawyer is really working for the town because they know who you are. Years ago CBS news used to say I am an American and I am an American. I know you have dismissed the mayor form of government but I just wanted to comment.

Dr. Al Natelli, 145 Meriden Ave. - I would like to address the referendum at 1% of the town budget. My suggestion is to look at that very carefully. Does the Charter need to be reopened in the future if we don't do 1% of the entire budget and how often would it have to be reopened? You have a huge task at hand, not just for this moment in time but for the future. As you re-edit the Town Charter you have to think forward. One per cent is a reasonable number when you look at the average being approximately 1.33% over the last 20 years or so. Going to referendum costs taxpayers dollars. You need to pick a number that is reasonable, that will save the taxpayers money in the future. Having said that, the Charter may want to look at how the budget is spent and make recommendations to the Board of Finance and the Town Council. Does it look at open space in the community, and how that open space is paid for? Is it paid for with referendum dollars or non referendum dollars? Is there a percentage of the budget that might go to open space and what percentage might that be? Should there be a percentage that goes into a rainy day fund? Not the fund that goes to bonding but truly a rainy day fund. The amount in the rainy day fund now is approximately 9.8 million dollars. Do we want to put money aside for that? These are some things that you need to think about. You have the opportunity to think forward. Finally, does the Charter make recommendations to planning and zoning? We are short in our affordable housing for instance. Should the Charter make recommendations in affordable housing? Should it review the structure of planning and zoning? Should the Charter make recommendations on a strategic plan for the future of the town? I hope you are all thinking globally so we can set guidelines for the future. Thank you.

John Moise, 238 Stonegate Rd. – Asked how many Charter Revision Commissions have there been over the last several years?

The consensus on the commission was there were about 11 Charter Commissions.

Mr. Moise continued, with all the trials and tribulations of the police and fire departments that have been clearly recorded, we have always had the commissions. They have dealt with the problems time and time again. So why is this year different? We have had 11 Charter Commissions and we have never looked at this issue before. The question is why is this year any different? You need to ask if this is the right thing to do when it has never been an issue before. Thank you.

Chairman Zoni asked if anyone on the commission has any historical data as to whether this has ever been brought up before.

Mr. Meade said he thought that this has been brought up before and it was rejected when it was voted on.

Ms. Feld commented that on the website there is a review on past commissions and the issues they dealt with. She doesn't remember seeing that issue mentioned. She asked if anyone remembered when that was?

Mr. Conroy said he doesn't think it was discussed except in the initial charter deliberations. He has served on the past five commissions and it was never addressed in those commissions.

John Mayo, 33 Vernondale Dr. – I have served this town for over 43 years with both the police department and the fire department. I have been totally involved in this town all my life. I take great pride in the Town of Southington. However, I have noticed in the last few years that we have become unfriendly to a lot of people. When you look at some of the boards and some of the issues that have arbitrarily been dismissed. It is time to make a change in the police, fire and the park department. The fire and police commission would be wonderful as an advisory board, but not being able to hire and fire. As for the fact that we have never addressed this before, we have changed since yesterday. We are getting bigger and bigger and along with that we want to get better. The commissions can be advisors to the Town Manger. The Town Manager has time to do it; it will become part of his job. And, we have a Deputy Town Manager who can help. I want to go on record that I strongly urge you to make these changes.

Philip Pomposi, 1215 Pleasant St. – I would like to make a correction. The Parks and Recreation Department is under the Town Manager. Secondly, you need to think about who is promoting this sudden change in the police and fire structure. You may end up with a union running both the police and fire departments.

Stephen Salerno, The union doesn't want to run the police department. We just want oversight.

Mr. Knoegel asked if the commission could get some information on how police and fire in other towns statewide are structured.

Chairman Zoni closed Public Communication and moved on to the next item on the Agenda

Debate, Discussion and Action on Schedule B

Item #1: Modification of Section 746(a) Requiring Referendums to Coincide with the General Election

Chairman Zoni noted that this item was brought up by a resident at our first meeting in June. He invited the commissioners to discuss this matter.

Mr. Meade commented he thought it was an excellent idea so long as there is wording in there for emergency situations like the sewer project or something that has to be done immediately. It would be wise to have major items like the town hall on at election time because more people usually come out to vote.

Chairman Zoni said there already is wording in the Charter for emergencies but that they will have to define some exemptions. It will be up to the commission to give the Town Attorney some direction as to what should be exempt.

Mr. Knoegel agreed but would like to see some special language added for items like open space, land acquisition, state and federal grants and maybe some other things.

Chairman Zoni noted that this is in Schedule B and in order to move it to Schedule C so the Town Attorney can write the language we will have to come up with those exemptions. We can start discussing the exemptions tonight. If we can agree on what should be exempt then we can move it forward and the Town Attorney can start to write up the Charter change.

Mr. Landrie agreed with the previous comments. He said he is totally in favor of having referendums at the general election time except in emergency situations or other exemptions they may decide on. It would get a lot more voters out to vote on referendum issues.

Ms Feld commented that she definitely thinks open space should be exempt. It is the type of situation where there is a limited time and you are working under the gun.

Mr. Meade said he agreed with that but also wanted to suggest that the Town Attorney would know what types of items would qualify as exemptions. If we move it to Schedule C then we could see what types of items he suggests.

Chairman Zoni said the Town Attorney did give him some criteria but he said he would have to have some direction from the commission. Emergency is defined in the Charter. The Town Council can deem something an emergency. The Town Attorney also mentioned open space but said it should be coupled with land acquisition. The town does sometimes purchase land for other reasons than open space and there is often a time constraint when that happens.

Mr. Landino said, in order to keep this moving forward maybe we should agree to just leave this up to the Town Council to decide if something is emergent or not. If we put in all these little line items that could change every year it could just be another reason to open up the Charter again. Some people may be against having the council control things but for time sensitive actions it makes sense and it is already written that the council can decide on emergencies.

Chairman Zoni noted that generally the council does try to coincide referendums with the general election. The person who brought this up was saying that maybe it should formally be written in the Charter. The council can form any policy any time it wants and can define the parameters of the policy. Some folks on the commission thought this would be a good idea to incorporate some language into the Charter on this issue. If we are going to incorporate it then we need to define it.

Mr. Callahan asked what other items the Town Attorney recommended.

Chairman Zoni said he recommended open space and land acquisitions and a major equipment purchase such as fire apparatus or highway department item. He also recommended sewer issues and a major repair to a building. Other than that everything else would fall under the emergency criteria.

Mr. Knoegel said he thinks maybe there might also be some items like environmental issues that could pop up or federal type things that might not fall into the electoral calendar. As far as leaving things up to the council, if you leave it open ended they may start viewing a lot of things as somewhat emergent that really could be deferred to the general election.

Mr. Post reiterated that we should specify things we are talking about adding rather than just leave it up to the Town Council.

Mr. Conroy said having a referendum at the time of the general election just makes good sense. Most councils take that into consideration when setting referendums in order to get the best turnout. Over the past 30 years, other than sewers and open space and land acquisition, I don't think there were a lot of referendums that were not at the general election. Other than the first police station referendum and perhaps the town hall, other than those two there have not been a lot. We are trying to develop a whole list of things that are going to be exempt, and I question why are we doing this because historically it just doesn't happen. It is a good idea but the council people have to keep in mind that unless it is a real emergency you really want to put referendums on at the general election.

Mr. Michlewski commented that part of the reason that this has come from the general public is because of the police station and the fact that there were two referendums on it. I think it was both the police station and the town hall. The public are beginning to feel that things keep coming up so maybe we need to specify it in the Charter.

Mr. Meade made a motion to forward this item to Schedule C and ask the Town Attorney to draft the language. Motion was seconded by Mr. Michlewski.

Motion passed unanimously on a voice vote. Item moved to Schedule C.

Item #2 Financial Amount Required for Public Referendum

Chairman Zoni noted this item basically addresses the threshold for referendum established in section 746(a) of the Town Charter. Right now the current amount is one million dollars. There are two options before the commission. Option one is to establish a percent of the budget and option two is to establish an alternative fixed dollar amount. Of course there is also the option of doing nothing and leaving it as is.

Mr. Landrie stated he does not like percentages when it comes to the public because it is hard to understand. One million dollars they understand. I feel we should keep the amount as it is right now.

Mr. Landrie made a motion to dismiss the item. Motion was seconded by Mr. Michlewski.

Mr. Meade said he can understand the remarks about the one million dollars. But, if you check back in history, almost every one of our Charter changes was made because things progressed over a period of time and they had to be changed. It went from \$100,000 to \$200,000, then to \$400,000, then it went to \$600,000 or \$700,000 and just because of that alone we had to keep opening the Charter. Once you have a Charter revision then everything is open to scrutiny. It would be more logical to put in a percentage like the 1% of the total budget as the amount to trigger a referendum.

Mr. Landino said he totally agreed. We need to set a standard, a percentage of the budget. If it is 1% of a million dollar budget now and some day the budget goes to 250 million dollars the percentage will be the same product no matter how high the overall budget goes.

Ms. Feld read from a report that Chairman Zoni had given the commission. In August of 1968 the threshold was \$100,000. In 1972 it was changed to \$200,000. In 1988, 16 years later it went to \$500,000. Twelve years later in 2000 it went to one million. Now we are looking at it again eight years later. Ms. Feld pointed out that Charter revision opens up the Charter for a lot of reasons. And in the future a commission could be formed for a reason totally unrelated to this and look at this again. Just because we make it a percentage now does not guarantee that it will not be looked at by the next Charter revision which is established to look at something else. Once a commission is open it can take up anything.

Mr. Callahan commented that we were at \$100,000, \$200,000, \$500,000 and now we are at one million dollars. The reason that it kept going up is because of inflation and the cost of everything. That \$100,000 we had in 1968 would barely buy a couple of cars today. A million dollars in 5 or 10 years from now is not going to buy a whole lot with inflation. If we trust the councilmen and the people that we elect to run our town I say we give them the 1%. Let them have the percentage and as the expenses grow and the town grows that will grow with it. I understand that every time there is a Charter revision this item could come up but this shouldn't be the trigger. Let's make it 1% and if people abuse it then they can be voted out of office. Then we can have another Charter revision

to change that and put restrictions on the council. We have to trust the people that we elect.

Mr. Michlewski clarified that the current budget is \$118 million dollars. So the 1% would be 1.18 million dollars and that includes Board of Education.

Mr. Landino said he thinks the public needs to understand we are not talking about raising it so we can give the Town Council the ability to spend more money. We actually are saying we want to keep it at 1%. There were many years when it was over 1%. When the council spent over 1% without going to referendum. So what we are saying is we want to keep it at that 1%. It just makes sense.

Mr. Conroy said he wants to remind everyone that they are talking about mid year, mid budget referendums. If an item is 2 million dollars it is over the 1 million dollar threshold, but if it is in the budget then there is no referendum. Also, keep in mind we just talked about moving all referendums to a general election and this would fall under that. We are making this more complicated than it has to be. He stated he doesn't have a problem with the 1% or leaving it the way it is.

Ms Feld noted that the commission received an email this week from Mark Lajoie. He recommended that we keep it at a million dollars. No percentage.

Chairman Zoni said he spoke with Mr. Lajoie and explained why this was under discussion. Chairman Zoni also pointed out that Mr. Lajoie's final words in the email were something that has come up a lot in reference to Charter revision; if it's not broken don't fix it. This theme just keeps coming up. The commission should not consider themselves as someone who is here to repair something. Because the Charter is not broken. It is not in need of repair. We have to think of ourselves as designers or engineers. We have a Charter, a product, how can we design this product so it is better. We have an opportunity to redesign the product so it is maintenance free. He pointed out that the numbers approved by the public in the past were as much as 1.76% of the budget at one time, other times it was 1.3, 1.26 and at the time it was increased to \$500,000 it was at .99 percent which is exactly 1 % effectively. The average has been 1.33%. So suggesting the 1% is actually quite conservative.

Mr. Verderame said the million is fine now but in 5 or 6 years it may not be. That is why the 1% has come up. Why not get the job done now change it to 1% and not have to open the Charter up for this reason again.

Mr. Knoegel said, one thing we have not considered is that since we have been taking statistics of consumer purchasing power in 1970 there is only one period in the 1990's for 18 months when peoples earning capacity went above the inflationary rate. When you are talking about raising it by only \$118,000 it doesn't seem to be a lot divided amongst all the voters but it does raise the question how are we keeping the stewardship of peoples money? I think we should try and stay with the one million dollar figure.

Mr. Post said he thinks it should stay at one million. It is a very simple number. There is no need to determine what the current budget is. It is easy for people to understand. I agree we should be forward looking and we can assume inflation will happen but deflation can also happen. There will be Charter revisions in the future for whatever reason and the argument that the one million or the 1% would be the reason is not probably going to happen. The Charter revisions in the past have not been because of this figure but have been for other reasons. In this case the one million works and we should keep it there.

Mr. Landrie had one additional comment. The Board of Finance and the Town Council did an excellent job this year with our overall budget. Everyone is looking at the possibility of a rampant increase in budgets. With the economy the way it is right now it is going to take many years before this turns around. I don't think we have to be concerned with gigantic increases in the budget for a period of 3 to 5 years. We should dismiss this and leave it at the one million dollars.

Chairman Zoni reminded the commission there was a motion on the floor to dismiss this item and leave the amount at the current one million dollars established in section 746(a) as is. He called for a roll call vote. A yes vote is to dismiss.

Mr. Callahan	no
Mr. Conroy	yes
Ms. Feld	yes
Mr. Knoegel	yes
Mr. Mr. Landino	no
Mr. Landrie	yes
Mr. Meade	no
Mr. Michlewski	yes
Mr. Post	yes
Mr. Verderame	no
Mr. Paradis	yes
Mr. Zoni	no

Motion to dismiss passed 7 to 5.

Item # 3 Financial Amount Required for Published Bid.

Chairman Zoni reminded everyone that the current amount is fixed at \$10,000.

Mr. Meade said he was going to suggest that this would also be at 1% of the 1% threshold but since that item was dismissed he made a motion to dismiss this item also. Motion was seconded by Mr. Paradis.

Mr. Callahan	yes
Mr. Conroy	yes
Ms. Feld	yes
Mr. Knoegel	yes

Mr. Landino	yes
Mr. Landrie	yes
Mr. Meade	yes
Mr. Michlewski	yes
Mr. Post	yes
Mr. Verderame	yes
Mr. Paradis	yes
Mr. Zoni	yes

Motion to dismiss passed unanimously.

Item #4 Referendum Vote on the Annual Budget.

Chairman Zoni pointed out that there are three options under this item. He asked that each option be discussed so there would be a fair public airing.

Option # 1 Automatic Referendum

Mr. Conroy moved to dismiss. Motion was seconded by Mr. Callahan.

Mr. Conroy explained that he made the motion to dismiss because we have an elected Town Council and Board of Finance and if we don't have faith in them to adopt a budget then we shouldn't have elected them.

Ms. Feld passed out a proposal she drafted on this issue (see Attachment A).

Chairman Zoni said Ms. Feld's recommendation is an automatic referendum based on a trigger amount. That would fall under option #3.

Ms. Feld pointed out that they have looked at many combinations. There are 84 towns throughout the state that have some sort of budget referenda. There is such a variety of ways that these three combinations that you have listed here can be paired together. What I am recommending is that we have an automatic referendum with a trigger. That would be pairing option 1 and 3.

Chairman Zoni said he thinks the proposal is for a trigger and if the trigger is met then a referendum would be automatic. That is a modification of option # 3.

Mr. Post suggested that they look at Ms Feld's proposal in lieu of the three options listed which are generic in nature and this is very specific.

Chairman Zoni said this is a specific proposal that fits under the trigger option. It is an automatic referendum based on a trigger. When we get to the trigger option we can discuss this proposal. First he wanted to stick to the automatic referendum option and reminded everyone there is a motion on the floor to act on option #1. The motion is to dismiss the automatic referendum.

Mr. Landrie said he thinks they are talking semantics. If we say no automatic referendums then the proposal suggested by Ms. Feld would also be turned down because it is automatic even though it is based on a trigger. We need to look at this we can't just exclude it.

Mr. Landino said it doesn't do that. In option #1 we are simply voting on an automatic referendum. We get the budget and it goes out to vote. The trigger is something that comes up after the Town Council and Board of Finance have worked on the budget. Then if the budget meets the trigger the proposal Ms Feld made will call for an automatic referendum. Voting to dismiss option 1 does not exclude us from voting yes on Ms. Feld's proposal in option #3.

Chairman Zoni clarified that the motion on the floor is to dismiss an automatic referendum without a trigger.

Mr. Callahan	yes
Mr. Conroy	yes
Ms. Feld	yes
Mr. Knoegel	yes
Mr. Landino	yes
Mr. Landrie	yes
Mr. Meade	yes
Mr. Michlewski	yes
Mr. Post	yes
Mr. Verderame	yes
Mr. Paradis	yes
Mr. Zoni	yes

Motion to dismiss passed unanimously.

Option #2 Referendums by Petition

Mr. Knoegel made a motion to table. Motion seconded by Mr. Michlewski.

Mr. Callahan	no
Mr. Conroy	no
Ms. Feld	yes
Mr. Knoegel	yes
Mr. Landino	no
Mr. Landrie	yes
Mr. Meade	no
Mr. Michlewski	yes
Mr. Post	yes
Mr. Verderame	no
Mr. Paradis	yes
Mr. Zoni	yes

Motion to table passed 7 to 5.

Option #3 Referendum by Trigger

Mr. Conroy made a motion to table option #3. Motion was seconded by Mr. Callahan.

Mr. Callahan	yes
Mr. Conroy	yes
Ms. Feld	no
Mr. Knoegel	no
Mr. Landino	yes
Mr. Landrie	no
Mr. Meade	yes
Mr. Michlewski	no
Mr. Post	no
Mr. Verderame	yes
Mr. Paradis	no
Mr. Zoni	yes

There was a 6 to 6 tie vote.

Chairman Zoni said a tie vote takes no action so discussion will take place on Option #3.

A spirited discussion ensued concerning the 2 remaining referendum options. Should there be a discussion of option three at this meeting or wait until the next meeting and discuss option 2 and 3 at that meeting. Mr. Conroy said he had a proposal he wanted to introduce that has to deal with option 2, a referendum by petition, but the item was tabled.

Mr. Callahan pointed out that the issue of budget referendum is the most important issue facing the commission. That is why it is a hotly debated issue. If it is that important then we should wait to discuss this until we have all 13 members present. Also, if we are here on this commission representing the people then he pointed out that over the last 7 meetings there have been 57 people who came up to the podium to speak their minds on the issue of budget referendums. Of the 57 people that spoke only 6 people were in favor of a budget referendum. Mr. Callahan made a motion to table this item again and it was seconded.

Discussion ensued as to the rules of parliamentary procedure concerning another vote to table on the same issue.

Mr. Conroy asked to add an item to the agenda under this section. He wanted to add referendum on the budget by petition with 20% of the registered voters signing the petition.

Chairman Zoni explained there is a section that is Referendum by Petition that was tabled until the next meeting. That proposal can be included in the discussion at the next meeting.

Mr. Conroy said that his proposal is different because it is very specific.

A heated discourse ensued over the meaning of the two specific referendum proposals presented.

Chairman Zoni pointed out that the Town Attorney is on vacation and he is the one who would rule on these decisions. The commission decided to meet in his absence anyways. It makes sense since we need the Town Attorney's input that we wait to hold these discussions when he is present.

Mr. Conroy made a motion to adjourn. Motion was seconded by Mr. Landino.

Mr. Callahan	yes
Mr. Conroy	yes
Ms. Feld	no
Mr. Knoegel	no
Mr. Landino	yes
Mr. Landrie	no
Mr. Meade	yes
Mr. Michlewski	yes
Mr. Post	no
Mr. Verderame	yes
Mr. Paradis	no
Mr. Zoni	yes

Motion passed on a vote of 7 to 6. The meeting was adjourned at 8:40pm.

The next Charter Revision meeting will be on July 15, 2009.

David Zoni
Charter Revision Commission

REFERENDUM VOTE ON ANNUAL BUDGET

If the Town Council recommends a budget (including the BOE) that is more than the Cost of Living Adjustment (COLA) as determined by the Federal government, the budget goes to 1 town-wide automatic referendum to be held on a day designated by the Town Council, 6 a.m. to 8 p.m. The vote is "I approve" or "I do not approve." If less than 10% of registered voters vote, the budget passes. If it is rejected by a simple majority of the minimum required voters, it goes back to the Board of Finance where it must be reduced to the COLA set by the Federal government and then the budget is approved by the Town Council. There can be no amendments to this. This shall be binding.