

MINUTES OF THE TOWN OF SOUTHTON
2009 CHARTER REVISION COMMISSION

October 7, 2009

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

Dennis P. Conroy, Richard Post, Sandra E. Feld, Andrew Meade, Joseph Landrie, James Verderame, Brian Callahan, William Knoegel and James Michlewski

Staff: Mark J. Sciota, Town Attorney

A quorum was determined

Summary Minutes – meeting recorded on audio and video tapes.

The Pledge of Allegiance to the American Flag led by Mr. Conroy was recited by everyone in attendance.

Approval of Minutes

Chairman Zoni called for a motion to approve the September 16, 2009 minutes. Mr. Michlewski made a motion to approve the Minutes. Mr. Meade seconded. Motion passed unanimously on a voice vote.

Commissioner Communications

There were no commissioner communications.

Review and Action on Schedule B

Water Department's Charter Relationship to the Town of Southington.

Chairman Zoni stated that this issue was tabled at the last meeting.

Mr. Conroy moved that the issue once again be tabled pending the presentation by the Water Commission, seconded by Mr. Verderame. Chairman Zoni stated he has a motion and a second, any comments.

Chairman Zoni indicated that the Water Board will be present at the next meeting. Mr. Tom West, the Superintendent had requested to be allowed to speak and was not available for tonight's meeting.

Voice vote taken, **motion carried to table.**

There being no other issues on Schedule B, Chairman Zoni moved along into Public Communications.

Public Communications.

Arthur Cyr, 103 Berlin Avenue. Mr. Cyr commented that he appreciated what this Commission was doing with regard to the Town Manager's contract. He voiced a concern about the detail that was being placed into this Charter and he feared that almost any Council will look at the proposal and either dismiss it or return it back for more work. He felt the Commission was putting in too many stipulations that a future Town Council might find too restrictive so rather than send up a detailed proposal to a Town Council and to the voters he urged the members to scale back the amount of detail put into the proposal for the Manager's Contract. He further commented that he did believe the last 40 years had been incorrect but he also felt the pendulum was swinging in the opposite direction where much of their work may get negated. He urged them to reconsider the amount of detail and restrictions that were being proposed.

Illio Fusciello, 82 Autran Avenue. Mr. Fusciello made reference to a previous Charter Revision twenty years ago. Mr. Fusciello started to discuss his property issue. Point of Order was called by Mr. Conroy. Mr. Fusciello objected to being stopped to speak. Mr. Conroy commented you must speak about Charter Revision issues.

Chairman Zoni asked if there was any other public input. There was none

Discussion, Deliberation, Debate and Action on Schedule C items.

Chairman Zoni stated there was only one open issue for discussion. Chairman Zoni opened discussion for **Section 1107 to comport with Section 2-204 of the Code of Ethics.**

He stated Section 1107 is the Conflict of Interest section in our Charter. The discussion at previous Charter Revision meetings was to supplant that Section of the Charter with Section 2-204 of our Ethics Code. The Town Attorney has worked on a new draft for our Commission to review this evening. He indicated the draft was sent out on October 7, 2009. Attorney Sciota indicated it was sent out twice once on September 24th and also on October 7, 2009. Chairman Zoni opened the floor to discussion.

Ms. Feld referenced the October 7th draft and indicated she wanted to make an addition to section (d). She commented that the words "or member of a board or commission" were left out. Ms. Feld referenced verbiage and then commented the language should be inserted in the sentence, "the failure of any officer, official, or employee or member of any town agency, the words 'or member of a board or commission' should be added to that." Mr. Conroy questioned if official would cover that language. Ms. Feld stated she did not read the word "official" to cover a member of a board.

Attorney Sciota then stated that the original Section 2-204 does not have that language either but certainly the language does make it clearer. Attorney Sciota asked Ms. Feld to restate what she wanted for verbiage. Ms. Feld then stated “The failure of any officer, official or employee or member of any town agency or member of a board or commission”. Attorney Sciota then interjected how about “member of any town agency, board or commission” and Ms. Feld added, “elected or appointed”

Attorney Sciota then stated he assumed everyone was in agreement with the language in Section (a). He further commented in his draft and working in conjunction with Mr. Post, he had stated what parts were redundant. He made reference to the old 1107 (a) and indicated that the language was not as strong as the current section (a). He further indicated (b) was already in there, and (c) and (d) should come out. He spoke on section (e) and indicated that this was good language because by ordinance you could supplement but not repeal and further recommended that (e) be left in from the old 1107.

Mr. Landrie questioned if there were any changes in the Oct. 7th draft as opposed to the September 14th draft. Attorney Sciota responded no.

Mr. Meade made a motion to move to Schedule D as discussed and amended, seconded by Ms. Feld. Chairman Zoni calls for any discussion, there being none, voice vote take, all in favor, **item moved to Schedule D.**

Additional Discussion or Modification Proposals to Schedule D.

Chairman Zoni then stated he had one concern on Section 401 (appointment, qualifications and tenure for the Town Manager) as he did not believe that had been updated. Attorney Sciota responded that the changes had been made and would be sent out.

Chairman Zoni also questioned if the Modification of Section 746 (a) had been completed. Attorney Sciota stated, yes that was the change from six to seven votes and an actual vote by the Commission was taken. The modification would be sent out. No further discussion as related to Schedule D.

Miscellaneous

No further business.

Adjournment.

Mr. Conroy made a motion to adjourn, seconded by Mr. Verderame. Motion passed by voice vote. Meeting adjourned at 7:20 p.m.

The next commission meeting date is October 21, 2009.

David Zoni, Chairman