

TOWN OF SOUTHLINGTON
2008 CHARTER REVISION COMMISSION
January 7, 2009

AMENDED MINUTES *

(*See Page 10 for amendments)

CLERK MARK J. SCIOTA, called the Organizational meeting of the 2008 Charter Revision Commission to order on January 7, 2009 in the Town Hall Council Chambers at 7:00 o'clock, p.m., with the following in attendance:

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

Staff: Mark J. Sciota, Town Attorney

A quorum was determined.

Summary Minutes - meeting recorded on audio and video tape

MARK J. SCIOTA, Clerk, presiding:

My name is Mark Sciota. I am the Clerk for this commission for as long as it stays in existence. My availability is unlimited to you. You have my email, you have my phone and you have I believe my cell phone, too. I will be at your disposal for this particular board.

On behalf of the Town Council and Chairman Barry and the administration, John Weichsel, I first would like to thank you all for taking time out of your busy schedule to do this very important roll. I hope when we finish that you find this to be a very fulfilling experience and the people of the Town of Southington appreciate your service.

We'll dispense with the swearing in of the commissioners as I understand everyone now has been sworn in and you have all signed the oath. Is that correct?

(Everyone: Yes)

D. Election of Officers

1. Nominations for Chairman of the 2008 Southington Charter Revision Commission.

The nominations are open.

Mr. Verderame nominated David Zoni to be Chairman. Mr. Derynoski seconded.

Hearing no other nominations for Chairperson the nominations were closed.

(Motion passed 13 to 0 on a roll call vote.)

Congratulations! The meeting is hereby turned over to Mr. Zoni.

DAVID ZONI, Chairman, assuming the Chair:

2. Nominations for Vice Chair.

Mr. Michlewski nominated Ken Paradis for Vice Chair. Mr. Landrie seconded.

(Other Nominations)

Mr. Meade nominated Brian Callahan for Vice Chair. Mr. Landino seconded.

(Nominations closed)

Upon a roll call vote Ken Paradis was declared Vice Chair with 8 of the 13 votes.

Congratulations! Thank you for serving.

E. Request for Budget

The Clerk advised we do have a Board of Finance meeting next week. I took the liberty of starting off the budget and asking for the sum of \$3,000. There are three different items we'll be paying and possibly more depending on whether there are experts you wish to come and present but the three normal ones are:

- Secretarial
- Videographer
- Advertising

The advertising would be advertising of your public hearings or other Charter Revision Commissions have taken out advertisements, half page ads in the past.

The Board of Finance will be acting on that on Wednesday. The people here tonight are being paid for through the generosity of the Town Council.

If more money is needed in the future, a request can be made to the Board of Finance through the appropriations process.

Appointment of the Recording Secretary:

Two types of doing the Minutes: verbatim or summary. After discussion, it was decided to go with summary Minutes as the meeting is going to be audio taped and videotaped.

The Clerk said he would be dealing with the Town Clerk to get a time slot for this particular board to show their video.

Mr. Conroy made a motion to adopt summary Minutes. Mr. Derynoski seconded. Motion passed unanimously on a voice vote.

Joanne Palmieri appointed to do summary Minutes of the meetings.

F. Rules of Procedure and Future Meetings

The Clerk advised the formality to take a vote to approve Robert's Rules of Order. Most boards operate by Robert's Rules of Order. I suggest that's the vote you should take and operate under that procedure.

Mr. Meade made a motion to adopt Robert's Rules of Order. Mr. Michlewski seconded. Motion passed unanimously on a voice vote.

As to the future meeting schedule, we need to have discussion on what night we might be able to get the best attendance.

In response to a comment by Mr. Verderame, the Clerk advised Wednesdays and Thursdays are the best nights for this room. However, as the BOE meets here, you have an issue with the 2nd and 4th Thursday. Also, the Conservation Commission meets on the 1st Thursday, so only the 3rd Thursday is available. The only problem we have with Wednesday is that the Board of Finance meets on the 2nd Wednesday. So possibly the 1st or 4th Wednesday should be considered.

After discussion, Mr. Conroy suggested to meet on the 1st Wednesday of the month at 7:00 pm here in the Council Chambers. We are going to have other public hearing nights and research to

do. The Council gave us until December of this year to finish. We're not under the gun to get a lot of things done very quickly. It doesn't mean we can't add meetings. And, remember this isn't the only venue in town that'll hold this many people. Ms. Feld seconded. Motion passed unanimously on a voice vote.

Meeting date and time: 1st Wednesday of the month at 7:00 pm in the Town Council Chambers.

In response to a question by Mr. Conroy, it was noted that the legal requirement for special meetings is only 24 hours notice.

Meetings will start the first Wednesday in February, 2009.

The Chair took the opportunity to make a few comments at this time. Thank you for your support as Chairman. We have a large group with a lot of items to be taken up and a lot of discussion to be had. I would like the meetings to go orderly.

I don't want to inhibit anyone from speaking but I would like you to address the Chair before you speak so it doesn't turn into a free for all. This is a very big group. That's really the only rule of order I would like to bring up at this time.

The Clerk recommended that every Agenda include a public input section. That way we don't have to worry about public hearing notices all the time. You'll have at least two per the statute specific public hearings. But in your Agenda, I would suggest you have a public input section on everyone of them. Then we don't have to wait in between public hearings. The Chair concurred.

Mr. Michlewski suggested a time limit of 5 minutes for speakers coming up for public comment. He felt it was appropriate. After discussion it was agreed to have a 5 minute limit for public input and it would be so noted on the Agenda.

Mr. Verderame asked what would constitute a quorum. The Clerk responded it would be one more than the actual majority and you would need to have a majority vote of the quorum to pass any items.

The Clerk advised that most Charter Revision Commissions wait until they have a very representative number before they vote on the final report to the Town Council.

The Chair commented that after speaking with a few members, it seems to be a consensus that people want to wait until the end so we can deliberate the issues before a vote. All votes would be kept until the end and keep our meetings simply discussion,

commentary and perhaps some guest speakers to talk about specific issues, public hearing and public input and our deliberations.

I am encouraging the staff to come up with any concerns they have about Charter and possible changes they would like to see made. The Clerk said it would be inappropriate for him to have any opinion as your Clerk, but the Manager can submit his comments in writing or come before the commission.

Mr. Landino said throughout the meetings ideas may be noted as something to vote on. That'd give you an extra two or three months to know this is something we're going to be voting on. If we are talking about something and we think it is something we might want to change, maybe we just kind of outline it or highlight as an issue we probably might want to vote on.

Everyone agreed they want to wait until the end to vote.

The Chair brought up the Town Clerk and the web site. There is a link to a special page for Charter Revision. It is a logo on the home page. It will contain links to all the past Charter Revision Minutes. Our Minutes, of course. A membership list of all of us and a way to email all of us simultaneously and a link to make a suggestion to us. I hope the public takes advantage of this.

Extensive discussion.

Ms. Feld brought up having the site be interactive. Mr. Conroy said he would be leery of doing that because we would be speaking as individuals and not the commission and may give the impression to those asking the question that the answer they're getting is coming from the entire group and may be the feeling of the entire group. The Chairman even can't speak for the entire group.

The Clerk advised the commission:

- on the emails with people as part of this commission, FOI has come down with a ruling that deliberation over email on a board - Charter Revision falls under that auspices now - so even correspondence by email with people asking you questions and going back and forth and having a dialogue, FOI would have an issue with that. Everything that you guys deal with from this moment onward until you give your final report to the Town Council, unless there is a specific issue and I can't think of an executive session issue that would come in front of this board, on anything outside of that, it has to take place now in public session which means technically even dialogue between you guys on email, written dialogue should not take place. It should take place here at the table.

Mr. Post discussed a questionnaire that could be done very simply on the web site to get public feedback.

Extensive discussion.

After extensive discussion Mr. Conroy said there is going to be a link where the email would go all to us, that's the way they communicate with us. I don't think it's necessary to have a poll. If they send a question, we're all going to see it and if they have a suggestion, we're all going to see it and then we bring it here to this meeting and we discuss it where it can be recorded and we don't run afoul of the FOI.

Ms. Feld she agreed with Dennis. It does seem that the email would do the trick.

Discussions.

Mr. Michlewski added it is important that the public know that exists and can put their ideas on it. The Chair commented there are media people here tonight and I'm certain they'll let the public know it exists.

Discussion.

The link is on the homepage. Right at the bottom. Brand new today.

Mr. Knoegel asked about the utilization of subcommittees, is there a need for that? Does that go against the FOI? The Chair responded if we have a subject matter that requires some in-depth research, I think we could entertain a possible subcommittee for that. It wouldn't be improper.

The Clerk added subcommittees are not improper. Usually, it is less than a quorum, obviously. And, we can do it for a specific purpose. But I wouldn't do a lot of work with subcommittees when you are talking about Charter Revision. You want everybody to hear exactly what was heard. I would steer away from subcommittees unless it is absolutely necessary: i.e. a seminar happening in Hartford that you feel someone should be at and if a couple of people go as a subcommittee, that's one thing.

You are here. There's plenty of time. You've scheduled your regular meetings and you can have special meetings at any time. I would suggest you do it as a board that way everybody gets the same information at the same time.

Mr. Callahan asked about getting information about what other communities are doing. The Clerk responded you have two choices. The way I would recommend is contact my office. I go through Connecticut Council of Municipalities (CCM) and they have along with all of Southington's stuff, they have almost every other community in Connecticut. They have every type of government, every type of charter section.

Also, since you are now on the Charter Revision Commission, you have direct access to that and if you need to figure out how to do that, just contact Linda or me and we'll tell you who to contact at CCM.

Mr. Conroy concurred previous commissions used CCM data to report back. It's available.

Ms. Feld agreed it worked out well.

Mr. Derynoski asked the procedure to bring issues for discussion. Individually, from the commission or the public, what is the format? The Chair said the last commission started off with a public hearing. There's a lot of opinions to bring forward and everyone on the commission can bring anything forward. We'll be taking input from everywhere. We'll work out the organization and discuss them one at a time.

Mr. Conroy made a motion to establish the first Wednesday in February for the first public hearing to have the public bring matters they would like the Charter Revision Commission to consider. That meets one of our obligations to hold a public hearing and then we have other open discussions and public hearings following.

After the public hearing, we will adjourn and go into the regular meeting and at that point in the meeting you could have another public comment section as part of the Agenda.

Mr. Callahan seconded the motion.

The Clerk explained you have a public hearing, it's opened, there is no time limitation on the public hearing. They can speak for as long as it's relevant and that's in the discretion of the Chair. Once the public hearing ends, then we start our regular meeting.

(Motion passed unanimously on a voice vote.)

Mr. Conroy suggested for the Agenda to be such that we have the call to order, roll call, public comment section limiting the public to five minutes each and then the business portion of the meeting would follow.

Ms. Feld seconded.

Brief discussion on the motion.

(Motion passed unanimously on a voice vote.)

The public hearing will be at 7:00 with the regular meeting immediately following.

Mr. Knoegel asked about absences and getting information into the record. Can you write something up and submit it for the record? The Chair said that is acceptable. The Clerk noted the only thing you cannot do when you are absent is vote. You can email the Chairman a speech if you want him to read it for you but you cannot vote.

Mr. Landino asked if there were any points we should be looking into over the next three weeks before we have our first meeting? Are there issues people see on this Commission that they're looking into specifically that we can put out there right now?

1. Mr. Landrie said one of the things that concerns him and he would like to investigate it thoroughly is how other towns authorize overrides of finance board recommendations. In our town it takes a supermajority and I'd like to see how this reacts to elected town councils, elected finance boards, elected councils and appointed finance boards. See how they interact and see how other towns handle finance boards' recommendations and how they can override them.

The Chair asked The Clerk to follow up with research with CCM.

2. Mr. Meade would like at other towns and their Town Clerk. We've always relied on election. Our Town Clerk does a fantastic job. She has computerized everything on town records. She's terrific. As far as I'm concerned, she can stay. I'd like to take a look at the possibility of putting it into the hiring process. Just to leave it up to anybody running for the office and not having really the qualifications for it, I just think it's something we should look at. I wonder what other towns do.

The Chair asked The Clerk to research that as well.

3. Ms. Feld would like to know about the following: I know there are about 80 towns throughout Connecticut that have budget by town referendum. And there is a variety of ways that it works and this came a lot of times while we were getting the petition signatures. I would be curious to know, not just which towns they are, but how these different towns construct their budget by town referendum. If we're willing to look at the issue we can see the variety that's out there.

The Chair asked The Clerk to research that as well.

Mr. Conroy added to that that the information be done by the grouping of the size/population of the town. That has an impact.

4. Mr. Michlewski said his main purpose here is to find out what the public perceives as the issues in the town more than anything. I've heard a lot of discussion from when we were getting the public's signatures. Plus and minus. Some very, very much angry and then some who were very, very thoughtful about what they thought needed to happen in the town.

I'm most interested in looking at best practices. And, those practices that are set up and expanded as need be. That's hopefully what we are going to do here.

The Chair passed around information on the National Cities League. Southington is part of that organization. We received a lot of communications from them. They have developed over the course of a last 100 years what they call a Model City Charter.

(Passed around the book.)

There's a lot of information in this book. I've scanned it and put it on disc. I'll pass it around so each of you can have a copy. You can look at it at your leisure. There's explanations for the sections, shows changes over the years and you can compare it to ours to see where we rate in comparison to the Model City Charter. It's a PDF.

Perhaps you can gain some knowledge about how the Manager form of government works. It talks about a few different forms of government and their advantages and disadvantages.

H. Any other matters that need to be taken up by the Commission.

(No response)

Mr. Meade made a motion to adjourn. Mr. Callahan seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:50 o'clock, p.m.)

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Changes made to the Minutes:

Page 1: A date was added to the caption.

Page 5: Interaction changed to interactive in Ms. Feld's comment.

Page 6: Certainly changed to certain in Mr. Miclewski's comment.

Page 9: Paragraph changed to read:

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