

MINUTES OF THE TOWN OF SOUTHTON
2009 CHARTER REVISION COMMISSION

July 15, 2009

The Charter Revision Commission of the Town of Southington held their regular meeting on Wednesday, July 15, 2009. Chairman David Zoni called the meeting to order at 7:00 o'clock, p.m. with the following in attendance:

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

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 Richard Post was recited by everyone in attendance.

Approval of Minutes

Chairman Zoni called for a motion to approve the July 1, 2009 minutes. Mr. Derynoski made a motion to approve the Minutes. Mr. Meade seconded. Motion passed unanimously on a voice vote.

Chairman Zoni commented tonight there was a special guest who comes from our neighboring Town of Plainville, Mr. Robert E. Lee the Town Manager who will be discussing how their procedure works on their budget and how their referendum works as well. Mr. Lee commented it was a pleasure to be here this evening and further that it is always fun to talk about government and the way things operate and especially when we get into the topic of Charters. A Charter Revision Commission and the amending of same is a very big step and I do not know if people appreciate the impact that charter changes can have on a community.

Many times we look at what is happening today and try to model a charter or change some things because of what is in front of us today and not realizing that some of the things that are hot today may not be so in the future. You have a challenge in front of you to have a vision of where you see your community going over the next so many years and what is it that you want to adjust in order to perhaps make your community a better place to live.

Mr. Lee referred to the Town of Plymouth and its charter change. The Town of Plymouth made changes such as caps on increases and expenditures and not really

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thinking it out and he believed they are still paying the price for that decision today and would now be looking for another Charter change.

Mr. Lee brought copies of the Plainville Charter Revision and disbursed them to the commission members. Also brought a document which disclosed Plainville's all day budget vote and the results that have occurred since the Town changed from a Town Meeting budget approval process to what they call an "All Day Vote". He continued the last time the Town Meeting voted on a budget was in 2004. The Charter was changed in 2005 which was the first time they had an all day vote. He also stated that in 2005 was the year he became the Town Manager in Plainville.

He referred the commission members to page 16 which referred to the budget town meeting. Simply it is not a referendum on the budget it is more like an adjourned town meeting. It is an all day vote but it is technically a town meeting. The difference between an all day vote and a referendum are some notice requirements, if you are a property owner you are not able to vote in the all day vote as opposed to a referendum and there are no absentee ballots with regard to the all day vote is concerned. We see from 2005 to 2008 it allowed for a maximum of three budget votes. The good thing is that the votes are fairly quick in that if a budget vote does not pass, it comes back in two weeks for another vote, if not passed, then two weeks again. This process is referred to as three strikes and you are in meaning changes are made the first and second time when the third time changes come around even if defeated, those changes are adopted

Mr. Lee commented that from 2005 to 2008 the budget was defeated all 12 times at the all day budget vote. The last town meeting which was in 2004 the town meeting was defeated all three times. It was his understanding that prior to that the budget usually passed on a regular basis. In terms of government things are different than in the 80's and 90's referring to volatility and emotions which he believed does play a factor. Mr. Lee continued by stating that we do not see many people who are interested in it and the people who are interested are those people who are not happy. Based on his experience he believed it is very difficult to get people to come out and vote. It is easier to get people to come out and vote against something. He gave as an example, other than 2005, the first all day vote led to a 17.36% eligible voter turn out and it has been down hill ever since then. Having less than 20% and in some instances less than 10% is an indication that it is just not a big issue to most voters.

Mr. Lee then stated that he was not a big fan of all day votes or referendums. He had worked as a Town Manager prior to coming to Plainville in Hebron and East Hampton and those two towns had a Town Meeting form of budget approval. People showed up and discussed and debated the budget. A town meeting allows people to get information and perhaps hear or see some documentation to make a decision. There are many people who don't even look at the bottom line. The fact remains if you can guaranty that a good amount of people are going to vote that is one thing but 10 or 20% voting on a particular issue means those are people who are unhappy about something and they are voting. Referring to the 80 or 90 percent of people who did not come out to vote, he believed those people are in favor of what is not on a ballot. He stated again most people do not

understand what they are voting on citing the example of a gentleman who had attended a town meeting and was going to vote no based on the fact that he thought the Board of Education was going to receive a very high increase. The fact was the Board of Education's budget had been reduced downward and that individual did not have the correct information to make a correct decision.

At a town meeting people have an opportunity to listen, to be handed information and an opportunity to learn more about the budget rather than what they read or what they are told. I believe democracy is participatory; it takes more than just voting yes or no. I think that government is not seeing much leadership, people are not willing to make decisions and stand up for what is right. All of this leads to dissension, people feeling over whelmed and politics steps in.

Mr. Meade asked if Plainville had a Board of Finance. Mr. Lee stated "No". The Town Council is the Board of Finance. Mr. Meade stated in Southington we have a Board of Finance, many public meetings that the public can attend and at the end of the process we even have a general town meeting, which makes us different.

Mr. Michlewski then commented that the commission has already dismissed the automatic referendum. What day is the voting actually done, weekday or weekend? Response, "Tuesday". Next the percentage increases on those particular years? Mr. Lee responded nothing great. Mr. Michlewski responded something must have caused the increase in 2005. Mr. Lee commented he felt it was the novelty of the vote. I think the increase was a minimal percentage increase of raw expenditures.

Mr. Callahan then commented that when he went down the five-year span it looked like there is an average, counting all three votes, of 7 to 7.5% of turnout. Have you gained anything from three votes as you say you go ahead and do it three times then go ahead and do what you said you were going to do? Has this changed anything dramatically? Mr. Lee responded that the Council does react to each defeat of the budget. For the period 2005 to 2008 the people did believe the budget was too high and therefore the Town Council did lower the budget. The no vote did have an impact.

Mr. Callahan stated according to the spread sheet that you gave to us, it is a yes and a no vote so it doesn't say no it is too high or no it is too low. Mr. Lee responded that the Charter does allow for an advisory question which is up to the Council to determine whether there is one or not.

Ms. Feld questioned is your referendum vote advisory or binding? Mr. Lee stated when a vote is no, the budget does not pass unless it is the third time. I am not sure what you mean by binding. On a no vote the Council must go back and make changes. Ms. Feld interjected, it is advisory.

Mr., Conroy then commented that you indicated that you had worked in communities that their government is run by town meetings. You are also familiar with other forms of government? Response, "Yes". When you have public hearings like we have here,

would you describe hearings as other ways to exchange information about the items that are in the budget? Mr. Lee responded yes and he believed public hearings can be very meaningful. We do find there are groups of people who attempt to maneuver a situation but getting beyond that, public hearings can be very productive. Mr. Conroy then stated that the voting constituency has a chance to offer their opinions. Mr. Lee asked Mr. Conroy what basically happens in Southington.

Mr. Conroy responded from his years of experience, the percentage of the population that we have and it is close to 27,000 voters, you see what is here in the audience that is concerned about Charter Revision and unless it is a major issue concerning some specific special interest you will not even fill the auditorium in the high school. Mr. Lee responded yes that is the difficulty. Mr. Conroy then responded in any one particular town whether it is public meetings, town meetings, advisory issues, yes or no, etc. if a Council or Board of Finance person in our Town is worth their salt they know what their constituents want, they have a good feel and if they don't they should not be holding public office.

Mr. Lee commented for those who want to open it up and allow folks to vote on the budget, what are you trying to accomplish?

Mr. Paradis questioned in 2005 you went to an all day vote, what brought that about? Mr. Lee responded, Charter change. Mr. Paradis asked did people want that change in the Charter to go to an all day vote? Did they think more people would participate if it was a longer time period? Before that in 2004, how long did the voting last? Mr. Lee responded in 2004 we voted three times as that was a town meeting.

Mr. Knoegel, referring to a different issue, questioned how the Town Manager in Plainville works? Mr. Knoegel based his comments on the understanding that the Town Manager works under an indefinite term. Mr. Knoegel asked what he thought about contracts for Town Managers. Mr. Lee responded I do have a contract, it is an indefinite term but it does talk about my terms and conditions of employment. In terms of contracts it only goes for a specific amount of time. I have had indefinite contracts also. From my perspective I have a three year contract and after the first year I am looking to the Council to add a year on to the end of it. If that is not done, that tells me something and I have two years to do something about that.

Mr. Post going back to the budget referendum, in general during the 2005-2009 has this hinders or helped the Town manage the budget effectively? Mr. Lee responded he did not feel it made much difference. Mr. Post then asked "Do you think it has any impact on keeping the taxes, the mill rate low?" Mr. Lee responded certainly if the Council has lowered the budget each time that the budget was defeated, it has helped to keep taxes lower but having said that I would challenge that those towns where the Town Council makes the decision, I would be hard pressed to argue that their taxes are lower in general than those that respond to a town meeting.

I do not believe overall that I would say that my observation is that I believe their taxes are more reasonable than people where they are trying to figure out what the public wants. Mr. Conroy interjected, "Mr. Chairman, do you think that Mark could have that done by Friday?" Laughter... Attorney Sciota thanked Mr. Lee for that suggestion. Mr. Conroy asked if CCM has done that type of study. Attorney Sciota responded it would not just be that one study. You have to look at the end of the year budget because every town doesn't always just stick to their budgetary amount. As you know we have contingencies that we go through every year. It isn't just when the budget was passed. I wish I could tell you that Southington only spent, throughout its history, what was passed in the budget but there were a few years where we spent more than what was passed in the budget.

Mr. Post, referring back to the Town Manager issue, questioned was there experience, educational requirements that were fixed, couldn't be waived or were there none at all? Most felt it would be in the charter. Attorney Sciota referred to charter language. Mr. Zoni then commented your duties are spelled out in the contract? The response was yes and also in the Charter.

Mr. Landino, still staying on the Town Manager issue, yours is an indefinite contract and can be ended at any time. When you spoke about the three-year window and you spoke about after one year you would basically know where you were heading, if you had to choose something what do you think would be best in place, a three, four, five year contract? If after one year you are already thinking about year four, then you kind of have this inclination that if you do not get an offer for year four, you are already starting to look, to me that is not a good policy to have in place. Do you think a five-year contract would be more beneficial so that you would not be determining your destiny after one year? Mr. Lee responded he had worked under both a three and five year contract but what was more important to him was the length of the amount of time they are going to pay me if they let me go for not good cause.

Mr. Landino questioned your town went from 1968-1988, 20 years without a charter revision, then from 1988- 2003 without a charter revision, 15 years without a charter revision and then you went three charter revisions in four years, what happened?

Mr. Lee responded in Plainville it is basically under Democrat control. In Plainville one of the unique things about our Charter is a 7 member Town Council but in order to pass anything you need five votes. During most of that time up to 2003 the Democrats have either have a 5-2 or 4-3 majority. In 2003 the Republicans gained for the first time a 5-2 majority and they decided now they have five votes to do whatever they wanted. They began to make changes and pushed this all day vote and got it passed and after that it seemed to be the issue "dejour" let's change the Charter again.

Mr. Michlewski then commented to Mr. Lee you asked for a rationale as to why we are talking about budget by referendum. Having been to two years of hearings on the budget process the auditorium was packed with one specific interest group. What I am here to try to do is level the playing field and give the rest of the population the opportunity to

not wait three or four hours to testify. That is what I saw at two budget hearings in a row for two years. In order for individuals to actually testify there was a huge line, what a painful evening that was and what I would like to see done is the opportunity to level that playing field.

Mr. Lee responded at that point are you having a vote or are you having an exchange of ideas? I think it is important that you have that exchange and when you have a referendum or an all day vote it stifles the conversation. Mr. Michlewski stated he did not agree. Mr. Zoni interjected Mr. Lee is not here to debate. Bottom line, at a town meeting you have participation, referendum no one comes to the public hearing.

Mr. Knoegel we discussed the fixed dollar amount for a special appropriation and for bonding, going out for referendum voting, I notice your amount is \$500,000 and yet we squabbled over \$500,000 versus \$1million, do you think \$500,000 is too confining in your estimation? Mr. Lee responded no. Mr. Conroy asked what the size of Plainville's budget was. Answer \$52,53million. Mr. Zoni questioned, so you go out to referendum for one percent? Mr. Lee responded very seldom do we have something that comes up mid year. We have not had anything that triggers \$600,000. The one I recall was \$950,000 for open space, did get approved.

Mr. Zoni thanked Mr. Lee for coming and stated that he could see that Mr. Lee liked to talk about government. Mr. Lee stated he did and further that he would just caution to be careful if you move toward a referendum of some sort.

Commissioner Communications

Mr. Zoni asked if there were any commissioner communications or comments.

Mr. Knoegel then stated that at the last meeting he felt after the public communications that there was too much talk from the audience while the commissioners were actively talking and I would appeal to the people to the people tonight and future meetings for the people to take their conversations outside the room because it was a bit distracting.

Public Communications

Lou Puglielli, 72 Candlewood Lane. Mr. Puglielli stated he was not able to attend the last meeting but did watch it on TV. I have a clarification I would request. Sandra Feld made a suggestion that the budget be tied to COLA (cost of living adjustment). I went on line and checked on COLA from 1975 when it started. As a point of interest, COLA was 8%, 6.4%, 9%. In 1980 it went all the way up to 14.3% so as the years went on from 1984 to 1992 it was from 1.3% to 4.7%, 5.4%. In 1993 to 1999 it went from roughly 1.3% to 3%. In recent years, 2000 it was 2.5%, then it varied 3.5%. In 2006 it was 4.1%, 2007 it was 3.3%, 2008 it was 2.3% and in 2009 5.8% to retirees. My point being if we tie the budget into COLA next year they predict there will be no cost of living for retirees however if it goes up 8, 9 or 10% does that mean the Town Budget could go up by those amounts also? If you are going to tie the budget to anything make a maximum, "no more

than” 1.5 to 2.00% but to tie it to COLA it sounds good on paper however when you look at these numbers this could really hurt the town budget. He wanted a clarification or more discussion. Mr. Zoni responded so far that has just been a suggestion. Ms. Feld commented that she in fact had the same chart and yes it has to be looked at more carefully.

As far as bringing the budget to referendum, he stated he would approve of it if there were some kind of guidelines, such as 15%- 20% turnout then he would be in favor of it.

Arthur Cyr, 103 Berlin Avenue. Mr. Cyr wanted to touch on the point that Mr. Michlewski had made about attending the two budget hearings while hundreds of speakers, including children, were allowed to speak at a budget hearing and I saw dozens of people walking out because they were not going to wait two hours. I would love to see something placed in the Charter where you have to be a registered voter or tax payers or at least adults speak at public hearings, especially the budget.

In speaking of the referendum vote on the annual budget either by petition vote or by trigger, I am in opposition to budget by referendum and for anyone who wants to bring up that magic phase 4,000 people signed the petition that they want budget by referendum, I am one of those people who signed those petitions and I am vehemently opposed to budget by referendum. I was the day I signed it, that is not why I signed the petition and I look over these number of people who are not here tonight and I just did the head count. We have three reporters, three people who are either elected officials or will be running for an office and the grand total is 13. Before this meeting started I mentioned to look out the window there is 1,000 people on the green, there are 10 here. If budget by referendum was a burning issue there would be 1,000 people and 10 on the green. This is not a burning issue.

Mr. Cyr then mentioned “cave people” which stood for “citizens against virtually everything” and that is what you get at budget referendums. People will go out and vote against anything even if it is \$1 more and that is why these towns like Plainville that have had 12 defeated budget referendums with 7% of the people coming out. Remember 7% of the people coming out do not make lower taxes or lower mill rate. It makes no sense to go to three referendums every year or even one referendum every year. It will cost this town a minimum of \$5,000 I believe for a budget referendum...from Mr. Zoni \$6,000 or \$7,000.

Mr. Cyr also referred to Mr. Lee’s comments about not enough leadership and people to step up and say this is our budget whether you like it or now, we need to spend certain amounts. It takes leadership and when there is not enough leadership most people will say or just let the people vote on it.

Dr. Al Natelli, 145 Meriden Avenue. He came before the meeting to discuss what happened at the last meeting and some language and action that occurred. The proposal put forth tied to a COLA agreement as discussed and then considered binding and non amending makes it very difficult for the Town Attorney to craft language that fits within

the charter. He also mentioned that the final say on the budget would be by the Board of Finance. If that is the case, then the whole revision needs to be redone because it is the Town Council that has the final say not the Board of Finance. That is a lot of hand tying and in addition it put a lot of you in a position to table the discussion. People wanted to keep it going, it got heated and an adjournment took place. I am not in favor of voting for a referendum.

We elect our town officials every two years, vote them in or vote them out; but by going by referendum asking for a COLA you potentially pit neighbor against neighbor. The cost of doing a referendum can cost \$5,000-\$6,000 and if we have five voting districts...interrupted by Mr. Zoni as he clarified it would be that amount for one location. Well that is another issue that hasn't been addressed. The determination as to how many polling places will you have? Will they all be fairly represented? The more you have the higher the cost. Those funds could be saved and used to cover raises that were promised to employees.

Dr. Natelli urged the commission members to think long and hard. I compliment all of you on your work but if you look at the Moving Miracle, about the 1980 Olympic team. Herb Brookes went in with a plan. Walter Bush head of USA Hockey had a plan. The plans did not meet. Walter said to Herb let's go in and put a team together and Herb said I already have a team, this is it, this is the team, this is the proposal. Herb knew what he was doing as he did that, Herb knew each player but we do not know all the players in a community there could be a group that says I don't want this, I am going to do that. Think long and hard about the decisions that you make.

Mr. Larry DePaolo, Blatchley Avenue. Mr. DePaolo stated referring to this budget by referendum that he would think that the Commission's objective would be to fix things that are wrong in our current Charter. I would like someone to tell me what is wrong with our current way. I think our Town Manager, our Town Council and the Board of Finance did an excellent job last year. We are one of the lowest increases in taxes all the way across the board. By going out to have the people vote on it, 7%- 8% -10% whatever comes out to vote we are taking the responsibility away from our elected officials. That is their job to set our budget and I do not think they have done wrong by us. I do not see where you are making any progress or corrective positions to our existing Charter by going to referendum. There is nothing wrong with the way we are going today. I don't think anyone has told me or showed me by doing something else we are correcting or making it better for the people of Southington. I do not see anything that needs to be corrected. We have cross checks upon cross checks. If someone can show us what is wrong and needs to be fixed that is one thing. The only thing I am hearing is that I want it changed because I want it changed. To change something because a person wants it that way is not a reason. If you are going to change our Charter, which is our constitution, you had better have a darn good reason to change it and tell the people what is wrong with it today and how it going to get better and what it is going to do for us the people of Southington by doing it this way and make it better, then I think you have the people behind you but to just do it because a group of people say I think we have to vote

on this budget for what reason? I am strongly against it until someone can tell me how this is going to make it better for us residents of Southington, leave it alone. Thank you.

Mr. Richard Burbank, 187 Blue Hills Drive. Mr. Burbank stated that he agreed with what Mr. DePaolo and the other speakers before him. I am 100% totally against any type of Charter provision that allows a referendum on the town budget. Such a referendum will pit one group against another group. You could list at least 20 different groups with opposing view points. I have been a town wide moderator for many elections and it is appalling for me to observe the condition and the knowledge of the people who come to basic elections and vote. Why we would turn over the most important decision that this town makes every year to people who are just going to walk into a polling place, take five seconds to cast a ballot, it is nonsense. He stated frankly I do not understand why you are even considering this. As Mr. Lee commented he used words such as domination of the process, overwhelms the process, creates hostility, and it pits groups against groups. The cost involved could be a total waste of money but the most important reason I heard was what Mr. DePaolo said we have a system in Southington that we should all be proud of. It works wonderful and we have elected people who are dedicated and work hard for our system. Town is a great place to live. I have lived here 44 years and I have enjoyed each one of those years. We have oversights on the budget and the time and chance to make adjustments. The final determination comes down to the Town Council and Southington simply does not need to change the system it now has. It is working, it is doing a great job and we should all be proud of it. Thank you.

Illio Fusciello, 82 Autran Avenue. Mr. Fusciello mentioned all of the special interest groups that come out for referendums, also questioned what a referendum does. Mr. Callahan asked Mr. Fusciello if he was in favor of a referendum. He responded only if many people come out, if not No.

Mr. Zoni asked if there was any other public input. There being none, he wanted to make some comments regarding some of the issues that were spoken of and/or discussed. It was said once again tonight and has been said before at previous Charter Revision meetings that there is nothing wrong with the Charter and nothing that is broken that we shouldn't be trying to fix things. The Charter is not broken but as I said at our last meeting we talked about trying to make things better. Mr. DePaolo spoke about making things better. To bring forth ideas to make things better than we have now. I do believe this is our function and I can say this though even idea that has come before this Commission someone thought it was a good idea or it would not be on these schedules. These ideas have either come to us in a public hearing, during public communications, ideas that came from the floor of this committee. Subsequently someone thought it was a good idea now we have dismissed a lot of things. Turned out a majority of us thought they were not good ideas. We will continue in that same vein, talking about the ideas and if they are not good ideas then they will be cast aside; however, someone did think it was a good idea.

Discussion, Debate and Action on Schedule B items.

Referendum Vote on Annual Budget – Referendum by Petition and/or Trigger

Mr. Zoni to start the discussion and debate commented at the last meeting I had prepared the Schedule B on the item of budget referendum on three parts, one being an automatic referendum, one being the trigger and the other being the petition. It seemed that everyone was against the automatic referendum and in fact we took a vote and it went down. I decided to combine the two things this time on the agenda because I spoke with some of the members after and they wanted to have an open discussion because of their ideas might include both items. So we do not want to eliminate one without the other we would like to have an open discussion and feel free to bring up any ideas that we want. At the last meeting Ms. Feld presented us with a proposal and I presume everyone has had a chance to look at it so I open the meeting up to the floor.

Mr. Post started the discussion by stating that he had thought long and hard about the last meeting and I want to say those who voted to table everything were perfectly in the right to do that. I wrote out a summary and in thinking about a trigger, cola or some government triggered referendum and I thought it difficult to come up with a reasonable automatic trigger, cola, etc. (see summary attached).

While initially I thought the trigger might be the way to go I have since rethought my thinking and I feel very strong that referendum is a good thing but a referendum by petition makes more sense. The reasons are it empowers the voters who are motivated who want to speak out and have an opportunity to do something administratively. The town is spending the voters' money and so they really should have some say in this. If you attend a meeting and have no vote, people's verbal comments can fall on deaf ears. It should be somewhat limited so that you can't have special interest groups voting down something for a special interest reason. A certain number of petition signatures would be required to acquire a referendum. We have one referendum, not multiple referendum concepts which will keep the cost down. Secondly, taxes could negatively impact what is sacred to Americans and that is our home and property. The voters who want to come out have an opportunity to make their voices heard.

We all know with the bad economy taxes can actually cause foreclosures, etc. He then stated that Connecticut in general has very high taxes and if you lived elsewhere and you pay "x" percentage of taxes and you look at what your services are and you find them no different or better than anyone else, then people need to be able to speak out when their taxes may be high. Also in those years where we have a Town Council/Board of Finance unlike like now, who may not watch excessive increases in the future, because a Charter is forward looking we are not looking to vote anyone now we are looking for the future. If enough people come out, the people could potentially have some control. To summarize a minimum number of people who have to sign a petition, a very limited vote and the vote would accept or not accept but a simple majority to rule. Additionally, if the budget was voted down, then there needs to be some substantial reduction as to what was proposed. Most importantly, there needs to be motivation on the part of the electorate.

Mr. Conroy spoke to Mr. Post through the Chair and commented in your suggestion you have spoken of mandating because if it is voted down it has to be a significant reduction, for example why not a significant increase. Mr. Conroy cited an example the New England School of Accreditation came to our community and said that our school system does not meet accreditation requirements because the schools are falling apart, not good enough books, etc. and the town had to spend more money than allocated in order to make the school system reach accreditation, that would be a legitimate reason to reject a budget and why isn't that given equal weight?

Mr. Post responded assuming good leadership that would be incorporated into the budget so in most cases I would expect that to be included in a budget but then it becomes a sales job on the part of the Town Council/Board of Finance. Mr. Conroy countered if the leaders were not good salesman, why wouldn't it work the other way also? Now you are turning it over to people in a referendum and the only thing that they are going to do is vote no because they do not want to spend that money and the heck to them. Then what do you do? Mr. Post then stated if you have good leaders and many people speak on the value of the increase in a budget, most people, including myself would vote yes. However we do need a vehicle to keep a budget in place and to keep budgets down.

Mr. Meade then stated I am sure you know how the budget process works but let me explain it and he proceeded to do so. The Town Manager takes information from the Department heads and puts the budget together. In that case that is why we hire a professional in the Town of Southington, not an elected official. We have a professional form of government in this Town. That budget goes off to the Board of Finance. The Board of Finance goes through the budget with a fine tooth comb, they scrutinize it, they reduce it and they do everything they can. It then comes back to the Council. Now the Town Council can restore items if they feel there is a need for it, but can only restore back to what the Town Manager submitted to the Board of Finance. They can not arbitrarily add a few million dollars over and above what the Town Manager had in his formulated budget. We have checks and balances from the Town Manager to Finance, back to the Council and the Council can then put money back or restore it, then it goes back to the Board of Finance that sets the mill rate. The Council doesn't do it. You know there is pressure on the Council to hold everything down because of the fact that the Board of Finance is then going to state we are increasing the mill rate because of what the Town Council did. The pressure is always on the Council and if people do not like what the Council does then they can vote them out of office.

If you check over the years since we have had the Council/Manager form of government the Town of Southington has been well run, we have a terrific school system, a great park system, we can go on and on and be very proud of it and we have one of the lowest mill rates in the area. We have a rainy day fund. To turn this over to a referendum basis when it takes months to scrutinize that budget I know for a fact that people are not really going to understand what the whole budget is except the fact that they are going to think their mill rate is going up. It just is not a right way to run any type of government

Mr. Conroy started to speak and stated that the Town Council also overlooks the Board of Education. Mr. Michlewski calls for a point of order and stated that he had his hand up to speak and did not appreciate the intrusion by Mr. Conroy.

Mr. Michlewski then commented we are not talking about an automatic referendum. We are not talking about anything other than possibly a petition basically an avenue for a large number of the population to have an immediate impact not two years hence. The electorate has a very short memory and has a tendency to forget the “sins” of a year past. If this is to be put in place, it is not to replace what Mr. Meade has spoken about as it is excellent but that is depending upon people such as John Moise and Phil Pomposi, etc. and there are no guarantees that those individuals are going to be in place in the future.

There should be a mechanism, a tough mechanism not something easy for people to do to address the budget process without having to wait two years and basically not elect a Town Council or Board of Finance member. I do not think it should be easy, it should be tough. Mr. Michlewski then spoke about a petition to the budget. Attorney Sciota corrected Mr. Michlewski and commented that under our Charter you can not petition the budget. Mr. Michlewski then amended his comments and further stated there still should be a petition, one day and he did not agree with a Tuesday. If you want to get the maximum number of people out you make it a Saturday where everyone can come out and vote. Now you will get an idea of whether or not people are really happy.

It should be remembered as a public official, we are the guardians of the peoples’ resources and we are supposed to look at that and hopefully do a good job. We can not tell what the future will bring and we spoke about having this thing into the future to make it better for the town to make it more finite. To make it so it is better and all it does is give insurance to people who are worried that there is a mechanism, as tough as it may be, to at least deal with what your taxes are going to look like. I do agree people do not know enough about budgets but that does not mean that they are not interested. I have attended some hearings where they were definitely interested.

Mr. Meade then commented in the roughly 30 years that we have had this form of government we have had a number of people who have served on the Board of Finance. It is not just a couple of individuals on the Board of Finance when they go we can get someone else on. Mr. Meade referred to Jim Bowes who was just put on the Board of Finance and stated he was the best treasurer that we have in this Town of Southington. There are people that are out there, who have come and gone, who have served on the Council and the Board of Finance and I do not think that we can argue the point that someone is going to get on there, when we have a number of people on the Finance and Council, that will turn out to be a “rotten apple”.

Mr. Knoegel then stated we have over 80 towns that have budget by referendum currently not quite 50% of the municipalities. I was worried about the budget by referendum issue myself, I worried about the factualism it can create but I think the current situation creates factualism. I think that budget by referendum, if approved, and the wording is made up by Attorney Sciota, can go before the Town Council to be voted up or down and

the ultimate say will be the public anyway. My feeling is why not throw it out to the public and let them be the final deciders.

He continued I do hear about how great the Town is and I do like the aspects of this Town for sure but there are things wrong also. In the Harford Magazine Southington was only 20th out of 27 towns. We do have room for improvements, i.e. we have issues with economic development, etc. In all deference to Mr. Meade, sometimes this Town is not all so well run and it speaks larger than just the budget itself. Be all this as it may, it deserves the right for the language to go to the Council and eventually to the public for an up or down vote.

Mr. Landry then stated that last meeting he had brought up this great idea of COLA. I have had some second thoughts; namely people have shown me some statistics where this has gone all over the board. My thought process was that the economy is in the hopper and I do not expect any great recovery in the coming years. I was looking for a 1, 2.5% cap but there would not be any control over it and secondly the COLA is set almost a year in advance of when our budget would come out so I am personally going to put a knife into this idea and we should not consider this any further.

Mr. Post then spoke and stated we have to remember this Commission is basically looking at improving things not to fix things that are broken. He looked upon it as a best practice and felt that the townspeople are more empowered to do certain things. I am against the automatic referendum or multiple referendums that any small group could go out there and do it but if you make it a little more difficult to do a petition and people are motivated then they should have a right to do that. If no one cares enough to go out and do that then those people have no right to go out and speak. Best practice going forward.

Mr. Callahan referred back to Mr. DePaolo's comments that the Commission should be here to make something better, not do something radical. Going forward with a budget referendum, the Town of Plainville, when you look at the numbers they get about 7% of their population to come out for a referendum. The Town Manager when he spoke the only people that are going to come out are the people who are going to vote no is correct and I agree with him. Those people are going to be motivated and emotional. Regardless of what the budget is in there for, you are asking Town people to go up or down on a budget that probably has some 300 pages, fine items and details, that no one is going to read.

He cited 63 people over the last eight meetings, 93% said no referendum and 7% said yes. Now clearly the people who care came down here and said they do not want a budget referendum. I am absolutely opposed to it and I see no good coming from it and no advantage to the Town.

Mr. Zoni then stated we talked about a petition but we have not spoken about what happens at the end. Let's say all this hypothetically happens and people go out and collect signatures and it does go to referendum what does it say on the ballot? What is your accomplishment? What requirements will the elected officials be subjected to if it

fails or goes one way or the other. I would like to hear some dialogue about that. It is important especially if there are people who believe this is a better concept than what we have. If it is better we have to know the results of it. What is the ultimate result? Can anyone speak to that?

Mr. Paradis commented in Plainville they voted three times and every time it gets lowered. What is their mechanism to lower it? That is why we are having discussions and we should figure out what a good mechanism is.

Mr. Callahan then stated why does it have to be lower? The people who are always talking about a budget are insinuating that they want to lower the budget. There are certain obligations that people have to live with and it is out of their control such as contractual obligations. People are emotional with the state and federal government wherein those two areas are complete disasters. Southington is not a disaster. The State of Connecticut should come down and see this is the way to run a government.

Mr. Paradis then commented the state does affect us and further stated if a group really wants to see a budget go down or up they need to get a petition together with a significant number of signatures. It gives them a voice but if they do not come up with a significant number of signatures then it is dead. If they get the signatures and it goes to vote and a small amount of people come out. A target number of people must also come out to qualify. If that is not achieved then it is also dead. This is giving the people a voice, that is all. What is it going to hurt? How much will it hurt to put some language together and we send it out and if everyone feels that 93% of the people who came here do not want this well when it goes to vote, it will be voted down. What is the problem? We will be doing an injustice to the people if we do not give them this opportunity. I know that you do not want to hear about the 4,000 votes and I do not care but we got them and people did say that. Mr. Meade asked Mr. Paradis how long it took to collect those signatures. Mr. Paradis responded about 90 days. Mr. Meade then stated whatever the time frame was it will turn this budget process into turmoil.

Ms. Feld then commented that there were a few items she wanted to address. First she referred to the fact that the Commission had other speakers here. Ms. Feld referred to the meeting in which Mr. Milone was present which was the June 3, 2009 meeting. Ms Feld recited the minutes as follows:

Mr. Meade indicated that in Connecticut there are many RTM's and all type of governments. In Southington we have a Council/Manager form of government. What are the pros and cons of having a referendum or not, and also how does the type of government in a community determine whether there would or would not be a referendum? Mr. Milone's response indicated that he is a non-elected person in a Council/Manager form of government and there needs to be a process for the voters to express their support or disapproval of the budget. If it were a chief elected official then the voters feel they at least have some recourse through the polling booth. In a Council Manager form of government the referendum at least gives them the opportunity to convey their feelings. He has seen it in Council/Manager and Mayor Forms of

government. There may not be one perfect model but that is why it was built into Cheshire's Charter. It gives the voters an opportunity to direct the agenda of the town which they would otherwise be able to do by voting somebody in or out of office.

Ms. Feld then stated that is critical and we heard this a long time ago and we may have just forgotten that this is a Town Manager who absolutely supports budget by town referendum. The more I hear, the more I like the petition by referendum and I would like to hear what everyone else thinks about the petition idea. If there is a situation where the councilors do something that we do not like, yes we can vote them out but the issue is that our town councilors do a lot of things that we like but the budget being only one of them might not be why we want to vote someone out. We need to have other controls for the budget. You may not want to replace a town councilor because he does so many other things, however, he may be a spender on the budget. That fact does not mean you want to replace the person necessarily.

Another thing Mr. Conroy mentioned was reference to a situation where the schools needed to be accredited and the budget was voted down well how would we deal with that? There are a number of ways, the schools are autonomous and the schools would have to figure out in their budget. I am reminded about what Ronald Reagan said. I do trust our Town Councilors. I do trust our Board of Finance, but he did say, "Trust but verify".

Mr. Landino commented to Ms. Feld that she makes some good points. Everyone has heard all of the comments but for me basically the people did not like what the Town Manager from Cheshire had to say. It is important to hear what he said but they did not like what he said because they all said we do not want a referendum. Some 93% of the people do not want a budget by referendum.

Speaking to Ms. Feld you do not like what I am saying? Ms. Feld responded where do you get the 93%? Mr. Landino commented from the people who came here before us to speak. Ms. Feld then stated the true test of whether they want it or not will be when they vote on our recommendation when it gets past the Town Council. Ms. Feld further commented there is a lot to be said for the anonymity of the voting booth. Some people do not like to speak publicly yet in a voting booth this is the true test. Mr. Landino responded I understand that this is the opportunity here is where we are deciding whether to make the change. This is where we are deciding, this is their opportunity to speak up. I can not vote and wonder what people are thinking or wanting.

Mr. Knoegel then commented on the "grass roots" initiative and he felt that was important. Every Charter Revision came from a Town Council. He believed the generation of this Commission, where it came from should be considered. Regarding people who publicly spoke, we are not sure if that is a complete sampling of the community. Some people can not come for one reason or another.

Mr. Post then commented whether or not we are dealing with the 4,000 petition signers or the people who have spoken here; scientifically it is not a representation of our

population. More importantly what are we doing here? Are we creating law by Charter Revision? No we are not. All we are doing if it passes this group and the Council is putting it to the voters. When Mr. Meade makes a statement that the voters do not want this, well the ultimate say will be the voters themselves. If the voters like this issue, great they have spoken if they don't, they don't. All we are doing is bringing it to the voters, do you want this change, yes or no and if not enough people vote than it is null and void anyway and change does not happen.

Mr. Zoni then commented that to be on this Commission you were appointed. You were appointed to study the issue and make a recommendation and that is what we are doing here. This is just like the Council people are elected to study the issues and make decisions. You are representing the people in a certain capacity so to state well we will let the people decide about an idea if it is good or not, you have been put here to make that decision, to determine if it is good or bad. To send off ideas that are not as stellar as they seem isn't our responsibility. Our responsibility is to move forward with good ideas.

Ms. Feld stated I do believe we are trying to move forward with good ideas but I would like to point out, as Jim, Andy and Dennis know, from the 2006 Charter Revision, six items were put forth that passed the Town Council and only two were voted in by the Town. Ultimately that is the vote and they were six perfectly good recommendations. Mr. Zoni responded but the Commission at the time studied many concepts and not all of them made it to the Council.

Mr. Post responding to Mr. Zoni, you perhaps have the wrong impression that me or other people are throwing these items out. An example is some of us have changed our views on the COLA and budget by trigger from a few weeks ago. It also requires some thought to put together this, as well as internet searches, pondering, talking to neighbors. Consequently, the items that we are investigating and discussing are good work and that is why we are discussing this right now. All we are having is a democratic debate with input from all. I think the grass roots in this particular charter really indicates that if the idea is legal and legitimate for some all we are doing is putting out potential change to the voters, we are not making law that will happen automatically without the people having the final say.

Mr. Meade stated that a referendum usually goes out to the public it will be voted probably down because they do not want to see the taxes go up. Referendum after referendum on school projects in this Town, millions of dollars. I do not ever remember a school project going down. However on the town end it took two or three referendums to pass the police station. We have been through two or three for the Town Hall, two or three for the fire stations. That is the problem you have when you go to referendums. If the school budget got cut by a lot and it went through referendum I would be willing to bet that the money would be restored. A referendum could work and in most cases could work in reverse because the taxes would go up. I do firmly believe if the issue of a referendum came up, most people still would not understand what they are voting for and they are afraid their mill rate is going to go up and it will be voted down,

Mr. Michlewski stated, Mr. Meade you don't understand where I am coming from. It is not going to be an automatic referendum. It is not something that will be easy. It will require a petition, require a short time period, less than 30 days or less, a large number of people, a minimum number of people voting in the referendum to have it either pass or fail or otherwise it automatically passes. It becomes a mechanism. What is wrong with that? Explain to me what is wrong with giving the public a voice in the budget process other than just special interests going to budget meetings?

Mr. Callahan responded because the general population, including myself, is not going to sit down and read 300 pages. The vast majority of people will not read it and they will just go in and vote no because my taxes may go up and that is not the rationale for running a business of a town.

Mr. Michlewski in speaking to Mr. Callahan, we are speaking about the Town of Southington. We are speaking about the ability of people who pay the salaries of this Town, the ability for them to at least have a voice, a tough route to get that voice, but the ability to have a voice. We are talking about a process that can enhance what we currently do.

Mr. Post then commented the Town voters are like a Board of Directors but the argument that some make that the electorate doesn't know enough about the budget to vote on it, you can say that for anything. It is giving the people a slight opportunity to have a say in it. I would concur that in April, 2009 when people did vote the budget, that the folks that say people will always vote the budget down, it will not happen every time. You do not have to read every line item on a 30-page budget to understand the bottom line. Do not forget all we are doing is making changes so that the voters will have the final say whether it gets changed or not.

Mr. Meade responded in answer to that, our founding fathers based the constitution on a representative form of government. We elect the people to serve in Southington and if we do not like what they are doing, we can vote them in or out. We have a representative form of government. You do not form something and then take it and go out to the electorate and say do you like it or not like it. You leave it to the people you put in office that are your representatives to do the job that they are put there for.

Mr. Post responded that a referendum vote has representation as it allows them the most sacred thing any of us Americans have is our bottom line property and it gives them a little more representation on the most sacred thing which is their property,

Mr. Derynoski then stated that he would like to follow up on what Mr. Meade hit on. On the educational side, Mr. Meade is correct as I do not believe there has ever been a referendum shot down because of the interests that each of the schools has through their PTO's. Those PTO's can get a large number of people involved quickly. You have to be careful for what you wish for. We could open up a Pandora's Box. I am a tax payer also and I like to see things controlled and I do have a lot of faith in our Board of Finance and Town Council and they do a great job. Sports and Education in Southington are the two

areas that are near and dear to almost everyone in Town and you cut sports it is not a pleasant feeling to be listening to those parents. You open it up and allow those PTO's to enlist the large numbers, and then they will have a nice opportunity to control the budget.

Mr. Knoegel responded that the thing that drives education costs is Special Ed. In the next couple of years you will see a reduction in Special Ed due to the allotments coming from the state. The question is how are the local municipalities going to juggle this issue?

Another issue to be addressed, West Hartford has an even higher bond rating than we do now and the only way they got there in part is that they have a mechanism for referendum. For West Hartford to agree to that mechanism something was not working. I am still proposing that the language deserves to go to the Town Council and ultimately to the people for a vote.

Mr. Callahan then responded to Mr. Knoegel. I do not have all of the answers but I think I know the reason why they went to a referendum in West Hartford. The gentleman who came before us indicated in five years they went from a \$100million budget to a \$200million budget and if that happened here I would be voting for a referendum also. Mr. Knoegel responded but they still have a higher bond rating that Southington.

Mr. Zoni commented that West Hartford spends \$3535 on each person in the town, \$212million into 62,000 people. Southington spends \$2750 that is \$118million into 42,000 people. They are spending a substantial amount of money per capita higher than we are. They have some issues and perhaps they need someone to get some control over it whether it is a referendum or whatever.

We brought up Cheshire, the Town Manager did a wonderful job, spoke about his referendum like it happened yesterday, like it happens each year. When we actually asked him he has been the Town Manager since 1995 and it has never happened to him. It only happened once in 1993 when a group of people were upset over the institution of a state income tax and decided they were going to take the ball into their own hands, and they were going to go out and collect signatures despite the fact that they may have even liked the budget. Corrected by Mr. Callahan it was 1991 for the referendum. Mr. Zoni commented well despite that the Cheshire Town Manager has never had to deal with a referendum. One could make the assumption does it hurt if it never happens?

Well Mr. Derynoski made some good points. Mr. Zoni also referred to a quote that Ms. Feld commonly referred to by Thomas Jefferson, "it doesn't take a majority to change the world just a dedicated minority willing to". Mr. Zoni referred to the case of the Board of Ed where they have a dedicated group just waiting for an opportunity to perhaps have a little more say in the budget.

Ms. Feld then stated to Mr. Zoni that he pointed out that Cheshire has not had a referendum. If we had a referendum I do not think we would have had one this last year because everything went so smoothly. I would like to mention what Mr. Derynoski said

about the schools, sports and how strong the PTO's are but what we are saying is let's give people the opportunity to come out and vote. If we tighten it so that it has to be a percentage of the registered voters have to come out to vote or the budget passes, and then everyone has the same opportunity to come out and vote. Ms. Feld referred to the Town Hall referendum that was turned down three times and stated that was not PTO's.

Mr. Conroy then requested to speak. In listening to my fellow commissioners and also the comments from people in the audience, a couple of issues I believe need to be addressed. The first comment that voters forget that is absolutely true, they tend to forget. Keeping the issue alive is the responsibility of the political party and those interests groups so that the voters do remember and pass judgment at election time.

The turnouts we have heard and some of the numbers verified from Mr. Lee, the percentage for turn out for votes on referendums is low, it is extremely low. It is so low that the number of people who vote and make decisions out of 26,000 voters does not make sense. We have heard words tonight like it creates chaos, delay, confusion. Good leaders keep in touch with their constituents and they know what they want. They know when they are going to make an expenditure that doesn't make sense to their constituents or it does and they should be voting accordingly. If they are not then they should be removed.

Also I have heard the 4,000 votes over and over again. I have hesitated to comment on it because you guys have worked very hard on it. However I will guaranty you that if I was able to suggest to you that out of the 4,000 signatures 75% of the people who signed that petition, did so to get you out of their faces, that is my opinion.

Also votes, voters exercise their option when it comes to the election process and they also have the opportunity during public hearings to ask questions and get information and let their feelings be known as far as the budget is concerned.

I did not get the impression, concerning the Cheshire Town Manager that he in fact approved of the budget referendum. It is in his Charter and he lives with it, he does not necessarily approve it. He is a professional and I don't think he wants to be second guessed on every issue.

When you go to referendum, you go into a polling booth, you pull a lever and you vote and you end up with a result. You never know what the who, the what, the how, the how much, what's it for; you have a yes or no. Again if your leaders know and are in touch with their constituencies, they do not need a referendum. They vote based on the feedback from people. There are other ways besides public hearings and besides speaking in public to have your feelings known. E mails, letters, phone calls, take out ads in newspapers; there are a zillion ways to communicate with your elected officials in between elections.

There are a lot of reasons why we should not get involved in a referendum and based upon those reasons I make a motion as follows:

A motion to dismiss the entire issue of the budget referendum is made by Mr. Conroy, a second to the motion is made by Mr. Callahan.

Mr. Zoni recites the motion and asks if there is any discussion.

Mr. Post commented that if we are to eliminate this is not even giving the voters an opportunity to vote for this particular issue. The people who are elected if you vote down the budget referendum topic and no one cares about, no big deal but if there are people who care about it they will not have an opportunity to vote on it. In a democracy the voters should have an opportunity to vote it up or down. We are not making law; we are putting this out to the public to decide.

Mr. Michlewski commented that he wanted to clarify two things to Mr. Conroy, The first thing is that you are forgetting the one thing that we talked about on a referendum and that was a minimum number of people to vote in order to yes or no. Your use of referendums in past with small numbers is not an issue. Secondly being one of those who helped secure those 4,000 signatures, we were talking about a petition to look at the Charter. The process was this if a person was happy with the way the Town was running, good bye. If you think the Town needs to be updated from the 1964 Charter, with a few exceptions, sign. We got an awful lot of people who thought exactly that and to sit here and say status quo is the way to go is baloney.

Ms. Feld stated representative democracy does not eliminate initiative. In 84 towns in Connecticut we have representative democracy as well as budget by town referendum.

Mr. Knoegel just stated as someone who was out there collecting those signatures I do not believe it was a question of people just wanting me to get out of their face.

Mr. Paradis then stated we literally found that people wanted to talk with us, to sit with us and know more about our government. We had a lot of restrictions in order to secure those signatures. I had to ask people to step aside as other people wanted to sign the petition and to make a statement about getting out of someone's face, that is a pretty generic comment.

When I first sat down and was asked to be on this Commission people said to me we were going to look to do something different. There is no reason why we can't put something that will appease the people of this Town and say listen get your vote in but it will not be easy. This petition is going to have enough signatures and then the vote will need enough for the vote to even pass. For us to dismiss this is to dismiss the people of this Town. I do not care what you say, we were out there. People were adamant about many, many things and one was budget by referendum. I am not just saying that because we are discussing this subject. We will not know how the people feel unless we bring this to a vote, to the people. Again, if everyone thinks this 93% is such a strong number, then they are going to vote it down.

We put some language together, we present it to the Town Council, they do whatever they want to, we put it on the ballot and let the people say yay or nay. The fear is that we are going to spend thousands of dollars and that is wrong. We are going to make it restrictive, they are going to have to get a large number of people together, they are going to have to do their homework, get it passed in a specific time period and then it is going to go to vote and it may fail but what are we afraid of? We are going to put something into dismissal that we haven't even had discussion on. We need to get away from this security that everything is great in this Town. Mr. Paradis ended and commented to dismiss this is to dismiss the people in this Town.

Mr. Callahan responded that he did not feel he was dismissing the people of this Town. We have had over 60 people here and 93% of them said no and I am listening to the people who came here, who thought enough to come here and speak and they spoke fervently that they were opposed to this and I am representing them and I am sitting here and listening to them intently. My vote represents them and I was listening.

Mr. Post commented the number of people who have come and who have spoken is not a scientifically valid representation of the Town and neither is the 4,000 signatures representative of what the people are thinking. What is representative is those who vote. All we are doing is giving the voters an opportunity to decide on a budget referendum. Change is difficult; we are giving the voters an opportunity of true representation.

All we are saying is do we want to work on a budget referendum of some kind. If the answer is yes then we might say that it wasn't a good idea but at this point it is premature to put the brakes on and say we are not going to make any change, we are not going to consider any change. Again representation is putting it out to the voters. There are lots of details that we have not even talked about. No one to date has put together a real detailed plan and there may be some who hate it and some who like it. There are lots of details and we have to be careful that we don't have preconceived ideas in our minds because no one has put together a really detailed plan. We should let it go to one more step and let us consider some of the details, that is true representation going into the 21st century which is not a particular change but something new.

Ms. Feld commented that she would still like to hear what those who have not spoken think about Mr. Post's proposal.

Mr. Conroy interjected that he believed everyone but Mr. Verderame has spoken on this issue.

Mr. Verderame commented that he had received seven calls and everyone commented please keep it the way it is. I have not really seen or heard anyone who really wants to make a change from day one.

Mr. Post again commented, we are all speculating that those of us who had the 4,000 signature petitions is wrong what we are doing here is taking a small part of the

population and we are guessing what the voters want. The voters will and should have the final say.

Mr. Verderame commented I can appreciate where you are coming from. I will tell you right now if I was firmly in agreement that I wanted to move for a budget by referendum I would have my body in this room and speak and have my voice heard. I do not see that. I don't see where you guys see this or where it is coming from. If ten per cent of the people came here, this room would be filled. I do not see that. I don't see even .5% of the people, where are these people? I do not see it, they are not speaking.

Attorney Sciota then interceded, the dialogue has gone long enough. Mr. Callahan stated that he wanted to move the question.

Attorney Sciota called for a roll call vote and a Yes vote was a vote to dismiss. The vote was as follows:

Mr. Verderame	YES
Mr. Post	NO
Mr. Michelski	NO
Mr. Meade	YES
Mr. Landry	NO
Mr. Landino	YES
Mr. Knoegel	NO
Mrs. Feld	NO
Mr. Derynoski	YES
Mr. Conroy	YES
Mr. Callahan	YES
Mr. Paradis	NO
Mr. Zoni	

Mr. Zoni requested that he make a comment prior to voting.

He commented that this issue has been before us and I have spoken to each and every one of you. It is something that I have thought about it a lot and listened to other people in the community and I am really concerned about what happens when the vote is taken and we did not talk a lot about it.

Here is my concern. Any vote that gets taken on a referendum and that forces or demands that the Council take some action or that the Board of Finance take some action in my opinion is nothing more than a ballot imitative which under minds and usurps representative democracy. I can not support anything that would usurp representative democracy. I believe in it. I believe as an elected official this is what I do. I am elected by people to represent them and make those decisions. If we can't support that, then maybe there is something else that can be supported and what would that ballot say? It would be somewhat of a poll if you will. I will accept the budget as presented; I think the

budget is too low. In any event you would start to do exactly what the speakers are saying and that is pitting one group against another.

I have come to the conclusion in everything that has been said that this idea is not a good idea and I know other towns have it but I believe those other towns that I have looked at and have studied have it because those other towns are compensating for another fault that they have, they have high mill rates, they have high debt service. They are doing something wrong in some capacity. I believe our system works, I see it work, I work with it. I just do not see the benefit to this and I can not support something that I do not see a benefit. Consequently in the end I must vote yes.

Attorney Sciota logs Mr. Zoni's vote of YES. Then commented the **Motion to Dismiss passes with a seven to six vote.**

Adjournment.

Mr. Callahan made a motion to adjourn, seconded by Mr. Conroy. Motion passed by voice vote. Meeting adjourned at 9:30 p.m.

Chairman Zoni will e mail all commission members on the next commission meeting date.

David Zoni, Chairman
Charter Revision Commission

Southington Charter Revision Commission
Budget Referendum Choices and Advantages

Budget Referendum Choices

1. Referendum by trigger - after some consideration it appears to me that it is difficult to come up with a reasonable and simple trigger value or percentage that would be viable now and in the future, for voters and Town officials. Government cost of living measurements do not fairly reflect municipal budget factors, or are too complicated. A fixed flat percentage would unfairly burden the Town and would not track actual cost of living changes on an annual basis - could require additional Charter Revisions.
2. Referendum by petition - provides a means for voters, with significant but reasonable effort, to have an opportunity to object to a budget that they deem excessive. General concept is as follows.
 - o The petition would only trigger that a referendum vote be held, and only if a minimum number of signatures was obtained (perhaps 5%, based on other Town statutes).
 - o If a referendum is "triggered" by the petition, voters would vote to "accept" or "not accept" the budget. One day vote would be held? A minimum number of voters would be required. The results would be based on a simple majority.
 - o With these minimum requirements, an "activist few" would not be able to have control over the budget.
 - o If voted down, any proposed budget would have to be reduced by a substantial amount (50% at least), in order to reduce the chance that a proposed budget would be made higher than needed to "eliminate" effects from a budget referendum, and for the electorate to have a reasonable say in their Town's budget

Budget Referendum Advantages

1. The Town is spending the voters' money - they should have more say in how this is done.
 Currently the only option is to voice their concern but this can easily fall on deaf ears.
2. Taxes can negatively impact what is sacred to Americans - their homes and property - and they need reasonable power to help control their financial destiny.
 High taxes have and can cause foreclosures and require homeowners to sell their homes. One only has to look at what is currently happening across our country, and how taxes have increased across CT over the past decade.
3. Approximately 80 Towns in CT have some form of budget referendum
4. Helps to keep taxes lower if the electorate decides that the Town budget is excessive, relative to their cost of living or undesired changes in proposed Town improvements.
5. Increases the transparency of our Town budget process.
 Currently the electorate can only contact the Board of Finance or Town Council to voice their concerns, without any real power for effecting change to an unsatisfactory budget.
6. Provides a means for the electorate to have some control if future "greedy" Town officials tried to increase the budget - the Charter Revision Commission is required to be forward looking.

This is NOT meant to punish any currently effective Town leaders, as our current budget has been well managed. However, it does realize that in the past some aspects of the budgets have not been managed as effectively or reasonably, from a tax perspective.

Richard Post, 7/15/09