

**Charter Revision Commission  
Public Hearing  
June 13, 2012  
Council Chamber- Room 304**

**Minutes**

**Present:** Robert Cornish, Jo Rosinski, William Brayne, Robert Michalic, Robert Berube

**Absent:** Daphne Adams, John Gasparini

**Staff Present:** Robert Lee, Town Manager, Jonathan Chomick, Town Attorney, Kelly LePage, Transcriber

**1. Call to Order**

The public hearing was called to order at 7:00 p.m. by Chairman Cornish.

**2. The Reading of the Legal Notice by Kelly LePage**

**3. Introduction of Charter Members**

**4. Open to the public for comments**

**a.) Kenneth Laska- Attorney in Plainville**

- Condemnations - Why does it need to go to a referendum? Discussed many examples that have occurred in the town. The issues existed in determining a value which can be done in front of a judge.
- Why include a section regarding compensation if it isn't applicable?
- Made additional comments regarding publishing notices and not just posting them online.
- Annual Budget - Feels that the amended budget process makes it more difficult.
- Town Council Vacancies - Why reduce it to four votes? It has never been an issue in the past. Why not just have a simple majority like it is with everything else?
- Commission shouldn't be at fault. The Town Council should be at fault for selecting people who don't know enough about government.
- Feels the budget shouldn't be split because it will create more animosity.

**b.) Francesca Heap – 25 Florence Lane**

- Page 14- Section 5 – Requested clarification with a sentence. She was confused due to it saying that the land acquisition fund is the exception to the rule only once, when it was established by all private donations. She wanted to clarify that the monies could not be transferred back into the general fund.

- Page 15- Section 6 – Who is eligible to vote on the Town budget? What constitutes an elector?
- Page 19- Eminent Domain- She gave the example of Fort Trumbull. Why even include it in the Charter? Why not leave it up to state statutes? If remaining in the Charter, she feels that if someone's property is being seized, all Town Council Members should say yes.

**c.) Lou Frangos – 10 Fairbanks Street**

- Page 6- Section 11 - Wanted to confirm due to the radical change since the last public hearing.
- Section 14 – Investigation - Questioned if all of the state statutes have been checked due to the fiasco that occurred last year. Are costs acquired by the BOE being absorbed by the Town? Will the decisions need to be approved by the entire Town Council? Will Town Residents be formally notified of a BOE investigation?
- Page 9- Section 2- Department of Finance
  - Have all state statutes been checked regarding the Finance Department and Board of Education?
  - Will people lose jobs?
  - What function will the school boards Director of Finance and Operations perform?
  - Will the Town Director of Finance be responsible to the Town Manager and Superintendent?
  - If not accepted by the Council, will the language return to its original state?
- Page 14- Section 6 Budget Town Meeting
  - Would it be presented as line items for both the Town and Board of Education? It is required by state statute?
  - Advisory Question- Doesn't understand that need. Why not come to the Town Meeting?
- With what is being proposed, he feels that it is giving the taxpayers one less chance to vote and be heard.

**d.) Thomas Arcari Sr. – 4 Autumn Lane**

- Eminent Domain- section is unneeded because the state allows it. Gave example of library addition.
  - The 2/3 vote is 4.67 votes. Means five votes, which is also unneeded to be included. If leaving it in the Charter, he feels it should require a higher number of votes (6 or unanimous), and not a percentage.
- Chapter 3 Section 14 – Investigation
  - What is an inquiry?  
Feels this could turn into "witch-hunts" that is should be voted on by the whole council.
- Budget Process

- People don't like the closure process. What the Charter says now is exactly how it already is, just with different language.
- It is still the same and doesn't do what the public wanted and what their intentions were when they wanted to re-do the Charter.
- Feels the split budget is not good. Budget isn't presented in a clear manor. So it causes confusion.

**e.) George Fensick – 2 Pinecrest Drive**

- Thanks for the color copy that he suggested.
- Recommends that certain sections in the Charter be pulled to vote on separately so good changes will pass while controversial issues are thought about separately.
- Page 4- Procedures- Mr. Fensick recommended the change previously to four votes. This was due to previous experiences on both sides. Believes this is a positive change.
- Bond Issues and Appropriations- Good compromise. If budget drops, so does the amount.
- Section 14- Investigations- Felt the language changes were positive with financial records. Feels this won't hurt individuals.
- Section 9- Department of Finance- He was pleased. Believes that the BlumShapiro case will go through and will agree with the language. Board of Education will still maintain control over purchases, but it will all be overseen in one place.
- Budget Town Meeting
  - He can see the harm and can see the other side of it as well. Would like to see how other Towns with two votes work.
  - Although he sees many people making comments that there is no change, he sees change with the advisory question and that the Town Council must follow the answer. A recommendation was made to put in a percentage as to help determine how much the budget would need to change.
- Eminent Domain
  - Why is it included? He doesn't agree or believe in it.
  - Why not put it at seven votes to pass?
  - 2/3 vote doesn't state out of how many members. If listed as 7, maybe a referendum isn't needed.

**f.) Robert Mercer – 215 Unionville Avenue**

- Complimented the Commission on their ability to cover every issue nicely.
- Requested the Commission talk to the Council about the public having to leave their homes twice a month to share their concerns with the Council but are finding themselves being restricted to items on the agenda.
- Voting process- doesn't understand the hypocrisy of the advisory question. If the public votes no, it is usually because it is too high.



**g.) Jeff Blanchette**

- Section 6- Budget Meeting- What other Town's do a split? There are only a few. Feels that if it was a positive, more towns would do it. He believes it shouldn't be separated.

**h.) Thomas Arcari Sr. (2) – 4 Autumn Lane**

- Department of Finance
  - Feels that it should be cleaned up with wording to determine who they need to report to. He feels they shouldn't be reporting to multiple "masters."

**i.) Kenneth Laska (2)**

- Believes this Charter is going to be a field day for attorneys.
- Department of Finance- Errors will be caused by the BOE due to the Charter
  - CT Statutes 10-220 and 10-240
  - Due to the Town being responsible for the finances, it opens up the door for the Town to be responsible for other areas with the Board of Education.
- Investigation-doesn't cover other individuals on the Town Council from completing inquiries or investigations on any/all areas of the town.
- Budget- requires the Town Council to have five votes after the second vote. The government will be taking their time in determining the final budget and the tax payers will be waiting to hear about their taxes.

**j. George Fensick (2)**

- Budget- There is no finality due to the fact that there is no date as to when the Town needs to approve and set the budget. Maybe it should include that if it is not stated by a date, that a certain amount will be selected, whether it will be last year's budget, or a 1% increase.

**k.) Robert Mercer (2)**

- Agrees with Mr. Laska and hopes that the Commission follows his advice.

**l.) Becky Tyrrell**

- Believes that dividing the budget is decisive.
- Investigation is punitive
  - shouldn't allow individuals to investigate in many areas
- Feels the Charter, the way it is written is BOE bashing. Feels the changes are damaging and problematic.

**m.) Francesca Heap (2) – 25 Florence Lane**

- Budget Split- She is against it due to the fact that the Finance Board should be in charge of the total budget.

- Eminent Domain- does not want majority vote at referendum. It is the only thing keeping from land theft.

**5. Declare Public Hearing Closed**

Minutes are a summary of the meeting held and therefore may not include all aspects of the meeting.

RECEIVED

JAN 18 2012

*CAROL A. Spurtyz*  
TOWN CLERK