

**Charter Revision Commission
Special Meeting – Room 302
August 16, 2012**

Minutes

Present: Robert Cornish, Daphne Adams, William Brayne, John Gasparini, Robert Michalic, Jo Rosinski

Absent: Robert Berube

Staff Present: Robert Lee, Town Manager, Michael Mastrianni, Town Attorney

1. Call to Order

The special meeting was called to order at 6:02 p.m. by Chairman Cornish.

2. Discuss Town Council Comments

Chairman Cornish explained the Commission would review the Town Council's comments and proposed changes by section. The Town Attorney then reviewed the State Statute detailing the authority of the Commission pertaining to charter revisions and amendments. He stated the Charter Revision Commission may either amend any provision in the proposed Charter pursuant to the changes recommended by the Town Council; or the Charter Revision Commission may reject some recommended changes by the Town Council or all recommended changes by the Town Council.

Chapter III, Section 14. Investigation

The Commission reviewed the Town Council's recommended change which was to add to the last sentence in Section 14 "and shall be provided at no cost."

"For the purpose of this section, the term "documents" shall also include but without limitation electronic data, electronic files and emails **and shall be provided at no cost.**"

Motion to accept Chapter III, Section 14. Investigations with recommended changes by the Town Council by Mr. Gasparini

Seconded by Mr. Michalic

All in Favor 6, All Opposed 0, Motion passes unanimously

Chapter VI, Section 2. Department of Finance

The Commission reviewed the following recommendations by the Town Council:

- In the third sentence, add the words "jointly", "and the Superintendent of Schools", "an", and change terms to "term"

The Director of Finance, shall be appointed jointly by the Manager and the Superintendent of Schools for an indefinite term, and shall respectively have all the powers and duties conferred on the director of finance by the General Statutes.

- Add the word “Manager” to the following sentence:

The Department of Finance shall be responsible for maintaining all budgets, accounts and financial records of the Town, including those of the Board of Education. The Department of Finance shall keep records of all financial transactions for the Town, including those of the Board of Education, and shall perform such other duties as deemed necessary by the Manager, Board of Finance, the Board of Education, or the Superintendent of Schools for the sound administration of their respective budgets

- Add “and the Superintendent of Schools” to the following sentence:

It shall be the duty of the Finance Director, under the supervision of the Town Manager and the Superintendent of Schools, to install and maintain current conditions of all funds and appropriations; and to perform such other duties as may be prescribed by the Town Council, by ordinance or by the orders of the Manager and the Superintendent of Schools consistent therewith.

Motion to accept Chapter VI, Section 2 Department of Finance with recommended changes by the Town Council by Mr. Michalic

Seconded by Ms. Rosinski

All in Favor 6, All Opposed 0, Motion passes unanimously

Chapter VI, Section 3.c. Safety Committee

Chairman Cornish reviewed the titles of the Safety Committee members. He wanted to ensure the public would be able to understand what each person’s position was. The Town Council’s recommendation is to add a comma after Chief of Police and to add “/Finance Department” after Director of Business and Operations to the first sentence.

There shall be a Safety Committee which shall be an advisory committee in the matter of public safety, which committee shall consist of the Chief of Police, Director of Physical Services/Public Works, Director of Technical Services/Town Engineer, Director of Business and Operations/Finance Department and one (1) civilian who shall be appointed by the Town Manager.

Motion to accept Chapter VI, Section 3.c. Safety Committee with recommended changes by the Town Council by Mr. Michalic

Seconded by Ms. Rosinski

All in Favor 6, All Opposed 0, Motion passes unanimously

Chapter VII, Section 5. Duties of Town Council on Budget

The word acquisition is spelled incorrectly in the last sentence of this Section.

Motion to correct the spelling of the word acquisition in the last sentence of Chapter VII, Section 5. Duties of Town Council on Budget by Ms. Adams

Seconded by Mr. Michalic

All in Favor 6, All Opposed 0, Motion passes unanimously

Chapter VII, Section 6. Budget Town Meeting

Mr. Gasparini opened discussions by stating he would like to see the Commission's original proposal stand and no change be made. He would like the option to separate the Town and Board of Education budgets to go to the public for a vote. He feels it would give very clear direction to the Town Council and future Councils how the public wants their tax money spent. Mr. Gasparini feels there should be a mandatory advisory question on each budget vote. It would give direction to the Council. He does not agree with the phrase "the Town Council *at its discretion*, allow for an advisory question relative to the budget as presented." The question gives the voter the option to say lower it or raise it and that option should not be taken away from them. He rejects the Town Council's recommendation.

Mr. Brayne stated he would like to see separate votes also. It allows voters to let the Town and Board of Education each stand on their own merits.

Ms. Adams agrees with both Commission Members. She does not see harm in adding a mandatory advisory question. It gives as much information as possible, it doesn't cost anything additional to have the question and it provides the opportunity for the general public when they vote to have more options to speak to what they are looking for. I support keeping it the way we originally proposed the changes to the budget process. Mr. Michalic concurred.

Ms. Rosinski stated she could see both sides. She's not decided totally one way or the other. She doesn't believe the mandatory vote is going to increase the voter turnout. Ms. Adams questioned whether the Commission can request the Town Council pull this once piece of the Charter proposal and have it be a separate referendum question. That way it will be an option to the voters to adopt the new process or stay with the current process. Chairman Cornish stated they can certainly let the Council know what the Commission's preference is on this, and also if perhaps not all the Council Members supported one aspect of their proposals, that may be another reason to have something taken out and voted on separately.

Town Manager Lee added that either recommendation, the Commission's or the Council's, is taking care of what is considered the flaw in the Charter. The flaw being that since the Council can take no action after the third vote; that vote ends up basically being meaningless. So either recommendation addresses the frustration expressed by the public about the third vote.

The vote is an extension of the public hearing and the budget meeting. The public hearing is based on comments about each separate budget; Town and Board of Ed. The Council does its job to combine the two in the end, but it's still discussion on two separate budgets. By extending that to the budget vote, you're saying not only do those that came to the public hearing have a say, but also the silent majority that goes to the voting machine now has a say. I'm in favor of the questions being consistent; they should either always be there or not be there. That way the public knows what to expect when they vote.

Motion to send the Charter Revision Commission's original recommendation for Chapter VII, Section 6. Budget Town Meeting to the Town Council as stated in the Draft Report by Mr. Gasparini

Seconded by Mr. Michalic

All in Favor 6, All Opposed 0, Motion passes unanimously

Chapter X, Section 5. Eminent Domain

Chairman Cornish feels the Commission came up with a good recommendation. He is going to recommend that this also be a separate question on the referendum. Since this is a section of the Charter that limits their authority on eminent domain that they leave the vote to the public and the residents of Plainville. The Chairman reread the Eminent Domain section to the Commission.

Motion to send the original recommendation for Chapter X, Section 5. Eminent Domain by the Charter Revision Commission to the Town Council by Mr. Gasparini

Seconded by Ms. Adams

All in Favor 6, All Opposed 0, Motion passes unanimously

3. Finalize Recommendation to Town Council

The Final Report will be submitted to the municipal clerk to be given to the Town Council on Monday, August 20, 2012 at 7:30 p.m. Discussion followed regarding asking the Town Council to have three separate referendum questions: one referendum question will be for the Town Budget Vote, one referendum question will be for Eminent Domain and one referendum question will be for the rest of the Charter changes.

Motion to recommend to the Town Council that the Charter Revision Commission suggests three separate referendum questions for the three issues; Town Budget vote, Eminent Domain and remainder of Charter changes by Ms. Adams

Seconded by Mr. Michalic

All in Favor 6, All Opposed 0, Motion passes unanimously

4. Adjournment

Motion to adjourn by Mr. Brayne

Seconded by Mr. Michalic

All in Favor 6, All Opposed 0, Motion passes unanimously

Meeting adjourned at 6:45 p.m.

Submitted by,

Lisa Metayer

Executive Assistant

RECEIVED

AUG 22 2012

Candace Sperry
TOWN CLERK

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