

**MINUTES
PLAINVILLE TOWN COUNCIL
SPECIAL MEETING
COUNCIL CHAMBER
JUNE 26, 2023 – 6:00 P.M.**

I. CALL TO ORDER

- II. Charter Revision Commission Final Draft Report
- Possible action regarding Charter Revision Commission Final Draft Report

III. ADJOURNMENT

The Special Meeting was called to order at 6:10 pm Present were Chairwoman Pugliese, Vice Chairman Underwood, Council members Tompkins, Catanzaro, Morante, and Rocco, and Town Manager Paulhus, Assistant Town Manager Cirioli, and Town Clerk Arena. Councilmember Wazorko was absent.

The Council members reviewed the draft report as presented by the Charter Revision Commission.

a) **Chapter 4 Manager; Section 1**

Changes that allow for a waiver of the Town Manager Residency Requirement

SECTION 1 Qualifications, appointment and tenure.

A Town Manager, hereinafter referred to as the "Manager," shall be appointed by the Town Council solely on the basis of that person's executive ability and his knowledge of accepted practices in local government administration. The Manager shall serve for an indefinite term and be subject to removal by the Town Council in the manner provided elsewhere in this Charter for the removal of all officers appointed by the Town Council. At the time of appointment the Manager need not be a resident of the Town or the state but during the tenure of office the Manager shall reside in the Town unless such residency requirement is waived by a vote of no less than five members of the Town Council. Such results on any vote of the Town Council on the waiver of the Town Manager's residency requirement shall remain in effect during the entire tenure of the Town Manager and the results shall not be undone by subsequent vote of the Town Council. The Manager shall devote his/her full time to the office of the Manager.

b) **Chapter 4 Manager; Section 5**

Language changes to clarify allowing the Assistant Town Manager to act on behalf of Town Manager

SECTION 5 Acting Manager.

The Manager shall designate, with the approval of the Town Council, an employee of the Town the Assistant Town Manager or the Town Manager's designee, who shall act as Manager, except in the matter of appointments and removals, during any temporary inability of the Manager to serve. In the event of a vacancy in the office of Manager, from whatever cause arising, the Town Council shall have power to designate a person, other than a member of the Town Council, to act as Manager pending the filling of such vacancy.

c) **Chapter 6 Administrative Departments and Officers Under the Manager; Section 6**

Language to clarify participation in Regional Health District

SECTION 6 Department of Health.

Unless superseded by the Chapter 368F of the Connecticut General Statutes and the State of Connecticut Public Health Code which authorized the establishment of a Regional Health District, a Health District Board, the Director of Health, and Medical Advisor (s), There shall may be a Department of Health which shall consist of the Director of Health, the Sanitarian, and such other employees as the Town Council shall determine.

d) **Chapter 7 Financial Provisions; Sections 5 & 6**

Language changes to clarify all-day budget vote

SECTION 5 Duties of Town Council on budget.

The Town Council shall hold one or more public hearings not later than 30 days before the ~~annual budget meeting~~ all-day budget vote at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following the receipt of the estimates from the Manager and the Chairperson of the Board of Education and the holding of such public hearing or hearings, the Town Council shall prepare a budget and shall render the same to the ~~annual budget meeting~~ all-day budget vote of the Town. The Town Council shall hold at least one or more public hearings not sooner than 20 days and not later than 25 days prior to the ~~annual budget meeting~~ all-day budget vote. The purpose of this meeting is to have the Chairperson of the Town Council and the Chairperson of the Board of Education communicate to the public what changes were made to the Town Manager's and the Board of Education's proposed budgets. After presentation by the Chairpersons of the changes to the proposed budgets, the hearing shall be open for public comment on the budget. Sufficient copies of said annual budget shall be made available for general distribution in the office of the Town Clerk and the Manager, not less than five days prior to said public hearing. Sufficient copies of the annual budget as revised after said public hearing shall be made available for general distribution in the office of the Town Clerk and the Manager not less than five days prior to the ~~annual budget meeting~~ all-day budget vote. Further, not less than five days prior to the ~~annual budget meeting~~ all-day budget vote the Town Council shall cause to be published in a newspaper having a circulation in the Town a summary of the budget as revised after the public hearing, showing revenues by major sources and proposed expenditures by function or department in the columnar form, and shall also show the amount to be raised by taxation. The budget shall become effective when approved by the ~~annual budget meeting~~ all-day budget vote as provided in this Charter and an official copy shall be filed with the Town Clerk. Within 30 days after the ~~annual budget meeting~~ all-day budget vote the Town Council shall fix the tax rate in mills which shall be levied on the taxable property in the Town for the ensuing fiscal year. Upon the approval of the ~~Town Meeting~~ all-day budget vote the Town Council may levy annually, at the same time as the regular annual taxes for Town expenses are levied, a tax not to exceed two mills to be assessed upon the taxable property in the Town for the benefit of a fund to be known as the "Capital and Non-Recurring Expenditures Fund" to be used solely to pay the cost of capital improvements. The Town Council shall have the power to transfer from time to time to this fund any portion of the general fund cash surplus not otherwise appropriated. With the exception of the Land Acquisition Trust Fund, appropriations for construction or for other permanent improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided that any project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrance of the appropriation.

SECTION 6 ~~Budget Town Meeting:~~ All-Day Budget Vote

There shall be a ~~Town Meeting~~ All-Day Budget Vote solely for the purpose of voting on the budget on the last Tuesday of April at such polling places as the Council shall determine. Voting at the ~~Town Meeting~~ All-Day Budget Vote shall commence at 6:00 a.m. and cease at 8:00 p.m. There shall be a separate vote on the Town budget and the Board of Education budget. Voting shall be by way of a "Yes" or "No" vote on voting machines, as that term is defined by the state statutes, with the voting machine ballot labels provided by the Town Clerk. The Town Clerk and such assistants shall conduct and moderate the vote. The Town budget and the Board of Education budget shall be adopted separately by a majority vote of those attending and entitled to vote.

The people shall vote only to adopt the budget(s) as presented. Each budget vote shall include an advisory question relative to the budget as presented.

The adoption of the budgets shall be deemed to constitute the appropriation to each department or when so indicated in the budgets a major subdivision thereof and to each office, board, commission and agency separately listed in the budgets of the sum estimated in the budgets to be expended by each such unit respectively.

Should the ~~Town Meeting~~ All-Day Budget Vote fail to adopt a budget at the first meeting called on the last Tuesday in April, the Town Council in conjunction with the Manager shall revise the rejected budgets in accordance with the majority results from the advisory question. A second ~~Town Meeting~~ All-Day Budget Vote to adopt the revised budgets shall be called on the second Tuesday in May for final approval.

Should the ~~Town Meeting~~ All-Day Budget Vote fail to adopt one or both budgets after the second meeting All-Day Budget Vote, the Town Council in conjunction with the Manager shall revise the rejected budget in accordance with the majority results from the advisory question, which shall be deemed finally adopted by the ~~Town Meeting~~ All-Day Budget Vote and expenditures shall be made in accordance therewith. The Council may conduct such public hearings and/or informational meetings, as it may deem necessary.

Pursuant to Section 7-6 of the General Statutes, as amended, the following individuals are eligible to vote in any ~~Town Meeting~~: All-Day Budget Vote: any person who is an elector of the Town of Plainville and any United States citizen who is at least 18 years of age who, jointly or severally, is liable to the Town of Plainville for taxes assessed against him or her on an assessment of \$1,000 or more on the last completed grand list of the Town of Plainville, or who would be so liable if not entitled to an exemption as outlined in Section 7-6 of the General Statutes.

e) **Chapter 7 Section 12**

Language changes to clarify Director of Finance and Town Treasurer designee

SECTION 12 Payment of claims.

No payroll, bill or other claim against the Town, including those of the Board of Education, shall be paid until the same has been audited for the correctness and legality by the Director of Finance, and all payments shall be made by check drawn on a Town bank account, signed by the Director of Finance and countersigned by the Town Treasurer as provided in Chapter III, Section 1, of this Charter. All payrolls, bills or other claims against the Board of Education shall be audited as such Board may provide. To avoid unnecessary delay in the transaction of Town business the Director of Finance and Town Treasurer ~~shall~~ may each designate a deputy, covered by a surety bond, who may affix their respective signatures to certificates, payrolls, bills, claims and checks.

f) **Chapter 10 Transition and Miscellaneous Provisions; Section 9**

Language changes to clarify gender references

SECTION 9 Gender.

Any reference to gender shall be applicable to ~~both the masculine and feminine genders.~~ all genders.

Discussion was held. Chairwoman Pugliese along with the Town Council members reviewed and discussed each amended section of the Draft Report of the Town Charter as recommended by the Charter Revision Commission.

Councilwoman Tompkins motioned to accept the following amendments:

- a) Changes that allow for a waiver of the Town Manager Residency Requirement
- b) Language changes to clarify allowing the Assistant Town Manager to act on behalf of Town Manager
- c) Language to clarify participation in Regional Health District
- d) Language changes to clarify Director of Finance and Town Treasurer designee

The motion was seconded by Vice Chairman Underwood and passed 6-0.

Councilwoman Tompkins motioned to send the recommended changes to the Charter Revision Commission and the Town Attorney for their review and for further clarification regarding the intent of the All-Day Budget vote's language amendment, and the legal ramifications and purpose of the language amendment to the gender references. The Town Council would like clarification regarding the change in Town Council term length and stipend for Town Council members. The motion was seconded by Vice-Chairman Underwood and passed 6-0.

Vice Chairman Underwood motioned to adjourn at 6:32 pm. The motion was seconded by Councilwoman Tompkins and passed 6-0.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Cindy Arena".

Cindy Arena

Town Clerk & Clerk of the Town Council