

AS AMENDED

**Enfield Charter Revision Commission
Regular Minutes
May 20, 2014 – 7:30 p.m.
Enfield Town Hall, Enfield Room**

Call to Order

Chairman Marge Perry called the meeting to order at 7:30 pm.

Roll Call

Present: Chairman Marge Perry, Vice Chairman Earl Provencher, Secretary Judy Kilty, Thomas Joaquim, Thomas Froment, Lewis Fiore, Jeff Gentes, Edward McGuire, William Scheele, Jack Sheridan and Karen Weseliza

Also present: Lynn Nenni and Christopher Bromson, Staff Liaisons and Cynthia Mangini, Town Council Representative

Absent: Michael Lally, Debbi Kruzel, Mayor Scott Kaupin and Cynthia Mangini, Town Council Representatives

Staff Report

Lynn Nenni spoke to a call she received from Tom Froment, if there was any correlation to towns that vote on the budget and a their bond rating. After researching this issue, Lynn was unable to find any information on this subject. She did find the towns are larger in size to Enfield; do not adopt their budgets by a referendum vote. The following towns adopt their budgets by town council; Manchester, Glastonbury, Norwich, Middletown and Wallingford.

Tom Froment spoke to the question he asked Lynn Nenni to research. At the previous meetings the member's have discussed other towns going to referendums one, two and three times, this might have an impact on the towns bond rating. If referendum voting lowers the bond rating, all these pennies could add to up millions of dollars.

Lewis Fiore asked a question for clarification; the following towns are approximately the size and budget of Enfield and maybe are the same Educational Reference Group (ERG) who could possibility vote on their budget are: Strafford, East Hartford, Shelton, Groton and Windsor. There are not a lot of towns in the State of Connecticut who vote on their budget.

Discussion

Chairman Perry followed the agenda to commence the discussion.

Vice Chairman Provencher stated he previously stated he would read and forward information provided to him by Mary Scutt on the Power of Initiative. However, upon further examination, he found several emails stated confidential, therefore he did not feel comfortable forwarding these emails. Earl does have them available for member's to read at the meeting.

Chairman Perry stated the last Chapters and section to be voted on are the budget and the referendum.

Jeff Gentes spoke to Chapter IV section 1(b). This chapter and section pertains to the town manager, appointment and removal. In the last sentence it states, "In the event of such removal the manager shall be given termination pay equivalent to one month's salary." The member's previously had a 7-6 vote on this sentence. After receiving information from town attorney, he stated most town managers are employed with a contract agreement; it makes sense to remove this sentence.

Tom Froment made a motion; seconded by Jeff Gentes, to strike the entire last sentence, previously stated.

The member's and town attorney further discussed the pros and cons of this motion.

Tom Froment withdrew his motion.

Chairman Perry asked members if there were any further issues to be presented prior to discussing budget referendum.

Chairman Perry noted nothing further from the member's.

The topic of budget referendum is on the table for discussion.

Tom Joaquim stated after the last meeting he thought about everything discussed, he is now not in favor or a referendum budget vote. If however, the member's recommend a budget referendum then he believes there should be a percentage attached and limit on the total amounts of referendums allowed on each budget.

Kevin Deneen, Town Attorney, the town council cannot ask an advisory referendum.

Ed McGuire spoke to his proposal.

Lewis Fiore made a motion; seconded by Judy Kilty, to take Chapter VI, Finance and Taxation, off the table. The motion carried by an 11-0-0 vote.

Vice Chairman Provencher stated as he see it, there are three (3) items that need to vote on, whether to have referendum language in the charter, Jack's proposal and Ed's proposal.

Judy Kilty made a motion; seconded by Jeff Gentes to leave the language as is in the charter, no change.

Lewis Fiore stated he defers back to what the vice chair said in the past, "If it's not broke don't fix it"; the town of Enfield has a representative form of government not a participant form of government, fortunately or unfortunately; and he referred back to what Mayor Kaupin stated in a past meeting. Lewis previously wanted to change a section in the charter, the mayor pointed out that would be a total change in our government, and this is not what the charter revisions charge was to be. Lewis understands the frustration taxpayer's feel; the way to make a change is thru the ballot box. Looking at the 169 towns in the State of Connecticut there are only a handful that vote on the budget by referendum, Lewis supports the motion made by Judy Kilty.

Vice Chairman Provencher looked up East Hartford town charter via he laptop. Earl found that East Hartford has 15 days to get 15% of electors to fill out a form, if they complete this process; the town council has 4 days to hold a referendum vote on the budget. The entire process is to be completed rather quickly.

Tom Froment stated he agrees with Judy motion. The town of Enfield's form of government is true and tested; the council has been stringent with our money, the council is listening to residents.

Jack Sheridan spoke to the public hearings, the few residents that came out and voiced their opinions to having a say to open the door to having a referendum budget. Jack went on to add that the charter revision committee should present a referendum budget to town council, then let the council decide and let this process be a public forum. The public would like to see, in his opinion, the ability to have a budget referendum if the budget went over a certain amount. Jack added he likes 1%, it fits, but he is willing to work with the committee on the percentage amount.

Vice Chairman Provencher said, "if it was 1%, then there would have been a referendum every year, however if we went to 3%, does this give the council the opportunity to allow the budget to go up to 2.99%?" Earl continued with his thought, if the committee does not put the referendum budget in the charter revision, and the council believes there should have been language to that effect, the council may add this into the charter, also.

Karen Weseliza asked Jack what he thinks is not working.

Jack stated not that it isn't working; he agrees with Lewis, this process has been working for the town. However, he also believes the residents would like to have the ability to answer a town referendum.

Bill Scheele stated his opinion, "he believes the town side is doing an outstanding job, Mayor and town manager, but I can't get mind around the board of education. The population is going down in town, the students enrolled in school is going down, the budget is increasing each year. He would like to sit in a room with whoever puts the budget together for the board of education this just amazes me. He would support a referendum, to put some kind pressure on the board of education, if you force this to go over a certain amount, then it would go to referendum.

Chairman Perry stated her opinion, if we were to go to 2%, they would back the budget up

to 1.99%, and she has a problem with this. If we hold the board of education more accountable, not by a vote, maybe things might change.

Earl stated he has learned a lot over this process, he does not believe holding the entire town budget hostage because you like or don't like certain things with to the board of education; there are statutes in place to protect the board of education. This process does not need to follow that avenue to make the board of education more accountable. There are residents in town some who think the board of education needs more money and some residents who think the board of education is getting too much money. There are always two sides to any debate.

Karen Weseliza spoke her opinion; either way the committee votes is fine with her. However, a vote on the budget seems punitive in nature. Karen feels it is a punishment to the people who put the budget together, or those that support more funding. She hasn't found a way to this issue any different. The way Karen views this, if you go over 1%, we are going to punish you with a vote. There is no way to vote, if the residents believe there should be more in the budget, for instance to have the funding for all day kindergarten.

The committee member's continued to discuss the budget, percentage amounts, the process and the board of education budgets.

Lewis Fiore spoke to his opinion with regards to the town council budget and the board of education.

Chairman Perry said she knows how everyone feels, the committee should vote on the motion made by Judy Kilty.

The motion carried with a 9-2-0 vote.

Ed McGuire made a motion; seconded by Jack Sheridan, draft report send to the town clerk have the following paragraph included: "At the public hearings we held several residents spoke in favor of requiring a referendum vote to approve the budget each year. We do not propose such a change. However, if the council may desire to put the issue to a vote as a separate referendum question, and makes a recommendation to the commission for such a change the commission shall in accordance with the state statute confer with the council and draft a budget referendum proposal."

Tom Joaquim said how could you ask this question for the vote, when this couldn't be asked in reference to the armed guards.

Ed went on to explain, the commission does a draft report to the town council, the council looks the draft over, the council may accept the report or they could say they really don't like everything about the report, the council wants to send it back to the commission to make some changes. Ed is recommending that if the council would like to make changes the commission would draft language that the council would put separately out for a referendum vote in November, even though most of the commission does not agree, with a budget referendum vote. The council would then decide whether they would like this on the ballot for a vote.

Chairman Perry stated the council liaisons were in attendance during these meetings. She believes they have taken this information back to council, if council wants to make a statement they will, but she feels this statement is a little insulting. Marge believes they are aware what's going on in the town.

The committee member's discussed Ed's proposed statement, what residents spoke about at the public hearings and the committee member's opinions of what should be included in their draft report to town council.

The motion did not carry with a 4-7-0 vote.

The committee member's discussed the draft reporting process; specifically what information needs to be included in the letter to the town clerk.

Ed McGuire read the statute; it states, the commission shall in its report comment on each recommendation, which it has been directed to consider if any, and on such other changes or items. Ed thought there should be some report.

Lewis Fiore stated he believed the minutes would suffice, this question has been asked before, council had stated this previously.

Jeff Gentes read Ed's proposed language to add to the draft report. It reads as follows: Attached here to are the charter revision commissions proposed amendments to the charter. We believe that the proposed changes will bring the charter into conformity with state and constitutional law update the charter to reflect current realities, policies and practices within the Enfield town government and clarify the charter as much as reasonably possible.

Lewis Fiore added, "As pursuant to the requirement for responding to the suggestions and recommendations from the public hearings and from the Town Council, the Committee believes this has been fulfilled by following all of the Committee's minutes, which have been recorded and are part of the public record. "

The committee member's discussed the reporting date would be Friday, May 23, 2014. Chairman Perry will attach the cover letter and will include the two sentences plus the statement from Lewis Fiore.

Lewis Fiore and the member's thanks Tom Joaquim for drafting and updating the charter as the committee went along in this process, thanks to Sandy Pawlowski for being the recording secretary and thanks to staff, Lynn, Chris and Kevin for all their assistance during the process.

The meeting adjourned at 8:39.

Jack Sheridan made a motion; seconded by Judy Kilty to adjourn. The motion carried with an 11-0-0 vote.