

DRAFT
Enfield Charter Revision Commission
Regular Minutes
May 15, 2014 – 7:00 p.m.
Enfield Public Library, Community Room

Call to Order

Chairman Marge Perry called the meeting to order at 7:02 pm.

Roll Call

Present: Chairman Marge Perry, Vice Chairman Earl Provencher, Secretary Judy Kilty, Thomas Joaquim, Thomas Froment, Jeff Gentes, Edward McGuire, William Scheele and Jack Sheridan (arrived at 7:09)

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

Absent: Lewis Fiore, Michael Lally, Debbi Kruzel, Karen Weseliza, Mayor Scott Kaupin, Town Council Representative

Approval of Minutes

Tom Froment made a motion; seconded by Earl Provencher, to approve the minutes dated May 1, 2014, regular meeting. The motion carried with an 8-0-0 vote.

Tom Joaquim made a motion; seconded by Tom Froment, to approve the minutes dated May 6, 2014, regular meeting. The motion carried with an 8-0-0 vote.

Staff Report

Lynn Nenni spoke to the emails sent to the committee member's from the staff, and Town Attorney. Lynn went over the information contained in her email with regards to the number of towns in Connecticut who adopt their budget by having a town meeting; where all the residents can come out to vote on the budget. In the Connecticut Municipal Budget Adoption Experiences FY 2012-2013; it states, 45 towns approve their budget in a town meeting, 75 towns approve their budget by referendum, 35 towns have council approve, 7 have a Representative Town Meeting; and 7 towns listed other. In the email it also shows the adoption experience that a 88% approval tally has been found on the first vote in a town meeting style, a 6% approval on the second vote in a referendum style vote, a 4% approval on the third vote in a town council style vote, 2% approval on the fourth vote in a RTM style, and less than 1% approval in fifth vote for other style of adoption.

Kevin Deneen sent out an email to members from CCM research concerning what towns have a referendum budget.

Discussion

The committee member's discussed the email that was appended to the minutes from the previous meeting; sent by Ed Poremba.

Jack Sheridan stated his opinion where he believes the committee should adopt the referendum budget. Mr. Sheridan believes the taxpayers have spoken both at the first public hearing, and at the most recent public hearing.

Judy Kilty read an email from John Franciamore that was sent to a few of the committee member's.

Jack Sheridan shared his opinion, adding that the petition referendum should be 10% of the actual voters at the last election; people have a right to voice their opinions. Jack went on to state that if the referendum budget stays within a 1% increase, then there would not be a referendum vote. However, if the budget went over that value, then the residents would get referendum votes. If the referendum budget did not pass after 2 votes, then it would revert back to the previous years budget.

Vice Chairman Earl Provencher shared the following; he has talked to several residents in town since the last meeting, all ages, and demographics. Some citizens stated they would like a referendum vote. There were a significant number of the residents stating they would like to leave the budget process to the town council. The highest percentage of residents he spoke with said they would vote on the budget if there were a 3% increase. Earl shared the budget process used by other towns in the state, specifically East Windsor and Avon. He went on to add, he is representing the entire town not necessarily his personal views.

Chairman Perry shared that she also has talked with several residents consistently through this entire process. Marge also stated she found the resident's views were not out and out for a referendum vote, however, the citizens seem to like the percentages.

Tom Joaquim stated he sent out a proposal to all members with the assistance from the town attorney. Tom read his proposal to the committee, it reads as follows:

CHAPTER VI. FINANCE AND TAXATION

SECTION 5. SUBMISSION OF THE BUDGETS TO REFERENDUM

The budget as approved by the Town Council or the Town Manager in accordance with the provisions of Section 3 of this chapter, shall be submitted to the voters of the Town of Enfield at a Budget Referendum to be held on the second Tuesday of the month of May, if said budget is more than 1% above last year's budget.

SECTION 6. REFFERENDUM OUTCOMES.

1. Approval of the Budget Referendum following the budget referendum.

If the budget is approved by a majority of those voting thereon at a Referendum, a copy or summary copy of the approved budget shall be filed with the Town Clerk within one week following the Referendum.

2. Failure of the Budget following the Initial and Second Budget Referendum.

If the budget fails at the initial or second Referendum, the budget shall be returned to the Town Council who shall, following a public hearing, resubmit a budget to a subsequent Referendum.

3. Subsequent Budget Referenda.

The budget as approved and re-submitted by the Town Council shall be submitted to the voters of the Town of Enfield at a Second Budget Referendum to be held on the fourth Tuesday of the month of May; and a Third Budget Referendum to be held on the second Tuesday of the month of June.

4. Failure of the Budget following the Third Budget Referendum.

If the budget fails at the Third Referendum the budget reverts to Last Year's Approved Budget, and shall be deemed to be the Approved Budget for such year. The Budget shall be returned to the Town Council for the sole purpose of establishing a mil rate. The budget and mil rate shall be adopted no later than midnight on the 15th of June and copy or copies shall be forwarded to the town clerk.

Tom Froment congratulated Tom Joaquim for all his work he put into his proposed change, however, this would start to line item the budget. Tom went on the state he agrees with having a referendum with a percentage basis. He went on the add that he feels very strongly in electing a town council to do this work for the residents; if we feel we can't trust the council then we should not be voting for them, Tom however, trusts the town council and a town manager form of government; it's working.

Bill Scheele stated his opinion from the public hearings; he believes there was a tirade against the board of education, on how they present items or how the board of education does not present items. Bill's agrees with Tom's presentations separating the town and the board of education, this will highlight the trouble areas.

Chairman Perry asked a question, "she believes the board of education is not doing anything legally wrong by presenting how they present the budget, and Marge understood that the board of education did not have to present a break out, this is a state issue not a town issue."

Kevin Deneen answered Marge's questions, "By charter, the board of education is required to present their budget in accordance with the charter, the budget is approved by the council the only thing allocated is the bottom line, by statute, once the board of education gets their dollar amount, they may move it wherever they want. The fact that the board of education does not submit with regards to the format stated in the charter, that is the political fight between the town and the board of education."

Chairman Perry stated her opinion, the town is a whole, and she does not want to see the

town and board of education separated.

Bill Scheele spoke to the school population going down, therefore the budget should also be decreased.

Lynn Nenni stated the demographics are changing everywhere; Enfield is not the only town closing schools.

Jeff Gentes spoke his opinion; "the board of education cannot dig into their own pockets for their budget, we have elected representatives to do that job. Jeff went on to state, we were appointed by the representatives to do a job, and we are not elected representatives. He is looking at the public hearings as an idea source. He agrees with the notion of having percentage.

Judy Kilty stated her opinion; "We have approximately 45,000 residents in town with 17,000 households, 30 plus residents stated they want to change how the town has been run since 1969. The goals for this committee have been known for least six (6) months, she believes if there were a burning desire to change things in town, there would have been a few hundred residents at the public hearing. The committee would have seen organized phone trees, petitions with thousands of signatures on them, she has not seen any of these events happening. She has not seen any overwhelming evidence from the residents that this is what they want."

Ed McGuire seconds everything that was previously stated by Jeff Gentes. Ed believes the committee should give a report to the town council containing two (2) paragraphs. Stating the following: "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 deliberate on such recommendation. "

Jack Sheridan stated, "We are closing schools, combining schools, the population is decreasing but the board of education budget is increasing. The board of education stated in its budget, there are 8 students per teacher, there are several teachers doing something else besides teaching, the taxpayers are not aware of this. "

The committee member's discussed the process of the referendum budget vote, the board of education statutes for presenting their budget and whether to revise the number of residents running for the board of education.

Jeff Gentes made a motion; seconded by Jack Sheridan to change no more than 5 back to 6 whom shall be the same of a political party, in Chapter 2 section 2(b).

Committee member's discussed with Town Council Representative Cynthia Mangini, the minimum budget requirements with regards to CREC schools.

The motion did not carry with a vote of 3-6-0.

Chairman Perry steered the committee to discuss the Power of Initiative.

Jeff Gentes brought up a small issue with the language in this section. He would like to change one sentence to read: "The town council shall determine the sufficiency of the petition, and the registrar of voters shall determine the sufficiency of the affidavits and certify the same to the town clerk as clerk of the council within five (5) days of receipt thereof."

Kevin Deneen expressed his professional opinion.

Vice Chairman Provencher asked Kevin his professional opinion with regards to the referendum process.

Kevin spoke to his opinion and added that the town of Enfield is his client.

The committee member's continued to discuss the referendum process, Jack's proposal, and Ed's proposal.

Jack Sheridan made a motion, seconded by Bill Scheele, to strike registered voters eligible to vote, and add 10% of the electors who voted at the last presidential election.

Committee member's and staff liaisons discussed the number of electors who voted in the last election, possible wording, and the petition process.

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

The member's went back to discuss Jeff's Gentes issue with the process of sufficiency.

Kevin stated sufficiency is the registrar of voters. The petitions have always gone to the registrar and the town clerk in the past.

Jeff Gentes withdrew his motion.

Chairman Perry steered the committee back to the budget referendum.

Ed McGuire re-reads his proposed paragraph at the request of Tom Froment.

The member's discussed the possibility of a budget referendum, proposed wording and the process the town council must go through to approve the proposed changes to the charter. This also contains recommendations on the process, and the language from staff liaisons.

Tom Froment stated, "The committee needs to have another meeting, the power of initiative section is too important to make a decision with 4 member's short."

Jack Sheridan made a motion; seconded by Bill Scheele, to amend Ed McGuire's proposed

paragraph and add Bill's recommendation.

Bill's suggestion is where Ed's language states, "We don't recommend a change," Bill would state; "We recommend a separate referendum question to that the town may decide if they wish to have a budget referendum."

The committee discussed the proposed language and whether to vote on budget referendum at this meeting.

Kevin stated "The motion to table takes precedence over motion to amend."

Tom Froment made a motion, seconded by Jeff Gentes, to table proposed language until the next meeting, to have more members present. The motion carried with a 6-2-1 vote, Tom Joaquim abstained.

The next meeting is scheduled for Tuesday, May 20, 2014 at 7:30.

Judy Kilty made a motion to adjourn, seconded by Marge Perry. The motion carried with a 9-0-0 vote. The meeting adjourned at 9:13.