

MINUTES

CHARTER REVISION COMMISSION – ORGANIZATIONAL MEETING

MARCH 28, 2012

I CALL TO ORDER

Town Clerk, Tanya Lane, called the meeting to order at 6:31 PM in Conference Room 1 of the Newington Town Hall.

II PLEDGE OF ALLEGIANCE

III INTRODUCTION OF NEW MEMBERS

The members of the Charter Revision Commission introduced themselves as follows:

Donna Clark
Vincent Camilli
Paul Vessella
Mike Lenares
Alan Nafis
Peter Boorman, Town Attorney

IV REVIEW OF THE CHARGE TO THE COMMISSION, INCLUDING TIMEFRAME

Attorney Boorman reviewed the charge as it was stated in the Town Council Resolution commenting that the Town of Newington has the ability to amend its Charter under Connecticut General Statutes. He stated that Town Council was instructing the Commission to review the Charter for any inconsistencies.

He further informed the Commission that the Town Council was instructing them:

- 1) Review all sections of the Charter that contain a set monetary reference to insure that those amounts listed are set at levels for the year 2012 and beyond.
- 2) Explore the current language of the Charter as contained in Section 611 that requires the Town Planner to be appointed by the Council. Consideration should be given to making this a Town Manager appointment under Section 503 of the Charter.
- 3) Address issues to update the Charter, but avoid issues that would delay completion of the Commission's Draft Report by June 29, 2012.

He advised the Commission that Council intends to submit charter revision to the voters for the November 2012 Election.

Attorney Boorman spoke further about procedural issues contained in the Resolution. He reminded the members that two Public Hearings are required—the first hearing must occur before any substantive work occurs with the Commission. He reiterated that tonight's meeting was only an Organizational Meeting—the meeting was not intended to cover any substance regarding charter revision itself. He stated that one of the organizational matters was to set the first Public Hearing date.

He said the second public hearing can be scheduled whenever the Commission chooses. The Commission has the option to schedule more than two hearings, but the last Public Hearing must occur after the draft of the Draft Report is finished.

Attorney Boorman informed the members that after the final Public Hearing, the Commission could amend the Draft Report. The final step would then be to send the Draft Report to Town Council.

He again stated that the charge was to complete the work by June 29, 2012. The actual operation of the Commission is up to the five members. Three members constitute a majority to make a decision.

Under Connecticut statutes, once a charter revision has commenced, the Commission is able to do whatever it wants to do as far as addressing charter issues. The members are required to consider those matters addressed in the charge. However, they are not limited to just those matters.

He continued by saying that with the short timetable, Town Council is asking you (the members) to accomplish more of an updating process. He again stated that the Commission could go beyond the Council's charge if they desired.

V ELECTION OF OFFICERS

A. Chairman

Mike Lenares made a motion to elect Donna Clark, seconded by Paul Vessella.

Alan Nafis was nominated by Vincent Camilli. The motion was not seconded. Attorney Boorman then asked for discussion on the motion.

Ms. Clark expressed her surprise at being nominated Chair of the Commission, saying she had expected Alan Nafis to be nominated Chair because he had experience with the previous Charter Commission. Mr. Camilli stated that was the reason he had placed Mr. Nafis' name into nomination.

Attorney Boorman explained that a nominee had the right to accept or reject the nomination.

Ms. Clark expressed her gratitude for the nomination, and then deferred to Mr. Nafis as the candidate for Chair.

Attorney Boorman then asked if Ms. Clark was withdrawing. She replied in the affirmative. Attorney Boorman then asked Mr. Lenares to withdraw his motion. He complied and nominations were again opened to the floor.

Vincent Camilli made a motion to nominate Alan Nafis, seconded by Donna Clark.

The Town Clerk then asked if there were other nominations. Hearing none, she asked if there was discussion. She asked for a motion to close nominations. Motion was made and seconded to close nominations, and by a unanimous voice vote—nominations were closed.

A voice vote was then taken to unanimously elect Alan Nafis as Chair.

Mr. Nafis inquired about electing a Vice Chair and Secretary. Mr. Vessella expressed concern over who would chair a meeting if Mr. Nafis was absent. Attorney Boorman explained that the Commission would decide at that time.

Following a short discussion, Mr. Nafis asked for a motion to nominate a Vice Chair. Donna Clark's name was placed into nomination, seconded and by a voice vote she was unanimously elected as Vice Chair.

VI SCHEDULE OF MEETING DATES

Mr. Nafis commented that he would like to get feedback from department heads. He stated that he had read through the changes that were discussed by the previous Commission and said there were many good suggestions that were not in the present charge.

He indicated there were additional issues that the Commission might want to consider that were not controversial and should not require a lot of time. He commented that the manner in which the Commission approached their task, would determine how often the Commission would meet and whether a time-limit should be set for the length of the meetings.

Ms. Clark stated that the Commission needed to be aggressive in terms of setting meeting dates because it seemed like a short timeframe to accomplish the charge. She asked if the meeting schedule could be modified as necessary depending on when the Commission's work was completed.

Attorney Boorman stated meetings could be added or cancelled as necessary. He suggested that the Commission meet once a week to start and then be open to changes as the Commission moved along.

The Commission agreed to meet once a week and then agreed to meet on Wednesday at 6:30 PM.

Mr. Vessella inquired whether the members wanted to put a cap of the length of the meetings. Following a discussion, it was agreed that the meetings would end at 9 PM.

Attorney Boorman then asked when the next meeting should be scheduled, reminding the members that the next meeting would be a Public Hearing.

VII SET PUBLIC HEARING DATE

Attorney Boorman asked the Town Clerk to explain the time needed between placing a legal notice in the newspaper and having the Public Hearing.

Ms. Lane explained that the statutes were silent on the time required for noticing a public hearing for charter revision. She stated that if a legal notice was sent to the Hartford Courant before noon on Thursday (April 29th), the notice would appear in the newspaper on Friday, March 30th. At that point, the Public Hearing could take place the following week.

Mr. Lenares inquired whether a Public Hearing could be held next Wednesday since the Commission was trying to establish Wednesdays as a regular meeting time. Ms. Lane replied that if the notice appeared in the newspaper on Friday, there was sufficient notice to the public to hold the Public Hearing on Wednesday (April 4th).

Discussion followed regarding which room was available for the hearing. Attorney Boorman suggested that the Commission schedule their first meeting immediately following the Public Hearing. The Commission decided to schedule the Public Hearing for April 4th at 6:30 PM and to post a notice for a Special Meeting at 7 PM or immediately following the Public Hearing.

VIII COMMENTS BY COMMISSIONERS

Mr. Vessella was interested in viewing the charge from the previous Charter Revision Commission. He stated that he would like this Commission to get a copy of the Draft Charter that was sent to the voters showing the suggested changes. If the public referred to a particular item, the current commissioners would have a frame of reference. It was agreed that the Town Clerk would email a copy of this report to the commissioners with a hard copy mailed to Mr. Camilli as well.

Mr. Camilli stated that in the interest of avoiding repetition from the previous charter revision effort, perhaps the Commission should publicly state that the members are aware of suggestions that were made previously and it was the intent of this Commission to take these suggestions into consideration.

Ms. Clarke was in agreement with comments made by Messrs. Vessella and Camilli.

Mr. Nafis stated that the Commission has eleven weeks to complete their work. He suggested the first meetings be devoted to looking at the current charter—going through several sections at each meeting. Identify those areas that have been commented on before, assimilate comments from the Public Hearing. He stated that he would like to hear from the Town Manager and department heads. He commented that he would like the Commission to review the entire Charter, understand how a change to one section might impact another area of this document, discuss the implications of the potential impact and complete that process in seven to eight weeks.

He stated that he wanted the Commission to address each individual's concern and to tell that person why (or why not) the members were going to address their concerns. Unless there were some surprises or disagreements, Mr. Nafis felt that the Commission was committed to the completion date issued by Town Council and that the work could be completed.

Mr. Nafis then outlined a possible format for the Commission's first meeting following the Public Hearing. He suggested that discussions revolve around issues that come up during the Public Hearing.

Ms. Clark commented that she assumed the Commission would tackle the Charter in an organized manner.

Attorney Boorman stated that he would like the Town Manager to begin now the process of communicating with the department heads to solicit from them input into those areas of the Charter where the staff thinks some changes need to be reviewed. He explained that this would be an agenda item. Mr. Boorman asked Ms. Lane to begin dialogue with the Town Manager to begin this process.

Mr. Nafis further clarified that if staff did not feel the need to address the Commission in person, individuals were welcomed to submit written comments.

Mr. Nafis told the commissioners that it was his hope that if anyone looked back on this process ten years from now they would be able to comment that everyone had done a good job to produce a fine document.

Attorney Boorman informed the commissioners that it was his hope that at the next meeting Ms. Lane would be able to instruct them how to log onto the computer to view the Charter, to view updates from each meeting, and to view these ongoing changes as

they are assimilated into the Charter. Ms. Lane would be the only person able to make these changes.

IX PUBLIC PARTICIPATION

Mr. Nafis asked from comments from the public.

Myra Cohen, Councilor, 42 Jeffrey Lane—spoke about the 1/13/09 Town Council Meeting when the Council voted to send the Charter to Referendum. She said the Draft document contained several suggestions that did not make it to the Referendum. She encouraged this Commission to look at those suggestions because she felt this might be information that should be contained in the Charter.

Attorney Boorman clarified by saying that there were a series of amendments that were requested to be sent back to the Charter Revision Commission and that these changes were voted down. The Draft Report that came from the Commission was the final version that was sent to the voters.

Councilor Cohen further commented that she didn't know why the budget process had to be completed by the end of April. She wondered if it could be stretched out to the end of May. Given the current timeframe she did not feel there was enough time for Councilors to discuss budget items amongst themselves before it was time to vote on it. She wanted the timetable spaced out a little more to eliminate two meetings per week if possible.

Steve Woods, Mayor, 94 New Britain Avenue—thanked the members for volunteering. He commented that there was a lot of good work done by the previous Commission. This Town Council tried to keep the charge as broad as possible. (Tape inaudible at this point).

Mark Spencer from the Hartford Courant expressed concern about Freedom of Information (FOI) issues as they apply to the website being available just to Commission members. He asked if that was acceptable and wondered if the public could see the website as updates were made.

Attorney Boorman stated that any vote taken would be a preliminary vote. He explained that a preliminary vote would allow the Commission to make changes which would apply to Charter--only until further review might indicate that yet more changes were necessary. The votes would allow the commissioners to move onto another section for discussion—in this way everything would continue to remain a “draft”. The final version entitled a “Draft Report” is the copy that would be available to the Council at the time of completion.

Mike Rosenkrantz, 38 Sunnybrook Drive, commented that the public would be better able to understand any changes to the Charter if they were able to follow these changes on the website.

Attorney Boorman affirmed the comments from Messrs. Spencer and Rosenkrantz by replying that everyone wanted public participation and an open process--recognizing that in order for the work to get done, commissioners would sometimes need to work through a draft procedure process. He reiterated that the Commission would strive to make the process as open as possible.

Mr. Nafis thanked the public, the commissioners and the press for coming out.

X ADJOURNMENT

There being no further business to come before the Commission, a motion was made, seconded and by a voice vote, it was unanimously voted to adjourn the meeting at 7:42 PM.

Respectfully submitted,

Tanya D. Lane