



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

CHARTER REVISION COMMISSION

**October 27, 2008 – PRELIMINARY VERSION
(FULL VERSION TO FOLLOW)**

I CALL TO ORDER

Commissioner Bafundo called the meeting to order at 6:31 PM in the Helen Nelson Room of the Newington Town Hall.

II PLEDGE OF ALLEGIANCE

III ROLL CALL

Commissioners Present

Nancy Bafundo – Chair
Tony Boni
Peter Boorman
Robert Briggaman
Alan Nafis

Also Present

Jeff Wright – Mayor
Justin Clark – Counsel (exited meeting at 7:00pm)
Tanya Lane – Town Clerk
Ben Ancona – Town Attorney

(Note: Verbatim comments indicated by *italics* unless otherwise noted.)

IV PUBLIC PARTICIPATION

Myra Cohen, 42 Jeffery Lane, Town Councilor: Mrs. Cohen clarified her comments in two sections of the October 7, 2008 meeting in which her comments were not audible on the tape:

- Page 2, Line 7 should read “which exempts notes in anticipation of taxes *from a public hearing* should not be deleted”
- Page 12, Line 8 of her comments should read “it is not the last date for the Charter to be presented to the voters.”

Mrs. Cohen commented on the following sections of the Charter in regards to the October 2, 2008 revision version of the document: Sections 708, 605, 709, 808, 804, 805, and 821.

Mrs. Cohen remarked that with past Charter revisions there have been detailed explanations for every recommended major change and remarked that she has not yet received an explanation of the term “real dollar value”. She noted that previous Charter revisions have included detailed explanations of all major amendments.

V MINUTES

A 10-7-08 Meeting

Commissioner Briggaman indicated that on page 6, six lines from the bottom, the phrase “disagree disrespectfully” should read, “disagree respectfully”

Commissioner Nafis indicated that on page 5, seven lines from the bottom, the phrase “presented a document” should read, “praised a document”

Commissioner Briggaman moved to accept the minutes of the 10-7-08 meeting as amended. Motion seconded by Commissioner Boni. Motion passed 5-0.

VI MATTERS TO BE CONSIDERED

The Commission agreed by consensus to discuss agenda item VI-B, Discussion, as Time Allows, Introduction to Modification of Proposed Section 821 (Permissive v. Automatic) first.

B Discussion, as Time Allows, Introduction to Modification of Proposed Section 821

Commissioner Boorman distributed his proposed language for a permissive budget referendum to be considered in the place of the current proposed language for an automatic referendum. He noted the extensive conversation that took place at the prior meeting regarding permissive versus automatic. Commissioner Boorman indicated that he tried to keep the language changes simple and direct and in context with how the rest of the document reads in sections 410 and 411. The proposed language additions are as follows (changes indicated in **bold**):

- Section 410 – Right of Referendum on Ordinances
Electors shall have the right to petition for a referendum in accordance with the Connecticut General Statutes on any ordinance passed by the Council **including an ordinance adopting an annual budget**, except an emergency ordinance...
- Section 411 – Initiative
The electors shall have the power to propose to the council any ordinance, **including an ordinance adopting an annual budget**, except an ordinance appointing or removing officials...

Lengthy discussion regarding permissive versus mandatory budget referendum followed. Commissioners Boorman and Nafis spoke in favor of a permissive budget referendum and Mayor Wright and Commissioners Bafundo, and Briggaman spoke in favor of a mandatory budget referendum when a tax increase is greater than three-percent.

Commissioner Boorman moved *to eliminate language in section 821 and replace it with language that has been submitted tonight entitled “Permissive Referendum/Initiative”*
Motion seconded by Commissioner Nafis.

Further discussion followed. Commissioner Boorman spoke in favor of the motion. Commissioners Briggaman, Bafundo and Boni and Mayor Wright spoke in opposition of the motion. Mayor Wright and Commissioner Boorman requested a roll call vote:

Commissioner Bafundo – no
Commissioner Boorman - yes
Commissioner Boni – no
Commissioner Briggaman – no
Commissioner Nafis – yes

Motion failed 2-3 according to roll call vote above.

The Commission agreed to discuss agenda item VI-A – Discussion – as time allows, Proposed Language for Charter Revision Re: Budget Referendum

A Discussion – as time allows, Proposed Language for Charter Revision Re: Budget Referendum

Mayor Wright introduced language amendments to proposed section 821 (J) as follows: (language is at the end of the section):

- **EDUCATION CIRCUIT BREAKER whereby any increase in Board of Education proposed expenditures shall exceed any increase in non-Board of Education proposed expenditures by 0.5% (e.g., if the non-Board of Education budget increases by 2% the Board of Education budget must increase by no less than 2.5%)**

Commissioner Boni moved to accept the proposed amendments to section 821 (J). Motion seconded by Commissioner Briggaman.

Lengthy discussion followed. Commissioner Boni and Mayor Wright explained the language. Commissioner Boni explained that, for example, if the Town's budget increased by 3.0% the Board of Education's budget must increase by at least 3.5%. Mayor Wright indicated that it is a mandatory spread to make sure that the Board of Education gets more funding. Commissioners Boni, Bafundo and Briggaman and Mayor Wright spoke in favor of the motion. Commissioners Boorman and Nafis spoke in opposition of the motion. Mayor Wright requested a roll call vote:

Commissioner Bafundo – yes
Commissioner Boorman - no
Commissioner Boni – yes
Commissioner Briggaman – yes
Commissioner Nafis – no

Motion passed 3-2 according to roll call vote above.

The Commissioners discussed three-percent and as the number used for a tax increase cap. Commissioner Nafis inquired whether the intent of section 821 is that by limiting tax increases to three-percent every year that the Town is anticipating a three-percent increase every year so that twenty-years down the road the Town will be able to keep up with inflation. The Commissioners discussed inflation numbers, tax increases and the proposed tax cap.

The Commission agreed to combine discussion on agenda items IV-C: Discussion – As Time Allows, Review/Comparison of Suggested Amendments to the Charter to Date and IV-D Discussion – As Time Allows, Follow Up on Questions Related to Other Sections of the Charter that have been Previously Discussed.

The Commission reviewed language and previous amendments made to Charter sections 101, 102, 103, 201, 201(B) and 202, and noted possible substantive and non- substantive changes to be made to the sections. The Commission then agreed to table the discussion until Attorney Clark could be present to answer questions and provide updates (Atty. Clark had exited the meeting at 7:00pm, prior to the discussion).

VII ANY OTHER BUSINESS PERTINENT TO THIS COMMISSION

Commissioner Boorman distributed an article from the Hartford Courant entitled "Direct Democracy Would Mean Sheer Chaos" by Rick Green. The Commissioners discussed the article.

VIII WRITTEN COMMUNICATION FROM THE PUBLIC - (none)

IX PUBLIC PARTICIPATION

Myra Cohen, 42 Jeffery Lane, Town Council Member: Mrs. Cohen warned about the possibility of a decrease in funding from non-tax sources and commented about the expertise of the Town Council versus the expertise of the average voter on the budget.

Rose Lyons, 46 Elton Drive: Ms. Lyons spoke against the budget referendum and against the education circuit breaker. She cautioned the Commission against giving the Board of Education an unfair advantage.

X COMMENTS BY COMMISSIONERS

Commissioner Briggaman noted Ms. Lyons' previous comments regarding no one from the public speaking in favor of a budget referendum and clarified that eleven different members of the public have come forward at some point to speak in favor of a referendum. Commissioner Boorman inquired as to how many members of the public have spoken in opposition to the referendum. Commissioner Briggaman replied that he is unsure but can pull the number together.

XI ADJOURNMENT

Commissioner Boorman moved to adjourn the meeting at 8:41 pm. Motion seconded by Commissioner Briggaman. Motion passed 5-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk – Charter Revision Commission

NOTE: FULL VERSION OF MINUTES TO FOLLOW