



Keith Chapman
Town Manager


TOWN OF NEWINGTON

200 Garfield Street
Newington, Connecticut 06111

Office of the Town Council

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Town Clerk

2022 Charter Revision Commission Meeting Minutes June 22, 2022

This meeting was presented as a Zoom Webinar/Hybrid Meeting.

1. Call to Order

Chairman Harpie called the meeting to order at 6:30 p.m.

Roll Call

Joe Harpie

Kevin Borrup

Nancy Cappello

Anthony Gonsalves *(via Zoom)*

Chris Miner *(via Zoom)*

Also in attendance:

Beth DelBuono, Mayor

Keith Chapman, Town Manager *(via Zoom)*

Ben Ancona, Town Attorney *(via Zoom)*

James Krupienski, Town Clerk

Susan Gibbon, Recording Clerk *(via Zoom)*

2. Pledge of Allegiance

3. Public Participation on Agenda Items *(Via Zoom Application or Phone)* *(2 Minute Time Limit per Speaker) (888) 788-0099 or (877) 853-5247*

- None

4. Comments by Commissioners

- None

5. Discussion of Charter Language Review by Town Attorney

§C-403 - Organization

- Town Attorney Ancona reviewed changes and suggested leaving time open.
- Mayor DelBuono agrees that the time should be left open

§C-408 Obligatory Referendum and Ordinances

- Town Attorney Ancona stated that this language is good as proposed.
- Town Clerk Krupienski stated that this was discussed with the Finance Director and she agrees with what was proposed.
- *A lengthy discussion was held regarding this.*

§C-409 Emergency Ordinance

- Town Attorney Ancona stated that a public hearing should be compulsory and not optional.

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- Chairman Harpie stated that the public had no opportunity to discuss situation. Want to make sure what we recommended initially be brought to the council.
- *A lengthy discussion was held regarding time lines, etc.*

§C-410 Right of Referendum on Ordinances

- Town Attorney Ancona stated that you may just want to leave this ordinance alone
- Chairman Harpie stated we started discussing because of the steps needed.
- Town Attorney stated it gets too complicated; losing focus; just leave it alone; implicates too many factors; just my recommendation.
- Mayor DelBuono asked who wanted to look at this section.
- Town Clerk Krupienski stated current language has elements of a town meeting format. Also there are details that tie into other sections.
- Town Attorney Ancona doesn't recall this ever occurring.
- Chairman Harpie stated the mayor is concerned about some of the steps having to go through. Complex and confusing procedure. Are you satisfied with language as currently written?
- Town Attorney Ancona stated it's conflicting with our old form of government. Just don't touch it. Elected officials are empowered to represent the citizens of the town. We have never seen this taken place.
- Chairman Harpie is concerned that this may happen.

§C-412 Removals and Suspensions

- Town Attorney Ancona stated that makes a lot of sense. Think that 75% really works.
- Town Clerk Krupienski stated that 75% is in alignment with Boards and Commissions booklet.

§C-416 Revision to the Adopted Charter (moved to §C-1005)

- Town Attorney Ancona stated we discussed moving this to the final section of the Charter.
- Commissioner Borrup asked if there was a change from shall to may.
- Town Attorney Ancona stated we cannot compel an elected body to review this.
- Chairman Harpie stated that the council wanted it to be specific with a review every 10 years.

§C-501 Residency Requirement for Town Manager

- Town Attorney Ancona believe it's an antiquated requirement; may not hold up on court.
- Commissioner Miner stated in strong mayor, first selection this is a requirement. Why is it not for a town manager?
- Town Attorney Ancona stated that the town manager is not an elected official; they are an employee of the town.

§C-603 – Library Trustees

- Town Attorney Ancona stated it's a pretty basic change; looks fine.

§C-605 – Board of Parks & Recreation

- Town Attorney Ancona stated it's pretty basic.
- Commissioner Borrup stated he is unclear.
- Chairman Harpie stated that Mr. Bottalico and Mr. Woods came in and requested a 7 member board – 5 majority party; 2 minority party. They did have a discussion about the abundance by one party.
- Mayor DelBuono asked if was necessary to leave membership numbers out of the Charter; but instead have them listed by ordinance.
- Town Attorney Ancona stated that there is no need to have a number; that can be done by ordinance. It makes sense to leave numbers out.
- *A lengthy discussion was held regarding the number of members on boards or commissions.*

§C-606 – Development Commission

- Town Attorney Ancona stated that statute language was added by statute.

§C-609 Auditor

- Chairman Harpie stated the language requested by the finance director.
- Town Attorney stated that is fine and incumbent upon the council.

§C-902 Classified Service

- Town Attorney Ancona stated he reviewed this; there are a multitude of factors involved with personnel; recommend this not be changed at all.
- Chairman Harpie concerned that this is out there since it was brought to our commission. State created a non-instructional certified position. This has been going on for a while now.
- Commissioner Borrup stated it's a shame that we can't take action on this and that the taxpayers are paying for this battle.

§C-1005 Amendment

- Town Attorney Ancona. This would be the 10 year language. Like the idea that maybe at minimum they take a vote.
- Chairman Harpie stated that this was something that was brought to us.
- Commissioner Capella stated that we should state that every 10 years the council review the charter and vote to open it and make changes.
- Mayor DelBuono stated that from the council perspective that when we gave charges to the Commission it was for you to determine if things make sense.

6. Adoption of Proposed Charter Revisions

- **§C-403 - Organization**
 - Consensus by Commission was to change the language as suggested.
- **§C-408 - Obligatory Referendum and Ordinances**
 - Consensus by Commission was to change the language as suggested.
- **§C-409 Emergency Ordinance**
 - Consensus by Commission was to change the language as suggested.
- **§C-410 Right of Referendum on Ordinances**
 - Consensus by Commission was to keep original language in Charter.
- **§C-412 Removals and Suspensions**
 - Consensus by Commission was to change the language as suggested.
- **§C-416 Revision to the Adopted Charter (moved to §C-1005)**
 - Consensus by Commission was to change the language as suggested.
- **§C-501 Residency Requirement for Town Manager**
 - Consensus by Commission was to change the language as suggested (with exception as noted by Councilor Miner)
- **§C-603 – Library Trustees**
 - Consensus by Commission was to change the language as suggested.
- **§C-605 – Board of Parks & Recreation**
 - Consensus by Commission was to change the language as suggested.
- **§C-606 – Development Commission**
 - Consensus by Commission was to change the language as suggested.
- **§C-609 Auditor**
 - Consensus by Commission was to change the language as suggested.

- *§C-902 Classified Service.*
 - Consensus by Commission was to not make any changes at this time.
- *§C-1005 Amendment.*
 - Consensus by Commission was to change the language as suggested.

Motion by Chairman Harpie for the adoption of recommendations and changes by the town attorney accepted by the Commission. Second by Commissioner Capella.

Roll call vote.

Chairman Harpie: Yes
 Commissioner Gonsalves: Yes
 Commissioner Capella: Yes
 Commissioner Borrup: Yes
 Commissioner Miner: Yes, with exceptions noted.

Motion passed 5-0

7. Submission of the Proposed Charter Amendment(s) to the Town Clerk

Motion by Chairman Harpie for the Submission of the proposed Charter Amendments to the Town Clerk. Second by Commissioner Capella.

Roll call vote.

Chairman Harpie: Yes
 Commissioner Gonsalves: Yes
 Commissioner Capella: Yes
 Commissioner Borrup: Yes
 Commissioner Miner: Yes, with exceptions noted.

Motion passed 5-0

Chairman Harpie thanked the Town Attorney and Mayor for their time and input during this process.

8. Public Participation on Agenda Items (*Via Zoom Application or Phone*)

(*2 Minute Time Limit per Speaker*) (888) 788-0099 or (877) 853-5247)

- Rose Lyons, 46 Elton Drive stated this is third Charter revision; thought it was a review of Charter. Pleased that Attorney Ancona was at tonight's meeting and reviewed the changes. Note should be added regarding "shall" and "may." Put changes on the website to review. Thank you all for your time.
- Brian Whelen, 22 Pebble Drive, thanked the commission for taking the time to do this and for all of your hard work.


9. Comments by Commissioners

- None

10. Adjournment

Motion to adjourn by Commissioner Borrup. Seconded by Commissioner Cappella. The meeting adjourned at 8:26 p.m.

Respectfully submitted,


 Susan Gibbon
 Recording Clerk