



Town of Clinton
54 East Main Street
Clinton, Connecticut 06413

**CHARTER REVISION COMMISSION
PUBLIC HEARING MINUTES
WEDNESDAY, AUGUST 17, 2022
TOWN HALL ROSE ROOM**

In Attendance: Chairman D. Mezzetti, G. Dunn, M. Vincent and J. Scully Welch
Absent: M. Hornyak
Also participated: Karl Kilduff, Town Manager

Chairman Mezzetti called the public hearing to order at 7:00 PM. The commission has meetings scheduled on the first and third Wednesday of the month at 6:00 PM. The commission will first review the nine recommendations from the Town Council. The Town Council recommendations are as follows.

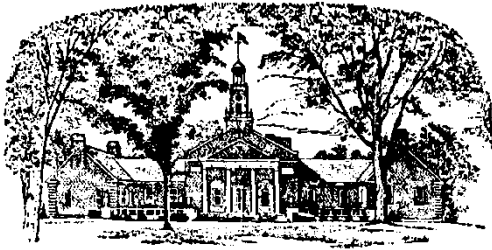
- Evaluate the special appropriation threshold by the Town Meeting of \$300,000 which requires a referendum vote to approve and raise the amount to an appropriate sum.
- Evaluate the need to maintain the Annual Town Meeting.
- Evaluate the cap of \$100,000 to participate in cooperative bids and eliminate the cap.
- Evaluate the contract term limitation of 3 years on the Town Manager's contract and allow the Town Council to agree to a 3-year initial contract term, but subsequent contract lengths will be determined by the Town Council.
- Remove the need for the Town Council to appoint a search committee prior to the Town Manager hiring certain positions.
- Amend the Town Counsel section to have written opinions requested by the Town Manager rather than the Town Council Chairperson.
- Clarify the process for the Town Manager to "hold hearings" with each department in preparing the budget and the authorization of contracts to be executed by the Town Council Chairperson.
- Evaluate all certifications required in the Charter and amend requirements or correct the references.
- Amend the Charter to remove unnecessary and redundant language, inappropriate references to the Board of Selectmen, and other inaccuracies.

The public hearing was then opened up to comments from the public.

Peggy Adler – 5 Liberty

The following recommendations were submitted to the commission by Peggy Adler.

- *Any bonafide resident elector who is more than 90 days in arrears in payment of property taxes to the Town of Clinton may not serve on any Board, Commission or Committee of the Town of Clinton. Any bonafide resident elector currently serving on any Town of Clinton appointed Board, Commission or Committee, who is at least 90 days in arrears in payment of property taxes shall be immediately removed from said Board, Commission or Committee. Any bonafide resident elector currently serving on any Town of Clinton elected Board or Commission, who is at least 90*



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days in arrears in payment of property taxes shall be immediately suspended from said Board or Commission.

- *No husband and wife or any other immediate family member may serve on the same Board, Commission or Committee, at the same time, as their collective membership could constitute a voting bloc.*

Joe Alps – Waterside Lane

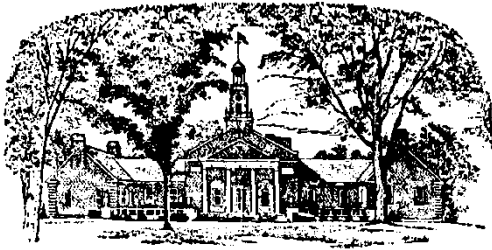
- Section 8-2-1 B. Residency
 - Language is too vague.
- Section 8-3 Removal
 - Should be “private” hearing and not “pubic” hearing.
- Section 8-5 B. lease real property should be up to the Town Council and not the Town Manager.
- Section 8-18 B & C – language should be tightened up.
- General comment about proper procedure when filing a complaint with a town department.
- Consider increasing the Town Council stipend to \$4,500 for the chairman and \$3,000 for members.

Phil Sengle

- Recommended raising the referendum requirements from \$300,000 to \$600,000.

The following recommendations were submitted to the commission by Phil Sengle.

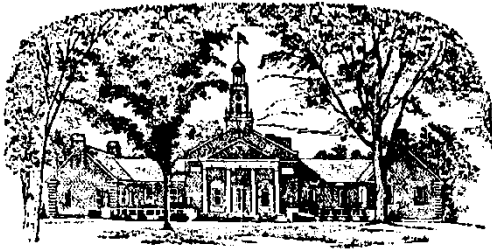
- *Ch. V Town Council, Section 5-2 A. Electing a Chairman*
 - *Should the Council Chairman be selected by the Council on a bare majority or by the people via their votes? Consider changing method to the council chairperson being the person with the highest number in votes in the election or the immediately preceding election. This part is needed due to the overlapping terms. The Council should continue selecting the Vice Chairperson.*
- *Section 5-2 D. Votes Required to Pass Council Measures*
 - *I lived in another town where the 7 member council was required to have 5 votes to pass anything. This made interparty cooperation and compromise a requirement. I can understand the arguments against doing this but it worked for them. Another argument for this is that anything that is good for the town will get 5 votes.*
- *Ch. VII Sec. 7-2, Appointed Boards - Serving in more than 1 position.*
 - *7-2 C. Elected officials should not hold any other office, elected or appointed. 7-2D. Reduce appointed office holder to a maximum of two positions concurrently.*
- *Ch. VIII Town Manager*
 - *Section 8-2-1 A. Change term of office using this language 11 up to but not exceeding five (5) years". There are circumstances where you need the flexibility to have anywhere from a 1 to a 5 year contract. It should be at the Council's discretion. Also continue to require a search committee, but only for new hires. There is no reason to have one for the renewal of an existing Town Manager's contract. Section 8-2-1 C.*



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Also insert the "not to exceed 5 years" language. Section 8-2-1 C. In the last sentence, include "termination".

- *Ch. VIII Town Manager, Section 8-SM, last line, remove the phrase "subject to the approval of the town council". That phrase undermines the authority of the town manager and encourages some to go to individual council members to undermine a likely decision that is in the best interests of the town.*
- *General Observation Comment & Recommendation*
 - *When this charter was created there was much unfamiliarity and apprehension with the Council/Manger form of government. In response there was language inserted in many places in regards to hiring and appointments that put limits on the town manager. The most common phrase requiring limitations by the town manager is "following recommendation by a search committee appointed by the town council". I count no less than 11 times when this appears from 8-7 Assessor to 8-22 Tax Collectors. This requirement is now unnecessary and cumbersome. I believe we should have enough faith in our town manager to use a search committee when he or she believes it is necessary. The point of our system is to remove politics from the system as much as possible. I call such a phrase a "Mommy may I" requirement which shows lack of trust in our town manager.*
- *Communications Center, Emergency Dispatch or 911 Center*
 - *The charter is silent on this essential operation within our town government. This has bothered me for a long time. It is not fair or correct to have responsibility without authority. The facts are these: Our 911 center resides within our police Dept. It is completely managed by them and is a 24/7 operation. All supervision is done by our PD. They hire and fire, staff the shifts, deal with union issues, fill vacancies and with the town manager advise on contract negotiations. They provide for maintenance of all dispatch systems and for system upgrades or replacements. All problems are theirs, yet the charter is silent. It is time to define the basics of this critical town function. Therefore I have created a suggested section attached to this document which I propose for a new Section 8-18 E. I believe it is benign, accurate, describes how it has operated for years and covers at a high level who is responsible and has the authority to carry out its requirements. Bottom line nothing is changed.*
- *Proposed New Section 8-18 E – Emergency Communications Center*
 - *"During non-emergency and daily routine operations, the Clinton Police Department shall supervise and manage the town's Communication Center 24/7, including but not limited to budget preparation, expenditures, staffing (hiring, separation and discipline), technology upgrades and assignment of personnel to shifts. The police department will consult with the Clinton Volunteer Fire Department as needed regarding center operations. Under declared emergency conditions the town's emergency plan will go into effect. In that event the Communications Center will be jointly staffed and managed by the police department and the Clinton Volunteer Fire Department and be under the direction and control of Clinton's Emergency Management Director".*



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D. Donovan – Arc Road

- Donovan indicated that he was speaking as an individual and not as a representative of the Town Council.
- Anyone elected to the Town Council should not serve on any other board or commission.

Art Kuever - 8 Christina Court

- Kuever agreed with Donovan that anyone elected to the Town Council should not serve on any other board or commission.

The following recommendations were submitted to the commission by Art Kuever.

As a former commission participant, I want to thank you for what you are about to undertake and for your time and dedication to the updating of the Town Charter. This is your document now; you can accept requests to consider but you don't have to put in all the changes suggested including those from the Town Council.

Please have open conversations and debate prior to votes, no need to have strict rules i.e. Robert's Rules, you are your own commission.

Make sure you change the date on the last page to reflect the Effective Date and highlight it and make sure the Council knows it so when the document is back in their hands, they can make sure it is correct as it is their document at that point.

Proposed changes:

- *Not all "Board of Selectmen" references can be removed as they reference the powers of the General Statutes. The Town Council is built upon the Board of Selectmen powers. Example: Section 5-3: "The Council shall have the powers and duties as are provided for Boards of Selectmen by the General Statutes, as amended, and this Charter, and may exercise any of the powers conferred on towns by Section 7-194 of the General Statutes, as amended." This should not be removed in my opinion.*
- *The only reference that should be removed is under Section 8-2-1 Appointment; Qualifications; Term; Compensation: A.(i): (i) The Board of Selectmen seated and serving as of the date of the initial approval of this Charter, shall constitute a search committee to consider candidates for appointment as the initial Town Manager for the Town of Clinton. Such candidates shall have the qualifications set forth in this Charter. Upon election of the initial Town Council, pursuant to this Charter, candidates will be presented to the Council for selection of the initial Town Manager. The authorization contained in this subsection shall become effective upon passage of the Charter.*
- *Remove Section 3-4 Treasurers*
 - *Under Section 8-21 Director of Finance, "Duties of the Treasurer" are listed. Also remove this under the table of contents*



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- *The reason it was set for 3 years initially was because the position was new and we were being cautious.*
 - *A contract term of 5 years is better, but I would start talks at 3 years to see if there is a need to find a new town manager as that process could take time.*
- *Appropriation amount at town meeting*
 - *The amount is currently \$300,000 and that was increased from \$150,000 (initial amount considered) during the last commission. The reason for this was to ensure that all large appropriations were made during the budget process and put into the Capital budget so all the town could vote on it not just a group of less than 50 that usually shows up to those votes.*
 - *There are emergency powers that the Council could invoke if something presents itself as a need i.e. a new fire truck or something. We were trying to avoid a large expenditure that should have larger scrutiny.*
 - *I don't agree with changing this amount and would like to know why the ask?*
- *Term limit for Chairperson*
 - *Currently, after each election the new Town Council votes on the Chairperson. I believe that there should be a restriction on how many "terms" a chairperson can be in that position. I am proposing 2 terms totaling 4 years (the council changes every 2 years and should be voting on a chairperson at that time). The Chairperson, has no more power than any other member of the council, they are merely a ceremonial member that calls meetings to order and other ceremonial engagements. There are charters that have this position changed every year so to show that the importance lies with the Council not one person. The ruling party can still vote one of their own into the position, but political party really doesn't matter, does it? It shouldn't.*

The public hearing was closed at 6:30 PM. The next meeting of the commission is scheduled for September 7th at 6:00 PM.

Respectfully submitted,

Mary Schettino
Executive Assistant
Town Manager