

**CALL TO ORDER**

Chairman Hadley Rose called the special meeting of the Simsbury Charter Revision Commission to order at 5:44 p.m. on Wednesday, March 23, 2016. The meeting was held in the Main Meeting Room of the Simsbury Town Offices located at 933 Hopmeadow Street, Simsbury, CT. In attendance were the following commission members: Thomas Benneche, Robert Crowther, Mary Glassman, Paul Henault, Anita Mielert, Melissa Osborne, Edward Pabich, James Ray, Lydia Tedone, and Jeffrey Tindall. Staff included Robert DeCrescenzo, Town Attorney.

**PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Ms. Joan Coe of 26 Whitcomb Drive said if the commission is interested in having a town manager form of government with all responsibilities of the office, all references to a first selectman should be eliminated in the charter. She said having an elected first selectman with an office, salary and personnel oversight is a hybrid. She does not support the hybrid form of government. In other town charters, the town manager has all responsibilities of a CEO. The people choose town council members, and a mayor is chosen by the council, with no salary. The charter should reflect a pure town manager government with an up or down vote for residents, with no mention of a first selectman. She said the town should hire a town manager with experience, a master’s degree in public administration, with a residency requirement, under a contract with a salary commensurate with surrounding towns. She said she feels attorneys do not have the skill set to be a town manager. She said a residency requirement would mean all policies and decisions made affect the manager. Phil Schenck, the past town manager of Avon and present town manager of Bloomfield, was required to move from Avon to Bloomfield. She said the economic development commission has served no purpose in developing economic development and should be removed from the charter, but changes other than town manager should be put off for another day.

Commissioner Tindall pointed out that the town manager would have personnel responsibility. Ms. Coe said but the first selectman would still exist.

**ACTION ITEMS**

**a) Discussion and Possible Action on Implementation of Town Manager Form of Government**

Discussion took place about inserting dates into the document where needed, but it was determined that a written timeline from Mr. DeCrescenzo was needed before doing that.

Commissioner Tindall had a question about Section 502, No. 8., which discusses spending during an emergency or disaster. He wanted to clarify the process. Mr. DeCrescenzo stated the town manager would not be able to unilaterally make expenditures. The town manager has no authority to appropriate money, but during the event of an emergency or disaster the town manger would have a “quarterback” type role in terms of assuring smooth operations during such an event. Any expenditure would need approval consistent with the charter.

On page 7, Section 402, Commissioner Osborne noted that the fourth line down ""from among their own members" should be changed to "from among the members of the board of selectmen."

There was discussion on a radius clause for the town manger, for example living within 30 miles, which would not be binding. That will be something left up to the board of selectmen to hash out.

Commissioner Mielert asked about contracts and it was determined that the language was sufficient enough to cover dealings with individuals, NGOs and non-profits. There was discussion on personnel contracts, terms of service and other topics.

Commissioner Benneche suggested changing the titles from first selectman and board of selectmen to mayor and town council. He said it would be a demarcation point, signaling the change in how the town will be run, as well as solving some of the gender neutrality language questions. Commissioner Pabich said the change might be too much for residents to swallow. Commissioner Mielert noted that Farmington uses town council and town council chair. Commissioner Glassman said maybe the language could be used for the public hearing and the commission would then get feedback from residents about the change. There were comments made on what the word "mayor" connotes. It was suggested the name change could be put in the report for the board of selectmen to consider.

***Commissioner Benneche moved to change the language to mayor and town council. Commissioner Glassman seconded. Commissioners Benneche and Glassman voted in favor, all others voted against, the motion failed.***

Commissioner Mielert had a question about the board of selectmen taking an action on the charter that the commission had not recommended. Mr. DeCrescenzo said that the selectmen would have to send it back to the commission and then the commission can decide what to do. The selectmen can't change the draft, but the selectmen can refuse to send it to referendum.

Mr. DeCrescenzo said he made the name change from culture, parks and recreation commission to parks and recreation commission, and added culture commission. (It was noted that there were some places where the text still had culture, parks and recreation, which will be changed.) There was also discussion on the number of members for both commissions, which was listed as nine. Voter affiliation was mentioned, but it was not added, as it was stated that is something for the selectmen to specify.

***Commissioner Mielert made the motion to amend Section 617 to say "consisting of no less than five members." Commissioner Benneche seconded. Commissioner Osborne asked about making it an odd number board of not less than five members. Commissioner Mielert said there are other boards that have even numbers and would rather leave it unspecified. Commissioner Henault then seconded. All voted in favor, the motion passed.***

#### **b) Discussion and Possible Action on Economic Development Commission**

There was some back and forth on whether or not to do away with this economic development commission in the charter, and what other avenues the town has for economic development. By

keeping it in the charter it is required that the selectmen have an EDC. Taking it out does not preclude the selectmen from creating a temporary or permanent commission in the future.

Commissioner Glassman suggested reducing the number of members, noting that there may be a need for the commission as there are times when it has much to discuss. She had some concern that eliminating the commission might send the wrong message to residents, as the town struggles with its tax base, that the town is not concerned with economic growth, which is not true.

Chairman Rose said going forward, the first selectmen position would be more dedicated to economic growth and so with that focus, would the commission still be needed. He also added that if an issue arises the selectmen could appoint a temporary committee.

In the end, it was determined that the commission eats up a considerable amount of staff time, and by doing away with the commission the bureaucracy is removed allowing for more entrepreneurial action.

***Commissioner Mielert made a motion to eliminate the economic development commission from the charter. Commissioner Ray seconded. Commissioner Glassman voted no. All others voted in favor, the motion passed.***

**c) Discussion and Possible Action on Details of Gender Neutrality**

None of the commissioners had any issues with trying to make the language more gender neutral in the charter. Commissioner Henault said he did not have an opinion either way, but posed the question of how politically correct do you need to be? He said he has received feedback to that affect as well.

Chairman Rose said there are places where it makes sense, such as a section that says "persons receiving money on behalf of the town shall pay the same to him" which can be replaced with "chair."

Commissioner Glassman said to leave it up to the discretion of town counsel. Mr. DeCrescenzo said that would not be difficult to do. Board of selectmen will remain. No vote was needed on this.

**d) Discussion and Possible Action on Final Report of the Charter Revision Commission**

Mr. DeCrescenzo said he would provide a draft of the updated charter to members the next day.

**e) Charter Revision Commission Next Steps**

Chairman Rose said at the meeting tomorrow the commission could resolve some of the final issues and set a public hearing date.

**ADJOURN**

***Commissioner Benneche moved to adjourn the meeting at 7:05 pm. The motion was seconded by Commissioner Tedone and was unanimously approved.***

Respectfully Submitted,  
Stephanie Riefe