

TOWN OF SIMSBURY
Charter Revision Commission
SPECIAL MEETING MINUTES
Monday, August 1, 2016 at 5:30PM
Simsbury Town Hall – Board of Education Conference Room
933 Hopmeadow Street, Simsbury, Connecticut

PRESENT: Chairman Hadley Rose, Bob Crowther, Paul Henault, Melissa Osborne, Ed Pabich, James Ray, Lydia Tedone and Jeff Tindall.

ABSENT: Tom Benneche and Mary Glassman.

ALSO PRESENT: Director of Administrative Services Tom Cooke and Attorney Bob DeCrescenzo (5:44PM).

1. CALL TO ORDER:

Chairman Hadley Rose called the meeting to order at 5:30PM.

2. PLEDGE OF ALLEGIANCE:

All present stood for the Pledge of Allegiance.

3. PUBLIC AUDIENCE:

Ms. Joan Coe of **26 Whitcomb Drive** urged the Charter Revision Commission to not skew the Charter so that it will fail. She also urged the Commission to remove a salary for the First Selectman position.

Mr. Robert Kalechman of **971 Hopmeadow Street** shared his opinions regarding local politics in Simsbury. He objected to the actions taken at the last meeting regarding the stipend for the First Selectman. Mr. Kalechman opined that the form of government in Town should be very similar to that of West Hartford.

4. ACTION ITEMS:

A. Review of Minutes.

I. Special Meeting of May 5, 2016.

The May 5, 2016 Special Meeting Minutes were accepted without correction.

II. Special Meeting of July 11, 2016.

The July 11, 2016 Special Meeting Minutes were accepted without correction.

III. Special Meeting of July 25, 2016.

The July 25, 2016 Special Meeting Minutes should be corrected to indicate Ms. Osborne as having arrived at 6:17PM rather than the time indicated. The July 25, 2016 Special Meeting Minutes were accepted with that correction.

B. Final Actions on Proposed Revised Charter and Final Report:

Mr. Rose explained that the action to consider, with respect to the Final Report, relates only to whether the content accurately reflects what was decided by the Committee, not whether an individual agreed with the recommendation. He noted that the option exists for members who may have a very strong opinion about an item in the report, either as an individual or as part of a small group of members, to submit a Minority Report. The process for this involves submitting

the Minority Report to the chairman of the Commission who would then forward on to the Board of Selectmen, according to Mr. Rose.

Mr. Rose then sought confirmation that all members had the opportunity to review the Final Report. Ms. Osborne noted a correction needed on Page 3, under A2, *Introduction and Summary of Proposed Changes*, the sentence that reads, "...The elimination of the Human Relations and the Economic Development Commissions...". She suggested the term ought to be "altered" or "amended".

Mr. Ray noted that Page 4, *Commission Meetings* needs to be updated with the meetings that have occurred beyond the last one listed.

Mr. Henault recalled that the Draft Revised Charter was going to include a Table of Contents. Mr. DeCrescenzo agreed, noting that one will be updated and added to reflect the latest revisions as page numbers have changed.

In response to comments made during Public Audience, Ms. Osborne noted that in the report previously issued to the Board of Selectmen, the Commission had already recommended that there be a stipend allotted to the First Selectman in the amount of 15% of the Town Manager's salary. She explained that the Commission then revisited this at the request of the Board of Selectmen as there was concern that a conflict of interest could arise for the First Selectman to vote on the Town Manager's salary if her stipend was tied to a certain percentage of the salary for which she was voting. She noted that the figure of \$22,500 was 15% of what the Commission had thought would be in the range of the likely salary of a professional Town Manager, \$150K.

The Commission consented unanimously to the Final Report as discussed with the two minor changes.

Attorney DeCrescenzo noted that the Final Report along with a red-lined version of the Charter along with a clean version of the Charter will be filed with the Town Clerk's office. The Board of Selectman will have fifteen days from the date of receipt of the same to vote on it, according to Attorney DeCrescenzo. It was noted that the next meeting of the Board of Selectmen is August 8, 2016. In response to an inquiry on the number of selectmen needed to approve, Attorney DeCrescenzo noted that four (4) members of the entire membership must do so.

The Commission recessed at 6:02PM. Mr. Ray exited the meeting prior to the Commission reconvening.

The Commission reconvened at 6:33PM.

Attorney DeCrescenzo referenced Article XIX of the Connecticut State Constitution. He read the amendment in its entirety:

"Section 2 of the article eleventh of the constitution is amended to read as follows: Except as provided in this section, neither the state nor any political subdivision of the state shall pay or grant to any elected official of the state or any political subdivision of the state, any compensation greater than the amount of compensation set at the beginning of such official's term of office for the office which such official holds or increase the pay or compensation of any public contractor above the amount specified in the contract. The provisions of this section shall not apply to elected officials in towns in which the legislative body is the town meeting. The compensation of an elected official of a political subdivision of the state whose term of office is four years or more may be increased once after such official has completed two years of his term by the legislative body of such political subdivision. The term "compensation" means, with respect to an elected official, such official's

salary, exclusive of reimbursement for necessary expenses or any other benefit to which his office would entitle him.”

Discussion followed regarding the language to be used for the allocated stipend for the First Selectman position.

MOTION: Ms. Osborne, Mr. Crowther second, **to amend the Draft Charter Section 411, the second sentence should read: “The First Selectman or First Selectwoman shall be the Chief Elected Officer of the Town and shall receive a stipend as established for each term of office by the Board of Selectman in accordance with Connecticut General Statutes”;** unanimously approved.

MOTION: Ms. Osborne, Ms. Tedone second, **to amend Page 15 of the Final Report to be amended, to include the following:**

At its August 1, 2016 meeting, the Commission discussed new statutory and constitutional authority revealed by the Town Attorney which effected the permissible ways to document the compensation of the First Selectman. In so doing, the Commission voted to amend the Charter to provide that the First Selectman’s compensation or stipend should be set by the Board of Selectmen for each term of office in accordance with the Connecticut General Statutes.

The Charter Revision Commission strongly urges the Board of Selectmen to be guided by a compensation range that is generally 15% of what the Town Manager’s is ultimately determined to be; unanimously approved.

MOTION: Mr. Henault, Ms. Osborne second, **to approve this Final Report as discussed; unanimously approved.**

4. ADJOURN:

MOTION: Mr. Tindall, Ms. Osborne second, **to adjourn at 6:53PM; unanimously approved.**

Respectfully submitted,

**Pamela Colombie
Commission Clerk**