

CALL TO ORDER

Chairman Hadley Rose called the Regular Meeting of the Simsbury Charter Revision Commission to order at 5:35 p.m. on Thursday, March 3, 2016. The meeting was held in the Board of Education Conference Room of the Simsbury Town Offices located at 933 Hopmeadow Street, Simsbury, CT. In attendance were the following commission members: Paul Henault, Mary Glassman, Jeffrey Tindall, Anita Mielert, Melissa Osborne, Lydia Tedone, Thomas Benneche, James Ray, Edward Pabich and Robert Crowther. Staff included Tom Cooke, Director of Administrative Services and Robert DeCrescenzo, Town Attorney.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Ms. Peggy Shanks of 2 Briarwood said that she served as First Selectman in Simsbury for 9 years and served on two Charter Revision Commissions. Ms. Shanks stated the federal government is in chaos, businesses are leaving and apartments have been built rapidly in the past decade. She added that a Town Manager will help reduce the revolving door with town staff. Ms. Shanks added that the First Selectman doesn't have time to use their vision and leadership because of the day-to-day tasks. If the town adopts a Town Manager form of government, then the First Selectman will be free to make good, solid policy in town.

Ms. Joan Coe of 26 Whitcomb Drive said that the Simsbury Charter should reflect the growth and demands of the community and the need for a professional Town Manager with one voice. She added that we are living in a complex society with many risks and financial challenges that can only be accomplished with long-term planning and professional guidance. Ms. Coe said over the past 40 years she has interfaced with First Selectman Peggy Shanks, Ted Tansi, Mary Glassman, Anita Mielert, Tom Vincent and Lisa Heavner. She provided her prospective of problems of each First Selectman while in office. Her examples included incidents where she sued the town twice and won both cases. Ms. Coe recommended that the Town Manager is paid position and a resident of Simsbury and serves as the CEO with a Town-Council Mayor form of government with no salary for the elected officials.

Commissioner Mielert stated for the record that she did not fire Paul Fetherston, as Ms. Coe stated in her public comments. Commissioner Mielert said Mr. Fetherston left for a position in Newington and she hired Brandon Robertson who was at the top of his class receiving an MPA from UCONN.

Dr. Mike Rinaldi of 32 Pinnacle Mountain Road said that voters should have a voice of the form of government. He suggested that the Board of Selectmen receives at least two recommendations from the Charter Revision Commission followed by a town meeting with the Charter Revision Commission answering questions then have a referendum.

Mr. Bill Gallagher of 2 Highwood said that the main problem with the BOE is the lack of transparency. Despite the appearance of an election, membership on the BOE is by appointment only and is solely at the discretion of the two party committees. He added that the most troubling part is 38% of citizens in town that are registered as unaffiliated have no say in the appointment of new members to the BOE. Mr. Gallagher strongly disagrees with the comment made at the last meeting that the current process "de-politicizes" the BOE. He said he would like to see changes that offer more opportunities for the politically unaffiliated citizens and voters in town to serve on the BOE.

ACTION ITEMS

a. Review of Minutes – Regular Meeting of February 18, 2016

Commissioner Rose stated that he received a letter from Mr. Robert Kalechman requesting that the Commission reconsider their discussion on the Constable position. Commissioner Rose said that he replied to Mr. Kalechman stating that since there is no support, he has no intentions to address the topic for reconsideration.

Commissioner Tindall moved to approve the minutes as submitted. The motion was seconded by Commissioner Ray. Commissioners Rose, Henault, Tindall, Benneche, Pabich, Crowther and Ray voted in favor of the motion. Commissioners Glassman, Mielert and Osborne abstained from voting since they were absent from the February 18th meeting.

b. Discussion and Possible Action on Simsbury Form of Government

Commissioner Henault recommends a hybrid form of government to significantly improve Simsbury.

Commissioner Henault moved to have a Hybrid form of government that follows the text underlined in the document titled "Draft Chapter VII with Chief Administrative Officer, March 2, 2016; Reference Section 704 Item 1. Commissioner Tindall seconded the motion.

Mr. Robert DeCrescenzo, Town Attorney, answered Commissioner Crowther's question of who is the CEO in the hybrid form of government. Mr. DeCrescenzo said that under the hybrid option, The CEO is the First Selectman and the CAO is the Town Manager, which works at the direction of the First Selectman. Mr. DeCrescenzo also answered Commissioner Glassman's question about personnel responsibilities missing from the draft. He said that the draft is just a framework which is adjustable. However, he personally thinks it's a mistake to put too much in the Charter otherwise it will lead to more Charter revisions in the future. Mr. DeCrescenzo suggested listing the personnel responsibilities in the job description.

Commissioner Crowther commented that he thinks the hybrid option is a poor form of government because a professional Town Manager that runs the day-to-day operations of the town will report to an elected official.

The Commissioners then reviewed the hybrid option listed on the chart titled "Comparison of Chief Executive Officer Alternatives". Commissioner Henault added that we don't need to go from one extreme to another, just make changes to improve the process.

Commissioner Mielert said she originally supported the hybrid option but expects the town to continue having problems that are presently being discussed. Listening to the comments from the Mayor of West Hartford made a difference in her viewpoint.

Commissioner Benneche said that he is struggling with the hybrid option because the Town Manager will try to conduct business with his hands tied behind his back. He suggests a part-time First Selectman so that the person can continue working full-time at their occupation. The First Selectman will continue to provide their vision and policy to the Board of Selectmen.

Commissioner Henault amended the motion to strike the text "and shall serve at the pleasure of the First Selectman" from the underlined text in the document titled "Draft Chapter VII with Chief Administrative Officer, March 2, 2016; Reference Section 704 Item 1. Commissioner Tindall seconded the motion. Commissioners Rose, Tindall, Osborne and Henault voted in favor of the motion. Commissioners Glassman, Mielert, Tedone, Benneche, Ray, Pabich and Crowther voted against.

Commissioner Benneche moved to adopt a Town Manager form of government. Commissioner Pabich seconded the motion.

Extensive discussion continued between Commissioners Benneche and Henault. Commissioner Benneche suggested that the First Selectman position is part-time, unpaid with a stipend and can select their hours. He added that the First Selectman will continue to serve as a liaison between the community and the BOS. Commissioner Henault responded by listing the pros and cons of a Town Manager form of government that was discussed during a previous meeting.

Commissioners Glassman, Mielert, Tedone, Pabich, Ray, Crowther and Benneche voted in favor of the motion. Commissioners Tindall, Rose, Henault and Osborne voted against.

Mr. Robert DeCrescenzo will prepare a draft for the next meeting outlining a Town Manager form of government with the First Selectman as a part-time unpaid position with a stipend.

Commissioner Glassman asked for the topic of a stipend to be listed on a future agenda. She said that there are expenses that should be covered for the First Selectman. Commissioner Mielert agreed with Commissioner Glassman.

Commissioner Benneche said that he would like to comment on the BOE topic addressed by the public audience. He said that he hears the public yet not sure of the remedy. Commissioner Glassman said that there are a number of Boards that opened membership to unaffiliated voters. However, she doesn't see any solutions to the current BOE. Commissioner Osborne said that the state statute reads

that if you have and eight member board, it is equal representation according to 204 A and 204 sub A. As for the unaffiliated issue, if an unaffiliated person runs and wins, then there is no state provision. Simsbury doesn't control if an unaffiliated person runs. In her opinion, it seems the public wants more participation in the elections.

Commissioner Rose said that BOE topic has already been voted and should not bring it back up for discussion unless the majority of the board wants to readdress it. Although three members were absent the day of the vote, the agenda is not crafted according to the attendances of the members.

c. Discussion of Future Agenda Items

Commissioner Rose said he wants to discuss the length of terms of elected officials and the status of three committees: Culture Parks and Recreation, Open Space Committee and Economic Development. Mr. DeCrescenzo said he will provide a draft of a new Charter.

SECOND PUBLIC HEARING

Mr. Carl Meyer of 7 Deepwood said that he agrees with the Town Manager form of government and having a stipend for the First Selectman. He added that three key members were not in attendance during the BOE vote and would like the topic added to a future agenda. Mr. Meyer provided statistics on unaffiliated boards. He said according to the top 30 school districts in Connecticut, most of boards have between seven and nine members.

Ms. Joan Coe of 26 Whitcomb Drive thanked the Commission for voting for a Town Manager form of government. Ms. Coe added that other topics should not be added or removed from the Charter to allow voters to focus on the Town Manager issue.

Mr. Bill Gallagher of 2 Highwood said he likes the idea of having a nine person board. He suggested having three of each: republicans, democrats and unaffiliated.

Dr. Mike Rinaldi of 32 Pinnacle Mountain Road said the public should decide on the form of government. He thinks the current government is working well. Dr. Rinaldi said he disapproves of the decisions of the BOE and term limits. New members should be on the board occasionally and the people's vote should count.

ADJOURN

Commissioner Mielert moved to adjourn the meeting at 8:06 pm. The motion was seconded by Commissioner Tedone and was unanimously approved.

Respectfully Submitted,

Irene Muench