

TOWN OF GROTON
 CHARTER REVISION COMMISSION
 REGULAR MEETING MINUTES
 May 22, 2017
 TOWN HALL ANNEX – COMMUNITY ROOM 2

Chair Pro Tem Aument called the meeting to order at 6:30 p.m.

I. ROLL CALL:

Members Present: Chair Pro Tem Scott Aument, Kathy Chase, Jane Dauphinais, Robert Frink, Patrice Granatosky, Rosanne Kotowski, and Jennifer White.

Members Absent: Chair Hauber, Commissioners Brandon Marley, Daniel Mello, and Darcy Peruzzotti

Also present was Nate Caron, Office Assistant II.

II. APPROVAL OF MINUTES:

A motion was made by Commissioner Chase, seconded by Commissioner Kotowski, to approve the minutes of the May 08, 2017 meeting.

The motion passes 6-0-1(Granatosky abstained)

III. CITIZENS' PETITIONS: None

IV. COMMUNICATIONS:

Chair Hauber: None

Secretary: None

Members:

Commissioner Kotowski referenced e-mailed communication from Jay Dempsey and Dick Voyer regarding how the Charter Revision Commission will respond to budget deadlines as they relate to State funding. In response to Commissioner Granatosky, Commissioner Kotowski stated that she would forward to the correspondence to the Town Clerk for distribution to the Commissioners.

Commissioner Dauphinais noted that State statutes dictate the Town be on a July-first fiscal calendar. She referenced a previous discussion regarding building the budget timeline in the Charter around the date that the Council sets the mill rate.

Chair Pro Tem Aument noted that it is important to include due dates in the Charter.

Commissioner Frink stated that you need to have a way to reduce spending and/or increase taxes if revenue is different than was expected.

Commissioner Granatosky requested that the Town Clerk's responses to questions from the May 08, 2017 meeting be included in the record.

Commissioner Frink stated that he had a conversation with Natalie Billing. He stated that according to Ms. Billing, there are many people in Groton who are of voting age and are not registered to vote.

Commissioner Dauphinais noted that if that is true, it is probably a function of the Navy and Sailors; they are not going to vote here.

- V. NEW BUSINESS:
 - a. Chapter Nine
 - b. Definition of Elector
 - c. Consolidation of Boards and Commissions

Commissioner Kotowski made a motion to approve everything discussed at the last meeting up to where the Commissioners ended discussion at the last meeting.

Commissioner Frink referenced and reviewed the document dated May 21, 2017: "NEW Chapter IX Budget and Finance Sections 9.11 through 9.14."

Commissioner Dauphinais noted that the Commission previously discussed details about a budget referendum: minimum voter turnout and feedback included in voting.

Commissioner Frink noted that the referendum referenced in proposed Chapter Nine is unfettered.

Commissioner Dauphinais noted that that was not the spirit of the discussion at the last meeting.

Commissioner Kotowski stated that at the last meeting, the Commission held off voting because Commissioners Chase and Mello wanted to discuss the fifteen-percent voter turnout requirement.

Commissioner White noted that one additional reason the Commission did not vote on proposed Section 9.11 at the last meeting was because she did not agree on having a budget referendum but agreed on the verbiage discussed at the last meeting; she questioned if she should vote on the verbiage.

Commissioner Mello arrived at 6:49 p.m.

Mary Ann Jacob, Legislative Council from the Town of Newtown, Connecticut responded to questions from the Commissioners via telephone. Her comments and responses to the Commissioners' questions included the following:

- *Newtown has an annual binding bifurcated budget referendum as a result of a Charter change driven by supporters of education. If the Town budget passed but the education budget failed, money cannot be taken from the Town budget and given to the education budget.
- *The referendum includes advisory questions.
- *A recent Charter revision resulted in changing the advisory questions to the following:
"In the event the budget fails, would you like it reduced or increased?"
- *She noted that historically if a budget fails, it is because it is too high. There is a vocal community in Newtown that urges people to vote for the education budget in favor of the education budget.
- *The bifurcated budget and advisory questions have forced the Town to increase the level of detail to the taxpayers in order to help them understand what they are voting for.
- *The last four budget referendums passed the first time; the year before that there were five referendums and the year before that there were three.
- *The Board of Education budget is incredibly detailed. It provides honesty and reduces the notion that government is trying to hide things from the taxpayers.
- *Of the last four years where the budget passed on the first try, the changes in the budget were: zero-percent increase, a decrease, a fewer than two-percent increase, and .82 percent increase.
- *Newtown's student enrollment is declining significantly. The Board of Education has been responsive in reducing overhead where it can and focusing funds on teaching and learning.
- *The bifurcated budget was driven by education supporters who saw the budget failing and thought it was failing because it was unfairly tied to the Board of Selectmen's budget.
- *Nineteen percent voter turnout in Newtown is good; Newtown cannot seem to budget the budget

needle voter turnout above twenty-percent.

- *Voter turnout for Board of Education and Selectmen in conjunction with a national election is in the ninety percentile; local elections are approximately 40-50 percent.
- *Voters feel like they can trust the budget more because of the level of detail provided.
- *Newtown video tapes budget meetings; they are on the Town's website.
- *Newtown's Charter requires the budget be voted on the fourth Tuesday in April.
- *There is a Board of Finance that is advisory only; the Legislative Council is the fiscal authority in Newtown.
- *The budget process starts with the Board of Education and the Board of Selectmen in December/January. The budget is then reviewed by the Board of Finance, then it back to the Legislative Council, and then it is voted on at referendum.
- *The Legislative Council works collaboratively with the Board of Finance. The subcommittees look at the budget and ask questions before it is passed by the Board of Finance; the Board of Finance receives and incorporates questions into the work it does.
- *The Legislative Council has approximately three weeks with the budget.
- *State legislators and the State's Budget Director met with the Town this year.
- *The message from the constituents is clear: they cannot afford big tax increases.
- *Newtown has a high mill rate and low commercial base.
- *There are no referendum conditions in Newtown.
- *There is no limit on the number of referendum(s).
- *CIPs were included in the Town operation side of the budget (debt service). The Legislative Council has authority on projects up to \$500,000; the Town meeting has authority \$500,000 to \$10,000,000; referendum for any project over \$10,000,000. After a recent Charter change eliminated the Town meeting, the Legislative Council has authority over special appropriations up to \$1,500,000 with a cap of 1 mill per year. Anything that exceeds the \$1.5 million and/or the 1 mill cap goes to the voters.
- *Newtown's Legislative Council, Board of Finance, and Selectmen are two-year terms; Board of Education is a four-year term. The Legislative Council is elected by district and the Board of Finance and Selectmen are elected town-wide. Newtown uses minority representation.
- *CIPs that do not go to voters are in the Selectmen's' budget.
- *Newtown has a borough, which is a unique tax district. It is not funded by the Town; it is taxed and funded separately from the Town. Newtown provides services to it, but above that, it funds itself; it has separate zoning laws, etc.
- *She thinks voters are happy having a say in where their tax dollars are spent. If there was a Charter change taking away the referendum, and if the Legislative Council was the sole body that would vote on the budget, there would be an outcry even though there is 19 percent voter turnout. When a budget passes, it is because enough YES voters show up.
- *The largest advocacy group during the referendum is education; the PTA spends money on signage. The Town communicates information on the budget to citizens in the newspaper, video messaging, social media (not using tax dollars), and voting reminders throughout the Town.
- *Newtown allows non-resident voters to vote in referendum if they are a citizen and own property valued more than a certain amount (Statute is \$1,000). Non-residents, citizens, who live out of state for more than six months, can vote in the budget referendum in Newtown if they own property. She noted that Newtown is not impacted significantly by a non-resident summer community.
- *Referendums pass by a simple majority; they have had referendums that have passed by five votes.
- *Based upon research, in Newtown, parents of children in the school system do not vote any greater number of those who do not have children in the school system; for every woman who is married to a man, the men only vote at 50% of the women's rate. There is a push to get every member of a household to vote.
- *Every vote counts
- *Non-binding opinion questions are not usually included in budget referendum questions. Aside from the Capital improvement vote, there is usually a task force with citizens that tackles Capital improvement projects so there is a wide range of involvement.

Commissioner Granatosky noted that less than ten percent of the people in Newtown are making the decisions. She noted that Newtown's Board of Education budget has the level of detail that Groton's has.

Commissioner Chase stated that she likes that Newtown communicates budget information to the public.

Chair Pro Tem Aument noted that people wanted more transparency, so Newtown gave them that.

Commissioner Dauphinais noted that Newtown has a population of 30,000 and Groton is 40,000. She stated that statistically Newtown is a far more educated and affluent. Groton's poverty rate is 8.6 and Newtown's is 5.2, the median income is \$108,000/\$109,000, Groton's is \$60,000, and the median price of a home in Newtown is \$417,000 and Groton's median home price is \$246,000.

Commissioner Mello stated those statistics are more of a reason for people to have a say in the budget because they do not have as much money.

Commissioner Dauphinais stated that she would agree with Commissioner Mello if people in Groton were going to be as informed on the budget as they are in Newtown.

Commissioner Granatosky noted that Newtown is in DRG B, and Groton is in DRG G. She noted that normal local election voter turnout is approximately 30 percent; you can assume voter turnout will be lower than that of a local election, so a very small group of people who are not representative of everyone in Town will be voting in the referendum.

Commissioner Kotowski stated that you should not deny other people the opportunity to vote just because you do not think enough people will show up to vote; everybody should have a right to have a say in how their tax dollars are spent.

Commissioner Frink noted that this year nineteen people can decide the budget (five as a majority on the Town Council and a 1/3 vote of the RTM to sustain the Town Council vote).

Commissioner Dauphinais stated that the twenty or twenty-five people who decide the budget this year, or any year, have sat through hours of workshops and information sessions with department heads and public hearings, and were elected to vote with the entire Town in mind. She stated that that is preferable to six hundred people voting NO because their taxes are too high.

Commissioner Dauphinais made a motion, seconded by Commissioner Frink, to approve the following language on proposed Section 9.11.1:

"Town-wide budget referendum will occur at least once per year, with a maximum of 2 per fiscal year. Failure to pass a budget after the ~~third~~ second time, the approved council budget becomes the budget. Minimum voter turn-out for a valid referendum will be greater than or equal to 15% of registered electors and non-resident electors. Failure to achieve the minimum and the council approved budget becomes the approved budget for the proposed fiscal year. Referendum questions can ask but are not limited to the following:

- A) If casting a NO vote, is it too high or too low.
- B) If casting a NO vote, list areas to recommend reductions."

Commissioner Dauphinais noted that she spoke with Deputy Tax Collector LuElen Socha, and Ms. Socha confirmed it would not be possible to get the tax bills out on time if the Tax office learned what the mill rate was between June 12th and June 18th with three budget referendums.

Commissioner Frink stated that tax bills would not go out until there is a budget, or the Town Council could approve a temporary budget for three months.

Commissioner Granatosky noted that management in Groton has always been fiscally conservative; Groton needs to safeguard what it has built up.

The commissioners discussed the language for proposed Section 9.11. The Commissioners referenced the draft of Section 9.11 that was discussed at the last Charter Revision Commission meeting, which was different than the motion on the floor.

Commissioner Dauphinais withdrew the motion, and Commissioner Frink withdrew the second.

In response to Commissioner Granatosky, Commissioner Frink noted that if the second referendum fails, the Council sets the budget; if there are two referendums, then the last budget referendum would be June 4th.

Chair Pro Tem Aument read the proposed language for Section 9.11.1: "The Annual Budget Referendum shall be held on the third Tuesday in May, voting by voting machine by those eligible by law and this Charter to cast ballots for that purpose."

The Commissioners discussed leaving "those eligible by law" as is and determining who is eligible by law at a later date.

The Commissioners discussed Proposed Section 9.11.1 and including specific dates in the Charter.

Commissioner Frink made a motion, seconded by Commissioner Kotowski, to review and adjust the budget process dates at a later meeting.

In response to Commissioner Granatosky, Commissioner Frink stated that the dates can change at a later meeting.

Vote on the motion: "To review and adjust the budget process dates at a later meeting."

PASSED UNANIMOUSLY

Commissioner Frink made a motion, seconded by Commissioner Chase, to approve the proposed language for Sections 9.11.1 and 9.11.2:

9.11.1: "The Annual Budget Referendum shall be held on the third Tuesday in May for voting by voting machine by those eligible by law and this Charter to cast ballots for that purpose."

9.11.2: "No later than 10 days prior to the Annual Budget Referendum the Town Clerk shall publish the date of the referendum in a newspaper having circulation in the Town and by posting in such public place or places as the Council shall by ordinance prescribe."

In response to Commissioner Mello, Commissioner Dauphinais confirmed that the Board of Finance does not publish dates, the Town Clerk does.

Vote on the Motion to approve proposed Sections 9.11.1 and 9.11.2: PASSED

9.11.1: "The Annual Budget Referendum shall be held on the third Tuesday in May for voting by voting machine by those eligible by law and this Charter to cast ballots for that purpose."

9.11.2: "No later than 10 days prior to the Annual Budget Referendum the Town Clerk shall publish the date of the referendum in a newspaper having circulation in the Town and by posting in such public place or places as the Council shall by ordinance prescribe."

Vote:

In favor: 6 (Aument, Chase, Frink, Kotowski, Mello, White)

Opposed: 2 (Dauphinais, Granatosky)

Abstained: 0

Commissioner Kotowski made a motion, seconded by Commissioner Frink, to approve the proposed language of Section 9.11.3: "At least ten (10) days prior to the annual budget referendum, the Council shall cause ~~sufficient copies of the a~~ budget summary ~~estimates~~ to be made available upon request ~~for general distribution~~ in the office of the Town Clerk; shall cause a copy of said budget ~~estimates~~ to be made available for download via the internet; and shall cause to be published in a newspaper having circulation in the Town, a summary of said proposed budget ~~estimates~~ and also showing the amount proposed to be raised by taxation."

Commissioner Granatosky noted that she wanted to have access to the entire budget; it is available online now.

In response to Commissioner Granatosky, the Commissioners clarified that the entire budget would be available by downloading it online. Commissioner White noted that there would be a summary available, and the entire budget would be available online.

Commissioner Dauphinais noted that if the Town Manager's proposed budget changes at the end of April, once the Board of Finance and Town Council are finished with it, then there are not going to be function-by-function department numbers available within ten days.

In response to Commissioner Chase, Commissioner Dauphinais noted that the Commission had discussed the possibility of having a voter guide in which the changes in the proposed Board of Finance and Council budgets are represented.

Commissioner Frink stated that if budget changes are made at the appropriate level of detail, then those changes would be known. He noted that the entire budget could be available online as well as a list of changes to the budget.

Commissioners White and Chair Pro Tem Aument noted that the information should be available within ten days.

Chair Pro Tem Aument noted that departments have to have budgets that prioritize items.

Commissioner Mello moved the question, second by Commissioner Granatosky: PASSED

In favor: 7 (Aument, Chase, Dauphinais, Granatosky, Kotowski, Mello, White)

Opposed: 1 (Frink)

Abstained: 0

Vote on the motion to approve proposed Section 9.11.3: PASSED

9.11.3: "At least ten (10) days prior to the annual budget referendum, the Council shall cause ~~sufficient copies of the a~~ budget summary ~~estimates~~ to be made available upon request ~~for general distribution~~ in the office of the Town Clerk; shall cause a copy of said budget ~~estimates~~ to be made available for download via the internet; and shall cause to be published in a newspaper having circulation in the Town, a summary of said proposed budget ~~estimates~~ and also showing the amount proposed to be raised by taxation."

In favor: 6 (Aument, Chase, Frink, Kotowski, Mello, White)

Opposed: 2 (Dauphinais, Granatosky)

Abstained: 0

Chair Pro Tem Aument referenced proposed Section 9.11.4.

In response to Commissioner Granatosky, Commissioners clarified that in a bifurcated budget, if one budget passes and one fails, then the part of the bifurcated budget that failed is the one that would be voted on again.

Commissioner Dauphinais questioned what would happen if the Board of Education's budget fails and it is at the minimum required budget level.

Chair Pro Tem Aument stated that a reduction in State aid does not factor into the calculation.

Commissioner Kotowski made a motion, seconded by Commissioner Frink, to approved proposed Section 9.11.4: "The text of the Annual Budget Referendum shall provide for separate approval/disapproval of the Town Government Budget and the Board of Education budget as follows:

1. In favor of the proposed Town Government Budget of the Town of Groton for the fiscal year July 1, _____ to June 30, _____ in the amount of \$ _____.

Yes.

No; the ~~adopted~~ recommended budget is too high.

No; the ~~adopted~~ recommended budget is too low.

2. In favor of the proposed Board of Education Budget of the Town of Groton for the fiscal year July 1, _____ to June 30, _____ in the amount of \$ _____.

Yes.

No; the ~~adopted~~ recommended budget is too high.

No; the ~~adopted~~ recommended budget is too low."

Vote on the motion to approve proposed Section 9.11.4: PASSED

In favor: 6 (Aument, Chase, Frink, Kotowski, Mello, White)

Opposed: 2 (Dauphinais, Granatosky)

Abstained: 0

Chair Pro Tem Aument referenced proposed Section 9.11.5:

"If a majority of the votes cast in the referendum for each question are "Yes," or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters, the adopted budgets, Town and Board of Education, shall be deemed to be adopted and together shall constitute the approved Town Council budget for the ensuing fiscal year."

Commissioner Mello noted that he wants a bifurcated budget.

Chair Pro Tem Aument noted that he wanted to discuss the "elector" versus "voter."

In response to Commissioner Granatosky, Commissioner Dauphinais clarified that this Section refers to 15% of registered voters. She stated that if you add people who own property but are not registered to vote, then that changes the basis of the fifteen percent.

Commissioner Kotowski stated that there would most likely be the same percentage of voter turnout, approximately 30 percent, if non-resident property owners were allowed to vote in budget referendum.

In response to Commissioner Granatosky, Chair Pro Tem Aument clarified that the motion related to the budget referendum was "to adopt an annual budget referendum for the Town of Groton."

Commissioner Mello amended the proposed language for Section 9.11.5 to the following:

"If a majority of the votes cast in the referendum for each question are "Yes," ~~or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters,~~ the adopted budgets, Town and Board of Education, shall be deemed to be adopted and together shall constitute the approved Town Council budget for the ensuing fiscal year."

Commissioner Mello made a motion, seconded by Commissioner Chase, to approve the proposed language as amended: "If a majority of the votes cast in the referendum for each question are "Yes," ~~or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters,~~ the adopted budgets, Town and Board of Education, shall be deemed to be adopted and together shall constitute the approved Town Council budget for the ensuing fiscal year."

Commissioner Frink noted that he does not have a problem with the fifteen-percent voter turnout requirement.

Vote on the motion to approve the proposed language for Section 9.11.5: PASSED

"If a majority of the votes cast in the referendum for each question are "Yes," ~~or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters,~~ the adopted budgets, Town and Board of Education, shall be deemed to be adopted and together shall constitute the approved Town Council budget for the ensuing fiscal year."

In favor: 5 (Chase, Granatosky, Kotowski, Mello, White)

Opposed: 3 (Aument, Dauphinais, Frink)

Abstained: 0

Chair Pro Tem Aument referenced proposed Section 9.11.6:

"Provided that the total number of votes cast in the Annual Budget Referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting shall reject the recommended Town or Board of Education budget. If either the Town or Board of Education budget is approved in accordance with Section 9.11.5 that budget will be deemed approved. The Council in consultation with the Board of Finance shall, within seven days after a failed referendum, adopt a revised budget for each rejected budget, which may be less or greater than the failed budget, as the Council shall deem appropriate based on the results of the referendum. A second referendum on the revised budget or budgets shall then be held on the second Tuesday following the preceding referendum and shall be conducted in accordance with Sections 9.11.4 and 9.11.5."

The Commissioners discussed the proposed language, and the following paragraph was the result of workshopping the language:

9.11.6: "Provided there is that the total number of votes cast in the Annual Budget Referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting, ~~shall reject the recommended Town or Board of Education budget~~ shall be deemed rejected. If either the Town or Board of Education budget is approved in accordance with Section 9.11.5 that budget will be deemed approved and binding. The Council in consultation with the Board of Finance shall, within seven days after a failed referendum, adopt a revised budget for each rejected budget, which may be less or greater than the failed budget, as the Council shall deem appropriate based on the results of the referendum. A second referendum on the revised budget or budgets shall then be held on the second Tuesday following the preceding referendum and shall be conducted in accordance with Sections 9.11.4 and 9.11.5"

Commissioner Mello made a motion, seconded by Commissioner Kotowski, to table the discussion: PASSED

In favor: 7 (Aument, Chase, Dauphinais, Frink, Kotowski, Mello, White)

Opposed: 1(Granatosky)

Abstained: 0

The Commissioners discussed the prospect of adding meetings to the schedule, and determined the next meeting will be from 6:30-9:30 p.m.

VI. Adjournment

Motion to adjourn was made by Commissioner Mello, seconded by Commissioner Chase. The motion carried unanimously.

Chair Pro Tem Aument adjourned the meeting at 8:40 p.m.