

TOWN OF GROTON
 CHARTER REVISION COMMISSION
 REGULAR MEETING MINUTES
 October 17, 2016
 TOWN HALL ANNEX – COMMUNITY ROOM 2

Chair Pro Tem Aument called the meeting to order at 6:31 p.m.

I. ROLL CALL:

Members Present: Chairperson Dee Hauber, Chair Pro Tem Scott Aument, Commissioners Kathy Chase, Robert Frink, Patrice Granatosky, Rosanne Kotowski, Daniel Mello, Darcy Peruzzotti, and Jennifer White.

Members Absent: Commissioners Jane Dauphinais and Brandon Marley

II. Approval of Minutes:

- a. A motion was made by Commissioner Granatosky, seconded by Commissioner Mello, to approve the minutes of the October 03, 2016 meeting as amended.

Vote: 9-0-0.

Commissioners Frink and Chase amended the minutes.

III. Communications:

a. Chair: None

b. Secretary: Chair Pro Tem Aument stated that he delivered a report to the Town Council. He noted that the Council was happy with the Commission's progress. He stated that Mayor Flax mentioned bringing in lawyers to review potential changes to the Charter. He reviewed his e-mail correspondence to the Charter Revision Commission.

c. Members:

Commissioner Mello noted that he spoke with a Sally Rukins who was in favor of a split referendum for the Board of Education and the Town. He reported that he met with Groton City Mayor Galbraith, and he noted that he had the impression that things are not running smoothly between the Town and City, and discussions are not on equal footing for the City. He stated that Mayor Galbraith looks favorably upon the RTM. He noted that she favors a regional approach to combining services.

In response to Commissioner Peruzzotti, Commissioner Mello clarified the difference between consolidation and regionalization.

Commissioner Granatosky stated that a couple of people urged her to not end up with a referendum because people are concerned about a knee-jerk reaction based upon a bottom line figure, and the community will be hurt as far as schools, programs that benefit the community, and quality of life.

Commissioner Kotowski stated that people are interested in a budget referendum because they want to have a say in the way their tax dollars are spent.

In response to Commissioner Granatosky, Chair Pro Tem Aument stated that the Town Council was pleased on the Commission's progress. He stated that the Councilors read the minutes. He noted that Mayor Flax stated that at some point lawyers would have to vet the Commission's proposed language.

In response to Commissioner Frink, Chair Pro Tem Aument stated that payment for the lawyers would be determined by the Council.

IV. New Business:

a. Review Chapters III, V, VII of the current Town Charter.

In response to Commissioner Kotowski's suggestion that the Commission take a vote on Conflict of Interest, Commissioner Granatosky stated that she thought the Commission was going to research what other towns do before proceeding with a vote.

The Commissioners discussed a State-mandated Ethics Commission versus a Town-Charter mandated Ethics Commission.

Commissioner Kotowski made a motion, seconded by Commissioner Frink, to include the following language in the Charter: "Town employees and Board of Education employees cannot serve on the Council or RTM or elected or appointed office."

Commissioner Mello stated that he questions the legality of the proposal.

Commissioner Granatosky amended the motion, seconded by Chair Hauber, to the following language: "Town employees and Board of Education employees cannot serve on the Council or RTM."

Commissioner Granatosky stated that she believes it is stripping rights away by taking away what they can or cannot do. She stated that the Commission should work on enforcement of what is currently in place.

Commissioner Mello stated that he agrees with Commissioner Granatosky.

Commissioner White stated that there is a conflict of interest that needs to be addressed if somebody's paycheck comes from the Town or Board of Education.

Chair Pro Tem Aument stated that the Conflict of Interest as it stands now for the RTM and Council does not work because of a lack of enforcement. He stated that he believes something close to the proposed language gives it more teeth and needs to be included in the Charter.

Commissioner Kotowski stated that she has heard the Public Works Director enforces the regulation that no employees may serve on Commissions and may not attend meetings where they could answer questions from the public.

Chair Hauber stated that she agrees that the proposed language needs to be put into the Charter.

Commissioner Frink stated that he is not aware of any Town or Board of Education employee having a material effect on the budget by voting on the RTM or Council. He stated that he is opposed to an Ethics Commission. He suggested that the Charter Revision Commission explore what others Towns do regarding this issue.

Commissioner Chase stated that she agrees that Town and Board of Education employees should not be allowed to serve on the Town Council, RTM, or Board of Education.

Commissioner Kotowski amended the motion, seconded by Commissioner Chase, to include Town Council, RTM, or Board of Education. The motion reads: "Town employees and Board of Education employees cannot serve on the Town Council, the RTM, or the Board of Education."

The Commission determined that if a proposed change to the Charter fails, the current Charter's language would remain.

The Commissioners discussed the role of an Ethics Commission in the Town of Groton.

In response to Commissioner Peruzzotti, Commissioner Frink stated that the Ethics Ordinance is still an open Council referral.

Commissioner Chase questioned if language could be created to enforce what is already in the Charter in the even the proposed language does not pass.

Commissioner Granatosky suggested that something like the following language be included: "If there is an accusation of conflict of interest, the Rules and Procedures Committee shall convene to cast a determination on that issue before any further matter is decided."

Commissioner Kotowski moved the question.

Vote: 7-1-1

Vote on the second amended motion: "Town Employees and Board of Education employees cannot serve on the Town Council, the RTM, or the Board of Education."

The motion passed by a Vote of: 6-3-0

Commissioner Frink stated that this may only apply to future employees and not current employees.

Commissioner Kotowski made a motion, seconded by Chair Hauber, to include the following language in the Charter: "Within three months of taking office, the Council shall develop a prioritized set of goals with measurable outcomes for itself and the Town Manager to be achieved within its two year term."

Commissioner Mello raised a point of order to clarify the votes taken at this meeting versus his impression that straw voting would take place first.

Chair Pro Tem Aument stated that the Commission needs to vote on issues as they come up.

In response to Commissioner Granatosky, Commissioner Kotowski stated the language would be included in the Charter after section 5.4.1 but before 5.4.2.

Commissioner Peruzzotti stated that she agrees with the thought process, but thinks more time should be included in setting goals. She noted that setting goals is a big deal.

Commissioner Granatosky stated that the Commission is making decisions without having things settled first.

Commissioner Frink stated that he believes there should be more discussion on this topic. He stated that goals should include community involvement and be done in conjunction with the development of the budget based on community input.

Commissioner Granatosky questioned what would happen if the Town Council does not set goals.

Commissioner Frink stated that he believes this language belongs in the budget section of the Charter.

Commissioner Kotowski moved to table the motion, seconded by Chair Hauber.

Vote: No vote taken.

Commissioner Mello made a motion, seconded by Kotowski, to adopt a budget referendum in the Town of Groton.

The Commission reviewed the agenda for this meeting and discussed whether or not a budget referendum could be included in this meeting's discussion.

Commissioner Mello made a motion to suspend the rules, seconded by Commissioner Kotowski, to discuss a budget referendum.

Vote: 6-3-0.

Commissioner Mello made a motion, second by Commissioner Kotowski, that the Town adopt a budget referendum.

Commissioner Granatosky moved to table the motion, seconded by Commissioner Peruzzotti.

Vote: 4-5-0

Commissioner Mello stated that he believes people should have a say in where their tax dollars are going. He noted that budget referendums are common in the State of Connecticut.

In response to Commissioners White and Chase, Commissioner Mello stated that his motion deals only with the referendum and the RTM discussion is for another day, and he would take an amendment for a trigger requirement.

Commissioner Kotowski stated that the Groton voters are well informed. She noted they are trusted with big school building projects, and she questioned why they would not be trusted with the budget.

Commissioner Granatosky stated that only 76 out of 169 municipalities in Connecticut have referendums.

Commissioner Frink amended the motion, seconded by Commissioner Mello, to include "The budget will be submitted to a referendum if the grand levy increases by more than 2.5 percent from the previous year." He stated that he would like to speak with the Finance Director about exactly where to point the 2.5 percent increase.

In response to Commissioner Peruzzotti, Commissioner Frink stated that if the State failed to bring in revenue, his amendment of 2.5 percent would trigger the referendum.

Commissioner White stated that a 2.5 percent increase could occur every year with no control for expense management.

Chair Pro Tem Aument stated that he favors a referendum without a trigger. He noted that this vote may be premature, but he believes a referendum without a trigger would be best suited for the Town of Groton because it gives power back to the voters.

Commissioner Mello stated that the 2.5 percent increase is cost of living.

Commissioner Peruzzotti stated that over 60 percent of the budget is education with salaries that that Town has no control over. She noted the Town does not have control over a loss of revenue from the State. She stated that a referendum should target things we have control over. She stated that she would separate revenue coming from the State from what our budget actually is above and beyond what it was the year before.

Commissioner Kotowski stated that a 2.5 percent tax increase is not sustainable, revenue is decreasing, and everyone has to scale back spending. She stated that services need to be scaled back to reflect the current fiscal situation, and a referendum is a way to control growth.

In response to Commissioner Peruzzotti, Commissioner Kotowski stated that the budget increases every year, and every year when someone tries to reduce the increase, they are accused of cutting the budget, but in reality they are reducing the rate of growth. She stated that we have to start making the hard choices as the Town moves into difficult economic times. She stated that a 3.7 percent tax increase is not sustainable.

Commissioner Mello stated that if we want the community to grow, we need to invest, and where will the money come from for investment with a zero percent budget increase.

Chair Pro Tem Aument stated that if the people want it, then they will vote for it, and that is the point of a budget referendum. He noted that people could vote in favor of a three-percent budget increase.

Commissioner White stated that services may not need to be cut to gain efficiency because there may be waste in the budget. She stated that we need to review how we are spending our money.

Commissioner Granatosky questioned where the perceived fat is in the budget.

Commissioner Granatosky amended the motion, seconded by Commissioner Frink, to include, "The referendum will be invalid unless twenty percent of the registered voters vote."

Chair Pro Tem Aument stated that the highest number he has seen to validate a referendum is fifteen percent. He agrees with a ten or fifteen percent requirement. He stated that he believes twenty percent is high.

Commissioner Frink stated that he would like to research what other communities do regarding a referendum. He stated that he supports a budget referendum with a trigger. He stated that a referendum process could be added to the parking lot.

Commissioner Mello reminded the Commission that the original motion was to adopt a budget referendum.

Commissioners Granatosky and Peruzzotti stated that they object to this.

Commissioner Granatosky stated that she was unprepared to discuss this topic, and she noted that she does her homework.

Commissioner Granatosky made a motion to table.

Commissioner Peruzzotti stated that we are not in a position to draw a line in the sand. She noted that the Commission has not discussed a RTM or Town Council yet.

Commissioner Frink made a motion to suspend rules, seconded by Commissioner Granatosky, to table this item until the next meeting.

In response to Commissioner Kotowski, Commissioner Granatosky stated that she would not withdraw her second.

Vote on suspending the rules and table: fails by a vote of 4-4-1

Vote on second amended motion: "The budget will be submitted to a referendum if the grand levy increases by more than 2.5 percent from the previous year. Twenty percent of registered voters must participate in the referendum to be valid." Vote: 2-7-0

Commissioner Granatosky made a motion, seconded by Commissioner Frink, to amended Commissioner Frink's amendment to include, "the results will be invalid if less than fifteen percent of the voters turn out." She noted that is the requirement in Willington, Farmington, Naugatuck, Branford.

The Commissioners discussed contractual aspects of the budget, State revenue, and Town control over Board of Education budget.

Commissioner Peruzzotti stated that that the Town does not have control over the amount of education money received from the State.

In response to Commissioner Kotowski, Commissioner Peruzzotti stated that you can only spend down so much on the education budget when it is all salaries and contractual.

In response to Commissioner Frink, Commissioner Peruzzotti stated that she would not vote on anything until she knows all the facts. She stated that we need to look at what we have control over. She noted that she is in favor of a control for a referendum if the percentage is based on our sole budget, not what is coming in from the State.

Commissioner Kotowski stated that her understanding of Commissioner Peruzzotti's point is that the numbers have to be exact from the State before you can have a budget referendum, and she noted that that is not how other towns do it, and Groton is not the only Town that has reductions in revenue. She stated that need to plan for it by reducing staff if we have to and increase class sizes if we have to if we have a certain amount of money to spend. She stated that we spend money on what we want and not what we need.

Commissioner Peruzzotti respectfully disagreed with Commissioner Kotowski.

In response to Commissioner Frink, Commissioner Peruzzotti stated that we need to look into what we have control over versus what we do not have control over as it relates to the amount of money the State gives for magnet schools, charter schools, and navy kids. She stated that she is not opposed to a referendum but wants it targeted correctly whereby the revenue coming in is not a player.

Commissioner Kotowski stated that the scenario presented by Commissioner Peruzzotti is not a good deal for the taxpayers because it would allow for a 8, 10, 15 percent tax increases every year.

Commissioner Granatosky stated that the assertion that an eight percent budget increase would occur year after year is absurd.

Commissioner Kotowski stated that we are having unsustainable budget increases every year the way it is working now.

Commissioner Mello moved the question, seconded by Chair Hauber.

Vote: 6-3-0

Vote on second amended motion: "The budget will be submitted to a referendum if the grand levy increases by more than 2.5 percent from the previous year. Minimum Fifteen percent of registered voters must participate to be valid."

Vote: 2-7-0.

Commissioner Frink withdraws his motion: "The budget will be submitted to a referendum if the grand levy increases by more than 2.5 percent from the previous year." He stated that he wants minimum voting requirements. Commissioner Granatosky does not withdraw the second. She stated that she does not want to be pushed.

Commissioner Peruzzotti made a motion, seconded by Commissioner Granatosky, to include, "The budget will be submitted to a referendum if the appropriation increases by more than 2.5 from the previous year, and there must be a minimum of twelve percent of registered voters that must participate to be valid."

The Commissioners discussed the number of registered voters in the Town of Groton and the percent that would be required in order for a referendum to be valid.

The motion was withdrawn by Commissioner Peruzzotti and Commissioner Granatosky withdrew the second.

Commissioner Peruzzotti made a made a motion, seconded by Commissioner Granatosky: "The budget will be submitted to a referendum if the appropriation increases by more than 2.5 percent from the previous year, and a minimum of twelve percent of the resident voters must participate and it must be passed by 70 percent of those voting."

Chair Pro Tem Aument stated that he is not inclined of the 70 percent requirement, but he is in favor of increasing the percentage of the eligible voters.

Chair Hauber stated that this is the most important part that the Commission has to contend with, and she is in favor of a referendum, but the way this topic is being discussed is too rushed.

Commissioner Frink made a motion to suspend rules to table the whole issue, second by Commissioner Granatosky. Vote: 8-1-0.

Commissioner Frink made a motion to table all motions until next meeting, seconded by Commissioner Granatosky. Vote7-2-0.

Commissioner Frink stated that he wanted to make an amendment to 3.5.2. Commissioner Frink stated that the Town Council has oversight over the appointments. He noted that he would like to look at possible language changes to section 3.5.2 for the next meeting.

The Commissioners discussed who has the authority to combine, add, or subtract Commissions.

Commissioner Mello questioned if the RTM, Town Council, and Board of Finance should be included in next meeting's agenda.

Commissioner Frink distributed and discussed a handout on the topic of a Board of Finance.

V. Adjournment:

A motion to adjourn was made by Commissioner Peruzzotti, seconded by Commissioner Granatosky. The motion carried unanimously by a vote of 9-0-0. Chair Pro Tem Aument adjourned the meeting at 8:32 p.m.

Attest:

Commissioner Scott Aument
Secretary

Board of Finance List of Potential Tasks

- **Annual Budget Process**
 - Provides Annual Budget Guidance to Staff & BOE
 - Receives Proposed Budget from Staff & BOE
 - Hold Public Hearings on the Budget (Town + BOE)
 - Presents Budget to the RTM (Town + BOE)
 - Fixes the Mill Rate
- **Oversight of Year Round Spending**
 - Certifies that funds are available for non-budgeted appropriations.
 - Approves non-budgeted appropriations over \$5000.
 - Authorize transfers to the reserve fund for capital and nonrecurring expenditures up to twenty-five thousand dollars (\$25,000.00) in a fiscal year.
 - Authorize expenditures from such reserve fund to the extent of twenty-five thousand dollars (\$25,000.00) in a fiscal year.
- **Financing**
 - Determines CIP Financing Methods
 - Negotiates Bond Terms and Conditions
 - Maintain Debt Status Data and Debt Projections
 - Participates in Labor Contract Negotiations
 - Involved with and concurs with Financial assumptions for Health Ins Benefits
 - Involved with and concurs with Financial assumptions for Retirement Benefits
 - Involved with and concurs with Financial assumptions for OPEB status and contributions
 - Fleet Replacement Financial Planning
 - Involved with and concurs with Financial assumptions for the physical sustainment of Municipal Buildings