



Town of Groton, Connecticut

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Meeting Minutes

Town Council

Mayor Bruce S. Flax, Councilor Dean G. Antipas, Councilor Diane Barber, Councilor Greg Grim, Councilor Rich Moravsik, Councilor Karen F. Morton, Councilor Bonnie Nault, Councilor Deb Peruzzotti, and Councilor Harry A. Watson

Tuesday, October 17, 2017

6:00 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

Mayor Flax called the meeting to order at 6:00 p.m. Town Clerk Betsy Moukawsher read the roll call of the meeting.

I. ROLL CALL

Members Present: Mayor Flax, Councilor Antipas, Councilor Barber, Councilor Grim, Councilor Morton, Councilor Nault, Councilor Peruzzotti and Councilor Moravsik
Members Absent: Councilor Watson

Also in attendance were Town Manager John Burt, Town Attorney Eileen Duggan, Town Attorney Michael Carey, and Town Clerk Betsy Moukawsher.

II. NEW BUSINESS

Suspension of Town Council Rule 7 b) to consider and act upon:

Councilor Antipas made a motion to suspend Town Council rule 7b in order to consider the 2016 Charter Revision Commission Draft Report, seconded by Councilor Moravsik. The motion carried unanimously.

2017-0218 Proposed Charter Revision - Draft Report

Discussed

1. Town Attorney Review

Item 1. a: Recommend that the Charter Revision Commission review changes and questions per the Town Attorney's review dated September 28, 2017, of the Charter Revision Draft Report, especially noting that the Charter Revision Commission should reconsider the use of the term "Stakeholder;" look at the wording for an Ethics Commission, and Employees serving on the Town Council and Board of Education.

Mayor Flax made a motion to accept Item 1.a, seconded by Councilor Morton. The motion carried unanimously.

Item 1.b: Recommend that the Charter Revision Commission determine a specific effective date(s) for implementation of any amendments.

Mayor Flax made a motion to accept Item 1.b, seconded by Councilor Morton. The motion carried unanimously.

2. Glossary of Terms

Item 2.a: Recommend to retain the definitions for Board of Education, Council, Town Attorney, Town Clerk, and Town Council, along with Representative Town Meeting if that body is retained, in the Glossary of terms.

Mayor Flax made a motion to accept Item 2.a, seconded by Councilor Peruzzotti. The motion

carried by a vote of 7 in favor and 1 opposed, with Councilor Grim opposing.

3. Board of Finance

Item 3.a: Recommend that the Charter Revision Commission Final Report contain the provision for the replacement of a Representative Town Meeting with a Board of Finance.

Mayor Flax made a motion to accept Item 3.a, seconded by Councilor Barber.

Councilor Nault made a motion to amend the motion, seconded by Councilor Moravsik, to include the language to eliminate the Representative Town Meeting and create a Board of Finance.

Mayor Flax suggested that the number of Representative Town Meeting members could be reduced.

Councilor Peruzzotti stated that she is not in favor of this motion. She stated that she does not see the need to eliminate the RTM; the current system works fine.

Councilor Antipas stated that this is a draft report and that he would consider supporting a slimmed down RTM and a trigger for a budget referendum.

Councilor Nault stated that she disagrees with Councilor Peruzzotti and that the RTM is broken because it often lacks full attendance. She stated that many members of the RTM do a lot of work and that some conduct research, but they never share these reports with the Town Council; this is a problem.

Councilor Antipas stated that in theory, a budget referendum provides a greater voice for the people. He stated that on paper the RTM is representative of the Town. He stated that there are some issues with this theory and that perhaps a slimmed down RTM could elevate the attendance problem and the issues with finding people to run for office. He posed the question as to whether a budget referendum would in fact reduce taxes.

Councilor Peruzzotti stated that no one has presented any problems with our current system. She stated that she served on the RTM and understood that body to be the fiduciary body of the Town. She stated that the Town Council sets the policy for the Town. She stated that the Town Council weighs in on the budget, but the RTM has the final say. She stated that the RTM sets the checks and balances for the Town Council. She stated that there is a perception that our taxes will go down if we have a budget referendum. She asked what were the true problems with the RTM. She stated that there are too many changes for her and she questioned how the voters would be able to manage.

Councilor Barber stated that the problems with the RTM are the lack of proper attendance and the willingness to run for the office. She stated that with a seven member Board of Finance, it would be easier to find good people to run for election.

Mayor Flax stated that he is not sure where he stands on this issue. He stated that Councilor Nault's opinion is that the Board of Finance will not replace the Representative Town Meeting, but that the budget referendum will.

Councilor Peruzzotti stated that the RTM has been all over the place. She stated that some years it takes out more money than the Town Council and in other years it adds it back in. She stated that the political committees practically have to beg for five citizens to run for RTM. She questioned how are we going to get people to vote in a budget referendum.

Councilor Antipas stated that the RTM is a large body and that it is difficult to find people to run for office. He stated that the RTM mimics a room full of voters. He stated that with a smaller RTM it would be easier to find people to run. He stated that the RTM is a gentler introduction to government.

Mayor Flax called for the vote, which carried with six in favor and two opposed, with Councilors Antipas and Peruzzotti opposing.

Item 3.a-2: (if item 3.a passes): Recommend that the Board of Finance be set up by districts.

Mayor Flax made a motion to accept Item 3.a-2, seconded by Councilor Barber. The motion carried unanimously.

Item 3.a-3: (if item 3.a passes): Recommend that the Board of Finance terms be set as synchronous with one another instead of being staggered terms.

Mayor Flax made a motion to accept Item 3.a-3, seconded by Councilor Morton.

Discussion:

In response to Councilor Barber, Town Clerk Betsy Moukawsher stated that under endorsed seats cannot be voted at-large on election day. She stated that endorsements must be filled according to State Statute. She stated that any unfilled seats can be filled by petition or as registered write-in candidates within the accorded time frame.

Mayor Flax stated that he preferred two year terms.

Council Antipas stated that staggered terms may be ephemeral.

Councilor Nault stated that she would be in favor of staggered terms for the Board of Finance because it is only an advisory board.

Councilor Antipas stated that the proposed Board of Finance is an advisory body.

Mayor Flax called for the vote of Item 3.a-3. The motion carried with a vote of six in favor, two opposed. Councilors Moravsik and Nault opposed the motion.

4. Budget Referendum

Item 4.a: Recommend that the CRC Final Report contain the provisions for a Budget Referendum.

Mayor Flax made a motion to approve Item 4.a, seconded by Councilor Barber.

Discussion:

Councilor Antipas stated that this item is on parity with the Draft Report. He stated that he would support this item if it had a trigger.

The motion passes with seven in favor, one opposed. Councilor Peruzzotti opposed this motion.

Item 4.a-2: (If item 4.a passes): Recommend that there be a minimum of 15% eligible voter turnout to validate the budget referendum vote.

Mayor Flax made motion to approve Item 4.a-2, seconded by Councilor Morton.

Discussion:

Councilor Peruzzotti stated that she preferred a 22% turn-out. She amended the motion to reflect a 22% turnout to validate the budget referendum vote, seconded by Mayor Flax. This motion fails with a vote of four in favor and four opposed. Councilors Antipas, Peruzzotti, Moravsik and Mayor Flax voted in favor of this amendment.

Councilor Barber stated that she approves the motion as written and she made a motion to move the question, seconded by Councilor Nault. The vote to move the question passes with five in favor and three opposed. Mayor Flax, Councilors Antipas, and Peruzzotti, opposed the motion.

Mayor Flax called for the vote on Item 4.a-2 and the vote carries with seven in favor, zero opposed, and one abstention. Councilor Peruzzotti abstained.

Item 4.a-3: (if Item 4.a-2 passes): Recommend that in the event a minimum of 15% of eligible voters is not reached, the proposed budget will be considered approved.

Mayor Flax made a motion to approve Item 4.a-3, seconded by Councilor Barber.

Discussion:

Mayor Flax stated that he is trying to do what is best for the Town. He stated that attendance is the question with only 68% of the RTM voting on the budget, then 15% of register if voter turnout is hypocritical. He stated that the threshold should be higher than 15% and if the threshold is not met, then the budget will pass.

The motion carried with seven in favor and one opposed. Councilor Peruzzotti opposed this motion.

Item 4.a.4: (if item 4.a passes): Recommend that the CRC consider only requiring a budget referendum if the mill rate were proposed to go up by more than 2%. Additional language will need to be retained under 9.3.2 requiring the Town Council to set a mill rate.

Mayor Flax made a motion to approve Item 4.a-4, seconded by Councilor Morton.

Discussion:

Mayor Flax stated that this is the trigger.

Councilor Antipas stated that a mill increase is due to the changes in the grand list. He stated that budgets have not risen, but the taxes increased around 2 1/2 %. He stated that this should be the threshold and that if taxes increase over 2 1/2 %, that will be the trigger for a budget referendum.

Councilor Nault stated that this is the reason that the RTM is being eliminated; in its place is a referendum every year.

Councilors Morton and Barber stated that the Charter Revision Commission did not request a trigger.

Councilor Flax agrees that a trigger gives credibility that the Board of Finance is doing its job. He stated that he prefers a trigger.

Councilor Peruzzotti agreed that a trigger should be in place. She stated that in May we have no idea what the revenues will be. She posed the question as to how to develop a trigger if you don't have all your pieces in place. She stated that we are currently in the month of October and we still do not know what our revenues will be. She stated that a trigger does not make sense.

Councilor Antipas made an amendment, seconded by Councilor Morton, to state that the tax to be

levied must be up more than 2%.

Councilor Antipas stated that mill rates are the device of what the levy will be on property.

Councilor Nault stated that she agrees with Councilor Antipas.

Mayor Flax called for the vote on the 1st amendment. The motion passes with seven in favor, and one opposed. Councilor Grim opposed the motion.

Mayor Flax called for a vote on Item 4.a.4 as amended. The vote FAILS with four in favor and four opposed. Mayor Flax, Councilors Peruzzotti, Moravsik and Grim opposed the motion.

5. Budget Timeline

Item 5.a: Recommend the Charter Revision Commission revise timeline to allow sufficient time to obtain information on the State budget and to logistically have time to react and put a sound budget in place.

Mayor Flax made a motion to approve Item 5.a, seconded by Councilor Morton. The motion carried unanimously.

6. Council 4 year and staggered terms

Item 6.a: Recommend the Charter Revision Commission Final Report contain the provisions for a 4-year term for Town Council members.

Mayor Flax made a motion to approve Item 6.a, seconded by Councilor Morton. The motion FAILED with two in favor and six opposed. Councilors Barber and Nault voted in favor of this motion.

Item 6.a-2: (If 6.a fails): Recommend the Charter Revision Commission retain the 2-year terms for Town Council members.

Mayor Flax made a motion to approve Item 6.a-2, seconded by Councilor Peruzzotti. The motion carries with seven in favor and one opposed. Councilor Nault opposed this motion.

Item 6.b: Recommend the Charter Revision Commission Final Report contain the provisions for staggered terms for the Town Council members. Councilor Antipas made a motion to oppose Item 6.b-2, seconded by Councilor Nault. The motion carried unanimously.

Item 6.b-2: (if 6.b fails): Recommend the Charter Revision Commission retain the synchronous terms for the Town Council members. Mayor Flax made a motion to approve Item 6.b-2, seconded by Councilor Antipas. The motion carried unanimously.

Item 6.c: Recommend the Charter Revision Commission remove language imposing term limits on Council members. Mayor Flax made a motion to oppose this item, seconded by Councilor Morton. The motion carried unanimously.

7. Annual Report

Item 7.a: Recommend replacing 'The Council shall issue an annual Town report' under section 5.2 and changing to 'Town Manager shall issue an annual Town report' and place it under Section 7.2. Town Manager Powers and Duties. Mayor Flax made a motion to approve this item, seconded by Councilor Barber. The motion carried unanimously.

8. *Voting rights for non-residents*

Item 8.a: Recommend considering adding language to allow a combination legislative body consisting of a Town Council and a Town Meeting in order to allow non-resident tax-payers, who own real property assessed at least at \$1,000, the ability to vote on referenda, along with analyzing effects on other language in the charter revision report.

Councilor Moravsik made a motion to approve Item 8.a, seconded by Councilor Antipas.

Discussion:

It was agreed that although the Town Council would like to have a provision added to the Town Charter to allow non-resident taxpayer vote on budget and bond referenda, Connecticut State Statutes prevent this language from being re-introduced. It had been included in the Town Charter prior to the 2008 Revision.

The vote FAILED 6-2-0 with Councilors Antipas and Moravsik voting in favor.

9. *Town Clerk*

Item 9.a: Recommend altering language to change the Town Clerk from an elected position to an appointed position under the Town Manager.

Mayor Flax made a motion to approve Item 9.a, seconded by Councilor Morton.

Discussion:

Councilor Moravsik stated that he is opposed to this motion. He stated that the Town Clerk needs to be elected because he or she is dealing with the citizens records and should be directly held responsible by the citizens.

In response to the question, Town Clerk Betsy Moukawsher stated that approximately 70% of the Town Clerks in Connecticut are elected and the others are either appointed or hired. She stated that the City of Groton City Clerk is elected.

Councilor Antipas stated that with the job being highly technical, it should be filled with a professional. He stated that an election does not necessarily guarantee that the candidate will have to proper credentials.

Mayor Flax called for vote on Item 9.a. The motion carries with seven in favor and two opposed, with Councilor Moravsik and Councilor Barber opposing.

III. ADJOURNMENT

Mayor Flax adjourned the meeting at 7:40 p.m.

Attest:

*Betsy Moukawsher
Groton Town Clerk
Clerk of the Council*