



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## MINUTES

### CHARTER REVISION COMMISSION – PUBLIC HEARING

**January 3, 2008**

Mrs. Nancy Bafundo, Charter Revision Commission Chair, called the meeting to order at 6:35pm in the Council Chambers of the Newington Town Hall.

Mrs. Bafundo read the public notice as follows:

**Pursuant to Section 7-191 of the Connecticut General Statutes, the Charter Revision Commission of the Town of Newington will hold a public hearing on Thursday, January 3, 2008 at 6:30pm in the Council Chambers at this address: 131 Cedar Street Newington, Connecticut. Dated December 20, 2007, issued by this Commission.**

Pledge of Allegiance was initially waived due to a lack of a flag in the Council Chambers.

The other members of the Charter Revision Commission introduced themselves as follows:

Mr. Robert Briggaman  
Mr. Tony Boni  
Mr. Peter Boorman  
Mr. Alan Nafis

Mrs. Bafundo stated that there is a signup sheet at the podium, and that all members of the public are invited to speak to express any comments, concerns, wishes or desires in respect to the Charter revision. She asked that the public comments be limited to three minutes, and stated that there will likely be time for individuals to address the Commission for a second time if necessary. She stated that the Commission will welcome any documents that members of the public may wish to submit. Mrs. Bafundo stated that the Commission will meet every other Thursday, beginning on January 10, 2008 at 6:30pm in the Helen Nelson room. She stated that the public is welcome to attend any meeting and that there will be an opportunity for public participation at all meetings.

A Town employee provided a flag to the Council Chambers and the Pledge of Allegiance was recited.

#### PUBLIC PARTICIPATION

Rodney Mortensen, 53 Meadowview Court: Mr. Mortensen commented that he has worked on a former Charter Revision Committee and understands the amount of work involved in revising the Charter. He stated that the proper way to go about Charter revision is to start at page one and go through the entire document. Mr. Mortensen stated that the Charter is a very technical document which guides the Town in every single thing it does. He stated that the Charter is not looked at yearly or even every two or three years. He stated that as Mayor for the past few years he has heard of many items for review and many inquiries which have not even come up during recent Charter revision conversations. He stated that while

Phone: (860) 665-8510 Fax: (860) 665-8507  
townmanager@newingtonct.gov  
www.newingtonct.gov

budget referendum will be a major topic to be discussed by the Commission, there are other topics which have been brought to his attention for consideration, including the following:

- Election of TPZ members: Mr. Mortensen stated that after a recent decision by the TPZ he was contacted by more than fifty people who wanted to know what they could do about decisions made by the Town Planning and Zoning Commission. Mr. Mortensen had replied to these people that there is nothing that they could do about the decisions, as TPZ members are appointed, not elected. Mr. Mortensen noted that he is not speaking in favor of or against these items, but that it is important that the Commission address these items.
- Board of Education: Mr. Mortensen stated that at every election only one candidate for the Board of Education is not elected, therefore, in effect, Board of Education members are not really "elected" for office.
- Removing the "elector" from the Tax Collector position, as it is not necessary at this point.
- Fire Department: Mr. Mortensen stated that a previous Town Council had looked at a very extensive study done of the Newington Fire Department, and one of the main suggestions from that study was to eliminate the Board of Fire Commissioners, and to have the Fire Chief report directly to the Town Manager.
- Board of Tax Review: Mr. Mortensen stated that the group does not meet under that name anymore.
- Town Council (and possibly Board of Education) reimbursement: Mr. Mortensen commented that the Charter states that any member of the Council and possibly the Board of Education should be reimbursed for any expenses incurred within the job. Mr. Mortensen commented that the Town has never paid a single one of his cell phone bills. He mentioned that the Commission should look into the possibility of a stipend or other monetary arrangement for those who run for office.

Mr. Mortensen emphasized to the Commission that no matter the charge, they should start at page one and look at every page. He stated that with only five members he is glad that there are good technical and legal people serving on the Commission and wished the Commission luck.

Stephen Woods, 94 New Britain Avenue: Mr. Woods commented that the Commission is facing a daunting task, but that it is time for the Town's Charter to be reviewed. Mr. Woods stated that a better job needs to be done in advertising the Commission meetings above the minimum requirements of the State Statutes. He stated that the Commission should make an effort to get as many Town residents to the meetings as possible so that residents may voice their opinions. Mr. Woods stated that he has been on the Board of Education for twelve years, and that he would like to see four-year staggered terms for members of the Board of Education, He cited the Farmington Board of Education as an example in which every other year four members are elected with six candidates running for office and every other year five members are elected with ten candidates running for office. He stated that staggered four-year terms will be better for the Town, as in his experience members are only starting to get their feet wet after two years. Mr. Woods also commented that he is not in favor of a budget referendum, as the Town has a representative government. He noted that the Town moved away from budget referendum forty years ago and he thinks it should stay that way. Mr. Woods noted that in speaking to residents of other towns with budget referendums in place he has heard that the budget often goes to vote two or three times, at an expense of \$15,000 - \$20,000, and that the end result is that no one knows why the budget was turned down. Mr. Woods again stated that Town government is representative of the people, and that every two years the Town Council is voted in or voted out. He stated that the process has worked forty years, and that the process should remain.

Kristine Nasinnyk, 50 Theodore Street: Mrs. Nasinnyk commented that she agreed with Mr. Mortensen's statements that the entire Charter should be looked at during the Charter review process. She also agreed with Mr. Woods that the Board of Education terms should be staggered in four-year increments and she suggested that the same be considered for the Town Council terms. Mrs. Nasinnyk stated that in her experience as a member of the Town Council she has noticed that every two years some items of Town business have not progressed forward during election times due to the efforts put into those elections. She also noted that in the event of a brand new Council in there are many members are not aware of the history, or even recent history of some items. Mrs. Nasinnyk stated that staggered terms would bring more consistency to the Town. She wished the Commission luck in the arduous task before them.

Lee Blum, 117 Jeffrey Lane: Mr. Blum commented that the central issue before the Commission is the budget referendum. He stated that the only way that Newington can raise money to provide the services for Town residents is to tax the properties within the Town. He stated that the residents provide money and the Town provides services. Mr. Blum stated that allowing budget referendum will mean fewer services from the Town, stating that towns which allow budget referendums experience slashes in their budgets year after year until their services are a shadow of what they should be. Mr. Blum listed several services which he feels would be eliminated in the event of a budget referendum, including: library weekend and evening hours, leaf pickup, high school sports programs, which would be subject to high pay-for-play fees as has recently occurred in the Town of Colchester, all-day kindergarten, which was eliminated in Vernon this year, trash pickup, as was recently eliminated in Portland. Mr. Blum stated that the towns which eliminated these services all allow budget referendums. Mr. Blum stated that the elimination of these services happen gradually, a little each year. He stated that Town employees will not work for less money, therefore less money equals fewer workers and fewer workers equal fewer services. He commented that people who say they have a right to vote on the budget are wrong, stating that many of the people who will vote on the budget won't do the research on the various areas of the budget, only voting to slash the budget in hopes of saving \$100.00 for the year. Mr. Blum noted that the Town pays professional department heads to develop budgets, and that the Town elects representatives to the Town Council to analyze the proposed budgets. He stated that these thoughtful people are the ones who have the right to vote on budgets, not Town residents who know nothing. Mr. Blum asked members of the Commission who believe that budget referendum is a good idea to think about and revise their opinions. Mr. Blum stated that allowing the people of Newington to vote on budgets can only lessen the Town, making it a less desirable place to live, all just to save \$100.00 on taxes. Mr. Blum asked the Commission to discard of this ill-conceived idea. He thanked the Commission for its time.

Myra Cohen, 42 Jeffrey Lane: Mrs. Cohen stated that in Section 303, A, 1 regarding the choice of the Town Attorney, she would like to include that the Town Attorney shall have experience in municipal law and be thoroughly familiar with the Newington Town Charter and the Connecticut General Statutes. Mrs. Cohen then spoke about the Town budget process, noting that the public wants more say in the budget process, and she stated that it makes more sense to get public input before the Town Council sets the mill rate. She stated that it is the Council's obligation to produce the most fiscally responsible budget, and as the Council goes through its deliberations it should be clear to the public as to where its money is going. Mrs. Cohen stated that if people do not understand, they should be given every opportunity to ask, and if people are willing to do without a service in order to save money or if they have specific cost-saving suggestions, they should speak while the budget is a work in progress. Mrs. Cohen stated that increases in the budget come from things which cannot be controlled such as insurance, utilities and union wages. She stated that Town staff and elected officials put a great deal of effort into the budget process, and it is important for the public to let the Council know what services and/or capital improvements that they are willing to do without, or where they think money can be saved before, not after, the Council finalizes the budget. Mrs. Cohen stated that an additional public hearing on the budget would be more meaningful than a budget referendum that rejects the Council's budget but does not indicate what to do about it. Mrs. Cohen stated that if a budget referendum should be approved that it should take place only by voter petition and under no circumstances should the referendum be automatic. She noted that voters may not like but may be willing to accept a budget if they understand that the budget cannot be reduced without eliminating or reducing needed services, programs or capital improvements. Mrs. Cohen stated that she is hopeful that the Council can produce a budget that the voters would not reject, and therefore not bother to petition for a referendum.

Michael J. Fox, 1901 Main Street: Mr. Fox thanked the members of the Commission for serving, and stated that he hopes the five members of the Commission can do the job that it took nine members to do in 1985 and more than that to do in 1966. He commented that it is a tough job. He stated that he agrees with Councilor Cohen's opinion of the budget referendum. He stated that he is against budget referendums as they are expensive, noting that the last referendum cost Newington over \$12,000, but that number may increase to as high as \$18,000 for each referendum. He stated that he does not know if the Town wants to add that cost to the budget. Mr. Fox asked the Commission whether the present public hearing will be the only public hearing during the Commission's sixteen-month charge. Mr. Fox wondered whether the lack of attendance at the present meeting was due to a lack of interest or lack of notice about the hearing. Mrs. Bafundo replied that by law, the Commission is required by law to hold two public hearings, one at the beginning of the process and one at the end before the Commission turns its

report over to the Town Council. She noted, however, that public participation will be allowed at every meeting, and stated that she hopes that meeting agendas will be posted on the internet. She also stated that she hopes that the Commission will receive more publicity through the press to encourage public attendance and participation at the Commission meetings. Mr. Fox stated that he assumes that there will be only two public hearings. Mr. Boorman replied that the Commission has not yet addressed the procedural aspects of what is going to happen relative to public hearings, clarifying that the law requires two public hearings, but the Commission will make a decision as to how many hearings will be held. Mr. Boorman stated that the law does not limit the number of public hearings to two, and that the Commission will hold as many hearings as it deems appropriate. He stated that the item will be discussed at the next meeting, and encouraged those who would like greater participation to attend. Mr. Fox thanked the Commission.

Judy Igielski, 23 Old Musket Drive: Mrs. Igielski thanked the Commission for its time and effort, noting that the Commission has many meetings planned including hopefully more than one additional public hearing. Mrs. Igielski encouraged the Commission to review each individual section of the entire Charter, noting that the Commission has a golden opportunity to update the entire Charter to meet all current State Statutes. She stated that she wished that there had been better publicity for the public hearing, noting that she did not see an announcement for the meeting on the Channel 14 scroll. She stated agreement with the suggestions for staggered terms for the Board of Education, noting that it takes one to two years for members to learn about the schools, children, teachers, staff and budget and nuances of the school system. Mrs. Igielski stated that four-year terms are better because they allow members to meet and learn how to work with people as well as to come to a consensus and compromise in which people will go to Board members if they need help. Mrs. Igielski commented that parameters should be placed on a budget referendum. She stated that the number of referendums allowed should be curtailed, noting that other towns have had three to six referendums, at a cost of up to \$20,000 per referendum. She stated that this cost can equal up to \$100,000, and asked where that money would come from. Mrs. Igielski also suggested a standard in which the percentage of voters who vote in a referendum should be at least equal to the percentage of voters who voted in the last election, citing an example in West Hartford in which only 20% of the electorate voted, of which 11% turned down the budget, which she feels is not enough people to determine the future of a town. Mrs. Igielski also noted that West Hartford only allows two attempts at a referendum, and if the budget does not pass on the second attempt it is brought to the Town Council for a vote. She stated that in Colchester people voted against a budget because they did not agree with one line item, which is a situation that Newington should guard against if at all possible. Mrs. Igielski stated that if the TPZ should become an elected body, the Town will need to decide on the number of years in a term. She again stated agreement with the idea of four-year staggered terms for the Board of Education. She noted if the Board of Fire Commissioners is eliminated then the Fire Commissioner will then report to the Town Manager, and asked whether the position would remain an elected position or would it become a hired position, and asked whether the Commissioner would be paid. Mrs. Igielski encouraged the Commission to hold more than two public hearings, noting that everyone benefits when people are present to speak on one topic.

Eileen Francolino, 116 Lydall Road: Ms. Francolino asked the Commission to act with caution when considering whether or not to institute a budget referendum process in Newington. She states that statistics show that referendum is an ineffective and costly procedure. She noted that neighboring communities who have chosen to adopt budget referendum have had very low voter turnout, citing examples of Vernon, Windsor and Portland, in which only 20% of voters decided to partake in a referendum. Ms. Francolino stated that it often takes multiple attempts to reach consensus, and noted that the process often extends past the beginning of the fiscal year. Ms. Francolino cited a report from the Connecticut Advisory Council on Intergovernmental Relations which stated that only forty-five budgets were adopted by referendum on the first vote. Twenty-four municipalities (approximately one-third of communities which use a referendum process) required three or more votes to adopt the budget. Seventeen towns adopted their budgets after the beginning of the fiscal year. She stated that this would not make life any more simple in Newington; it would only complicate the process. Ms. Francolino commented that the budget referendum process would be very costly, citing an examples in Torrington in which it cost \$15,000 to hold one referendum and East Hartford, which budgeted over \$26,000 for just one vote. She stated that we all know that just one vote often does not do it, and that the experiences of our neighbors show that the Town would have to budget for multiple referendums each year, which could

cost the Town \$60,000 to \$80,000 or more. She asked the Commission to keep in mind the ineffective and costly nature of the budget referendum process when considering changes to the Charter. She thanked the members of the Commission for their time and service.

Sheryl Werner, 11 High Ridge Drive: Ms. Werner stated that she is neither for or against the budget referendum, stating that more research will need to be done before it is decided what is best for Newington. She asked several questions regarding budget referendum:

- How many referendums will be allowed? Ms. Werner noted that referendums can be very costly.
- If a cap is placed on the number of referendums allowed, what will happen if the last referendum is turned down?
- How will the votes be counted? Will signatures be required by the taxpayers, and if so, how many voters must show up for the vote to be legitimate?

Ms. Werner also asked whether the Commission will review all items in the Charter or specific items only.

William J. Reynolds, 116 Sterling Drive: Mr. Reynolds thanked the Commission, noting that they do not have an easy task ahead. He stated that the recommendations made by the Commission will affect the Town for many years to come. He stated that the original Charter was put in place in 1966, and while most if it is still in existence there have been five Charter changes since. Mr. Reynolds stated that he respects the members' assumption of this responsibility, noting that the task will be difficult with five members. He suggested that the Commission review the opinions of the Town Attorney, as the opinion of the Attorney may lead to changes in the Charter. Mr. Reynolds stated that the Commission already has his opinion on the budget referendum, but suggested that they read very carefully the calendar that the Town Council must comply with, and consider how to fit the referendum into that calendar. Mr. Reynolds commented that the roles of the Mayor and Town Council vis a vis the Town Manager may need to be looked at, noting that it is apparent that there is a misconception among the townspeople that we have a strong mayor form of government. He noted that one of the original proposed charters did include a strong mayor, and the Town rejected that charter. He noted that under the current form of government the Mayor is strictly the Chairman of the Town Council, and the role of the Mayor is to assist the Council in arriving at a fair and equitable decision, often a compromise, that is in the best interest of the citizens of the Town, not of any particular group, organization or party. He also stated that there seems to be a growing interference with the administration of the Town Manager, noting that he is the Chief Administrative Officer (as would be in the private sector) and his or her job is to administer the policy decisions and put them into effect. He stated that if individual members or the Mayor begin to go around or interfere with the Town Manager, it will be very difficult for the Mayor and Council who hired the Town Manager to evaluate his performance. He suggested that the Commission look at the pertinent language in the Charter and see if some tweaking is necessary to better define the roles of Mayor, Town Council and Town Manager. Mr. Reynolds noted that over the past few years he has observed an increasing sense of political agendas on the Council. He stated that he has great respect for Town committees, noting that they serve a great purpose in which they are able to encourage people to take part in their government. He noted however, that when some members of the Council are acting in service of a particular party, that it may be time to consider non-partisan elections to the Council, as is done in West Hartford. Mr. Reynolds stated that partisan politics are not good for the Town, as the Mayor and Council take an oath to serve the entire town, not just one group within the Town. He stated that it is interesting to see a turnover of a political party, as occurred during the last election, but that both parties combined do not qualify as a majority party, as there are more unaffiliated voters in Newington than the combined registrations for voters of both parties. He again thanked the Commission for its service and wished the members well.

Don Woods, 82 Ivy Lane: Mr. Woods asked the Commission about public participation during regular Commission meetings, asking if the public participation during those meetings will be limited to what is listed on the meeting agenda. Mrs. Bafundo replied that there will be a minimum of two public hearings. Mr. Woods then asked again if during the regular meetings the public participation will be limited to the agenda. Mrs. Bafundo replied that the Commission has not yet had its meeting to determine rules for public participation. Mr. Woods replied that it is a concern, noting that the current public hearing is not a good representation of the public. Mrs. Bafundo replied that the Commission will take Mr. Woods' recommendation into consideration.

Everett Weaver, 87 Northwood Road: Mr. Weaver commented that the Town of Manchester has published a three-page brochure on its Charter Revision Committee, and its progress over a period of time. He noted that Channel 14 and 16 has had a problem scheduling its volunteers to do a job, and stated hope that the Commission will put together a schedule of its meetings for the next few months so that they can prepare for and publicize the meetings. He stated that a schedule will be very helpful to many people, noting in the Manchester Commission posted meeting schedules on a quarterly basis.

Stephen Woods, 94 New Britain Avenue: Mr. Woods asked how the Commission works, and asked how the process will be done so that he will know what is going on, how everyone will be affected, and when he should or should not attend meetings. Mrs. Bafundo replied that the public participation has given the Commissioners ideas in addition to their own ideas about how to proceed. She stated that there had been very preliminary discussions during the first meeting about individuals that the Commission would need to talk to and discussions it would need to have with various resources. She noted that the Commission has identified resources from the Town and that it will need to talk about rules and how to proceed. She stated that the Commission will now formulate a plan to move forward. She stated that she cannot provide a concrete plan, but after hearing comments from the public she has a better understanding of how to begin to organize with her peers how to proceed. She commented that additional public comment will help direct the Commission's work.

Michael J. Fox, 1901 Main Street: Mr. Fox noted that there is a lot of information to digest from the current public hearing, and noted that the more public hearings held the more information that the Commission will receive and the better job the Commission will do at revising the Charter. Mr. Fox stated that there should be as many public hearings as possible, and as word gets out with proper publicity over the internet, NCTV and the papers more people will become interested and the Commission will hear many different opinions.

Judy Igielski, 23 Old Musket Drive: Mrs. Igielski commented that it had been mentioned at a Town Council meeting that part of the Commission's charge may include looking at Town agencies and departments, possibly combing and/or eliminating some the departments. She cautioned the Commission against considering the elimination of any departments, noting that most people do not know everything that goes on in day-to-day operations within a department. Mrs. Igielski noted that many things have been cut back during previous budgets, especially during the early 1990s, and that the effects of those cutbacks are being shown today, especially in regards to staff. She commented that she is unsure whether a Charter Committee is capable of understanding the entire running of a government as a day-to-day operation. She stated that the Charter should not dictate these items, and that they should be managed by the Town Manager and the Town Council.

Jim Hunt, 124 Brockett Street: Mr. Hunt commented that more light shed on anything always gets it to look better. He stated that the nasty things that nobody likes are hidden in the dark corners. He stated that having lived in towns with budget referendums, some of which have failed and were then voted on by the Town Council with no changes, he found that some of the people serving on those town's councils got interested active in government by way of a referendum. Mr. Hunt stated that sometimes it takes something like a referendum to get people involved; otherwise people get bored not knowing one way or the other. Mr. Hunt commented that he is an unaffiliated voter, and noted that he does not like the idea of politics, stating that things should be done for the correct purpose. He stated that he does not think that cuts or changes are necessarily a bad thing, and that ultimately any change that is bad for the Town can be reconsidered and addressed during elections, and that any changes can always be changed again.

William J. Reynolds, 116 Sterling Drive: Mr. Reynolds responded to previous comments regarding the Commission's ability to grasp and work into a Charter change. He stated that there are many sources available to help the Commission, and suggested that the Commission talk to the Town's representative on the Regional Council of Governments and the Conference of Mayors, as they have experience and may have answers to the Commission's questions. He also suggested speaking to the Town Attorney, representatives from UConn and the Town Managers' Association, all of which have people who are willing to help.

Michael J. Fox, 1901 Main Street: Mr. Fox commented that he has always been interested in assuring that public agencies including the Town Council and Town commissions are open to the public. He noted

that he missed the Commission's organizational meeting, and requested a copy of the minutes. He stated that what he received was two or three pages long. Mr. Fox suggested that minutes of the Commission be verbatim, and at the least have votes noted. He stated that it would be nice for those who cannot attend a meeting to have a verbatim copy of the minutes available so that they will know what to say during the next meeting.

Hearing no other comments from the public, Mrs. Bafundo noted that the next Commission meeting will be held on Thursday, January 10<sup>th</sup> at 6:30 pm in the Helen Nelson room of the Town Hall.

Mrs. Bafundo closed the hearing at 7:28pm.

Respectfully Submitted,

Mrs. Jaime Trevethan  
Clerk – Charter Revision Commission