



Keith Chapman  
Town Manager

# TOWN OF NEWINGTON

200 Garfield Street  
Newington, Connecticut 06111

Office of the Town Council

## 2022 Charter Revision Commission Meeting Minutes

May 3, 2022

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Town Clerk

*This meeting was presented as a Zoom Webinar/Hybrid Meeting.*

### 1. Call to Order

Chairman Harpie called the meeting to order at 6:30 p.m.

Roll Call

Joe Harpie

Kevin Borrup

Nancy Cappello

Anthony Gonsalves *(via Zoom)*

Chris Miner *(via Zoom)*

*Also in attendance:*

Beth DelBuono, Mayor

James Krupienski, Town Clerk

Susan Gibbon, Recording Clerk *(via Zoom)*

### 2. Pledge of Allegiance

### 3. Public Participation on Agenda Items **(Via Zoom Application or Phone)**

*(2 Minute Time Limit per Speaker) (888) 788-0099 or (877) 853-5247*

- Rod Mortenson, 17 Fox Lane. Thank you all for serving on the committee, it's especially hard this time of year, the residents will appreciate it. Have served on this committee in the past. Not involved in either political party. These are my own personal opinions. In my personal opinion, the residency rule for the town manager is archaic. I served and worked with 5 or 6 town managers. A town manager should be judged by their knowledge, performance, government knowledge and how they react with people not that they live in town. Is it constitutional? There used to be more town managers around there were a lot more people in that specific field. We've had great town managers and ok town managers. Do they really need to live in town? That should not be a requirement. What about all of your department heads. Regarding stipends for councilors. I was mayor three different times with three different town managers and different councils. When an issue comes up they want to talk to the mayor, not the town manager, they elected the mayor. I would ask people to if they wanted to run for council and they would say not for all the money in the world. What if Newington had a strong mayor/manager form of government? If you have a bad council and they don't do a good job they'll get voted out; if you have a bad mayor and they don't do a good job, they'll get voted out. This goes along with a stipend. To me paying \$500 as a stipend is almost an insult. Maybe someday a charter revision commission could look into. As a token you want to give them a

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stipend, a mayor generally puts in more time than councilors. The amount for referendum should be increased sizably. The language for the Development Commission should be looked.

4. Comments by Commissioners

- None

5. Discussion of Items Charged for Review by the Town Council

a. Continuing Discussion on Commission Charges

b. Discussion of Proposed Charter Language Amendments

- Chairman Harpie stated that we had 13 items brought to us by the council to review. We have been reviewing that at each meeting. We will recommend changes and the public will have the opportunity to vote on the recommended changes. Suggest listening to past meetings to hear what was discussed. We will discuss the consideration of compensation for the town council. We found two towns similar to Newington that pay their council members. Killing pays their councilors \$500; it's something to think about. It's a modest amount that can come out of the town manager's contingency. The Development Commission is wanting to do additional things for the town, we found C.G.S. 7-136 which allows for more activities. The Town Manager residency requirement is another issue to be discussed; I fall on the side of elimination of the requirement. Some people think there should be a sunset provision on this requirement. If items no longer work or apply that is why you have charter revision commissions. We are all in agreement with the changes in Charge #2 – C408 Obligatory Referendum & Ordinance; defined Special Appropriation and added Standing Appropriation. We also changed the language for C409 Emergency Ordinances. Think we should wait until after the public hearing before voting on items to be sent to the council.
- Chairman Harpie asked if it is true that the council could not take any recommendations.
- Mr. Krupienski stated that is possible. Would need more than just a simple majority vote to do that. Once they take the report from you to send to referendum, this committee will be disbanded.
- Chairman Harpie asked if any of the commissioners had any other recommendations or changes. If you do you can email them to me. I think the commission has accomplished a lot in terms of where are with verbiage and consensus. I'd like to give the council room to review and pass along. I'd like to have a bipartisan consensus on the 13 items we were charged with. Nancy and I have an issue with the date initially established for the public hearing. Did we come up with a date for that?
- Mr. Krupienski stated we have not yet scheduled that.
- Chairman Harpie stated that I like the format that James send us the changes in. All commissioners agreed.
- Chairman Harpie reviewed the language regarding removal of members from a board, commission or committee.
- Mayor DelBuono stated that the language refers to absences, but it doesn't address the piece where someone has moved out of town and we know that. There's one commission unable to get a quorum and one member has moved out of state and we

are unable to contact them to get a resignation. So to have to go through a formal process seems silly when they don't meet the qualifications to be on the committee any longer. Some commissions have industry standards. There could be a variety of reasons, but those are the two that come to mind.

- *All commissioners agree that the language as discussed by Mayor DelBuono be added to the removal language.*
- Mr. Krupienski stated that we should discuss whether the council needs to have a simple majority vote or 2/3 vote for removal. Also, the report does not come out of my office that is something that is provided to the town manager's office.
- Chairman Harpie asked if where we were with the parks & rec issue.
- Mayor DelBuono stated that she has not heard anything; will ask Councilor Manke.
- Mr. Krupienski stated that he discussed this and they are going to leave it at 11 as it is currently.
- Chairman Harpie stated that 11 is the current membership.
- Mr. Krupienski stated that the maximum minority position does not change regardless of the makeup of the committee. Currently our charter calls for an 11 member P&R Board. We can create a separate ordinance for their duties and charges (Section 605). There are many options for them – 7 members, with 4 alternates.
- Chairman Harpie stated the personnel matter is a tough situation. Both sides believe that they are right. The state told Newington that they could change it at any time. Obviously the council was interested in getting it resolved. No. 5 – no change.
- Chairman Harpie stated on to No. 6 - C403 Council Organizational Meeting. I took the time out, but James told me that we couldn't do that.
- Mr. Krupienski stated that if we take the time out, it would be up to the current council so set the time for the organizational meeting. Seven p.m. works, but it's been 8 p.m. in the Charter since 1966.
- Mayor DelBuono stated that all of our meetings pretty much start at 7 unless there's a public hearing prior. So it's very standard practice to have it begin at 7.
- Chairman Harpie stated that we can insert the 7:00 p.m. Consensus by commission to make change.
- Chairman Harpie next is No. 8 – Library Trustees 603 of the Charter. Remove town and insert appointing authority throughout. Consensus by commission to make changes.
- Chairman Harpie stated he doesn't think they need to make changes to No. 11 – Residency Requirements of Town Planner and Police Chief.
- Commissioner Miner requests to reserve until further information received from CCM.
- Chairman Harpie stated he's reviewed other towns and many don't have residency requirements for police chief, superintendent of schools, town planner.
- Commissioner Borrup stated that he's been listening to everyone speak and feels that they should remove residency requirements from the Charter. Keep the no need for residency for the town planner and police chief and at the same time remove it for the town manager. It doesn't stop the town council from negotiating with the town manager or police chief. Time have changed, residency requirements are archaic and do we want to limit the hands of the council of finding the best person for the job. If

they're not living up to their expectations, council can get rid of them as they've been done in the past.

- Chairman Harpie stated that this will be left open until we receive the information requested by Commissioner Miner.
- Chairman Harpie stated No. 11 – Audit Committee. Added by the request of the town finance director. *A lengthy discussion was held regarding the Audit Committee.* Consensus by commission to make change.
- Mr. Krupienski asked if they wanted to simply make reference to the Audit Committee and allow the brunt of the proposed language to become an ordinance which would allow us to make a change when necessary versus opening the charter to correct anything.
- Chairman Harpie stated that he is flexible on that.
- Mr. Krupienski stated we want to make sure the council and finance department have the flexibility to change things as necessary that may or may not work under the proposal. I'll provide draft language for the Charter and we can use that to put together a draft ordinance to present to council at the same time.
- Chairman Harpie asked if there was a consensus on this. Commissioners stated yes.
- Chairman Harpie stated next is Town Council Compensation.
- Commissioner Miner stated he would be curious to see if there if there is any more basis within the state regarding councilor compensation with our same structure of government.
- Commissioner Cappello asked if instead of compensation if other towns are doing a tax break.
- Commissioner Miner stated that in years past, the first compensation for the fire department was a tax abatement and over time the IRS determined that compensation not being appropriately taxed. Don't know if the abatement structure is still allowed or not.
- Mr. Krupienski stated that he would have to speak with the assessor to see if there's any standing out there for that.
- Chairman Harpie stated the only town he found in Connecticut was Killingly. James are you aware of any other municipalities it the state that offer compensation?
- Mr. Krupienski stated it really comes down to the type of government. In Vernon, our mayor form of government is actually and administrator and that mayor is paid approx. \$40,000 per year (strong mayor / weak administrator from of government versus manager.) Can't say survey will do any good because of the different types of government.
- Chairman Harpie asked if we can set this up for their consideration. I personally believe in it. In the Charter it allows for personal expenses to be reimbursed.
- Mr. Krupienski stated that in the Charter we do have the ability to reimburse, but would have to look at changing section 414. The finance department would determine what is reimbursable. If you were to make that recommendation, I would suggest you have it go into effect upon the seating of the next council; that way it doesn't affect your current council directly.
- Commissioner Cappello stated it's something to look into; may open doors to more people getting involved.

- Commissioner Borrup stated he'd like to hear the answer to Commissioner Miner's question regarding how many councils are getting any kind of stipend. I haven't thought about it long enough to form an opinion. As to whether it will get more people to participate in local government, I don't know if there's evidence around the effectiveness of \$500.
- Chairman Harpie stated he thinks there should be some opportunity for the voters to vote up or down on this. I have as strong opinion that the voters should have an opportunity to vote on very specific and important issues; certainly the residency thing is an important issue. Think this is an opportunity for the council to be innovative – first to the show rather than 11<sup>th</sup> or not at all on a compensation package that makes sense. Let's think about this. It's a concept I've thought about for a while.
- Mayor DelBouno stated that most people don't realize that councilors are not paid at all. Interesting to see what people think. Agree with Commissioner Miner about getting further information and also with Commissioner Cappello on different types of stipends or compensation.
- Chairman Harpie asked James if there is an administrative staff person who can call towns to see if they pay their council members.
- Mr. Krupienski stated he isn't sure a staff member would be available to do call all 169 towns.
- Chairman Harpie stated that he's just interested in towns that have council type governments.
- Mr. Krupienski stated he'll look to see if the information can be gained from the assessor's office. Believe they have a list serve they can utilize.
- *A discussion was held regarding this.*
- Commissioner Miner stated that East Hartford has a strong mayor government and councilors are paid \$4-5 thousand. Can't think of any other town that pays councilors.
- Chairman Harpie stated that we've gotten through most of these on a consensus basis. What format are you going to put it in?
- Mr. Krupienski stated that he going to integrate this directly into our draft charter language so you'll be able to see the current and the approved or recommended language.
- Chairman Harpie stated that I do believe we have a consensus on the town manager residency requirement based on the conversations here this evening with the exception of one commissioner. That will go as an outside of council charge item and the Development Commission is outside of council charge. Think we covered everything else pretty tightly. The compensation issue can just be a footnote to say we looked at that section.
- Mr. Krupienski stated that you will have that conversation with them when you put forward the recommendations to them. Did you want to discuss Charge 1 and get a consensus to that?
- Chairman Harpie stated that language is statutory language that's not currently in the Charter. We're discussing how often we should do charter reviews and should we require the charter to do them at certain periods of time. Think the consensus was that there should be a mandate in there.

- Mayor DelBuono stated that there currently isn't any statutory language around that. This is something that the council recognized depending upon the political climate at the time, charter revision can become a more political loaded event and we didn't want that to be the case. I look at this being the constitution of our town and we wanted to try and remove that political aspect to it. So whoever's in power in 10 years, it is what it is and it's a matter of regular business; create the commission and move it on forward. It's to take the political piece out of it and make it mandated to make sure we are reviewing it and making sure we are up to date every 10 years.
- Chairman Harpie read the proposed language. Regarding Charge 1 - Consensus by the commission.
- Mr. Krupienski stated that he will make all the changes and have them to you prior to your meeting on the 17<sup>th</sup>.
- Commissioner Cappello stated that she is unable to attend on the 17<sup>th</sup>.
- Chairman Harpie asked what other days were available.
- Mr. Krupienski reviewed the calendar for dates. The 19<sup>th</sup> is a possibility. Thursday the 19<sup>th</sup>? 6:30 or 7:00? Ok. We will have the meeting on Thursday, May 19<sup>th</sup> at 7:00 p.m.
- Motion by Councilor Miner, seconded by Councilor Cappello to change the meeting to Thursday, May 19<sup>th</sup> at 7:00 p.m. Motion unanimous.

6. Public Participation on Agenda Items (**Via Zoom Application or Phone**)

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- None.

7. Comments by Commissioners

- None.

8. Adjournment

Motion to adjourn by Commissioner Borrup. Seconded by Commissioner Cappello. The meeting adjourned at 8:09 p.m.