



**CHARTER REVISION COMMISSION
REGULAR MEETING**

**MIDDLETOWN CONNECTICUT
WEDNESDAY, NOVEMBER 4, 2020**

7:00 PM

1. Call to Order

Commission Chair Robert Blanchard calls the meeting to order at 7:02 PM.

2. Roll call

Present: Commissioner Robert Blanchard, Chair; Commissioner Tawana Bourne; Commissioner David Greaves, Vice-Chair; Commissioner Edward McKeon (Councilmember); Commissioner David Ribnicky; Commissioner Selena River; Commissioner David Roane, Secretary; Commissioner Linda Salafia (Councilmember); Commissioner Molly Salafia; Commissioner Kelly Sweeney; and Commissioner William Wilson

Also Present: Councilman Eugene Nocera, Ex Officio; Steven Mednick, Esq. – Consulting Legal Counsel; Brig Smith, Esq. - General Counsel; Linda SK Reed, Clerk of the Common Council

This meeting is livestreaming on WebEx and on the City's Facebook page.

Members of the Public: WebEx – 21 attendees; Facebook livestream (unknown number of viewers)

3. Public Hearing – Opens

Commission Chair Blanchard opens the public hearing at 7:03 PM. He encourages people who are watching, if not able to participate in the public hearing or if looking to elaborate on testimony, people may send their suggestions or ideas to ***CharterRevision@MiddletownCT.gov***. Those emails would be delivered to all Commission members for consideration

This evening, each caller will have five (5) minutes to address the Commission.

Steven Devoto (476 Country Club Road): He is speaking to two items: one related to Planning and Zoning and one indirectly related to Planning & Zoning. These issues are for consideration without advocating for any specific resolution. He has been attending Planning & Zoning Commission meetings since 2008 and was elected to the Commission in 2013. He has been that Planning & Zoning Commission Chair since 2016. He is not speaking as a member of that Commission, but from his personal experience. As Commissioners probably know, the State statute governing Planning & Zoning Commissions allows the Commission to vote by simple majority to approve any application. The City Charter requires that any approval needs five (5) affirmative votes of seven (7) votes, a supermajority. With a Commission of at most four (4) members of any one party, this provision ensures that all decisions require bi-partisan support. He would like this to be discussed to determine if this is something that should be in the Charter or if it should be changed. Reasons to change would be to allow more nimbleness, flexibility. It would allow new ideas to be incorporated, changes to the zoning code that might be controversial would be example -- a radical or progressive proposal – would be easier to make changes. The reasons for opposing are the same: it would be harder to make dramatic changes from the status quo it is a philosophical thing and worth a discussion. Currently, everything, including approval of minutes and election of officers, requires a supermajority and it has caused tremendous problems within Planning & Zoning, especially for election of officers. He could speak about that at length.

Another issue, only peripherally related to Planning & Zoning, if there is interest in changing the election of Common Council or Mayor, he urges the Commission to have staggered terms for Councilmembers. The reason is that in the municipal election every 4 years in 2017 and 2020, there is a City-wide election of all 14 precincts voting for three (3) open Planning & Zoning seats and four (4) open Board of Education seats. There will be a Charter revision as well, but no other things, this a very expensive election with very low turnout. It would serve the City better to have more engagement with the electors that determine.

These are the two (2) issues that he would like to see discussed, adding he would be happy to participate in that discussion.

Commission Chair Blanchard asks for the next speaker. The Council Clerk indicates that there are currently no other speakers in the queue.

Councilman McKeon asks if the hand raise function has been explained to the public. For people to indicate that they want to participate there is a hand raise function on WebEx. He adds that there is also a phone command, but he is not sure what that is.

The Council Clerk replies that phone function is *3 and notes that there is now a speaker in the queue.

John Giuliano: (Bow Hill Road) He works for the Board of Education in facilities management. He is a willing and active participant for Charter revision and has concerns about the employees being placed under the auspices of the Superintendent versus the Mayor.

John Kilian: He is City resident and also on the Board of Assessment Appeals. He is speaking on having three (3) Fire Departments in a City of 45,000 compared to New York with one Fire Department. As far as the division of labor between the Board of Education and City Council, he thinks it makes sense for the Board of Education to hire its clerical staff and to name its buildings; however, he thinks the Council, in consultation with the Public Health Department, should review decisions to reduce the amount of time that students spend in school as being done currently.

Jeffrey Knakel: (71 Russell Street) He works for the Board of Education and is a union representative. This thing with the Board of Education taking over hiring and firing, if that is the only reason. He does not think that this is a good idea. He thinks that things should stay the same with the City hiring and firing. There are things built into the contracts on disciplinary procedures. If there are problems with an employee, there is a 120 day probationary period where they can get rid of an employee that does not fit into the program. It is not a good thing for employees. Most employees are Middletown residents. The Commission should reconsider this item. He has already heard reports that this is already a done deal and a lot he has read in the paper are misstatements, not true. He thinks that the Commission should take a good look at what is happening and think about the employees of Middletown. And how this should work for them/

The Council Clerk notes that there are currently no other hands raised. There are 20 members of the public in attendance via WebEx.

Commission Chair Blanchard reminds members of the public that they may see the hand raise function on their screen or use the *3 function on a phone to participate and give testimony. The Chair states that he will wait a few minutes before closing the public hearing.

Marie Arci (30 Pearl Street): She is a Board of Education employee, working as a secretary at Beilfield School. She is against the Charter change for the Board of Education, adding things should be left as they are, there being no issues. She has been an employee for 18 years and reiterates that she is totally against it.

The Council Clerk states that there is currently no one in queue.

Commissioner McKeon states that he knows that here is going to be a meeting with City officials. He suggests that they combine that meeting with an additional public hearing. This may help avoid prolonging the hard work that they need to get into.

Commission Chair Blanchard states that is his intention. He adds that there are no proposals. Some speakers have mentioned proposals. The whole purpose of this hearing is to gather input and ideas from the public that they would like to see put forward, on the changes that they would like to see happen, amendments to the Charter. This Commission is working off a blank canvas and public feedback will help put together a roadmap, a list of suggestions which will eventually become proposals that they can potentially submit to the Council. The Commission is at the very early stages, reiterating that there are no proposals at this time.

Jean Newman: She works for the Board of Education and is a City employee. She is concerned that this meeting was not publicized to the Local 466 union, which it affects tremendously. This is going to affect benefits that they were promised in their hire letters and it is a concern of hers and of many others to whom she has spoken. She reiterates that this meeting should have been publicized to the unions so more people could participate.

Commission Chair Blanchard replies that the Commission did publicize the meeting. It is perhaps because it is the day following the election. He asks that she email her contact information to him and he will follow-up with her in the future to be sure that she has the information and can help share it with Local 466 members. She will also then be aware of the things that the Commission is doing.

Dan Penny: He is citizen and taxpayer in the South Fire District. He is a South Fire District Commissioner, but is not participating in that capacity. He is participating as a private taxpayer in that district. He is pleased that they are considering fire services. He is an advocate of consolidation, if done for the benefit of all. There are three fire districts. He suggests that the Commission consider a subcommittee, which would include taxpayers such as himself from all three districts and also at least one Commissioner from each district should the Commission decide to pursue review of this. He offers, having attended meetings for years, that here was an excellent Master's Degree piece den by a Middletown firefighter, adding that he is retired by now. There was a complete summary in the local Middletown Press, which could be researched. It was his thesis and concluded that there should be some kind of consolidation. Before we jump into that, he would like to see them pursue

this subject, adding that he hopes that is the purpose of hearing what might be pursued. He thanks the Commission and applauds the Chair for getting this off the ground.

The Council Clerk notes that there are currently no other speakers.

Commission Chair Blanchard states that they will wait a two or three more minutes before closing the public hearing.

The Council Clerk adds for the record that two of the Commissioners did sign on to the meeting – Tawana Bourne and Molly Salafia -- after roll call.

Commissioner McKeon suggests that the Commission's legal consultant, Attorney Mednick, provided a version of the Charter. Perhaps that should be posted on the website before the next meeting so that members of the public may read it and have an understanding of what the Commission may be considering.

Commission Chair Blanchard concurs, adding there is never too much information. He asks the Council Clerk to arrange this posting on the website.

The Council Clerk indicates that Steven Devoto is asking if he may speak a second time. The Chair agrees.

Steven Devoto: The public does not know what topics may already be on the Commission's plate. He wants to throw out another idea with more advocacy. It is the idea of having the Council represent specific geographic sections of the City, to have wards. For newcomers to the City and old-timers, it would be immensely helpful getting engaged with the City government to know that one Councilman is representing your district and this the contact for your district, an elected contact person, why is focused on your area of town. He thinks this provides a more equitable representation, a more accurate democracy and a more accessible democracy for the City. He encourages the Commission to adopt a ward model for Council seats.

The Council Clerk indicates that there seems to be a new caller, listed as Caller No. 8. There is no response. There Council Clerk indicates that Councilman Grady Faulkner is on the line to speak.

Councilman Grady Faulkner, Jr: He thanks everyone who has volunteered to serve on this Commission. He notes that as they begin their work, he asks that they consider adding affirmative action be reviewed the Charter and did not see that language in the Charter. He recommends that it be considered for addition. When he looks through the City Code, affirmative action shows up under "Personnel," and he believes it needs a higher profile as there are other considerations for vendors that we use, contractors, purchasing. One issue that came up with COVID is the CARES ACT. We want to make sure that minority owned businesses received some of these funds, but found that we had no list of businesses. He would like that to be on the table for consideration.

Councilman Eugene Nocera addresses the Commission, asking them about a date for the Common Council to meeting with the Commission to discuss their views on Charter revision. They are waiting on a date and time.

Commission Chair Blanchard asks if there are other speakers. The Council Clerk states that she is unsure if Caller No 8 has spoken.

Commission David Roane identifies himself as Caller No. *. He was not able to log in via his desktop so he connected by phone.

Commission Chair Blanchard closes the public hearing at 7:28 PM. He will share his notes with the Council Clerk. He thanks all who have participated this evening. In terms of a meeting with the Council, that will be held on Wednesday, November 18th, which is the next Commission meeting, It will be important for members of the Common Council as well as former members of City government – any board if commission, elected or appointed – to meet with the Commission and share their experiences with the Charter and where they see room for streamlining, refinement, or improvement. There will also be another opportunity for members of the public to speak that evening. This should provide the Commission with a good range of ideas so that the Commission can did in more collectively and go forward within this time frame. He wants to be sure that all Commissioners have everything they need. They are welcome to let him or let the staff to the Commission know, the Council Clerk and consulting legal counsel, Attorney Steven Mednick. If they need current or previous Charter information, they will be able to provide.

The Council Clerk indicates that another speaker is asking to address the Commission a second time.

Jean Newman: She has a question. They are referring to three fire districts; however, isn't Westfield its own entity with their own Charter?

Commission Chair Blanchard replies that is correct there is the City Fire District and the two (2) other taxing districts – South Fire and Westfield – which are creatures of State statute. The State legislature passed these on a consolidated basis. The question has been raised that New York City has one fire department and this city of 47,000 has three (3) fire districts. It would require a special act of the Middletown delegation at the legislature. They would have to push it through in another legislative package or omnibus proposal. It would take effect if passed. There City would concurrently create that Charter change.

Jean Newman asks if Westfield has any say on this matter.

Commission Chair Blanchard replies that Westfield would have as much say as any district represented by a State Representative or State Senator would have to say that they don't wish to be consolidated, be dissolved by the legislature. The member of the public would have the opportunity to weigh in at the Capitol, if it were to become a proposal. He asks if Attorney Mednick wishes to add anything to that.

Attorney Medick replies that what Commission Chair Blanchard has said is correct. He has not seen the Fire District Charters, so they may have specific dissolution provisions, but he cannot state that for a fact. There are other fire districts outside of Middletown that are allowed to dissolve themselves; however, that is not something that the Charter Revision Commission has authority to do.

Commission Chair Blanchard states that this item has come up over the past couple of revisions. It is a multi-pronged effort compared to their proposals since it requires the collaboration of the State legislature. It is certainly something that they can look at as it has come up before. He adds that he has sent his email to Ms. Newman.

Commissioner Linda Salafia asks if they are supposed to approve the minutes. Commission Chair Blanchard replies that they will be on the next agenda for approval, on November 18th. Commissioner Salafia states that she thought it was on the agenda. Council Clerk replies that she will be sure that the October 21st and November 4th minutes are on the November 18th agenda for approval.

4. Public Hearing – Closes

Commission Chair Blanchard asks for a motion to close the public hearing.

Commissioner William Wilson moves to close the public hearing. Commissioner David Roane seconds the motion. There being no discussion, the Chair calls for a vote. The motion is approved unanimously with 11 aye votes. The matter is approved.

5. Adjournment

There being no further discussion, the Chair asks for a motion to adjourn.

Commissioner Edward McKeon moves to adjourn. Commissioner David Roane seconds the motion. There being no discussion, the Chair calls for a vote. The motion is approved unanimously with 11 aye votes. The matter is approved.

The meeting is adjourned at 7:36 PM.

ATTEST:
LINDA S.K. REED,
COMMON COUNCIL CLERK