

MINUTES OF PUBLIC HEARING ON CHARTER REVISION  
COMMISSION DRAFT REPORT

June 23, 1998

Council Chambers

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President Rob Bouvier called the hearing to order at 7:05 p.m.

Present were Councilors Holly Abery-Wetstone, Rob Bouvier, Kevin Connors, Carl Donatelli, Liz Gillette, Patrick McCabe, Jim O'Brien, John Shulansky and Al Turco.

President Bouvier: We have a sign up sheet and the first speaker is Domenico Genduso.

Mr. Genduso: Domenico Genduso, 80 Blue Ridge Lane, West Hartford. Mr. Mayor, members of the Town Council. I don't know what is going on in a Democratic town. A few years ago I went to two hearings about the Charter Revision and I made some proposals at that time. Nothing was done about what I proposed and somebody heard what I proposed and said it was a good idea. Well, the only thing they changed was on the budget hearing where it says at that time it used to say any elector or taxpayer may and I said I wanted instead change any elector or taxpayer or only taxpayer and property owner, elector can speak because they have the right to speak because over here you knew all this stuff but I am a veteran. Pretty soon I can retire with a pension if the Town pays me a pension of \$5.00 a year.

Anyway it happened that I didn't have any trouble until 1981 I think it was. They give me fifteen minutes or twenty minutes, ten minutes, I know not so many people come here and said oh yes, approve the budget. Oh yes, approve it. What kind of a hearing is that? That is not a hearing. That is just opinionated.

I used to read and examine the Board of Education budget and the Town budget and I think years ago I was the only one that did that and I used to come with the paper and when I was talking I said the page on the budget. This way they could check what I was saying, stuff like that, and then like a dictatorship came up with a new rule, the Stalin rule I call it. Three minutes, three minutes you don't even have the time to read what you want to talk about, just the headline only. That is what I was mad and I said when you have the Town Charter Revision I said we have to change because an elector and taxpayer have the right to speak without time limit. Who was putting the time limit? You are with the silly Town Council rule because it is a mixed up stuff. I'm not a lawyer but I understand English at least and it said that when you get, I cannot think of the word, it said that you cannot speak more than three minutes except on an ordinance for zoning.

This time I told them too, I said we have to exempt the time speaking about the budget hearing from the Rule 12 on the Town Council rule because the Town Council rule, the Town Council rules are not the Charter and I made an example. I said not everybody goes and changes the Constitution if it didn't follow the procedure. That is the way it is done here.

Now, I want to read to you something that the Chairman of the Library Board, you see him only when it is time that they want to approve to increase the budget of the Library and they come here with five or six, seven Boy Scouts. I don't know if you remember two years ago, dressed up, and one of the boys was embarrassed. He could not even speak. That is ridiculous. Children have no business to go to public hearing on the budget because only grown ups, electors or taxpayers can do that.

Then they are talking about between Mr. Lorenz, the Director, not Executive Director although they put Executive Director, there is no such position. It is a Director and Mr. Wilder they are talking about Chapter 4, Section 6, that is about the Board of Assessor but in the Board of Assessor it is clear that actually it is a five year term overlapping term, at least three of whom shall be experienced in either land value or building construction. I think that is not a good language because it said that three of the five, you know, suppose that those three there know the land assessment, building construction, they resign or finish their term and they don't want to continue because it is too much for them then what we are in trouble. If it has to be, supposed to have been all five are supposed to be experts in land assessment and construction. They are talking about, look like to be on the Board of the Library, you have be a Shakespeare or Dickens, you know, because you know about writing. You belong to the Board of the Library, the Director presents you the budget and if you are smart you ask what it is all about. Why do you want this, another \$50,000? Instead of standing over there, the only thing they do and I had the minutes of the last meeting. It is ridiculous. What did they do? Nothing.

When it is time to increase the Library Board proposed to the Town Manager and the Town Council the salary, well, suppose each department had an organization like that, you know what it would be, a crazy house. We have a Manager, a professional Manager, why don't we abolish all those boards, particularly the Library Board because the Library Board anybody gets appointed. I guess they get the appointment because of a political reason and when they die they put he was a Commissioner of the Library Board for twenty years. That's what it is all about.

I was against the Library Board because it can be eliminated and we don't have to pay expenses. I don't know what kind of expenses they get. I belong to many organizations and I go with my car. I don't charge anybody thirty cents a mile or whatever it is, twenty four cents a mile. You know, it is really something silly. A few people ask me what does the Library Board do and I don't know exactly because they are supposed to suggest or something to the Director but from what I understand, I have never been to their meetings, I don't know if they are public, but I understand that most of the talking is during the Director and then most of them nod it is okay, it is okay.

Now, we know one thing. The library is not a library anymore. We have to change the name instead of the Library we have to call it Walt Disney Board because that is what it looks like. Now they have programs from the tots that they are still crawling on the floor, the mother brings them over there. They have programs for three months, four months old. They have a program for teens and now they have another program that looks like a video place that you go and enjoy electronics or whatever it is. What is this here? Where do you think we are in Acapulco and we attract the tourists for entertaining them. If they are students they go to school and why don't they stay home. When I was young like them we didn't have even a radio, maybe one of those Victrola stuff, that was once in a while you would hear a record but we had to work in school. We didn't have time to go monkeying around in the square and stuff like this. That is why I am opposed because the library is not a library anymore. We spend more money on other junk that don't belong over there and that is what I said. Let's eliminate this stuff because once it is eliminated then the Director of the Library has to talk with the Manager if things can be done or not that stuff before going to the Town Council. Thank you for listening.

President Bouvier: Thank you, Mr. Genduso. Any questions from the Council? Mr. Shulansky.

Councilor Shulansky: Thank you, Mr. Mayor. First a point of information, could you explain the heading draft report on this. Is this intended to be not the final report but a draft report or some import to that?

President Bouvier: Mr. Alair.

Mr. Alair: I do not have a definitive answer on that one. It is my understanding that, it is my assumption that the term draft report means that in theory the Council can refer this back with a request for, with recommendations for changes. My guess is that the word draft was simply left on the title of the report purely by accident but if it was there intentionally I would imagine that that is the reason

for it. There may be somebody else who knows.

President Bouvier: Thank you, Mr. Alair. Mr. Shulansky.

Councilor Shulansky: Thank you. For the record, I am sort of disappointed that there is no one here from the Charter Revision Commission this evening to respond to questions because.....

President Bouvier: Mr. Shulansky, we had planned on that and something came up in terms of Mr. Wirth's family so we excused him.

Councilor O'Brien: Mr. Mayor.

President Bouvier: Mr. O'Brien.

Councilor O'Brien: The other point to keep in mind here is the Charter Commission has had two public hearings and as members of the Council have had ample time to give their input and the Commission has taken that input. I think there are two Council people that made comments, John being one. I think Al was the other one so I think it is unfortunate that the Chairman couldn't be here. It is not fault of his own but we have had time to make comments but I just wanted to make that point, not to interrupt you John.

President Bouvier: Mr. Shulansky.

Councilor Shulansky: Thank you, Mr. Mayor. This was by no means an intent to criticize the Chair of the Commission. There were a number of other members, one of whom hypothetically could have at least helped to present the Commission's perspective. I am trying to get an understanding of the conclusion in charge one to change the Board of Education from what was previously nine members down to seven. There is no one here from the Charter Revision Commission to explain the rationale for that recommendation so unfortunately I guess I don't have any help.

President Bouvier: What specifically is your question, Mr. Shulansky?

Councilor Shulansky: What was the rationale for that recommendation to move, what was their rationale for the recommendation to move from nine to seven. What was their thinking to make that recommendation since it is not at all clear from any of the notations in their report.

President Bouvier: Mrs. Gillette.

Councilor Gillette: This, I don't pretend to speak for the Charter Revision Commission but the last Charter Revision



Commission dealt with two proposals, one was to go to a nine member Board and a two year term to mirror the Council. It was my understanding at the time having watched the votes and the discussion that that proposal in a sense was a package. Through procedural choreography fluke the nine member portion passed and the two year term portion did not. When it came to the Council table with the nine member board recommendation at the time I know other members but I know I questioned the previous Charter Revision Commission as to why they left the nine members in and they basically concurred that it just kind of happened. When I proposed a recommendation to send it back to them, the majority on the Council said no because people were going on vacation so I think perhaps, again, I pretend to speak for this Charter Revision Commission but I think that the nine members, that that is a little bit of a correction of something that happened before.

President Bouvier: Mr. Turco.

Councilor Turco: John, for what it is worth. It may not be worth much. I testified on that issue and my take last time was similar to Mrs. Gillette's so the point is whether it was an outright accident or just secondary. It was really an examination by the Commission at a different construct where they would mimic the Council and elect nine people every two years, no staggering, and the whole thing rolled its way through and it sort of came out like a giraffe. I think there were people who thought that was the case. In any case, in retrospect with all, and I testified that with all the recruiting on the part of both parties of people to be candidates and looking for people willing to put in the time it seemed that always struggling to come up with people willing to give of themselves in the process and that going from seven to nine might simply make that more difficult.

I think I was persuasive and I think they will in effect listen to a couple of people who testified and really didn't have a counter. Having said all that I'm not chair, I wasn't on the Commission, I don't know that tonight is crucial for either adopting this, finalizing the document, whatever, but we still have to go through the process of setting a date should it be adopted, etc., so I can easily make the suggestion, keeping the public hearing open if you want until July 14th and ask the Commission chair and other Commissioners to be here as a way of getting....

Mr. Alair: There is a time limit on concluding your public hearing.

Councilor Turco: I see and what is the limit?

Mr. Alair: Forty five days.

Councilor Turco: When does that run out?

Mr. Alair: I'm not entirely certain of the date of receipt but I don't believe you have much time left if any.

Mrs. Cronin: May 12, 1998.

Mr. Alair: Well, you have forty five days. I'm doing the math in my head. We are up against the wall, to quote Mr. McCabe.

Councilor Turco: My suggestion....

Councilor O'Brien: Mr. Mayor, I was going to say, Mr. Mayor. This process began in my committee. I think it is unfortunate that the chairman or the chairman couldn't find someone else to be here tonight but I think we have had, the purpose of tonight was also mainly to get testimony from the public. We had a draft report prior to this report. I think the time has come to close the public hearing and to move forward.

President Bouvier: Thank you, Mr. O'Brien. Mr. Shulansky.

Councilor Shulansky: Thank you. First of all, a point of order. This is a public hearing and this is not a discussion among the Council about the merits of the Charter Revision and what our individual opinions may be or may not be. The purpose of a public hearing is to hear from the general public and to give an opportunity to the Town Council to ask questions of members of the commission as it relates to their report to the Town Council so that during our business session we can make an adequate policy decision. We haven't had that opportunity to ask members of the Commission to give us their rationale and their justification for their recommendations and I'm disappointed and I feel that I am unable to be able to exercise my responsibility adequately without having the opportunity to ask questions not only about this but other items here within the report.

President Bouvier: You know, Mr. Shulansky....

Councilor Shulansky: And I did testify at the public hearing.

President Bouvier: Okay, thank you, I appreciate that. Mr. Alair could we call a special Council meeting or just have another public hearing on this in relatively short order.

Mr. Alair: It would not be my recommendation that you try to do that. I would recommend that either you raise questions and refer it back which the statute does contemplate or approve tonight.

President Bouvier: Mr. McCabe.

Councilor McCabe: Refer it back with recommendations such as needing further information from the Commission.

Mr. Alair: If you refer it back to the Commission with questions the Commission is required to consult with the Council before coming, before it comes back with a final report. If your questions are, your questions should be in the form of recommendations to the Commission so if you were to refer it back say with a recommendation that the Commission reconsider the change then you would have that consultation opportunity with the Commission.

President Bouvier: Thank you, Mr. Alair. Mr. Turco.

Councilor Turco: Let's see if I understand it. We close the public hearing because we really don't have any public and we are done, we have the option of adopting tonight, we have option of referring back to Administration and Technology for the purpose of having questions asked, answered....

Mr. Alair: You would refer it back to the Charter Revision Commission with recommendations those recommendations being in essence reconsideration.

Councilor Turco: And we can give them a deadline.

Mr. Alair: The statute gives them the deadline.

Councilor Turco: Do we have to have another public hearing?

Mr. Alair: Let me just double check. The Commission must make its final report to you within 30 days after receiving your recommendations and in that window period they have to have their consultations. Within 15 days of receiving that final report you must by majority vote either approve it or reject it or you can approve and reject portions of it. There is no second public hearing requirement.

Councilor Turco: So the public has had their opportunity if I understand it and now it is within our management.

Mr. Alair: That's correct.

Councilor Turco: Thank you, Mr. Alair.

President Bouvier: Is there a sign up sheet? If there is no one else who would like to speak any other questions or comments? Okay, then we will close the public hearing.

The hearing adjourned at 7:27 p.m.

Norma W. Cronin  
Town Clerk/Council Clerk