

**TOWN OF HADDAM
CHARTER REVISION COMMITTEE
PUBLIC HEARING
HADDAM-KILLINGWORTH HIGH SCHOOL
AUDITORIUM
95 LITTLE CITY ROAD, HIGGANUM, CT 06441
MONDAY, 27 JULY 2020
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Kate Anderson, Secretary and Selectman
X	Michael Battistoni, Chairman
A	Thomas Berchulski
X	William Bowles
X	John Fernandes, Vice Chairman
X	Wayne Rutty
X	Robert McGarry, First Selectman
X	Bunny Hall Batzner, Recording Clerk

Mr. McGarry, First Selectman, called the public hearing to order at 6:35 p.m. and asked everyone to rise for the Pledge of Allegiance. The pledge was recited.

Mr. McGarry thanked everyone for attending and noted that information pertaining to the two items as outlined in the Legal Notice were available on the front table for review.

Water Pollution Control Authority - Mr. McGarry explained if the town is going to have a community septic system on the Haddam Elementary School (HES) property, a Water Pollution Control Authority (WPCA) is required by state statute. This is the direction the Town would like to go in and proposed wording for the ordinance is available for review (Exhibit A; 2 pages; copy on file in the Town Clerk's Office with the minutes). The WPCA would consist of the Board of Selectmen (BOS) and two alternates appointed by the BOS and this would need to be voted on at another town meeting. It's a technicality and something which must be addressed if moving forward with a community septic system. This information is posted on the town's website.

Mr. McGarry asked if there were any questions. As there were none, Mr. McGarry moved into discussion regarding the proposed revision to the town's Charter and turned this portion of the hearing over to Mike Battistoni, Chairman, Charter Revision Committee.

Charter Revision - Mr. Battistoni reported that the Committee did not take up changing the form of government to a Town Manager as the Committee did not feel there was public support for this. Mr. Battistoni also stated the Committee did not feel they were the appropriate venue to kick off something like this.

Mr. Battistoni reviewed the letter to the Board of Selectmen, dated 27 May 2020, outlining the proposed revisions (Exhibit B – 2 pages; copy on file in the Town Clerk's Office with the minutes). Proposed changes include: Table of Contents, page 2 – changed "Director of Civil Preparedness" to "Director of Emergency Management"; Section 9.3 (a), page 25, and Section 3.4 (a), page 6 – moved last sentence in 9.3 (a) – "The First Selectman shall set the Annual Budget . . ." to the second sentence in Section 3.4 (a) – a more appropriate location; Section 6.3 (j), page 17 – deleted "and input from the Long Range Capital Planning Committee" – not relevant to today's budget making process; Section 8.14 (a), page 23 – reworded this section and removed "or designee" after "First Selectman" in last sentence – allows BOS to delegate hiring and/or termination responsibilities to the First Selectman; Section 8.14 (b), page 23 –

reworded this section as the current wording is in violation of the Municipal Employees Relations Act (MERA); Section 9.4 (c) (1), page 27 – currently use percentage of the town budget and confirmed that current language is compliant with state law; and Section 9.4 (c) (2), page 27 – BOS asked for more latitude in intradepartmental transfers and the Committee changed the dollar amount from “\$1,000” to “\$3,000”.

In regard to the Long Range Capital Planning Committee (LRCPC), Mr. McGarry stated it is established by town ordinance and to eliminate a committee would require a town meeting. The LRCPC is mentioned once in the Charter so technically if it were decided to change the role of the LRCPC or eliminate it, it would require a town meeting to vote on it and approve the change and then another Charter revision would need to take place; however, by taking it out of the Charter, there is no change to the LRCPC's function or roll, it's just making it easier to streamline. Currently looking at revising the budgeting process to make it more streamline.

Mr. McGarry asked the members of the audience if they had any questions. As there were none, Mr. McGarry again advised the public that there were copies of the proposed wording on the front table as well as on the town's website. The Charter revisions will be placed as a question on the November presidential election ballot. This will provide sufficient time for residents to review the wording and if there are enough questions/comments, an additional presentation can be scheduled.

Mr. McGarry thanked the Committee for the work they have done over the past year as well as the work done by the BOS.

Mr. McGarry closed the public hearing at 6:45 p.m.

Respectfully submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

Article VIII

Water Pollution Control Authority

§ 45-33 Creation; authority; regulations.

§ 45-34 Membership; terms.

§ 45-35 Officers; records; meetings.

§ 45-36 Budget.

§ 45-37 Removal of members.

§ 45-33 Creation; authority; regulations.

The Town of Haddam hereby creates a Water Pollution Control Authority. Such authority shall have all the powers, purposes, objectives, duties and obligations set forth in Chapters 102 and 103 of the General Statutes of the State of Connecticut, Revision of 1958, and existing and future amendments thereto, and all powers inuring or granted to Water Pollution Control Authorities by § 7-246 and by other relevant sections of the General Statutes of Connecticut, Revision of 1958, and existing and future amendments thereto. Such authority shall have the power to develop and enforce activities to protect the groundwater and aquifers of the Town of Haddam. Said regulations promulgated by the authority shall be approved by the legislative body of the Town.

§ 45-34 Membership; terms.

Said Authority shall consist of the three (3) members of the Haddam Board of Selectman and two (2) alternates, all to be electors of the Town of Haddam, who shall be designated and approved by the Board of Selectmen and serve without compensation. Members shall serve for a term consistent with their term of office on the Board of Selectman and alternates shall serve for a term of three years from appointment.

§ 45-35 Officers; records; meetings.

The Authority shall elect a Chairman from among its own members at the first meeting and annually thereafter at the first meeting held after the first day of July in each year. The Authority shall appoint a Secretary. The Secretary shall keep a complete record of the proceedings of the Authority and, when ordered by the Authority, shall file the same with the Town Clerk. All such records shall

PUBLIC HEARING - 27 JULY 2000
EXHIBIT A - 2 PAGES

be open for public inspection at reasonable hours. A calander of regular monthly meetings shall be filed annually in the Town Clerks office in accordance with State Statute. Special meetings of the Authority may be called by the Chairman or any three members upon 24 hours' notice thereof.

§ 45-36 Budget.

The Authority shall prepare annually a budget of estimated revenue and expenditures for the ensuring fiscal year.

§ 45-37 Removal of members.

A commissioner may be removed, for inefficiency or neglect of duty, by the Board of Selectmen after a hearing conforming to recognized standards of due process of law; a commissioner shall be removed only after opportunity to be heard in person or by counsel before the Board of Selectmen at least 10 days prior to which he shall have been given a copy of the charges against him. In the event of the removal of any commissioner, a record of the proceeding, together with the charges and findings thereon, shall be filed in the office of the Town Clerk of Haddam.

Charter Revision Report to the Board of Selectmen

Dated May 27th, 2020

Dear Board of Selectmen,

Please accept this as the official report from the Charter Revision Committee, as appointed on December 9, 2019, as the reviewed and approved set of recommendations for charter changes under Connecticut state statutes.

In the box below, you will find each of the sections the Board of Selectmen requested we review as well as any approved changes. Most changes were approved, with some having been amended as outlined.

Section	Change Discussed	Rationale	Status
Table of Contents Section 8.6 (page 2)	Change title from "Director of Civil Preparedness" to "Director of Emergency Management".	Civil Preparedness is an obsolete title.	Approved
3.4 (a) and 9.3 9(a) (pages 25 & 6)	Move the last sentence in 9.3 (a) that begins "The First Selectman shall set the Annual..." to the second sentence in section 3.4 (a)	This is better call out the duties of the First Selectman in setting up the Annual Budget vote	Approved
6.3(j) (page 17)	Delete: "and input from the Long Range Capital Planning Committee"	This is the only mention of the LRPC in the charter. We are evaluating our budget development process.	Approved
8.14 (a) (page 23)	Reword: The Board of Selectmen shall be responsible for the hiring and termination of all Town employees. On a case by case basis, the Board of Selectmen may delegate these responsibilities to the First Selectman. The First Selectman shall be responsible for the review, evaluation and discipline of all Town employees.	The proposed wording streamlines handling routine personnel matters. It allows the BOS to delegate hiring and/or termination responsibilities to the First Selectman when they feel it is appropriate such as the recent hire of a part time transfer station attendant.	Approved, but removed "or designee after "First Selectmen" in last sentence

PUBLIC HEARING-27 JUL 2020
EXHIBIT B - 2 PAGES

8.14 (b) (page 23)	Reword: The Board of Selectmen shall establish wage rates, salaries, job descriptions and working hours for all Town employees, except when the terms and conditions of employment of a Town employee are governed by a collective bargaining agreement and the Town's obligations under applicable law.	The current wording is in violation of the Municipal Employees Relations Act (MERA).	Approved
Section	Change Discussed	Rationale	Status
9.4 (c)(1) (page 27)	Is using a percentage instead of a number compliant with state law?	There was an open question on this item.	Confirmed current language is compliant
9.4 (c)(2) (page 27)	Delete the last sentence of the paragraph "Transfers within agencies of amounts exceeding \$1,000.00 shall require Board of Finance approval."	A number that is too low creates undue administrative work for the BOF	Approved change from \$1,000 to \$3,000.

In addition, the question of the Town Manager form of government was considered. Based on several interviews with experts on the topic and with feedback from the public, we have come to the following conclusions:

- There is little public support for a major change in Haddam's form of government
- Town Manager forms of government tend to work better in larger towns than Haddam
- Switching to a Town Manager form of government needs to start with an advocacy group created separately from a Charter Revision Committee to educate the public, identify the pros and cons of switching and build public support

Based on all the above factors, the Charter Revision Committee recommends no changes to our form of government at this time.

Respectfully submitted,

Michael Battistoni, Chair