

BLOOMFIELD TOWN CHARTER REVISION COMMISSION

There was a regular meeting of the above referenced subcommittee held on Thursday, July 18, 2024, at 7:00 p.m. in Council Chambers at Bloomfield Town Hall, 800 Bloomfield Avenue, Bloomfield, CT.

Commission Members: Joseph Suggs, Chair, Dwight Bolton, Bradley Klein, Erica Coleman and Elvin Turner

Others present (in-person): Councilor Joseph Merritt, Attorney Andrew Crumbie and Attorney Ashley Moore, Crumbie Law Group, LLC, Elizabeth Lane, Library Director and India Rodgers, Clerk of Council

The meeting was called to order at 7:05 p.m.

Public Comments

There were no public comments.

Discussion and Review of Proposed Recommendations with Legal Counsel

Attorney Ashley Moore of Crumbie Law Group, LLC reviewed one of the major areas of concern regarding Chapter 9, Finance and Taxation.

Upon her review of meeting minutes, video recordings and other pertinent information shared from the viewing public, Attorney Moore clarified some confusion regarding the budget process. Most of the comments have been about Chapter 3, Section 308, Referendum on certain ordinances and certain appropriation. She asked the Commission to review Chapter 9 for the noted differences regarding all referendums.

There are three different sections regarding referendums in the Town charter.

- Non-budget, non-bond referendums
- Bond referendums
- Budget referendums

Specifically, for the budget referendum, currently the Town Council adopts the budget, then within seven days a petition can be filed with the Town Clerk.

Currently, the petition must be signed by 7.5% of the total number of qualified electors of the Town of Bloomfield. There has been some discussion about reducing that number to potentially 4%. This number seems to be what the Commission has agreed upon as a proposed revision for consideration.

Attorney Moore also noted that within ten days of that petition being filed, the Town Clerk must examine the signatures to determine sufficiency, and if there are a sufficient number of signatures, the Town Clerk then certifies the petition to the Town Council, which is within seven days of certification. A Town Council meeting will be held, a vote of no less than seven days, and no more than fourteen days after the meeting. Finally, if a

majority of voters vote in favor of the referendum, and the majority of voters equals at least 15% of currently registered electors, then the referendum passes.

The current process is different than Commission discussions that have been had regarding the referendum in Section 308, which is non-budget and non-bond referendums.

This charter section gives more time and has some different rules regarding the timing of the election. Attorney Moore is open to modifying both sections, specifically regarding the number of signatures required, and further discussing the timeline.

There has been some discussion about the ten days being insufficient. She pointed out that the budget referendum is less than that. It was noted that those numbers can be the same, or they can be different.

It seems that there is a general agreement of the Commission, that the 15% should refer to the voter turnout in total, and a simple majority of the voter turnout would cause the referendum to pass or fail.

Attorney Moore also addressed the issue of e-signatures which has been discussed on multiple occasions. She has reviewed the state statutes, and completed a comparative analysis with surrounding towns, as well as taking into consideration the current technology that exists. Attorney Moore is recommending NOT to provide for e-signatures or digital signatures that's going to be very difficult to track. There would have to be an audit trail, very specific rules that would allow the Town Clerk to evaluate the sufficiency of those signatures. This is not really suited to the Town charter or current technology at the time.

Currently, other surrounding Town charters that do specify, specify ink or indelible pencil. Most Town charters don't specify at all, but that's implied it's going to be a written signature. An ink or indelible pencil also mirrors the language of the state statute regarding referendum petitions in general, though not specifically budget referendum.

Discussion

Commissioner Suggs asked for clarification regarding the seven days required to collect signatures for a budget referendum.

Commissioner Klein asked if the four different referendums in the charter, Section 308, 310, 906, can timing, signatures, etc. have the same procedure?

Attorney Moore noted that the bond referendums are obligatory referendum over a certain percentage. So that inherently will be a little bit different. However, for general ordinances and appropriations, the budget can have it be the same. If you wanted to make the budget referendum easier, the Commission can recommend an extension of the timeline.

For purposes of clarity, it makes sense to decide on a certain level of participation, and then a simple majority wins. Regarding the 15% threshold with respect to other surrounding towns is average percentages of 20%, 15%. 18%. The Town should take into consideration the context of the Town and the general level of participation.

There ensued a detailed discussion regarding the steps of the Town budget process and timeline in alignment with the State of Connecticut budgetary timeline.

Attorney Moore commented on the rollback date of the month of February, if the Town Council determine how much time is given for the petition and how much time the Council wants to build in for that.

Commissioner Turner noted that it doesn't seem like it's possible, given these steps to really kind of compress that timeline, so that the town budget is closer to the state budget.

Commissioner Klein reminded all the current 7.5% of Bloomfield electors, requiring 1,284 signatures. The Commission is recommending 4% of Bloomfield electors, requiring 685 signatures for a budget referendum.

Review and Discussion of Council Charges to the Commission

Section 605 – Other Departments, Offices and Agencies

Chairman Suggs gave a brief overview of this section relative to Council charges, in possibly reviewing the option to create a “public” fire department for the Town, as well as inclusion of the Bloomfield Volunteer Ambulance (BVA). It was noted that both Blue Hills Fire and Bloomfield Center Fire Departments are separate legal and tax entities of the Town. All entities are working well as they are currently structured and there is no reason for additional administrative oversight.

Attorney Crumbie introduced a Council action taken in June 2022, to include certain departments currently not in the charter:

- Social & Youth Services
- Human Resources Department
- Senior Services
- Parks, Recreation & Leisure Services

A mistake was made in that the ordinance, the Town Council set out to create the language of the ordinance stated, to “amend” the Town Charter to create these departments.

Obviously, that can’t happen, we are in the charter revision process now. Attorney Crumbie noted that we need to revisit Chapter 6, Section 605, Other Town Departments, Offices and Agencies with respect to this process. So, the affected changes that Town Council sought to do in creating these new departments will be included in this charter revision process. Attorney Crumbie will draft a memorandum on the issue and publish it to the commission.

Section 701 – Salaries

Chairman Suggs mentioned the varying discussions from Commissioners and public feedback relative to Council compensation. He noted that if the Commission were to recommend the removal of the prohibition of compensation to the Council to be reflected in both Section 701, Salaries and Chapter 3, the Council.

Commissioner Turner asked about the pros, cons, public interest and benefit to continue this prohibition for another 10 years. As the alternative, consider removing this prohibition and allow the legislative body to work together to establish and decide whether they should or shouldn't receive compensation.

Commissioner Klein asked if there are any other towns that prohibit Council compensation. It was noted that a comparative analysis was completed with other surrounding towns relative to compensation with elected town officials. He would like to receive data regarding any other towns that prohibit compensation. Commissioner Klein noted that nothing in the Town charter should prohibit the Town Council from voting itself a compensation. He is curious to see what the language is and if any of the other towns prohibit it.

Section 904

Chairman Suggs commented on Council charges regarding consideration of any change of the annual Town budget process, for potential alignment the timing of the State of Connecticut budget process. He also noted that the Commission will also consider limiting the number of referendums within the current charter.

Apparently, there is an ongoing issue that the town must complete its budget process weeks, or even a month prior to having any notification of what the state budget will be and how much the town could anticipate receiving from the State.

Currently, the Town budget must be completed by the second week in May and the state budget isn't completed until the end of June. There is no option to approve the town budget after the state budget.

The Commission discussed various suggestions that would allow more time for the town budget process to approximate the State budget.

Commissioner Turner expressed concern regarding the current timeline and alternative options to get closer once the municipal budget and the subsequent state budget is adopted, and there's a deficit between what the town estimated and what was received, could the annual budget be revisited and adjusted, based on the deficit.

It was also noted that no matter what the percentage is, and no matter what the amount the threshold is, the Commission should review limiting the number of referendums, so that the Town doesn't have repeat referendums.

Section 905 – Annual Town Meeting

Commissioner Klein commented on several typos and wordsmithing issues within the entire town charter. He will submit his list of recommended changes and corrections.

Councilor McClary briefly explained the Town budgeting process from the initial submission by the Town Manager, Council review, debate, recommendation and approval of budget to the referendum process.

Commissioner Turner inquired about the use of staggered board terms for some town board and commissions. With the complexity of work as for Library Services, with having a staggered board, you want experience on the board, and a set of board members to continue over time.

Ms. Elizabeth Lane, 33 Burnwood Drive, Library Director briefly explained the expertise of board membership, seasoned library professionals as well as administrators from the school system and professors.

There are many things that libraries do and not having complete turnover, with every election helps the work to continue.

Public Comments

1. **Councilor Kenneth McClary, 8 Haviland Road** thanked the Commission for their work thus far and briefly commented on other town entities that receive some form of compensation or tax abatement for the elected officials in emergency services. He suggested removing the current charter language that “prohibit” compensation for the Town Council and leave it up to the Town Council to determine frequency and fiscal impact.

Next Special Meeting: Wednesday, July 31, 2024 at 6:00 p.m.

Meeting Location: Alvin & Beatrice Wood Human Services Center – The Great Room

Commissioner Suggs mentioned that it is the Commission’s intent to attract more of the community who may not want to attend a meeting in the official town hall setting.

He would like to attempt discussions on any items that were raised by the public, and not specifically referred to by the Council.

Also, he reminded all Commissioners to seek assistance for additional information or input by either legal counsel or from the Town administration. He encouraged everyone to be able to begin detailed discussions and deliberations and actually vote on recommendations, so that legal counsel can prepare draft language based on those votes.

Topic of Discussion:

- **Discussion and Possible Action regarding Proposed Charter Revisions**

APPROVAL OF MINUTES

It was moved by Commissioner Turner, seconded by Commissioner Klein to table the approval of minutes of July 13, 2024, to the next meeting for further review and modification.

ADJOURNMENT

It was moved by Commissioner Bolton, seconded by Commissioner Coleman and voted unanimously to adjourn the meeting at 8:15 p.m.

