



BOARD OF ALDERMAN
CITY OF SHELTON
SPECIAL JOINT MEETING WITH THE
CHARTER REVISION COMMISSION
MINUTES

AUGUST 28, 2023, 5:30PM

SHELTON CITY HALL AUDITORIUM, 54 HILL STREET, SHELTON, CT

Live -Streamed at www.cityofshelton.org

Call to Order/Pledge of Allegiance

Alderman Anglace called the joint meeting of the Board of Alderman and the Charter Revision commission at 5:32 pm in the auditorium at Shelton City Hall. All those present stood and pledged allegiance to the Flage of the United State of America.

Roll Call

Alderman John F. Anglace, Jr., Present – Present
Alderman Eric McPherson, Vice President – Present
Alderman Lorenzo Durante – Present
Alderman Porter McKinnon – Present
Alderman Anthony Simonetti – Present
Alderman Bernie Simons – Present
Alderman Cris Balamaci – Present
Alderman Kevin Kosty – Present

Chairman of the Charter Revision Commission – Win Oppel – Present via phone
Commissioner David Presutto – Present
Commissioner Joanna Carloni – Present
Commissioner Ruth Ann Dunford – Present
Commissioner Peter Finch – Absent

Alderman Anglace explained the purpose of the meeting was for the Board of Alderman to provide comments, suggestions and input to the Charter Revision commission who would then debate and determine what their final document would be and the final document would then be sent to the Board of Alderman for their Thursday, August 31 meeting so the Board of Alderman could vote as to whether or not to send the document to the ballot in November for an up or down vote by the electorate.

Each Alderman would have the opportunity to address the Charter Review Commission and he encouraged the Charter Review Commission members to ask questions or engage in discussion. The order would be from his left to right and Chairman Anglace called on Alderman Kosty to proceed.

Alderman Kevin Kosty

Alderman Kosty inquired if an updated version of the Charter Revision document had been issued. Chairman Anglace remarked he did not know the specific reference to which he referred. Alderman Kosty answer was unclear on the Zoom recording. Chairman Anglace remarked that the public hearing version was the latest one and that the Alderman's suggestions to Charter Revision Commission tonight would be reviewed by the Charter Revision Committee who would make the final determination as to their submittal to the Board of Alderman.

Alderman Kosty recalled that during the public hearing regarding the technology committee, he believed 3 spoke against it and 2 were in favor; regarding the bonding requirement going from 2 to 2.5 percent he recalled 3 spoke against and 2 spoke in favor and regarding the changes to the Board of Education make up to the 6-3 split his recollection was 3 spoke against and 1 spoke in favor, that being Win Oppel the Chairman of the commission. He felt it should be taken into consideration by the Board of Alderman.

Alderman Kosty then spoke to the technology committee and indicated he was originally in favor from the 2020 Charter Revision Commission, but his opinion has broadened a bit as he learned how other towns handle technology. He cited Seymour and Bristol as examples of towns who appear not do it via committee, they seem to have a memorandum of understanding between the City Hall and the Boards of Education that they would share a Director of Information Technology where the department works for both. He questioned whether we needed another 9-person committee, would the board cede its power to spend money; would a new conflict arise as the committee make up of nine members could lead to the 6-3 split like Board of Education as he understood the initial write up. Then it appeared that with the power to spend money, the technology committee would then operate as the public building committee which operates on a bare majority of one half to act. He reiterated consideration should be given to making it a temporary committee as projects arise.

Regarding the bonding increase from 2 to 2- and one-half percent Alderman Kosty was concerned about the dollar amount the percentage increase would be based on Tom Harbison's input at the public hearing but if the change was to 2 and one half percent, he indicated he was fine with that.

Regarding the 6-3 proposed change to the Board of Education, Alderman Kosty did not believe it was compliant with current state law and as he understood it to be. At this point, Alderman Anglace interrupted the meeting as he was unable to hear all parties and wanted the sound to be investigated. Alderman Simonetti assisted in this and at the conclusion returned to the meeting and Alderman Kosty resumed.

Alderman Kosty continued by citing CGS 9-204(a) and CGS 9-204(b) and discussion of the requirement for a 4-year staggered term of no more than ½ bare majority.

Chairman Oppel questioned this as he was told by Jennifer Proto the principal analyst for the Office of the General Assembly that per CGS 9-167a we can have a nine-member board elected at the same time, the 6-3 split would be allowed.

Much discussion between Alderman Kosty and Chairman Oppel occurred regarding the the CGS 9-167a and CGS 9-204(a) and 9-204(b) and the applicability to the Board of Education.

Alderman Anglace offered that Chairman Oppel should check with Corporation Counsel regarding the appropriateness of the revision language.

Chairman Oppel agreed.

Alderman Anglace asked if Commission member Joanna Carloni had an opinion and as she did not have a copy of what Alderman Kosty was reading from, she reviewed his document but offered no insight.

Alderman Kosty expressed concern that the language as written in the draft charter was not complaint with state law and Chairman Oppel again indicated he would review the language with Corporation Counsel.

Alderman Simons offered that if Corporation Counsel was going to review the language, perhaps the discussion could move on.

Alderman Anglace reminded the meeting that it was the Chairman of the Charter Revision Commission responsibility to review the matter with Corporation Counsel.

Alderman Kosty resumed and indicated he had no issue with the Chief of Staff language, suggested the technology committee be temporary and be a subcommittee to the public building committee and reiterated that the Board of Education minority representation as written in the draft is not in compliance with state law in his opinion.

Commission member Joanna Carloni asked Alderman Kosty what his preference was – technology committee or technology department.

Alderman Kosty responded department.

Commission member Ruth Ann Dunford asked if by stating department did, he mean hiring department personnel as opposed to volunteers.

Alderman Kosty offered that a technology department as he understood it from other towns would be responsible for the general maintenance while projects would be bid and outsourced. He believed that with the technology changes being so rapid, towns must be able to adapt and considering that he believed that the Board of Education and the Board of Alderman were the only committees needed.

Alderman Anglace introduced Alderman Porter McKinnon to proceed.

Alderman Porter McKinnon

Alderman Porter McKinnon indicated he disagreed with Alderman Kosty regarding the technology committee as he believed there was a benefit to developing a city-wide strategy as technology evolves. It was a positive to be forward looking in this rapidly developing area. Looking forward to identifying what is needed and implementing it as needed would be a positive for the City of Shelton.

Alderman Anglace introduced Alderman Bernie Simons to proceed.

Alderman Bernie Simons

Alderman Simons indicated his agreement with Alderman McKinnon regarding the technology committee. He does not believe in adding to the bureaucracy. He explained his understanding of the importance of the bidding process that the committee would be involved in as opposed to a one person handling the matter. Transparency is important and while not impeding on the reputation of a person not known, the bidding process itself, making sure all bids are reviewed and counted, having a technology committee review the bids and interview accordingly he felt was important. He therefore tends to go with how the language is written currently in the charter.

He indicated he had no issue with the 2.5 bond.

Regarding the Board of Education and the 6-3 language, he pointed out that it could be any party in office in the future. It was important to count each, and every vote made and perhaps it was usurping the vote of the people to make an adjustment numerically accordingly. He stated he was in favor of the language as drafted provided it meets with the requirement of the CT General Statutes.

Alderman Anglace introduced Alderman Anthony Simonetti to proceed.

Alderman Anthony Simonetti

Alderman Simonetti spoke of the previous technology committee which he felt provided an excellent contribution to the City. It was led by Alderman Anglace and with a \$2.5M budget, it provided assistance to the school system – all schools benefitted from it. He believed the members of the technology committee would be pros – those who understood the needs based on experience and therefore we would benefit from that knowledge. Having a standing committee would save money in the long run as by working with the schools who are the biggest users of technology, City Hall who is expanding their technology uses, would benefit from the knowledge gained through the

schools. A committee of knowledgeable volunteers would be better than adding to a bureaucracy.

Regarding the 2.0-2.5 bonding increase, he was surprised that people would be against it as it has been used to assist the school system in the past. An increase of .5% funding, while a large amount, he was confident the Board would use it judiciously whether it be for the Board of Education or another board in the city.

Regarding the Board of Education 6-3 split, he agreed with Alderman Simons that every two years the votes go to one side by many votes, and we are cheating the public by not having the right number on the board.

He concluded by thanking the Charter Revision committee for their time and effort and he appreciated their input, the language, editing and punctuation that was done. Alderman Simons seconded the appreciation.

Alderman Anglace introduced Alderman Eric McPherson to proceed.

Alderman Eric McPherson

Alderman McPherson indicated he was in agreement with the bid increase as nothing is affordable anymore. He used the bidding on the Constitution Boulevard project as an example and he felt that being able to extend the dollar value gives everyone an opportunity to do more, have flexibility and is an overall wise thing.

Regarding the 6-3 Board of Education language, he was reminded that every day you hear that every vote must count, the will of the people must be met. Should Party A, regardless of what party that is wins across the board, and the state grants the latitude then he would be in favor of the 6-3 language.

He concluded by stating that as he read the document, he does support the technology committee as it would give the Board of Education a place at the table; it brings us better together.

He commended Chairman Oppel and the commission for their work and he felt the commission was diligent, the reasoning spot on and he concluded by commending the commission on their work.

Alderman Anglace introduced Alderman Lorenzo Durante to proceed.

Alderman Lorenzo Durante

Alderman Durante thanked the commission for their time and service. He indicated he attended two of the meetings and the members appeared to him to be laser focused on

the matter. Regarding the technology committee, he supports most of the Alderman's position on the technology committee.

Regarding Section 4.3.2 he inquired about the history of the quorum language and what constitutes a majority vote.

Alderman Anglace answered that with much service much knowledge is gained. He offered that Tom Welch, who is now a Judge offered language after appropriate judicial review. Further inquiry could be made to Corporation Counsel.

Chairman Oppel offered that the committee review the language and determined that the 5 members constituting a quorum as currently provided for was properly left as it as it was felt that any change could result in 3 members of the 9-member board making a decision for the entire city.

Alderman Durante continued that regarding the technology committee, he felt that with technology we purchase the items and then forget about them. The maintenance aspect is not spoken about enough. He believed the technology committee would assist in this aspect.

Alderman Durante asked how the charter revision document would be shared with the voters to explain how it was vetted, is there a plan, how will it be publicized, is there a plan of attack.

Chairman Oppel offered that it was incumbent on the Charter Review commission to explain the development of the language over a period of time, provide a historical background through news releases as an example, provide explanations as to why the changes are important, and that adoption of the charter would benefit the boards.

Alderman Anglace interjected that he requested Chairman Oppel provide a "here's what we recommend and why we recommend it" document.

Alderman Anglace introduced Alderman Cris Balamaci to proceed.

Alderman Cris Balamaci

Alderman Balamaci thanked the committee for its work. Regarding the bonding and the 2.5%, Alderman felt the increase was reasonable and would benefit the Board of Education requests and that the increase could help to streamline the process overall.

Regarding the 6-3, Alderman Balamaci, contingent on corporation counsel recommendations, she supported the change. Considering that the majority party could change with any election, no one can ever know who will be in charge after an election.

Regarding the technology committee, she was in favor of it as it would be similar to business initiatives who plan and execute similar items. While municipalities are always cost conscious the committee could assist in proper planning.

Regarding the public hearing testimony concerning Alderman versus Alderwoman versus Alderperson. Alderman Balamaci was respectful of the suggestion but felt it was not needed at this time. Her research indicated that it was a title of respect and gender did not have to be addressed. Further, in time where people identify as non-binary, a change in title could create an issue.

Alderman Anglace addressed the Commission.

Regarding the technology committee, Alderman Anglace spoke to the joint Board of Alderman Technology committee that existed in the past as he served on it from beginning to end, approximately 12 years. The committee provided a wide area network throughout the city that has paid huge dividends over the years. That technology committee was set up as a building committee through the charter and when the funding of \$11m ran out, the committee ceased. Alderman Anglace questioned why no one had questioned the value of the committee until now.

He referred to the public hearing where one member of the Board of Education, the Chairman of the Technology committee spoke to the needs of technology while all other speakers spoke in opposition.

Regarding Carl Rizzo's comments at the public hearing, as chairman of the Board of Education's technology committee, Mr. Rizzo acknowledged the funding that has been provided this year by the Board of Alderman to the Board of Education, but he raised the concern or desire for promethium boards for the schools. Alderman Anglace questioned if a report had been done on the boards and it had not been. But it was to Alderman Anglace's point that the process had begun to think about and plan requirements. The promethium boards are big money and with the City of Shelton and the demands of the population with an aging building and infrastructure system, bonding money can only go so far. Therefore, being a technology driven society, those needs can be planned for and should be planned for but it should not be a Board of Alderman or Board of Education requirement, a technology committee would serve that function best.

Alderman Anglace pointed out that Carl Rizzo spoke of the school buildings, furnaces, hot water heaters that all compete when replacement is needed with current capital spending requirements – road, fire equipment, public works vehicles. Alderman Anglace pointed out that there are limits to spending – roughly 2% of the budget currently. An increase to 2 ½ per cent would raise the funding approximately \$650k and that is needed and is positive. He further addressed the needs of the children in the school community as they must be provided with the latest technology as state requirements provide guidance. He felt we must stay on top of the needs of the community.

In the past, the technology committee spent the allotted funds and was disbanded when they were depleted. While it was a 12-year process then, should the technology committee be reinstated, there is more experience and knowledge now about current needs and how technology can assist in meeting those needs. The prior committee was set up similar to a building committee and it went to referendum and received \$1M after the voters approved the initiative and it took 12 years to spend, and the investment was well worth it. While committee members come and go the only reason the technology committee was disbanded in the past was due to the exhaustion of the funding.

Alderman Anglace expressed disappointment is the democratic members of the board of education taking a negative position in the newspaper as he believes we need everyone's support to get the job done and carry out the mission.

Alderman Anglace reviewed Carl Rizzo's comments regarding the bond increase from 2 to 2 ½ percent which Mr. Rizzo was in favor of. Alderman Anglace commented that every penny was spent on city and education projects and the money was well spent in investments in roads, buildings, the education system and the children.

Alderman Anglace pointed out that during the public hearing, and he could not recall who made a statement that we are against it as it creates more debt. Alderman Anglace felt that was untrue as the bonding is paid off via straight line depreciation. Also, commercial notes are utilized, and he felt that was a better approach as it saves money regarding the costs associated with application preparation for the bond and incurring the expense of what the market would bear regarding rates. He felt the 2 1.2 percent raise would add \$650K to the budget and that is a drop in the bucket. He cited the Board of Educations' American Relief Fund as an example where they spent \$4.2M in capital investment over a short period of time – the need is there and always will be. He stressed that the message was not you do not need the money, we are saying how can we help – what can we do to work with you. He felt a change in philosophy that we are not the enemy – we are here to help and the language of the technology committee in the draft charter is a positive step in that direction.

Regarding Mr. Harbinson's comments, Alderman Anglace expressed appreciation for the great job he had done but wished it had been provided earlier in the process. With respect to Alderman vs Alder, Alderman Anglace could support Alderperson but defers to Alderman Balamaci's comments. He felt several of the language change requirements were worthy of review by the commission. He did not support the expansion of the wards and regarding the Board of Alderman's meeting schedule, that was determined per resolution not ordinance and done in accordance with FOIA requirements of the state. Time of meetings is not required, and the Board will retain the prerogative to set meeting times in accordance with local conditions and he cited COVID as an example.

Regarding ZBA, he would support changing the term to be staggered terms of three years and worthy of consideration by the commission. He felt it would be consistent with the other bodies addressed in that section of the charter – section 5.3.3 to be specific.

Chairman Oppel stated that the commission would discuss this.

Alderman Anglace felt the comments are well taken in Mr. Harbinson's review and deserve the consideration of the commission.

Regarding Paragraph 5.4 of Mr. Harbinson's comments regarding the technology committee, Alderman Anglace felt his assumptions were erroneous and further stated that timelines for reports have merit but should be left up to the appointing authority.

Regarding paragraph 6.4.5 he has no suggestion or recommendation.

Regarding paragraph 7.16, Alderman Anglace disagrees for reasons previously state.

Regarding paragraph 9.6.2 vacancies – Alderman Anglace has no suggestions but felt the current charter adequately addresses the concerns over the situation.

Alderman Simonetti stated he needs to leave the meeting.

Alderman Anglace asked him to wait for a minute and Alderman Simonetti agreed.

Alderman Anglace called for the conclusion of the comments section of the joint meeting of the Board of Alderman and the Charter Revision Commission. He inquired if Chairman Oppel needed the Alderman to stay.

Chairman Oppel thanked the alderman for their comments – he felt they had clearly done their homework and he expressed respect for the comments and expressed the commission's goal to wrap up the charter tonight so the Alderman could vote on it at their August 31st meeting.

Alderman Anglace asked if there was an objection should parties stay.

Chairman Oppel indicated no objection and welcomed the charter commission members to begin review.

Chairman Oppel addressed the charter commission and indicated he had emailed the documents to the commission members that Alderman Kosty referred to in his comments. He also spoke of a phone call he had with the Town Clerk Marge Domorod regarding section 5.2.2 and upon their review, it looked like a line was missing in the document. Further review of the ZBA membership revealed that 2 members were appointed on 12/27 2019 – therefore one term would expire on 10/1/2023 and another on 10/1/2024 which in turn looks like 5-year terms. Other commissions and board have a variety of terms ranging from 3-4-5 years and he felt it was incumbent on the commission to pick the term and the fix was easy by adjusting language in to read – appointed by the Mayor to serve X term.

Commissioner Presutto inquired if he was looking for continuity in the section regarding the staggered terms.

Chairman Oppel stated yes as discussed in his email to members. As an example, he stated Parks and Rec serve 4-year staggered terms; Conservation serves 3 year staggered; Economic Development and Inland Wetlands serve 5 year staggered terms. So, he was unsure of a pattern but a term was needed.

Commissioner Presutto inquired if it was as simple as pick one or was there an advantage to one term over another.

Chairman Oppel stated that based on the research of Town Clerk Marge Domorod, it looked like the previous appointment was for 5 years for those appointed as others were filling expired terms.

Commissioner Presutto asked if consistency with 5 years was needed unless there was an advantage for one term length over another.

Chairman Oppel is comfortable with 5 – almost any term – 3-4-5.

Commissioner Dunford was going to suggest 4 as it was in between both terms.

Commissioner Presutto again asked was one more advantageous than another.

Commissioner Dunford stated exactly. She asked what had happened.

Chairman Oppel stated it appeared to have been left off a prior transcription before this commission and our involvement.

Commissioner Dunford asked so it was randomly left off.

Chairman Oppel stated he was unsure of previous charter revisions and asked if either Commissioner Presutto or Commissioner Dunford recalled it being addressed previously as they served on prior commissions. Neither indicated they had.

Commissioner Presutto stated he would support a 4-year term unless another commissioner had other thoughts.

Commissioner Dunford indicated support and did Commissioner Carloni.

Chairman Oppel stated there appeared to be a motion on the floor to amend our current charter version in section 5.2.2 to read by the Mayor to serve staggered terms of four (4) years. He called for a second.

Commissioner Carloni seconded.

Chairman Oppel called for further comments and hearing none called for a vote.

A voice vote was taken and passed unanimously.

Chairman Oppel stated that was a main concern and was grateful it had been addressed. He readdressed the 6-3 piece of the Board of Education and referring to the email he sent commission members- specifically page 4, CGS 9-204(b) provides a town may under its charter elect all of its board members at the same election and apply minority representation in accordance with 9-167(a). Chairman Oppel indicated he had sent a note to corporation counsel regarding the language and statute.

Commissioner Presutto expressed that was important.

Chairman Oppel indicated he believed we had the ability under 9-204(b) to have a 6-3 board under the Charter.

Alderman Anglace interjected that the board can take the action it wants to take but Corporation Counsel will be in the Mayor's office tomorrow at 8AM should Chairman Oppel wish to pursue the matter.

Chairman Oppel indicated he had sent the information to Corporation Counsel and would appreciate any assistance in having the review occur.

Chairman Oppel continued that he too wished Mr. Harbinson had provided comments earlier in the process. Some made clear grammatical sense but could be acted on at this time. There are redundancy items, but the intent of the charter is not affected by them. He summarized that since the public hearing, the commission met and addressed the posting issue and now have addressed the concern in section 5.2.2.

The clerk requested a read back on the language change to 5.2.2 as follows: ... appointed by the Mayor to serve for staggered terms of four (4) years.

Alderman Anglace offered that the board of alderman will vote on the 31st of August.

Chairman Oppel called for any other comments or revisions and hearing none Alderman Anglace called for a motion to adjourn.

Alderman Balamaci motioned to adjourn, and Commissioner Presutto seconded and hearing no objection, the joint meeting of the Board of Alderman and the Charter Revision commission was adjourned at 6:52PM

Respectfully submitted,

Susan M. Pulos
Charter Revision Clerk.

