

Town of Manchester, Connecticut
Charter Revision Commission
Minutes
January 14, 2025 - 6:30 PM
Manchester Room & Zoom Teleconference

1. MEETING CALLED TO ORDER

The meeting was called to order at 6:38 PM.

Present at the meeting were Committee Chair Tim Bergin, Vice Chair Diane Clare-Kearney, Secretary Emily Luna, and Commissioners Tim Becker, Audra Ricci, Mike Pohl, Harun Ahmed, and Richard Rader. Also present were Town Manager Steve Stephanou, Assistant Town Attorney John Sullivan, and Assistant Manager Kasia Purciello.

Absent: Commissioner Tom Ferguson

2. APPROVAL OF MINUTES

a. Minutes of 12/17/2024 Meeting

There is a motion to approve the minutes of 12/17/24 by Commissioner Pohl. The motion is seconded by Commissioner Ricci. The motion passes 8-0-0.

3. COMMUNICATIONS

There are no communications.

4. REPORTS

a. Town Manager Steve Stephanou

Town Manager Stephanou recommends the removal of residency requirements for the positions in question. He spoke about the challenges of attracting and retaining a high-quality workforce and commented on how the restriction hinders the ability of the Town to attract the best candidates for these positions and makes it more difficult in terms of efforts to diversify the Town workforce. Stephanou feels most strongly about the Director of Public Works and the Water/Sewer Administrator and states that having competent, effective and compassionate professionals in these roles is crucial.

Commissioner Becker stated the importance of having directors in these roles who drive on our roads and drink our water. Manager Stephanou highlighted the importance of hiring an individual with a professional background that has a strategic planning mindset. Commissioner Pohl stated that professionals may have children in the school district of another Town and may have trouble relocating. Stephanou mentioned the Department Heads that are dedicated to their roles in Town and yet do not live in Manchester.

Secretary Luna asked if the Town can assist in sharing information on this topic if it were a ballot question. Commissioner Rader asked if the citizens are aware of this issue and how this would impact them. He believes it comes down to wording and perhaps some information being mailed out and asked about incentives that would attract somebody to apply for these roles. Chair Bergin commented that the last

question on the ballot was broader than Public Works and Water/Sewer Administrator. He does not have concerns that this question would be redundant to the voter.

Town Manager Stephanou comments on the difficult of workforce development in municipalities.

Assistant Town Attorney Sullivan stated that when a question goes to a ballot, we can give a neutral explanatory text. This is followed by a discussion on appropriate wording of the explanatory text that would go out with this question.

There is a discussion on the public hearing requirements surrounding the Town budget and changing the public hearing language from “newspaper” to “as prescribed by State Statute.”

There is a caucus at 7:00 PM. The Charter Revision Commission reconvenes at 7:35

5. REVIEW AND DISCUSSION OF BOARD OF DIRECTORS’ RECOMMENDATIONS FOR CHARTER REVISION

- a. Review the Charter to consider amending all references regarding the “Board of Directors” to “Town Council.”
- b. Review the Charter to consider amending all references regarding the “Town of Manchester” to “City of Manchester.”
- c. Review the Charter, including Sections 2-2, 2-4(c)(4), and 3-8, to consider amending the term “elector” to “resident.”
- d. Review Charter Chapter 18 to consider restructuring the Department of Law to a Corporation Counsel.
- e. Review Charter Section 3-10 to consider amending the process for Enactment by Petition.
- f. Review Charter Sections 11-3 and 12-4 to consider removing the residency requirement for the Director of Public Works and Superintendent of the Water and Sewer Department.

The Commission takes up Item F. There is a motion made by Commissioner Pohl to approve the removal of residency requirements for the Director of Public Works and Administrator of Water and Sewer. The motion is seconded by Secretary Luna. The motion passes 7-0-1, with Commissioner Becker voting against.

- g. Review Charter Sections 2-1, 2-11, and 8-1 to consider eliminating the Select Board.

The Commission takes up Item G. There is a motion made by Commissioner Pohl to eliminate the Select Board. The motion is seconded by Commissioner Harun. The motion passes 8-0-0.

- h. Review technical changes as may be recommended by Town staff.

The Commission takes up Item H and decides to keep this Item on the agenda to discuss the new recommendation by the Director of Budget of Research.

- i. Review the manner of how Manchester elects the Board of Education and explore the ways other Towns in the State elect Board of Education members and handle vacancies.

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The Commission takes up Item I. There is a motion made by Commissioner Pohl to state that Manchester elect the Board of Education (full Board) to a 2-year term. The motion is seconded by Commissioner Becker.

There is a discussion initiated by Commissioner Pohl who describes the confusion of the current system and believes that it makes sense to elect a full Board of Education every two years just as the Board of Directors is elected. One potential negative is potentially seeing total Board turnover, however that is very unlikely as the Board of Directors does not have complete turnover. Commissioner Becker comments that generally speaking, only 1 or 2 seats turnover each election cycle.

This is followed by a conversation about filling vacancies. Commissioner Pohl comments that we cannot fill vacancies differently than State Law allows. Commissioner Rader seeks clarification of what happens if someone resigns before their term is over. Chair Bergin states that by eliminating the Select Board, the Charter Revision states that the Board of Education will vote and must comply with minority representation, and if it is the Board of Directors, they will have to fill the vacancy, or the two-year cycle would end and a new candidate would be nominated. Commissioner Pohl cites State law.

Commissioners Becker will support this initiative and is glad to give voters the opportunity to simplify their ballot and eliminate the 3-year term. Chair Bergin states that if the Charter Revision Commission acts on this, it does not prohibit the Commission from looking at remedies for filling vacancies. Commissioner Becker asks if there could be more research on this topic. Assistant Town Attorney Sullivan provides information on the history of this Select Board and relevant instances around the State.

Chair Bergin recommends adding an agenda item regarding fairness protections in filling vacancies.

The motion passes 8-0.

j. Review the compensation of the Board of Directors.

The Commission takes up Item J. There is a motion made by Vice Chair Clare-Kearney to change the compensation of the Board of Directors to: \$15,000 for the Mayor, \$10,000 for the Deputy Mayor, \$9,000 for the Minority Leader and Secretary and \$8,000 for all other Board members. Tim Becker seconded the motion.

There is a discussion. Commissioner Becker states the Deputy Mayor is often asked to fulfill the Mayor's duties. There is a discussion on the role of the Secretary. Commissioner Pohl would like to see the Secretary and the Deputy Mayor receiving the same compensation and believes that the Charter Revision Committee needs to discuss the Minority Leader provision.

Commissioner Pohl offers an amendment to pay \$10,000 for Deputy Mayor and Secretary. The motion is seconded by Commissioner Ricci.

On the amendment, motion passes 8-0.

The motion as amended is to pay \$15,000 to the Mayor, \$10,000 to the Deputy Mayor and Secretary, \$9,000 to the Minority Leader and \$8,000 to all other Board members. There is no further discussion on the motion as amended.

The motion passes 8-0-0.

There is a discussion to add the definition of minority caucus to future agenda. Commissioner Becker inquires whether this issue could be done as part of the Board of Director's Rules and Procedures instead of the Town Charter. Chair Bergin states that he agrees with that.

Commissioner Becker asks if provisions should be included to tie the compensation to certain indexes such as Social Security to provide for yearly cost-of-living increase.

There is a motion by Commissioner Pohl and seconded by Commissioner Becker to provide for cost-of-living increases to the compensation language. The motion passes 7-0-0.

- k. NEW: Review Zoning Regulations in the Charter.
- l. NEW: Remove the Town Clerk as an elective office.

The Commission takes up Item L. There is a motion made by Commissioner Becker. The motion is seconded by Commissioner Ricci.

Commissioner Becker states that during the last Charter Revision Commission, the past sitting Town Clerk was supportive of this item and that the Town wants the best professional individual as a Department Head in the best interest of the Town. Commissioner Pohl states that people assume elected offices at all levels without qualifications, however they are elected to that position by the people. He also provided comment on how the past three Town Clerks have served the community successfully. Commissioner Pohl cannot support this motion.

Vice Chair Clare-Kearney inquired what specific concerns exist. Commissioner Becker discusses the responsibilities of the Town Clerk position and the knowledge that is needed to serve in this role, especially with new State mandates such as early voting. He discusses the burden it creates for the Registrar of Voters office. Vice Chair Clare-Kearney believes that one can learn the skill set and that interpersonal skills that are most important.

Secretary Luna comments that a majority of towns in the State elect their Town Clerk. She agrees with the sentiment of electing someone from the Town that will explain to the voters why they are the best person for this position. She agrees to maintain this as an elected position.

Commissioner Becker states that the current Town Clerk has done a great job, and this agenda item is not a negative reflection of the current Town Clerk.

Chair Bergin states that he works with several Town Clerks across the State and believes that elected versus appointed does not prescribe the performance of each Town Clerk.

The motion fails 3-0-5.

- m. NEW: Consider a one-year waiting period after a Member of the Board of Directors term ends before that person can accept another elective or position as a Town employee.
- n. NEW: Election of Mayor.
- o. NEW: Eliminate Joint Annual Meeting of the Board of Directors and Board of Education.
- p. NEW: Review Political Activity Prohibited clause in Charter.
- q. NEW: Review shifting municipal election cycles.
- r. NEW: Technical Revisions.

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- i. Review Section 3-1 of the Charter to amend the limits governing fines for violations of municipal ordinances.
- ii. Review competitive bidding threshold.
- iii. NEW: Eliminate all references to the Eight Utilities District of Manchester.

The Commission takes up Items i., ii., and iii. There is a motion made by Commissioner Pohl. The motion is seconded by Commissioner Ricci. The motion passes 8-0-0. Commissioner Becker wants to clarify that Item R. i. is written as: "...to maximum amount as allowed by State Statute." The motion passes 8-0-0.

- s. NEW: Elimination of 3 alternates on PZC.
- t. NEW: Extend all November appointments to December and from here on out, have all appointments that expire in November expire in the December of that year.

6. COMMENT AND DISCUSSION BY COMMISSION MEMBERS ON ITEMS FOR FUTURE AGENDA OR OF GENERAL DISCUSSION

Chair Bergin inquires if there are items to be added to the agenda.

Commissioner Becker asks about Item K. Chair Bergin believes this is an empowering clause. Assistant Attorney Sullivan gives a history of the operations of Planning and Zoning. There is a motion to remove item k from this agenda and future agendas.

A motion is made by Commissioner Pohl and seconded by Commissioner Ricci.

The motion passes 8-0-0.

Commissioner Becker asks Assistant Attorney Sullivan for a legal opinion on Item P. Assistant Attorney Sullivan provides background on a 1991 opinion provided in the backup. Commissioner Becker asks if there have been any Supreme Court decisions since 1991. Commissioner Pohl states that a police position transcends politics. Chair Bergin notes that police organizations endorse political candidates. Chair Bergin asks that the Commission hold this item for future discussion and that Assistant Attorney Sullivan provide more recent information.

Secretary Luna asks for language on what the exact language request is for Corporation Counsel. Assistant Manager Purciello states she will inquire with Director Lentini and the Board of Directors.

Commissioner Becker requests a legal opinion on Item c. Chair Bergin notes a discrepancy in the Charter, where one Section states "elector" and not "taxpayer," however in the budget public hearing section of the Charter says "elector" or "taxpayer". Chair Bergin states there is a prohibition on the members of the Board of Directors serving on other commissions and there should be an exception and that he believes the Charter Revision Commission should contemplate what Boards and Commissions non-electors should be able to serve on and make those exceptions, instead of making a global rule. Secretary Luna agrees with this notion.

Chair Bergin notes that language such as: "The Board of Directors may appoint residents of the Town unless otherwise limited by State Statute" may be used for this purpose. Assistant Town Attorney states that the Board of Assessment Appeals is covered in the Statute.

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Chair Bergin asks that we redefine how Item c appears on the agenda: “Review the Charter, including Sections 2-2, 2-4(c)(4), and 3-8, to consider amending the term “elector” to “resident.” There is a discussion on the current references in the Charter. Chair Bergin brings up Section 3-7. The Charter Revision Commission will review this topic further at a later date.

7. ADJOURNMENT

At 8:43 PM, there is a motion to adjourn by Secretary Luna. The motion is seconded by Commissioner Ricci. The motion passes 8-0-0. The Commission is adjourned until the January 21, 2025 meeting.

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