

Westbrook Board of Selectmen
Public Hearing on Proposed Charter
December 8, 2011, 7:30 p.m.
Mulvey Municipal Center
Multi-Purpose Room

CALL TO ORDER

First Selectman Bishop called the meeting to order at 7:30 p.m. A quorum was established with the following BOS members present: First Selectman Bishop, Selectman Hall, and Selectman Ehlert.

Mr. Bishop read duly posted Notice of Public Hearing as follows:

The Board of Selectmen of the Town of Westbrook, Connecticut, will hold a Public Hearing on December 8, 2011 at 7:30 p.m. at the Mulvey Municipal Center, 866 Boston Post Road, Westbrook, Connecticut, in the Multi-Purpose Room. The hearing is scheduled pursuant to Connecticut General Statutes Section 7-191 to solicit public comment on the report of the Charter Commission, which includes a draft Charter, submitted by the Charter Commission to the Board of Selectmen. A copy of the report is available for public inspection at the office of the Town Clerk.

Mr. Bishop reported that this meeting, like all BOS meetings, will be taped. He requested that individuals identify themselves at the microphone for the record. Mr. Bishop continued that the BOS will not take action this evening. On Thursday, December 22, 2011, the BOS will review documentation and determine the appropriate next steps.

In June 2010, the BOS unanimously approved the appointment of Charter Commission members as documented by Attorney Wells. The Charter Commission has met for approximately one and a half years. They have had 2 Public Hearing on the proposed Charter. Their Draft Charter was distributed to the BOS in late October. All information to be discussed this evening, including a legal review requested by the BOS and provided by Attorney Michael Wells is available for the public. Mr. Wells will comment on his legal review later in this evening's meeting.

At the last BOS meeting, the BOS requested that Noel Bishop, First Selectman, John Ferrara, Chairman of Charter Commission and Pat Labbadia, Charter Commission develop a Power Point Presentation for this evening's meeting. Tonight's presentation has been reviewed by Selectman Hall and Selectman Ehlert.

The following two letters, received in the First Selectman's office were read:

December 7, 2011

To the Board of Selectmen of Westbrook:

We wish to express our enthusiastic support for the revised recommendations of the Charter Commission, which will be presented to the Town on December 8, 2011.

We support all aspects of the Charter proposal. In particular, we believe that the expanded Board of Selectmen will benefit all Westbrook residents by making it more likely that their concerns will be addressed by the Board, regardless of which political party is in the majority. This is a simple but important improvement to the structure of the Board, and we can see only positive benefits for allowing greater representation of citizens by increasing the number of Board members.

We also believe that the Town Manager will make the administration of our Town's business more efficient by finding ways to save money and generate grants for our Town. At the same time, the Town Manager will provide greater consistency in the management of our Town, without being subject to election cycles.

We are grateful to the members of the Charter Commission for working tirelessly to present the best proposal for the good of Westbrook. Thank you for considering our position in favor of the proposed Charter.

Sincerely,

Mary Ann Clark & John McGannon

16 Christina Lane
Westbrook, CT
860-399-1254

December 8, 2011

Mr. Noel Bishop, First Selectman

As a lifelong resident of Westbrook, and an active volunteer for forty years, I am strongly opposed to changing our current government system by including a town manager. There are many reasons why I feel this way, but will limit my comments in the interest of time.

As your former Emergency Management Director for 25 years, I have worked closely with several different administrations, going back to Eileen Daily in 1986. Although I have not always agreed with some of our former First Selectperson's policies, I have always found that they truly care for and are concerned with our community. Most have been long term residents as well, and have raised families in town. I have always been able to contact our leaders, day and night, to notify them of any type of emergency facing our community and our citizens. I do not feel that a paid Town Administrator would have such a deep commitment.

Our current form of government allows us, the citizens, to decide who will lead our community. If they don't follow our wishes, we can simply vote them out of office. With a paid Town Administrator, we the voters would lose the right to hire and fire.

Upon reviewing the job description proposed by the Charter Commission, one needs to only review the job description for our current financial director, to find the responsibilities to be almost identical. Why should we pay for duplicate services?

In closing, please consider my comments in your decision making.

Sincerely,

George K. Pytlik

Mr. Ferrara provided a Power Point slide show presentation highlighting provisions of the proposed Charter. A hard copy of this slide show is available upon request.

Frequently Asked Questions

Why are there overlapping responsibilities in the job descriptions of the Finance Director and the Town Manager?

John Ferrara responded that the BOS will have the ability to "tweak" the job descriptions.

What is the difference in costs between what we have for Town government now and what they will be with a Town Manager?

Mr. Bishop responded that the current costs associated with the Selectmen totals approximately \$70,000 and information from the Charter suggests a minimum of \$90,000 per year plus benefits is appropriate compensation for a Town Manager. The primary financial implications would be the result of hiring a Town Manager.

Why won't the First Selectman and the other Selectmen receive compensation under the proposed Charter?

John Ferrara responded that the purpose is to emulate the model of volunteer board members, similar to the way in which the BOE is constructed.

How will the budget process work?

John Ferrara responded that the Charter proposes that the budget be developed through the Director of Finance and Town Manager, presented to the BOS and BOF in the same manner as it is done now, under statute.

What is the timeframe for appointing a Town Manager in the proposed Charter?

John Ferrara reported that under the proposed Charter, the BOS must appoint a Town Manager but the Charter does not specify a timeframe; a timeframe will be determined by the BOS.

Mr. Bishop reported that in addition to the presentation, additional slides are available outlining the pros and cons of a Charter as determined by the 2009 Ad Hoc Charter Committee. These additional slides were presented and are available upon request.

Mr. Bishop opened the floor for Public Comment.

Mr. Trout requested detailed information regarding costs associated with a proposed Charter. He continued that clarification was necessary regarding the method the Charter Commission used to produce a clear blueprint for the Town without an independent, comprehensive study of the current system.

Mr. Ferrara responded that the charge of the Charter Commission was to develop a Charter proposal, limited to the development of a form of governance. **Mr. Labbadia** added that the Charter Commission felt the blueprint would be the Charter itself. They were charged to write a Charter and they did the best job they could.

Mr. Trout asked if the consequences of the proposed Town Manger form of government have been studied and recorded. **Mr. Bishop** responded that based upon information from the Public Hearings, the Charter Commission reviewed the definition of a Town Manager and his/her responsibilities in an attempt to frame it.

John Ferrara reported that the documentation **Mr. Trout** provided at the 9/27/11 Public Hearing was discussed by the Charter Commission. **Mr. Trout** responded that his concerns were not addressed adequately.

Mr. McNamar referenced page 6 of Exhibit D and asked if the BOS can increase/hire employees without input from the residents. **Chris Ehlert** responded that the BOS can establish a new department and/or hire new employees but, through the budget process, all costs would be vetted out as they are now. The budget workshops are always open to the public and at the Public Hearing on the Budget, residents have the ability to vote either “yea” or “nay” on the proposed budget.

Mr. Bishop added that when the budgets are developed, they are line item specific and very detailed.

Mr. McNamar questioned the make-up of the current Ethics Commission. **Mr. Bishop** responded that at the present time, there is no Ethics Commission. If an Ethics Commission is developed, there is no intention to have members be paid.

Mr. Walt Carlson, a former Selectman, commented that the Board of Selectmen form of government has been in existence for many years. He continued that while some of the “pros” associated with a Town Manager are known, we don’t have a feel for the weaknesses. He questioned the need for such a drastic change in our current form of government; “if it is not broke, why fix it”. He continued that ordinances are the mechanism that allow for fixing things. Small towns usually have a First Selectman form of government until they reach a population of approximately 10,000 residents. There is not one town in Middlesex County with a Town Manager, except for East Hampton and their population is approximately 12,000.

Mr. Carlson continued that our present form of government has served Westbrook well for many years. We have a low tax structure, an excellent school system, a beautiful library, town hall, and fire house. While Westbrook has had weak First Selectmen in the past, we are “able to get rid of the bum in two years.” It will not be easy to fire a Town Manager due to litigation, long process etc. **Mr. Carlson** disagreed with comments pertaining to the lack of an inventory of capable of candidates. The Town has adjusted over the years, for example a Finance Director was recently hired to address the more complex financial issues the Town faces. Also, there is no guarantee that the Town would not hire a “weak” Town Manager. At least with an elected First Selectman, we have the ability to vote them out in two

years. At 10,000 residents, the Town may want to explore other forms of government but we are not there yet. **Mr. Carlson** thanked the Charter Committee for their work.

Vivian Partridge – Ms. Partridge commented that at this time she believes that we are up against resistance to change and trying to change any process is difficult. She commented that there are many good points to the Charter. For example, the Town Manager would serve at the pleasure of the BOS. She continued that it is time we have someone professional running the administration of the Town similar to the school system's administration. The budget of Westbrook and the influx of residents in the summer calls for a professional. She continued that the Town has the capability to change the Charter if necessary and we retain the process of Public Hearings and Town Meetings. She hoped that the Town would have the opportunity to vote on this matter.

Mr. Jeff Kriete commented that if/when hired, a Town Manager will have a contract with the Town. Will the contract include the requirement that a Town Manager must live in Westbrook? If so, we would have to pay an individual to move. **Mr. Kriete** commented on the costs that would be associated in firing a Town Manager. He continued that New London just fired a Town Manager after 90 years of this form of government. Now they have a mayor. He commented on the recent MIRMA costs that several towns, with professional Town Managers, have accrued. He continued that we are creating a profession and destroying the New England form of town governance in the process.

Joe Petrone, a 15 year resident of Westbrook agreed with **Mr. Kriete's** comments. He feels we should keep town government small. The Town is opposed to a Town Manager. A Town Manager form of government is planned by the government and not the will of our citizens. He is opposed to a Town Manager and government planning.

Maureen Westbrook thanked the Charter Commission for their many volunteer hours. She supports the recommendations of the Commission and feels we should move forward as they propose. This matter should be voted on by all the residents. There have been enough studies and it is now time to let the Town make a decision. She continued that the Charter Commission has been responsive to the comments made at the Public Hearings. She added that a Town Manager will work well for the community. She stated that towns with Town Managers have advantages, networks, continuity and consistency.

Paul Connelly, Chairman of BOF thanked the Charter Commission for including the BOF in the Charter. He commented that on page 17 of the Charter document, section 9-3(a) needs clarification as to the role of the BOF. **John Ferrara** commented that the term "assistance" is intended to indicate that the BOF puts the budget together in the same fashion as previously. It is the BOF's budget. The BOF's role, defined under statute, is unchanged. **Pat Labbadia** added that while the BOE uses the State's forms in budget preparation, all other Town departments will use forms developed by the Town Manager, BOS and BOF.

Mr. Connelly added that this section of the Charter needs clarification. He continued that for the past 5 years, the BOS have declined a pay increase. Had they received increases, Westbrook would be meeting the Selectmen salary of surrounding towns. His closing comments were "let's not fix something that already works well."

Sid Holbrook, current Charter Commission member and member of 2009 Charter Commission commented that the 2009 Committee was charged to review the pros/cons of a Charter; however the idea of Town Manager was never discussed by that 2009 Committee. After that 2009 Committee, **Mr. Holbrook** felt that a Charter would serve Westbrook well. He came to that conclusion because as a legislator and understanding statute, a Charter would "spell out" all matters relating to the municipality. He did not feel that when the current Charter Commission was formed that they would be re-doing the form of government for the Town. He thought the current Charter Commission would be putting all statutes in one place. He continued that at times, the Charter Commission was very contentious. The Charter Commission did a complete re-make of the Charter as a result of the comments from the first Public Hearing. The Charter Commission listened and made changes to the Charter. However, **Mr. Holbrook** still does not believe that a Town Manager would serve or is necessary in this community. We have a professional in Mr. Urban. Mr. Urban manages the finances of the Town.

Mr. Holbrook reported on the situation in New London where they had a town manager and had a new mayor every year. Due to lack of leadership, they never moved forward.

Mr. Holbrook continued that the proposed Charter does not make the Town Manager live in town and it should. A Town Manager must live in the community to be vested in the community. While a Town Manager serves at the will of the BOS, anytime an individual is fired, there are legal fees, buyouts, etc. It is much easier to vote someone out of office in two years.

Paula Ferrara, former Westbrook First Selectman, initiated the 1991 Ad Hoc Charter Committee. She is not opposed to a Charter. Some have compared the operation of the Town to the operation of the school system (BOE and Superintendent). She reported that the BOS is totally different from the BOE. A major difference is that the BOE/Superintendent does not have to worry about roads in the middle of the night while the Selectman get calls early in the morning. **Ms. Ferrara** expressed concern regarding staff supervision. She reported that the Town Manager should not be over anyone's staff, the First Selectman is not in charge of these staffs. **Ms. Ferrara** urged the Selectmen to send the proposed Charter back to the Charter Commission and request a Charter without a Town Manager.

Lee Bridgewater, Charter Commission member, agreed with **Mr. Holbrook's** comments. She reported that the Charter Commission worked very hard and was contentious at times. She expressed disappointment that the Charter Commission did not look at how the town is run and attempt to improve it. She continued that even with "bad" Selectmen, the town ran well, budgets were developed and the process worked. She was disappointed that the Commission did not do more research and only talked to Town Managers from large towns. Most of these Town Managers do not live in their respective towns and many changed jobs frequently. She added that most Town Managers would choose a Deputy Town Manager thus increasing costs. She does not feel that Westbrook is ready for the financial burden of a Town Manager.

Mr. Paul Keryc, Charter Commission member, read the following statement on behalf of several members of the Charter Commission:

As sitting members of Westbrook's Charter Commission, we urge our fellow residents to take a deep breath, sit down and think. One group seems to want no change of any kind. Another hates those in power whoever they are, whenever they are. Since there seems to be no grass roots movement to improve our lot, one might draw the conclusion that things are just find as they are. For all the accusations against those elected officials in power, we ought to recognize that it is they who have established a charter commission to examine how business is conducted in order to try to improve how our town government works.

After more than a year of studying, listening, discussing and writing, we produced what we thought was a way to improve the functioning of town government. A very small group, fewer than 3% of the electorate, attended our public hearings and in some measure shouted down the work we had done. Most of them never attended even one of our public regular meetings, and we held two a month for more than a year, but suddenly they assumed that we never considered what they were saying before they said it.

At one of the public hearings, a former First Selectman delivered what seemed to be the coup de grace by stating that we didn't offer the assembled crowd the cons of having a Charter as he did when he served on a charter study group. Since the purpose of our meetings was to gather information and not debate issues that had already been debated during the course of our regular meetings, his charge was left unanswered. Not to argue the point, but merely to inform: the purpose of a Charter Study Group is to determine whether or not it feels a charter would serve the best interests of the town. On the other hand, a Charter Commission is charged with the responsibility of writing a charter. Please understand, we have no problem with him or anyone not wanting a charter, but to suggest that it was the responsibility of the Charter Commission to tell them why they ought not to want one is to fail to understand the role of the Charter Commission.

There is another underlying notion that we would ask our fellow residents to consider. A charter cannot be accepted unless a public referendum is held and the majority of the electorate approves it. The evening of our public hearings were not meant to be a vote one way or the other on the charter. They were meant to hear your concerns, not debate them. WE can assure everyone that every issue that was raised at Public Hearings was already considered by the Commission long before the meetings. We do not speak for all of the members of the Charter Commission when we say we can live with a town vote whatever the outcome. We never felt our purpose was to impose our will on the public. Rather, we felt we had an obligation to produce a document that the whole town would consider at a referendum.

Since the public hearings, the Commission has reduced the original document leaving only a recommendation for an expanded Board of Selectmen from the three we have now to five that would serve four year staggered terms without pay, and having the Board hire a Town Manager to administer the Town's affairs.

We would like to receive recommendations from the BOS concerning the revised Charter we have proposed so that we can consider them under the statutory guidelines. In fact, in our recent joint meeting with the Selectmen, they have already pointed out the need for two technical corrections to the document which we would like the opportunity to address before the Selectmen decide to accept or reject the proposed Charter.

In conclusion, we never tried to sell our original document to the town, and we will not attempt to sell this one. However, we would like to have a referendum. We have always thought that the voice of all the people mattered, not just 3%. Yeah or nay, we will be content with the voice of the people.

Signed: Paul Keryc, Anne Barton, Mark Lynsky, Pat Labbadia, Mary Labbadia

Mr. Bishop reported that the BOS requested that Attorney Wells review the Charter document submitted by the Charter Commission. **Mr. Bishop** invited Attorney Wells to come to the podium and present his overview/executive summary of his written analysis. Attorney Wells' written review of the Charter document is available and individuals are encouraged to take one.

Attorney Wells reported that he has been a municipal employee for 30 years. He firm represents several towns including Westbrook, Killingworth, Clinton, and Haddam. He reviewed the document at the request of the BOS.

Attorney Wells highlighted and gave examples of several areas of the proposed Charter in need of revision including the budget process, Chapter 9 pertaining to Finance and Taxation, terms and conditions of Town Manager position, unclear phrases, violations in state law, the need for clarification on definitions, and confusion and contradiction throughout the document. He stated that from a legal standpoint, the proposed document is not ready to be voted on by the BOS or voters. He recommended that his letter be forwarded to the Charter Commission.

Nancy Rudek, ZEO, questioned if the Charter would usurp the Code of Ordinances? **Attorney Wells** responded that normally, a review of ordinances would take place.

Mr. Kriete expressed disappointment that Mr. Wells reviewed the document at the end of the process and the Charter Commission has been meeting regularly for a year and a half.

Attorney Wells responded that he was not allowed to attend Charter meetings. He offered and was told "no" on numerous occasions. He was told that they could not afford him even though he offered to attend their meetings for free.

Mr. Ehlert, Selectman, reported that he read Attorney Wells letter yesterday. He admitted that there were technical issues with what the Charter Commission presented. While the content of **Attorney Wells'** letter is not in question, **Mr. Ehlert** took exception to the "tone" of **Attorney Wells** comments. He continued that if **Attorney Wells** was excluded from Charter Commission meetings, he should have taken his concerns to the BOS. **Mr. Ehlert** feels that **Attorney Wells** "put down" the work of the Charter Commission.

Mr. McNamar commented that he spent \$10 to have the Charter copied. He commented that this document should have been reviewed by legal counsel prior to its release.

Mr. Ehlert urged citizens to review a copy of Attorney Wells letter.

Attorney Wells responded that he has 30 years of legal experience and lived in Westbrook for 45 years. He continued that many may want to "shoot the messenger" but the Charter document as presented is replete with issues, errors, confusion, contradictions and any competent municipal attorney would have commented on these issues. He agreed that had he reviewed the document earlier in the process, many of these errors would not have appeared in the final document.

Lee Bridgewater commented that the BOS should be aware that the majority of Commission focused on a Town Manager form of government. The Charter Commission broke into sub-committees and many times, her sub-committee met without her. She feels this was due to the fact that she was not in favor of many of their proposals. She continued that she did ask for a legal review of the document but was told there were budgetary constraints.

Attorney Barbara Wolf, a new resident in Westbrook commented that **Attorney Wells** review casts dispersions on the work of the Charter Commission. She continued that every document will have conflicts and ambiguity that should be cleaned up before any vote is taken. She feels it was wrong of **Attorney Wells** to discredit the document. She added that for **Attorney Wells** to pick apart the document in a way to suggest that the commission did not do its job is misleading.

Dr. Schreck, Charter Commission member, thanked **Attorney Wells** for his comments. He commented that the Committee worked hard to develop a document and this evening's meeting, along with **Attorney Wells'** review is part of the process. **Dr. Schreck** feels Charter Committee should have the opportunity to repair/revise the document with Attorney Wells.

Dr. Schreck continued that the Charter Commission did discuss terms of a Town Manager. While the recent addition of a Director of Finance has been helpful, the Commission felt that the Town Manager form of government was appropriate.

Dr. Schreck reported that the process for the Charter Commission has been effective and he urged the BOS to allow the process to move forward in a constructive fashion.

Menno Marringa commented that this episode illustrates the need for a professional in the administration of the Town. Citizen's best efforts are often found to be lacking when reviewed by a professional.

Mr. Marringa stated that the BOS should not use the structure of the document to change the intent. The intent of the Charter is to wrest control of governance into single piece of paper, to give us a single reference point. He felt it important to increase size of the BOS. With a three member board, often the minority member cannot get chance to discuss items.

Mr. Marringa supports a Town Manager model. As the town population swells in the summer, we need professionalism in management.

Mr. Eddie Bender reported that he attended all of the Public Hearings. He has known Attorney Wells his entire life and regrets that **Attorney Wells** was not part of the process from the beginning. **Mr. Bender** continued that at the first two hearings, the Charter Commission was "pushing" for a Town Manager. He is opposed to it. If we go with a Town Manager, we have lost something.

Mr. Joe Cutrone asked where/when did the idea of Charter Commission germinate. **Mr. Bishop** responded that over the years, there have been a series of Ad Hoc committees but not a formal Charter Commission. As a result of public input, the BOS felt the issue of a Charter should be brought forward once and for all for a determination. In June 2010, the BOS appointed individuals to a Charter Commission and gave them a charge.

Mr. McNamar stated "I rest my case" and thanked **Attorney Wells** for his comments. He commented that the document should have indicated that it was a "working" document that may include inaccuracies and not the document that would be voted on.

From a town perspective in adopting BOS and Town Manager governance, he has been involved with towns with a BOS and a Town Manager form of government and there are problems with this structure. Many times, the BOS are involved with special interest projects and unless they get their projects through, they are off the Board. He disagreed with the Charter's proposed staggered BOS terms. **Mr. McNamar** supports a Charter to clarify statutes but wants to see the structure of government different from what is involved in this Charter.

Mr. Bishop commented that this is still a draft document and the purpose of this evening's meeting is for the BOS to get feedback on the document.

Mr. Trout clarified that the 1992 Ad Hoc Study Committee did not recommend a Charter, however, the 2005/2007 study committee Chairman recommended a Charter. Only the dissenting voice spoke. That position was accepted and the recommendation for a Charter was rejected.

Melinda Jones, a 10 year resident was encouraged by the Charter Commission's investigation into a Town Manager. She stated that Westbrook is not too small to make a change. Small businesses need to fine tune periodically and Westbrook needs a professional. She supported the formation a 5 member BOS and a Town Manager. She felt it would be beneficial to have 5 people (BOS) with the Town in their hearts and a professional with the education to run the Town. As a small town, we should move forward and be progressive and not be afraid to change. She felt the Charter document should be corrected and sent to the Town for a vote.

Carole Ketelsen commented that Westbrook cannot afford to pay the same as large towns for our municipal employees. We have gone for a long time without a Town Manager and we have still not hired Health Director. She commented that the process to hire a Director of Finance was long and cost more than budgeted. She felt that any Town Manger accepting a low salary in Westbrook will leave for more money. She felt this would result in a lack of continuity. If we get an inefficient Town Manger, it would be difficult to get fire this individual. She also felt that the Charter places too much power in the hands of the Town Manager. Currently, if the town is unhappy with the Selectmen, we can vote them out every two years.

Jim Crawford addressed several questions to **Attorney Wells** including: of the number of towns represented by Attorney Wells' firm, how many still operate under statute rather than Charter. Attorney Wells responded that Clinton and Killingworth have Charters and Chester, East Haddam and Old Lyme do not. **Attorney Wells** continued that he has been involved in Charter revisions but not a Charter "from scratch". **Mr. Crawford** asked if Counsel is generally in attendance when the task of a Charter is undertaken. **Attorney Wells** responded that Counsel does not normally attend every meeting. Generally, Counsel receives a copy of Charter meeting minutes.

Mr. Crawford reported that when the Charter Commission began their work, there were 39 towns out of 169 that operate with statutes rather than a Charter. He continued that the most frequently announced reason for going to Charter was to make the codification of what the community did more specific so it would be easier for residents to understand and facilitate a smoother function of the government process.

Attorney Wells commented that he feels a Charter is a good idea. It is the context of this proposed Charter that he takes issue with. In his opinion, Clinton and Old Saybrook have clear, concise Charters. **Attorney Wells** continued that the BOS has two options; (1) send this document to a vote or (2) share this evening's comments and BOS comments with the Charter Commission and give them an opportunity to "massage" the document. The Charter will then be re-submitted to the BOS. Currently, the process is only ¾ of the way through.

Gary Gavigan clarified some comments made by **Ms. Ketelsen**. He reported that Mr. Urban, Director of Finance, came to Westbrook with vast knowledge and experience. His salary is less than what was budgeted. He continued that that Mr. Urban is addressing many of the prior financial difficulties in Westbrook. He stated that he hopes the audit report will show the progress that has been made in Westbrook.

Pat Labbadia commented that **Attorney Wells** offer to participate in a Charter meeting pro bono was never communicated to the Charter Commission. The Commission was under the impression that their Chair was in contact with the Town Attorney. He continued that all of the Charter Commission meetings were public and they encouraged participation. **Mr. Labbadia** felt it was unfair for Attorney Wells to attend this evening's meeting without having first communicated with the Charter Commission. **Mr. Labbadia** reported that the Commission did "rush" in order to complete the document within the timeframe.

Regarding comments made by Charter Commission members **Sid Holbrook** and **Lee Bridgewater**, **Mr. Labbadia** disagreed that the process was contentious. He agreed that there was disagreement but the meetings were not contentious. He continued that **Ms. Bridgewater** and **Mr. Holbrook** would not provide input and did not attend all meetings. **Mr. Labbadia** felt it was inappropriate that they chose to speak against the Charter document presented. **Mr. Labbadia** reported on a meeting that the Town Manager of Coventry attended. This gentleman possessed political science degrees and was able to

facilitate grants for their community. The Commission also had a presentation from the First Selectman in Middlefield. This gentleman had little experience running a town and after these presentations, the Charter Commission took a straw vote. At that time, **Ms. Bridgewater** was in favor of a Town Manager but has since “flip flopped”. At this point, **Mr. Connelly** interjected that since **Ms. Bridgewater and Mr. Holbrook** are no longer in attendance at the meeting, this line of conversation is out of order.

Mr. Labbadia would like the opportunity to re-visit and clarify the document. He hopes all parties can work together to move the process forward.

Mr. Connelly commented that he has met a significant number of people who have run Westbrook in a professional manner without political science degrees. The group has lost sight of the fact that **Attorney Wells** made presentation and individuals disagree. If Attorney Wells is correct, a lot of work needs to be done on the document. These issues need to be corrected within the time constraints remaining.

Mr. Bishop reported that Clinton and Old Saybrook have Charters without a Town Manager. He asked if the Charter Commission ever met with these towns or any other towns that have Charters without Town Managers?

Mr. Ferrara responded that both Clinton and Old Saybrook were consulted during the process.

Mr. Ferrara continued that **Attorney Wells** did offer his services free of charge. He apologized if he did not relay this information appropriately to the Commission. He continued that there were numerous times when the Commission discussed having **Attorney Wells** review the proposals as they were being developed. In the end, it was considered that because the statute process gave the Commission the opportunity to develop a draft document, there would be many opportunities for comments. **Mr. Ferrara** continued that ultimately the decision on the Charter should come down to the people of the town. If the BOS decides to give the Charter back to the Commission with recommendations, the Commission will consider the recommendations seriously. The Commission has proven they are responsive to public comment.

Marie Farrell stated that she did not expect to see a finished document at this evening’s meeting. She was under the impression that we were still talking about the concept of a Charter as document of rules. She encouraged the BOS to allow the Charter Commission to re-visit the document and thanked the Charter Commission for their work.

Menno Marranga questioned the “How did we get here slide” from the Power Point presentation. He asked if the BOS expected that the document would be ready for a vote. **Mr. Hall** responded that a finished document is necessary before it can go to a referendum and we still have the opportunity to produce a finished document.

The budget developed for the Charter Commission was discussed. It was reported that a budget of \$9,500 was established for the Charter Commission. **Mr. Ferrara** reported that portions of these funds were used for clerical services, mailings, and printing costs. He continued that a balance remains in the account and these funds can be used for legal services.

Attorney Wells reported that he meant no offense by his comments. He continued that he cares about this Westbrook, he was born and raised here, went to school here, served on boards, and loves this town.

Mr. Bishop thanked everyone for the comments and attendance at this evening’s meeting.

Adjournment

Mr. Bishop made a motion to adjourn the meeting at 10:15 p.m. **Mr. Hall** seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Attest,

Suzanne Helchowski
Administrative Assistant

Noel Bishop
First Selectman

