Prospect Town Council
Special Meeting
Approved Minutes
July 5, 2016

Chairman Thomas J. Galvin called to order the Special Meeting of the Prospect Town Council @ 7:00 p.m. The meeting was held at Prospect Town Hall, 36 Center Street and began with the Pledge of Allegiance.

Members Present: T. Galvin, Jeff Slapikas, Pat Geary, Al Delelle, D. Merriman, C. Graveline and S. Pilat

Members Absent: Carla Perugini-Erickson and L. Fitzgerald

CRC Members in Attendance: Glenn Gruber, Chairman Charter Revision Commission, Colleen Debiase (Clerk), James Paulella, Bob Hiscox, Eileen Cranney, Bob Nash, Paul Krisavage and Katie Blinstrubas

Also in Attendance: Attorney Robert J. Santoro of the Law Firm Knott & Knott, LLC.

Public Participation: **None**

T. Galvin explained that this review is of the final amendments that would be given to the CRC by July 6th. T. Galvin also advised that the Council reviewed the entire Charter, approving submitted recommendations made by CRC and making minor changes to wording as appropriated; the more contentious recommendations had been discussed here.

T. Galvin gave the Council a handout for possible changes to three Sections 3.02 Presiding Officer, 10.05 Amendment and Chapter 11, Conflict of Interest. The Council discussed the wording for Section 3.02. **Motion** made by D. Merriman, seconded by P. Geary to adopt the wording as described and to replace the two (2) recommendations by the CRC for **Section 3.02 Presiding Officer** with the following: 'If the vote for Chairperson remains a tie after three (3) ballots, the Town Council member who received the most votes during the recent local election shall temporarily assume the position of Chairperson of the Council, and shall remain in that position until all nine (9) Town Council members are present at a regularly scheduled meeting at which time another vote will be taken'. Discussion. P. Geary explained that she did not think that the Town Clerk should preside over a Town Council meeting until a Chairperson was elected. T. Galvin stated that the 'wording' was to replace the CRC's recommendation. P. Geary and C. Graveline expressed that they felt it was unnecessary to have the Town Clerk preside over the meeting. D. Merriman and Al Delelle felt it was a good alternative. A vote was taken.
5 Approved/2Opposed, J. Slapikas, C. Graveline. Motion carries.

The Town Council continued their discussion on **Section 2.01(b) Elections**: (Town Clerk, Town Treasurer and Tax Collector). The Council discussed their position and

advised that it was passed at the last meeting of June 28, 2016 (7 Approved) to keep the 'Elected' positions of Town Clerk, Town Treasurer and Tax Collector. J. Slapikas stated that he hopes this never comes up again, but he did not feel the Town Clerk, Treasurer and Tax Collector should be appointed. J. Slapikas expressed that it had been voted on to leave as existing (Elected) Officials at the previous meeting and should not be further discussed. Fred Bonyai, 18 Woodcrest Dr. advised that he was of the opinion to change the Town Clerk, Town Treasurer and Tax Collector to a hired position (not appointed, nor elected). P. Krisavage advised that per State Statute, an ordinance should be established stating 'how hired and length of term'. G. Gruber asked the Council why the Council voted to keep existing 'Elected' vs. appointed for Town Clerk, Treasurer and Tax Collector. T. Galvin stated that the majority of the public wanted to keep these officials as 'Elected'. P. Geary stated that by appointing to these positions, it would be taking away the vote from the public. Katie Blinstrubas commented that many residents would like the positions to be hired/appointed. K. Blinstrubas stated that the current administration may change and if the administration changes over the next several years, back and forth, the Town Clerk, Treasurer and Tax Collector may be out. K. Blinstrubas continued that the Town may be in jeopardy at that point and stated that it would be more beneficial for the Town to have a person that is trained in that position and hired, not subject to dismissal due to a party change. P. Geary commented that she had thought this proposal through and felt it was better to have an 'Elected' official. P. Geary continued that the State would train the Town Tax Collector or Town Clerk and that person could excel in this capacity; while an appointed person still needs to be trained. P. Geary stated that she felt the public deserved the power to vote.

Bob Nash a member of the CRC, stated that the Mayor and Town Council set the Policies for the Town and how the Town operates. B. Nash continued that the Town Clerk, Tax Collector and Town Treasurer carry out the policies set by the Mayor and Town Council. B. Nash stated that by 'hiring' an individual in this capacity that is properly trained and competent is more qualified to better serve the Town. G. Gruber stated that he felt the Town Council did not have a distinctive reason for keeping the 'existing' positions of the Town Clerk, Town Treasurer and Tax Collector as 'Elected' and that the Town was not ready to change from the 'Elected' positions to an appointed/hired position; the consensus of the Council was that the power to vote would be taken away from the people. T. Galvin stated that on behalf of the Town Council, the Council would recommend keeping the Town Clerk, Tax Collector and Town Treasurer as 'Elected' and go to the people in November by adding a separate question to the ballot.

Bob Hiscox commented that the 'problem' seemed to be the understanding of 'appointed vs. hired' positions and that an 'appointment' becomes a political issue. B. Hiscox continued that it was of his opinion that the more the topic is discussed, he is becoming more convinced that it would be a good practice to 'hire' for the positions of Town Clerk, Tax Collector and Town Treasure with job descriptions and setting of a term for each. Discussion.

The Council reviewed and made changes to the following:
Section 7.01 Police:
'The Town Council shall make provisions for Police Services as required for the Safety and Protection of the Town and its Citizens'.

Section 7.02 Fire Department: (replaces all existing/recommended language).
'The Town Council shall make provisions for fire protection services and medical Response services as required for the Safety and Protection of the Town and its Citizens'.

Section 8.02: omitted the date of January 15 and added February 1st.
Section 8.03: omitted the date of March 10 and added March 1st.
Section 8.04: accepted the CRC's recommendation of April 30th.

Section 10.05: Amendment: The Town Council by majority vote shall, within ten (10) years of the adoption of the ten current Town Charter, determine if a Charter Revision Commission should be appointed (changed from 12 years).

T. Galvin continued with concerns that led to a discussion on the language of 'with the consent of the Council' and stated that the language should be changed to 'with the majority of the Council'. Council members suggested removing the wording throughout the Charter of 'Consent of the Council' to add in its place 'by majority vote'. **Motion** made by P. Geary, seconded by J. Slapikas to approve the change of wording from 'Consent of the Council' to 'by majority vote' of the Council. **Unanimous.**

Section 11.01 Conflict of Interest: **Motion** made by J. Slapikas, seconded by A. Delelle to adopt as Section 11.01 (b) 'No member of a Board, Commission or Agency, and no elected Official, may employ in a paid position, a member of his or her family without the prior ¾ majority consent of the Town Council'. J. Slapikas expressed his concern regarding '¾ majority consent of the Town Council'. T. Galvin advised that the Council may come back to this section prior to adjourning the meeting.

Section 12.01: Online Notifications of Boards and Commission Activities: **Motion** made by J. Slapikas, seconded by P. Geary to accept as submitted by the CRC the recommendations to Section 12.01. **Unanimous.**

B. Hiscox expressed his concerns regarding Section 11.01 Conflict of Interest. B. Hiscox stated that by eliminating the possibility of a family member being hired, one that is more than capable, could be too restrictive and hurt the Town in the end. B. Hiscox stated that he did not have a problem with an individual that was above board and qualified, as there would be another level of approval by having a ¾ majority vote by the Council. B. Hiscox continued that he did not want the Council to 'close the door' on hiring a relative if the individual was the best qualified and where you have the majority of the Council to vote on the choice. The wording containing ¾ votes was reconsidered. **Motion** made by S. Pilat, seconded by Al Delelle to reaffirm the recommendations made by the CRC, with the only change to be '3/4 majority vote of the Town Council' from '**3/4 majority consent of the Town Council'. 6 Approved/1 Opposed, J. Slapikas. Motion passes.**

Council members discussed recommendations that had been submitted by the CRC but that the Council did not feel needed change. **Motion** made by C. Graveline, seconded by S. Pilat to approve CRC recommendations as submitted that were minor or the Council did not feel needed change and to approve the Council changes to those recommendations that were concerning to the Council. **Unanimous.** (See Schedule A for Charter Revision recommendations by the Town Council).

Council members questioned what the next step would be after submitting the Council's recommendations to the CRC. After the discussion, Attorney Santoro advised that the CRC reviews the Council's recommendations; the CRC may accept as submitted by the Council or disregard the recommendations completely. No other changes may be made.

Approval of the Minutes of June 28, 2016:
Motion made by J. Slapikas, seconded by S. Pilat to approve the minutes of June 28, 2016. **6 Approved/2 Abstained, C. Graveline, Al Delelle**. **Motion passes.**

Adjournment:
Motion made by D. Merriman, seconded by S. Pilat to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:37 p.m.

P. Geary and C. Graveline complimented the CRC for their work on revisions to the Charter.

Thomas J. Galvin
Thomas J. Galvin, Chairman