

City Council Special Meeting
August 18, 2009
Kyrouz Auditorium
Minutes

Present: Council President Tobey, Council Vice President Romeo, Councilor Ciolino, Councilor Curcuru, Councilor Devlin, Councilor Foote, Councilor George, Councilor Hardy

Absent: Councilor Grow

Also: Senator Bruce Tarr, James Duggan, Suzanne Egan, Michael Hale, Chief Dench, Mr. & Mrs. Daniel Ruberti, Lucy Sheehan, Arlene Hill, Robert Condon, Kathy Legendre

Meeting called to order at 7pm followed by flag salute and moment of silence.

Administrations update regarding recent drinking water situation.

Council President Tobey opened the meeting by asking the Administration to give an update regarding the recent drinking water situation.

Mr. James Duggan stated that he had set up an Incident Command with Chief Dench in the position of Incident Commander and gave a brief overview of that process.

Mr. Michael Hale, DPW Director, provided data as to what our available local drinking water resources are and what is being done to address the matter.

Chief Dench, fire dept confident that there is sufficient water available to fight any fires, if something changes they do have a contingency plan that they can engage.

Jack Vondras stated that at no point have we gotten to the level of bacterial contamination, the issue is related to clarity and pressure only at this point.

Councilor Romeo-Thaken translated the information in Italian for our Italian speaking community so that they will be informed of the current situation.

Councilor Tobey thanked everyone for their update and asked the Administration for timely updates.

Mr. Duggan responded absolutely, that updates will be forthcoming on an as needed basis.

Possible Home Rule Petition filing regarding elimination of city preliminary election.

Councilor Tobey stated that tonights initial discussion on whether and how to engage the possibility of not having a preliminary election this fall, that NO VOTE can be taken during this meeting. He read into the record section 8.1 of City Charter regarding elections.

Suzanne Egan informed the Council that she had researched the laws pertaining to the issue and that the council can file a home rule petition for a Special Act to allow the city to eliminate the preliminary election for a specific date. She shared the possible language that the city could use by providing copies of other communities petitions.

Councilor Tobey read **Representative Ferrante's** memo into the record which stated she is in favor of the city filing the petition but said that it is an uphill battle due to the time constraints. She stands ready to act on the behalf of the City.

Senator Bruce Tarr offered his assistance and that of his staff in an attempt to fast track our petition stating that time is of the essence so the Council would need to act expeditiously in its deliberations and vote on the matter. He reminded the Council that the three candidates for the office of Mayor would be considered nominated and all of their names would be placed upon the general election ballot. He reminded the Council of the need for an Emergency Preamble that must accompany the petition due to the tight time frame we are dealing with.

Ms. Joanne Senos, Interim City Clerk explained the cost savings to the city if the preliminary were eliminated and explained the process to put an election together and the time frames and deadlines involved for each.

Councilor Tobey read a memo from Mayor Kirk into the record she said that she agrees with the elimination of the preliminary.

Mr. Ruberti spoke in favor of eliminating the preliminary he "has no objections what so ever".

Councilor Sharon George spoke in favor and has no problem with eliminating the preliminary as long as it can be accomplished in time.

Councilor Foote does not believe we should waive the public hearing – that the people should have their say.

Councilor Ciolino does not believe we should circumvent the Charter and that he does not believe we can do this in a timely manner, that we are spinning our wheels.

Councilor Devlin spoke in favor, and will vote affirmatively when the matter returns to Council. He is willing to give it a shot, but because of the tight time frame he wondered whether or not the Clerks office could handle the situation if the decision was held off to the last moment.

Councilor Hardy stated that because all three of the Mayoral candidates are in favor of the elimination of the preliminary, that she will be supporting the petition going forward.

Councilor Romeo-Thaken spoke in favor of putting the matter in front of O&A as soon as possible so that we can continue our pursuit of the petition. She reminded the council that the hearing is one that the State normally conducts, that the council conducts no such hearing on the matter.

Councilor Curcuru doesn't mind spinning his wheels and as long as the Clerks office can pull this off in such a short period of time then he will support it going forward..

Councilor Sharon George suggested that the O&A meet ASAP and that the Council call another Special meeting to vote on the matter so that we could get this matter back to the State just as quickly as possible – she believes that we could accomplish this by the end of the week rather than putting it off to the following week.

Councilor Tobey reminded council that the only election being suspended is the one for September 29, 2009 and that all 3 Mayoral candidates names would be considered nominated and their names would appear on the ballot on November 3, 2009 if this petition passes.

MOTION: On motion of Councilor Hardy seconded by Councilor George the City Council voted 7 in favor 1 opposed (Foote) to send the home rule petition discussion to O&A on Thursday August 20th at 7:50 p.m. for further review and appropriate language and to call another Special City Council meeting for Thursday, August 20th at 8:00 p.m. to vote on the home rule petition allowing the city to eliminate the preliminary election of September 29, 2009.

Meeting was adjourned at 7:50 p.m. by unanimous vote of the Council.

Respectfully submitted,
City Councilor Jackie Hardy
Temporary Recorder