Received For Record At Plainfield CT
On AUG 25 2026 @ 12:45pm
Attest: Dianne D. Talbot
Town Clerk

Board of Selectmen
Special Meeting Minutes
August 24, 2026 6:30pm
Plainfield Town Hall

A. **Call to Order/Pledge of Allegiance:**
Kevin Cunningham called the meeting to order at 6:30pm.

B. **Review the proposed revisions of the Charter Revision Committee:**

1. Shall the Town Charter be revised to expand the Board of Selectmen from three to five members, effective with the November 2027 town election?

2. Shall the Town Charter be revised to grant the Board of Police Commissioners the authority, upon majority vote, to retain independent legal counsel separate from Town Counsel whenever the Commission determines such representation is necessary to carry out its statutory, disciplinary, investigatory, administrative, or oversight responsibilities, including matters involving conflicts of interest?

3. Shall Charter Section 2-5(d) be revised to raise the grant-match approval limit from $10,000 to $35,000?

4. Shall the Town Charter be revised to require that funds received by the Town under an awarded grant be used only for the purpose stated in that grant?

Chairman of the Charter Revision Committee, Paul Sweet, thanked the Board of Selectmen for forming the committee. He spoke about each question and how the committee came to their conclusions and recommendations.

C. **Public Comment**:

- Trav Harmon—member of the of the CRC—spoke in favor of each revision. He would like to see more representation on the Board of Selectmen. He commented that raising the grant-match approval limit is in line with inflation.
- Samantha Derenthal spoke in favor of each revision, especially the first two. She is hoping for more diverse representation.
- Heather Brisson asked if there would be a provision to require a woman or minority serve on the Board. Trav Harmon explained that the only statutory requirement is to respect minority representation. She also asked what the cost to the Town would be to pay two more Selectmen. Trav said it would be around $16,000/year.
- Patricia Williams spoke in favor of the revisions.
- Colleen Lugauskas thanked the CRC for their hard work. As a member of the Police Commissioners, she spoke in favor of #2. She also read the statute that governs minority representation on a five-member Board of Selectmen. There can be no more than three members from one party.
- Joe Sangermano thanked the CRC and spoke in favor of #2.

- Paul Sweet discussed #2 and wanted to emphasize the goal of the revision was to target any one individual or group but to help the Commission and the Police Department navigate difficult statutory requirements they are bound to.
- Selectman Tom Sinkewicz spoke in favor of all the revisions and thanked the CRC.
- First Selectman Kevin Cunningham had questions on #2. Who is the majority vote by and would the costs for legal fees have to be approved by the Board of Finance. He also thanked the CRC and recommended they try and get as much information out to the public before they vote on the revisions in November.
- Joe Sangermano commented that only twice in the last ten years have they asked for outside counsel.
- Naomi Smith asked about making informational videos and sending the language to the attorney for approval.

D. **Adjourn:**
Tom made a motion to adjourn at 7:12pm, seconded by Kevin. Motion carried unanimously.

Respectfully submitted,
Kate Bisson
Recording Secretary

A Charter Revision Commission potential Ballot questions for November 3, 2026 general election.

Question 1

Shall the Town Charter be revised to expand the Board of Selectmen from the three to five members, effective with the November 2027 election?

Question 2

Shall the Town Charter be revised to allow the Board of Police Commissioners to have the authority, upon majority vote, to retain independent legal counsel separate from Town Counsel whenever the Commission determines such representation is necessary to carry out its statutory, disciplinary, investigatory, administrative, or oversight responsibilities, including matters involving conflicts of interest?

Question 3

Shall Charter Section 2-5(d) be revised to raise the grant-match approval limit from $10,000 to $35,000?

Question 4

Shall the Town Charter be revised to require that funds received by the Town under an awarded grant be used only for the purpose stated in that grant?

Received For Record At Plainfield CT
On AUG 04 2026 @ 11:05AM
Attest: Lisanne S. Talbot
Town Clerk

QUESTION 1

Town of Plainfield · Proposed Charter Amendment · Public Hearing Draft

"Shall the Town Charter be revised to expand the Board of Selectmen from three to five members, effective with the November 2027 town election?"

ARGUMENTS IN FAVOR

- **Ends two-person rule.** Today, two votes decide everything for a town of 15,000. With five members, every decision takes at least three votes.
- **More representation for the people.** Five voices for 15,000 residents instead of three — more neighbors serving, more viewpoints heard, and more residents who know someone they can call at Town Hall.
- **An absence cannot shut down Town Hall.** One member on vacation and another out sick leaves a three-member board unable to act at all. A five-member board keeps meeting and voting.
- **Conflicts of interest stop freezing decisions.** When a member must step aside on a contract or land matter, four members remain — the Board still acts.
- **Both parties always have a seat at the table.** State law guarantees the minority party at least two seats on a five-member board — no matter which side wins. Today only one seat is guaranteed.

ARGUMENTS AGAINST · CONSIDERATIONS

- **It costs more.** Two more Selectmen to pay — roughly $6,000 to $12,000 a year at typical Connecticut rates.
- **Meetings may run longer.** Five people talking takes more time than three.
- **Five candidates must be found.** Every election needs five willing, qualified people across two parties. Some years that is hard.
- **A majority can still control.** Three members voting together decide everything on a five-member board — the same way two members do today.
- **More people to keep in the loop.** Two more officials to brief, schedule, and answer questions for. Staff time goes up.

QUESTION 1 — THE RECORD

Where five-member boards operate · The law that allows it · What failed and why

CONNECTICUT TOWNS RUNNING FIVE-MEMBER BOARDS TODAY

- **Guilford** — expanded 3 to 5 in 2003. Twenty-two years, stable, no attempt to go back.
- **Lebanon** — voters approved 3 to 5 in November 2019. No controversy since.
- **Marlborough** — voters approved 3 to 5 in November 2021 by 79% to 21%.
- **Madison** — five members, long established.
- **East Lyme** — five members, two-year terms, First Selectman remains chief executive.
- **Canton** — five members, staggered terms, minority-representation rule in charter.

No Connecticut town has reverted from a five-member Board of Selectmen back to three.

THE LAW THAT ALLOWS IT

Connecticut General Statutes Section 9-188: any town with a population of 10,000 or more may elect up to six selectmen in addition to the First Selectman. Plainfield, at roughly 15,000 residents, qualifies. The same statute sets the five-member minority rule: no more than three members of the Board may belong to the same political party.

Charter amendment procedure: Connecticut General Statutes Sections 7-188 through 7-193.

WHERE IT FAILED — AND WHY

Chester (November 5, 2024): voters rejected a proposed new charter about 2 to 1. That ballot bundled a board expansion with the elimination of the elected Planning & Zoning Commission and Zoning Board of Appeals and other sweeping changes in a single all-or-nothing question. No standalone Board of Selectmen expansion question has failed in Connecticut.

SOURCES

- CGS §9-188 — https://law.justia.com/codes/connecticut/title-9/chapter-146/section-9-188/
- CGS §7-188 to §7-193 (charter amendments) — https://www.cga.ct.gov/current/pub/chap_099.htm
- Guilford Board of Selectmen — https://www.guilfordct.gov/boards_and_commissions/board_of_selectmen2.php
- Lebanon Board of Selectmen / 2019 charter revision — https://www.lebanonct.gov/board-selectmen
- Marlborough Selectmen / 2021 charter — https://www.marlboroughct.net/boards_and_commissions/selectmen.php · charter text: https://ecode360.com/39610599
- Madison Board of Selectmen — https://www.madisonct.org/172/Board-of-Selectmen
- East Lyme Charter — https://codelibrary.amlegal.com/codes/eastlyme/latest/eastlyme_ct/0-0-0-174
- Canton Charter, Article VI — https://ecode360.com/35233094
- Chester 2024 charter vote coverage — https://ctexaminer.com/2024/10/25/chesters-charter-vote-divides-neighbors-parties/ · https://ctmirror.org/2024/09/30/proposing-a-new-charter-for-chester/

QUESTION 2

Town of Plainfield · Proposed Charter Amendment · Public Hearing Draft

"Shall the Town Charter be revised to grant the Board of Police Commissioners the authority, upon majority vote, to retain independent legal counsel separate from Town Counsel whenever the Commission determines such representation is necessary to carry out its statutory, disciplinary, investigatory, administrative, or oversight responsibilities, including matters involving conflicts of interest?"

ARGUMENTS IN FAVOR

- **One lawyer cannot fairly serve both sides.** The Town Counsel advises the Selectmen and every Town department at once. When a police matter puts the Town on both sides, the Commission would have its own lawyer for that matter.
- **Fewer expensive do-overs.** Decisions made on conflicted legal advice invite court challenges — and the cost of fighting or redoing them. Independent advice makes decisions harder to overturn.
- **Protects officers and the Commission alike.** Advice from a lawyer with no divided loyalty serves everyone on both sides of a police matter.
- **Case by case, vote by vote.** The Commission must vote each time. It is not approved once for everything.
- **Other towns have paid for not having it.** Connecticut towns without this authority have spent years of legal bills untangling who a shared lawyer actually represented.

ARGUMENTS AGAINST · CONSIDERATIONS

- **Outside lawyers bill by the hour.** Each time the Commission hires one, the Town takes on a legal bill nobody budgeted in advance.
- **The Commission decides on its own.** As written, no other board signs off before the spending starts.
- **Two lawyers can mean two positions.** Town Counsel and the Commission's lawyer could argue opposite sides for the same town in the same case.
- **The wording is broad.** "Whenever the Commission determines" covers routine business, not just conflicts of interest.
- **No reporting is required.** The text does not say the Commission must report how often it hires outside counsel, or what it costs.

QUESTION 2 — THE RECORD

What the gap has cost elsewhere · The law behind it

THE PROBLEM ON RECORD

- **Hamden (2022)** — the same law firm ended up advising both the town and its police commission in the same disputed matter, with no contract defining who it answered to. The dispute consumed months.
- **Avon (2019–2024)** — a public-records fight where representation lines were tangled ran four years and cost more than $13,000 in legal expenses over a single dispute.

Both cases are detailed in the Commission's full research report on this question, available from the Commission.

THE LAW BEHIND IT

Connecticut General Statutes Section 7-276 gives Boards of Police Commissioners their powers. Sections 7-277 and 7-278 govern police expenses and chief tenure. None of them provides the Commission a lawyer of its own.

The Home Rule Act (Connecticut General Statutes Sections 7-188 through 7-193) lets a town assign that authority in its Charter. This amendment adds one new subsection — 8-2(d) — to the existing Town Counsel section. Everything else in Section 8-2 stays exactly as it is.

WHERE IT FAILED — AND WHY

The Commission's research found no Connecticut referendum in which voters rejected a police-commission counsel provision. The cost on record comes from towns that lacked one and litigated case by case.

SOURCES

- CGS §7-276, §7-277, §7-278 — https://www.cga.ct.gov/current/pub/chap_104.htm
- CGS §7-188 to §7-193 (Home Rule Act) — https://www.cga.ct.gov/current/pub/chap_099.htm
- Harrington v. Freedom of Information Commission, 323 Conn. 1 (2016) — attorney-client privilege test for municipal counsel
- Plainfield Charter Revision Commission, BOPC Independent Counsel Report (full case studies and citations) — available from the Commission

QUESTION 3

Town of Plainfield · Proposed Charter Amendment · Public Hearing Draft

"Shall Charter Section 2-5(d) be revised to raise the grant-match approval limit from $10,000 to $35,000?"

ARGUMENTS IN FAVOR

- **Grant money reduces what taxes must cover.** Every grant the Town wins is outside money doing local work. A missed grant means property taxes do the job instead.
- **It restores the original rule.** The $10,000 limit was written four decades ago; $10,000 then is about $35,000 today. Same protection, today's dollars.
- **Fewer missed deadlines.** Grant windows close fast. Weeks spent scheduling a town meeting for a small match have real cost when the calendar runs out.
- **Meetings cost money too.** Legal notices, staff time, and preparation all cost real money — spent to approve a routine match.
- **Big commitments still work the same way.** Nothing changes above $35,000.

ARGUMENTS AGAINST · CONSIDERATIONS

- **Voters lose a say on some spending.** Matches between $10,000 and $35,000 would no longer come before a town meeting.
- **It is a big jump at once.** Three and a half times the current limit in a single step. Some residents may prefer a smaller increase.
- **Nothing keeps it current.** The new figure will lose value over time exactly as the old one did, until someone changes it again.
- **The only check below $35,000 is the two boards.** The Board of Selectmen and Board of Finance — the same bodies that propose a match — would approve it themselves.
- **Grant matches are still town money.** Some residents believe every spending commitment deserves a direct vote.

QUESTION 3 — THE RECORD

The math · The law · What failed elsewhere and why

THE MATH

The $10,000 grant-match limit dates to Plainfield's original Charter era (early 1980s). By the U.S. Bureau of Labor Statistics inflation calculator, $10,000 from 1983 is roughly $34,000–$35,000 in 2026 dollars. Put the other way: $4,460 in 1983 dollars is about $10,000 today — meaning the limit now catches matches one-third the real size the Charter authors intended.

Raising the limit to $35,000 restores the original real-dollar line.

THE LAW

Charter fiscal thresholds are set by the town itself under the Home Rule Act, Connecticut General Statutes Sections 7-188 through 7-193. Grant acceptance is a municipal power under Section 7-148. No state statute fixes a grant-match threshold — each town chooses its own number.

TOWNS THAT UPDATED OLD DOLLAR LIMITS

- **Coventry** — charter sets a $100,000 threshold before a machine ballot is required on appropriations. Operating without controversy.
- **Granby** — charter ties an automatic referendum to budget growth, tailored by its own voters.
- **Bethel** — passed its charter modernization package, all eight questions, in November 2025.

WHERE IT FAILED — AND WHY

Somers (November 4, 2025): a spending-threshold question written as a percentage-of-budget formula failed 976 to 1,143 — voters could not evaluate a formula in the voting booth. Plainfield's question uses plain dollar figures: $10,000 to $35,000.

SOURCES

- BLS CPI Inflation Calculator — https://www.bls.gov/data/inflation_calculator.htm
- CGS §7-188 to §7-193 (Home Rule Act) — https://www.cga.ct.gov/current/pub/chap_099.htm
- CGS §7-148 (municipal powers) — https://www.cga.ct.gov/current/pub/chap_098.htm
- Somers 2025 charter ballot results — https://www.somersct.gov/board-of-selectmen-approved-charter-revisions-commissions-five-ballot-questions-see-below/
- Plainfield Charter Revision Commission, Spending Limits Cost Analysis (meeting cost detail) — available from the Commission

QUESTION 4

Town of Plainfield · Proposed Charter Amendment · Public Hearing Draft

"Shall the Town Charter be revised to require that funds received by the Town under an awarded grant be used only for the purpose stated in that grant?"

ARGUMENTS IN FAVOR

- **Money awarded for a purpose stays with that purpose.** A grant won for a road, a park, or a firehouse is spent there.
- **Closes a real loophole.** Under state law today, leftover grant money can be moved to different uses by a board vote. Nothing in Plainfield's Charter prevents it.
- **The Town is less likely to pay money back.** Grant money spent on the wrong thing gets demanded back, and shows up in audits. Preventing that is cheaper than repaying it.
- **Protects our name with the agencies that award grants.** State and federal agencies track which towns handle money cleanly — and it affects future awards.
- **Makes the paper trail simple.** Every grant dollar has one lawful destination: the one on the application.

ARGUMENTS AGAINST · CONSIDERATIONS

- **Less flexibility.** Leftover grant dollars could not be moved to other local needs without extra steps.
- **It may repeat protections we already have.** Grant contracts and audits already restrict most funds. Some will see a Charter rule as doubling up.
- **Small leftovers, full process.** Even minor unspent amounts would go through the same return-or-reapprove steps.
- **More details still to settle.** Interest earned, administrative costs, and how a grant is closed out would all need follow-up wording after passage.
- **Enforcement is unstated.** The wording sets the rule but does not say who enforces it or how.

QUESTION 4 — THE RECORD

The loophole today · The law that allows the fix · Where it already works

THE LOOPHOLE TODAY

Connecticut General Statutes Section 7-347 lets a Board of Finance transfer unexpended balances "from one appropriation to another" for any purpose — with no exception for grant-sourced money. Accounting labels ("restricted funds") change when a board votes. State single audits (CGS Sections 4-230 through 4-236) catch misuse only after year-end, and only when state assistance tops $100,000. There is no preventive local rule; this amendment would create one.

THE LAW THAT ALLOWS THE FIX

The Home Rule Act (CGS Sections 7-188 and 7-194) gives a town charter the power to "manage, regulate and control the finances" of the town. The State uses the same kind of lock itself: CGS Section 13a-175a(b) restricts Town Aid Road grant money to its allocated purpose, with a formal waiver required to use it otherwise.

WHERE IT ALREADY WORKS

- **Guilford (2024)** — town fund rule: "No sums contained in said fund, including interest and dividends earned, shall be transferred to any other account within the Town budget." Adopted March 2024, operating today.
- **Monroe** — identical no-transfer protection on its land acquisition fund, with expenditures made "exclusively for" the stated purpose.

The Commission's research found no Connecticut town where voters rejected a grant-purpose protection at the polls.

SOURCES

- CGS §7-347, §7-344 (Boards of Finance) — https://www.cga.ct.gov/current/pub/chap_106.htm
- CGS §7-188, §7-194 (Home Rule Act) — https://www.cga.ct.gov/current/pub/chap_099.htm
- CGS §13a-175a (Town Aid Road purpose lock) — https://www.cga.ct.gov/current/pub/chap_240.htm
- CGS §4-230 to §4-236 (State Single Audit Act) — https://www.cga.ct.gov/current/pub/chap_055b.htm
- Guilford fund ordinance — https://ecode360.com/45288740
- Monroe fund ordinance — https://ecode360.com/15650442
- Federal Uniform Guidance, 2 CFR Part 200 (grant purpose and closeout rules) — https://www.ecfr.gov/current/title-2/part-200