

**SHARON HOME RULE CHARTER TRANSITION COMMITTEE  
MEETING MINUTES**

Monday, January 12, 2009, 6:00pm  
SV Community Library

**Committee Attendee's:**

Ed Palanski	William McConnell	Fred Hoffman
Joe Biro	David George	John Evans – Alternate
Bob Fiscus – Alternate		

Absent: Victor Heutsche, Darin Flower, Frank Connelly, Jennifer Barborak -- Alternate

**Guests:**

Attorney William Madden

**Media:**

Courtney Anderson, The Herald

**Meeting Minutes:**

Chairman Palanski called the meeting to order.

Motion to accept the minutes from the last meeting was made by Mr. George, seconded by Mr. Biro. Motion passed unanimously.

Committee then reviewed Unfinished Business:

The group briefly reviewed Bureau of Police – Administrative Code Chapter 246, which had been circulated previously at the Dec. 8<sup>th</sup> meeting. Mr. Hoffman moved to accept Ad Code 246 for the Police Department, seconded by Mr. Fiscus. Motion passed unanimously.

Chairman Palanski recapped his discussions with John Cave of the City of Sharon regarding the Department of Public Works. Essentially, with the removal of the Sewer Department from City control, and no City Engineer on staff, the only part of Public Works that still operates under the City, is the Street Department. The group decided that the name “Department of Public Works” would be changed to “Street Department”, which more accurately reflects reality. Chairman Palanski will bring a draft of the Street Department Administrative Code to the next meeting for the committee to review and potentially pass.

The Tax Collection Admin Code discussion was postponed since Frank Connelly, who is addressing it, was not present.

There were no Councilmen present at the meeting to report on the Economic Development Committee.

The committee then reviewed new business:

Chairman Palanski brought up two recent issues involving two separate provisions of the charter and what the Home Rule Transition Committee's actions, if any, should be. The first issue concerned Section 914 which allows for shifting some of the tax burden from the property tax to the wage tax. This is a key element of the charter. In light of what seemed to be a rushed approach to the Wage Tax increase, he questioned if it was thought through far enough given the worsening economy, particularly regarding the revenue estimation by the newly adopted wage tax increase. Chairman Palanski suggested that in an effort to accurately estimate the wage tax, the City could contact businesses that employ Sharon wage earners to see what they were projecting for 2009 in terms of labor, and whether they were projecting growth or cutbacks. While not certain, Chairman Palanski did not think the City had done this. It is his opinion that in regards to this issue the HRTC's only role is to question whether or not the tax shift is revenue neutral. If it appears that it is not revenue neutral then the committee is obligated to raise the question. The budget estimates indicate that the shift is revenue neutral as required. Hopefully, the shift will play out as planned.

The other issue concerned Section 1401 with regard to the contract with the Fire Department. In particular, given that Mayor Lucas and Councilman Donato are retired Sharon firemen, was it a conflict of interest for either of them to negotiate the fire contract, or for Mr. Donato to vote on the contract? Both men receive health benefits through the Fire Department and the new contract would affect that. Based on their time at the Fire Department, they both have personal ties to the Fire Department as well. Section 1401 of the Home Rule Charter was read and discussed in light of the involvement of Mayor Lucas and Mr. Donato on the fire contract. The group decided that it was a conflict of interest for both Mayor Lucas and Councilman Donato. It was also stated that no one had a problem with the contract itself.

Mr. Hoffman noted these were legitimate concerns. However, he questioned whether the committee should spend much time on these issues or whether it was the Committee's business to do anything about them. Chairman Palanski noted that one of the duties of the Committee is to insure a smooth transition into the Home Rule form of government. If the Committee believes that the Charter is not being implemented correctly, or feels that an action may be contrary to the Charter, it is the Committee's obligation to act. It was suggested that the Committee write a letter to Council and the Mayor regarding our concerns about the Conflict of Interest with Mayor Lucas and Mr. Donato. The letter would state that Mayor Lucas should not be involved with any further negotiating with the Fire Department, nor should Councilman Donato vote on the contract. It was noted that Council would be voting on the contract at the next Council meeting, on Thursday, January 15<sup>th</sup>. It was decided that Mr. George would draft the letter and circulate it to the committee members and alternates who were present at tonight's meeting for comment.

The group then discussed the hiring process for the City Manager. Chairman Palanski noted that we needed to identify qualifications, what we are looking for in a City Manager, as well as identify City needs and constraints. It was discussed that we need to establish a timeline and determine when and how to post an advertisement for the position. It was also noted that Council has earmarked \$25,000 in the 2009 budget to pay a City Manager to start on Oct. 1, 2009. This would mean a three month overlap with the Mayor and the incoming City Manager, which should help with a smoother transition.

The next meeting was scheduled for January 26<sup>th</sup> and will be held at the SV Community Library.

A motion was made to adjourn, accepted, and passed unanimously.

Submitted by David George