

CHARTER REVISION COMMISSION

MEETING MINUTES

MARCH 09, 2011

In attendance at the meeting: Commission Members: William S. Holden, Vice Chairman; Gail J. Hanna, Secretary; James Cordone, Esq.; Russell Friedson; and Paul Timpanelli.

Commission members not in attendance: John P. Chiota, Esq.

Public Attendance: Edward Gratrix, Chief, Trumbull Volunteer Fire Department; and Paul Ruskay, Commissioner, Trumbull Center Fire District

Called to Order: The Vice Chairman, William S. Holden, called the meeting to order at 7:10PM.

Approval of Minutes

Amendment of the Minutes dated February 16, 2011 as follows:

MOTION made by J. Cordone, seconded by G. Hanna, to change the approval of the minutes of February 16, 2011 to **February 09, 2011**.

VOTE: Motion carried unanimously (5-0).

MOTION made by J. Cordone, seconded by P. Timpanelli, **Section 8. Town Attorney**. Change Town Council to Town **Counsel**.

VOTE: Motion carried unanimously (5-0).

MOTION made by W. Holden, seconded by R. Friedson, middle of Page 3, **CHAPTER IV. ADOPTING THE ANNUAL BUDGET**; insert: "**There was a discussion of proposed changes. No vote was taken on said proposal.**"

VOTE: Motion carried unanimously (5-0).

MOTION made by J. Cordone, seconded by R. Friedson, to approve the Minutes of February 16, 2011 as amended.

VOTE: Motion carried unanimously (5-0).

Continuing with the revision of the Charter at **CHAPTER VII. BOARDS AND COMMISSIONS.**

MOTION made by R. Friedson, seconded by G. Hanna, to propose language for a new Section C. under **Section 1. Board of Finance**; as follows: C. *Internal Auditor*. The Board of Finance shall appoint an internal finance and operations auditor. The Auditor shall have the authority to audit the finances and operations of any Trumbull government entity, included but not limited to, the Town, the Board of Education, Enterprise Funds, Special Agency Accounts and any other government entity receiving and/or spending use charges and any other income. The Auditor shall present his/her reports to the Board of Finance. The Auditor shall have the power, upon the direction of the Board of Finance, to audit the finance and operations of the Town. The Internal Auditor shall have the authority to subpoena any records consistent with these responsibilities.

VOTE: Motion carried unanimously (5-0).

MOTION made by P. Timpanelli, seconded by G. Hanna, to propose new language at the end of Paragraph. A. *Composition and election*; **Section 2. Board of Assessment Appeals**; as follows: There shall be two (2) alternate members appointed for all terms by the First Selectman subject to the approval of the Town Council. No one alternate member from any one party.
VOTE: Motion carried unanimously (5-0).

Section 3. Board of Education

R. Friedson proposed a change to the Board of Education for more people with more oversight. Also should be elected not appointed. R. Friedson feels this would be more beneficial for accountability of their actions. The commission further discussed a change for additional members of the Board of Education. No vote was taken on this proposal.

MOTION made by W. Holden, seconded by R. Friedson, change language for Section. 3. **Board of Education**; as follows:

A. *Composition and election*. The Board of Education shall continue as established subject to and pursuant to the General Statutes, consisting of nine (9) members, each of whom shall be elected for a three (3) year term.

B. After adoption of this Charter the First Selectman shall appoint two (2) members, not more than one from the same political party, to a term expiring in 2013.

In the 2013 election, three (3) members are to be elected to a four (4) year term and three members to be elected to a three (3) year term. Thereafter, at each biennial election two thirds (2/3) of the members of the Board of Education shall be elected; one third (1/3) for the term commencing the year of said election and one third (1/3) for the term commencing the year following said election. Sec. 9-167a of C.G.S. shall apply to the election of members.

VOTE: Motion carried (3-2). Opposed: J. Cordone, P. Timpanelli

After further discussion, the commission members agreed this needs to be reviewed by Atty. Maslan and discussed further.

MOTION made by P. Timpanelli, seconded by J. Cordone, to leave **Section 3. Board of Education** as it currently reads in the Charter.

VOTE: Motion carried (2-3). Opposed: R. Friedson, G. Hanna, W. Holden.

MOTION made by R. Friedson, seconded G. Hanna, to change existing *B. Powers and duties*, under Board of Education section, to *C. Powers and duties*.

VOTE: Motion carried unanimously (5-0).

MOTION made by P. Timpanelli, seconded by J. Cordone, delete “known as the Trumbull Library Board” in *Paragraph A. Composition* under **Section 4. Library Board of Directors**.

VOTE: Motion carried unanimously (5-0).

G. Hanna proposed a change from the **Library Board of Directors** to the ‘**Library Board of Trustees**’. No votes were taken on this proposal. The commission will revisit after clarifying the exact name with the Library Board.

MOTION made by P. Timpanelli, seconded by G. Hanna, leave *Paragraph B. Appointment* under **Section 4. Library Board of Directors** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

MOTION made by P. Timpanelli, seconded by G. Hanna, to leave **Section 5. Planning and Zoning** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

MOTION made by P. Timpanelli, seconded by J. Cordone, to leave **Section 6. Zoning Board of Appeals** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

It was noted the Flood and Erosion Control Board was deleted in the present Charter along with the Conservation Commission. The commission discussed the possibility of adding the Conservation Commission back in the Charter. No vote was taken.

It was agreed that the Conservation Commission should not be combined with the Inland Wetlands Commission as previously discussed.

MOTION made by G. Hanna, seconded by P. Timpanelli, delete the sentence; "Current members designated from the Flood and Erosion Control Board and the Conservation Commission shall serve out their term of office on this Commission." under **Section 7. Inland Wetlands Commission**, paragraph A. *Composition and appointment.*

VOTE: Motion carried unanimously (5-0).

MOTION made by R. Friedson, seconded by G. Hanna, Paragraph A. *Composition and election*; change from two (2) alternate members to three (3) alternate members

VOTE: Motion carried unanimously (5-0).

MOTION made by R. Friedson, seconded by G. Hanna, Paragraph A. *Composition and election*; sentence change from: The two (2) alternate members shall not both be members of the same political party to read as follows: No more than two (2) alternate members shall both be members from the same political party.

VOTE: Motion carried unanimously (5-0).

MOTION made by R. Friedson, seconded by G. Hanna, Paragraph A. *Composition and election*; third paragraph, change from two (2) alternate members to three (3) alternate members and from two (2) years to three (3) years.

VOTE: Motion carried unanimously (5-0).

MOTION made by J. Cordone, seconded by R. Friedson, to delete **Section 8. Personnel Appeals Board** subject to advice from Attorney Robert Maslan.

VOTE: Motion carried unanimously (5-0).

Public Session: 8:40PM

Edward Gratrix, Chief, Trumbull Volunteer Fire Department; and
Paul Ruskay, Commissioner, Trumbull Center Fire District

Mr. Gratrix and Mr. Ruskay attended the meeting to address issues concerning Fire Protection and Emergency Management for the Town of Trumbull.

Mr. Gratrix expressed the necessity of revitalization information control.

P. Timpanelli asked Mr. Gratrix and Mr. Ruskay if there would be any benefits to combining Emergency Medical and Fire Commission? Mr. Gratrix indicated the Central Emergency Dispatch is for communication purposes. Further, it is not a command issue more of an execution issue for the town.

R. Friedson asked Mr. Gratrix and Mr. Ruskay if the Charter structure should be modified?

Mr. Gratrix suggested a split emergency function such as Deputy Police Emergency in one capacity and EMS or Department of Health or for a period of time Emergency Manager. Mr. Gratrix suggested during appointment or reappointment of Department Emergency Manager would be more functional with two individuals from two different emergency services. Fire position is a required position from FEMA. Deputy position acts as a liaison for state and federal aid.

W. Holden and R. Friedson rather than added to the Charter, it should be put in a town ordinance and suggested this can be discussed with the First Selectman, Timothy Herbst.

End of public Session: 9:10PM

MOTION made by R. Friedson, seconded by P. Timpanelli, to delete sentence: "All promotions in the Department shall be made from within the Department except that the appointment of a Chief of Police may be from within or without the Department." in **Section 9. Police Commission; B. Powers and duties.**

VOTE: Motion carried unanimously (5-0).

Noted: **Section 11. Flood and Erosion Control Board** already deleted in present Charter. Therefore, each section following will need to be renumbered. Starting with **Economic Development Commission** to be changed to Section **"11"**.

The commission discussed the position of the Economic Director. F. Friedson suggested a different term structure in the Charter. J. Cordone noted the Economic Director is a contract position and it is not necessary to be sited in the Charter. W. Holden also added the Director is a full-time position with advisory type roles.

The commission suggested combining **Park Commission and Recreation Commission**. There was no formal proposal and agreed they need to discuss with the chair people of each commission and possibly obtain a formal proposal from the Chairperson of each commission or from Timothy Herbst

Jury Commission waiting on legal advice from Arty. Maslan.

MOTION made by G. Hanna, seconded by R. Friedson, to delete last two sentences in the **Water Pollution Control Authority** section, at the end of *A. Composition and appointment*. "Upon establishment of the alternates, one shall serve a one (1) year term, the other a two (2) year term. Upon expiration of such terms, the term of alternates shall be two (2) years thereafter."

VOTE: Motion carried unanimously (5-0).

Combine **Civil Service with Human Resources** - legal advice from Atty. Maslan.

There was a discussion of combining Park, Recreation and Youth Commissions. The members agreed the Youth Commission is a very different commission performing different functions for the town. They also agreed they will discuss further with the Chairperson of the Youth Commission along with the Chairperson of the Park Commission and the Chairperson of the Recreation Commission.

MOTION made by J. Cordone, seconded by G. Hanna, to leave **Section 12. Park Commission** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

The commission agreed the need for legal advice from Atty. Maslan regarding the requirement of Constables and also the Board of Health Section.

MOTION made by R. Friedson, seconded by P. Timpanelli, to change terms approved by the Town Council for three (3) years and three (3) members expiring each year.

VOTE: Motion carried unanimously (5-0).

MOTION made by G. Hanna, seconded by J. Cordone, to leave **Section 19. Housing Authority** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

Pension Board B. Powers and duties; second to last paragraph; P. Timpanelli questioned what does "The Council upon the recommendation" mean exactly? W. Holden indicated this language is to clarify otherwise this would be a grey area and to avoid confusion of town employees' pension eligibility. The commission agreed this needs further advice from Atty. Maslan.

MOTION made by R. Friedson, seconded by J. Cordone, to insert "and documented" under **Section 21. Pension Board**, Paragraph B. - end of third paragraph after "necessary".

VOTE: Motion carried unanimously (5-0).

Ethics Commission D. Procedure (2) - change thirty (30) days to forty five (45) days.

W. Holden informed the commission of a telephone conversation he had with Attorney Tom Lee, Chairman of the Ethics Commission, who feels it was not appropriate for the Ethics Commission to be charged with interpretations of the Charter and the Ethics Commission more realistically dealt with issues of competence and things of that nature. The Ethics Commission is totally different from the operations of the Charter.

Arts Commission

Punctuation correction: remove brackets around "and"

Emergency Medical Services

Hold off until Emergency Services/Dispatch issue.

MOTION was made by J. Cordone, seconded by R. Friedson, to leave **Section 26. Organizations of Boards and Commissions and Committees** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

Composition Section

Punctuation correction: remove "_" between committees shall.

MOTION made by R. Friedson, seconded by P. Timpanelli, to change thirty (30) days to forty five (45) days in **Section 22. Ethics Commission**; Paragraph D.(2).

VOTE: Motion carried unanimously (5-0).

Official Conduct. B. Gratuities laws. Agreed this is a Code of Ethics issue which is more specific.

There was a discussion regarding *compensation and gratuities*. There was a discussion of proposed changes. No vote was taken on any proposals.

Paragraph 2 – There was a discussion of possible changes to this paragraph. Although, it was agreed to hold off on any revisions to this paragraph until they can discuss with Atty. Maslan

Section 29. Public meetings and records

R. Friedson suggested that the Public Session of the Boards and Commissions meetings should indicate a more specific start time. The commission agreed that this should be at the discretion of each Board and Commission.

MOTION made by J. Cordone, seconded by R. Friedson, to leave **Section 29. Public meetings and records** as it currently reads in the Charter.

VOTE: Motion carried unanimously (5-0).

Next meeting will be held on Wednesday, March 16, 2011.

Adjourned: 10:25PM

Respectfully submitted:

Marilou Mangiamele, Clerk