

CHARTER REVISION COMMISSION

MEETING MINUTES

MARCH 16, 2011

Commission Members in attendance: John P. Chiota, Esq.; Chairman; William S. Holden, Vice Chairman; Gail J. Hanna, Secretary; and Paul Timpanelli.

Commission members not in attendance: James Cordone, Esq. and Russell Friedson

Non-Commission members in attendance: Attorney Robert Maslan

Called to Order: 7:20PM

Approval of Minutes

There was no approval of the Minutes dated March 09, 2011. The commission agreed to table the review of the Minutes for the next meeting on March 16, 2011

Continuing with the revision of the Charter at **CHAPTER III. EXECUTIVE BRANCH.**

J. Chiota submitted new language to be inserted at end of **Section 2. Powers and duties.** as follows:

- (k) Reorganization of Departments.
 - (1) Notwithstanding any provisions of this Charter, the First Selectman may propose to the Town Council a resolution which may alter the method of appointment to or organization of any Town office, department, board, commission or agency of the Town, including combining or separating the duties of such individuals or bodies. The resolution will affect the change when enacted by the Town Council in the form of an ordinance.
 - (2) The ability to make such changes by ordinance, shall not apply to the Police Department, the Fire Department, the Board of Library Trustees, any elected Town office, elected Town officer, elected board of commission, and any other office or body where such change by ordinance is specifically prohibited by statute.
 - (3) If the duties of two or more bodies or Town offices are combined or separated by ordinance, the existence, the method of appointment, the organization, powers and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the ordinance.
 - (4) The method of election to any Town office, board, commission, or agency of the Town may be changed by ordinance as set forth in Section 6.1G(1) method of election set forth in this Charter is or becomes improper, invalid, or ineffective because of a change in the law or an ambiguity in, or erroneous provision of this Charter.

CHAPTER VII. BOARDS AND COMMISSIONS; Section 1. Board of Finance

- A. No more than two (2) of the alternate members of the Board of Finance shall be from one (1) political party. There was further discussion. No motions or votes were taken.

MOTION made by J. Chiota, seconded by W. Holden, to delete the sentence: “*any Special Act to the contrary notwithstanding*” in **CHAPTER VII. BOARDS AND COMMISSIONS, Section 1. Board of Finance, A. Composition and election.**

VOTE: Motion carried unanimously.

G. Hanna distributed the Code of Ethics to everyone at the meeting for their reference.

G. Hanna also informed the members that the Park Commission adopted a “field-use policy”. There was further discussion of combining the Park Commission, Recreation Commission and the Youth Commission and arranging a meeting with the Park, Recreation and Youth Commissions’ Chairpersons.

MOTION made by J. Chiota, seconded by W. Holden, to replace “*the Boards and Commissions*” with “Town Council” in **CHAPTER VII. BOARDS AND COMMISSIONS, Section. 1. Board of Finance, A. Composition and election.**

VOTE: Motion carried unanimously.

MOTION made by W. Holden, seconded G. Hanna, at the advice of counsel, to delete the last sentence “*The Internal Auditor shall have the authority to subpoena any records consistent with these responsibilities.*” from the new language which was previously inserted in the Charter draft dated March 09, 2011, **CHAPTER VII. BOARDS AND COMMISSIONS, Section. 1. Board of Finance; C. Internal Auditor.**

VOTE: Motion carried unanimously.

Section 2. Board of Assessment Appeals.

G. Hanna submitted the Public Act for Assessor for Atty. Maslan’s review. A decision was made to leave the Board of Assessment appeals as it presently reads in the Charter.

Section 2. Board of Assessment Appeals

A. *Composition and election.* P. Timpanelli corrected sentence inserted in the first draft dated 03/09/2011 at the end of the paragraph to read as follows: “**No more than one (1) alternate member from any one party.**”

CHAPTER VIII. ELECTORAL PROCESS

Atty. Maslan read language from The Connecticut State Statutes to the commission members to further clarify **Section 1. Eligibility language.** He indicated he will work on any new language.

Section 1. Eligibility. - Replace “*legislation*” with “**State Statute**”.

Section 2. Oaths of Office. - Leave as it presently reads in the Charter.

Section 3. Biennial Town Elections. - Insert after 1st Monday of December at **12:01am**,
- Insert “**Saturday**” before “*Sunday*”

Section 4. Vacancies. - Leave as it presently reads in the Charter.

Section 6. The Votes - Already deleted in the present Charter.

Section 7. Referendum. Atty. Maslan submitted new language regarding Adopting the Annual Budget. P. Timpanelli advised that he did not agree with the new language because this makes the referendum process too easy. The commission members discussed the language in this section and agreed to table further discussion until the next meeting when all the members are in attendance.

Section 7. Referendum.

B. *Petition Requirements*

B.1. Twenty (20) days to twenty-five (25) days.

B.2. Ten (10) percent to five (5) percent.

B.2. Insert new language after “electors”: “**who voted during the previous Municipal election**”

B.7. W. Holden to check on language regarding “*not more than*” thirty (30) days after said petition is filed with the Town Clerk.

C. *Limitation on budget referendum.* – Leave as it presently reads in the Charter.

D. *Voting procedure 2.* - Replace “Town Clerk” with **Registrar of Voters.**

3. Forms of ballots – Leave as it presently reads in the Charter.

4. Insert sentence after paper ballot: “**or any other method of voting allowed by Statute at the discretion of the Registrar of Voters**” and delete “*electors voting thereon*”

E. Requirements of referendum vote

1. Insert: ***after “majority of the”***: **votes casted during the referendum**”.

Delete: “*electors voting thereon, provided that the number of votes cast in the affirmative shall exceed fifteen percent (15%) of the number of electors on the last completed voter registration list.*”

- F. *Appropriation after referendum.* – Leave as it presently reads in the Charter.
- G. *Emergency measures.* – Leave as it presently reads in the Charter.
- H. *Publication.*

Correct typo on top of Page 46 – take out “O”.

Insert new language previously submitted by R. Friedson regarding Publications.
(A copy of which is filed with the Minutes at the Town Clerk’s office).

No motions or votes were taken on the proposed language.

Section 8. Initiative.

- A. Twelve (12) percent to ten (10) percent.
- B. Leave as is.
- C. Leave as is.
- D. Change twenty-five (25) percent to ten (10) percent.

Section 9. Removal from office – Recall of public officers. Delete section per Atty. Maslan.

Section 10. Board of Selectman. - Already deleted in present Charter.

CHAPTER VII. BOARDS AND COMMISSIONS

Section 3. Board of Education - J. Chiota discussed the Motion and Votes taken from the last meeting on March 9, 2011 regarding the nine (9) members, three (3) year term. He has been trying to obtain something in writing from Arthur Champagne, State of Connecticut Elections Department. Atty. Maslan will contact Arthur Champagne’s Supervisor, Ted Bromley, and J. Chiota suggested, if necessary, to contact Trumbull Town Attorney, Robert Nicola. Atty. Maslan indicated the use of the Statute for changing terms of electors, etc. and that the legislative bodies are required to submit a proposal to the municipal attorney to review and approve in order to be in compliance. W. Holden suggested any communication with Ted Bromley should be in writing. They all agreed Atty. Maslan discussed with the commission members various other Statutes to obtain approval. All agreed a letter should be sent to Ted Bromley.

Adjourned: 9:10PM

The next Charter Revision Commission Meeting is scheduled for Wednesday, March 23, 2011.

Respectfully submitted:

Marilou Mangiamele, Clerk