

MINUTES
CHARTER REVISION COMMISSION
May 18, 2016

PRESENT: Chairman James Staunton, Commissioners Karen Marsden, Brad Sullivan, Dennis Donovan, Lynn Hidek, Peter Nye, Eric Bergman, Art Kuever

Absent: Gary Bousquet

Guests: First Selectman Farmer, Alan Kravitz

The meeting was called to order at 7:02 p.m.

A motion was made by B. Sullivan, seconded by L. Hidek to approve the minutes of the May 4, 2016 Public Hearing as submitted. The motion carried

A motion was made by D. Donovan, seconded by B. Sullivan to approve the minutes of the May 4, 2016 regular meeting as amended (in second paragraph from bottom change "attend a meeting" to "would be willing to speak"). The motion carried unanimously.

A motion was made by K. Marsden to change the Board of Finance alternate from a term a 6 year term to a 4 year term. There was no vote as no one made a second to the motion.

Formulation of a game plan was discussed.

- Use of a schematic or diagram dividing the charter up into 11 sections
- Helpful to consider recognition and additions
- item by item adjustments or additions
- have speakers from outside agencies, such as COST and CCM
- A basis for a change is needed – such as section is dysfunctional

The Board of Finance was discussed. Discussed the number of Board of Finance members, 6 as opposed to either 7 or 9 as permitted in State Statutes also discussed the length of their terms. A motion was made by L. Hidek, seconded by D. Donovan to increase the Board of Finance to 7 members and increase their term to 6 years. Discussed ensued and commissioners felt this should be addressed during the diagram portion of future meetings. L. Hidek and D. Donovan withdrew their motion and second.

A motion was made by B. Sullivan, seconded by A. Kuever to adopt the concept of a flowchart, a graphical representation of the charter for the purpose of making subcommittees. The motion carried unanimously.

The Charter sections to be reviewed were correlated with the comments made by the public are noted in red:

- **10 and 4:** Line Item Transfers – Flexibility: Section 10-4(D): Recommend change that Department Heads should have discretionary authority to manage their budgets – such as authority to transfer between line items within a limit of \$20,000. A department head should manage to the bottom line.
- **8:** Authority Over Communications Center: The "Comm Center" is responsible for dispatching police, fire and ambulance services and is very important. It is managed by the police department and is located within the police department building. It is supervised by the Chief of Police who assigns an officer to run day to day operations. The department creates and manages the budget and hires personnel. In Chapter 8, section 14, a sub-section E should be added to document the authority already exercised by the police department.

- **3, 5, 6 and 7:** Term Limits: Recommends that no person shall be allowed to sit on any elected or appointed board, commission or committee for more than eight consecutive years, counting only full terms and not counting the term they are in at the time Charter Revision is passed.
- **3 and 8:** Human Resource Function: Amend Charter to require the First Selectman to institute a Human Resource function by hiring a human resources manager.
- **5 and 8:** Contract Negotiations: Recommend that the charter require that all contracts be negotiated by a professional labor negotiator who is very experienced in representing town governments. Also consider requiring that contracts that are retroactive more than six months or given an increase above the CPI, must go to referendum after approval by BoF.
- **5, 8 and 10:** Contract Bidding: Close the loop hole found in Chapter X, Section 10-6, B. In part it says, "Said regulations (bidding rules) may exclude professional, engineering and technical services". This loop hole allows the First Selectman to choose vendors without bidding.
- **3 and 4:** Town Meeting and Referenda, Quorums and Authority: Currently the Town Meeting can approve an amount to be spent up to 5% of the current tax levy (Section 4-6, Section A, sub-section 1 and 2) before requiring a referendum. This authority is or will soon be over \$2,500,000. Recommend this be reduced to 2.5% and that no single item exceeding \$1,000,000 shall be approved by town meeting and therefore must go to referendum. Also for passage of referendums, a 15% turnout should be required.
- **4 and 5:** Special Town Meeting Actions: Section 4-5 – add as point #6 – "Land Swap Transactions": In any real estate transaction (swap, sale or purchase) a professional appraisal shall be required before submission to a town meeting and such appraisal shall be posted publicly by legal notice in a newspaper with the largest circulation in the town no less than several days before said town meeting.
- **3:** Board of Finance and Alternates: Increase membership to seven. If a full seat goes vacant, require the BoS to backfill the seat from the alternates on that body consistent with the minority party representation rules, then backfill the alternate position. Reduce terms for alternates to 4 years.
- **3, 5, 6 and 7:** The First Selectman Four Year Term: Recommend against the four year term and support the current system. Only support a four year term if Clinton moved to a town manager form of government, providing continuity and professional management in one change.
- **3, 5, 6 and 7:** Losing First Selectman Rule: Also known as the Drop Down Rule. This is codified in state statute Title 9, Chapter 146, Section 9-188. It allows the losing first selectman candidate to be seated on the BoS if they have a sufficient number of votes. This procedure is not broken and should not be changed.
- **7 and 9:** Strengthen Ethics Provisions: Chapter IX Section 9-2, Code of Ethics: Recommend that no one be allowed to serve on these bodies (Board of Selectmen, Board of Education and Police Commission (and consider including the Board of Finance)) who has a relative employed by the town or board of education for the obvious reasons. Relatives to include spouse, parents, children, in-laws of all types, nieces, nephews and first cousins.
- **4:** Separate Questions on Ballot: Any proposed change that resembles a controversial issue should be a separate question on the ballot. All bond issues for multiple projects should be broken up into individual questions. Transfer of funds between bonded projects should be prohibited. Firm maximums for each project should also be established.
- **3, 4, 5 and 10:** Town Manager Form of Government: A professional should run the \$50M business that is Clinton. We are dependent for a First Selectman on whoever is willing to run. This is a dwindling pool of people.
- **2 and 3:** Suggest that there should a change to prevent any one person from holding a seat on more than one of the BoS, BoF and/or BoE.
- **3 and 8:** A full time Town Planner to work on projects and grants for Land Use, Planning and Zoning, First Selectman and the Economic Development Commission.
- **3, 5, 6 and 7:** Enforce and/or change existing language on term limits for members of boards, commissions, committees and advisory boards as to length of terms and number of consecutive terms served. (Include amending the term limits for alternates on the Board of Finance)
- **3, 5, 6 and 7:** First Selectman position limits – maximum of two consecutive two year terms.

- **New #:** The Fire Commissioners would be elected positions and they would be a liaison between the Fire Department and the Town. The Ad Hoc Committee is working on language to have it included in this charter revision. If the Fire Commission was created by ordinance, it would be strictly an advisory board.
- **8:** The Public Works Commission has no power – consider giving them some power
- **5, 8 and 10:** Make stricter definition between contractor/professional/vendor

If a town manager is to become the form of government, there would be a number of structural and functional issues to consider.

It was noted that the Planning and Zoning Commission voted to have their Commission broken into two separate entities, a Planning Commission and a Zoning Commission. This may have to be dealt with in the Charter.

A motion was made by B. Sullivan, seconded by L. Hidek to add Correspondence to the agenda. The motion carried unanimously.

C. Walter questioned when she should present the creation of a Fire Commission to be included in the charter. J. Staunton will reach out to C. Walter to determine a presentation date and explain the charter revisions will not be on the November ballot.

Some other issues to consider during the charter revision are:

- Give the Public Works Commission more authority over the development of the budget
- Make the verbiage for the Town Clerk and the Tax Collector the same
- Questioned whether the merit system needs to be in the Charter

To keep the residents informed of Charter Revision Commission's progress, J. Staunton will send a letter to the editor.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Wendy McDermott
Clerk