

BOARD OF SELECTMEN
SPECIAL MEETING
TOWN HALL ROSE ROOM
AUGUST 15, 2018
AMENDED MINUTES

Present: First Selectman Christine Goupil, Selectmen Jack Scherban, Phillip Sengle and Tim Guerra

Absent: Carol Walter

Also Present: Attorney John Bennet

Goupil called the meeting to order at 7:00 pm immediately following the public hearing on the Charter Revision.

Charter Revision

The board reviewed both charters and attached are their recommendations.

Scherban made a motion, seconded by Sengle and unanimously adjourned the meeting at 8:30 p m.

Respectfully submitted,

Mary Schettino

CHANGES TO THE CHARTER 2018

TOWN MANAGER

1. Section 2-5: Insert "after recount"

When any regular or special Town election, primary election or referendum conducted pursuant to the provisions of the Charter results in a tie, "after recount", an adjourned election shall be conducted in accordance with the provisions of Section 9-332 of the General Statutes, as amended, to determine who shall be elected.

2. Section 3-2C: Insert "the procedures set forth in"

A vacancy on the Town Council shall be filled in accordance with **the procedures set forth in** Section 9-222 of the General Statutes encaptioned, "Filling of vacancy in office of first selectman or selectman. Petition for special election".

3. Section 3-3: Remove "The members shall serve overlapping terms. The Elections of November 2019 will elect the seven (7) members with the terms of four highest vote receivers are elected for four (4) years and the remaining three (3) are elected for two (2) year terms"

Insert "At the municipal election in November 2019, seven (7) members shall be elected and those four (4) candidates receiving the highest number of votes for Town Council in the election shall be elected to serve for terms of four (4) years, and the remaining three (3) elected candidates shall serve for an initial term of two (2) years subject to requirement of minority representation."

There shall be elected a seven (7) member Town Council and each member shall be elected for a term of four (4) years. **At the municipal election in November 2019, seven (7) members shall be elected and those four (4) candidates receiving the highest number of votes for Town Council in the election shall be elected to serve for terms of four (4) years, and the remaining three (3) elected candidates shall serve for an initial term of two (2) years subject to requirement of minority representation.** Thereafter, at each regular municipal election, there shall be elected candidates to fill those seats for which terms are expiring and said candidates shall serve for terms of four (4) years.

4. Section 3-4 Treasurers: The board agreed to leave this section in. They deleted "elected at a regular town election" and add "appointed by the Town Council"

The Treasurer shall be **appointed by the Town Council** for a term of two (2) years.

5. Section 3-6: Insert "who shall not be members of the same political party"

The Board of Assessment Appeals Alternates **who shall not be members of the same political party** shall consist of two (2) members, each whom shall be elected for a term of four (4) years

6. Section 3-13: Add **Section 3-13 Registrars**

The Registrars of Voters shall be elected at a regular election for a term for four (4) years.

7. Section 4-2: Add "Town Council"

All Town Meetings shall be called to order by the **Town Council** Chairperson or a member of the Town Council.

8. Section 4-4: Add "Meeting"

- Should the Annual Budget Meeting be adjourned prior to it being convened to referendum, said Meeting shall automatically reconvene in succeeding one (1) week intervals until its completion.
9. Section 4-6: Remove "\$250,000" and insert "\$300,000"
 10. Section 5-1: Remove "\$1500" and replace with "3,000" and remove "1,000" and replace with "1,500"
 11. Section 5-5: Remove "Board" and Insert "Town Council"
The **Town Council** shall enact or deny the proposed ordinance within thirty (30) days after the public hearing.
 12. Section 5-7K: Insert "Shall have the authority to approve real property tax abatement agreements allowed under provisions of the Connecticut General Statutes"
 13. Chapter VI: Add "of the Town Council"
CHAPTER VI
CHAIRPERSON OF THE TOWN COUNCIL
 14. Section 6-1C: insert "/she"
The Chairperson or such other Council member as he/**she** may appoint shall be an ex-officio member of all Boards, Commissions, Agencies, Committees and Authorities including the Board of Education, but without the power to vote.
 15. Section 7-2C: insert "committee"
No one person may hold more than one (1) elected and two (2) appointed positions simultaneously on Boards or Commissions excluding ad hoc **committees** and subcommittees.
 16. Section 7-2D: insert "committees"
No one person may hold more than three (3) appointed positions simultaneously on Boards or Commissions excluding ad hoc **committees** and subcommittees.
 17. Section 7-4: Insert "Party"
Section 7-4 Minority Party Representation
Minority **Party** Representation shall be as specified in Chapter II of this Charter
 18. Section 7-6B: Remove "There will be no term limits for board members"
 19. Section 7-7B: Insert "with no more than 2 from the same political party and"
The Economic Development Commission shall consist of seven (7) members, and three (3) alternate members **with no more than 2 alternates from the same political party and** all appointed to serve overlapping terms.
 20. Section 7-8 A: Remove Historic District Commission under five year terms and insert them in Section 7-7 G. Historic District Commission for four year terms.
 21. Section 8-2-1A: Remove "no longer than" and insert "not to exceed" also remove "without requiring competitive bids but through the use of a Request for Qualifications (RFQ) and Request for Proposal (RFP) process". Also add specific qualifications such as a Master's degree in Public Administration (MPA), Master's degree in Business Administration (MBA) or related field.
The Town Council shall appoint a Town Manager for a term **not to exceed** three (3) years.
The Town Council may select and designate such a search committee for a term not to exceed one (1) year.
A. Further clarification is needed from Attorney Bennet.
 22. Section 8-2-1C: Change "provision" to provisions" and remove "If a subsequent contract with any Town Manager is not duly executed at least sixty (60) days prior to the expiration of an

existing contract, the Town Manager's employment by the Town shall terminate in accord with the contract's specified expiration date."

23. Section 8-2-1D: Change (c) to (C)

24. Section 8-2-1E: Insert "Town" and "one" and change "Manger" to "Manager"

Upon the suspension, removal, resignation, incapacity, or death of the **Town** Manager, the Council may appoint a Temporary Manager to serve at the pleasure of the Council for a period of not more than **one** hundred eighty (180) days. If, after one hundred eighty (180) days, the Council has not appointed a new Manager, it may appoint a Temporary Manager for a further period of up (180) days. The Temporary **Town Manager** shall have all the powers and duties of the Town Manager.

Comments from Shipman & Goodwin: What happens if 360 days goes by and the Town Council still has not appointed a new permanent Town Manager?

25. Section 8-3: Re-letter to include section C & D.

26. Section 8-3C: Remove "employee" and insert "Town Manager" also add "private hearing"

27. Section 8-3D: Insert "of", change "Town Manager" to "Town Managers", change "responds" to "response", insert "a"

In the event **of** the Town Managers timely **response** the Town Council shall hold **a** hearing not earlier than ten (10) days and not later than fifteen (15) days after such hearing is requested.

28. Section 8-3E: Remove "if timely requested"

29. Section 8-3F: Remove entire section as listed below

The Town Manager shall continue to receive full salary and benefits until the effective date of a final resolution of removal in accordance with the operative contract between the Town Council and the Town Manager. However, upon the effective date of such removal as provided herein, the Town Manager shall no longer receive any salary and benefits, except benefits otherwise vested by law.

30. Section 8-4: Remove "periodic"

shall make reports to the Town Council and shall attend its meetings with full right of participation in its discussions but without a right to vote and may attend meetings of the Board of Education and other Town boards and commissions

31. Section 8-5D: Further clarification is needed from Attorney Bennet

32. Section 8-5G. a: Remove "exceeds \$15,000" and insert "requires in kind or matching funds"

33. Section 8-5H: Remove "execute" and insert "enforce"

34. Section 8-5N: Change "Personnel Director" to "personnel director"

35. Section 8-6: Insert "The Town Manager"

Section 8-6 Appointments by **The Town Manager**

36. Section 8-8: remove "Counsel" and insert "Council"

37. Section 8-8: Change "Chairperson" to "Town Council Chairperson"

38. Section 8-18: The current sentence reads "The Police Department shall be headed by the Chief of Police, who shall be hired by the Town Manager with approval of the Board of Police Commissioners, and subject to the direction of the Board of Police Commissioners. The Chief shall be the Chief Administrative Officer of the Department and shall be responsible to the Board for its efficiency and for the execution of all laws, rules and regulations prescribed by the said Board" will be replaced with "**The Police Department shall be headed by the Chief of Police,**

subject to the direction of the Board of Police Commissioners, who shall be hired by the Town Manager with approval of the Board of Police Commissioners.

39. Section 8-20C a: Remove "Section 8-17" insert "Section 8-20"
40. Section 8-20: remove "* [Clinton's Youth and Family Services Bureau was established by ordinance; in 1991, under General Statute 17-443(a), a subsection of Section 17-443. That same year, Section 17-443 was transferred to Section 17a-39. Sections 17-443 and 17a-39 were both under the auspices of the State's Commissioner of Children and Families. Responsibility for the program was then transferred to the State's Commissioner of Education, effective July 1, 1995; Section 17a-39 was transferred to Section 10-19m in 1997. Section 10-19m is in the Department of Education Section of the General Statutes, as amended, and is encaptioned "Youth Service Bureaus. Annual Report. Regulations.]"
41. Section 9-3: Change "shall" to "may"
42. Section 9-4B: Insert "/her"
43. Section 10-4B: Remove "\$20,000" and insert "50,000" and change "Town Manager" to "Town Council"
The Town Manager, when requested by a Town agency and after approval of the Town Council, may make special appropriations from cash surplus or the contingency account in the amounts not to exceed in total for that Department, Office, Board, Commission or Agency twenty thousand (\$50,000) dollars in any one fiscal year. Any request which shall exceed the amount herein provided shall require a vote of the Town Meeting after the approval of the **Town Council**.
44. Section 10-6: Change "Town Department" to "Town Departments"