

July 30, 2015

Board of Selectmen
Town of Suffield
83 Mountain Road
Suffield, CT 06078

This is the Report from the 2015 Charter Revision Commission (“CRC”) charged on January 28, 2015 that states the recommendations of the CRC with regard to the Town of Suffield Charter (the “Charter”).

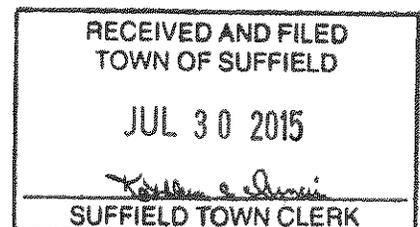
This report includes the following attachments:

- A list of the recommended changes for technical, non-substantive changes. The CRC dealt with an unusual number of technical changes and “typos” due mainly to the fact that the recommendations of the prior charter revision commission for changes of this nature were not implemented.
- A list of the changes which were considered but not recommended.
- A list of the public comment that the CRC received.
- A copy of the Town Charter with the recommended changes noted thereon.

Recommended Charter Changes

The CRC members reviewed the suggested Charter changes that were provided by the Board of Selectmen (the “Charge”) as well as some suggested Charter changes from citizen comments at our public hearings and regular meetings. The CRC also reviewed a few suggestions from members of other boards and commissions and from CRC members themselves.

Beginning with the end of January of this year, the CRC met every week with the exception of a few holidays and discussed many topics. Similar to the prior charter revision commission, the topic of a Town Administrator always seemed to be an important issue on the minds of CRC members as well as those citizens who came to the meetings to provide public comment. While the CRC was divided on this topic and ultimately decided against pursuing it, it has to be acknowledged that there was strong sentiment on this topic both on the CRC as well as with those who provided public comment. Members of the CRC were, at times, frustrated in trying to suggest some way to bring this issue to a head even if with a Town survey or referendum. In any event, the issue is mentioned here to emphasize that it appears to be one which may need to be resolved one way or another in the Town’s immediate future.



Here are our recommendations for changes to the Charter with a reference to the sections of the Charter that would be impacted by the change (in the order in which they appear in the Charter):

1. The CRC reviewed the suggestions for Charter changes in the Charge that included proposals that the WPCA cease to be an independent entity and become a Town department. While these changes were not recommended, it was thought that closer coordination between the WPCA and the Board of Finance would be advisable. For this reason we recommend an addition to Charter section 302 Elected Town Officers, Boards and Commissions, subsection K that requires that the WPCA annual budget must be submitted to the Board of Finance for review, comment and advice.
2. Several of the suggested changes to the Charter from the Board of Selectmen suggested changes to the manner in which employees and Department heads reported to the First Selectman. While wholesale changes to the reporting relationships were not recommended, the CRC did see a need to recognize the First Selectmen's authority in areas which require a uniform or coordinated approach across departments. For this reason, we recommend an addition to Charter section 502 Powers and Duties (The First Selectman), subsection F which adds a provision giving the First Selectman executive authority in consultation with any respective board or commission over town employees on matters requiring consistency and coordination across Town Departments and their employees. (Excepted from this provision are the Board of Ed, WCPA and the Director of Finance).
3. The discussion of changes to the current structure in the Town of the Treasurer's and the Director of Finance positions was one of the most debated points in our CRC deliberations. While no changes to those positions have been recommended, the current provision in the Charter that requires the appointment of the Director of Finance for a term of up to 4 years has not been followed. The CRC thought that this provision was an important periodic opportunity to review that position and how the person in that position was serving the Town's needs in that area. For this reason, we recommend the strengthening of that provision by amending section 611 Director of Finance, subsection A of the Charter to add a requirement that the Board of Finance and Board of Selectmen must meet 90 days prior to the expiration of the Director of Finance's appointment to discuss the reappointment of the Director of Finance as presently required in the Charter.
4. It was pointed out to the CRC that the functions of the Public Works Commission had been absorbed into other Town departments or commissions and that this commission has been inactive for some time now. For this reason we recommend deleting Charter section 706 Appointed Boards and Commissions, subsection P to delete the reference to the now defunct Public Works Commission.

5. Section 802 General Powers and Duties of the Board of Finance of the Charter contains the rules for the number of alternates that could be seated for a Board of Finance meeting depending on the number of regular members present. The rule was confusing and limited the number of alternates that could be seated at a meeting. Since all members, regular or alternate, are elected, we did not see the rationale for this limitation on alternates and recommend the amendment of that rule to simply limit the number of members seated at a meeting to 6 members.

Similarly in Charter section 804 Other Financial Matters, subsection D, also dealing with the Board of Finance members, it was recommended that the language defining voting requirements for the Board of Finance which treated alternates as less than full members should be removed since there was a similar modification in the aforementioned section 802. It was thought that an alternate acts like a full member and when accorded voting rights should be considered a full member.

6. Section 1006 Actions Requiring a Town Meeting, subsection G of the Charter provides that town leases of less than 5 years can be executed by the Board of Selectmen but those in excess of 5 years must be submitted for approval to a Town Meeting. The provision seemed to ignore leases with terms of exactly 5 years. Also, leases that were less than 5 years but provided for automatic renewals could avoid this Town meeting requirement. To clarify this, we recommend a provision which provides that leases that are in excess of an aggregate of 5 years would require Town Meeting approval and that real estate leases of exactly 5 years or less do not require Town Meeting approval.
7. We also recommend a change to charter section 1006 Actions Requiring a Town Meeting, subsection H to remove the Town's acceptance of roads in new developments from the Town Meeting requirement if they are constructed in accord with plans approved by the Planning and Zoning commission.
8. The lowering of the limits for a petition for a (non-budget) referendum was another subject of active debate for the CRC. While there was sentiment on the CRC for lowering the amount of signatures, there was concern on the part of some members with lowering it too far so as to make referendums in our Town too frequent. A compromise was struck to amend Charter sections 1008 Limitations Regarding Appropriations and 1009 Referendum By Petition, subsection C to change the non-budget referendum signature requirement from 10% to 7% of registered electors and to:
 - a) add a time limit for the gathering of signatures of 21 days from the date of the action for which the referendum is sought and

- b) to expressly limit signatures to those obtained after the action for which the referendum is sought.
9. One of the suggestions in the Charge was to implement the ability for the Board of Selectmen to call a Town meeting where there would be a guaranteed referendum to follow it. To accomplish this we recommend a revision to Charter section 1009 Referendum by Petition, subsection A. The language is as follows: "Notwithstanding the provisions of section 1007 (Town Meeting by petition) of this Charter the Board of Selectmen may present any issue to the Town at an adjourned Town Meeting for vote by referendum. (An adjourned Town Meeting is a Town Meeting where there will be a referendum on the question(s) considered at the Town Meeting no matter what, if any, action is taken on the matter at the Town Meeting).
10. One of The CRC's members suggested that we revise section 1102 Code of Ethics of the Charter to update it, deleting the first sentence which was now unnecessary as well as to clarify that the code of ethics applies to all town employees, officers and board and commission members. Language is recommended to be amended to read as follows: "The Town's Code of Ethics shall govern the conduct of elected and appointed officers, employees, and board and commission members of the Town."
11. In the past state legislative session a bill was proposed to allow non substantive changes to be made to a town's charter at a town meeting. This would free future charter commissions from having to spend valuable time dealing with typos and non-substantive changes, something that did require much time with this CRC. Unfortunately, the bill did not pass but we have recommended that language similar to the bill's provisions be added to our Charter to accomplish the same task. The language is as follows: **'Section 1212 Non substantive changes to the Charter**
The municipal legislative body may make minor and technical revisions of a non-substantive nature to the Charter or home rule ordinance provided such revisions are deemed minor, technical and non-substantive by a two-thirds majority vote of such legislative body. "

Recommended Technical Corrections

This CRC struggled to determine which copy of the Town Charter was the correct "one" to work from. This was caused by some confusion that is not productive to relate here but which has been clarified. We also met with the Town Attorney to clarify what corrections we could make to the charter without specifically voting on it and submitting it as an official Charter action. We were advised that typos and misspellings can be corrected without official commission action but where words needed to be changed to capture the real meaning of the Charter section, official

action of the CRC would need to be (and was) taken and those changes are listed as “technical corrections” hereunder. These technical amendments, which usually involve a change in terms to be more specific or accurate (e.g. “budget” changed to “Annual Town Budget”) are listed in more detail on the attached exhibit and noted on the draft Charter.

Additionally, the technical amendments that were previously recommended by the 2009 Charter Revision Commission but not implemented, were also approved by the 2015 CRC and are included in our recommended technical corrections.

Bob Brooks

Chairman, Suffield Charter Revision Commission
on behalf of the 2015 Charter Revision Commission

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