

**MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVISION COMMISSION
June 18, 2015**

Present: Bob Brooks, Jeff Kew, Brian Fitzgerald, Charles Watras and Bobbie Kling.
Absent: Bob Parks and Brian Dudack. Chairman Brooks called the meeting to order at 7:05 p.m.

Chairman Brooks thanked Mr. Kew for chairing the last two meetings during his absence.

Approval of Minutes from June 11, 2015 Regular Meeting

Ms. Kling made a motion to accept the minutes of the June 11, 2015 Regular Meeting of the Charter Revision Commission (CRC) as presented. Mr. Kew seconded the motion.

Vote 4-0 in favor with Mr. Brooks abstaining since he was absent.

Public Comment: *None*

Correspondence Received: None

Update on legal opinion regarding charter versions.

Mr. Kew provided CRC members with a document comparing the 2002 version of the charter (on file with the Secretary of the State) to the version on the town website. He also provided a summary of the changes. The only potential substantive change noted was the change in the number of Justices of Peace. This change needs to be researched. Mr. Watras noted that at the last meeting an opinion was requested from the Town Attorney. It had been agreed to identify the differences between the charter versions to provide to the Town Attorney. Now that this has been done, the Recording Secretary will facilitate a meeting with Chairman Brooks, Town Attorney Alfano, Town Clerk Dunai, First Selectman (and previous Town Attorney) Ed McAnaney, previous CRC chairman Ernie Petkovich and any other interested CRC members. The Town Attorney will be asked if the changes were legal or if they need to be recommended to the Board of Selectmen (BoS) and voted on by the electorate. If the changes need to go to a Town vote the Town Attorney will be consulted on how to format them.

Mr. Fitzgerald also asked if the housekeeping task to remove language that showed how to implement charter changes could be added. E.g. clauses like "Following the election of 1987" in section 706 N.

Second Public Hearing date

The Public Hearing on CRC effort is tentatively scheduled for Thursday, July 9, 2015 at Town Hall. Mr. Brooks will send his tracking log to members for their input. Ms. Kling also requested that a summary of the CRC effort be made available to the residents before the Public Hearing.

Discuss clarifying reporting relationships between First Selectman/BOS and town employees.

Mr. Brooks solicited feedback from members since there was discussion regarding this topic during an executive session at the last meeting. Mr. Brooks said that recent events may allow an argument to be made for the usefulness of this change but it may be viewed as reactionary. Mr. Kew had suggested looking at the department heads individually but that could be perceived as singling out specific areas. Mr. Brooks said that a broad based look is probably not wise either. Ms. Kling recommended not taking action. Mr. Fitzgerald stated that the First Selectman was impassioned about this in his discussions and he agreed that the BoS needs lines of authority. He said the town operates differently than it did twenty years ago in that the state has accreted more responsibility to the towns (and BoS). He is in favor of memorializing it in the charter so it is clear during an emergency. Mr. Kew said he'd be more amenable to change if the commissions had approval in hiring decisions. Mr. Brooks asked if it's better to report to the BoS rather than to the First Selectman? Mr. Fitzgerald responded that the BoS only has authority when they are in session. Discussion took place about how a Town Administrator would clarify this vs. an elected First Selectman. Mr. Brooks said presumably the expertise comes from the commissions today and that's why the lines of authority are defined in that manner. Mr. Watras said in his opinion this would be a major change in how commissions function and the commission may not be needed. Ms. Kling suggested taking no action and letting a future CRC look at this issue. It was agreed to table the item until more members are in attendance. A brief discussion took place about the possible usefulness of a town survey to gather opinions on matters before another CRC was formed. Mr. Watras said he believes this is done in other towns and will research it.

Discussion on possible CFO position

Chairman Brooks asked members to refer to section 611 regarding the Director of Finance. He also noted to the members that they had voted in favor of retaining the elected Treasurer position. He said in reviewing minutes he was reminded of comments that section 611A is not being followed. It states that :

A majority of the combined memberships of the Board of Selectmen and the Board of Finance shall appoint for a maximum term of four years, which may be renewed, a director of finance, who shall be chosen exclusively on the basis of professional qualification, character and administrative experience.

Mr. Kew was in favor of removing the four year reappointment if performance reviews are done. Mr. Fitzgerald said the language protects the Town in such an important position since it is very difficult to remove employees in the public sector. Discussion followed questioning if this was the language that allowed for a CFO position. It was agreed that the language exists in the charter but was not identified during this conversation. (Note: A Chief Administrative Officer is allowed in Section 501 of the charter.) Mr. Watras noted that new positions would have to be included in the budget process. Mr. Fitzgerald reminded everyone that the Director of Finance has effectively

no boss since the position reports to two boards. Mr. Watras said that members of the BoS and Board of Finance (BoF) are in need of greater strengths in financial planning and analysis and perhaps that language should be added to section B of 611. This would clarify the additional responsibilities. Ms. Kling noted that the Director of Finance (DoF) has requested additional personnel but has not been successful. Mr. Brooks said adding the language helps define the position but doesn't solve anything if the reappointment process is not being followed. Mr. Fitzgerald said that the BoS and BoF are at fault since they use the DoF as a comptroller to balance books, etc but want more financial vision. Mr. Brooks said if the four year appointment was adhered to, couldn't that change be made? Mr. Fitzgerald responded that it could. Ms. Kling suggested that the lack of reappointment be brought to the BoF attention. Ms. Kling questioned the reason for change, was it to remove the current DoF or to change the position to report solely to the First Selectman? Mr. Brooks said he'd be uncomfortable decoupling the DoF from the BoF. Others agreed. Mr. Watras said the 4 year reappointment gives the Town protection which is necessary due to the importance of the position. If performance of any incumbent wanes you need to be able to rectify it. Mr. Brooks said that the group was in agreement that both BoF and BoS should be involved in the hiring and firing of the DoF and that the four year reappointment should be retained. Mr. Brooks also discussed adding language to 611B to say that the BoS and BoF will issue a decision on reappointment/renewal for the four year term. Mr. Brooks will draft some language to propose at the next meeting.

Mr. Fitzgerald brought section 609 the four year term of the assessor to the group's attention. He said he is bothered less about this position but is upset that the town doesn't do what it should do.

Mr. Brooks asked for members to contact him with any additional charter changes they would like to discuss so they can be added to the next agenda. The concept of a Civilian Director of Public Safety was mentioned. Mr. Kew mentioned the possibility of requiring public comment at every meeting and it would be even better if all commissions allowed public comment at the beginning and conclusion of each meeting.

Ms. Kling moved to adjourn. Mr. Fitzgerald seconded. After a unanimous vote, the meeting was adjourned at 8:47 p.m.

Next Meeting will be held on June 25th.

Respectfully submitted,
Lisa Trase
Recording Secretary