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# CHARTER REVISION COMMISSION
# REGULAR MEETING
# DRAFT MINUTES November 19, 2014

Chairman Matthew Berger called the meeting to order at 7:09p. In attendance were Chairman Matthew Berger, Vice-Chairman Stephen Bessette, Ashley Gillece, Bob Statchen, Sue Jones, Amy Hambly, Gail Shea, Alice Soscia, John Gomes and Jerry Murphy. Absent: Connie Frishman

1. **Public Comment:** None.
2. **Announcements:** Ms. Shea, there is a file box in the First Selectman's Secretary's office that contains all the items having to do with this Charter Revision Commission.
3. **Approval of Minutes** of October 23, 2014:
   Ms. Shea moved to approve the minutes as amended. Ms. Jones seconded. All in favor 8-0. Abstained Mr. Gomes and Mr. Murphy
4. **Communications:**
   - **a.** October 2, 2014 - Editorial, Westerly Sun
   - **b.** November 8, 2014 - Editorial, The Day
   - **c.** November 10, 2014 - Letter from Vincent Pacileo III, Director of Administrative Services for the Town of Stonington

-Mr. Berger asked if the Commission wanted to make an agenda item for Mr. Pacileo to come and speak at a meeting.
-Mr. Statchen- we should allow him to speak, he is a town administrator. We should welcome anyone from Town Hall that works closely with the Boards to speak. Also invite the new Finance Director. No objections to having him speak.
-Mr. Berger explain that Mr. Pacileo called and asked to be put on the agenda and Mr. Berger explained he couldn't do that, unilaterally. Where he lives in Essex, he has been on the Board of Finance and the Board of Selectmen so he feels he has many views.
-Ms. Shea wonders what topic he would like to speak to.
-Mr. Berger-he was familiar with the petition and wanted to express how Essex votes for their Board of Finance into office. And what he thinks the proper function and role of the Board of Finance is.
-Ms. Gillece-feels we would be going backwards, it would have been right if he had spoken at the Public Hearing.
-Mr. Gomes- we have enough to discuss in a short period of time and to have people come here; it would take a lot of time. He appreciated the information Mr. Pacileo has but he doesn't think we should have him come because if you do it for one you have to do it for all.
-Mr. Murphy-write him a letter explain we had the Public Hearing and where we are at now in our process.
-Ms. Shea-we have made some motions concerning the Board of Finance so if he wants to review what we have done, it would be best for he speaks in public comment.
-Mr. Berger will email him with the Commission's answer and will cc everyone.

**d.** Email from Ms. Connie Frishman dated Nov 19, 2014. Mr. Berger read the letter during the Term Limits section of the meeting.

5. **Old Business:** Charter Revision: The Board of Finance

**a. Minority Representation-**

-Mr. Berger-it's state law nothing we can do about it
-Ms. Shea-Not necessarily-the previous Charter Revision changed it from 50% to 2/3. So we could put it back to 50% and be within the state law.
-Mr. Berger-with the change from the prior Charter-we are proposing to change from 6 members to 7 members on the Board of Finance. Which will help minority representation.
-Ms. Shea-It is the maximum now. We could make it 50% which would make the maximum 4 if there are 7 members on the Board, instead of the 5 if we didn't change it.
-Mr. Berger-We could cap the maximum from 5 to 4.
-Ms. Shea- Is that good or is that bad? Why did they change it last time?
-Mr. Berger-Doesn't like the law-If 6 members were the highest vote getters then they should get the seats no matter what party they are. Bringing it down would be a mistake.
-Ms. Shea the statute is brief. Lowering it is within the law.
-Mr. Murphy-why would you want to put anyone on that didn't receive the most votes?
-Ms. Gillece-Agrees with Mr. Murphy, referencing the people that said they wanted an open election and having their voice count.
-Ms. Shea- the argument is that one political party can run it
-Mr. Murphy-that is our fault as voters if we let them.
-Mr. Statchen he brought this up last month, to show that there is a small minority of town that impose stricter rules for their elections than Stonington. He is persuaded to not restrict the voter's vote.
**Ms. Shea moved** to leave the current Minority Representation Laws as they are currently in the Charter. Mr. Murphy seconded. All in favor 10-0.

**b. Term Limits:**

-Mr. Statchen has found no other towns structured like ours have term limits.
-Ms. Jones believes East Hampton use to have them, not sure if they still do
-Mr. Berger-Shelton has had them since 1981. Sometimes they have it for all electorial boards.
-Mr. Statchen- thinks it something to look in to but we would be in a minority if we did have them. But that doesn't mean we should not look into it.
-Mr. Berger read aloud Ms. Frishman's email concerning term limits. The letter is on file at Town Hall.
-Mr. Gomes-He would elect not to have any term limits, leave it up to the voters.
-Mr. Murphy-has mixed emotions. As where the Board of Finance is concerned, he agrees it isn't a good idea to have term limits. It is a tough job and a big learning curve. Would not support term limits for the Board of Finance.
-Ms. Shea-it's a tough decision-would lean toward term limits. Two full consecutive 4 year terms, that is enough. I understand the learning curve. You could put in a clause that they can come back after a term off.

-Ms. Jones-agree with Ms. Shea. A number of people at the public meeting said they wanted term limits. It is a very powerful position. Fresh people would make for a better and more productive group.
-Ms. Soscia-Agrees with Ms. Shea and Ms. Jones-Does take time to get up to speed which is in Dr. Strunk letter. What is best for our community is to keep it competitive is important. The responsibility of the Board of Finance is great.
-Ms. Gillece- term limits are good but they can come back after a break. A concern from years past is people thought the town couldn't find people to serve on Boards, that isn't a problem anymore. Leaning toward the two full consecutive 4 year terms.
-Mr. Bessette-In favor of no term limits. The power of term limits is the people casting the ballot at the vote. Would hate to see people that would be a lame duck and not care at the end of their last term. It is about building a community. We restructured the Board of Finance from 6 to 7. The power of term limits is the ballot box.
-Mr. Berger- mixed feelings-did think the ballot box would work, now not sure-Federal and State level agree with term limits. Shelton ordinance does say you must be off for one full term, that is good. Two consecutive terms, one off and back on. Any change to the Board of Finance he would also like changed with the Board of Education. Doesn't want to address this now. Thinks term limits strays from what we were called to do, by the petition. Because of a cautionary measure not to go beyond what we are asked to do.
-Ms. Hambly-when collecting signatures for the petition, term limits was something many people wanted. There are people that want to serve on these boards. Lean toward term limits, agree with Ms. Gillece, Ms. Shea, Ms. Jones and Ms. Soscia. Members get too compliant, fresh eyes are good and two on and one off and back on is agreeable
-Mr. Statchen-For term limits. Don't make them retroactive, to Ms. Frishman's point. Maybe have 3, 4 year terms and one off. Make equivalent on the Board of Education. Doesn't think it is beyond the scope of the petition and what we were asked to look at. Will term limits hold us back on getting the referendum passed? Prefers three terms but could support 2 terms.
-Ms. Soscia-Looking over the Public Hearing Minutes from September, out of the 23 citizens that spoke, 8 specifically said they wanted term limits created.
-Ms. Hambly-restated that when collecting signatures for the petition a large number of signers wished there to be term limits
-Ms. Gillece-to address Mr. Bessette about people wanting to serve and at the end of their term, they could go serve on another Board and see it from another perspective.
-Ms. Shea wants to move forward with a vote.
-Everyone discussed how many terms two or three?
-Ms. Gillece- referenced Dr. Strunk letter to have term limit with three terms. Coming from a Board of Finance member knowing what it takes, means something.
-Mr. Berger-would like if there is a motion for it to also include the Board of Education not just the Board of Finance, with a full 4 year term off after the 3 on.

-Mr. Bessette-If someone is appointed, how does that count?
-Discussion: What is the definition of a term?
-Mr. Murphy-Doesn't want to have too many things to need to explain when it is time to vote on the changes to the Charter. Having 3, 4 year term limits, is easier to take.
-Mr. Statchen-Three, four year elected consecutive terms.
-Ms. Shea-Addressed language to cover the members that are already serving.
-Mr. Bessette-the language is too complicated.
-Mr. Statchen-doesn't think it should be retroactive for those already in office. None of their years already served should count.
-Discussion: How to transition the term limits in and how the election cycle would operate when increased from a 6 member board to a 7 member.
-**Mr. Bessette moved** to table all discussion on term limits, for time to do the math on how things would flow. Mr. Berger seconded the motion.
-Discussion: Ms. Shea-do it tonight, Ms. Jones agrees with Ms. Shea. Ms. Gillece-move forward so we don't have to go back over everything next month.
-In favor to the motion: Mr. Berger and Mr. Bessette. Apposed: Ms. Shea, Ms. Gillece, Ms. Jones, Ms. Soscia, Mr. Statchen, Ms. Hambly, Mr. Gomes and Mr. Murphy.
-**Ms. Shea moved** to change the Board of Finance and Board of Education, be limited in their terms to Three -4 year consecutive elected terms and not be able to serve for 4 years, then can return. Ms. Gillece seconded the motion.
-Mr. Statchen-people's thoughts on making retroactive for those in office now.
-**Mr. Bessette moved** to table all discussion based on what Mr. Statchen said, to give everyone time to do research. Take a month to figure out the wording and how it will be implemented. No seconded.
-Mr. Berger agreed with Mr. Statchen, about not making the retroactive; you take away from the people who voted them in and from the candidates that were elected without having term limits.
-Ms. Gillece agrees with no retroactive the terms.
-Ms. Shea-anyone is serving when the Charter is revised, they are considered to have served one of their three terms.
-Mr. Bessette-They are in their first term of their three terms, no matter if they were elected or appointed.
-Mr. Statchen-Appointed vs. elected, is there a difference?
-Mr. Gomes-is this something the Town attorney needs to tell us if we can look into this change?
-Mr. Murphy- No years count before their next election after the Charter Revision should count for the term limits.
-Mr. Statchen- Start with a clean slate, nothing before their next election counts.
**Ms. Shea made a motion**- Members of the Board of Education and Board of Finance shall serve no more than 3 consecutive – 4 year elected terms after completing said terms no member should be allowed membership for 4 years.
**Ms. Shea added to the motion**: As of the effective date of this charter revision, for the members seated on the Board of Education and the Board of Finance, the term they are currently serving shall be considered their first term.

Ms. Gillece seconded the motion. All in favor: Mr. Berger Mr. Bessette, Ms. Gillece, Mr. Statchen, Ms. Jones, Ms. Hambly, Ms. Shea, Ms. Soscia. Opposed: Mr. Gomes and Mr. Murphy Approved 8-2.

**c. Elected Appointed Positions**

-Mr. Gomes- look at making the elected positions of Tax Collector and Town Clerk make them appointed positions.

-Mr. Berger- we as a Commission decided to complete the Board of Finance before moving on to any other new business.

-Mr. Bessette- making the Board of Finance a 7 member Board removes the need for the Town Clerk to break a tie, Ms. Shea agreed.

**-Ms. Shea- Moved** to delete the tie breaker provision of Town Clerk for the Board of Finance. The Town Clerk will not break ties for the Board of Finance. All in favor: Mr. Berger Mr. Bessette, Ms. Gillece, Mr. Statchen, Ms. Jones, Ms. Hambly, Ms. Shea, Ms. Soscia, Mr. Gomes and Mr. Murphy Approved 10-0.

**d. Filling Vacancies on the Board of Finance**

Mr. Bessette- questioned, how the Board of Education and the Board of Finance fill vacant seats-tabled to the next meeting

6. **New Business:**
   a. **For the Next Meeting: Old business:**
      i. Transition process for Board of Finance from 6 to 7 members
      ii. Filling of vacancies on the Board of Finance and Board of Education
      iii. Whether to adopt a bifurcated budget referenda process
7. **Public Comments: None**
8. **Meeting Adjourned**

   -Mr. Bessette moved to adjourn and Mr. Statchen seconded. 10-0: All were in favor. Meeting adjourned at 9:11pm.