

**Charter Revision Commission
Regular Meeting
Minutes February 26, 2015**

Chairman Matthew Berger called the meeting to order at 7:06pm. In attendance were Chairman Matthew Berger, Vice-Chairman Stephen Bessette, Sue Jones, Gail Shea, Amy Hambly, Bob Statchen, Ashley Gillece, James Murphy, and John Gomes. Alice Soscia was absent.

1. **Public Comment**
 - a. No public comment
2. **Announcements**
 - a. Ms. Shea requested that the Town assist with printing of drafts of the Charter.
3. **Approval of Minutes 1/22/15**
 - a. Ms. Hambly requested to have her last name edited in the document. Motion to approve by John Gomes, seconded by Sue Jones, all in favor, motion approved.
4. **Communications:**
 - a. Resignation Letter from Constance Frishman
5. **Old Business**
 - a. Wording for recommended changes approved to date
 - i. Term of Board of Finance

Mr. Statchen explained the change of wording to the commission. The proposed language concerning term is "The Board of Finance shall consist of seven (7) members each of whom shall be elected for a term of four (4) years."

Ms. Shea moved to approve the proposed language, seconded by Ms. Hambly, all in favor, motion approved.

ii. Filling vacancies on Board of Finance and Board of Education

Mr. Statchen and Ms. Shea explained the changes to the wording of vacancies based on what was voted on last meeting.

Ms. Shea moved to approve the wording change for 2-4A "Vacancies on the Board of Finance and Board of Education shall be filled by the remaining members of that Board until the next Regular Town Election, at which election successors shall be elected for the remaining unexpired portions of the terms. If the vacancy exists for more than 60 days, the Board of Selectmen shall be empowered to fill the vacancy until the next Regular Town Election, at which election successors shall be elected for the remaining unexpired portions of the terms." seconded by Ms. Hambly, all in favor, motion approved.

Ms. Shea moved to approved the wording for 2-4B "Whenever a person vacating an office shall have been elected as a member of a political party, such vacancy shall be filled by the appointment of a member of the same political party or shall be an unaffiliated voter." Mr. Bessette discussed the issue with an unaffiliated voter serving on a board. Motion seconded by Ms. Hambly, all in favor, motion approved.

Mr. Statchen moved to remove 6-4C, Ms. Shea recommended repeating the previous wording from the vacancies, Ms. Jones recommended inserting a reference to the vacancy section.

Mr. Murphy moved to approve language "Vacancies are filled pursuant to section 2-4 of this Charter." Seconded by Ms. Jones, all in favor, motion approved.

iii. Term limits to Board of Finance and Board of Education

Mr. Gomes moved to approve wording change to section 2-7 "Members of the Board of Finance and Board of Education shall serve no more than three (3) consecutive 4-year elected terms. After completing said terms no member shall be allowed membership for 4 years. As of the effective date of this Charter revision, for the members seated on the Board of Finance and Board of Education, the term they are currently serving shall be considered their first term." Seconded by Ms. Hambly, all in favor, motion approved.

b. Breaking a Tie

Ms. Shea discussed initiating language on breaking a tie without leaving the decision to the Town Clerk from the special act. Mr. Berger suggested leaving the tiebreaker to the First Selectman. It was also discussed repealing the provision in the special act. The commission discussed adding a section concerning quorum and ties, leaving no provision to break a tie. **Mr. Murphy moved** to add language to section 6-5D "In the event of a tie, the board may not adjourn until the matter is resolved by the board." Seconded by Mr. Bessette, all in favor, motion approved.

c. Transition to 4 year term for Board of Finance

The commission discussed the timing for transitioning terms. **Mr. Statchen moved** to adopt language for transitioning terms, "The two positions elected in November 2015 will be shortened to four year terms, in the November 2017 elections two terms will be up for election as well as an additional seat." Seconded by Ms. Hambly, 9 in favor, Ms. Shea opposed, motion approved.

New Business

A. Changes to terms of the Town Clerk and Tax Collector and as to whether those positions should be elected or appointed

Mr. Gomes agreed that they should be four year terms, but does not believe an appointed position would be possible to have passed. Mr. Bessette agreed as well. **Mr. Gomes moved** to change the terms for Town Clerk and Tax Collector to four years at the passage of the Charter, seconded by Mr. Murphy, all in favor, motion approved.

B. Changes to Tax Assessor position

Ms. Standish spoke concerning the changes. The change would require the position to be involved in important changes as a department head rather than invited.

Ms. Shea moved to approve that the commission formulate language to adopt the changes proposed by Ms. Standish, seconded by Mr. Murphy, Mr. Murphy withdrew the second, Ms. Shea withdrew her motion.

Ms. Hambly moved to adopt the language in Section 8-1A "adding Assessor to list" and B "The Administrative Services, Finance, Planning, Public Works, and Human Services Departments shall have a Director who shall be appointed by the majority vote of the Board of Selectmen. The Assessment Department shall have a Director who shall be appointed by the majority vote of the Board of Finance. In the event of a vacancy in a Department Directorship or the inability of a Director to serve, the duties thereof shall be the responsibility of the First Selectman with the exception of the Assessor. The Assessor shall be filled by a majority vote of the Board of Finance within thirty (30) days after the occurrence of such a vacancy." Section 8-2B

"Department of Assessment, There shall be a Department of Assessment, headed by a Director of Assessment together with such other employees as may be provided. The Department shall have such powers, duties and responsibilities as are provided in this Charter and which may be provided by Ordinance and by and Resolutions adopted by the Board of Selectmen. The Department shall have the following duties:

- 1. Compile an annual Grand list of real and personal property and report the status thereof to the Board of Finance, First Selectman and Fire Districts;**
- 2. Maintenance of the assessment of real and personal property;**
- 3. Oversee periodic revaluations"**

Section 8-2C

- 4. "Collect taxes, licenses fees and sewer assessments"**

Mr. Berger suggested amending all references to assessment director to be changed to assessor.

Seconded by Mr. Statchen as amended, in favor 9, Ms. Gillece abstained, motion approved.

C. Whether to adopt a Town Manager form of government

Mr. Berger expressed the desire to narrow issues to the task at hand. Mr. Gomes expressed that while he was originally in favor of a Town Manager he had since changed his mind after seeing the Town of Westerly struggle.

D. Whether to adopt a five member Board of Selectmen

Mr. Berger expressed desire to leave this to another commission. Ms. Shea moved to adopt a five member Board of Selectmen, no second.

E. Changes to the position of constable

Mr. Berger expressed desire to leave to another commission as well. Ms. Shea moved to change the positions of the constables, no second.

F. Whether to require public comment at meetings of the Board of Selectmen, Board of Finance and Board of Education

Ms. Shea moved to adopt the change, seconded by Ms. Jones, Ms. Jones does not see the Board of Finance allowing this often and it should be allowed. The commission discussed what other boards practice currently. Mr. Berger recommended removing the Board of Selectmen already practice this. Ms. Shea suggested adding Planning and Zoning, Mr. Berger responded that they currently offer public comment on public hearings and would not recommend adding them. Mr. Statchen recommended changing it to all boards and commissions for a minimum time. Ms. Jones recommended the beginning and end of meetings. Ms. Gillece expressed that the Charter may not be the right place. Ms. Hambly, Mr. Murphy and Mr. Gomes agree. Ms. Jones amended her motion to "Board of Finance and Board of Education must set aside time in the beginning and the end of every meeting for public comment" seconded by Mr. Statchen, in favor Ms. Jones, Ms. Hambly, and Mr. Statchen, against Mr. Berger, Mr. Bessette, Ms. Shea, Mr. Murphy and Mr. Gomes, abstain Ms. Gillece, motion was not passed.

G. Housekeeping Matters

Mr. Bessette moved to table the Housekeeping Matters to the next meeting, seconded by Mr. Gomes, in favor Mr. Gomes, Mr. Murphy, Ms. Gillece, Mr. Bessette, against Mr. Berger, Mr. Statchen, Ms. Hambly, Ms. Jones, motion approved. Mr. Berger recommended a special meeting in March to deal with housekeeping.

H. Whether to include in the Charter a provision precluding the Board of Finance from making line item cuts

The commission discussed and said that they will not pursue.

I. Whether to restrict comment on the budget at public hearings to taxpayers

The commission discussed and said that they will not pursue.

J. Whether to require an Ethics Commission in the Charter

Ms. Shea expressed concern with the standing ordinance regarding the Ethics Commission. Ms. Shea moved to insert the word "standing" in section 7-1 of the Charter regarding commissions, seconded by Mr. Statchen, Ms. Shea explained an ordinance changed it to an ad hoc commission since the Charter does not say standing. Ms. Gillece expressed that it may not be appropriate for this Charter revision. Mr. Bessette explained the current situation and that there is a current proposal for a regional ethics commission. Ms. Hambly agreed with Ms. Gillece. In favor, Ms. Shea, Mr. Gomes, Mr. Murphy, Ms. Gillece, Mr. Bessette, Mr. Berger, Mr. Statchen, Ms. Hambly, abstain Ms. Jones, motion was not passed.

K. Whether to create recall elections

Ms. Shea moved to create recall elections, no second.

L. Timing of completion of submission of CRC draft to Board of Selectmen

Ms. Gillece moved to conduct a special meeting Thursday March 5th 2015 at 5:30pm to discuss housekeeping regarding the Charter and transitional language, seconded by Mr. Statchen, all in favor, motion approved.

Motion to adjourn by Ms. Hambly, seconded by Mr. Bessette, all in favor, meeting adjourned at 10:30pm.

Amy Hambly

**Amy Hambly
Secretary**