



CHARTER REVISION COMMISSION

CJH Municipal Center – 1 School Street – Bethel, CT 06801
(203) 794-8501 – Fax: (203) 778-7520

MINUTES OF REGULAR MEETING

Monday, December 9, 2013

7:00 p.m.

CJH Municipal Center – Meeting Room “A”

PRESENT: David Olson, Chairman, Nicholas Hoffman, Meghan O’Connor, William Hillman, Wendy Smith, William Shannon and Paul Improta. Also in attendance was Attorney Nicholas Vitti.

CALL to Order / Pledge of Allegiance to the Flag: David Olson called the regular meeting to order at 7:02 p.m.

Public Comment:

Ann Cleary - Eagle Rock Road: asked if the Commission had in fact considered her prior written request to have a Review Board mentioned in the Charter. Chairman Olson explained that the Commission agreed and voted that this would not be considered in the Charter. There were already three (3) avenues for the public to express their grievances: the Police Commission, in a vote and with the Board of Selectman.

Cynthia McCorkindale – Elgin Ave: Asked for clarification of some of the terms in the November 18, 2013 minutes. In addition, she stated that the Charter is a very important document and feels that the proposed changes are very ambitious. She does not believe that there is a need to increase the requirements for Petitions to Overrule at this time.

William Duff – Long Meadow: Among other comments, he does not agree that the term of the Selectman’s office should be increased from two (2) to (4) years stating that it’s a powerful thing for a candidate to run and get re-elected every two (2) years.

Billy Michael – Fleetwood Avenue: Among other comments, does not see a need to increase the Board of Selectman to five (5) members. Also, the Selectman’s salary should not be stated in the Charter.

Jim Dennis – Chestnut Ridge Road: Would like to see new ways of getting more people involved in local government.

Philip Gallagher – Sunset Hill Road – Among other comments, would like to see the Commission interview the Town Auditor to get his opinion on items #12, #13 and #14 on the CRC Tracking Document (Para C10-2D, Para C10-4B and Para C-10-4B). By implementing these changes in the Charter, he feels that the power would be taken away from the Board of Finance to monitor the budget effectively.

AJ Bernard – Highview Terrace – Among other comments would like to see one (1) central polling place in Bethel based on his research of voter turnout in past elections.

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TOWN OF BETHEL
TOWN CLERK

Paul Szatkowski – Winthrop Road – Would like to see the number of Selectman increase to five (5) due to the growth of the town and the number of issues that need to be discussed among the Selectman.

Approval of Minutes – November 18, 2013: N. Hoffman made a motion, which was seconded by W. Smith to approve the minutes. Vote, 6-0-1, Approved. P. Improta abstained. He was not present at the last meeting.

For the purpose of clarity, Attorney N. Vitti asked that items #14 and #16 on the CRC Tracking Document, mentioned in the 11/18/13 minutes, be moved from Section II “Items Tabled for Further Review and Discussion” to Section I “Items Tentatively Agreed Pending Counsel’s Charter Revision Language”.

Correspondence:

- Ann Cleary hand delivered copies of her correspondence asking the Commission to consider establishing a Police Civilian Review Board or at least to expand the Bethel Police Commission from seven (7) to nine (9) members in the Charter.
- Attorney N. Vitti presented the Commission with the following documents:
 - 1) Tabled Items for 12/9/13 Meeting (Section II items) – Suggested Language
 - 2) Summary of Charter Changes for review by the Commission. Members should have all questions ready for next meeting.

Consideration of Remaining Open Items:

D. Olson prepared an updated CRC Tracking Document – V4 - Post meeting November 18, 2013 for the members. The Commission will consider items in ‘Section II – Items Tabled Until Regular Meeting of 9 Dec 13’.

Item #2 – Para C3-4B – Board of Selectman Term of Office

D. Olson made a motion, which was seconded by B. Shannon to adopt a four (4) year term for the Board of Selectman. Vote in Favor, 4-3. In Favor - D. Olson, W. Smith, M. O’Connor, B. Shannon. Opposed – P. Improta, N. Hoffman, B. Hillman. Motion passed.

D. Olson made a motion, which was seconded by B. Shannon, to stagger the terms. After much discussion the motion was Withdrawn.

D. Olson made a new motion, which was seconded by W. Smith, to elect all members at once with a four (4) year term. Vote in Favor, 4-2-1. In Favor – W. Smith, M. O’Connor, B. Shannon, D. Olson. Opposed – P. Improta, N. Hoffman. Abstain – B. Hillman. Motion passed.

B. Hillman made a motion, which was seconded by P. Improta, that the method of election would correspond to the number of votes. Vote in Favor, 7-0. In Favor, D. Olson, B. Shannon, B. Hillman, N. Hoffman, M. O’Connor, W. Smith, P. Improta. Motion passed.

Item #3 – Para C5-1E (New Paragraph) – Criteria for Setting First Selectman’s Salary

B. Hillman provided the Commission with information on the Municipal Cost Index (MCI) along with a chart showing the Annualized Change in the MCI. In addition, D. Olson provided an index showing Selectman salaries by ERG and by DRG.

After review and discussion, the item is Tabled for the December 16, 2013 Meeting.

Item #5 – Para C3-9, Para C3-11, Para C3-15 – Change these positions (3 P&Z Alts, 3 ZBA Alts, 2 IW Alts) from elected to appointed.

The Chairman requested to have this item reconsidered with all members present. 1-6. In Favor, D. Olson. Opposed – B. Hillman, P. Improta, M. O'Connor, N. Hoffman, W. Smith, B. Shannon. Vote failed.

Item #7 – Para C6-4C – Add “demolition” to the “sale or lease” of Town owned property.

B. Hillman made a motion, which was seconded by N. Hoffman to adopt counsels’ draft language taking out “demolition” and using “any sale, purchase, or other disposition of real estate”. Vote in Favor, 7-0. In Favor, D. Olson, B. Shannon, B. Hillman, N. Hoffman, M. O'Connor, W. Smith, P. Improta. Motion passed.

Item #8 – Petitions to Overrule thresholds be revised to seven (7), twelve (12) and fifteen (15) percent respectively.

B. Hillman made a motion, which was seconded by P. Improta, stating that the percentages remain the same at five (5), ten (10) and fifteen (15) percent respectively. Vote in Favor, 4-1-2. In Favor – B. Hillman, N. Hoffman, P. Improta, M. O'Connor. Opposed – B. Shannon. Abstain – W. Smith, D. Olson. Motion passed.

Item #9 – Para. C8-3, C8-5, C8-6, C8-10, C8-11 – Full Time Positions

N. Hoffman made a motion, which was seconded by B. Shannon, to delete the term “full-time” from any employee position mentioned in the Charter. Vote in Favor, 7-0. In Favor, D. Olson, B. Shannon, B. Hillman, N. Hoffman, M. O'Connor, W. Smith, P. Improta. Motion passed.

Review Counsel’s Suggested Language for Public Utilities Roles and Responsibilities

D. Olson provided the Commission with a draft of suggested language. After discussion, this item is subject to research by counsel on statutory issues. Tabled for next meeting.

Adjourn: As there was no further business, M. O'Connor made a motion, which was seconded by W. Smith to adjourn. Vote, All in favor. Meeting adjourned at 9:22 pm.

Respectfully submitted,


Debra Roper, Recording Secretary

12/9/13

Charter Revision Tracking Document - V4 Post Meeting of 18 Nov 13 - Prepared by the Chairman References: Minutes of 13 May 13 Regular Meeting, Tracking Document V2, CRC Meeting Minutes of 18 Nov 13		Notes
Section I - Items Agreed Pending Approval of Counsel's Charter Revision Language		
Item 1 - Para C3-4A - Increase the Board of Selectmen from three (3) to five (5) members.		In Favor, 5-1
Item 4 - Para C6-3A(1) - The Annual Town Budget Meeting shall be held on one (1) of the first seven (7) days of April.		In Favor, 6-0
Item 5 - Para C3-16 Only - Police Commission The Police Commission shall remain an elected office. Moved to Section III		In Favor, 6-0
Item 6 - Para C6-4 and C6-4B - Change the threshold for Actions Requiring a Town Meeting from \$25,000 to \$50,000.		In Favor, 6-0
Item 10 - Para C8-13C4i - Change the advertised bidding threshold from \$30,000 to \$50,000.		In Favor, 6-0
Item 11 - Para C8-14 (New Paragraph) a) Two volunteer fire companies provide fire-fighting, rescue and emergency services throughout the Town; the Bethel Volunteer Fire Company, Inc. and the Stony Hill Fire Company, Inc. and b) The aforesaid volunteer fire companies shall operate and provide fire-fighting, rescue and emergency services in accordance with their adopted By-Laws and their Mutual Aid Agreements and in accordance with the General Statutes of the State of Connecticut, including but not limited to Chapter 104 and c) Each Fire Chief shall be the chief administrative officer of their respective fire company and shall be responsible to the First Selectman for the operation of said company.		In Favor, 6-0
Item 12 - Para C10-2D - Within the annual budget process, the Board of Finance shall review the Selectmen's recommended individual Town Department budgets on a line item basis but shall not eliminate, reduce or increase individual line item amounts. Town Department budgets may be individually increased or reduced by the Board of Finance on a bottom-line basis, with implementation of reductions or increases left to the discretion of the individual Departments and Commissions.		In Favor, 5-1
Item 13 - Para C10-4B - Special Appropriations and Transfers of Appropriations The Board of Selectmen, when requested by any Town Agency and after approval of the Board of Finance, may make special appropriations from any Town Agency surplus or an approved contingency fund in amounts not to exceed in total for any Individual Town Agency fifty thousand dollars (\$50,000) in any one (1) fiscal year.		In Favor, 6-0
Item 14 - Para C-10-4B (New Paragraph) - Permit the Board of Selectmen to execute budget neutral transfers within an individual Town Department operating budget up to \$50,000 with the exception of increasing the number of employees, which will		In Favor, 6-0

require Board of Finance approval.	
Item 16 - Para C10-4G (New Paragraph) - Permit the Board of Education to create a Special Revenue Funds account to receive revenue from sources external to State and Town sources (e.g. Department of Defense support of NJROTC, Student Activities Fund, etc.)	In Favor, 6-0
Item 17 - Para C11-11 (New Paragraph) - Meetings All meetings of elected or appointed Boards and Commissions, regularly scheduled or special, shall take place at the Clifford J. Hurgin Municipal Center or such other town building (e.g. the Bethel Public Library) as may be readily accessible to the public.	In Favor, 6-0
New Item (18) - Public Utilities Commission The Public Utilities Commission shall consist of five (5) appointed members, not including members of the Board of Selectmen, appointed for four-year terms. Implementation shall take place on the first appointment cycle following the acceptance of this Charter Revision with three (3) members appointed for four-year terms and two (2) for two year terms. Two years thereafter, the two (2) year terms shall be replaced by four (4) year appointments. Minority representation shall apply. Adoption requires language describing of roles and responsibilities.	In Favor, 6-0
New Item (19) - Fire Commission The concept of a Fire Commission shall no longer be considered by this Commission. Moved to Section III	
Section II - Items Tabled Until Regular Meeting of 9 Dec 13	
Item 2 - Para C3-4B - Board of Selectmen Term of Office Charter Paragraph C3-4B be revised to specify a four-year term of office, without term limits, for the First Selectman and Selectmen effective with the 2015 Municipal Election. The candidates for First Selectman shall each stand for election with their running mate for Selectman and shall be elected as a team. The remaining three Selectman seats will be filled from the highest vote totals of the candidates for Selectman excluding the First Selectman/Selectmen team. Minority representation requirements shall apply.	Tabled
Item 3 - Para C5-1E (New Paragraph) - First Selectman's Salary Effective with the next annual budget process following adoption of this Charter Revision, the First Selectman's salary shall be established at the mid-point of the First Selectman's salary of Bethel's Economic Reference Group (ERG) with annual increases provided throughout his/her term, the percentage being equal to the Municipal Cost Index (MCI). With each new First Selectman, this process shall be repeated.	Tabled
Item 5 - Para C3-9, Para C3-11, Para C3-15 - Change these positions (3 P&Z AIts, 3 ZBA AIts, 2 IW AIts) from elected to appointed. Chairman's request to reconsider with all members present	Tie Vote, 3-3
Item 8 - Petitions to Overrule	Tabled

Petitions to Overrule thresholds be revised to seven (7), twelve (12) and fifteen (15) percent respectively.	Tabled
✓ Item 7 - Para C6-4C - Add "demolition" to the "sale or lease" of Town-owned property. Table pending Counsel input regarding "condemned" property	Tabled
✓ Item 9 - Paras C8-3, C8-5, C8-6, C8-10, C8-11 - The Tax Collector, Director of Civil Preparedness and Fire Marshall, Director of Health Town Engineer and Building Official shall be full-time Town employee positions. Table pending "flexibility" language	
Section III - Items No Longer Considered by this Commission	See Section I
Change the Police Commission from elected to appointed.	See Section I
Fire & EMS Commission	
Roles, responsibilities and powers of BOF	
Term Limits	
Public Utility, Library and Park & Rec to be elected positions	In Charter
Commissions present budgets, not Town employees	
Change method of hiring Town Attorney	
Two-thirds vote of BOF to revise budget after Public Hearing	
Create a Police Department Civilian Review Board	
Tax Assessor to be elected position	In Charter
Communicating the fact of a Town Meeting, Public Hearing, Election, etc.	In Charter
Filling vacancies after sixty (60) days	
Eliminate ability to reduce proposed budget at annual Town Meeting	In Charter
Permit citizen input by letter or email to annual budget Public Hearing	
Delete advisory question from the budget ballot	
Referred to Counsel for language options.	
Require Power Point presentation at annual budget Public Hearing and Town Meeting	
Para C10-4F (New Paragraph) - Board of Education carry-over.	
Counsel advises that this change cannot be instituted by a Charter Revision as the enabling statute gives the BOF the sole discretion to adopt the surplus account.	

