

MINUTES
Charter Revision Commission
June 17, 2014

A joint meeting of the Charter Revision Commission and the Legislation & Administration Committee was held on June 17, 2014 in the Council Chambers, Trumbull Town Hall, Trumbull, CT. The meeting was called to order at 7PM by Chairman, Suzanne Burr Monaco. All present joined in the Pledge of Allegiance.

PRESENT:

CHARTER REVISION: Suzanne Burr Monaco, Chairman
Dan Portanova, Vice Chairman
Adam Maiocco, Secretary
Daniel Shamas
Barbara Schellenberg, Town Attorney
ABSENT: Ken Martin

Legislation & Administration Committee: Suzanne Testani, Chairman
Joseph Pifko
Ken Martin, Sr
Edna Colucci
Enrico Constantini

Also Present: Carl Massaro, Chairman Town Council
Cindy Penkoff
Vicki Tesoro

The Chair recognized Atty Tom Lee, Chairman of the Ethics Commission, to provide clarification of the Ethics Commission's proposal as visited by the Town Council. Atty Lee opened by indicating that the Ethics Commission's recommendations were unanimously made. The Commission is comprised of 5 attorneys, a superior court judge, a military judge, a police officer and a minister, all of whom agreed unanimously. The Commission proposes to remove Chapter VII, Section 17D in its entirety, as covered in detail in his letter to the Commission of 6/10/14. He indicated that the information was in the Town Ethics Code and also governed by CGS 7-148(h) and CGS 1-82a. He further indicated that no other commission in town had the procedure set forth in the Charter. He discussed all aspects of 17D in detail and completed with a summary. The Chair thanked Atty Lee for his attendance and assistance.

Review minutes of 5/27/14 Public Hearing and Commission meeting. Moved by Dan Shamas, seconded by Dan Portanova, voted to approve the minutes of both meetings.

The Chair requested that the L&A Committee and the Charter Revision Commission review the Town Council's comments and votes relative to the Charter revision proposals.

In response to a question from Mr. Portanova, Mr. Massaro clarified that, in accordance with State statute, the Charter Revision Commission is charged with recommending any revisions to the Charter, independent of the Town Council. Only the Charter Revision Commission can make proposals and present them to the Town Council in the form of the draft report. The statute requires this conference to discuss the Town Council's recommendations regarding the Commission's draft proposals. The public is invited to offer comment at intervals in the process. Following tonight's conference, the CRC makes final revision and presents to Town Council by 6/30.

Chapter III, Section 1

Mr. Portanova discussed the CRCs reasoning for the four year term. He questioned if the Council was seeking 4 year term of Council as well and indicated that the question of Council term was never raised. He requested the Council's rationale for voting against the 4 year term for First Selectman (also Town Clerk and Treasurer). L&A questioned what other towns did. Ms. Penkoff indicated that the proposal has been addressed by CRCs three times and three times been rejected by Town Council. Mr. Constantini stated that 2 year term prevented issues of "voter's remorse", that it was a disruption for the Council to be

on 2 year term but the First Selectman on 4 year term. Mr. Martin indicated his preference for a 4 year term. Mrs. Burr Monaco and the CRC feel that the fact the issue has been brought up 3 times is indicative that the populace should have the opportunity to visit the issue. The CRC feels that with a 2 year term, the first 6 months are an adjustment period and the last 6-9 months are spent on re-election, thus making it difficult to get much done. Following discussion, Mrs. Testani, Mr. Constantini and Mrs. Colucci all expressed a willingness to take the issue to the public.

Following questioning by Mrs. Colucci, Mrs. Burr Monaco affirmed that at any time of a question being placed on the ballot, there is significant information presented to the public prior to the election, although that educational information will not be provided to the Council prior to 6/30. The information to be disseminated to the public will be researched and drafted by the Town Attorney and Town Clerk once the issues are finally decided by the Council.

Chapter III, Section 3A

L&A indicated that they rejected the proposed revision to chain of command on temporary basis because the Treasurer is a town-wide voted position and the Town Council chair is not. The Council was nearly evenly split on this issue. Mrs. Burr Monaco indicated that although the Town Council chair is not directly elected by the public, the 21 member Town Council is effectively "the town" as they are elected by the town. Further, the Council chair is familiar with all aspects of the Town government, as opposed to the Treasurer who is more specifically involved in finances. Mr. Pifko and Mrs. Colucci agreed that the people should be allowed to vote the issue.

Chapter III, Section 3C

Mrs. Burr Monaco indicated that the main reasoning behind the revision from one year to 6 months was to prevent the potential occurrence of 3 individual First Selectmen from dealing with one budget. Mr. Constantini discussed the fact that with a 6 month limit, there could potentially be a special election within one month of the regular election. He proposed a revision to the language to indicate that if a vacancy occurs any time during the calendar year in which an election is held, there would be no special election.

Chapter III, Section 6D and Chapter III, Section 7

No discussion, already discussed above.

Chapter IV, Section 6

Mrs. Testani applauded the Commission for its recommendation to fund to the ARC and endorsed the same. Mr. Pifko confirmed his endorsement, indicated that this issue has to be a pure financial decision. Mrs. Tesoro questioned why no independent actuary was ever heard from. Mr. Portanova stressed that this decision was not taken lightly, that the Commission did independent research and had sufficient information. He indicated that the issue was simple, the pension fund is underfunded and that needs to be corrected. Regarding the opt-out proposal, the Commission took a hard line because in the time of financial crisis, it is time to put politics away and time to work together to do what is best for the town. Mr. Constantini agreed that the opt-out should not be easily achieved. The CRC stressed the importance to fund to the ARC and to maintain the stringent opt-out clause to force the electorate to cross party lines, that its intention was to make people work together. Mrs. Tesoro expressed her concern that if the Board of Finance did not vote 6-0, it would never reach the Council. Also, the Board of Finance could meet with the Council, as it has on numerous occasions.

Chapter VI, Section 3A

Mrs. Burr Monaco indicated that the 2011 revision did not work as that Commission had hoped. She indicated that 2 years is not sufficient. Mr. Constantini asked what other towns do. Mr. Maiocco indicated that Fairfield, Westport, Weston, Wilton, Darien, Greenwich and Norwalk all have 4 year terms.

Chapter VII, Section 17C

Mrs. Tesoro expressed concern that since the Code of Ethics has not been revised since 1988, the Charter language should remain. Mrs. Burr Monaco indicated that Mr. Lee referenced CGS 1-82a and that the CRC will review that carefully.

The joint meeting was adjourned at 8:35PM
Respectfully submitted, Nancy Milewski