



CHARTER REVISION COMMISSION

MEETING

Tuesday, January 18, 2005

The meeting for the Charter Revision Commission was called to order by Michael Davis at 7:03 P.M. in Room 104 at Shelton City Hall.

The Pledge of Allegiance was recited.

Attending: Michael Davis
Steve Bellis
Irene Smith
Joseph Konner
Ann Dougherty
Bob Lally
Gary Cahill

Absent: Paul DiMauro
Sue Coyle
Charles Carroll

Michael Davis: Al, since you're here we're going to switch the agenda a little bit, we'll do the public portion after so you can get to your next meeting. Would you prefer that?

Al Cribbins: Thank you very much, I'd appreciate that.

Michael Davis: OK, so we'll jump right into the Planning and Zoning. I've read the, have you reviewed the, I'll call them enhancements to the Planning and Zoning as we have them here, or have you just reviewed what's in the 1994?

Al Cribbins: Just what's in the 94. But I thought that what I would do is come to speak to you this evening on four points, which I think I should have them in here. I thought I'd start by saying what's working in my opinion and when I reviewed the section of the Charter that has to do with Planning and Zoning, by the way for the record, my name is Alan Cribbins, Chairman of Planning and Zoning, I live on Old Dairy Lane in Shelton. In section 2.4.1. it states that we have six (6) members and two (2) alternates. I believe that number is working very well for us. First of all it's not the six (6) active members that are seated at the Board level is enough. We get enough

dialogue and we get enough participation of our people along with staff members. So I think the number's right, you know when sometimes you get a committee that is too large it's awkward to work in that way so I think that the number of members is right. I also believe that the two (2) alternates are working well, and the reason is because a number of people that have served on Boards and Commissions have other outside interests. For instance, on the Board that we have today, we have Leon Sylvester who sometimes has commitments on other City meetings or through the Board of Education, or whatever. So there are things that are going on there. Other people have various business commitments. Some times they are out on business trips or whatever, vacations, we do get illnesses, so I think that the use of alternates is very very good and it should stay.

I also like minority representation because I believe that one thing that it does, in the statutes is states we have at least two (2) minority reps from either party need to be elected, and I think that's very well because in the course of preparing for discussions or preparing on different proposals that we get, although I would say that greater than 90% of the things that we vote on, we do it unanimously, but if that other 10% it makes you think a little harder, it makes you bring some different opinions to the table and makes you think these things through what the long term effects are, so I do believe in section 5.1.4 where it says minority representation.

I'm going to read to you a memo that we all voted on back on May 10th, 2002. We had all had a discussion with then Chairman Pagliaro, about sending a memorandum to this Committee and what it was about was in response to the letter dated April 30th, 2002: "and after consulting my entire Commission, the Planning and Zoning Commission strongly recommends that the Charter Revision Commission consider the establishment of a four (4) year staggered term for the eight (8) members of Planning and Zoning which would mean, it would include the alternates in that. It's a total of eight (8) members. This would replace the current two (2) year term which is not staggered for membership. The Planning and Zoning Commission is of the opinion that the City of Shelton and its citizenry is best served with a four (4) year term. The Commission truly believes that it's membership is most proficient in its role after serving several years and becoming more knowledgeable of the zoning and planning issues of this community." I think that's, we today, still believe that that's a good thing for our Commission. You know as I look towards this November, although I haven't taken a poll, but I could say upwards of 50% of the Commission will be new members. People will choose not to run again, because of the various things that are going on.

The last thing that I wanted to talk about was term limits. You know I bet that Shelton is a two party system and really things start with a Steering Committee of both of those Town Committees and the Steering Committee should do a review of the people's performance that sit on these various elected boards and they should look at them for how's their attendance, how's their commitment, do they have any hidden agendas, are there some things there that we should look at, what's their ethics, their motivation, all these kinds of things. And once it starts with the Steering Committee, then the Steering Committees typically put forth in nomination a slate of candidates to the full Town

Committee, at which time the Town Committee has the opportunity to place in nomination additional names. So you get a second look at each of the different candidates because you can place their names in nomination. The other thing is there is an opportunity for third party candidates. If there are other people in the community that don't think things are going the way they should be certainly they can out their names forward, get enough signatures and get on the ballot, and they can run on a third party, but typically Shelton has been a two party. Also, and then the last is the citizens of Shelton get to elect you and it's not every candidate gets elected. You know each of our, typically the Republicans and the Democrats have put up four candidates for the six spots, so two (2) people don't get elected and it's even, it could be reversed on the other way. Typically now it has been for the past so many years that I have been on, it's been four (4) Republicans and two (2) Democrats where it could have been reversed the other way also, so the citizens certainly have an ample opportunity to pick and choose who they want on the Board. So I think that's also working. If the Steering Committees and the Town Committees do their job, in my opinion what they should be doing, and third party candidates have an opportunity to run and we all have elections where it's not unanimous, there's ample opportunity, so therefore I don't think that term limits is even an issue. The last thing that I'll say on this, you know typically in business what we do is benchmark and you look sometimes and say, What's a good practice? Does anyone have it, whatever. So I look in the State and I focused to see how many towns or cities in Connecticut, have term limits for Planning and Zoning people. Here's one, it's in East Hartford, I think it's East Hartford.

Michael Davis: Didn't Stratford just do it?

Al Cribbins: No, I don't think believe so because the last time I checked about two months ago

Michael Davis: I made a Google check yesterday and it looks like Stratford did it

Al Cribbins: You did because the last one that I saw was roughly sixty days ago was the East Hartford, so here again you look at and say, well if it was a good practice, then why wouldn't it be mandated across the state. Those were just a few comments that I had this evening. I'm available to answer any questions. If there aren't any I will adjourn to the meeting upstairs.

Michael Davis: I would then like to just summarize, so you're telling me through your experiences with how the parties pursue Planning and Zoning, that term limits is not something existing, Planning and Zoning Commission agree with that?

Al Cribbins: Correct

Michael Davis: OK, you think if population is accurate at six (6) and that the two party, but there could be a third party if they want to engage they could be on the ballot as well

Al Cribbins: I also like the two alternates

Michael Davis: And the alternates, do they, I know there is a four (4) requirements with the alternates, I mean with the party, there could only be four (4) Republicans or say four (4) Democrats. What about the two (2) alternates?

Al Cribbins: The alternates run one (1) and one (1).

Michael Davis: So you could have five (5) in there from one party, if the alternates is in there with the four (4), and that four (4) is an absent, you could have five (5) from one party.

Al Cribbins: That's correct

Michael Davis: So out of the six (6), it could be a five (5) to six (6) ratio, with that you don't think population of six (6) should be expanded?

Al Cribbins: Well, that's correct

Michael Davis: OK, I'm just asking all these questions when we talk about this next week or in two weeks, did we ask that question. So I'm more firing questions than what my opinions are right now.

Steve Bellis: Al, I have a question. It's come up before the Board and I don't know if the Board has an opinion on it or not, the Administrator, is that someone you think should report to your Commission or report to the Mayor?

Al Cribbins: Well we do now. I have input into the Administrator's working environment and I have input into his ratings and things like that, his performance evaluations and things like that, so there is nothing wrong with being matrix to the Board and to the administration

Steve Bellis: You find it's working well the way it is now?

Al Cribbins: Yes, I have no issues with it.

Ann Dougherty: On the alternates sir, I think at the present time we have two (2) that are reputable alternates who come to all meetings and know what's going on, what would happen if the two (2) alternates were really not qualified

Al Cribbins: There again it goes back to the Town Committees doing their job, which says that you need to put a qualified candidate in there and you know one of the things, I like the use of the alternate position so that in the cases of someone moves away, wins the lotto or something different, that that person who's coming on isn't just "Oh my God, what's going on", and playing catch up for a year or two at a time. I like the use of it, it's up to the Town Committees to put up the proper candidates.

Ann Dougherty: And another question I have, I'm interested in your four (4) year staggered terms. I happen to disagree with that, only in that the Mayor serves two (2) years, the Aldermen serve two (2) years, why would we be more inconsistent in the present Charter by making P&Z four (4) years?

Al Cribbins: Well

Ann Dougherty: State Reps serve two (2) years

Al Cribbins: I think that for planning purposes of our community, it is possible maybe it's not probable, but it's possible that you could lose your whole Board

Ann Dougherty: But that can happen with the Mayor and the Board of Aldermen as well

Al Cribbins: Exactly, and we don't think that's a good practice for our community

Ann Dougherty: But that could happen in the Unites States government as well

Al Cribbins: I understand, but you know for us here I believe if we polled and did research on who has staggered terms as the best practice, you'd see some overlap there

Michael Davis: You just have to be careful, you're using examples where the political party process is engaging to make sure that you have good people, literacy and giving you good choices and that's why we don't need term limits, but at the same time you're saying maybe that we can't rely on that political party to make sure that we have continuity?

Al Cribbins: I'm just saying that to you that I served on different Boards and Commissions and this Planning and Zoning, it takes a lot to understand all the regulations and what you need to do and how the system operates, so it would take you at least a good year to get familiar with having gone through a number of the different needs, and if it was possible that those six (6) members decided not to run for whatever purpose or whatever reasons. It is possible in our community.

Ann Dougherty: I read many letters in the press whereby it seems that a lot of the public is opposed to some of the things that go on in the Planning and Zoning and that's why I think, and is suggested by the general public that there be term limits and certainly not staggered terms. How does your Commission feel about the feeling of the general population of Shelton, who think that we have too much development and think they enjoy living in a more rural area. Does the Commission have any feeling on that? Or will the town keep building and building

Al Cribbins: Well I have a personal opinion that I can give you. Look, we all know that the City is not going to stand still. You know there are many people that have

moved into our community, I mean my family's been here for six generations, if I think that it's going to remain the way it was fifty years ago, twenty five years ago or whatever, certainly we're going to build our community to some level. The key is how do we do that in the correct balance so that the info-structure, or the population doesn't get ahead of the info-structure and that we have a proper balance between residential, commercial and industrial planning. So that's one of the reasons why we have a sub group which is the Plan Update Committee that's working on how do we build out our City? We're probably at 39,000 people today, we see our community being built out somewhere near 45,000 people over the course of the next fifteen years or so. So there are sections of our community that are going to get developed, there are open space areas that are privately owned, and we do see those areas getting populated and built out with different developments and different types of developments.

Ann Dougherty: But it seems so Helter Skelter, I mean we have a 17 story monster and then we have a, I'm not that familiar with P&Z but there are too many acceptance to the rule. The rules have changed

Al Cribbins: I certainly could sit down and talk to you about it, but I didn't know that we were going to get into

Ann Dougherty: That's my fault.

Al Cribbins: I thought we were going to talk about Charter Revision

Ann Dougherty: Yeah but, these four points you bring up

Al Cribbins: For every decision, I'll take the seventeen story. The seventeen story we went through an awful lot of discussions about that particular property and a person came in to develop it, they gave us a proposal on what they wanted to do, we weighed all the pros and the cons, for us what we said is you know what, on that piece of property without much more development we could gain for the community approximately \$30 million dollars in revenue on the Grand List, and in our opinion it would not add services because in our opinion we thought it would end up something like 3030 Park that's on Bridgeport Avenue, which I have some friends that live there and they love it. They live in Florida in the winter, they come back here in the summertime. So we were of the opinion that when weighed everything that was going on was beneficial to the community. So typically what we do is we take every proposal, and what I was trying to say we balance everything that is going on in the community.

Bob Lally: I don't disagree with the four (4) year term, I think that's probably a very good idea, because it takes a couple of years to learn the processes and then be able to make rationale decisions. Do you have a problem with two (2) four (4) year terms limited to that because I could someone or candidates be in there for twelve or sixteen years, alluding to the process of working the way it should. I'm somewhat of an advocate of some type of term limit because sometimes the Democratic process doesn't

work the way it's supposed to, but two (2) four (4) year terms or even three (3) four (4) year terms, do you have a problem with that?

Al Cribbins: I could only tell you what my personal opinion is. My personal opinion is that there should be no term limit that I haven't found too many other communities that say it works and that I leave it to the people that are on the Steering Committees and the Town Committees to train proper candidates, to surface other proper candidates, to speak with people if they think that they have been on there too long or something like that. I have worked in other things, I happen to be on the Board at Griffin Hospital and after nine (9) years, you have to get off for a year then you can get back on it again, unless you happen to be an Officer of the Board and then you can continue in those particular positions, but there is a nominating committee that looks at it and says should you stay or should you get off. There are checks and balances along the way. So in my mind the checks and balances really, the Steering Committee, the Town Committee and the people.

Bob Lally: The other question I have for you is on minority representation, with the presence of a third party and the requirement of the Charter for minority representation, should a member of the third party be elected to Planning and Zoning. What happens then to minority representation? Does one person from a minority party and the third party become minority representation? When we draft this proposal (inaudible) What is your vision on that?

Al Cribbins: That's an excellent point and I would have to defer to Tom Welch about what happens

Bob Lally: It presents itself in some other cases as well.

Al Cribbins: No more than four (4) shall be from the same political party, so the way I read it is if you had, depending upon how it fell out, you could have 4-1-1, you could have a 3-2-1-

Bob Lally: But then does that define minority representation? In the classic sense of the phrase minority representation of a two party system, of course there is nothing wrong with this as it is, we could be faced with a member of a third party independent becoming a member of the Planning and Zoning Commission at which point you had representation of minority representation. So we're going to have to wrestle that point

Al Cribbins: I mean if you change the number here, with the way the Charter reads is as provided by section 2.4.1. of the Charter, it says no more than four (4) members shall be from the same political party. If you change that to three (3) that would mean it would always be three (3) and three (3) or something like that, and it would end up very similar to what you had in Board of Apportionment and Taxation and all they did was put up three (3) candidates, three (3) candidates, and you don't want that because you want a choice for people. So I don't know what the answer is on your other question, but I think it's no more than four (4).

Inaudible

Bob Lally: The other question I have is Steve brought it up, and that is the question of the Administrator. We were just wrestling with this about the Library Board and my contention is and my proposal is that there be an independence, and the reason for that independence of the Administrator is that the Planning and Zoning Commission, the Library Board and the Board of Education are all elected, are only elected bodies of the City, which is a mandate to voters to manage your business (inaudible), and my feeling is that is you have an elected body, which the elected individuals are the ones responsible (inaudible)

Al Cribbins: Well, I can only tell you from what has happened on our Board, you know I was part of the two person team, we had a Democrat and a Republican that went out and did the search when we hired Rich Schultz. So we hired the person that we wanted to work with us. We also did the work for our Zoning Enforcement Team. We also hired that personnel, so I believe I have influence today as a member of the Commission and have input to do evaluations of Rich Schultz

Bob Lally: You do the evaluations as the Chairman?

Al Cribbins: Yes

Bob Lally: Thank you.

Michael Davis: Any other questions? Thank you for your time.

Al Cribbins: Thank you, it snowed last week so now we have to meet upstairs. Alright thanks for your time.

Michael Davis: Why don't we go back to the agenda now that Al's left and we'll go back to the public portion and go line by line of the agenda. Would anyone from the public like to speak and if so would they state their name and address and if you're speaking on behalf of a committee state that as well

Walter Sofian: My name is Walter Sofian and I live at 7 Andrew Drive in Shelton. I'm the newly elected chair and spokesperson of CARE, replacing Gene Hope who, sadly as you know, passed away last week. I have prepared a twelve point summary of the first thirty CARE recommendations submitted to the CRC that I would like to distribute to the CRC and read into the record. I tried to basically make it a fifty word or less kind of thing because thirty recommendations means thirty pieces of paper. CARE recommendations summary as of the 10th of January 2005:

- ***All elected City officials and appointed/elected Boards and Commission should: serve for two-year terms, and be prohibited from holding any other City positions.***
- ***The number of the above mentioned two-year terms should be limited.***

We have left it to the discretion of the CRC as to what those limits should be, whether it be more generous or less generous, but some of these times should be limited.

- *Alternates for Boards and Commissions and staggered terms should be abolished.*

Basically what we're saying is we should do away with the alternates and that we should basically have eight (8) people like on Planning and Zoning running for a full time position and being responsible to show (inaudible)

- *All elected/appointed Boards and Commission should have a minimum of five (5) members.*
- *The number of members of any elected/appointed Board or Commission from any one party should not exceed a majority of the Full Board or Commission plus one.*
- *A quorum shall be defined as a majority of the Full Board or Commission.*
- *The Planning and Zoning Commission should consist of eight full members that serve two-year terms.*
- *All public notices should be published in the newspaper having the largest circulation in the City*

Currently verbiage keeps saying having a substantial circulation in the City, there's no reason why we don't know what the largest circulation is.

- *The Board of Ethics should consist of five (5) members that are elected, not appointed.*

Basically that came to a forefront in the Ethics complaint that was filed against the administration that appoints the Ethics Commission. And they seem to be doing a great job in trying to maintain their objectivity. The Ethics that's going on in the State of Connecticut everybody is tightening up.

- *The City of Shelton should adopt an Ethics Code similar to or more stringent than being considered for the State of Connecticut.*
- *The Charter Revision should restore full fiscal authority to the Board of Apportionment and Taxation.*
- *Electors should require signatures from only ten percent of the electorate to be able to petition the Board of Aldermen.*

Anyway, that is it. We have more recommendations although we haven't written them up yet and we will be meeting again Tuesday and somewhere around 7. something in the Charter. At the last CRC meeting on December 7, 2004 Mr. DiMauro stated that he would have no problem with the CRC sitting down with members of CARE across the table for a general discussion of charter revision issues. To that end, CARE is requesting that the CRC extend an official invitation, for a specific date in the April or

May timeframe, when CARE might sit down with the CRC. CARE has selected a small subcommittee consisting of myself, Greg Kodz, Irv Steiner and Randy York.

As Mayor Hope indicated, CARE consists of independent or unaffiliated voters, members of the Republican, Democratic, and Citizens United parties, and members of WeR-1. CARE therefore represents a spectrum of Shelton citizenry that is very concerned about the future of the City and hopes that the latest charter revisions, currently being undertaken by the CRC, reflect the needs of the citizens of Shelton. And from what I see, the way CRC's delivering it that's exactly what's happening. CARE, like the CRC has the best interest of the City of Shelton at heart. Anyway, I thank you for your time and look forward to hearing from the CRC sometime soon, and I've given you my address, email address and phone number. So basically I'll try to answer them, we really want to sit down with you and really just discuss the issues.

Michael Davis: I have more of a policy question and others if they want to engage in this, when we set this up in the very beginning when we put this together we agreed in this committee and we understood CARE liked the idea of publishing and going through the Charter from the first page to the last page and having it out there on the internet so we could review what was discussed or come in and get the minutes, April or May is fine but why wouldn't the CARE group mention as we go through the process if they see something that they're not happy with via a memo or through engaging in the public portion as well as obviously you can identify in April or May

Walt Sofian: The only thing that we can do right now, as you're doing is respond to the 1994 Charter as it is written. I don't know what you're ultimately going to come up with, so I can't comment on whether it's going to you know, whether it's something that CARE will agree with or not agree on.

Michael Davis: So are you saying that

Walt Sofian: I'm saying that

Michael Davis: That the comments we're getting here are all related to the '94 Charter and anything else you don't have any opinion about as of yet.

Walt Sofian: We are basically using and going through the '94 Charter like you are because we've been told that's the document that stands right now, that we're using as a baseline, not the two last Charter Revisions that failed. So

Michael Davis: I guess what I'm saying is I want to avoid what Mike Pacawta did and that he misunderstood something. I'm fine with one group agreeing or disagreeing with what is out there. But I'd hate to have it mis-communicated and then find out later on that that was untrue. I would like to make sure that what, it's alright to agree to disagree but to agree to disagree accurately so that whatever it is reflected outside of these meetings is true so that the group has the citizens of the City of Shelton can vote on accurate information. I want to make sure that the information that gets out there

is accurate and let the City of Shelton vote on it accordingly and I don't want miscommunications to occur. That's what I'm trying to make sure of

Walt Sofian: I'm committed to putting a limit on the press, we don't care, it's not going to be trying this by the press. That's why we've come to you with our recommendations, we've given you 1-30, we've got about another dozen, we've given them to you basically and that's why we feel that we should get a sit down with a group of us and be able to really discuss these issues, but by then you guys are going to be mostly finished with your deliberations, we will be mostly finished with our deliberations, if April or May timeframe is too late to for you or too early for you, just let us know. All we're really asking for and haven't seen so far is an invitation to sit down with you, I mean it's one thing to hand you stuff, and we don't know how that's Apparently from what I hear, some of these ideas are being kicked around and very very seriously discussed and we appreciate that

Michael Davis: Yeah, with that issue we'd love to hear and everyone on the committee wants to and so forth so if, I apologize if anyone felt that we were not engaging the CARE group or any group that would want to engage, if you know of any other group let us know and we'll invite them as well

Walt Sofian: It's sort of like we, the lead developer in town is a resident of Trumbull has been invited to speak in front of this commission and we have not as citizens of Shelton, doesn't make much sense does it?

Michael Davis: I'm not familiar exactly on that so I'm not able to speak on how that came about, but we can inquire about that. My point is that I want to make sure that the communication is open and that if there is an item or issue that CARE group can see as they want to address I would hope that you would address it as you see it versus waiting for April or May.

Walt Sofian: No, no, no, we continue

Michael Davis" That's what I want to make sure of

Walt Sofian: We will continue doing what we are doing, we're going to continue submitting the recommendations as we come across it

Inaudible

Michael Davis: as much as possible so that we can deal with them as they occur.

Walt Sofian: As soon as we do them, we put them together at the next CRC meeting you will have it.

Michael Davis: Thank you and that's all I wanted to make sure is happening. I know you're doing it, I just want to make sure that you're following it

Walt Sofian: We have been doing it

Michael Davis: OK, and I appreciate that. Any questions now?

Bob Lally: This does not supercede your other recommendations, this is in addition?

Walt Sofian: This is just a summary of what I believe of the major points, it doesn't talk about things like necessary or convenient or verbiage or language, this kind of goes to the heart of most of the thirty recommendations. This does not supercede. The thirty recommendations we took to show you a form about what we talked about taking out, what we want to add, what we feel the rationale is and what sections of the Charter are affected by this. This is just to bring it to the forefront again, to make a quick overall view of the thirty recommendations that we've already given you, just to bring it up and say these are the major issues that we've talked about and it's something to think about.

Michael Davis: Any other questions? Walter thank you

Walt Sofian: Thank you very much

Michael Davis: Would anyone else from the public like to speak? Let it be noted that the public portion is over and now we'll move into the rest of the meeting.

The public portion concluded at 7:49 P.M.

Steve Bellis made a motion to accept the December 7, 2004 minutes. Irene Smith second the motion. The motion to accept the December 7, 2004 minutes for discussion purposes passed unanimously.

The meeting then turned into a work session going through Chapters 1-7.18. There are still open item in these sections that will have to be addressed at a later time. Many of the open items are due to reviewing other chapters of the Charter as well as awaiting responses from Corporation Counsel and upcoming guests.

A consensus will be taken at a later date, once the guests have spoken with the Charter Revision Commission and what their suggestions might be. We will be postponing any consensus until sometime in February. The consensus will be to accept the proposed and reviewed changes from Chapters 1-7.18 including any open items that might not be closed.

Our guests for the next meeting will be a representative of the Board of Ethics, the Officer's Council and the Board of Fire Commissioners. That meeting is scheduled for Tuesday, January 25, 2005 in Room 104 of Shelton City Hall.

ADJOURNMENT

Bob Lally motioned to adjourn. Ann Dougherty second the motion. The motion passed unanimously.

Michael Davis adjourned the meeting of the Charter Revision Commission at 8:35 pm.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade

Clerk-Charter Revision Commission

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