



CHARTER REVISION COMMISSION

REGULAR MEETING MINUTES

May 13, 2008
Room 204
7:00 P.M.

Commissioners Present: Jack Bashar
Michael Davis
Susan Coyle
Paul DiMauro
Chris Gallo
Ken Nappi
Irene Smith

Commissioners Absent: Steve Bellis
Bob Lally

CALL TO ORDER

Chairman Paul DiMauro called the Regular Meeting of the Charter Revision Commission to order at 7:04 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Gallo motioned to approve the minutes of the Special Meeting of the Charter Revision Commission of April 22, 2008. Commissioner Coyle seconded the motion.

A voice vote was taken; motion passed unanimously.

COMMUNICATION

No correspondence received.

DISCUSSION OF PROPOSED CHANGES TO 1994 CHARTER

The following areas of the Charter were reviewed with the following changes being suggested:

Section 4.7. Ordinances.

4.7.1. Proposal:

The Mayor or any member of the Board of Aldermen may propose an ordinance **in writing** to the **Clerk of the Board** and, not later than the next regular meeting following its submission, the **Mayor Clerk** shall refer the ordinance without the requirement of a vote to ~~the proper committee of~~ the Board of Aldermen.

Section 4.9. Publication of Ordinances; Effective Date.

The Clerk of the Board of Aldermen shall file each ordinance, within five (5) days after final passage, with the City/Town Clerk pursuant to Section 4.8.2, 4.8.3, 4.8.4. **W**ithin ten (10) days after receipt of such ordinance, the City/Town Clerk shall publish the same **in summary form** in a newspaper having substantial circulation within the City, **which notice shall also state that a full copy of the ordinance has been posted on the City website and is file with the City/Town Clerk.**

~~Unless the Board of Aldermen at the time of the passage of the ordinance shall direct otherwise, the ordinance shall be published in its entirety. The Board of Aldermen may direct that a summary be published, in which case the notice shall also state that a full copy of the ordinance is on file with the city/Town Clerk.~~

In the event that an emergency ordinance is passed pursuant to Section 4.10 **of the Charter**, the Board of Aldermen shall not have the right to direct that a summary be published, but the entire ordinance shall be published.

In either event, the publication shall be within ten (10) days of receipt of the ordinance by the City/Town Clerk and shall be published in a newspaper having a substantial circulation within the City **and a full copy of the ordinance shall be posted on the City website.**

The following areas of the Charter were reviewed with discussion to continue:

5.2.5. Economic Development Commission:

The City shall have an Economic Development Commission, consisting of five (5) members, no more than three (3) of which shall be from the same political party, appointed by the Mayor to serve for staggered terms of ~~five (5)~~ three (3) years. ~~The term of one (1) member shall expire each year of a five year cycle.~~ The terms of two (2) members shall expire in the first and second years of a three-year cycle and the term of one (1) member shall expire in the third year of a three-year cycle.

The current members of the Economic Development Commission shall continue in that appointed position until such appointment terminates by operation of laws in effect prior to the effective date of this Charter or until such appointment terminates by death, incapacity, resignation or removal of such member. Thereafter, successor or incumbent members shall be appointed in the manner provided by this Charter. - OPEN ITEM (requesting clarification from Corporation)

Section 5.3. Appointed by the Board of Aldermen.

5.3.5. Board of Ethics:

The City shall have a Board of Ethics which have all the powers conferred and imposed by Ordinance of the City. The Board of Ethics will consist of five (5) members with no more than two (2) from the same party and will be appointed by the Board of Aldermen for a term of three (3) years.

The current members of the Economic Development Commission shall continue in that appointed position until such appointment terminates by operation of laws in effect prior to the effective date of this Charter or until such appointment terminates by death, incapacity, resignation or removal of such member. Thereafter, successor or incumbent members shall be appointed in the manner provided by this Charter.

~~Section 5.4. Appointed by the Mayor and Confirmed by the Board of Aldermen;~~

~~The City shall have a Board of Ethics consisting of three (3) five (5) members, none of which three (3) members shall be from the same political party, and no more than one (1) of which shall hold any elected or appointed office with the City. The Board shall be appointed by the Mayor Board of Aldermen and confirmed by at least a majority of the full membership of the board of aldermen to serve for staggered terms of three (3) years. The term of one (1) member shall expire each year of a three year cycle. The Board may draw, and from time to time may amend, a code of ethics, including specific provisions for enforcement of the code, which code and amendments the Board of Aldermen may adopt from time to time as an ordinance of the City.~~ Open – Discussion on drafting of code of ethics

5.3.2. Public Building Committees:

The City shall have a Public Building Committee for each public building project which ~~is bonded~~ or reasonably may exceed ~~One Three~~ Hundred Thousand Dollars (\$300,000.00) in total cost. Each committee shall consist of from five (5) to nine (9) members as appointed by the Board of Aldermen to serve for an indefinite term until completion of the public building project for which the committee was appointed. The Board of Aldermen shall appoint each committee no later than fourteen (14) days after the Board has first authorized the expenditure of any funds for the public building project. At the first meeting of each committee, the committee shall elect, by plurality vote, a chairman from its members to serve until completion of the public building project for which the committee was appointed. Each committee shall supervise the public building project for which it was appointed, Each committee shall have ~~and shall have such powers as conferred upon them by the Board of Aldermen.~~ No committee shall have the power to award contracts or waive bids on any project, but a committee may recommend the acceptance or rejection of any bid on any project or the waiver of the bids. – OPEN ITEM (language to be added)

Section 5.5. General Provisions.

Unless otherwise provided by this Charter or the laws of the City or State, the following general provisions shall govern all boards, commissions and other bodies referred to in this Chapter 5:

- (a) Members shall serve without compensation, but may receive reimbursement for reasonable and necessary expenses ~~as established by ordinance.~~
- (b) Members shall be electors of the City.
- (c) Members shall hold no more than one (1) ~~elected and one (1) appointed position, as defined by the Charter, within~~

~~the City. other elected office and/or two (2) other appointed offices with the City.~~ – OPEN ITEM.

- (d) A simple majority shall constitute a quorum for the transaction of business.
- (e) No ex-official member shall have a vote.
- (f) At its first regular meeting following the date on which the newly elected or appointed members take office, each board, commission and other body shall elect, by plurality vote, a chairman from its members who shall serve until the next regular election or appointment of members to the board, commission or other body. A chairman, by virtue of his position, shall not be deprived of his vote nor given an added vote, unless otherwise specified in the provisions of this Charter.
- (g) Each board, commission and other body shall establish its own rules of procedure provided they are not inconsistent with any other section of the Charter.
- (h) Each board, commission and other body shall have all powers and duties conferred or imposed upon such a board, commission or other body under the General Statutes, as amended from time to time, and shall also have all powers and duties specifically conferred or imposed by this Charter or the laws of the City or State or United States, and all other powers and duties fairly incident to those specifically conferred or imposed.
- (i) No board, commission or other body shall have the power to obligate the City in an amount greater than is available in its budget.
- (j) Each appointment or removal shall be in accordance with Chapter 8 of this Charter if applicable to the position in question.
- (k) No appointee shall serve beyond his designated term.
- (l) OPEN (Language needed to clarify who fills vacancy In the event that the appointing authority fails to do so)

Discussion on the number of members to increase the Planning and Zoning Commission by will be continued.

ADJOURNMENT

Commissioner Gallo motioned to adjourn the Charter Revision Meeting of May 13, 2008. Commissioner Nappi seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman DiMauro adjourned the meeting at 8:35 P.M.

The next meeting of the Charter Revision Commission is scheduled for Tuesday, May 27, 2008 at 7:00 P.M. in Room 204 at City Hall.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade
Charter Revision Clerk

TAPE IS AVAILABLE IN THE TOWN CLERK'S OFFICE

ALL ATTACHMENTS MAY NOT BE AVAILABE ON THE WEB, FULL COPIES AVAILABLE IN CITY/TOWN CLERK OFFICE



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54 Hill Street
Shelton, Connecticut 06484-3207

Richard D. Schultz, AICP
Planning & Zoning Administrator

Patrick J. Tisi, MPA
Asst. Planning & Zoning Administrator / ZEO

To: Paul DiMauro, Chairman
Charter Revision Commission

From: Richard D. Schultz, Planning and Zoning Administrator *RDS*

Date: April 2, 2008

Re: Charter Revision: Suggestions/Comments from the Planning and Zoning
Commission

Please be advised that the Shelton Planning and Zoning Commission at their March 25, 2008 meeting discussed Charter Revision issues relative to the Planning and Zoning Commission and have no suggestions or comments at this time.

SHELTON BUILDERS' ASSOCIATION, INC.**BOARD OF DIRECTORS:***Robert Scinto**Monty Blakeman**Royal Wells**Augusto DaSilva**A. J. Grasso**Ronald Schauwecker***OFFICERS:***President: Gary J. DeFilippo**Secretary: Linda Schauwecker*

Charter Revision Commission
Attn: Chairman, Paul DiMauro
Long Wharf Maritime Center
555 Long Wharf Drive, Suite 14
New Haven, CT 06511

Dear Chairman DiMauro:

The Shelton Builders' Association, Inc. is a non-stock corporation whose purpose is to promote and advance issues concerning balanced development in Shelton.

It is our understanding that the Charter Revision Commission may seek to change Section 2.4 and 5.1.4 of the Charter concerning the number of members serving on the Planning and Zoning Commission. Our members unanimously voted to urge the Charter Revision Commission to retain the six members and two alternates. The members have consulted with other towns that have nine members and found several problems with such a large group. Namely, (1) that it is difficult to persuade well-qualified people to run for office; (2) that it was difficult in having a quorum; (3) that the meetings took too long with too much discussion among too many members; and (4) that there was no benefit to the Town or the applicant in having a large number of members on the Planning and Zoning Commission.

Our members also felt strongly that the leading vote-getters should serve on the Commission. We understand that there is a requirement of minority representation under Connecticut laws; however, we believe that the minority members should be kept to a legal minimum and not usurping the will of the people in voting for Commission members.

In addition, it was unanimously voted that the Inland/Wetlands Commission remain as an appointment by the Mayor to serve for staggered terms of five years. We do not believe that electing these members would benefit the Town in any way. Many of the current members of the Inland/Wetlands Commission would not want to participate on this Commission if they have

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to raise money and become a candidate in a general election. It is felt that the Inland/Wetlands Commission has worked well over the years with only four cases being appealed to the Superior Court and all four rulings in favor of the Shelton Inland/Wetlands Commission.

We do believe that once a member's term expires, that member shall not serve on the Inland/Wetlands Commission until either he has been re-appointed or another member appointed by the Mayor. It is our understanding that many of the Inland/Wetlands Commission members' terms have expired, but they continue to serve without being re-appointed by the Mayor. It is our belief that the Mayor should go on record by re-appointing a member or appointing a new member.

We would be glad to meet with the Charter Revision Commission in person to further discuss these issues.

Very truly yours,

Shelton Builders' Association, Inc.
Gary J. DeFilippo, Its President

From: "Paul DiMauro" <pd06484@hotmail.com>  [View Contact Details](#)  [Add](#)
[Mobile Alert](#)
To: tjw375@aol.com
CC: oopsb@sbcglobal.net
Subject: WPCA
Date: Fri, 4 Apr 2008 15:38:00 -0400

Tom

I would appreciate your reviewing the State Statutes as it pertains to Municipal Sewerage Systems.

As you are aware the current Charter references the appointment, number of members etc of the WPCA in Section 5.3

Chapter 103 Municipal Sewerage Systems 7-246. of the State Stat. states that the Municipality shall by ordinance

(if the legislative body is not so designated)

create a commission and determine the number of members and whether the members are appointed or elected.

My question then is should this be deleted from the proposed charter.

Thanks

Paul