



CHARTER REVISION COMMISSION

SPECIAL MEETING MINUTES

August 5, 2008

Room 204

7:00 P.M.

Commissioners Present: Jack Bashar
Steve Bellis
Paul DiMauro
Chris Gallo
Bob Lally
Ken Nappi
Irene Smith

Via Teleconference: Sue Coyle
Michael Davis

CALL TO ORDER

Chairman Paul DiMauro called the Special Meeting of the Charter Revision Commission to order at 7:08 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at earlier meeting.

The Commission started the Special Meeting by doing some grammatical and typographical corrections in sections 5.14., 5.2.1., 5.2.2., 5.2.3., 5.2.4., 5.2.5., 5.3.1., 5.3.3., 5.3.4., 5.3.4. These sections deal with staggered terms and verbiage relating to the expiration of terms was deleted.

Section 5.5.(k) language was re-worded.

Section 7.14.(c), the Commission revised language regarding Board of Education and their professional services.

Per Corporation Counsel, if not addressed by the Charter regarding the amount of minority representation on Commissions, the number of minority representation is per Connecticut General Statute 9.167a.

ISSUES TO VOTE ON

1. Planning and Zoning

Discussion: The issue is either changing this section for number of members. In doing that the Commission would then have to decide whether to change the other Commissions to minority representation. Referring to State Statute, the chart of minority representation is enforced when the Commissions do not state that. By doing this the Commission would adopt State Statute and changing all the Boards and Commissions throughout the Charter. In changing Planning and Zoning, the number could be 5-2 or 4-3. If leaving this Commission as is at six members, then it goes to back to 4-2 on minority representation.

There was a consensus by the Charter Revision Commission to increase the members of the Planning and Zoning Commission to seven (7) members.

Commissioner Gallo motioned to adopt State Statute as it pertains to minority representation to apply to the Planning and Zoning Commission. Commissioner Nappi seconded the motion.

A voice vote was taken; motion passed, not unanimously with Commissioner Davis and Commissioner Lally opposed.

Majority of the Commission feel that it is better left to the electors.

2. Adopting State Statute regarding minority representation.

Discussion: This would entail pulling out the numbers in all sections except for Board of Education, Board of Ethics and possibly Board of Apportionment and Taxation. It would simply be stated "unless as otherwise provided for within this Charter".

Commissioner Lally motioned to change two Boards and not conform to State Statute on the other Boards and Commissions. Commissioner Gallo seconded the motion.

Discussion: The motion needs to be amended.

Commissioner Lally withdrew his motion and Commissioner Nappi seconded the motion.

Commissioner Bashar motioned that the Charter Revision Commission recommend that the minority representation set forth in Statute 9-167a will apply only to those

Commissions and Boards unless are not otherwise provided for within the Charter. Commissioner Gallo seconded the motion.

Discussion: All Boards and Commissions will remain as they are currently stated with the exception of Planning and Zoning which will change to adopt State Statute and Board of Ethics which will be limited to two maximum from one party.

Commissioner Bashar withdrew his motion and Commissioner Gallo seconded the motion.

Commissioner Nappi motioned to adopt State Statute for minority representation with the exception of the Board of A&T, Board of Education and the Board of Ethics. Commissioner Bashar seconded the motion.

A voice vote was taken; motion did not pass, all opposed with Commissioners Nappi and Bashar in favor.

Commission Bashar motioned to make reference in the Charter to State Statute being adopted in all cases unless otherwise provided for within the Charter. Commissioner Gallo seconded the motion.

A voice vote was taken; motion passed unanimously.

3. General Provisions

Discussion: The discussion was in regards to (c) in 5.5 regarding positions within the City. Chairman DiMauro drafted language and was reviewed by Corporation Counsel regarding allowing the seats held at this time of the individuals who this pertains to for both elected and appointed positions until such time as they were not re-appointed or not re-elected. It would then terminate and no longer be in effect.

Commissioner Bashar motioned to take a fifteen minute recess. Commissioner Nappi seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman DiMauro recessed the Special Meeting for the Charter Revision Commission for a fifteen minute break at 8:50 p.m.

Chairman DiMauro reconvened the Special Meeting of the Charter Revision Commission at 9:03 pm.

Discussion cont'd: Paragraph c under 5.5 having to do with more than one appointed or elected position within the City.

Commissioner Smith motioned to bring language that Chairman DiMauro drafted regarding (c) under 5.5 for discussion purposes. Commissioner Gallo seconded the motion.

A voice vote was taken; motion passed unanimously.

Discussion: Chairman DiMauro read his drafted verbiage into the record: Members shall simultaneously hold no more than one (1) appointed position as defined in Section 5.2 and Section 5.3 of this Charter and one (1) elected position within the City unless otherwise specified with the provisions of this Charter or the Connecticut General Statutes provided that any provision of section 9.3 of this Charter to the contrary, not withstanding this prohibition shall not apply to any person holding any such office at the time of passage of the Charter and such person or persons shall continue to hold such office if reappointed or reelected thereto.

Comments from the Commission include that there should not be a grandfather clause. Another opinion from the Commission was dealing with the appointed positions as well. The feelings of the Commission were that this should be dealt with all Commissions and Boards. The Commission feels that they are trying to fix something to make it more logical for the future if there are conflicts. This should not be about what is going on today. This document will be enforced for the next ten years. The revision is not singling out anyone. It is across the board within the City.

Commissioner Lally stated for the record that he is the Democratic Deputy Registrar of Voters and the Democratic Clerk, depending how the proposal goes this evening, he may have to reclude himself on the vote.

Some commissioners stated that their opinions are different; they believe that since the public voted for an individual, he was permitted to run once and be able to keep his position. The Charter should be voted on by the public because of the contents not because of one issue. Other Commissioners stated that they believe the Commission is not asking for the removal of anyone from a position. There is a saving clause in the Charter that states that no person can be removed from their office due to any action by the Charter or changes to the Charter. This means that the individual will complete the current term. At that point, that individual would not be able to run again for office. Commissioners entertained that this should be across the board. Per the current Charter it has the same wording and there may be people that are affected with it now.

The Commission debated why this issue has even been brought up. With the current speculations on the individuals that this affects, most are within Chapter 4 of the current Charter. The issue at hand now deals with Chapter 5 positions. The General Provisions section only pertains to appointed positions or elected under sections 5.2 and 5.3.

Commissioner Gallo motioned for proposed language to Section 5.5 (c) to read as follows: Members shall hold no more than one (1) appointed position, as defined in Sections 5.2. and 5.3. of this Charter. Commissioner Lally seconded the motion.

A voice vote was taken; motion passed with Commissioner Bashar opposed.

The Commission at this time entertained the thought of having an individual holding an office be restricted from holding another office. It could be left alone. The public could be the judge of that when election time is upon on.

Commissioner Lally motioned to send the 2008 Proposed Charter to the City Clerk for submittal to the Board of Aldermen. Commissioner Davis seconded the motion.

Commissioner Lally withdrew his motion. Commissioner Bashar seconded the motion.

Discussion: Many portions of the Charter still need to be addressed. The Commission decided to discuss whether or not to limit individuals from holding more than one elected offices.

Commissioner Gallo motioned to add language to the Charter that prohibits elected officials from holding no more than one (1) elected office. Commissioner Nappi seconded the motion.

A voice vote was taken; motion passed unanimously.

The motion was passed and language will be submitted to the members of the Charter for review.

Commissioner Coyle motioned that any elected official currently holding more than one (1) elected office be allowed to continue until such time as that individual is not re-elected to one (1) of the positions. Commissioner Davis seconded the motion.

A voice vote was taken; motion passed with Commissioners Nappi, Bashar, Gallo opposing.

Commissioner Nappi motioned to submit the 2008 Proposed Charter, along with any revisions or amendments made this evening, to the Town Clerk for submittal to the Board of Aldermen along with a copy to Corporation Counsel. Commissioner Lally seconded the motion.

A voice vote was taken; motion passed unanimously.

ADJOURNMENT

Commissioner Gallo motioned to adjourn the Special Meeting of the Charter Revision of August 5, 2008. Commissioner Coyle seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman DiMauro adjourned the meeting at 10:33 P.M.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade
Charter Revision Clerk

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