



## CHARTER REVISION COMMISSION

### PUBLIC HEARING MINUTES

August 27, 2012

Auditorium at City Hall

7:00 P.M.

**Commissioners Present:** Jack Bashar  
Frank Coyle  
Ruth Ann Dunford  
Patrick Lapera  
Ken Nappi  
Bronislaw Winnick

**Commissioners Absent:** Steve Bellis  
Judy Miko  
Anthony Metz

#### **CALL TO ORDER**

Chairman Ken Nappi called the Public Hearing of the Charter Revision Commission to order at 7:00 P.M.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

Chairman Nappi asked the Clerk to read the Call of the Public Hearing:

LEGAL NOTICE  
CHARTER REVISION COMMISSION  
CITY OF SHELTON

PURSUANT TO THE STATE STATUTE, NOTICE IS HEREBY GIVEN THAT THE CHARTER REVISION COMMISSION OF THE CITY OF SHELTON WILL HOLD A PUBLIC HEARING ON **MONDAY, AUGUST 27, 2012 AT 7:00 P.M.** IN THE AUDITORIUM AT CITY HALL, 54 HILL STREET, SHELTON, CT 06484.

SAID PUBLIC HEARING IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING PROCEDURES ESTABLISHED BY THE CHARTER REVISION COMMISSION.

ALL PERSONS WHO HAVE AN INTEREST MAY APPEAR AND BE HEARD IN RELATION THERETO.

WRITTEN COMMENTS MUST BE SUBMITTED TO THE MAYOR'S OFFICE BY 5:00 P.M. MONDAY, AUGUST 27, 2012 AND WILL BE READ INTO THE PUBLIC RECORD AT THE HEARING.

COPIES OF THE CURRENT CHARTER ARE AVAILABLE FOR PUBLIC INSPECTION IN THE CITY TOWN CLERK'S OFFICE AT CITY HALL AND WILL BE AVAILABLE AT THE PUBLIC HEARING.

There was correspondence the Clerk received by the Charter Revision Commission. Chairman Nappi stated that he did receive correspondence from the Fire Chief, he is here tonight and I'm sure will have some words.

Chairman Nappi stated that this is a Public Hearing to hear the public; it's not a debate of what's in it. We're not going to have a question and answer period we're going to listen to the public. We have a Special Meeting after this to consider any additions, corrections, modifications or comments at that time. If anyone wishes to address the Commission please come up to the microphone and state your name and address and your comments.

### **PUBLIC PORTION**

*Barbara Glover  
192 Meadow Street  
Shelton, CT*

*I am Chairman of the Board of the Plumb Memorial Library. My first question though is a question, I didn't understand, the second paragraph of the announcement, it says not only a public hearing to solicit comments, regarding procedures established by the Charter Revision Commission. Can I get an answer of what this procedures established are? Is there an answer to that?*

*Chairman Nappi did respond, he stated that the procedures are what the Charter Revision Commission perceived to do during deliberations on revising the Charter and what comes out of it.*

*Mrs. Glover stated that hasn't really come out to the public.*

*Chairman Nappi stated that's not correct, this is our second Public Hearing, no one showed up except 1 person at the first Public Hearing. These meetings have been advertised at City Hall and on the website. Each meeting that we have had has had a Public Portion which had also been posted on the board and on the website. We've had very few people come forward. I want to say approximately 8 people have come forward at the public portions of the meetings. Some of them have been the Fire Department, the Board of A&T, the Finance Department; we sent letters soliciting correspondence from every department, board and commission asking for comments on the Charter. We have received only 2 written correspondence from any board or commission. We have also sent a letter to all Department Heads to make sure that they were aware of, and any comments that they had to provide it to us in writing. We received in writing Parks & Rec, Fire Commission, and also from the Library Board. After this public Hearing there will be a Special Meeting to go over any additional comments and then forward the document to the Board of Aldermen. The Board of Aldermen then holds their own Public Hearing and then they can send it back to this Commission.*

*Mrs. Glover stated that my problem is that I don't have a computer, number 1 and I did not receive anything. The only thing I heard was that Elpeth Lydon, the Director said that there had been something she heard and what did we want to respond which was and she should have sent and I'm*

*sure she did, I believe an email to you saying that the Library Board would prefer to keep the section on Library Board 5.1.3. the same as it's been for years. That seems to work for us. We have quite an extensive way of choosing full-time employees which is a professional panel that interviews those people and then it comes to the Library Board and then we interview people and it goes of course through the personnel department and goes back to them with our praise of who we want to be on the staff. The only thing that really amounts to anything in the projected section for the Library Board is subject to the approval of the Mayor. I don't know what the Mayor and any Mayor would know about Library Board business and our work and so on and so forth. That's kind of a question in my mind a little bit. I'm not really kicking up my heels and yell about it, but it just didn't seem really necessary because it's up to the Library Board to choose and hire personnel. That's probably all I can say at the moment, I'm running out of steam. I guess that's all from us, thank you very much.*

*Mike Ullrich  
9 Allydale Court  
Shelton, CT*

*Shelton Fire Department, Board of Fire Commissioner. I'll be speaking a little bit as a Fire Commissioner and a little bit as myself and I'll identify those as I go through. For one, I'm slightly disappointed that I wasn't notified as the liaison for the Charter Revision for the Fire Department of the meeting of last week until the day of the meeting and that I defund out that there was a private meeting with a few individuals that worked back and forth with the Chairman of the Charter Revision to get a draft back through even after the Board of Fire Commissioners and Officer's Council both voted to send you their Charter changes.*

*Chairman Nappi interjected; I'm going to stop you, this Commission nor the Chairman did not request any meeting of any people in the fire department to review anything. It was to get a consensus of the wording, number 1. Number 2, the Chairman of the Board of Fire Commissioners who passed a note to all Fire Commissioners. Mr. Ullrich stated the day of. Chairman Nappi stated that is not the Commission's responsibility. Mr. Ullrich stated I feel it's poor planning whether it's his fault or your fault, whatever, I'm just going to advise you that's poor planning that we got notified the day of. I'm not placing blame on either one of you at this point, but I'm a little disappointed in that so I just wanted to voice my opinion on that.*

*Secondly, one small spelling error under Section 6.9.3.2. second paragraph about half way through, The Commission, it should be Commissioners. Just wanted to make sure you got that. 6.9.3.3.1 we have it listed as Assistant Chiefs under the first portion as other Assistant Chiefs which are subject to the approval of the Mayor, but under additional appointments it doesn't seem that's subject to the approval of the Mayor, there is no clarification. I have a problem with that, it kind of sets a double standard where company assistant chiefs can serve city wide and do the same job as other assistant chiefs don't have to be approved by the Mayor, but the other ones do. So I just want to clarify that. That seems to be a double standard in the Charter. Chairman Nappi asked if this was a personal or Fire Commissioner issue. Mr. Ullrich responded it's me stating it as such. To me that's what it looks like as a double standard, that you're approving one but not the other. So that's a concern of mine.*

*Thirdly, in Section 6.9.3.5. of the Fire Chief and also under 6.94.3. of the Fire Marshal, the word control. Control sounds like a dictatorship. I have no problem with the words exercise day to day supervision because that's what they're doing, and control sounds like dictatorship. I think we have enough language going through the Charter that seems to be of that nature anyways. Me personally, I'm, concerned that the Charter becomes micro-managing at this point because the insertion of every appointment is subject to the approval of the Mayor, now there's no recourse for anybody to over-ride him other than the Board of Aldermen in 1 section under the EMS section, he has, "the Board of Aldermen subject to confirmation of the Mayor to over-ride an unfavorable confirmation by 2/3 vote of the Board". If we leave that in that section that creates another double standard to the rest of the Charter, they're able to over-ride the Mayor's veto of an appointment but nobody else can and that's not fair to the rest of the people. Again like Mrs. Glover said here, you're inserting somebody into a Board that's designed to do a certain function to tell them how to do their job. I don't feel it's fair that he is inserted into every single thing and I'm not saying I'm against Mayor Lauretti, it could be any Mayor down the road for the 30 years, this Charter is good for another 10, of course this one's been going on for longer than that. We're at 18 years now. If you put language in here of that nature you're limiting what the boards can and can't do, if they find a person extremely qualified and he has the Mayor or he/she has an unfavorable decision because he doesn't like the person that can produce a person who may not be the best candidate or may not be liked by anyone else in the place to do the job. I don't feel that's fair.*

*Last thing I have a question is, not really a question but I'm opposed to is term limits. We put term limits on a Chief and Deputy Chiefs and the Assistant Chiefs, there's a term limit on the Police Chief but there aren't term limits on a bunch of other candidates in appointments. Why don't we put a term limit on the Mayor? I'm extremely concerned with that. Whether the Mayor's doing a great job or not, why isn't there a term limit for a Mayor. We have a term limit on the President, he can't do more than 8 years, he can be doing the greatest job in the world but we can't put him back in 9-12 years. I honestly feel those few things should be considered.*

*Last thing is, Recall Provision. I'm just curious why the Recall Provision was removed from the Charter.*

*Commissioner Bashar stated that is a State Statute. It states that municipalities do not have the right to have recall in the Charter. Mr. Ullrich stated so you can't recall any municipal officer at all. Commission Bashar stated no City in the State has the authority in the State Constitution to have that authority. Chairman Nappi continued, that was put on the website all along with a statement that Corporation Counsel had advised this as a statute. Mr. Ullrich stated I just noticed it today so I didn't have a chance to fully research that. Thank you for your time and your consideration.*

*Francis Jones  
199 River Road  
Shelton, CT*

*Fire Chief for the City of Shelton Fire Department. As Chief of the Shelton Fire Department I'd like to address the Charter Revision Commission. First of all I'd like to thank them for allowing all the Department heads and all the boards and commissions each the opportunity to provide input into developing an overall good Charter Revision. As the Charter Revision Commission knows the Fire department section was one of the largest sections that had to be re-visited and revised, and there was a lot of work on behalf of our Shelton Fire Department with cooperation between the Fire Commission, the Fire Chief's office, the Fire Marshal's office and the Officers' Council in outing together language that went back and forth to the Charter Revision Committee. As Chief and as a resident I appreciate the Charter Revision Committee allowing that input. As Chief of the Fire Department I agree with changes to 6.9.1 the Public Safety Council in it's entirety and then as previously discussed, this part Thursday and Friday just prior to the draft final Charter Revision, myself as Fire Chief, the Fire Marshal and the chairman of the Board of Fire Commissioner cross-endorsed the final fire department draft of the provisions within this Charter that pertain to the fire department section of 6.9.3-6.9.4.3. Just 1 final note, we did pick up on a grammatical error it should state the Board of Fire Commissioners instead of the Board. I believe that will be taken care of later this evening. But besides that we agree as the 2 Department Heads, the Fire Chief, the Fire marshal and the Chairman of the Board of Fire Commissioners in the draft proposal presented. Thank you.*

*Judson Crawford  
8 Jordin Avenue  
Shelton, CT*

*Good evening members of the Charter Revision Commission. After reading the draft section of the Charter, I'm asking you 1 question, if one section in the Charter states that it's pursuant to the Connecticut General State Statutes, given the section # and the item #, shouldn't all sections that state Connecticut General State Statutes be listed given the section and item. As of right now there are 7 sections to this Charter that give the # and yet there are 18 sections in the proposed Charter that do not give a #. Under Section 4.7.-2 Proposed Ordinances, should that read as Ordinance and nor Ordinances. It should be singular not plural.*

*As I stated before at one of the other evenings when the electorate votes and adopts your proposed changes and if it states in there that the a certain department only can use the Corporation Counsel after it has been accepted when would that department have to change their rulings.*

*Chairman Nappi asked for Mr., Crawford to repeat himself. Mr. Crawford continued, when the electorate accepts your changes to this proposed Charter, and it states in there under Section 6.2.2 that the Mayor restricts the Board of Education to only use*

*Corporation Counsel as I stated Mr. Chairman, if the electorate accepts it, when will they have to change their thoughts?*

*My last statement to you is add to Section 6.4.4.1, the wording subject to the Mayor and shall hold no other employment within the City. That section is the same wording as under the Section 6.4. Thank you.*

Chairman Nappi thanked the Public. Chairman asked for a motion to close the Public Hearing.

**Commissioner Lapera motioned to close the Public Portion of the Charter Revision Public Hearing. Commissioner Winnick seconded the motion.**

**A voice vote was taken; motion passed unanimously.**

Chairman Nappi closed the Public Portion of the Charter Revision Public Hearing at 7:26 P.M.

Respectfully submitted,

*Sophia V. Belade*

Sophia V. Belade  
Charter Revision Clerk

**TAPE IS AVAILABLE IN THE TOWN CLERK'S OFFICE**