



**Draft Minutes**  
**PUBLIC HEARING**  
**Charter Revision Commission**  
**Brookfield Town Hall Room 133**  
**Thursday, September 1, 2016**  
**7:00 PM**

**Welcome:** Chair Joni Park convened the public hearing at 7:04 PM.

**Pledge of Allegiance:** The Pledge of Allegiance was recited.

**Introduction of Committee Members:** No formal introductions were made.

**Present Committee Members:** Joni Park (Chair); Jerry Friedrich (Vice Chair); Loretta Donovan; Dotti Dori; Mark Ferry; Todd Hand

**Absent:** Committee Member Ron Jaffe

**Also Present:** Town Attorney Tom Beecher; members of the public; Video Recording Secretary Nina Mack; Meeting Recording Secretary Emily Cole Prescott (*Minutes and motions prepared by E. Cole Prescott*).

**Visual Presentation and Explanations of Procedures:** Chair Joni Park briefly reviewed the Powerpoint presentation compiled by Committee Member Ron Jaffe, regarding the Charter, which is available for download on the Video on Demand section of the Town's website. You can [click here](#) to access the video, agenda, minutes, and presentation of this meeting. Chair Park gave a brief overview of the Charter's charge, given by the Board of Selectmen. There are eleven items for review with which the Charter Revision Commission has been charged. (These charges as noted in the presentation are as follows: 1.) Consider correcting errors in the Charter that conflict with each other; 2.) Consider a Charter change to allow for a capital referendum to be done in conjunction with the annual budget referendum without a 45-day wait. This would only apply for the annual budget referendum; 3.) Clarification [on] on what items can be petitioned to a town meeting; 4.) Consider eliminating offices that no longer exist; 5.) Clarify the standards, authority and jurisdiction of the Board of Ethics to the authority the Board has as defined by State Statutes; 6.) Review budget transfers allowed to be made by the BOS and BOF. Consider raising or eliminating the dollar amount the BOS and the BOF could reallocate in a budget at any time before going to a town meeting for approval. Clarify the reallocation process – one part of the Charter gives them the right to reallocate unexpected funds but the other parts require a town meeting; 7.) Consider permanently appointing the Town Attorney as Parliamentarian of all Town Meetings; 8.) Review updating Special Appropriation levels and the time requirements for construction projects; 9.) Consider increasing the number of members on Library Board of Trustees; 10.) Consider making grammatical changes as needed for clarification; 11.) Any other matters that the Board of Selectmen may submit to the Charter Revision Commission.) Chair Park gave a brief overview of the work that had been done at the organizational meeting [which had been held on [August 17<sup>th</sup>](#)], and explained that public comment will be encouraged

throughout the entire process, not just at the public hearings. Residents are encouraged to send written correspondence via email to [charterrevision@brookfieldct.gov](mailto:charterrevision@brookfieldct.gov). Chair Park also asked that any hard copy correspondence be submitted at tonight's meeting to Recording Secretary Cole-Prescott.

Chair Park explained that during this public hearing, comments are welcome. The Commission will not entertain dialogue, but will only make responses to questions, as needed.

At this time, Chair Park opened the floor for public comment, moving to the next agenda item.

**Public Comments:** The following residents addressed the Board –

- *Marge Davidson of 19 Cove Road* thanked the Committee members for participating on this Committee. She suggested that the Committee also consider the following two suggestions:
  - 1.) Extending the size of the Board of Selectmen, from three to five selectmen. The reasoning of this suggestion would be to open up dialogue to more than three people.
  - 2.) She also suggested the Committee consider the hiring of a town manager, citing the short, current two-year term of the First Selectman's position, noting concerns about maintaining continuity, especially while a newly appointed First Selectman assumes his or her role.
- *Bill Davidson of 19 Cove Road* shared that he has been able to observe the government of this Town over a long period of time, serving as a Selectman twice and as a First Selectman for a total of four years (two terms).
  - 1.) Mr. Davidson mentioned that Brookfield still maintains an agrarian form of government, as it had been a farm community until more recently, when development progressed toward the end of the 1960s. Although there has been a change in the Town itself and the activities of the Town have moved away from the agrarian lifestyle, that form of government has never changed. Mr. Davidson suggested that the Town consider changing the Charter to not have the losing candidate for the First Selectman's position with the next highest number of votes elected. The Town now has a \$60 million operating budget. Because of this shift and larger budget amount, he would strongly favor a total of five selectmen. He explained how, currently residents are offered the option to vote on three potential candidates for two elected positions, which indicates that 75% of those who run for office to be a Selectman will be elected. He suggested that there be two candidates for the position of First Selectmen, and eight candidates for four Selectmen positions. Mr. Davidson mentioned the Town of Ridgefield as an example, which currently has one First Selectman, and four Selectmen, for a total of a five-member Board of Selectmen. He stated that he believes having a five-member Board would allow for greater independence of those on the Board, as well as a more representative form of government.
  - 2.) Mr. Davidson also recommended that the Charter Revision Commission consider removing the language to pay the [second and third] Selectmen a salary. The second and third Selectmen are each now paid 5% of the First Selectman's salary, according to Charter. Mr. Davidson explained that he does not see any justification for such a payment, as there are many other Commission members serving on Town Boards that are not paid and are doing quite a lot of work.

- 3.) Mr. Davidson asked the Charter Revision Commission to consider a revision to have Selectmen serve four instead of the current two-year terms, noting that four-year terms would help maintain some continuity in the day-to-day operations of the Town. Mr. Davidson further explained that there are some five-year projects that have had three different First Selectmen in office while underway. He noted that another possibility to preserve some continuity is to hire a Town Manager; however, at this point, he would prefer to have a five-member Board of Selectmen rather than a Town Manager. Mr. Davidson stated that he will send his comments in writing to the Commission.
- *Howard Lasser of 116 Tower Road* also thanked the Committee members for serving on the Board.
  - 1.) Mr. Lasser mentioned the method by which the Selectmen are currently elected, reiterating Mr. Davidson's reference to the current process.
  - 2.) In regard to compensation for the Selectmen, (in section C4-13), Mr. Lasser commented that he is not opposed to the Town's paying the Selectmen, but he is opposed to the fact that there is currently no method indicating how the Selectmen are to be paid. He explained that the Selectmen's salaries should be determined using the same process as how the First Selectman's salary is determined.
  - 3.) Mr. Lasser also spoke regarding charge number two from the Board of Selectmen, which is to "consider a Charter change to allow for a capital referendum to be done in conjunction with the annual budget referendum without a 45-day wait. This would only apply for the annual budget referendum." The purpose of this wait period is to give people time to consider and evaluate the capital projects proposal. If this is to be done at the same time as the budget, the Board of Finance and Board of Selectmen will not have time to consider the capital requests. There is nothing stopping the Boards from considering capital projects in the months before the budget.
  - 4.) Mr. Lasser asked the Charter Revision Commission to consider giving residents the power to veto a decision made by the Board of Finance. Currently, there are methods whereby residents can petition to overturn or go to Court to request that a decision is overturned by Land Use Boards, and the Board of Selectmen. However, he mentioned that there is no method to use to overturn a decision made by the Board of Finance. Mr. Lasser referenced section C9-4, under "Actions Requiring a Town Meeting," to add a ninth to state "to consider overruling by the Board of Finance in accordance with section C8-5B of this Charter."
  - 5.) Mr. Lasser mentioned that there are various limitations that require a town meeting when moving money within the budget. Currently, the Board of Selectmen has to obtain approval from the Board of Finance to move funds interdepartmentally, and if the funds exceed a specified dollar amount, the request must be approved at a town meeting. However, Mr. Lasser pointed out a conflict in the Charter regarding unexpended funds, which allows, according to the Attorney's opinion, regardless of how large the amount of the unexpended funds, to be moved. He indicated that with this provision, unexpended funds may be "moved around" without approval at a town meeting.
  - 6.) Regarding the Board of Ethics, Mr. Lasser explained that in 2007, he had served on a Charter Revision Commission, and one of their efforts was to strengthen the role of the Board of Ethics. He noted that the intention at that time was to allow for residents

to be able to bring policy violation concerns to the Board of Ethics for review, rather than requiring residents to seek their own legal counsel when they felt as though a Town's policy had been violated. He also mentioned that the language of section ten relative to this matter should be revised to strengthen the power of the Board of Ethics to allow it to investigate potential criminal matters, as allowable per CT General Statutes.

- *Rich Saluga of 32 Great Heron Lane* stated that he thought the typical procedure limited public comment to three minutes, so he did not prepare a formal presentation, but noted he is glad to hear that public comment is encouraged throughout the Charter Revision Commission's process.
  - 1.) Mr. Saluga stated that he has been a regular attendee of the Ethics Board meetings over the last three years, and he recommends weakening the Board of Ethic's options, which recommendation includes elimination of allowing the Board to both obtain advice and to enforce. Mr. Saluga shared some history and his concerns regarding a recent FOIA request for legal expenses incurred as a result of a matter that had been reviewed by the Board of Ethics.
  - 2.) Mr. Saluga explained that the current Charter discusses conflicts of interest relative to financial matters. He asked that the Commission also consider other types of conflicts. He referenced several situations in which people are serving on Boards which has the potential to look like there are ongoing conflicts of interest. Mr. Saluga did specifically mention several volunteers on various Town Commissions and Boards; however, he stated that he is not indicating that there are ongoing conflicts, just that it could create the appearance of a conflict. Upon inquiry from Chair Park, Mr. Saluga clarified that he would like the Charter Revision Commission to consider how appointments are made.
  - 3.) Mr. Saluga asked that the Committee consider strengthening language regarding the Board of Ethics, to clarify the Town Attorney's role.
  - 4.) Mr. Saluga mentioned that someone's actions that are not relevant to their currently elected position should not be considered when assuming office. Mr. Saluga stated that he will send the remainder of his comments directly to the Charter Revision Commission.
- *Betsy McIlvaine of 127 Long Meadow Hill Road & Chair of the Library Board of Trustees* indicated that one of the charges from the Board of Selectmen is to alter the make-up of the Library Board. Currently by Charter, there are six members of the Board with a separate appointment process of three alternates, to meet quorum when needed. The alternates have been considered regular members who come and participate at the meetings. Ms. McIlvaine stated that alternate members complete much work, and an alternate is currently overseeing one of the Library Board's projects. The Board has also been told that alternates cannot hold office, such as the position of Chair and Vice Chair, on the Board. Ms. McIlvaine stated that the Library Board is looking to expand its opportunities, to allow others to become full participants of the Board. This will be the third Charter Revision Commission where the Library Board has asked for this full member increase, but unfortunately, it has not yet passed.
- *Bob Belden of 7 Red Barn Lane & Chair of the Board of Education* stated that he thinks the Charter as a governing document for our community is very similar to other documents, which include safeguards. He noted that changing governing documents

quickly tends to throw uncertainty into how government is run. He noted that Brookfield currently has a good governmental process. He stated that each time there is a new Charter Revision Commission, many changes are brought forward, and he urged this Commission to carefully bring forward only the most important concerns, so that the suggestions receive the time and attention deserved.

- *Howard Lasser* spoke again, and stated that there is no reason to eliminate the option of the town meeting to add back to the budget with appropriate limitations.

*Chair Park asked for additional comments of the audience. There were none.*

**Closing Remarks:** Chair Park thanked all those who attended this evening's meeting. Chair Park stated that the Commission will continue to meet the first Thursday and the third Monday of every month, and she encouraged continuous public comment, as well as for residents to attend the meetings. She explained the Commission's process, which will include a proposal to the Board of Selectmen to extend the deadline from the original November deadline to some point in the beginning of next year. The Charter Revision Commission will compile a preliminary report and will hold another public hearing. After that public hearing, the report will be finalized. A presentation will then be made to the Board of Selectmen. The Board of Selectmen will have the option to either accept or reject the final report. The Board of Selectmen will then hold a public hearing, to obtain public comment. Lastly, the Board of Selectmen will decide what is brought to the public for referendum.

**Adjournment:** Chair Park adjourned the meeting at 7:46 PM.