



**APPROVED MINUTES
CHARTER REVISION COMMISSION
BROOKFIELD TOWN HALL – ROOM 209
WEDNESDAY, JANUARY 4, 2017
7:00 PM**

Call to Order: Chair Park called the meeting to order at 7:03 PM, with the following in attendance:
Present: Chair Park; Vice Chair Friedrich *via phone conference call*; Commissioner Jaffe; Commissioner Ferry; Commissioner Dori; Commissioner Donovan; Commissioner Hand

Recording Secretary Emily Cole Prescott prepared the motions and minutes of the meeting from a recording.

Public Comment: Howard Lasser of 116 Tower Road spoke about ethics language and the timing of replacement of vacancies on certain boards and commissions.

Approval of Minutes of December 7, 2016 and December 19, 2016:

- **December 7, 2016 CRC Minutes:** Commissioner Hand made a motion to approve the December 7, 2016 minutes. Commissioner Ferry seconded the motion, and it carried unanimously, with Chair Park, Commissioner Jaffe, Commissioner Hand, Commissioner Dori, Commissioner Donovan, Commissioner Ferry, and Vice Chair Friedrich voting in favor of the motion.
- **December 19, 2016 CRC Minutes:** Commissioner Ferry made a motion to approve the [December 19th] minutes, and Commissioner Hand seconded the motion. Vice Chair Friedrich and Commissioner Dori abstained from the vote, but it passed, with Chair Park, Commissioner Ferry, Commissioner Hand, Commissioner Donovan, and Commissioner Jaffe voting in favor of the motion.

Correspondence: Chair Park distributed copies of the questions that were sent to referendum from the 2014 Charter Revision Commission. The Commission reviewed the questions and briefly discussed the process of creating recommended questions for the ballot. Chair Park also shared some information sent from Atty. Beecher about strengthening the ethics language of the Charter.

Vote on Ethics Statement from the meeting on December 19, 2016: Chair Park reviewed the draft language and revisions to the ethics statement. The draft language of the document would not allow the Board of Ethics to retain an attorney without proper approval from the Board of Selectmen, in accordance with other sections of the Charter. Commissioner Jaffe noted article 10, code of ethics, and he suggested that this section's title be revised to "ethics". Commissioner Jaffe noted the last sentence that has been taken out in C10-1: "The "Board of Ethics shall determine any ambiguities and otherwise interpret the provisions of this Article X of this Charter" but should be added back into this draft document, at the end of section C10-1. *During this discussion, there was a technological error, and Vice Chair Friedrich called into the meeting again.* **Commissioner Jaffe made a motion to table the vote on the ethics statement until answers are received from Town Attorney Tom Beecher. Vice Chair Friedrich seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Hand, Commissioner Ferry and Commissioner Dori voting in favor of the motion.**

Discussion and votes on: *The Commission first discussed transfers and dollar amounts.*

- **Those items we will not be pursuing:** A vote on each item needs to indicate whether the Commission will pursue the matters.

- **Budget transfers and dollar amounts (Vice Chair Friedrich to present):** Vice Chair Friedrich stated that he had sent an email indicating that he would not have the information available. This item will be tabled until the next meeting.
- **Charge #1: Consider correcting errors that conflict with each other: Commissioner Donovan made a motion that the Charter Revision Commission will not consider correcting errors that conflict with each other.** Commissioner Dori seconded the motion, and it passed with Chair Park, Commissioner Jaffe, Commissioner Donovan, Commissioner Hand, Commissioner Dori and Commissioner Ferry voting in favor of the motion. Vice Chair Friedrich did not vote on this motion, as he was experiencing technical difficulty.
- **Charge #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: Commissioner Hand moved to keep the matter as is because the Commission believes there should be a separation of capital and regular budgetary process.** Commissioner Ferry seconded the motion, and it carried, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, and Commissioner Hand voting in favor of the motion. Commissioner Dori abstained, and the motion passed, 6-0-1.
- **Charge #3: Clarification [on] on what items can be petitioned to a town meeting:** *This item had been discussed at a previous meeting.*
- **Charge #4: Consider eliminating offices that no longer exist:** Chair Park indicated that based on her conversations with the First Selectman's Administrative Assistant, there are currently only two or three vacant committees. Commissioner Ferry indicated that the Board of Selectmen currently has the option to remove offices that no longer exist, pursuant to Section C7-7. **Commissioner Donovan made a motion to not recommend a charter change to eliminate offices that no longer exist.** Commissioner Hand seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand, and Commissioner Dori voting in favor of the motion. *Vice Chair Friedrich was experiencing technical difficulties with his phone, and called into the meeting again.*
- **Charge #9: Consider increasing the number of members on Library Board of Trustees:** Commissioner Hand moved that the Commission recommend increasing the number of Library Board members from six to nine as per their request. This will be a question for the public and Board of Selectmen. Commissioner Donovan seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Dori, and Commissioner Hand voting in favor of the motion.
- **Charge #7: Town Attorney as Parliamentarian:** Commissioner Jaffe made a motion to indicate that the Charter Revision Commission does not recommend appointment of the Town Attorney as parliamentarian. Commissioner Dori seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand and Commissioner Dori voting in favor of the motion.
- **Charge #8: Review updating Special Appropriation levels:** *This item will be discussed at the next meeting.*
- **Charge #10: Consider making grammatical changes as needed for clarification:** *See note above, about charge #1.*
- **Charge #11: Any other matters that the Board of Selectmen may submit to the Charter Revision Commission:** To date, the Charter Revision Commission has not received additional matters for consideration from the Board of Selectmen.

- **Other Charges:** There was further discussion about other charges that had been brought before the Charter Revision Commission during this review process.
- **Conservation Commission:** Commissioner Jaffe noted that the Conservation Commission had brought before the Charter Revision Commission a personnel revision request. A presentation had been made by the Conservation Commission about creating a part-time Conservation Director role that did not fit into the Charter Revision Commission's review process. Chair Park mentioned that she has since spoken with Conservation Chair Dew about this proposal, and it was agreed that this matter is not appropriate for a Charter change.
- **Other Business: Appointment of Members** – Commissioner Hand mentioned section C2-6 of the current Charter. There is currently a maximum time period to fill a vacancy, but a not a minimum time period to fill vacancies. This matter had been brought before the Commission at tonight's meeting during public comment. Vice Chair Friedrich noted that based on his observation, the 60-day timeline may be short if a Commission meets monthly. The Commission will ask Town Atty. Beecher about this timeline. Commissioner Hand mentioned that the request brought before the Commission at tonight's meeting is to impose a minimum timeline for Boards and Commissions to fill their own vacancies.
- **Separation of Votes of First Selectman from Selectmen:** Commissioner Hand indicated that based on previous Commission discussions and research of other Towns' Charters, he felt that many members were in favor of this charter change. Vice Chair Friedrich noted a point of clarification for this matter, and the Commission discussed this matter. **Vice Chair Friedrich moved to separate the loser of the selectmen moving into the pool for the other selectmen positions. Commissioner Hand seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand and Commissioner Dori voting in favor of the motion.**
- **Charge #14: Selectmen Payment and the Budget Process:** Commissioner Jaffe noted that Atty. Beecher has indicated that the current Charter guarantees that the Selectmen will each be paid a minimum of five percent of the First Selectman's compensation. The suggestion from members of the public was to determine the compensation amount based on the Town's normal budgetary process. Commissioner Jaffe asked if this is a question to remove the minimum percentage from the Charter. **Commissioner Ferry moved that the Charter Revision Commission not recommend a charter change to section C4-13. Vice Chair Friedrich seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand and Commissioner Dori voting in favor of the motion.**

The following two items/charges were discussed together:

- **Five-Member Board of Selectmen:** Commissioner Hand noted that based on research of other Towns, there are generally more than three members on the Board of Selectmen. There are also many Commissions of which Selectmen are scheduled to remain ex-officio members, so Selectmen have many duties. Chair Park reviewed research presented by Vice Chair Friedrich at a previous meeting, where similar populations (17,000) were compared. This would result in four selectmen and one First Selectman. The Commission briefly reviewed party representation if this change were to occur. **Commissioner Donovan moved to recommend adoption of a five-member board [for the Board of Selectmen]. Commissioner Dori seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand and Commissioner Dori voting in favor of the motion.**
- **Town Manager Discussion:** Commissioner Donovan noted that this would be a substantial change for the Town at this point. Commissioner Hand suggested that the Board of Selectmen review this matter separately, perhaps with a Committee for this purpose. Commissioner Jaffe also suggested distributing

copies for members of the public to participate in the Charter Revision Commission's future public hearing process, to gather feedback. **Vice Chair Friedrich moved not to include the Town Manager in the [Charter Revision Commission's presentation] moving forward.** Chair Park noted that this item was brought before the Commission during the initial public hearing. **Commissioner Ferry seconded the motion, and it carried unanimously, with Chair Park, Vice Chair Friedrich, Commissioner Jaffe, Commissioner Donovan, Commissioner Ferry, Commissioner Hand and Commissioner Dori voting in favor of the motion.**

Other Business: *Noted above – Other Business: Appointment of Members.* At the next meeting, the Commission will discuss budget transfers and the ethics revision. Commissioner Ferry indicated that he had sent section C6-10 of the Charter to the Commission. Chair Park will also contact Town Attorney Beecher to discuss the questions brought up at this meeting.

Public Comment: There was no additional comment at this time.

Adjournment: Commissioner Hand made a motion to adjourn at 9:15 PM. Commissioner Ferry seconded the motion, and it carried unanimously.

The next meeting is scheduled on Saturday, January 14, 2017 at 10:00 AM in the Brookfield Senior Center.