



APPROVED MINUTES
Charter Revision Commission
Saturday, February 11, 2017
Brookfield Senior Center
10:00 AM

Call to Order: Chair Park called the meeting to order at 10:01 AM, with the following in attendance:

Present: Chair Joni Park; Vice Chair Jerry Friedrich; Commissioner Ron Jaffe; Commissioner Todd Hand; Commissioner Dotti Dori; Commissioner Loretta Donovan; Commissioner Mark Ferry

Also Present: Town Attorney Tom Beecher; Recording Secretary Emily Cole Prescott

Public Comment: None.

Approval of Minutes of February 1, 2017 Meeting: Commissioner Jaffe made a motion to approve the minutes of the February 1, 2017 meeting. Vice Chair Friedrich seconded the motion, and it carried unanimously, 7-0.

Discussion of Petition Items: Attorney Beecher – Town Attorney Beecher stated that he had previously sent the Commission an outline of the current Charter sections that allow for petitions. Atty. Beecher reviewed this document [Memo re: Petitions to Overrule, emailed to the Charter Revision Commission on December 18, 2016] with the Commission, offering clarification where needed:

- §C4-7: Allows petition to overrule ordinances, resolutions or other actions taken by vote of the BOS.
Petition for special town meeting requires minimum of 2% of electors' signatures on proper petition. At town meeting, at least 1% of electors must vote in majority for override. See also §C9-4(7).
- §C4-8: Allows petition for referendum. Need 3% in signatures and 1.5% voting in majority for override at referendum.
- §C4-9: Power of petition to propose [lawful] ordinances. Need 3% in signatures. BOS option to adopt on its own or send to special town meeting or referendum. Need 5% support within majority to adopt the ordinance.
- §C8-5B: Power to overrule BOF. Only section that allows overruling BOF. This section only applies if the BOF rejects:
 1. Special appropriation request pursuant to C8-5A*; or
 2. Transfer request pursuant to C8-5A.

[*Special appropriations pursuant to C8-5A are subject to limitations set forth therein and as set forth in section C9-4. See e.g. Town Attorney opinion dated February 3, 2015.]

Petition needs support of 4% of electors and petition has option to request special town meeting or referendum. No minimum percentage required in vote at STM or Ref.

- §C9-5: Petition for special town meeting for any lawful topic set forth in C9-4, however, any petitioned item that requires an expenditure must have prior BOF approval. Petition needs 3% in signatures. No minimum percentage required in vote at STM or Ref.

Atty. Beecher indicated that the CRC's charge is to review what current issue(s) it is looking to solve. Commissioner Hand reviewed the current process for the Board of Education's proposed budget review. The Commission discussed whether to propose allowing the town meeting under certain circumstances to increase the proposed budget at town meeting back to the proposal as presented by either the Board of Selectmen or the Board of Education. Vice Chair Friedrich noted the need to respect the decisions of the elected officials in Town. Commissioner Hand mentioned that either the town meeting is there to gain a better understanding about what is brought to referendum or is a meeting to adjust what is available on referendum day. Commissioner Hand stated that either the town meeting should be able to increase and decrease the budget if adjustments are allowed, but not just be given the option to decrease. Atty. Beecher indicated that Ridgefield and Bethel prohibit reductions at the town meeting, and New Milford does not allow for revisions to the presented budget. Chair Park asked each Commissioner for his or her opinion about this matter. Atty. Beecher also pointed out the different percentage thresholds needed to present different petitions. The Commission also discussed the non-binding advisory questions required on the ballot. The Commission reviewed Charter §C9-3B. Atty. Beecher will suggest revised language to this section, based on the Commission's discussion. Atty. Beecher will also review sections of the Charter that will subsequently need to be revised, based on possible, proposed revisions to §C9-3, such as sections of §C8-5. Atty. Beecher was also asked to review sections C9-4B and C9-5, to ensure proposed revisions do not cause inconsistencies.

Charge #6: Jerry Friedrich – Vice Chair Friedrich stated that he will complete the work on this topic today, and send it directly to Atty. Beecher for his review. The Commission discussed types of transfers. The Commission also discussed possible revisions to special appropriation levels, which was one of the charges the Board of Selectmen assigned to the Charter Revision Commission. The Commission's recommendation about this matter is as follows: "Increase dollar amount from \$20,000 to \$40,000 that the Board of Selectmen can reallocate within budget lines to the level they requested, but retain the need for Board of Finance approval of inter-department transfers".

Survey: Chair Park thanked Commissioners Jaffe and Donovan for compiling the survey document. Commissioner Donovan noted concern about accurately compiling survey data, and suggested that the survey be done using Google Forms. She mentioned that residents can be sent a link to complete the survey. The document can also be printed and distributed at the public hearing presentation, on March 2nd. The survey document will be finalized by next week.

Final Ethics Statement Vote: Chair Park reviewed the Commission's process with this statement. **Commissioner Ferry made a motion to approve the final ethics statement [as read by Chair Park].** Atty. Beecher noted the newly proposed language of Subsection C10-2A,

about interpretation of the Charter. Chair Park reviewed the original statement of the ethics language. Commissioner Jaffe stated that the intention is to indicate that the Board of Ethics is responsible for what violations of charter are considered ethics violations. Commissioner Jaffe noted that if better language is available, the Commission will consider such a revision. There was agreement that “this Charter” should be changed to “the Charter”. Atty. Beecher will review and present revision(s) to this document at an upcoming meeting. **This decision will be tabled until the next meeting because Atty. Beecher will suggest re-written language based on the Commission’s discussion.**

Presentation for our Town Meeting (Final): Chair Park distributed a copy of the presentation document to each Commissioner. Chair Park thanked Commissioner Jaffe for his work on the draft presentation. Commissioner Jaffe stated that it would be helpful before the next meeting to have a packet of information to include the agenda, language recommendations, etc. The Commission reviewed each slide of the presentation, noting revisions where appropriate.

Other Business:

- **Public Hearing Date:** Chair Park asked the Commission to add Thursday, March 2, 2017 at 7:00 PM to their calendars for the CRC’s public hearing. Chair Park will coordinate submission of the public hearing notice.
- Commissioner Hand asked about the scheduling of additional meetings. The Commission added February 20, 2017 at 7:00 PM as their next meeting. The Commission will now meet on the following dates:
 - Monday, February 20, 2017 at 7:00 PM – Senior Center
 - Monday, February 27, 2017 at 7:00 PM – Town Hall Room 209
 - Thursday, March 2, 2017 at 7:00 PM (public hearing date) – Town Hall Room 133
 - Monday, March 6, 2017 at 7:00 PM – Meeting Room TBD
 - Monday, March 20, 2017 at 7:00 PM – Meeting Room TBD

Adjournment: Commissioner Donovan made a motion to adjourn the meeting at 12:30. Commissioner Dori seconded the motion, and it carried unanimously.