

CHARTER REVIEW COMMISSION
Colchester, Connecticut
August 10, 2016
Town Hall Meeting Room 3
Revised Meeting Minutes

Attending: Gregg LePage, Ursula Tschinkel, Sheila Tortorigi, and Michael W. Hinchliffe.
Excused, Betty Wagner and Don Philips
Guest: Selectman Rosemary Coyle

1...Call to order: Chairman Gregg LePage called the meeting to order at 7.00PM.

2..Additions to the Agenda:

Item A – Received a request for the committees consideration a proposal from the Police Commissioner Steve Caron, submitted by the Police Commission..... Discussion took place on relevance to our Charter.... Matter passed to the First Selectman for Direction.

3..Approval of the Minutes – July 27, 2016

Motion to approve made by Mr. LePage, seconded by Ms. Tschinkel.

Vote... Approved, with Ms. Egan abstaining.

4... Citizens Comments. None

5...Continue Review of the Charter. Continuing discussion on sections 401 through 601 undertaken as work in progress.

6... Citizens Comments. None

7... Adjournment. Motion to adjourn by Ms. Tschinkel, seconded by Ms. Tortorigi. The meeting was adjourned at 8.10PM. The next meeting will be on August 24, 2016.

Respectfully Submitted, By,

Michael W. Hinchliffe, acting on behalf of Secretary for this meeting.

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COLCHESTER, CT
2016 AUG 18 PM 3:07
Sheila Tortorigi
TOWN CLERK

CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] Town of Colchester PC/CodeBook for Windows 63 ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-27. Policy Advisory Commission repealed. § 18-27. Policy Advisory Commission repealed. The provisions of the ordinance adopted at a Special Town Meeting on August 9, 1985, respecting the creation of a Police Advisory Commission for the Town of Colchester are herewith repealed. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-28. Establishment. § 18-28. Establishment. Pursuant to the authority granted in C.G.S. § 7-274, a Board of Police Commissioners for the Town of Colchester is herewith established. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-29. Membership; terms. § 18-29. Membership; terms. The Commission shall consist of five members who shall be electors of the town and shall be appointed by the Board of Selectmen for terms of three years; provided, however, that two of the original appointees shall be appointed to a term of two years, and the remaining appointee shall be appointed to a term of three years. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-30. Authority and responsibility. Town of Colchester PC/CodeBook for Windows 64 § 18-30. Authority and responsibility.

~~A. The Commission shall have the authority and responsibility for the general supervision and management of the Constables and oversight of the police officers department of the Town of Colchester and the property and equipment used in connection therewith.~~ Any authority who is tasked with the general supervision of the police department is to provide the commission monthly reports on departmental issues that are related to personnel, equipment, activity, initiatives and anything deemed appropriate for the Commission review. ~~B. It shall be the responsibility of the Police Commission to decide on police personnel staffing changes and/or assignments. The Police Commission shall work with the Selectman's Office and/or the assigned Police Supervisor to ascertain the need to such personnel action. Staffing changes shall be made when the Town of Colchester or the Police Officers or various stakeholders in the town would benefit from the staffing change or new assignment designation. Even temporary changes shall be done with the Police Commission approval. Should some exigent situation arise, there will be an emergency meeting of the Police Commission to review the need for such change.~~ BC. As used herein, the term "Constables" shall mean all Constables serving the Town of Colchester in any capacity, whether appointed pursuant to town ordinance as authorized by C.G.S. §§ 9-185 and 9-200 or pursuant to C.G.S. § 7-92 providing for the appointment of Special Constables. The term "police officer" shall mean all full-time town employees hired by the Town of Colchester to serve in the capacity of a police officer. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-31.

~~Liaison officer to Division of State Police. § 18-31. Liaison officer to Division of State Police. During the period of time the Town of Colchester is obligated to contractual agreements for the services of a~~

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Resident Trooper with the Connecticut Department of Public Safety, Division of State Police, a member of the Commission, being duly elected by the majority of the Commission, and appointed by the Board of Selectmen, will serve as a liaison officer for the Town of Colchester (this Commission and Board of Selectmen), to the Department of Public Safety, Division of State Police, for all responsibilities relative to the contractual agreement references to the Chief Executive Officer of the Town of Colchester. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] /

§ 18-32. Power of appointment, promotion and removal. [Amended 4-12-2001] ~~§ 18-32. Power of appointment, promotion and removal. [Amended 4-12-2001]~~ The Commission, pursuant to the authority granted in C.G.S. § 7-276, shall have the sole power of appointment, promotion and removal of the police officers under such regulation as it adopts for the purpose, and such appointees shall hold office during good behavior and until removed for cause upon written charges and after a hearing. The Commission shall forward all recommendations of appointments, promotion and removal to the Selectman who functions as the Human Resources for the town. The Selectman will approve or reject the recommendations of the commission. Should a recommendation be rejected by the Selectman a executive session shall be called to discuss the rejection and formulate a plan going forward. If the Selectman approved the recommendations of the Commission the Selectman will be responsible for the implementation for the commission recommendations as deemed compliant with Human Resources rules and regulations. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] /

§ 18-33. Regulations and penalties for violation. [Amended 4-12-2001] Town of Colchester PC/CodeBook for Windows **65 § 18-33. Regulations and penalties for violation. [Amended 4-12-2001]** ~~The Commission shall make all needful regulations for the conduct and operation of the Constables and police officers; provided, however, that such regulations shall not be contrary to law and may prescribe suitable penalties for the violation of any such regulation, including suspension or removal from office of any Constable, police officer or member.~~ CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-34. Investigation of complaints; hearings.

§ 18-34. Investigation of complaints; hearings. ~~Upon receipt of a complaint as to the activities of any Constable Police Officer, the Commission shall undertake such investigation as it considers appropriate and, upon the conclusion thereof, make such recommendation to the First Selectman who acts a the Human Resource Department for the town shall decide what course of action is as it deems to be in the best interest of the Town of Colchester concerning suitable action with respect to suspension and or removal from office. The Selectman's Office shall keep the Police Commission informed of the investigative process, facts and circumstances discovered in the investigation and disciplinary outcome.~~ In making such investigation, the Commission may, in its discretion, conduct formal or informal hearings.

CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-35. Election of officers; meetings; filling of vacancies. § 18-35. Election of officers; meetings; filling of vacancies. Pursuant to C.G.S. § 7-275, the Commission shall elect one of its number to be Chair and one to be clerk and shall hold regular meetings and keep records of the same. Meetings shall be held upon the call of the Chair or of the majority of the members on the Board. A majority of all members of the Board shall constitute a quorum. In the event of any vacancy upon the Board, the Board of Selectmen shall have the authority by majority vote to fill such vacancy until the expiration of the term. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-36. Compensation; reimbursement for expenses. § 18-36. Compensation; reimbursement for expenses. Commissioners shall be sworn to the faithful performance of their duties and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the town treasury. Town of Colchester PC/CodeBook for Windows 66 CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-37. Terms of office related to particular events. § 18-37. Terms of office related to particular events. None of the provisions of this article shall be construed to affect the authority of the First Selectman with respect to those Special Constables appointed pursuant to C.G.S. § 7-92 for a set term of office related to a particular public celebration, gathering, riot or unusual excitement or pursuant to the provisions of said statute. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-38.

Applications to fill vacancies in office of Constable or police officer. § 18-38. Applications to fill vacancies in office of Constable or police officer. Whenever there shall be a vacancy in the office of Constable or police officer, any person who desires to be considered for appointment as a Constable or police officer shall submit an application to the Commission or a designee assigned by the commission to provide this function. The Commission shall review all applications submitted to it, or get a detailed report from the designee assigned by the commission to review all the applications. All provide the required testing procedures must be compliant with POST requirements and any other law or standard as specified for the hire of municipal police officer candidates in the State of Connecticut. as determined by the Commission and will make forward such a recommendations to the first Selectman concerning such applicants the applicant chosen for hire for the position of Constable police officer as it may deem necessary in the best interests of the Town of Colchester. The Commission shall retain its sole power of appointment of police officers and will recommend the appointment of a Constable to work closely with the First Selectman pursuant to the town ordinance concerning appointment of Constables and or Special Police Officers. Constables as provided for in C.G.S. § 7-92. CODE OF THE TOWN OF COLCHESTER, CONNECTICUT, v16 Updated 04-01-2013 / THE CODE / Chapter 18, BOARDS, COMMITTEES AND COMMISSIONS / ARTICLE VIII, Board of Police Commissioners [Adopted 7-25-1990] / § 18-39. Transfer of funds for operation. § 18-39. Transfer of funds for operation. To the extent permitted by law, the enactment of this article shall serve as formal authorization for the transfer of the funds allocated in the 1989-1990 town budget for the operation of the Colchester Police Advisory Commission, constabulary and or police department to the Colchester Board of Police Commissioners established by this article.