

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION

The Charter Revision Commission held a regular meeting directly following a Public Hearing at the Senior Center, 14 Riverside Road, Sandy Hook, CT on Thursday, August 20, 2012. John Godin called the meeting to order at 7:30 p.m.

Present: James Ritchie, Robert Hall, George "Nick" Schmidt, John Godin, Allan Song, Anthony Filiato, Michelle Embree Ku, George Coleman, Craig Lahecka by telephone

Absent: None

Also Present: Bob Merola and Phil Carroll of the Legislative Council, First Selectman Pat Llodra, 5 members of the public and 2 members of the press

Voter Comments – Pat Llodra, 90 Riverside Road – Thanked the commission members them for their service. She has a strong interest in their work. Has been a resident for 42 years and has great passion for the community.

Approval of the minutes – Mr. Schmidt moved to accept the minutes of the 8/16/12 regular meeting and 8/16/12 public hearing with the correction for the public hearing that Jim Ritchie was not present Mr. Hall seconded. All in favor.

OLD BUSINESS

Discussion and possible action on specific charge from Legislative Council – Mr. Schmidt explained that the draft today is the final, final, draft including legal opinions, words from Jeff Capeci and Michelle Embree Ku.

Mr. Schmidt moved that this commission adopt as its recommendation to the Legislative Council the text of Paragraph 6-14 (known to us as the "blue line" version, a copy of which was handed out at the beginning of the meeting) that provides for a bifurcated budget, advisory questions and does away with the provision for a Town Meeting. In addition, on the advice of the Town Attorney we recommend a change to Paragraph 7-100 (B) that brings that paragraph into agreement with the change to paragraph 6-14. Mr. Ritchie seconded. They are essentially taking the town meeting out of the process which is something that has not been used for years. Mr. Hall expressed that this draft has a solution to the problem consistent to the votes from last Thursday and streamlines the process. The only issue raised is there is no stop point. There should be a point where the voting stops. Instead of going to a town meeting, it goes to the Legislative Council and they have certain criteria that need to be met to pass it. All on the commission were in agreement that there should be a cap in referenda's but they have not had enough time to research it and it would be better for the next Charter Revision Commission to take that on. They also agreed that with the addition of the advisory question, it is likely that there will not be a need for as many referenda. Motion unanimously accepted.

It was also discussed if using Board of Education and Board of Selectman in the questions on the ballot was confusing because the funds are actually for education purposes and town purposes. Attorney Grogin's saw the draft and he was fine with it using Board of Education and Board of Selectman.

Voter Comments – NONE

ANNOUNCEMENTS - NONE

Having no further business, meeting was adjourned at 7:58 p.m.

Arlene Miles, Clerk

Attachment: "blue line" version of document

6-14 ANNUAL BUDGET REFERENDUM

(a) The proposed Town budget shall be submitted for adoption at the Annual Budget Referendum to be held on the fourth Tuesday of April between the hours of 6:00 A.M. and 8:00 P.M. Notice of the Annual Budget Referendum and the proposed budget, together with the mill rate estimated to be necessary to fund the proposed budget, shall be filed by the Legislative Council with the Town Clerk and published in a newspaper having a substantial circulation in the Town at least five (5) days prior to the Annual Budget Referendum. Only those persons lawfully entitled to vote shall be allowed to vote. At the Annual Budget Referendum the two parts of the budget shall be voted on in separate questions as set forth below, and ultimately the budget for both parts must be adopted before the proposed budget becomes an adopted budget. If one question passes and the other question fails, the part of the Budget which passed shall be considered adopted and shall not be voted on again. The questions on the budget shall be as follows:

Shall the sum of \$_____ be appropriated as the budget for the Board of Selectmen for the fiscal year?

Shall the sum of \$_____ be appropriated as the budget for the Board of Education for the fiscal year?

(b) Failure to Adopt

In the event that one or both appropriation questions fail, the Legislative Council shall reconsider and recommend a Town budget, or reconsider and recommend that part of the Budget which failed to pass, within seven (7) calendar days after said Annual Budget Referendum. Said proposed Town budget, or the proposed part of the Budget which failed to pass, shall be filed with the Town Clerk and presented for adoption by a subsequent Referendum to be held between the hours of 6:00 a.m. and 8:00 p.m. no earlier than ten (10) days and no later than fourteen (14) days following the date the proposed Town budget, or the part of the proposed Budget which failed to pass, is filed with the Town Clerk. Notice of this Referendum and the proposed budget, or the part of the proposed Budget which failed to pass, together with the mill rate estimated to be necessary to fund the proposed budget, shall be filed by the Legislative Council with the Town Clerk and published in a newspaper having a substantial circulation in the Town at least five (5) days prior to this Referendum. At this Referendum the questions to be voted on, either one or both depending on the result of the previous referendum, shall be as follows:

Shall the sum of \$_____ be appropriated as the budget for the Board of Selectmen for the fiscal year?

Shall the sum of \$ _____ be appropriated as the budget for the Board of Education for the fiscal year?

This procedure shall be repeated until an Annual Budget has passed.

(c) At each Budget Referendum for voting on the Budget or on the part thereof not yet adopted, as provided by subsections (a) and (b) above, the following advisory questions, or the one applicable to the part being voted on if the other part of the Budget has already been adopted, shall be placed on the ballot as follows:

Do you deem the proposed sum of \$ _____ to be appropriated for the Board of Selectmen as too low?

YES _____

NO _____

Do you deem the proposed sum of \$ _____ to be appropriated for the Board of Education as too low?

YES _____

NO _____

Action taken by the Legislative Council in reaction to advisory question responses shall be governed by the provisions of subsection (b) (2) of paragraph 6-13 of this Charter.

7-100 RIGHT OF REFERENDUM

(a) Any special appropriation made by the Legislative Council pursuant to Section 7-80 of this Charter, any proposed ordinance rejected, enacted, modified and enacted or repealed by the Legislative Council pursuant to Section 7-50 of this Charter, and any vote to acquire, reserve or dispose of real property or an interest in real property pursuant to subsections (a) to (e), inclusive, of Section 7-90 of this Charter shall be subject to a referendum in accordance with this section.

(b) Any action taken by a Town Meeting is subject to a referendum in accordance with the provisions of this section. ~~except actions taken by a Town Meeting to adopt an Annual Budget which are governed by the provisions of subsection (f) of section 6-20 of this Charter.~~