

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION.

The Charter Revision Commission held a meeting on Monday, August 25, 2014 in the Council Chamber of the Municipal Center, 3 Primrose Street, Newtown, CT. Chairman Jeff Capeci called the meeting to order at 7:30 p.m.

Present: Jeffrey Capeci, Robert Hall, George Guidera, Tom Long, Eric Paradis, Jim Ritchie, Dan Wiedemann and Deborra Zukowski. **Absent:** Kevin Burns.

Also Present: Curt Symes and Claire Theune, members of the Commission on Aging, two members of the Board of Educations, three members of the public, two members of the press.

VOTER COMMENT: Mike Salaris, 7 Country Squire, distributed "The Charter Revision Process: Who's looking out for the interests of the taxpayers?" dated August 25, 2014.

- Followed up on the impact of declining enrollment.
- Vote on bifurcated budget should not be binding.
- We can't spend money until entire budget passed.
- Binding vote can force cuts that cannot be afforded.
- Binding vote means education is at disadvantage: more difficult to pass BOE than town budget.
- Enrollment 2006 to 2007 declined 34%.
- Expenses increased 42% during that time.
- Cost per student increased 115%.
- 2013-14 \$2.7 M net increase.
- Enrollments decline faster than the dollars decline.
- Now through 2020, costs per student go up.
- Gap is increasing, municipal budget does not increase as much as BOE. Gap is 27%.
- Binding budget detrimental to education.
- Long term issue.
- This is a pipeline beginning in first grade through high school.
- 2025 before the pipeline flattens out.
- Step off between projections and budget.
- Declining enrollment making the budget imbalance worse.
- Source was the Town budget documents and BOF minutes Jan 13.
- 2010 Enrollment Study source of enrollment figures.
- Charter Revision process is a conflict of interest for Legislative Council.
- 2012 CRC found evidence other towns don't let process get in way of making decisions.
- Public officials should not give perception of putting personal interests before good of the public.
- Legislative council in charge of appointing commission, charge and what options to present to the voters. Can effectively control outcome.

- Mr. Capeci and Mr. Hall: The process is by statute.
- Bifurcation of budget detrimental to collaboration, does not improve voter turnout. Questions do not determine budget.
- Binding solution does not address collaboration or clarify voter intent, LC toned down the noise by reducing number of referendums and taking the money off the table.
- Binding does not serve to give the voter a clear voice.
- Binding maximizes our tax rate.
- No incentive for LC to keep budget low.
- Checks and balances eliminated from budget process. This takes burden off LC to present good budget.
- Voter intent is not translated into town action.
- Collaboration and communication necessary to pass budget per 2012 CRC.
- First Selectman said workers in this building collaborate when in their own spaces. Are the people in this building representative of voters?
- Voters not asked whether they wanted to keep owner/operators; how to dispose of SHES. Circumvents will of the people.
- Binding vote means voters lose ability to choose.
- Mr. Hall: did you present this to the 2012 CRC. Mr. Solaris said this was run through too fast. Mr. Hall: you did not participate.
- Non-binding budget is a win win solution; leaves all the options on the table.
- Ms. Zukowski: are you saying that we should add to charge to review the impact of a binding vote. Yes per Mr. Solaris
- Mr. Capeci: we cannot change our charge, but we can discuss items related to other charge issues.

MINUTES: Upon motion of Ms. Zukowski, second by Mr. Hall the minutes of the public hearing of July 28, 2014 will be amended to add Mr. Solaris replacement text (Attachment A). Upon motion of Ms. Zukowski, second by Mr. Hall the minutes of the public hearing of July 28, 2014 were unanimously accepted as amended. Upon motion of Ms. Zukowski, second by Mr. Hall the minutes of the regular meeting of August 12, 2014 were unanimously accepted as presented.

DISCUSSION WITH COMMISSION ON AGING.

Mr. Symes discussed the role of Commission on Aging (COA) and how this Commission should be reflected in the Charter:

- Town was passive about what the COA was doing in the past.
- Tremendous progress with interactions with groups in Town to raise the visibility of the COA.
- Most other communities in Connecticut include the COA in their charter. Critical to include COA in Newtown's charter.
- Survey sent to 5,000 seniors in Newtown, response by 1,000 so far.
- Newtown's support of seniors should be visible.
- COA age of seniors is 60 years and older.

- Charter should raise visibility of and acknowledge COA.
- Mr. Guidera: Are you happy with Ordinance 52? Mr. Symes, yes, but age of seniors as noted should be corrected.
- Mr. Capeci: one charge item is to look at what is included in the charter.
- Mr. Ritchie: would undoing Ordinance 52 enable you to apply for more grants?
Mr. Symes: we recently embarked on a major effort to secure grant money but no one asked if the COA was in the Charter.
- Ms. Theune presented wording in Ridgefield's charter. Section 5-6 Commission on Aging description. Mr. Symes: they replicated Ordinance 52.

CHARGE.

- BOF will present on Sept 9.
- Mr. Hall BOE Chairman Keith Alexander asked if Mr. Solaris stats are from the BOE. Mr. Alexander said these stats are available on the website and he does not know where Mr. Solaris obtained them.
- Mr. Capeci: Inland Wetland similar situation to COA
- Mr. Capeci: We will categorize and prioritize the charge items. Please advise if you have any preferences.
- Leave "Discussion and Action on Charge" on agenda.
- Mr. Hall will draft some rules of procedure concerning length of and subject of voter comment. He will present the draft next meeting after Sept. 9.
- Mr. Ritchie: Controlling Voter Comment can be a slippery slope.
- Mr. Capeci: We can give one speaker leeway, but will have to take consideration if there are several speakers.
- Mr. Guidera: Are there some town charters to review. Mr. Capeci pointed to the towns' websites or we can get them from CCM.
- Ms. Zukowski: Should we take a handful of good charters or take a survey. Mr. Capeci not aware of a good charter, but Ridgefield is spoken of highly. Look at charters of towns who are run well.
- Mr. Ritchie: Would CCM be able to advise? Mr. Capeci will check with them on specific items that we are interested in.
- Mr. Guidera: How many towns have an LC? Mr. Capeci said that Newtown is unique. Mr. Guidera feels towns will a similar make up should be researched.
- Mr. Hall: LC was originally a very small representative town meeting of 18 people.
- Mr. Paradis: 4-110A&C CH Booth Library – the Commission has a charge to consider changing number of members and how long they serve. Are they presenting to us? Mr. Capeci will reach out to them.

VOTER COMMENT. None noted.

ANNOUNCEMENTS. The meeting on Sept 9 will begin at 7:00.

- Mr. Hall noted that a regular meeting agenda can be amended at beginning of meeting. He will move that Boards present before Voter Comment at the Sept 9 meeting. Mr. Capeci: Are we bound by the LC rules? We could vote on the

charter stipulated rules of the LC and vote on whether we decide to go beyond the LC rules.

- Mr. Wiedemann – the first voter comment should be on agenda items and other items could be discussed during the second voter comment. Mr. Hall agrees. Ms. Zukowski said this might start an argument if we say when agenda items can be discussed.
- Mr. Capeci said perhaps we should specify on the agenda what comprises each Voter Comment section.

ADJOURNMENT. Upon motion of Mr. Wiedemann, the meeting was adjourned at 8:45 p.m.



Ann M. Mazur, clerk pro tem

- Att. A Additional comments by Mike Solaris
- Att. B Town of Ridgefield Charter (page 19)

A

Mike Solaris, 11 Country Squire Lane – Asked for the commission to adjust the changes made at the last charter revision, specifically the binding vote. What that does is create a situation where 2/3 of our budget is unapproved while all the contingency money is off the table. Prior to the last charter revision the onus was on the Legislative Council to come up with a fair budget that the voters can vote on. By making that vote binding you put the burden on the tax payer to then have to vote to approve it or risk having it fail and having damage that you may not be able to repair. At the time of the last Charter Revision, the issue was to understand the counts of how many people supported the municipal and the BOE budgets and which direction they are going in. It certainly could have been done with an unbinding vote. He would like to see us put the onus back on the local government to come up with a fair budget and allow voters to vote on an entire package, not just a piece here and a piece there. For example he may approve a municipal budget with a level of contingency in it under one set of facts but two weeks later when we go back to the polls things could change completely so who is to say anyone would approve it. By taking is vote the first time around completely takes it out of context.

B

shall be responsible for the duties of the flood and erosion control board as prescribed in the General Statutes and applicable ordinances.

Section 5-4. Parks and Recreation Commission.

The Parks and Recreation Commission shall consist of seven (7) members serving three-year terms ending April 1. Two (2) or three (3) members, as appropriate shall be appointed each year.

The Parks and Recreation Commission shall maintain a comprehensive recreational program; shall be responsible for all park properties; shall prescribe a system of regulations, permits, and fees for recreational and park uses; shall appoint and employ a full-time superintendent and such other staff as is needed; and shall have duties and powers in accordance with the General Statutes and applicable ordinances.

Section 5-5. Building Code Board of Appeals.

The Building Code Board of Appeals shall consist of five (5) members serving five-year terms ending January 1. One member shall be appointed each year.

The Building Code Board of Appeals shall hear appeals of persons who feel the building official erred in issuing an order or in failing to issue a permit to construct, and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

Section 5-6. Commission on the Aging.

The Commission on the Aging shall consist of eight (8) members serving three-year terms ending April 1. Two (2) or three (3) members, as appropriate, shall be appointed each year.

The Commission on the Aging shall study the needs of the elderly and coordinate municipal programs to meet those needs; and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

Section 5-7. Historic District Commission.

The Historic District Commission shall consist of five (5) members who hold no salaried municipal office, serving five-year terms ending January 1. One member shall be appointed each year. Preferably, at least one member of the commission shall be an architect.

The Historic District Commission may prevent erection, reconstruction, alteration, razing of buildings and other structures in the historic districts, and shall have powers and duties in accordance with the General Statutes and applicable ordinances. (5)