

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

Members of the Charter Revision Commission held a meeting on Wednesday, January 28, 2015 in Meeting Room 1 at the Municipal Building, 3 Primrose Street, Newtown, CT Chairman Jeff Capeci called the meeting to order at 7:30pm.

**Present:** Jeffery Capeci, Tom Long, Eric Paradis, Dan Wiedemann and Deborra Zukowski

Members compared the work of the Charter Reorganization Group, represented by Deborra, common to that of the Board and Commission Composition Group. See attachment with notes. Members agreed to replace "Purpose" in paragraph 1 with "Summary of General Responsibilities" as Reorg Group used.

Board of Fire Commissioners, language is imprecise. Does it allow for a new at large member with the addition of each new fire company? Unlikely to add new companies anytime soon. The interpretation of the Reorg Committee was to add one at large member for each new Fire Company.

Parks and Rec Commission - Deborra liked Board & Commission language including facilities.

Building Appeals Board – Combination, is "property owners" too restrictive?

Public Building & Site – Agree to use Reorg Group's language.

Conservation Commission - Agree to use Board & Commission language

Library Trustees – Include Special Acts language from Board & Commission version.

Board of Ethics – Agree to use Board & Commission language

Having No further business, the meeting was adjourned at 9:30pm.

Respectfully Submitted,

Jeff Capeci

Att A: Draft description from Reorganization Group. Notes in Red

## 2-200 Appointive Boards and Commissions [C32]

There shall be the following appointive boards and commissions.

### 2-201 General

- (a) The First Selectman, with the approval of the Board of Selectmen, shall appoint the members of all appointive boards and commissions required by Chapter 4 of this Charter or hereafter created by ordinance, except the Board of Fire Commissioners, certain members of the Board of Trustees of the Cyrenius H. Booth Library and Justices of the Peace. ~~→ A First Selectman, with the approval of the Board of Selectmen, whose position as First Selectman~~ When a First Selectman's position as First Selectman will end as a result of not being re-elected or ~~has chosen~~ having chosen to vacate the office, the Board of Selectman shall not make appointments from the date of the Town Election to the end of his/her term beginning of the next term. Formerly 4-01(a).
- (b) Appointive boards other than those required by this Chapter 4 Charter may be created, abolished and consolidated; their powers and duties established, altered and repealed; and the number and terms of office of their members established and changed by ordinance. Formerly 4-01(c).
- (c) Appointive boards required by this Chapter 4 Charter other than the Board of Fire Commissioners and the Board of Ethics may, in their discretion, appoint associate members, with voice but without vote, for terms no longer than the terms of members of the appointing board. [C33] Formerly 4-01(d).

**Comment [DZ1]:** Is this needed? It confuses the point, re: lame ducks and a potential of loss of checks and balance (i.e., seated selectmen will moderate appointments).

### 2-205 Board of Fire Commissioners

- (a) Summary of General Responsibilities: The Board of Fire Commissioners is charged with the supervision and management of the Fire Department, consisting of all the volunteer fire companies within the Town. The board is responsible for the maintenance and care of all apparatus and equipment used by the Fire Department [C34].<sup>1</sup> Derived from a portion of 4-50(a).
- (b) There shall be a Fire Department consisting of all the volunteer fire companies located within the Town, under the operation, supervision and management of a Board of Fire Commissioners. ~~Said The Board of Fire Commissioners shall be composed of 7 members unless increased in accordance with subsection (3) below. serving 3 year terms All terms are concurrent. Members who shall be chosen by the several volunteer fire companies when such terms expire~~ in the following manner:
- (1) Each volunteer fire company, in accordance with its by-laws and regulations prescribed by the Board of Fire Commissioners, shall appoint one member of said Board.
  - (2) The commissioners so chosen shall then meet and appoint such additional commissioner or commissioners as may be necessary to constitute the full membership of 7. Said Board appointed members shall not be members of any volunteer fire company.
  - (3) Each new volunteer fire company admitted to the Fire Department shall be entitled to appoint one additional new member of said Board and said Board shall also appoint one additional new member thereof, in the manner prescribed in subsections (1) and (2) hereof [C35].
  - (4) Should a volunteer fire company fail to appoint a member of said Board, the commissioners shall within 30 days appoint a member to fill the vacancy who shall not be a member of any fire company.

Formerly 4-50(a).

- (c) In addition to its general power to operate, supervise and manage the Fire Department, the Board of Fire Commissioners shall have ~~the specific powers and duties set forth in subsections (c) through (e) below and~~ such other powers and duties as may be prescribed by ordinance and by the General Statutes and the following specific duties: Formerly 4-50(b).

<sup>1</sup> NEW TEXT: Summary added to be consistent with other sections.

- (1) The Board of Fire Commissioners shall be responsible for the financial management of the Fire Department and for the supervision and care of Town apparatus and equipment used by the Fire Department. It may set specifications, which shall be followed in the purchase of apparatus, equipment and supplies by the Town for the Fire Department. **Formerly 4-50(c).**
- (2) ~~The organization, government, membership and management of the Fire Department shall be in accordance with the by-laws and regulations of the departments in effect on the effective date of this Charter. Such by-laws and regulations may be amended by the Board of Fire Commissioners. Amendments to the by-laws, however, shall become effective only on approval by a majority of the volunteer fire companies, which are members of the Fire Department. **Formerly 4-50(d).**~~
- (3) The Board of Fire Commissioners shall appoint a fire marshal and may appoint deputy fire marshals and fire policemen, who shall have the powers and duties prescribed for their offices by the General Statutes or by ordinance. **Formerly 4-50(e).**

#### 2-210 Parks and Recreation Commission

- (a) **Summary of General Responsibilities:** ~~The Parks and Recreations Commission~~ shall be charged with the care, management and supervision of all public parks and other areas set aside by the Town for recreational purposes or donated to the Town for such use. It shall undertake and develop such recreational program or programs as the needs of the Town require, provided there is an appropriation or private donations have been received for this purpose. **Formerly a portion of 4-70(a).**
- (b) ~~There shall be a~~ The Parks and Recreation Commission ~~which shall be composed~~ **consist** of 7 members ~~serving 2 year terms.~~ **Formerly a portion of 4-70(a).**
- (c) The Parks and Recreation Commission is empowered to appoint ad hoc committees to assist with special projects. **Formerly a portion of 4-70(b).**

**Comment [DZ2]:** Need to add "The Parks and Recreation Commission shall have sole supervision of any and all buildings and equipment installed in such parks areas"

#### 2-215 Building Appeals Board

- (a) **Summary of General Responsibilities:** ~~The Building Appeals Board shall hear appeals from property owners regarding the failure of the Building Official to issue permits to construct. The Board bases decision of the Building Official based on his/her methods, materials and code interpretation.<sup>2</sup>~~
- (b) ~~There shall be a~~ ~~The Building Appeals Board shall composed~~ **consist** of 5 members, ~~serving 5 year term, with such powers and duties as from time to time may be prescribed by ordinance and by the General Statutes.~~ **Formerly a portion of 4-80.**
- (c) No member of said Board shall vote on any question concerning a matter in which he is engaged as contractor, material dealer, architect or engineer, or in which he has a personal interest **[C36]**. **Formerly a portion of 4-80.**

**Comment [DZ3]:** Replace first sentence with B&C subcomm. Also, is "property owners" restriction needed?

#### 2-220 Public Building and Site Commission

- (a) **Summary of General Responsibilities:** The Public Building and Site Commission shall have control of supervision and construction of building projects including major new construction, alteration or extension, furnishing or equipping of a building to be used for public purposes including the acquisition and improvement of land thereto and with improvements thereon, if any. **Formerly a portion of 4-90(b).**
- (b) The Public Building and Site Commission shall consist of 7 members **and 2 alternates**, ~~no more than 4 of whom shall be from one political party, appointed by the First Selectman and confirmed by the Board of Selectmen.~~ **Formerly a portion of 4-90(a).**

<sup>2</sup> NEW TEXT: Summary added to be consistent with other sections.

(c) Contracts in connection with all building projects shall be authorized by the First Selectman with the approval of the Board of Selectmen or the Board of Education. The Commission shall have such other powers and duties germane to the office and not inconsistent with the General Statutes or prescribed by ordinance. **Formerly a portion of 4-90(b).**

(d) The Public Building and Site Commission is empowered to appoint ad hoc committees to assist with special projects. **Formerly a portion of 4-90(b).**

#### 2-225 **Conservation Commission**

(a) **Summary of General Responsibilities: The Conservation Commission shall conduct research into the existing utilization and possible future utilization of land areas in the Town of Newtown. In addition, it shall keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wet-lands in the Town of Newtown.**<sup>3</sup>

(b) ~~There shall be a~~ The Conservation Commission shall ~~composed~~ **consist** of ~~7 members with such powers and duties as may from time to time be prescribed by ordinance and the General Statutes.~~ **Formerly 4-100.**

**Comment [DZ4]:** Prefer Board and Comm Sub Committee language

#### 2-230 **Trustees of Cyrenius H. Booth Library**

(a) **Summary of General Responsibilities: The Trustees of the Cyrenius H. Booth Library operate the Cyrenius H. Booth Library.** **Formerly a portion of 4-110(b).**

(b) ~~There shall be a~~ **The** Board of Trustees of the Cyrenius H. Booth Library shall ~~consist~~ **ing** of 18 persons. ~~who shall be residents and electors of the Town.~~ **Formerly 4-110(a).**

(c) **The Board shall** have the status, powers and duties set forth in Special Act No. 108 of the 1931 session of the General Assembly as amended by Special Act No. 110 of the 1959 session of the General Assembly, which acts shall remain in full force and effect, except to the extent superseded or revised by this Charter. **Formerly a portion of 4-110(b).**

**Comment [DZ5]:** Administer. Add ref to special acts.

#### 2-235 **Cultural Arts Commission**

(a) **Summary of General Responsibilities: The Newtown Cultural Arts Commission shall stimulate, facilitate, coordinate and cooperate with existing organizations for the development of the arts. It shall serve as an information center and focal point in the community for activities in the arts.**<sup>4</sup>

(b) ~~There shall be a~~ **The** Cultural Arts Commission shall ~~composed~~ **consist** of 9 members with such powers and duties as may from time to time be prescribed by ordinance and General Statutes. **Formerly 4-120.**

**Comment [DZ6]:** Prefer B&C Subcomm. Ethics board most important of the appointed boards.

#### 2-240 **Board of Ethics**

(a) **Summary of General Responsibilities: The Board of Ethics is** charged with the administration of the Code of Ethics and receives and investigates any complaints of violations of the Code of -Ethics. **Formerly a portion of 4-60(c).**

(b) ~~There shall be a~~ **The** Board of Ethics ~~shall composed~~ **consist** of 6 regular members and 2 alternate members. An alternate member shall vote only in the absence or disability of a regular member. **Formerly a portion of 4-60(a).**

(c) The Board shall adopt and may amend reasonable rules and regulations for the administration of its proceedings.

- (1) Prior to adopting or amending said rules and regulations, the Board shall hold a public hearing. Notice of the date, time and place of the public hearing, together with the text of the proposed amendment, shall be published in a newspaper having a substantial circulation in the Town of Newtown not less than 10 days before the date of said hearing.

<sup>3</sup> NEW TEXT: Summary added to be consistent with other sections.

<sup>4</sup> NEW TEXT: Summary added to be consistent with other sections.

(2) All such rules and regulations, as currently amended, shall be made available at the office of the Town Clerk to any elector of the Town.

Formerly a portion of 4-60(c).

(d) A quorum shall be 4 members. Formerly a portion of 4-60(a).

#### 2-245 Justices of the Peace

(a) **Summary of General Responsibilities: The powers and responsibilities of the Justices of the Peace include but are not limited general oath giving powers (CGS Section 1-24), taking of acknowledgments (CGS Section 1-29), joining persons in marriage (CGS Section 46b-22), and taking depositions (CGS Section 52-148c).**<sup>5</sup>

(b) There shall be 15 justices of the peace, ~~serving 4 year terms,~~ selected in accordance ~~with CGS 9-183 et seq. and having the powers and duties prescribed by the General Statutes.~~ Formerly 8-20.

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<sup>5</sup> NEW TEXT: Summary added to be consistent with other sections.