

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION

Members of the Charter Revision Commission held a meeting on Wednesday, March 26, 2015 at 7:30 P.M. in Meeting Room 1 of the Municipal Center, 3 Primrose Street, Newtown, CT. Chairman Jeff Capeci called the meeting to order at 7:30pm.

Present: Jeffrey Capeci, Tom Long, Eric Paradis and Dan Wiedemann

Members completed their review of language for section 2-110 defining the Board of Selectmen. Board of Ed, Section 2-115, was decided to use language adopted by reorganization group. The discussion regarding minority representation will be warned at a future meeting.

Board of Finance, Section 2-120 – language adopted by reorganization group will be used. Tom, Eric and Dan agreed the Board of Finance term of office should be changed from two to four years so they can be staggered minimizing the risk of complete Board turnover in one election cycle. Jeff disagreed, he believes getting four year commitments rather than two will make fielding candidates more difficult and getting incumbents to run for reelection more difficult because of the greater commitment will neuter and advantages staggering terms may provide.

Planning and Zoning Commission, Section 2-125 – See markup. Slight changes to language proposed by reorganization group.

Town Clerk, Section 2-130 - See markup. Slight changes to language proposed by reorganization group.

Registrars, Section 2-135 - See markup. Slight changes to language proposed by reorganization group.

Board of Assessment Appeals, Section 2-135 - See markup. Slight changes to language proposed by reorganization group.

Note: Need for consistent language when referring to General statutes.

Board of Managers of Edmond Town Hall, Section 2-140 - See markup. Slight changes to language proposed by reorganization group.

Zoning Board of Appeals, Section 2-150 - See markup. Slight changes to language proposed by reorganization group.

Board of Police Commissioners, Section 2-155 - See markup. Slight changes to language proposed by reorganization group.

Having No further business, the meeting was adjourned at 10:25pm.

Respectfully Submitted,

Jeff Capeci

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

2-110 Board of Selectmen

Summary of General Responsibilities: The Board of Selectmen shall supervise the administration of the affairs of the Town, except those matters, which by the General Statutes or this Charter, are exclusively committed to the Board of Education or other Town agencies. The Board of Selectmen shall also be responsible for ~~coordinating the activities~~ the supervision of all the departments of the Town. The Board of Selectmen shall review the present and future needs of the Town. **Formerly 3-20(a) and a portion of 3-20(b).**

(a) The Board of Selectmen shall consist of the First Selectman and two Selectmen, each serving two year terms. **Formerly 3-01(a) and a portion of 2-50.**

(b) The Board of Selectmen shall have such powers and duties as prescribed by this Charter and the General Statutes to the extent that the Legislative Council has not already acted by ordinance or resolution on such subjects and to the extent that such powers have not otherwise been granted or limited by this Charter to other boards, commissions or Town officers. ~~The Board of Selectmen may exercise any of the powers conferred on towns by the General Statutes, to the extent that the Legislative Council has not already acted by ordinance or resolution on such subjects and to the extent that such powers have not otherwise been granted or limited by this Charter to other boards, commissions or Town officers.~~ **Formerly 3-30(b).**

Comment [JC1]: Can this be moved to the general section.

(c) The First Selectman with the approval of the Board of Selectman subject to the provisions of this Charter and the General Statutes shall have the sole power to incur indebtedness in the name of the Town and to provide for the due execution of evidences of indebtedness issued by the Town, subject to the provisions of subsection (tbd – 6-90(g)) of Section (tbd) of this Charter.

(d) The First Selectman with the approval of the Board of Selectmen shall have sole power, subject to the provisions of this Charter and the General Statutes with the exception of powers granted to the Board of Education by the General Statutes to:

(1) Provide for the due execution of contracts for the Town, subject to the provisions of subsection (tbd -6-90(g)) of Section (tbd – contract) of this Charter,

(2) Institute, prosecute or compromise any legal action or proceeding by or against the Town, subject to the approval of the Legislative Council and, when relevant, the affected department, commission or board,

(3) Defend the Town by legal action or proceeding,

(4) Apply for any financial assistance ~~by the State of Connecticut and the United States Government~~ including grants to fund any appropriation, subject to the provisions of Section ~~7-25~~ of this Charter,

Comment [JC2]: Subject to change (formerly 6-100A).

(5) Take, purchase, lease, sell, or convey ~~[real or]~~ personal property of or for the Town, subject to the provisions of Section ~~8-01~~ of this Charter, [C23]

Comment [JC3]: We are of the mind to let be.

Comment [JC4]: Subject to change (formerly 7-90).

(6) Accept public highways, approve the layout of public highways and related drainage, slope or other easements, approve the acquisition of real property or interests in real property for the purpose of widening or realignment of existing public highways and to grant utility easements across town- owned property for the good of the town,

(7) Discontinue any Town owned public highway. **Formerly 7-90(a)**

(8) Require such reports from any Town agency or department as may be useful in the performance of its duties, **Formerly a portion of 3-20(b)**

(9) Submit annually to the Board of Finance a proposed Budget for the next fiscal year subject to the provisions of Section [tbd] of this Charter.

Except as noted, formerly 3-30(a).

(e) The First Selectman with the approval of the Board of Selectmen may, by resolution, establish such advisory or study committees as they find desirable in the discharge of their duties. **Formerly 4-01(e)**

(g) ~~The Board of Selectmen shall have regular meetings and provide a procedure for calling special meetings.~~ **Formerly a portion of 3-20(c).**

(h) A majority of the Board of Selectmen shall constitute a quorum for the transaction of any business. **Formerly a portion of 3-20(c).**

(i) The Board of Selectmen may call joint meetings with other Town Bodies, by resolution or regulation, as may be useful in the performance of its duties subject to the provisions the General Statutes. It shall be the affirmative obligation of the members of such other Town Bodies to attend such joint meetings. [C26] **Formerly a portion of 3-20(b).**

Comment [JC5]: Moved to General Provisions.

2-115 Board of Education

(a) Summary of General Responsibilities: The Board of Education shall provide and maintain quality public elementary and secondary schools and such other educational activities as in its judgment will best serve the interests of the Town. **Formerly a portion of 2-70(b).**

(b) The Board of Education shall consist of 7 members serving 4 year terms. **Formerly a portion of 2-70(a).**

2-120 Board of Finance

(a) Summary of General Responsibilities: The Board of Finance reviews and assesses financial operations including transfers within the framework of the budget and special appropriations. The Board recommends a budget proposal and submits it to the Legislative Council for action prior to the first referendum. In addition, the

Board advises the Board of Selectmen and Board of Education during the budget process and all other Town Bodies on preferred financial practices and obligations.

(b) The Board of Finance shall consist of six members serving four year terms two of asasdf. **Formerly a portion of 2-130 paragraph 1, 2-50.**

(c) The Board of Finance shall have the powers granted and the duties imposed by this Charter, together with the powers granted and the duties imposed by the General Statutes on Boards of Finance except to the extent that the latter may be inconsistent with or in conflict with any of the provisions of this Charter. **Formerly 2-130 paragraph 2.**

2-125 Planning and Zoning Commission

(a) Summary of General Responsibilities: ~~The Planning and Zoning Commission is responsible to promote the orderly and coordinated development of the Town. The Commission controls and directs the use and development of property in the Town. The Planning and Zoning Commission, subject to the provisions of this Charter, shall have all of the powers and duties conferred and imposed by the General Statutes upon both planning and zoning commissions. Formerly 2-90(a). It acts as the Planning Commission for the Borough of Newtown and shall, to the extent that it is so empowered by ordinance of the Borough of Newtown, act as Zoning Commission for the Borough of Newtown. Formerly a portion of 2-90(a).~~

Comment [JC6]: Is this necessary?

(b) The Planning and Zoning Commission shall consist of five members and three alternate members. Alternates shall have the powers and duties conferred and imposed on alternates by the General Statutes, the provisions of this Charter and the by-laws of the Commission. **Formerly 2-90(b,c).**

(c) Members shall serve four year terms. Alternate members shall serve two year terms. **Formerly a portion of 2-90(b,c).**

(d) ~~The Planning and Zoning Commission shall accept on behalf of the Town all open spaces, parks, playgrounds, real property for the purpose of widening or realignment of existing public highways and drainage, slope or similar easements which it requires to be provided by the subdivider as a condition of subdivision approval. The power of the Commission to accept said open spaces, parks, playgrounds, real property and easements shall be limited to those situations where title to the property is free and clear of all encumbrances and is conveyed by warranty deed. Acceptance by the Commission shall not occur until the final subdivision map approved by the Commission has been filed with the Town Clerk. The Commission's approval is not subject to further appeal under Connecticut law. In the event title to the open spaces, parks, playgrounds, real property or easements is encumbered, the power to accept said property on behalf of the Town shall vest in the Legislative Council or the Board of Selectmen pursuant to Section [tbd]. [C27] Formerly 2-90(e).~~

Comment [JC7]: Reduce this section refer to subdivisions reference 7-91(c)

2-130 Town Clerk

(a) Summary of General Responsibilities: The Town Clerk is responsible for administrative work for the Town including the maintenance and safe-keeping of official municipal documents; issuance of certain licenses and permits; and the recording of documents and vital statistics.

(b) The Town Clerk shall exercise the powers and perform the duties of a Town Clerk as provided by the General Statutes except as hereinafter, and shall perform such other duties as required by this Charter.

(c) The receipts to be paid to the Town Clerk shall be collected in accordance with the provisions of the General Statutes, this Charter or ordinances of the Town. Receipts shall be deposited with the Financial Director of the Town [C28]. The Town Clerk shall file with the Financial Director a monthly statement of receipts. The Town Clerk shall also keep a record of receipts, which shall show the amounts thereof and for what received.

Formerly 2-120(a).

2-135 Registrars

(a) Summary of General Responsibilities: The Registrars are responsible for voter registration and administer all elections. They also assist candidates, the public, and the parties in the preparation of specialized voter lists and individual requests for information.

(b) There shall be two (2) Registrars of Voters for the Town at large. One registrar from each political party shall be elected. **Formerly a portion of 2-51(b).**

2-140 Board of Assessment Appeals

(a) Summary of General Responsibilities: The Board of Assessment Appeals shall hear and decide appeals from property owners regarding the assessment of their property and the making of such adjustments to the Grand List as are provided for by the **General Statutes**.

Comment [JC8]: Consistent language needed

(b) The Board of Assessment Appeals shall consist of 3 members elected to four year terms with the number to be elected in each regular town election to be determined by the number of members whose terms expire on or before the December 1st after the election. **Formerly 2-60.**

2-145 Board of Managers of Edmond Town Hall

(a) Summary of General Responsibilities: The Board of Managers of the Edmond Town Hall shall have the exclusive care and maintenance of Edmond Town Hall and all grounds and buildings appurtenant thereto. **Formerly a portion of 2-80(c).**

(b) The Board of Managers of the Edmond Town Hall shall consist of 6 members serving 6 year terms. At each regular Town Election, 2 members of said Board shall be elected both of whom may not be members of the same political party. **Formerly 2-80(a).**

(c) The Board shall have all powers and duties prescribed for said Board by Special Act No. 98 of the 1931 session by which it was created, as amended by Special Act No. 517 of the 1953 session. **Formerly a portion of 2-80(c).**

2-150 Zoning Board of Appeals [C29]

(a) Summary of General Responsibilities: The Zoning Board of Appeals has powers as provided in the Connecticut General Statutes, including but not limited to granting variances of the Zoning Regulations and hearing appeals [C30].

(b) The Zoning Board of Appeals Board shall consist of 5 members and whose terms shall be 4 years, none of whom shall be a member of the Planning and Zoning Commission and not more than 4 of whom shall be from the same political party, with the number to be elected in each regular Town election to be determined by the number of members whose terms expire on or before the December 1st after the election. There shall be 3 alternate members of the Board who shall be elected at each regular Town Election for terms of 2 years, not more than 2 of whom shall be from the same political party. **Formerly 2-100(a) and a portion of 2-100(c).**

(c) All of the regulations and acts of the Board prior to the effective date of this charter shall continue in full force and effect until modified, repealed or superseded by the Board according to law.

2-155 Board of Police Commissioners

(a) **Summary of General Responsibilities:** The Board of Police Commissioners shall maintain a Police Department in the Town and shall appoint a Chief of Police. **In addition,** the Board serves as the traffic authority of the Town. **Formerly a portion of 2-110(a) and 2-110(h).**

(b) **The** Board of Police Commissioners shall consist of 5 members who shall serve 4 year terms with the number to be elected in each regular Town election to be determined by the number of members whose terms expire on or before the December 1st after the election. **Formerly a portion of 2-110(a).**

(c) The Board of Police Commissioners shall, subject to budgetary limitations, have all of the powers now or hereafter granted to Boards of Police Commissioners by the General Statutes of Connecticut, and, in addition to and not in limitation thereof, shall have the power to:

- (1) Make all the regulations necessary to organize and maintain the Police Department including, the establishment of ranks within said Department and the duties and responsibilities of each such rank.
- (2) Appoint and promote members and officers of the Police Department in accordance with said regulations. Such members and officers shall continue to hold office during good behavior.
- (3) Suspend and remove members and officers of the Police Department for cause in accordance with said regulations. A violation of the regulations adopted by the Board of Police Commissioners shall be sufficient cause for removal.

Formerly 2-110(b) and a portions of 2-110(d).

(d) No active head of the Police Department shall be dismissed unless ~~he/she has been given notice in writing~~ **written notice** of the specific grounds for such dismissal **is given, as well as** and an opportunity to ~~be heard in his/her~~ **present a** defense, personally or with by counsel, at a public hearing before the Board of Police Commissioners. Such public hearing

Comment [JC9]: Original is preferred by the subcommittee.

shall be commenced not less than 5 nor more than 10 days after such notice. Any person so dismissed may appeal in the manner prescribed by the General Statutes. **Formerly 2-110(e).**

(e) The members and officers of the Police Department shall have the authority with respect to the service of criminal process and the enforcement of the criminal laws as vested by the General Statutes in officers and members of an organized police department ~~or force or constables~~^[C31]. **Formerly 2-110(f).**

(f) The First Selectman, with the approval of the Board of Selectmen, may appoint special constables pursuant to Chapter 95 of the General Statutes. Such special constables appointed under Section 7-92 of said Chapter 95 shall be under the control of the Chief of Police. **Formerly 2-110(g).**

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