

TO: MEMBERS OF THE NEWTOWN CHARTER REVISION COMMISSION (2014-2015)

SUBMITTED AT: PUBLIC HEARING OF JULY 15, 2015

FROM: ROBERT H. HALL

PURPOSE: REVIEW OF SECTIONS 3, 4, 5, 6, 7 9 and 10 (TO IDENTIFY A FEW NON-SUBSTANTIVE ITEMS WHICH SHOULD BE IMPROVED)

1. 3-20(b) Remove the phrase “because such election is prohibited by the General Statutes”

Reason—it is commentary only and may be an accidental limitation.

2. 4-05(c)(4) change “consistently” to “consistent”. Grammar

3. 4-10(a) Remove the entire last sentence. [Note suggested new language below]

Reason—The last sentence of (a) cross-references the subsection immediately below, i.e., (b), which sets forth the subject of the last sentence of (a). Despite the reference in the last sentence of (a) to “compensation” being in subsection (b), it is not. It should be, because the tax collector receives a salary, not a percentage of the “take.” I suggest that the last sentence of (b) read: “The Tax Collector’s salary and the expenses of the office etc.”

4. 4-20 [and many other sections] remove the section letter “a”.

Reason--I know we tried to do this when drafting, but the WORD program would not let it be done. If you all agree, we should announce that all the dangling unnecessary subsection references will be removed when the charter is printed.

5. [SUBSTANTIVE ?] 5-15(a) I believe the phrase in the third sentence, “as per Subsection 1-25(b)” is unwise. If it is an emergency why should the effectiveness be delayed while we wait for publication in a newspaper, a minimum of two and probably 3 days.

6. 6-15(a) Substitute “continuation” for “adjournment” in the subsection.

Reason--“Adjournment” implies that the process is over.

7. 6-20(b)(3) Change the cross-reference to “in accordance with Subsection (f) below” from “in 6-20(f)”.

Reason—we are already in section 6-20. This is not the only place in the Charter where the cross-reference is to the same section we are already in. The next two are examples.

8. 6-20(d) and 6-20(f)(2) Remove “6-20(a)” [in (d)] and substitute “(a) above”, and remove “Subsection 6-20(b)(2) and (3)” [in (f)] and substitute “Subsections (b)(2) and (3)

above”.

Reason—same as 7

9. 6-25(c) Delete “subsection 6-25(b)” and substitute “the process provided in subsection (b) above shall be repeated etc.”.

Reason—same as 7

10. 6-40(a) Substitute “of” for the word “for” and make “Plans” singular.

Reason—there is only one plan of development, and it uses “of”, not “for”.

11. 7-10 Substitute “The Finance Director” for “He or She” in the second sentence

Reason—get rid of the gender pronouns.

12. 7-20(c) Remove “7-20 of this Charter” and add “this” as in “Nothing contained in this section shall affect etc.”

13. 9-10(e) Add at the end “who is found not to have committed an ethical violation.

Reason—as currently written even a person found to have been unethical could ask for reimbursement and there is nothing to distinguish between the guilty and the innocent.