

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION

The Charter Revision Commission held a special meeting following their public hearing on Wednesday, September 30, 2015 in the Council Chambers at the Municipal Building, 3 Primrose Street, Newtown, CT. Chairman Jeff Capeci called the meeting to order at 7:48pm.

Present: George Guidera, Kevin Burns, Jeffery Capeci, Tom Long, James Ritchie, Dan Wiedemann, Eric Paradis, Robert Hall, Deborra Zukowski

Also Present: John Voket

Since their last meeting, Ms. Zukowski, Mr Hall and Mr. Guidera met with Attorney Grogins on section 8 and provided an updated version of that section. They were just minor changes with the exception of leases. Mr. Hall explained that Attorney Grogins expressed concern that there were no provisions governing leasing. They established a formalized procedure to do a lease. It breaks down between a 5 year lease and a more than 5 year lease. For a 5 year lease or less you don't have to do an appraisal but you have to do a financial impact statement. Beyond a 5 year lease it requires the fair market rental appraisal and requires the affirmative vote of the Legislative Council. Either case you need to go through the 8-24 hearings and the hearing required by the municipal section 7-163.

8-01(b) cross reference to the lease is added

8-10 (d) – removed In the absence of a vote to retain the property, or following and replaced it with the word Upon.

8-15(d)(3) – added “or disposition”

8-15(e) was added – “Where the Legislative Council votes to sell or otherwise dispose of real property having an appraised value of \$1,500,000 or more said action shall require approval of a referendum.”

Mr. Wiedemann questioned if there could be a situation where we lease land to someone and they build on that land. Mr. Hall replied the construction of the building would provide consideration for the rental of the land. There is a value there.

Section 8-20 Leasing of Real Property was added.

It was questioned if this needs to be in the charter. Couldn't it be in an ordinance which is more easily revised? Mr. Hall explained that the person who wants to buy a piece of property from the town wants to see the parameters are. It protects the town considerable.

Items brought up at public hearing

BOE minority representation.

Mr. Paradis explained that his opinion is still the same, people thought they were voting for 4/3 not 5/2. Ms. Zukowski, the voters thought they were voting a 4/3. What we are doing is explicitly changing that. Mr. Ritchie agreed with his colleagues that the original intent is 4/3. He also thinks that there is some

validity to the notion that a significant number of people would vote this charter down because of this issue.

Mr. Long said that his position hasn't changed. It isn't 5/2, 4/3, it is voter choice as to what the board should be.

Mr. Wiedemann hasn't changed his opinion either. Feels very strongly that the voters should be able to vote for who they want based upon qualification, not political party.

Mr. Burns hasn't changed his mind either.

Mr. Hall explained that they are not a political board; we are trying to put into the charter what is best. The LC is a political commission and they should make that decision.

Mr. Capeci explained that there are few occurrences that happen upon party lines. People don't vote down party lines. They are doing the right things for the town. He doesn't like the idea of someone getting on the board that didn't earn the seat through an election. This was in our charge to clarify.

Mr. Guidera said that this discussion is political and believes that it has come up many times because there are people on this board that are political. He wants to send it to the LC as is.

2-10 sentence was un-struck.

2-205 - The Commission on Aging requested a change in Summary of General Responsibilities. The first sentence of the draft was replaced with "There shall be a Commission on Aging to advocate for seniors and identify the needs of and coordinate services and programs that support the well-being of Newtown senior residents". The elderly and ageing was replaced with senior residents.

2-05(d)(2) – Language is existing in current charter.

2-125 – 4 year term on the BOF will remain as it is.

Mr. Paradis moved to strike the "First Selectman with the approval of" and revert to the existing language in section 2-115(d). Mr. Hall seconded, motion unanimously approved.

6-25(b)(1) – The idea is that they didn't want to mandate a meeting because there may or may not be enough time. However you can still have a meeting if only two show. It is a council meeting and they are inviting them in. "One or more" was stricken

Mr. Guidera spoke with Mr. Geckle regarding the terms of Trustee's on the Library Board. Mr. Geckle wanted to have this in their bylaws, not in the charter. There are a lot of good reasons why they should be in the bylaws. He suggested a revote on this but no motion was made.

Mr. Hall moved that the Charter Revision Commission adopt the draft considered as amended at tonight's meeting and any non substantive changes and submit to the Town Clerk as a draft report. Mr. Long seconded, motion unanimously approved by roll call vote.

Having no further business, meeting was adjourned at 10:00pm

Respectfully submitted,
Arlene Miles, Clerk