

Jeff Capeci
Judit DeStefano
Paul Lundquist
Deborra Zukowski



TOWN OF NEWTOWN

Minutes

The Charter Revision Communications Ad Hoc Committee met on Thursday, Oct. 20, 2016 in Meeting Room 1 of the Newtown Municipal Center. Committee Chairman Judit DeStefano called the meeting to order at 7:04 pm.

Present: Mr. Lundquist, Mr. Capeci, Ms. DeStefano, Ms. Zukowski

VOTER COMMENT: None.

MINUTES: MS. ZUKOWSKI MOTIONED TO APPROVE THE MINUTES OF 10/13/16, MR. LUNDQUIST SECONDED. ALL IN FAVOR.

COMMUNICATIONS: Attorney's email on recommended changes to town meeting slide for forum (attached).

NEW BUSINESS

MS. ZUKOWSKI MOTIONED TO RECOMMEND THAT THE LC, AS SOON AS POSSIBLE, CONSIDER CREATING AN ORDINANCE THAT ALLOWS FUTURE CRCC'S TO PROVIDE PROS/CONS SO THEY CAN MORE EFFECTIVELY DO THE JOB OF EDUCATION THE PUBLIC. MR. LUNDQUIST SECONDED.

Committee members expressed some frustration that their ability to communicate and educate the public regarding the proposed Charter Revisions is constrained by adherence to strict requirements to avoid any information that can potentially be interpreted as pros/cons or endorsing in any way. Members embrace the spirit of the rule and recognize that neutrality is important in this process, and none of the committee members wish to advocate a particular position in any way. However, it is challenging to maintain the balance that is required when even pros and cons cannot be shared.

ALL IN FAVOR.

The committee agreed to legal counsel's recommendation to remove the slides that illustrated historical/publicly available summaries of town meetings. The new deck with removed slides (attached) will be used at the final forum and posted to the town website. While the attorney agreed it can be argued these slides simply clarify what types of appropriations fit into each category under the proposed charter, the committee wishes to ere on the side of caution to avoid being misconstrued as advocating a particular position while utilizing materials financed by the town. The removed slides will only be shared via Facebook (which is not financed in any way by the town), and/or shared if community member request such detail (per advice of counsel). The deck also has changes to 'Property Disposition' and 'Additional Requirement...' information (removed inadvertently) added back into the presentation.

Ms. Zukowski will share link to slide deck on Facebook, and if possible, will share groupings of slides and/or images of slides.

Discussion of using The Bee to promote final forum and/or vote. We are hopeful The Bee will provide editorial coverage and decided to allocate funding to put ad at ETH pre-movie ad roll. Mr. Capeci to follow up.

Update on mailer: Mr. Lundquist reported the final cost of \$3,150, will have the mailer sent to 8,433 addresses (consisting of cleaned registered voter HH list); it will go out the week of 10/24.

Ms. Zukowski created a border that can be printed onto the existing Explanatory text that will be posted around town. Committee members will attempt to post them in the upcoming week.

This will be the last scheduled meeting of the CRCC, unless the need arises, with the exception of the final forum (Nov. 3, 7 pm), which will be noticed as a meeting.

With no further business, MR. CAPECI MOTIONED TO ADJOURN AT 8:18 PM AND MS. ZUKOWSKI SECONDED. ALL IN FAVOR.

Respectfully Submitted,
Judith DeStefano,
Chairman, Charter Revision Communications Committee



Judit Destefano <judit.destefano@gmail.com>

Re: Revised Forum Prez

Buchsbaum, Jason A. <JBuchsbaum@cohenandwolf.com>

Fri, Oct 14, 2016 at 3:05
PM

To: Judit Destefano <judit.destefano@gmail.com>

Cc: "Grogins, David L." <DGrogins@cohenandwolf.com>

Judit:

In reading the e-mail below, and on further reflection, I also wanted to be clear on our discussion concerning the town meeting slide. As I conveyed to you, I read the slide as conveying non-neutral information. Therefore, it is feasible that somebody else may read it that way as well. We discussed ways to mitigate the risk of including the slide by identifying that you are summarizing all town meetings, and by explaining during your presentation that the slide is meant to simply show all meetings at certain monetary levels as a real life illustration. However, that does not mean that the risk is eliminated and that someone would not read it as I did and file a complaint with the SEEC. My recommendation remains removal, but have provided ways to temper it a bit which you have included.

I was also able to discuss this with David and he concurs regarding those particular slides.

Jason

Jason A. Buchsbaum | Cohen and Wolf, P.C.

158 Deer Hill Avenue | Danbury, CT 06810 | P: [203.792.2771](tel:203.792.2771) | F: [203.749.1645](tel:203.749.1645)

jbuchsbaum@cohenandwolf.com | www.cohenandwolf.com

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From: Buchsbaum, Jason A.
Sent: Friday, October 14, 2016 1:56 PM
To: 'Judith Destefano'
Cc: Grogins, David L.
Subject: RE: Re: Revised Forum Prez

Judith:

I think it depends on what you are trying to convey in that slide. The 8 vote requirement comes into play with respect to a private sale under 8-10(f)(1).

The initial concern I raised was that you were incorporating a requirement into the slide of P&Z approval, when, in fact, the Charter says what Debbie indicates below.

So perhaps you can cut through this and add bullets as follows instead:

- the Legislative Council may vote to sell or otherwise dispose of said Real Property as required by the General Statutes, if applicable, or by majority vote.
- Following approval to dispose of real property, if the property is to be sold by private sale, approval of the BOS and an affirmative vote of at least eight (8) members of the LC is required

There are a lot of factors built into the disposition section of the Charter. The number of LC votes required depends on the circumstances and at which point in the process you are trying to describe. The prior slide that I was commenting on indicated an 8 vote override. The only Charter section that refers to an 8 vote requirement (putting aside statutory criteria that are not set out in the charter) is section 8-10(f)(1).

I hope this helps.

Jason

Jason A. Buchsbaum | Cohen and Wolf, P.C.

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From: Judit Destefano [<mailto:judit.destefano@gmail.com>]
Sent: Friday, October 14, 2016 1:20 PM
To: Buchsbaum, Jason A.
Subject: Fwd: Re: Revised Forum Prez

Hi Jason,

[Quoted text hidden]

[Quoted text hidden]



Newtown Legislative Council

Charter Revision Communications Committee

PUBLIC FORUM
Thursday, November 3, 2016



COMMITTEE MEMBERS:

Judit DeStefano
Deborra Zukowski
Jeff Capeci
Paul Lundquist

Email: NewtownCharterRevision@gmail.com

On Facebook: [Newtown CT Charter Revision](#)

To review all Charter revisions as proposed:
Go to the Town website (newtown-ct.gov).

Under Boards and Commissions,
click on Charter Revision Commission

First Selectman's Office: (203) 270-4201

Overview of the Revision Process

- July 2014 - Charter Revision Commission (CRC) was appointed by the Legislative Council (LC); charged with reviewing and revising the existing town charter.
- CRC recommended changes to the LC in Fall of 2015.
- Changes were approved by LC, will be voted on **November 8**.
- Proposed changes presented to the voters in **two** ballot questions.
 - Independent outcomes



Today's Forum

- Overview of the Revision Process
- BoE Political Party Representation
- Budget Referendum Questions
- Other Proposed Changes to Budget Processes
- Elimination of Town Meetings
 - Changes to the Appropriation Processes
 - Changes to Real Property Acquisitions and Dispositions
- Questions



QUESTION 1

SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE MAXIMUM NUMBER OF MEMBERS FROM ANY ONE POLITICAL PARTY PERMITTED TO SERVE ON THE SEVEN (7) MEMBER BOARD OF EDUCATION SHALL NOT EXCEED FOUR (4), (THE CURRENT CHARTER PROVIDES THAT THE LIMITATION IS FIVE (5) MEMBERS FROM ANY ONE POLITICAL PARTY)?



BoE Political Party Representation

- 7th BOE seat added in 2007
- State statute mandates a 7 member board have minority political party representation minimum of 2 - allows town charter to increase the minority minimum



QUESTION 2

SHALL THE REMAINING CHARTER AMENDMENTS ADOPTED BY THE LEGISLATIVE COUNCIL ON NOVEMBER 18, 2015 BE APPROVED NOTWITHSTANDING THE RESULTS OF QUESTION NUMBER 1 ABOVE?

Remaining proposed amendments include changes to:

- Town Budget and Related Processes
- Elimination of Town Meeting and Corresponding Changes
- Real Property Processes
- Restructuring and Other Non-Substantive Changes



Budget Referendum Questions

Existing Charter

“Do you deem the proposed sum of \$___ to be appropriated for the Board of Selectmen as ‘too low’?”

“Do you deem the proposed sum of \$___ to be appropriated for the Board of Education as ‘too low’?”

Proposed Charter

“If the proposed sum of \$___ for the Board of Selectmen is not approved, should the revised budget be higher?”

“If the proposed sum of \$___ for the Board of Education is not approved, should the revised budget be higher?”



Other Proposed Changes to Budget Processes

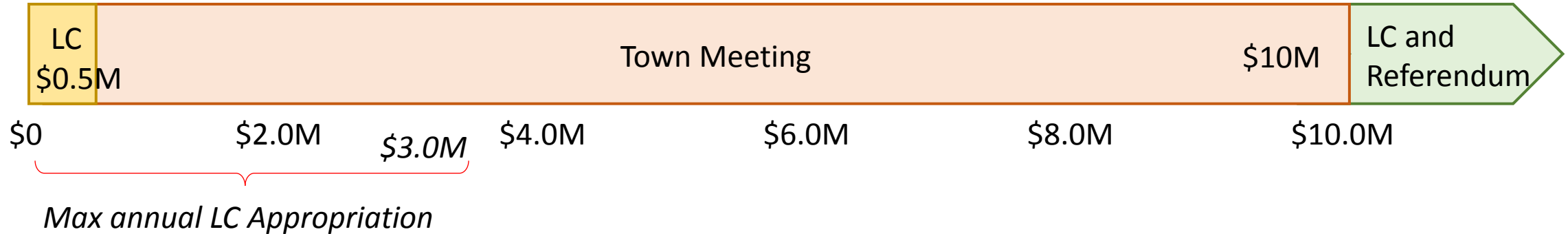
- Budget Referendum Processes have been codified
 - In the event of failed referendum, LC must confer with the Board of Selectman and the Board of Education for changes in their respective budgets
 - LC shall also request updated financial recommendations from the Board of Finance
- Amended budgets must be publically available after voter approval



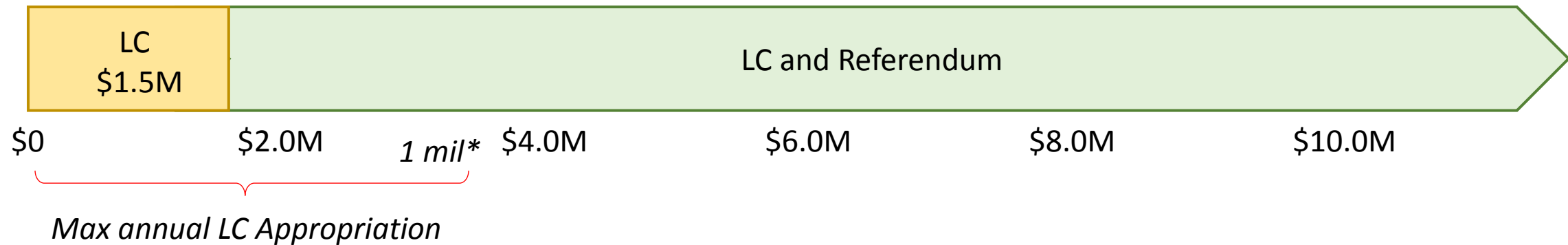
Elimination of Town Meetings

Changes to Appropriation Processes for a Single Item/Purpose

Approval levels and methods provided in **current charter**



Approval levels and methods provided in **proposed charter**



Right of Referendum [section 7-100 of current charter and section 3-25 of proposed charter] 5% of currently registered voters.

*1 mil is currently about \$3.0M

More on appropriations...

- For LC approved appropriations over \$1.5M, voters will cast a yes/no vote for each specific appropriation on the Referendum Ballot in April.
 - Appropriations in excess of the limit that are prohibited by timing or other factors from appearing on the ballot will warrant a special referendum.
- Language for appropriations changed from “per item” to “per purpose.”



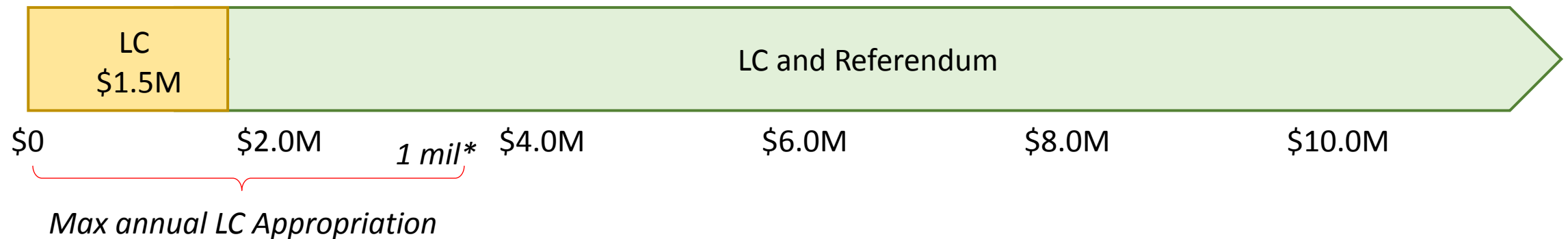
Elimination of Town Meetings

Changes to Real Property Acquisitions

Approval levels and methods provided in current charter



Approval levels and methods provided in proposed charter



*1 mil is currently about \$3.0M

Annual LC maximums defined for special and emergency appropriations apply to acquisitions.



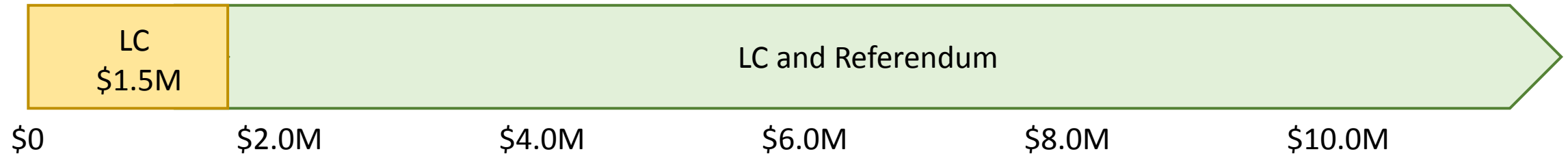
Elimination of Town Meetings

Changes to Real Property Dispositions

Approval levels and methods provided in current charter



Approval levels and methods provided in proposed charter



Additional requirements provided in the proposed charter

- Appraisal
- Opportunity for comments from all boards and commissions having an interest in the property
- Signage and local publication required



Decision Requirements for Real Property Dispositions

- The Board of Selectmen initiates the disposition of a town-owned real property by majority vote.
- The Legislative Council may vote to sell or otherwise dispose of the real property as required by the General Statutes, if applicable, or by majority vote.
 - Should the First Selectman decide to sell the property using private sale, the price and terms of the contract must be approved by a majority of the Board of Selectmen and at least eight (8) members of the Legislative Council.



Other Proposed Changes to Real Property Dispositions

- Sealed bid removed as method of disposition
- Private sale is similar to current private real estate practices
- The sale of property may be based, in part, on a buyer's binding commitment to use the property for a beneficial purpose
- Leasing of real property is specifically provided for



Tell your friends to...



ANY
QUESTIONS
?

**Please Take
a Pamphlet
or Two!**

Thank You

