

Town of Ridgefield
Charter Revision Commission Special Meeting
Saturday, April 21, 2018 – 8:30 a.m.
Town Hall Large Conference Room
400 Main Street, Ridgefield, Connecticut
APPROVED MEETING MINUTES

*These minutes are a general summary of the meeting and are not intended to be a verbatim transcription.

Members Present:

E. Burns, W. Davidson, J. Egan, E. Geisinger, C. Hancock, J. Seem, J. Shapiro, L. Steinman, P. Walsh

Agenda

1. Approve the Minutes from Charter Revision Commission Regular Meeting on April 9, 2018.
2. Discuss and Possibly Vote on Proposed Charter Changes.
 - a. Proposals will be discussed in order of Exhibit A, which was attached to the Agenda, which is a list of proposed changes for discussion and possible vote.
 - b. Before any vote, public comment will be invited and individuals will be recognized for 3 minutes.
3. Any other business.
4. Adjournment.

The meeting was called to order by CRC Chair Jon Seem at 8:30 a.m.

Mr. Seem explained that the special meeting had been scheduled as a working session with a number of issues to discuss and potentially vote on, but he recognized the importance of taking public comment.

1. Approval of Minutes of April 9, 2018 Regular Meeting.

Mr. Steinman proposed several minor corrections to the unrevised/unapproved minutes of the Regular Meeting.

Mr. Steinman moved and Mr. Egan seconded a motion to approve the unrevised/unapproved minutes of the April 9, 2018 CRC Regular Meeting, with the proposed minor corrections. Motion carried 9-0.

Mr. Seem then asked for public comment. He invited especially comment from anyone who had not already commented at a prior meeting or who has materially new information. He also said comment would be limited to three minutes. He then asked if there was any public comment. There was none.

2. Discussion and Possible Vote on Proposed Charter Changes.

Proposal to Separate the Inland Wetlands Board from the Planning and Zoning Commission.

Mr. Seem opened the discussion of, possible votes on, proposed Charter changes by proceeding in order of the items listed on Exhibit A of the Agenda, the first of which was a proposal by the Ridgefield Conservation Commission (RCC) and others to separate the Inland Wetlands Board (IWB) from the Planning and Zoning Commission (PZC). He requested that each of the Commissioners state his or her view on this issue and then he would state his own view last.

Mr. Walsh said he was uniquely disappointed in the arguments for separating the IWB from the PZC. He noted that the CRC is being asked to change the organic documents of this town. He said that the arguments presented by the RCC are not facts, but opinions that they hold and that they believe are superior to all other opinions so that if you do not agree with their opinions you must absolutely be wrong. Mr. Walsh explained that this really troubles him in terms of our form of government.

He stated that the RCC was using the Chewbacca defense, which, he explained, in litigation means a defense attempting to confuse the jury while at the same time not refuting the facts. He said that the RCC had advanced nothing but personal opinion that there might be something wrong up against facts that reveal the complete opposite.

Mr. Walsh said that the CRC is being told that Ridgefield does not use best practices without being told what they are. In fact, the IWB in Ridgefield does use best practices, he said. What we are confronted with, he said, is a board, the IWB, that is a regulatory board, and must follow the laws of the State of Connecticut, being criticized by an advisory board, a well-regarded and well-respected part of our government, the RCC. It is rather healthy, he said, that an advisory board is butting heads with a regulatory board, because that is the way the system should work, with checks and balances.

Mr. Walsh then discussed a counterfactual of imagining that Ridgefield had a separate IWB and PZC and someone made a proposal to combine them. If everything was working well, there would be no votes among CRC members to combine them. Mr. Walsh said he is struggling with the idea that the CRC should change the current system based on opinion and not on fact. He said that he had not heard that there is anything wrong.

Mr. Walsh acknowledged that he understands the proposition that if it is not broke then don't fix it. But instead, he said, Ridgefield's current structure should be a model for other towns to follow. He stated that Ridgefield's IWB had set law and precedent in Connecticut on how to properly review upland and has actually expanded the ability of other boards to review upland applications. He said that he understands that there is tension, and healthy tension should always exist. He said that the current structure works better and properly and has served the town well for more than 40 years when the voters decided that it should be combined.

Mr. Walsh also criticized that concept of saying that you cannot trust the voters. He observed that the RCC advocates that we let the voters decide whether to split the IWB and the PZC but says that we cannot trust the voters to select the members of the IWB. Mr. Walsh said that he finds that perspective extremely troubling, taking the vote away from 16,000 people and giving it to five people.

Mr. Shapiro noted that the RCC pointed out what, in their view, are inadequacies in the work of the IWB under the current structure. He noted that his own view is that the IWB has generally performed well under the current structure and has improved over time. People work hard and in good faith, he said. The question, he said, is if the folks on these combined boards are doing their jobs fairly well and working hard and in good faith and are continuously improving, should there be change to the structure?

But, according to Mr. Shapiro, the right way to frame the decision for himself as a member of the CRC is not simply whether they are working hard or working well, but rather, what is the best structural arrangement on behalf of the people of Ridgefield for getting done those things that a planning and zoning commission should get done and getting done those things that an inland wetlands board should get done, and getting them all done in a good quality manner, with real attention paid to the character of the town of Ridgefield, and what the people of Ridgefield really want their town to be like, and being on the same page as the government of the town of Ridgefield. So the question, as Mr. Shapiro framed it, is whether a structure with two separate boards will be better than the current structure. He said

that he leans toward believing that it would work better structurally as two separate boards, a PZC and an IWB. He added that to address an issue raised by Mr. Walsh, elective versus appointive, Mr. Shapiro stated that he leans toward the view that if the IWB is a separate board it should probably be appointive rather than elective.

After Mr. Shapiro concluded his comments, Mr. Seem requested that Commissioners focus on whether to separate the IWB from the PZC rather than on whether a separate IWB, if that is the option recommended, should be elective or appointive.

Next, **Mr. Egan** said that he had flip-flopped on this issue. He said that in light of his personal situation 10 years ago, he thought separation of the IWB and PZC was a good idea. He said that he agreed with some of Michael Autuori's comments. Mr. Egan explained his that he was satisfied with Rebecca Mucchetti's responses on peer review and other matters, and was convinced that the situation had improved. He stated that he would vote to keep things the way they are.

Ms. Burns disagreed with Mr. Walsh regarding facts. She cited some RCC presenters as having presented a number of facts, including the presentations of Alan Pilch and Patricia Sesto, that are important in showing that there is more discretion and judgment involved that can be applied under the law governing wetlands. She said that the IWB exercises discretion and judgment and it is important to have people with the proper expertise. She explained that water is so important to life that we need to do the best we can as Ridgefield gets more developed to protect it. She stated that currently there is too much concentration of power on land use issues in one board. Separating the two boards, she concluded, would benefit us hugely, so she supports separating them into two boards.

Ms. Geisinger said that the two issues are environmental versus efficiency or development. Those objectives are sometimes in conflict. It does not make any sense, she said, from a political science point of view, to have the responsibilities in the same body, so, regardless of whether it is appointed or elected, she would vote to separate them.

Mr. Hancock noted the passionate input and tremendous volume of input and thought that went into the input from both sides. He said he was really impressed with that. He said that he does not believe the current system is broken as it exists today and it has served our community well. He said he does not believe in fixing something that is not broken. He also stated that he does not believe there is bias that is a concern here. He cited the risk of adding a layer of complexity and cost

with separating the two boards. But his number one thought, he said, is that the system is working. He said that he is for leaving it as it is.

Mr. Davidson said he asks, in these matters, is it effective and is it efficient. He said that he thinks it is efficient, but that efficiency is not the only important thing about government. He said he also believes it is also effective. He stated that he did not see evidence that the present board is not handling its inland wetlands responsibilities effectively. They are, he said. He acknowledged that there were some good points made by those advocating separation of the two boards. Then Mr. Davidson noted that he had lived with and governed with a separate inland wetlands board in the town of Brookfield and he said that it is not all a bed of roses; that structure too has its problems. He concluded that it is not broken and should be left like it is. He said that he has seen it the other way, and there are some strengths the other way, but the weaknesses arise pretty quickly too. So he said that he would vote to leave it like it is because he thinks that it is working for the town of Ridgefield.

Mr. Steinman spoke next. He explained that he has had over 30 years of experience representing towns, villages, and cities in New York, as well as their planning boards, zoning boards, and legislative bodies. He noted that he has learned as a member of the CRC that the land use process is dramatically different in Connecticut. He explained that in New York, local control over land use, a prized function, is divided among an elected legislative body that adopts zoning regulations, comprehensive plans, and environmental regulations; an appointive planning board typically composed of architects, engineers, planners, environmentalists, and attorneys; and an appointed zoning board of appeals. The planning board in New York, he explained, is staffed by a planner and engineer who attend all meetings and sometimes an environmental coordinator as well, while zoning board meetings are attended by the zoning enforcement officer. These staff members, he noted, are employees of the municipality and not the planning board or zoning board. In addition, land use applications in New York are subject to the state's environmental statute, the State Environmental Quality Review Act (SEQRA), which requires that environmental considerations and analysis be factored into all land use decision making.

Mr. Steinman then observed that in sharp contrast to New York's separation of powers, in Ridgefield the land use system is solely under the jurisdiction of and control of the PZC/IWB. There is no division of responsibility and there are no checks and balances within the system, he said. The PZC/IWB adopts zoning, subdivision, and environmental regulations and the plan of conservation and

development and reviews subdivisions, site plans, special permit and wetland applications under those regulations and the comprehensive plan that it has adopted. PZC/IWB staff are appointed by and employees of PZC/IWB, he observed. And, he pointed out that Connecticut does not have environmental legislation similar to New York's SEQRA.

He illustrated his observation of the difference between Ridgefield and New York State by noting that an applicant in Ridgefield who seeks to develop a use that is not permitted under the zoning code would be able to conduct what he characterized as one-stop shopping and obtain the zoning change and required permits from the PZC/IWB. By contrast, he explained, in New York the applicant would first have to persuade the legislative body of the merits of the proposed zone change, possibly necessitating a super-majority vote to approve the zone change. Then, if successful, the details of the project would be reviewed by the planning board. And, he observed, both review would need to be in compliance with the SEQRA law.

Mr. Steinman then explained that the comparison with New York is relevant because charter revision should focus on the structure of government. From a government structural standpoint, in Mr. Steinman's opinion, there is an overconcentration of land use authority in the PZC/IWB. Separating the IWB from the PZC would be a first step in undoing what Mr. Steinman characterized as PZC/IWB's monopoly over the town's land use system and in establishing checks and balances in the land use process.

In addition, Mr. Steinman stated, establishment of a separate, appointed, IWB would enable the Board of Selectmen to create an IWB comprised of individuals with diverse education, experience and expertise in wetlands and soil science and other environmental and land use disciplines; to require that those members receive annual training in their duties as IWB members; and to provide the new IWB with independent professional staff with the necessary experience and expertise.

Mr. Steinman noted that, by contrast, PZC/IWB members are elected rather than appointed; are not subject to qualification requirements such as education, experience, and expertise/certifications in relevant fields related to wetlands and soil science; are not required to and apparently have not sought to obtain annual training; and consequently, in the absence of such knowledge, experience and expertise, PZC/IWB members have not prioritized protecting and preserving the town's wetlands and watercourses.

Based on the reasons he had just stated, Mr. Steinman then stated that based upon the record before the CRC and, in particular, based on considerations articulated in an April 18, 2018 letter to the CRC from Patricia Sesto, he supports the creation of a separate IWB for the town. He stated that to do so would be consistent with the best practices as opined by various wetlands and conservation-related organizations, entities, and practitioners.

Mr. Steinman concluded that the obstacles to separation raised by the PZC/IWB have apparently been overcome throughout the state, given the overwhelming number of municipalities that have separated the IWB from the PZC.

Mr. Seem provided his comments last. He noted that he is not a lawyer, and not a builder, and that he has no expertise in building or soil sciences. He said when he moved here in 2000 he was attracted to Ridgefield because it is a beautiful town with beautiful wildlife. Mr. Seem said that when he was interviewed by the Board of Selectmen for a seat on the CRC he said that he would have three criteria for any issue that came before the CRC. One was, if it ain't broke, don't fix it, and he said that he still believes that as a very important attribute. He said that it is also important to maintain and when appropriate improve the ability for the voters of Ridgefield to have visibility and participation in important issues. Third, he said, it is important to maintain and when and where appropriate improve the checks and balances that are in place in the town. Mr. Seem said that he was impressed by the IWB/PZC presentation, and they had clearly demonstrated competency. He noted the tremendous amount of work that went into their presentation to the CRC and said that he really appreciates their work. He also recognized and appreciated all the work that went into the presentation by the RCC.

Mr. Seem observed that as voices are expressed on this issue, a few things struck him. One was that he noted that the RCC was not asking for the authority to add the IWB to the RCC, so Mr. Seem said that he did not see that as the RCC making a power grab. He noted that they presented facts that there was an opportunity to do better. This is not to put a negative shade on the work that the IWB/PZC is doing, he said, but the focus is on whether it could be done better. Mr. Seem said that based on the facts that had been presented, from some of the best practices, and the comments from Farmington, it demonstrates that the issues are becoming more complex. He noted that the PZC will be busy dealing with MS4. He concluded that he believed that the town would be better served by having a separate IWB, and that is how he would be casting his vote.

Mr. Steinman moved and Ms. Geisinger seconded a motion to approve the proposal to revise the Charter to separate the Inland Wetlands Board from the Planning and Zoning Commission. Motion carried 5-4.

Mr. Davidson asked whether the CRC would take up the issue of an appointive IWB versus an elective IWB. Mr. Seem noted that the appointive versus elective issue is not on the Agenda, so it will be left for a future meeting.

Proposal that a Person Cannot Run for More than One Office or Board/Commission Seat in a Municipal Election.

There was some discussion among CRC members about the concern reflected in the proposal by Barbara Serfilippi and others that a person should not be able to run for more than one office or board/commission in one election. Among the factors mentioned were the difficulty in finding a candidate for a seat, the fact that if a person wins more than one seat then the person who fills a seat becomes a person who is appointed rather than elected, the difficulty that voters have in understanding the process if someone wins more than one seat, the confusion that occurred in understanding who were the winners after the most recent municipal election, and the delay after that election in declaring winners. Ms. Burns and Mr. Steinman both expressed their support for the proposal.

Mr. Seem requested that Ms. Burns and Mr. Steinman work together to develop a specific proposal with appropriate language, and bring that language forward to the full CRC.

Mr. Shapiro requested that there be wording to make it clear that the prohibition should only cover running for two seats that have terms to be served at the same time. Mr. Steinman agreed.

Proposal to Increase Percentages of Electors Required Under Section 3-5 of the Charter to Higher Figures.

Mr. Davidson noted that this proposal by Rudy Marconi, First Selectman, on behalf of himself, is interesting and complex. He noted different percentages for different levels, but that there is no cap. Therefore, he concluded, there is more to this matter than just percentages, and he referred to Section 10-2(b) of the Charter.

Mr. Seem said that he is leaning toward not changing the percentages in Section 3-5 of the Charter because no problem has been demonstrated.

Mr. Davidson then explained that under Section 10-2(b) there is no maximum as to how much money a petition can force to a referendum if the Board of Selectmen denies the petition. With regard to percentages in Section 3-5, Mr. Davidson explained that he is not uncomfortable with the current percentages.

Mr. Hancock said that he would like to hear why the Board of Selectmen recommended an increase in percentages. Rudy Marconi, First Selectman, noting that two other members of the Board of Selectmen were also present in the audience, said that he could speak only for himself. Mr. Marconi said that there is a concern whether there should be a town meeting or a referendum based on the current percentages.

Ms. Geisinger expressed her disposition to defer to the elected officials, the Board of Selectmen, on this recommendation, in light of her unfamiliarity with this issue, and absent any compelling reason not to do so.

Ms. Burns shared her experience in obtaining 3,000 signatures for a petition. She explained that she is not inclined to change the percentages because people should not be blocked on having an opportunity to vote on issues.

Mr. Egan said he does not favor a change. Mr. Shapiro explained also that he was not in favor of changing percentages. Mr. Walsh also stated that he is not in favor of a change.

Mr. Steinman expressed his concerns in general with petition processes and said that he is on the fence on this specific issue.

Mr. Shapiro moved and Mr. Walsh seconded a motion to decline to recommend revising the Charter to increase the percentages of electors required on a petition to call a town meeting under paragraphs (a), (b), and (c) of Section 3-5 of the Charter from 2%, 5%, and 2%, respectively, to higher figures. Motion carried 8-1.

Mr. Davidson moved and Mr. Steinman seconded a motion to change the order of Agenda items covered by next considering three further Agenda items, those being establishing a number of signatures on a petition as guaranteed votes in an annual town meeting; lowering the number of signatures to specified lower percentages or a number required regarding petitioned town meetings; and raising the number of signatures to specified higher percentages regarding petitioned town meetings. Motion carried 9-0.

Proposal to Allow Petitions with 100 or More Signatures to be Guaranteed Votes at an Annual Town Meeting.

Mr. Steinman expressed his view, consistent with the prior discussion, that we not move forward with the proposal by Joe Savino to allow petitions with 100 or more signatures to be guaranteed votes at an annual town meeting.

Mr. Steinman moved and Mr. Hancock seconded a motion to decline to recommend revising the Charter to provide that petitions with 100 or more signatures be guaranteed votes at the annual town meeting. Motion carried 9-0.

Proposal to Lower Percentages of Electors Required to Petition a Town Meeting to Specified Lower Percentages or Figure.

Mr. Seem noted and described the proposal by Mr. Savino and asked whether any members of the CRC wanted to discuss the proposal. Ms. Geisinger noted that it was the inverse of a previous proposal.

Mr. Shapiro moved and Mr. Egan seconded a motion to decline to recommend revising the Charter to decrease the percentages or number of electors required on a petition to call a town meeting to 80 electors from the current 2% of electors if costing no money but relating to town ordinances, to 1% of electors from the current 2% if it will cost less than \$250,000, and to 2.5% of electors from the current 5% if it will cost less than \$1,000,000. Motion carried 9-0.

Proposal to Increase Percentages of Electors Required Under Section 3-5 of the Charter to Specified Higher Percentages.

Mr. Seem noted that this was essentially the same proposal as had been voted on before, but from the Board of Selectmen. This proposal had specific proposed percentages.

Mr. Hancock moved and Mr. Davidson seconded a motion to decline to recommend revising the Charter to increase the percentages of electors required on a petition to call a town meeting under paragraphs (a), (b), and (c) of Section 3-5 of the Charter from 2%, 5%, and 2%, respectively, to 5%, 10%, and 5%. Motion carried 8-1.

Proposal to Change the Length of Terms of the Board of Selectmen and the First Selectman from Four Years to Two Years.

With regard to this proposal by Mr. Savino, Mr. Hancock noted that the town had had two-year terms. He said that he did not think it was efficient to have a two-year term, because we were always in an election cycle.

Mr. Hancock moved and Ms. Burns seconded a motion to decline to recommend revising the Charter to change the terms of the Board of Selectmen and of the First Selectman from four years to two years. Motion carried 9-0.

Proposal to Integrate the Internet into the Town's Petition Process.

Ms. Burns indicated that she believes what Mr. Savino is proposing is that the petition is conducted online. Mr. Steinman stated that there was insufficient information to support a recommendation to recommend this Charter change.

Mr. Steinman moved and Mr. Walsh seconded a motion to decline to recommend revising the Charter to integrate the internet into the town's petition process. Motion carried 9-0.

Proposal to Clarify the Rules on How the Town Budget Items are Advertised and Posted and Clarify the Rules on How the Public Can Change Proposed Capital and Operating Budgets.

There was some discussion among CRC members concerning what was meant by Mr. Savino in his proposal. Mr. Marconi was asked what he thought was intended. Mr. Marconi said that he thought the second part of the proposal referred to the interpretation of "line item," which appears in Section 10-1(c) of the Charter.

Mr. Steinman suggested that the CRC obtain a submission with a specific recommendation. Mr. Seem undertook to ask Mr. Savino, the proposer, to attend the CRC's April 30, 2018 meeting to clarify his proposal.

Mr. Marconi noted a provision in Section 10-1(a) of the Charter. It reads, "The budgets shall be prepared in such manner as the Board of Finance shall prescribe." There followed some discussion about how this gives the Board of Finance authority to resolve some of the issues that seem to be addressed in Mr. Savino's Charter revision proposal.

Mr. Walsh asked whether the Board of Finance has been getting budgets in the manner in which they prescribe, or are they not prescribing. There followed some discussion of "line item" as used in Section 10-1(c) of the Charter. Maureen Kozlark, a member of the Board of Selectmen, noted the history with this provision and the Board of Education budget during the past two annual budget town meetings. Ms. Kozlark stated that a year ago, the Town Attorney rendered an opinion that the total figure for the Board of Education budget was not a line item that could be reduced as such.

Mr. Walsh asked if this is another question for the Board of Finance and Mr. Seem said that the CRC should invite comment from Dave Ulmer, Chairman of the Board of Finance.

Mr. Steinman observed that the CRC had the benefit of a very well-defined record on the IWB/PZC issue, and that we are very far from having clear definition on the finance issues. He said that he hoped the CRC would get written submissions by the Board of Selectmen, the Town Attorney, and the Board of Finance pinpointing what the issues are and what sections of the Charter need to be addressed. Mr. Walsh agreed.

Ms. Burns suggested that, based on this discussion, Mr. Ulmer should be given specific direction as to what provisions or questions should be addressed by him.

Proposal to Establish Term Limits.

Ms. Burns said it was not clear what the position of the Board of Selectmen was, as the request from the Board of Selectmen was to discuss term limits. Mr. Seem asked if any member of the CRC proposed having term limits for any appointive or elective position.

Mr. Walsh asked whether we should take this out of the hands of electors and impose artificial term limits. Mr. Shapiro said that he does not see an advantage in term limits. For elective positions, the voters have an opportunity each election to limit someone's term. And for appointive positions, the appointive body, such as the Board of Selectmen, have the opportunity to limit someone's term by not reappointing the person. Mr. Hancock agreed. Ms. Geisinger said that we do not need term limits here in Ridgefield to limit excessive power.

Mr. Hancock moved and Mr. Shapiro seconded a motion to decline to recommend revising the Charter to establish term limits. Motion carried 9-0.

Proposal to Make Vacancy in Ballot Position Follow the Protocol for Filling a Vacancy Provided in Section 4-7 of the Charter, Subject to Minority Representation.

With regard to this proposal by the Board of Selectmen, members of the CRC discussed whether the current wording of Section 4-7 of the Charter is adequately explicit, and whether it clearly covers a variety of possible situations in which vacancies occur. There was some discussion of the most recent municipal election. There was considerable further discussion on how Section 4-7 should be interpreted in various fact situations.

Mr. Seem requested that Mr. Shapiro and Ms. Burns consider some refinements to Section 4-7 to address what they believe are issues.

Proposal to Make the Offices of Town Treasurer, Town Clerk, and Tax Collector Appointive Rather Than Elective.

With regard to this proposal by the Board of Selectmen, Mr. Seem reported that he invited the Town Clerk and the Tax Collector to appear at the CRC meeting on April 30, 2018. He said that he had not intended to put this item on the Agenda for the April 21, 2018 meeting, but he had done so. He asked whether any member of the CRC had comments on this issue.

Ms. Geisinger said that four years ago the Tax Collector had very good quality comments. Ms. Geisinger recommended that we hear from the Tax Collector before moving forward. Ms. Burns made clear that we are seeking to hear from the Town Clerk as well.

Mr. Walsh said that four years ago the proposal to make the positions of Town Treasurer and Tax Collector appointive rather than elective was defeated overwhelmingly by the voters.

Mr. Walsh moved and Mr. Hancock seconded a motion that the Charter Revision Commission make no recommendation on making the positions of Town Treasurer, Tax Collector, and Town Clerk appointive.

Mr. Burns expressed the view that this is worthy of consideration and the CRC should hear from the appropriate people.

Mr. Davidson said that we should consider these three positions separately, and that his preliminary view is that we should get the best tax collector that we can get rather than limiting ourselves to a resident of Ridgefield, so the position should be appointive.

Mr. Steinman said that he generally agreed with Ms. Burns and Mr. Davidson. He suggested that we give the Tax Collector and Town Clerk the opportunity to submit their positions either personally or in writing, and then have further discussion before taking any action.

Mr. Walsh withdrew his motion.

Proposal to Create Consistency in the Length of Terms for All Appointive Positions in Article IX (Administrative Offices, Agencies, and Employees).

Mr. Davidson distributed a page he had prepared dated April 19, 2018 with the headings "Background" and "Proposed New Wording." Stapled to that page, as a second page, was Mr. Davidson's memorandum of April 8, 2018, which had been previously distributed to members of the CRC, showing the widely varying terms for the various positions described in Article IX of the Charter. He noted that the length of terms was all over the lot, and even the punctuation and language differed widely among the sections for the various positions. Mr. Davidson summarized his proposal as consisting of four-year terms, beginning on the first Monday in March following the quadrennial town election for Board of Selectmen. He noted that this new language would give the newly elected Board of Selectmen four months to either recruit new people or reappoint.

Mr. Steinman noted that communities in New York often make appointments annually, often for a one-year term. He said that some terms should be relatively short, like a Town Attorney, who should have a one-year term rather than a longer term. Also, he said that he did not know whether, in Connecticut, giving a person a fixed term would give that person certain rights which the person would not have if the term was to serve at the pleasure of the appointing authority.

Mr. Seem asked Mr. Marconi to provide more explanation as to the thoughts behind the proposal. Mr. Marconi confirmed that it is all over the place. He noted that the Board of Selectmen had asked that the CRC review this.

Mr. Steinman raised the possibility that positions should be changed from a fixed term to at the pleasure of the Board of Selectmen. Then, the Board of Selectmen could still review those positions annually, or review them periodically.

In further public comment, Mr. Savino suggested that positions be for terms of no more than one year, in order to give the Board of Selectmen the flexibility they need.

Mr. Steinman raised the possibility that a specified term might suggest that a person can only be terminated for cause, while making the appointment at the pleasure of the Board of Selectmen would not, but he noted that he is not familiar with Connecticut law.

Mr. Marconi noted that there can be a problem recruiting someone for only a one-year term.

Mr. Seem suggested that Mr. Steinman and Mr. Davidson collaborate on some specific language that the CRC can consider.

Proposal to Eliminate the Office of Town Treasurer Position.

Mr. Seem asked for comments on this proposal from any member of the CRC supportive of this proposal by Mr. Savino in which Bob Cascella concurred.

Mr. Davidson asked Mr. Marconi for his thoughts if the position of Town Treasurer were eliminated. Mr. Marconi noted that having a Town Treasurer is a good check and balance with the town's money. He said that someone would have to perform that work. He noted that it is now a part-time position working 25 to 30 hours per week, and the incumbent is doing a good job and is paid \$30,000 per year.

Mr. Walsh observed that it sounded like an employee would still need to be paid to perform that function. Ms. Burns asked, if the position were eliminated, how would Kevin Redmond perform the work of the Town Treasurer. Mr. Marconi reported that Mr. Redmond has said that he would need to hire someone part time.

Mr. Seem noted that the Board of Selectmen is in the process of looking for opportunities to re-engineer the headcount of the town and that there are many types of moves that could have an effect on each other. Mr. Marconi noted that the town is looking at consolidating the town and Board of Education financial positions.

Mr. Davidson moved and Mr. Steinman seconded a motion to decline to recommend revising the Charter to eliminate the office of Town Treasurer. Motion carried 9-0.

Proposal that the First Selectman be a Voting Member of the Board of Finance.

Mr. Seem stated that he had not intended to make this item a part of the Agenda because he would want the comments of Mr. Ulmer, the Chairman of the Board of Finance.

Mr. Davidson shared his Brookfield experience, where the First Selectman can vote to break a tie, but, he noted, in Brookfield, without the First Selectman, the Board of Finance is a six-member board.

Mr. Hancock said the purpose of his proposal is to make the First Selectman's job more like what the voters think it is as the CEO of the town. The number one job of a CEO is control of the finances of the organization.

Mr. Walsh said that sitting on two boards, the Board of Selectmen and the Board of Finance, would violate the provision of the Charter prohibiting membership on two boards. Mr. Shapiro said that authority to sit on the two boards would be part of the Charter amendment if this proposal were adopted.

Mr. Seem asked if there were supporters of Mr. Hancock's proposal.

Mr. Shapiro said that he agrees with Mr. Hancock's proposal, but that the Board of Finance should be expanded from five members to six as part of this Charter revision so that the number of members, including the First Selectman, would be an odd number.

Mr. Seem asked whether there were any other members of the CRC who support Mr. Hancock's proposal. Ms. Geisinger and Mr. Davidson said that they support the proposal.

Mr. Seem then asked whether the CRC wants to hear from Mr. Ulmer on this question. Mr. Davidson agreed that we should. Mr. Seem undertook to clarify the issues for Mr. Ulmer by providing him with the minutes.

Mr. Seem said he would also request any help from Mr. Hancock or Mr. Shapiro or Ms. Geisinger or Mr. Davidson in crafting a technical solution and bringing it back to the CRC. Ms. Geisinger said she would welcome the help of Mr. Steinman as well. Mr. Hancock and Mr. Davidson agreed to collaborate on some technical language.

Proposal to Consider Appointment Versus Election for All Elected Town Officials and Boards/Commissions.

This proposal was made by Mr. Steinman as part of a memorandum dated January 29, 2018 that he submitted to the CRC in January. He noted that some of the prior discussion at the current meeting has related to this. He said that he does not have a follow-up motion to make. He wanted to express in the memorandum his philosophy of elected versus appointed. He stated that there is not time for this CRC to deal with this issue in our time frame, but he noted that it needs attention on a broader scale.

Mr. Seem observed that we could include a paragraph on this in the final report. It was noted that such a paragraph would need to be voted upon.

Mr. Steinman confirmed that he was withdrawing this as a proposal to consider.

Proposal to Consider Charter Issues Pertaining to Non-Resident Property Owners' Right to Vote at a Town Meeting.

Mr. Steinman had proposed in his January 29, 2018 memorandum that the CRC consider this issue. Mr. Steinman said that the CRC had received an opinion from the Town Attorney stating that non-residents do have a certain right to vote and, Mr. Steinman noted, in Ridgefield those rights are memorialized in the Charter, so he stated that he is not suggesting any further action on this item. Mr. Seem confirmed that this matter is considered dismissed from the CRC's consideration.

Proposal to Consider Charter Issues Pertaining to Consolidation of the Powers of the Building Code Board of Appeals and the Board of Zoning Appeals.

Mr. Steinman also had proposed in his January 29, 2018 memorandum that the CRC consider this issue. Mr. Steinman said that the CRC had received information from the Town Attorney on this issue and, based on the response from the Town Attorney, Mr. Steinman said he is prepared to withdraw that proposal.

Proposal to Consider Charter Issues Pertaining to Decision-Making on the Appropriate Use of Excess Sewer Capacity.

Mr. Steinman also had proposed in his January 29, 2018 memorandum that the CRC consider this issue. Mr. Steinman said that the CRC had received advice from the Town Attorney on this issue as well, and based on that advice Mr. Steinman said he is prepared to withdraw that proposal. Mr. Seem noted that members of the Water Pollution Control Authority have been invited to participate in a discussion with the CRC, so we can withdraw that invitation. Ms. Burns asked what the Town Attorney responded on this issue. Mr. Steinman said it was a matter of state law.

Proposal to Consider Charter Issues Pertaining to the Definition of "Town agency" in Section 1-1 of the Charter as it Relates to the Term "other agencies" as Used in Section 8-2 of the Charter.

Mr. Steinman also had proposed in his January 29, 2018 memorandum that the CRC consider this issue. Mr. Steinman said this is something we will talk about at a future CRC meeting.

Proposal to Consider Charter Issues Pertaining to the Definitions of "elector" and "resident" in the Charter.

Mr. Steinman also had proposed in his January 29, 2018 memorandum that the CRC consider this issue. Mr. Steinman stated that this was just an observation but he is not pushing for any Charter revision on this issue. Mr. Marconi was asked for his

observation, and he said that a person could be a resident but not an elector if the person were not registered to vote.

Proposal to Form an Affordable Housing Commission as a Charter-Specified Commission.

This is a proposal brought to the CRC by David Goldenberg. Mr. Seem noted that there is an Affordable Housing Committee and Mr. Goldenberg provided a written proposal to create a Charter-specified Affordable Housing Commission and spoke before the CRC in support of his proposal. Mr. Seem also noted that Ms. Mucchetti submitted comments regarding this proposal.

Mr. Egan said that he did not think the CRC wants to get involved in this because it would not accomplish anything because it would not change anything.

Mr. Shapiro said that his impression had been the same as Mr. Egan's impression, that it would not change anything except in elevating its profile from a committee to a Charter-specified commission, something that Mr. Shapiro said he thought was a good idea. But he said that when Ms. Mucchetti submitted her comments, he realized that Mr. Goldenberg's proposal for the formation of an Affordable Housing Commission included a substantially larger scope for that commission than the scope for the committee. Mr. Shapiro said that he was not sympathetic to the enlarged scope envisaged by Mr. Goldenberg.

Ms. Burns stated that if the CRC is going to not support the creation of an Affordable Housing Commission, then the CRC should incorporate language in its report encouraging the Board of Selectmen to recruit and re-appoint members to the committee because the problems exist and continue. Mr. Walsh said that he is not in favor of telling the Board of Selectmen how to do their job.

Mr. Hancock moved and Mr. Walsh seconded a motion to decline to recommend revising the Charter to establish an Affordable Housing Commission. Motion carried 7-2.

Proposal to Provide that When There is a Vacancy for a Member or Alternate on the Board of Zoning Appeals, the Person Appointed to Fill the Vacancy Should Fill the Vacancy for the Full Remaining Term.

Mr. Shapiro read a sentence from the state statute on filling vacancies among members or alternates on a board of zoning appeals. That statute seems to give the town the right to set its own process for filling vacancies.

Mr. Steinman noted that appointment to fill a vacancy until only the next municipal election is the customary method of dealing with vacancies and he said he declined to support the proposed change.

Mr. Walsh moved and Mr. Hancock seconded a motion to decline to recommend revising the Charter to provide that members and alternates on the Zoning Board of Appeals be exempt from the requirement that the term of the appointee only last until the next regular election and to further provide that the appointee would serve the full remainder of the term. Motion carried 9-0.

Proposal to Provide that the Parking Authority Report to the Economic Development Commission.

Ms. Burns noted that she was recusing herself from participating in consideration of this proposal.

Mr. Walsh moved and Mr. Steinman seconded a motion to decline to recommend revising the Charter to have the Parking Authority report to the Economic Development Commission. Motion carried 8-0. Ms. Burns, who recused herself from consideration of this matter, abstained.

Proposal to Change the Name of the Economic Development Commission to the Economic & Community Development Commission.

Mr. Marconi noted that the Board of Selectmen had approved the name change. Mr. Steinman noted that their action does not cover a change in the Charter.

Mr. Walsh moved and Mr. Egan seconded a motion to approve the proposal to revise the Charter to change the name of the Economic Development Commission to the Economic & Community Development Commission. Motion carried 9-0.

3. Any Other Business.

Mr. Seem asked if there was any other business. There was none.

4. Adjournment.

Mr. Walsh moved and Ms. Geisinger seconded the motion to adjourn at 11:35 a.m. Motion carried 9-0.

Respectfully submitted,
Joe Shapiro, Recording Secretary