

Town of Ridgefield
Charter Revision Commission Special Meeting
Saturday, May 5, 2018 – 8:30 a.m.
Town Hall Large Conference Room
400 Main Street, Ridgefield, Connecticut
APPROVED MEETING MINUTESFF

*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 30, 2018.
2. Motion by Commissioner Geisinger to rescind and reconsider vote on proposal to change Tax Collector and Town Treasurer positions from elected to appointed. Possible new motion and vote.
3. Discuss and Possibly Vote on Proposed Charter Changes:
 - a. Any and all open proposals will be discussed. This includes but many not be limited to open issues in Exhibit A: List of proposed changes for discussion and possible vote.
 - b. Before any vote, public comment will be invited. Individuals will be recognized for 3 minutes.
4. Discussion and possible vote on whether members of an independent Inland Wetlands Board should be appointed or elected.
5. Any other business.
6. Adjournment.

The meeting was called to order by CRC Chair Jon Seem at 8:30 a.m. He explained that this is a special meeting with a specific agenda.

1. Approval of Minutes of April 30, 2018 Regular Meeting.

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

Mr. Shapiro moved and Mr. Hancock seconded a motion to approve the unrevised/unapproved minutes of the April 30, 2018 CRC Regular Meeting, with the proposed minor corrections. Motion carried 9-0.

2. Tax Collector and Town Treasurer Positions – Elected or Appointed.

Mr. Seem stated that at the previous CRC meeting, the Town Clerk and Tax Collector appeared to discuss whether their offices should be elective or appointive. By a 5-4 majority, the CRC voted to not recommend that the offices of Tax Collector and Town Treasurer be appointive. Subsequent to that meeting, he stated, Ms. Geisinger reached out to express her change of position on the elective versus appointive issue for Tax Collector and Town Treasurer and asked that the CRC give new consideration to that decision concerning the CRC's recommendation.

After some discussion about the correct procedures, a motion was made and seconded as follows:

Ms. Geisinger moved and Mr. Shapiro seconded a motion to rescind the previously adopted motions declining to recommend revising the Charter to change the offices of Tax Collector and Town Treasurer from elective to appointive.

Ms. Geisinger explained her view that the bedrock of democracy is accountability, which occurs through direct elections. However, when an office is filled with a person who consistently runs unopposed, she said, there is a lower level of accountability than if there is an electoral opponent. The next best thing is appointment by a body that is elected with opposition on the ballot, she explained, which is the Board of Selectmen. Ms. Geisinger noted that it is in no way a reflection on the incumbent Tax Collector and Town Treasurer, who are performing their duties admirably.

Mr. Walsh stated his view that whether a political party chooses to run a candidate should not be a reason to change the Charter.

Ms. Geisinger said that she views this issue as a nonpartisan issue. She said that these jobs are administrative.

Mr. Hancock said that Ms. Geisinger's reasoning falls back on itself, particularly with regard to the Tax Collector office, because the voters should not be removed from the process if we do not have to take the voter away from the selection.

Mr. Steinman recommended that the motion should be amended to vote on the two offices separately.

Ms. Geisinger made a new motion, in substitution for the motion she had previously made, as follows:

Ms. Geisinger moved and Mr. Shapiro seconded a motion to rescind the previously adopted motion declining to recommend revising the Charter to change the office of Tax Collector from elective to appointive.

Mr. Seem said that one of his criteria from the beginning is to allow maintaining or even improving voter participation, so that to go the other way does not make sense to him.

Mr. Hancock noted that the Tax Collector supported maintaining the present system of having the office be elective. Ms. Burns said that the Tax Collector seemed to say that she could go either way.

Mr. Walsh said that it is important to discount whether the incumbent wants the office to be elective or appointive.

Ms. Geisinger's motion to rescind the previously adopted motion declining to recommend revising the Charter to change the office of Tax Collector from elective to appointive then proceeded to a vote. Motion carried 5-4.

Ms. Geisinger moved and Ms. Burns seconded a motion to recommend revising the Charter to change the office of Tax Collector from elective to appointive.

Mr. Steinman said that an important consideration in whether an office should be elective or appointive is whether it performs a policy-making function or an administrative function. He stated that the function performed by the Tax Collector is the epitome of an administrative function. There is no need to have a person in the office who would be difficult to remove if there were a problem, he stated. He noted that this is where representative democracy should rely on the Board of Selectmen, who are elected, to be responsible for making an appropriate appointment.

Mr. Davidson said that it is purely an administrative position. We should want the best darned Tax Collector we can get, and we should not exclude a person from another town.

Ms. Geisinger's motion to recommend revising the Charter to change the office of Tax Collector from elective to appointive then proceeded to a vote. Motion carried 5-4.

Ms. Geisinger moved and Mr. Shapiro seconded a motion to rescind the previously adopted motion declining to recommend revising the Charter to change the office of Town Treasurer from elective to appointive. Motion carried 5-4.

Ms. Geisinger moved and Ms. Burns seconded a motion to recommend revising the Charter to change the office of Town Treasurer from elective to appointive.

Mr. Steinman stated that in addition to the reasons he had explained for making the Tax Collector position appointive, the Town Treasurer position is a position in which professional qualifications would be very helpful, and based on the position of the Town Attorney, there is not much room for making qualifications a condition of eligibility to appear on the ballot. He noted also that the functions of the Town Treasurer are administrative. He also stated that it seemed odd to have an election for a part-time position.

Mr. Davidson stated that the voters will have an opportunity to vote upon the Town Treasurer position, once, in voting whether to adopt a Charter amendment making the office appointive.

Mr. Walsh stated that he is against making the office of Town Treasurer appointive.

Ms. Geisinger's motion to recommend revising the Charter to change the office of Town Treasurer from elective to appointive then proceeded to a vote. Motion carried 5-4.

3. Discussion and Possible Vote on Proposed Charter Changes.

Proposal that a Person Cannot Run for More than One Office in the Same Election. Amending the Charter to forbid a candidate from running for more than one office or board/commission in a municipal election had been proposed by Barbara Serfilippi, Michael Raduazzo, Joe Savino, and the Board of Selectmen.

Mr. Steinman read proposed new text for the Charter that he had drafted to accomplish that proposal. He cited two sections of the Charter appear to be relevant. He said that one is Section 4-5 and another related section could be Section

4-18. Mr. Shapiro asked Mr. Steinman whether the CRC should propose revising Section 4-5 or Section 4-18 or both sections. Mr. Steinman suggested revising both sections. Mr. Walsh noted that revising Section 4-18 would create a problem, so Section 4-18 should not change. Mr. Steinman agreed.

Mr. Seem asked if there was any public comment on this issue. There was none.

Mr. Steinman moved and Ms. Burns seconded a motion to recommend revising the Charter by adding a new second paragraph to Section 4-5 of the Charter reading as follows: "No person shall be eligible to run for more than one elective office of the Town of Ridgefield at the same election where the terms of such offices overlap."

Ms. Burns noted that without this new provision, the town political committees put the same name in multiple spots on the ballot. She expressed hope that the new provision would encourage those committees to nominate candidates for each position.

Mr. Steinman's motion to recommend revising the Charter to add a new second paragraph to Section 4-5 of the Charter then proceeded to a vote. Motion carried 9-0.

Establish a Definition of "line item" for Purposes of Section 10-1(c) of the Charter.
Addressing the issue of "line item" in Section 10-1(c) of the Charter was proposed by Rudy Marconi, the First Selectman, as well as by the Board of Selectmen. It was also proposed by Jan Rifkinson. There was a consensus among CRC members not to deal with this proposal for Section 10-1(c) at the current meeting.

Clarify Rules on How the Town Budget Items Are Advertised and Posted.

Joe Savino proposed clarifying the rules on how the public can change the proposed capital and operating spending. Mr. Savino's proposal also involved advertising and posting information for the town budget.

Mr. Davidson distributed a proposal to deal with some of the issues in Mr. Savino's proposal. He explained his own proposed text for the second sentence of Section 10-1(b), which is a proposal for how the public can see the budget. The proposed text would require that 10 days prior to the hearing, printed copies of the proposed budget be available at the office of the Town Clerk and other locations as prescribed, and at least seven days prior to the hearing it be published in the newspaper. This contrasts, he explained, to the current 48 hours' notice requirement.

Mr. Steinman commented that 48 hours is far too little to allow meaningful public examination of the documents.

Mr. Walsh said that this proposal is solving a problem that does not exist on the town side of the budget, because the town budget is available, but the Board of Education budget is not available early on a line-item basis.

Mr. Davidson stated that if the Board of Finance is required to do this, then the Board of Education will be required to do this. Mr. Walsh expressed the belief that this does not solve the problem with the Board of Education publication of their budget.

Mr. Walsh questioned what is wrong with the timing now prescribed in the Charter. Mr. Davidson explained how he viewed the differences between his proposal and what the current Charter text mandates.

Mr. Egan inquired if the proposed new text for Section 10-1(b) was asking the Board of Education to propose a real line by line budget. Mr. Davidson responded, saying that he was not proposing to tackle that particular problem in the paragraph of proposed text just discussed. He was proposing in that text to deal with the notice problem in that paragraph.

Mr. Hancock sought to clarify the purpose of the new text by stating that there are three identified problems in Section 10-1: the problem of notice, the problem of "line item," and the problem of compliance by the Board of Education. He noted that the proposed text is only seeking to solve one of those problems. Mr. Davidson confirmed that the proposed text for Section 10-1(b) of the Charter only seeks to solve the notice problem.

Mr. Seem noted that the current discussion is triggered by a Charter change proposal from Mr. Savino, but as the CRC had just discussed the notice provisions of Section 10-1(b), Mr. Seem concluded that the current provision regarding notice works.

Mr. Davidson advocated changing the language of the Charter to mandate putting the budget on the website. Instead of publishing the full budget in the paper, the proposed text would require that there be published in the paper the fact of the budget's public availability. Mr. Steinman noted that there might be a publication requirement independent of what appears in the Charter.

Mr. Steinman stated that the key provision in Section 10-1(b) of the current Charter text with which he is not satisfied is the 48-hour requirement for advance availability of the budget. He said that it should be longer.

Mr. Marconi noted that a lot of debate has centered on the fact that the town publishes its entire budget while the Board of Education publishes only one number. He stated that it costs about \$7,000 each time the town budget is published in the newspaper. So this time, he explained, the town published the complete budget one time, and then the second time published only the one number with copies available in lots of places. That was for the public hearing, he explained. The problem concerning the Board of Education is that the number that goes to the town meeting under Section 10-1(c) of the Charter has not been published.

Mr. Steinman suggested that he and Mr. Davidson work further on this notice issue, with Mr. Walsh also joining them. Ms. Burns proposed that Mr. Marconi join them also.

Mr. Seem expressed caution about straying far from specific proposals to revision of the Charter. Mr. Steinman noted that the CRC has been branded by two newspapers as the “No” operation. He said the budget process has been identified as a problem by many people so the CRC should try to work on it.

Mr. Shapiro stated that it would be beneficial to understand the views of Dave Ulmer and Fran Walton in order to get perspectives from the Board of Finance and Board of Education. Mr. Steinman noted that they have had opportunity to comment. Mr. Shapiro clarified that once the CRC had developed proposed, specific language, it would be a good idea to quickly get the input from Mr. Ulmer and Ms. Walton.

It was left that Messrs. Davidson, Steinman, Walsh, and Marconi would meet to develop a proposal.

Mr. Davidson stated that before leaving this topic at the meeting, he wanted to discuss briefly the First Option noted on his handout. The purpose, he explained, was to make it clear that the town meeting can decrease the budget as a whole for the Board of Education, without regard to any specific line item.

Ms. Burns suggested that before ending discussion on this topic, the CRC should discuss the Second Option on Mr. Davidson’s handout. Mr. Davidson then

provided the CRC members with an additional handout on the number and percentage of registered voters who voted in budget referendums in recent years. The handout consists of a May 4, 2018 email from Barbara Serfilippi, Town Clerk, to Mr. Davidson, showing the number of eligible voters and the number who voted in the budget referendums for each of the last five years, supplemented by calculations by Mr. Davidson of the percentage of eligible voters who voted at each referendum and the percentage of the totals for those five years.

Mr. Davidson noted that it averaged about 13% of registered voters. But, he noted, a small number of voters can reduce or eliminate an item at a town meeting. Mr. Davidson explained that the conceptual purpose of the Second Option was requiring that a certain percentage of the town's registered voters must attend the town meeting in order for the town meeting to be empowered to decrease or delete a line item in the budget. The Second Option in Mr. Davidson's handout, he noted, sets that threshold at four percent of the electorate. He commented that the town has really outgrown the appropriateness of town meeting form of government so this threshold mechanism is a good solution.

Mr. Steinman stated that the current Charter provision that allows the town meeting to reduce or eliminate a line item is not a democratic provision. It is exactly the opposite, he said. He explained that it is undemocratic because it allows a very small group of the Ridgefield electorate to overturn the work and decision of the democratically elected Board of Selectmen, Board of Education, and Board of Finance. Instead, it can get reduced or eliminated by a small cadre of people who no one elected.

Mr. Steinman noted a similar view expressed in the editorial in the current issue of The Ridgefield Press, and he read the final sentence of that editorial, as follows:

But it's wrong that referendum voters could be presented with budget numbers pulled out of the air by some tax critic or spending enthusiast at the annual meeting – and would never get to vote on the budgets that the school board, selectmen, and finance board labored over for months.

Mr. Davidson said that his proposal of requiring a four percent threshold in order to reduce or eliminate something is a middle ground to assure that there is at least some representative sample of people at the town meeting. He explained that if attendance were below four percent, the public could still make comments but could not make motions to reduce. Mr. Davidson noted that this four percent threshold is a fairly new provision in the Charter in Brookfield.

Clarify any Ambiguity in What is a Vacancy Under Section 4-7 of the Charter.

Mr. Seem stated that the Board of Selectmen had made a proposal that if a ballot position remains vacant, the vacancy protocol should follow Section 4-7 for vacancies, subject to minority representation adherence.

Mr. Shapiro noted that he and Ms. Burns had worked on a solution to this issue, and he distributed a document with some proposed text. He explained that in Section 4-7 of the Charter, which concerns vacancies, the first and second paragraphs, which are quite similar, both deal with filling vacancies. The first paragraph, he explained, deals with filling vacancies in an elected town office, while the second paragraph deals with filling vacancies on an elective board or position. Both paragraphs, he noted, talk about the vacancy “due to a tendered written resignation or other cause.” Mr. Shapiro explained that the new proposed text he had distributed consists of a proposed new third paragraph for Section 4-7 which would make explicit that the term “other cause” includes several specified causes.

Following discussion, there was a consensus that a simpler way of clarifying Section 4-7, if there was even an ambiguity, which Mr. Walsh said was not the case, was to insert the word “any” prior to “other cause” in both the first and second paragraphs of Section 4-7.

Ms. Geisinger moved and Mr. Shapiro seconded a motion to recommend revising Section 4-7 of the Charter by inserting the word “any” immediately prior to the words “other cause” in both the first and second paragraphs of that section. Motion carried 8-1.

Proposal to Create Consistency in Length of Terms for Appointive Positions Under Charter Article IX.

Mr. Seem noted this proposal by the Board of Selectmen. Mr. Steinman noted that the CRC has had very little input from the Board of Selectmen. The current terms stated in the Charter are all over the place, he said.

Mr. Davidson distributed a document with a proposal on which he had collaborated with Mr. Steinman, making all appointive offices two-year terms, and making the beginning date of each term January 1st following a municipal election. It was agreed that this would be worked on by the same group, Messrs. Davidson, Steinman, Walsh, and Marconi, who will work on some other matters.

Proposal to Establish Definition of “line item” in Section 10-1(c) With Attention to Board of Education.

Mr. Seem noted that this proposal was part of the “line item” discussion that had already been discussed.

Mr. Hancock reported that about five years ago, at a town meeting, he had asked about line items of the Board of Education and was told by the Superintendent at that time that they did not review each line item. Ms. Burns expressed her different understanding. Mr. Seem said that they do it for internal purposes.

Mr. Seem asked whether, changing a line item in the Board of Education budget in a town meeting, is overridden by state statute. Mr. Hancock said that the Board of Education then reallocates.

Proposal to Consider Revisions to Charter Article XI, Standards of Conduct.

Mr. Seem noted that Mr. Steinman has done some work on proposed standards of conduct. Mr. Seem said that he wants to send the proposal by Mr. Steinman to Board of Ethics Chairman Bart Van de Weghe, but needs his contact details. Rebecca Mucchetti undertook to provide those details to Mr. Seem.

Mr. Steinman distributed a document about his draft of standards of conduct and provided some additions. He said that he started out looking at several codes both in New York and Connecticut, and compared them with the Ridgefield provisions, and then he drafted what he previously distributed to the CRC. He said that he then found a treasure trove of materials concerning standards of conduct on the Connecticut Conference on Municipalities website, Best Practices for Local Ethics Codes, 355 pages. He said he went through the whole document and distilled the essential elements, which are shown in Part III of the document that Mr. Steinman distributed.

He said that the document that he distributed pretty much contains those essential elements. He noted that a town can impose penalties up to \$250 per violation. He read the final portion of his handout, concerning penalties, which he said could be included. He said that what he proposed is the heart of a municipal ethics code that would be sensible and readily understandable, and would have standards of conduct rather than simply the aspirational goals as we have in the current Charter.

Mr. Walsh proposed that the CRC recommend replacing the existing Article XI with an ordinance that the Board of Selectmen would enforce. Mr. Steinman said he was sympathetic, because a code of conduct is normally not in the Charter. But if the

CRC recommends deleting Article XI and then the town does not adopt appropriate standards of conduct by ordinance that would be a problem, Mr. Steinman said.

Ms. Burns expressed the view that the standards of conduct should be included in the Charter. Mr. Seem agreed. Mr. Walsh noted that one problem with that approach is that every time there is a need to update the code of conduct, the Charter would need to be revised. Mr. Steinman said that a new Charter provision could empower the town, by town meeting, to amend the ethics provisions.

Mr. Seem asked if anyone had any suggestions regarding the proposal by Mr. Steinman. There were no substantive objections. Mr. Seem then noted that the CRC should decide on how to execute this, by ordinance or by Charter.

Mr. Hancock asked whether the ethics language needs to be changed often. Mr. Shapiro noted that the current language in the Charter looks like it is almost all attributable to a 1985 Charter revision, so it has lasted 33 years.

Mr. Egan said that since it is already in the Charter, we should recommend replacing the current text in Article XI with new text in the Charter.

There was a consensus that the CRC should get feedback from Board of Ethics Chairman Van de Weghe. Mr. Seem undertook to do that, but to insist that we hear back from him before the CRC meeting on May 29, 2018.

Mr. Steinman undertook to re-do the proposed text for standards of conduct.

Proposal That Section 10-1(c) of Charter be Clarified and to Reduce "line item".

Ms. Burns said that we should consider this part of the issue on Section 10-1 that we have already identified.

Proposal to Change the Terms of ZBA Members and Alternates from Five Years to Four Years.

Mr. Shapiro, the proposer of this change, explained how the current five-year terms of Board of Zoning Appeals (ZBA) and ZBA Alternates works, with municipal elections including a five-year term beginning shortly after the election and another beginning a year later. He said that it is confusing to voters. He noted that the Chairman of the ZBA, Glenn Smith, and the administrator, Kelly Ryan, has stated that the reason for the five-year terms is so that only one new member joins the ZBA each year because there is a learning curve in becoming a knowledgeable ZBA member, which is important in a board that is quasi-judicial and requires a

supermajority vote. Mr. Shapiro said that he disagrees, and that the learning curve should not be more difficult than the town's other elective Boards.

Mr. Walsh said that he is not in favor of changing it. There is a reason for five-year terms, he stated, even though the term sometimes starts a year later. Mr. Hancock said the he agrees with Mr. Shapiro.

Mr. Shapiro explained that it is confusing to voters to elect someone for a term of office that begins one year after the election, while also electing someone for a term that begins rather promptly. Also, if we were not to make this change, he said, voters would still sometimes be faced with seeing the same name on the ballot twice, once for filling the remaining one year of a five-year term from which the person originally elected had resigned, and once for a five-year term beginning a year in the future. Those two terms would not overlap, he stated, but it is still confusing to voters.

Mr. Shapiro summarized his April 18, 2018 email to CRC members proposing the change. He stated that under his proposal three of the five seats would run for a four-year term at one municipal election, and the remaining two would run for a four-year seat two years later. Similarly, the three ZBA Alternates would have staggered beginnings for their terms. Each elected ZBA member or Alternate would assume office in late November following the election.

Mr. Shapiro moved and Mr. Hancock seconded a motion to recommend revising the Charter to change the length of the term of members and alternates of the Board of Appeals on Zoning from five years to four years.

Mr. Steinman said that he understands what Mr. Shapiro is trying to accomplish, but it will be confusing for voters who vote on the Charter revision questions. Also, he said, he is in favor of making the ZBA appointive rather than elective, so he stated that he would vote against the motion.

Mr. Hancock stated that he believes that it cleans up the terms of office and the present situation is confusing. He agreed that getting it past the voters is tricky because it is confusing, but it will be better if we change it.

Mr. Davidson said that he is in favor of the change in a pure world, but it is too complicated to add to the Charter revision ballot now.

Mr. Seem asked for public input. There was none.

Mr. Shapiro's motion to recommend revising the Charter to change the length of the term of members and alternates of the Board of Appeals on Zoning from five years to four years then proceeded to a vote. Motion defeated 3-6.

4. Discussion and Vote on Whether Members of Inland Wetlands Board Should be Appointed or Elected.

Mr. Seem noted that Ms. Burns had distributed by email some information on the elective versus appointive issue. Ms. Burns explained that she had obtained some information from the Connecticut Conference on Municipalities (CCM). She said that she has asked CCM about the number of Inland Wetlands Boards in Connecticut that are elected and the number appointed, how many members those Inland Wetlands Boards have, and whether there were any specific skills required to be appointed or elected. She said that she received CCM's response, through First Selectman Rudy Marconi.

The CCM staff person said that he had spoken with Darcy Winther of the DEEP, the expert at the DEEP on inland wetlands regulation, who informed him that the vast majority of independent Inland Wetlands Boards are appointed rather than elected. She also explained that CCM also sent a file listing the Inland Wetlands Boards from the large majority of municipalities, showing how many members are on the board and how many alternates there are where there are alternates. She stated that with regard to skills or prerequisites, the CCM response simply included the Connecticut General Statutes provisions regarding training.

Mr. Seem suggested that the only issue before the CRC was whether the Inland Wetlands Board (IWB) should be elected or appointed, and not the number of members, because, he said, there is a provision in the Charter providing that setting the number of members or changing the number of members can be done by ordinance.

Mr. Steinman said that he takes a broader view. He said that there is nothing in the Charter that prevents the CRC from making a more complete recommendation, including the number of members, and he favors a more complete recommendation that has all the essential elements.

Mr. Shapiro noted that that if the CRC does nothing more than the Charter prescribes for other bodies, if it is appointive, the CRC could recommend the number of members as is done for other appointive boards, and could prescribe other matters.

Mr. Shapiro also noted that he had counted, based on the figures provided by the CCM that Ms. Burns shared with the CRC. He said that there was information for 152 municipalities, and for those municipalities the average number of members of the Inland Wetlands Board is 6-3/8. Also, those figure show that that 115 of those municipalities provide for Alternates, which is 75.7% of the 152 municipalities, and of those municipalities having Alternates, the average number of Alternates is 2.38.

Mr. Seem expressed the view that the CRC should not be over-prescriptive regarding number of members of the IWB.

Mr. Walsh expressed his opposition to consolidating power from the voters of Ridgefield to five people, the Board of Selectmen. He also expressed opposition to prescriptive qualifications.

Mr. Davidson said that he strongly opposes prescriptive requirements of qualifications for IWB members.

Mr. Hancock said that he feels strongly that the CRC has done a disservice in recommending splitting the Planning and Zoning Commission (PZC) and the IWB and we should leave the IWB as elective.

Mr. Steinman moved and Ms. Burns seconded a motion to recommend revising the Charter to make the separate Inland Wetlands Board appointive.

Mr. Seem opened the meeting to public comment, asking that each commenter limit comments to three minutes.

Tom Elliott commented first. He disagreed that creating an appointive board disenfranchises the voter. He said that it empowers appointive boards. The members would be appointed by the elected Board of Selectmen, which has a minority representation requirement. He said that the vote of the CRC to recommend splitting the PZC and the IWB was a recognition of the argument that that it is a technological or scientific argument, but that if the CRC were to recommend that the IWB be elective, it would somewhat undercut the process that the CRC has started. It would undermine the science or technology that is essential to the IWB, if not for every member at least for a portion of them, he stated. Mr. Elliott noted that Ridgefield is the headwaters of seven different river sources, so what happens here does not end here.

Jack Kace spoke next. He identified himself as a member of the Ridgefield Conservation Commission (RCC). He said that he had appeared before the IWB on many occasions and what that board needs, in his opinion, is more technical expertise. He said that he does not see how that can be achieved through an elective IWB. We are best served, he said, by having the Board of Selectmen select a wide range of people, a couple of those people having the necessary academic background.

Kitsey Snow spoke next. Ms. Snow is also a member of the RCC. She said that there is another board in town where we highly recommend specific experience, the Historic District Commission, where there is no requirement that an architect be a member but it is highly recommended. She also stated that before someone is appointed to an appointive board by the Board of Selectmen, there is a public hearing, so there is opportunity to hear from the public.

Susan Baker spoke next. Ms. Baker is also a member of the RCC. She said that the goal of the IWB is to protect the water of the town, so why would we allow the decision as to who runs to go to the political committees of the town. She said that if someone wants to run independently that person realistically will not get elected.

Ms. Mucchetti spoke next. We have the PZC and IWB as two bodies that are responsible for land use. If they are treated differently by the CRC as to who can serve, and who is eliminated from being able to serve, the CRC is treating differently two bodies that statute and legislation treat the same. She said that the two bodies are equally important in how the land of the town is developed. She stated that having served as a member of the IWB since 2001 and as Chair since 2015, it is often the case that the issues that come before them are land-based rather than water-based. She said that to create a separate standard for one board rather than another is inequitable and shows favoritism to one board rather than another.

Mr. Elliott said that he would allow anyone elected to be on the PZC but require qualifications to be appointed to the IWB. With no further public comment, the members of the CRC discussed the issue.

Mr. Steinman stated that it was a huge step to recommend separating the PZC and the IWB. He said that to subject it to the electoral process undercuts a good portion of the advantages of the CRC recommendation to separate the two bodies. He noted that the IWB has very specific jurisdiction, so to ignore that we should have people who have some qualifications on the IWB is a mistake. It would be better practice to specify qualifications for appointment rather than making it appointive with no

qualification requirement. In terms of the elected versus appointed issue, Mr. Steinman said that he does not see any traction whatsoever as to the inappropriateness of one being elected while the other is appointed. He concluded that the CRC has taken the first important step by recommending that the IWB be separated from the PZC and he urged his fellow commissioners not to take a step backward by making the IWB elective.

Ms. Geisinger asked why having the IWB be elective is going backwards. Mr. Steinman responded that it is going backwards because one of the advantages of separating them was to make sure we had training requirements and we have members, some of whom are experienced in this area, and not throw it into the potpourri of whoever gets nominated to run for election.

Mr. Seem stated that he is not quite as cynical. If someone raises their hand to run for election to the position, he would think that they are truly interested in that area. They are raising their hands to immerse themselves in the issues facing the IWB. He said that he would hope and expect that they would seek out the training necessary to become articulate in inland wetlands issues because this is a very focused position whereas in the past inland wetlands was also the same people who were on the PZC. He said that he finds it hard to believe that someone will be nominated to be a Scott Pruitt whose intent is to undermine the objectives of the IWB.

Mr. Steinman noted that only a few people on the current IWB/PZC had received training, and that once-in-a-lifetime training is not sufficient. There should be regular training, he said.

Mr. Hancock noted that the class had been suspended for a period. He also noted that only three members of the RCC had had training.

Mr. Davidson observed that any board or commission on land use can reach out for expertise, and any issue can exceed the technical ability of members.

Mr. Shapiro stated that when the RCC came before the CRC, he asked about views as to elective versus appointive because he did not have a prior opinion on this issue. He noted the comments of RCC Chairman Jim Coyle that many of the kinds of people we should want on the IWB would not be inclined to run for political office. He also cited the data presented earlier by Ms. Burns that other municipalities, our peers, overwhelmingly have appointed Inland Wetlands Boards, which, he said, speaks to him as to what those municipalities feel is a better way to work it.

Ms. Burns reiterated that letting the voters decide really lets the unelected town political committees decide. So, she said, the DTC and RTC really determine who runs.

Mr. Walsh said that we should keep in mind that this is a regulatory body, and these people must be held accountable, and must be held accountable by the electorate.

Mr. Steinman's motion to recommend revising the Charter to make the separate Inland Wetlands Board appointive then proceeded to a vote. Motion defeated 3-6.

Mr. Davidson moved and Mr. Hancock seconded a motion to recommend revising the Charter to make the separate Inland Wetlands Board elective.

Ms. Baker said that it is disappointing that we are going to minority position in the town. She said that she can only find four towns that have an elected Inland Wetlands Board, the closest one of which is Bethel.

Mr. Elliott noted that the recommendation still had to go to the Board of Selectmen and then the voters. He said that if the voters decide that the IWB should be appointive, the proposal to separate the two boards could be defeated by voters. Mr. Elliott also raised the possibility of having two different votes at the referendum, one on separation of the IWB and PZC, and the second on elected versus appointed.

Mr. Kace asked if the CRC could consider having two members of the IWB appointed.

Mr. Davidson noted that in the CRC's report there could be a recommendation that the vote be in two parts, one on separating the IWB and PZC and the other on elective versus appointive.

Mr. Davidson's motion to recommend revising the Charter to make the separate Inland Wetlands Board elective then proceeded to a vote. Motion carried 6-3.

5. Any Other Business.

Mr. Steinman moved and Mr. Walsh seconded a motion to defer to a future meeting the financial closeout issue discussed at the previous meeting. Motion carried 9-0.

Mr. Seem noted that the next regular CRC meeting is scheduled for May 14, 2018. He said that Mr. Steinman is not able to participate. Ms. Burns said that she would prefer not to have to meet on that date since she is leaving for a trip the next day. Mr. Seem asked for a recommendation as to whether to cancel that meeting or reschedule it to another date.

Mr. Walsh noted that there are not many issues remaining to be decided. Mr. Steinman noted that there is a lot more work to be done outside of meetings than during meetings. Mr. Walsh agreed.

Mr. Steinman moved and Mr. Walsh seconded a motion to cancel the regular meeting of the Charter Revision Commission scheduled for May 14, 2018. Motion carried 9-0.

Adjournment.

Mr. Steinman moved and Mr. Walsh seconded the motion to adjourn at 11:30 a.m. Motion carried 9-0.

Respectfully submitted,
Joe Shapiro, Recording Secretary