

CHARTER REVISION COMMISSION

PRELIMINARY, UNAPPROVED
PUBLIC HEARING AND REGULAR MEETING
Wednesday, September 2, 2009

THESE MINUTES ARE INTENDED TO BE A SUMMARY OF THE MEETING AND NOT A VERBATIM RECORDING.

Present: Tiffany Lenz, Sharon Hyde, John McNicholas, Andrew Kelemen, Ed Tyrrell, Lisa Carroll, Charles Primerano

Cindy Bruno (Democratic Registrar of Voters), George Kain (Chairman, Police Commission), Thomas Reynolds (Secretary, Police Commission)

Not present: Andrew Berger

Regular Meeting

AGENDA:

REGULAR MEETING AGENDA

1. Review minutes from previous meetings
2. Robert Cascella, Board of Finance.
3. George Kain, Board of Police Commissioners.
4. Cynthia Bruno, Registrar of Voters.
5. Comment by Charter Revision Members
6. Public Comment.
7. Set Regular Meeting Agenda
8. Adjournment.

The meeting was called to order by Co-Chair Sharon Hyde at 7:35 PM as Chair John McNicholas had not yet arrived. John McNicholas arrived at 7:39 and Ms. Hyde turned over the chair to Mr. McNicholas.

Item 1. An initial draft of the minutes of August 5, 2009 was distributed to each member the prior day via email by Mr. Primerano and corrected by Mr. Primerano based on reponses. A corrected draft was presented to the members. Ms. Carroll motioned for a waiving of the reading of the minutes. Mr. Primerano seconded the motion. The motion passed unanimously. Mr. Tyrrell motioned that the minutes be approved and entered into the record. Ms. Carroll seconded. The motion passed unanimously.

Item 2. Mr. McNicholas stated that Robert Cascella of the Board of Finance would be appearing before the commission at a later date as a private citizen rather than as an official representative of the Board of Finance. He added that he would be contacting Marty Heiser, the Board of Finance Chairman, to coordinate an official appearance by a representative of the Board of Finance.

Item 3. Mr. Kain was asked by Mr. McNicholas if there was anything in the existing charter related to the police commission, or any other agency that is affected by the police department, that he felt needed to be remedied. Mr. Kain responded that he felt that the existing charter was consistent with state law.

Ms. Hyde asked when the police commission was established. Mr. Kain responded 1955. Ms. Hyde asked if Mr. Kain knew why a fire commission was not established at that time. Mr. Kain responded that the did not know the reasoning but he noted that because of home rule, police commissions and fire commissions are not mandatory for every town.

Mr. Kain was asked his opinion about a potential public safety commission that would oversee both the police and fire departments. Mr. Kain responded that law enforcement and fire safety are each too specialized to be overseen by a single board. Mr. Kain noted that it would be extremely difficult to find members with expertise in both areas. Mr. Reynolds added that

even having a mix of law enforcement experts and fire safety experts would not work either. Mr. Kain observed that there would be a risk of having two factions that would each favor their respective area of interest. Mr. Kain contended that having two separate commissions with oversight by the Board of Selectman and the Board of Finance would be a wiser choice than a public safety commission.

Mr. McNicholas asked if the Police Commission has a budget. Mr. Kain responded that it is a very small line item for police commission expenses around \$400. MR. Kain added that the police commission does not control the police department budget; it only makes requests and recommendations.

Mr. Kain emphasized that the police commission is only involved in administrative functions, not day-to-day operational functions for the police department and that it allows a buffer for the police chief in areas such as hiring. He stated that he believed that a fire commission could operate in a similar fashion to the police commission and that he favored creating a fire commission independent from the police commission.

Item 4. Cynthia Bruno, the Democratic Registrar of Voters for the Town of Ridgefield appeared to provide comment regarding two issues. Ms. Bruno noted that her counterpart, Hope Wise, the Republican Registrar, was unable to attend but that Ms. Wise had consulted with her and that she was speaking on behalf of both registrars.

Ms. Bruno advocated that the current term for each registrar of voters be extended from two years to four years. She noted that because a four-year election cycle exists and that each year of the cycle is different, an elected registrar should be given responsibility for an entire cycle. She also noted that the four-year term is becoming increasingly adopted in other towns across the state. She added that although Ridgefield registrar candidates typically do not have to campaign, the possibility does exist, and the potential distraction from the position would be cut in half.

The second topic of comment from Ms. Bruno regarded language in the charter related to failed referendums. She noted that currently when a budget referendum fails, the charter states that a subsequent town hall meeting is called to vote on a revised budget. She requested that the language be changed so that a subsequent referendum is held instead.

Ms. Bruno contended that the existing language led to a lot of confusion recently (for voters and town officials) when a referendum failed and a subsequent vote was held as town hall meeting with all of the voting machines at a single location.

Item 5. Ms. Hyde distributed to the CRC members, copies of three separate flow charts that she had prepared. These charts provided a process flow of aspects of the budget process as set forth in the existing charter. The three charts depicted "Current Budget Process", "Appropriations by Petitioned Town Meeting", and "Additional Appropriations Requested by Town Officials".

Ms. Hyde walked through the details of the charts with the other members. She noted components of the current process that she identified as problematic, vague, confusing, or contradictory. In particular, she noted confusion over the role of the town meeting in the budget process. Ms. Hyde pointed out that the current charter states that the town meeting "shall have the power to decrease or delete any line items" and that this was troubling because special interests could hijack a meeting and delete items.

Ms. Hyde also raised the issue of subsequent budgets being voted upon at town meetings instead of subsequent referendums. She agreed with Ms. Bruno's earlier suggestion that all budgets be voted on via referendum. She stated that there should be a distinction made between a normal town hall meeting where the budget is presented to the public and a referendum. Mr. Tyrell asked if the existing three-week window between budget votes was adequate. Ms. Hyde replied that it was.

Ms. Hyde stated that the language "any endorsed request shall be forwarded by the Board of Selectmen to the Board of Finance for final action" was unclear, had the potential for abuse, and should be removed. Ms. Hyde also questioned the three million dollar threshold used to trigger a referendum and whether it might be arbitrary. She observed that there are contradictions in the discretionary power of the Board of Selectman and the Board of Finance to direct budgetary items to town hall meetings or referendums. Another problematic item she noted concerned special use of funds not recommended by the Board of Finance.

Ms. Hyde pointed out several contradictions in the "Appropriations by Petitioned Town Meeting" and a particular loophole in the existing charter that could potentially allow a petition to be repeatedly presented within the same year with no

mandatory waiting period. Mr. Tyrell recounted that one possibility would be to increase the number of required petitioners each time a petition was re-submitted.

Mr. Kelemen asked if the charter contains any language concerning the grouping of questions in a referendum. Ms. Hyde replied that it did not, and that currently a meeting is held where the questions are grouped, She added that some towns do have requirements for grouping and such requirements could be considered, but might be controversial and take the focus from the changes that are really necessary.

Item 6. There was no public comment in person, but Ms. Carroll did note that she received an email message from Mr. Russell Katz that she would like to enter into the record. Mr. Katz stated in the email: "Please accept this email as a request to set the First Selectman's salary as always being the highest paid municipal employee within the Town of Ridgefield. I believe this would greatly increase the pool of candidates."

Item 7. Mr. McNicholas asked for suggestions regarding the October meeting agenda. Ms. Carroll suggested "Old Business - New Business." Mr. Primerano distributed proposed document management guidelines and asked that they be discussed. Ms. Carroll recommended that representatives from the Board of Education be invited in October. Mr. Primerano suggested that since no one was able to appear from the Board of Finance, the CRC invite more groups per meeting in case one or more groups fail to appear.

Mr. McNicholas motioned that the following be invited via letter to the October 7, 2009 Charter Revision Commission Regular Meeting: Kevin Redmond (Controller) , Representatives from the Board of Finance, Representatives from the Board of Education, Debra Lowe (Superintendent), Barbara Serfilippi (Town Clerk). 7 (Yes), 0 (No), 0 (Abstain)

There being no further business, Ms. Hyde motioned for adjournment. Mr McNicholas seconded. Vote unanimous. Meeting adjourned at 9:19 p.m.

Charles Primerano
Recording Secretary