

Town of Ridgefield  
Charter Revision Commission Regular Meeting  
Monday, April 9, 2018 – 7:00 p.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. Open for Public Comment.
2. Planning & Zoning /Inland Wetlands Board – respond to proposal to separate IWB from PZC.
3. Pension Commission – discuss proposed changes to Section 5-13.
4. Review of tracker of proposed Charter changes.
5. Approve the Minutes from Charter Revision Commission Regular Meeting on March 12, 2018.
6. Any other business.
7. Adjournment.

The meeting was called to order by CRC Chair Jon Seem at 7:00 p.m. Mr. Seem noted that the order of two agenda items would be reversed. The presentation by the Inland Wetlands Board (IWB)/ Planning & Zoning Commission (PZC) responding to a proposal to create a separate IWB that is not part of the PZC would come prior to the presentation by the Pension Commission regarding their proposed changes to the text of Section 5-13 of the Charter.

1. Open for Public Comment.

Mr. Seem explained that the CRC would take public comment on the two specific agenda items regarding Charter change proposals after the respective presentations. Other than that, Mr. Seem invited public comments. There were none.

2. Presentation by Inland Wetlands Board/Planning & Zoning Commission.

Four presenters gave a presentation on behalf of the IWB/PZC, Rebecca Mucchetti, Chair of the IWB/PZC; Joseph Fossi, Vice Chair of the IWB/PZC; Richard Baldelli,

Director, Planning & Zoning and Zoning Enforcement Officer; and Beth Peyser, Inland Wetlands Agent and Conservation Enforcement Officer. They each led a portion of a presentation which was contained in written form in a presentation binder (the Presentation Binder) distributed to each member of the CRC.

Ms. Mucchetti identified two members of the IWB/PZC who have Connecticut certifications since 2014 for completion of the Municipal Inland Wetlands Agency Comprehensive Training Program, herself and John Katz, and noted that Mr. Fossi received a certification from New York State's environmental agency for a day of training in protecting natural resources with better construction site management. She stated that Connecticut's Municipal Inland Wetlands Agency Comprehensive Training Program has been unavailable since 2016, so people who joined the IWB/PZC recently have not had an opportunity to participate in that program.

She quoted text from the Connecticut Department of Energy & Environmental Protection (DEEP) website saying:

Depending on the municipality, the inland wetlands commission may be a separate entity, or a planning and zoning commission, conservation commission, or other municipal entity may act as the inland wetlands and watercourses commission.

Ms. Mucchetti next discussed the limits of the jurisdiction of inland wetlands bodies, which she said the Ridgefield Conservation Commission (RCC) does not adequately consider in making their recommendations. She quoted a paragraph from the Connecticut Supreme Court case Conn. Fund for the Environment, Inc. v. City of Stamford (1984) that notes the limits of the jurisdiction of inland wetlands bodies. That paragraph concluded that

[a]lthough . . . a local inland wetland agency must . . . take into account the environmental impact of the proposed project, it is the impact on the regulated area that is pertinent, not the environmental impact in general.

She then pointed out that the Conn. Fund for the Environment case was followed in 2003 by the Connecticut Supreme Court in the decision AvalonBay Communities Inc. v. Inland Wetlands Commission of the Town of Wilton, and she provided a copy of that more recent decision to the CRC for the record. She then read into the record two paragraphs from the AvalonBay case, one simply quoting the paragraph she had already read from Conn. Fund for the Environment, and a subsequent one, a portion of which reads as follows:

The legislature did not adopt broad definitions of wetlands and watercourses that would protect aspects of the wetlands apart from their physical characteristics, such as, for example, the biodiversity of the wetlands or wildlife species that might be wetlands dependent. We conclude, therefore, that the act protects the physical characteristics of wetlands and watercourses and not the wildlife, including wetland obligate species, or biodiversity.

Ms. Mucchetti then noted that the position articulated by the Connecticut Supreme Court was reiterated in an email dated March 15, 2018 from Darcy Winther, the expert at the DEEP in the Wetlands and Watercourses Act, to Ms. Peyser, a copy of which is in the Presentation Binder. Ms. Mucchetti then read a paragraph from that email, as follows:

The DEEP recognizes the challenges a combined commission faces. However, it is not impossible to manage a combined commission with proper administrative attention and sufficient resources. Such commission should abide by a strict structure to insure business remains separate. In the end, a municipality needs to weigh its options and decide the best course of action.

Ms. Mucchetti then discussed the nature of the organization Connecticut Association of Conservation and Inland Wetlands Commissions (CACIWC), referring to text in the “About the Organization” section of CACIWC’s website. She noted that CACIWC is not a state agency, so the IWB is not guided by CACIWC, but by state law and regulations.

She discussed the riparian buffer issues in general, the role of the Ridgefield Conservation Commission (RCC) in making recommendations on such issues, the view of the DEEP regarding the role of the RCC in such decisions, and limitations on the scope of the jurisdiction of an inland wetlands board in regulating riparian setbacks. She observed that the IWB cannot establish fixed riparian setback requirements.

Ms. Mucchetti noted that the RCC had presented to the CRC a letter from the Town Manager Kathleen Eagen of Farmington, and that Jeff Hogan, the former Chairman of the Town Council of Farmington, had made a presentation to the CRC on March 12, 2018 at the invitation of the RCC concerning the experience of Farmington in transitioning from a wetlands and watercourses agency that was part of that town’s

planning and zoning body to one that was not. Ms. Mucchetti noted, with documents contained in the Presentation Binder, that the transition in Farmington had been triggered by a recommendation by the Connecticut Department of Environmental Protection that Farmington make such a transition based upon a failure by Farmington to correctly execute Connecticut laws regarding wetlands. The transition was not, according to Ms. Mucchetti and based on documentation she presented, a voluntary act by the Town of Farmington.

Ms. Mucchetti noted that according to the website for Farmington, that town does not appear to have an inland wetlands agent, as Ridgefield does, nor a conservation enforcement officer, as Ridgefield does.

Ms. Mucchetti reviewed specific circumstances surrounding several sites that had been cited by the RCC in its presentation to the CRC on March 12, 2018. She reviewed 500 Main Street; 29 Prospect Street; Sunset Lane, Parcel C, which involved redevelopment of a former Schlumberger parking lot for residential development; 2 Mimosa Circle, which involved dredging of silt in an existing pond; and 824 Ethan Allen Highway, the redevelopment of a driving range into a 9-hole golf course by the Golf Performance Center. She delved into some detail on some of those sites, referring to documentation included in the Presentation Binder. She explained her view that the IWB had handled those situations well, resulting in environmental improvement. For example, she noted, at the Golf Performance Center there was substantial environmental improvement due to the measures required as shown in a document included in the Presentation Binder.

Mr. Fossi spoke next, addressing MS4 regulations. He explained that MS4 refers to discharge of storm water from small, municipal separate storm sewer systems. The major concern is storm water, he said. The more developed an area becomes, the more impervious surface there is, and the greater the risk becomes regarding storm water runoff. He stated that the state is requiring towns to test every outfall. The state wants to know what is coming out of these systems. Mr. Fossi explained that a committee is working to put together regulations for the residential and commercial part of it. He said that the state considers real damage to be done if more than 11% of a town's surface is impervious. He explained that with public roads and public parking lots alone, Ridgefield is at about 4%. Thus, applicants will be required to count impervious surfaces in applications. Mr. Baldelli noted that stormwater regulations are zoning regulations, not inland wetlands regulations.

Mr. Baldelli spoke about the financial consequences to the Town of separating the PZC and the IWB. Referring to his letter dated April 6, 2018 to Mr. Seem on this

subject, he explained that the staff level is currently 3½ people for planning and zoning and wetlands combined. He stated that with the two bodies operating separately, the employee census would need to be raised to 5, an addition of 1½ people. He identified the factors that he believed would require additional people if the two bodies were separated.

Mr. Baldelli presented a 2015 summons and complaint for a lawsuit by him and Ms. Peyser, each in their official capacity, against Michael J. Venus regarding what Mr. Baldelli characterized as the most egregious wetlands violation that he has seen in Ridgefield in his more than 30 years here. It concerns a former fuel supply building along the Norwalk River located behind Ace Tire (which, he noted, is not involved) off Route 7. Mr. Baldelli said that this matter has been reported in the Ridgefield Press, yet the RCC has not come forward with any input into this matter despite its importance.

Ms. Mucchetti noted the identities of members of the RCC and she briefly identified the professional experience of each member. She also identified regulatory actions taken by the IWB, with many supported by documents in the Presentation Binder.

Ms. Peyser explained the performance of Ridgefield, in comparison to New Canaan, Bethel, Redding, and Wilton, on metrics for which data is publicly available based on reporting to the state from each town. Based on this data, Ms. Peyser reported that her research shows that Ridgefield is the second most conservative of the five towns in wetlands disturbed per acre per permit issued. According to this research, Wilton placed first at 0.004 acres of wetlands disturbed per permit issued; Ridgefield was a close second with 0.005; New Canaan was a distant third at 0.027; Redding was far back at 0.79; and Bethel was last at 0.107. She referred to the Presentation Binder which contains more detailed data and computations.

The presenters noted the various advisors whom the IWB uses when appropriate.

The presenters referred to a letter dated March 12, 2018, from attorney Thomas W. Beecher, which had been submitted to the CRC. That letter noted that, in Mr. Beecher's view, the IWB does an excellent job of separating IWB functions and PZC functions, and that proper focus is given to regulations and statutes in the course of wetlands review applications.

The presenters next reviewed the importance of the upland review area, the jurisdiction of the IWB with respect to upland review areas, and the appropriate role of setbacks in exercising the IWB's statutory responsibilities. That review included

presentation of a January 31, 2018 letter from Mr. Beecher to Ms. Mucchetti. It also included an email dated February 27, 2018 from Darcy Winther of the DEEP to Ms. Peyser, noting that a certain type of broad prohibitory riparian setback is not consistent with the Inland Wetlands and Watercourses Act.

Ms. Mucchetti noted, with a list included in the Presentation Binder, that there has been an increase since 2000 in the number of Connecticut municipalities having their inland wetlands and watercourses agency combined with their agency that has the planning and zoning role, from just two in 2000 to eight in 2018.

Ms. Mucchetti next summarized three cases in which courts have upheld the Ridgefield IWB's application of its regulations to proposed developments, those being the Cioffoletti, Eureka V LLC, and Eppolitti Realty Co. cases. Documentary backup was included in the Presentation Binder.

Ms. Mucchetti next noted five cases in which IWB denials were upheld by a court, two Saunders cases, a Scandia Construction and Development Corp. case, a Courtney case, and a Juan Gauvel case, each of which was documented in the Presentation Binder.

Mr. Baldelli asked that the CRC take note of his letter dated April 6, 2018 to Mr. Seem regarding the environment being a top priority of the IWB/PZC, which pointed to examples to substantiate that view.

Ms. Mucchetti cited the presentation by the RCC which contended that Ridgefield has not been following best practices in having its IWB be the same body as its PZC. She noted a variety of ways in which, she said, Ridgefield achieves best practices with the IWB and PZC combined. These include pre-submission concept meetings for combined applications; preapplication meetings with the two bodies involved; and combined comprehensive review. She also cited additional evidence that Ridgefield's IWB achieves best practices, such as the IWB's encouragement of a 2:1 wetlands mitigation ratio, and, she noted, Ms. Peyser's study indicated that Ridgefield is achieving 5:1; no silty water leaving development sites; inspections before and after major storm events; and conditioning environmentally sensitive projects upon hiring expert professionals.

Ms. Mucchetti next reviewed benefits of a combined IWB and PZC. She cited environmental benefits, town benefits such as shared staff resources and shared legal counsel, and public benefits of having a less overwhelming permit process.

Ms. Mucchetti concluded her presentation by noting briefly some of the major points already touched upon in the IWB/PZC presentation.

The members of the CRC then asked the presenters several questions. Mr. Shapiro said that he was wondering, if there is a separate IWB, whether the same institutional conflict will occur between that IWB and the RCC which exists now between the IWB and the RCC, because one is regulatory and one is advisory. Ms. Mucchetti said that it may.

Mr. Davidson noted that many of the comments supporting the RCC proposal were worded quite similarly, which should be noted. He said that he gives those comments some weight, but not full weight.

Mr. Egan stated that he appreciated the presentation. Then, in the context of the subject of peer review, as an aspect that is relevant to the issue of whether to have two separate boards, he raised his experience of 10 years ago concerning his own property when his next-door neighbor developed the property. Mr. Egan's property was seriously and adversely affected by new waterflows that the consulting engineer for the developer next door said would not occur. In that situation, the IWB had apparently relied on the report of the developer's engineer rather than seeking any independent opinion of a peer review engineer. Mr. Egan asked about the peer review process today.

Mr. Fossi said that the IWB has had the ability to utilize peer review since 1999, but has become far more cautious over the years about every application and requires peer review much more frequently than in earlier years. Mr. Baldelli said that what happened regarding the Egan property 10 years ago probably could not occur now due to the additional effort being put into the review of such situations in the IWB's process, both because of the establishment of a full-time wetlands staff and because more attention is paid to these types of matters.

Mr. Shapiro noted that in his experience in corporate life there were many different functions going on and there were various ways to look at them. One was, he said, that things are going well so if "it ain't broke, don't fix it." The other was continuous improvement, which he said means that even if it is working well, let's look at it closely and see if we can make it work better. The end result, he said, is how does the town of Ridgefield properly regulate wetlands and watercourses. Mr. Shapiro then referred to a paragraph in an email of March 15, 2018 from Darcy Winther of the DEEP that Ms. Mucchetti had read to the CRC earlier, and Mr. Shapiro read out the first portion of the paragraph again, as follows:

The DEEP recognizes the challenges a combined commission faces. However, it is not impossible to manage a combined commission with proper administrative attention and sufficient resources.

Mr. Shapiro told the presenters that they have demonstrated that they work very hard at doing that and they have demonstrated a real level of professionalism. But, he said, “not impossible” is a pretty tough standard, so what the DEEP is saying is you better have a darned good reason to go with what is not impossible as opposed to go with what in the DEEP’s view is customary. Mr. Shapiro continued by asking, not just do you work hard, not just do you do a very good job, but if the voters change the IWB to become a separate IWB, will it work even better than it works now?

Ms. Mucchetti responded that she cannot answer, because the town chose in the 1974 to have a combined IWB and PZC and that is the way we have always functioned.

Mr. Fossi answered the question also, saying that no, it will not work better. He recounted that in his years on the IWB and the PZC he cannot think of one instance in which they have not taken the environment incredibly seriously, and have acted within the law. The IWB, he said, has gotten applicants to do things that are not required by the law because we thought they are important. He said that he does not think they can do more than the IWB is doing now. He noted, as Mr. Shapiro said, that if it is not broken then don’t fix it and he said that it is not broken. He went on to say that the IWB is continually trying to tweak their regulations to make them better. And, he said, as we get more information and more data and more science, we keep trying to do what is best for the town of Ridgefield.

Mr. Baldelli observed that there is a huge advantage in the combined review because both the IWB and the PZC see the total application. The result is that nothing is lost, which he pointed out can happen with two differently constituted boards by having a very well done presentation to the IWB, and having a slightly different presentation to the PZC. The other advantage of the combined IWB/PZC, he said, is that if there are any changes, both the IWB and the PZC see every detail of the changes, which he characterized as a substantial advantage to the town of Ridgefield, which most of the other towns are missing out on.

Ms. Geisinger then noted that most development is now redevelopment, and asked whether this has more pressure on wetlands.

Ms. Mucchetti answered that with redevelopment, they see opportunity for improvement, such as at the Golf Performance Center. This involved a significant improvement. She also cited Ridgefield Supply as a significant improvement. She noted that the parking lot was an extreme improvement from the prior runoff from the Schlumberger parking lot. So, she said, she sees redevelopment as an opportunity for improvement, not as greater pressure.

Mr. Steinman asked about the purpose of peer review. He asked whether, when they receive a written report, the peer review asks just whether what the applicant proposed was reasonable, or whether the peer review makes proposals. Ms. Mucchetti responded that peer review makes suggestions, and sometimes with multiple reviewers, and sometimes with follow-up reports after revisions in the project. Mr. Steinman asked whether peer reviewers outline conditions. Ms. Mucchetti said that they do, and that the IWB uses those conditions.

Next, members of the public commented on the issue of whether to have an IWB separate from the PZC. The first to speak was John Katz, a member of the IWB/PZC. He noted that having three boards rather than two would be cumbersome. He also noted that, as had been mentioned by a CRC member, there could still be a conflict between the RCC and a regulatory board.

Martin Handshy, who identified himself as the developer of 77 Sunset Lane, spoke next. That development is one of those cited in the Presentation Binder by the IWB/PZC. He explained the process, the use of consultants, the manner of dealing with wetlands issues, and the peer review. The result, he said, was several suggestions as to how to improve the wetlands and keep the silt and erosion from ending up in the wetlands. He said here were several meetings, and ultimately a plan was agreed upon, which was significantly more than he had originally started with. The project ended up with five or six phases. Mr. Handshy said he was surprised at how well the process worked. The system worked as it should work, he said. He said that the ultimate plan was much better than his original plan for helping the wetlands. The ultimate plan was extremely extensive, he explained.

Tracey Miller, a Ridgefield resident, spoke next. She identified herself as a landscape architect practicing for 15 years. She said she has helped clients obtain approvals in several towns. She said that she is not taking a position on whether the IWB and PZC should be separated. She said that the permitting process in Wilton is very easy. She cited CACIWC's view. She also discussed the risk of downstream flooding and the role of impervious surfaces.

Next, Louise Washer spoke. She stated that she is not from Ridgefield, but that she is president of the Norwalk River Watershed Association. She spoke about fact that the water quality needs to be improved. The Norwalk River and the Great Swamp are both impaired, she said. She said it is time for the towns to see what they can do differently to improve water quality, and separating the IWB and PZC seems like a good idea. In response to a question about trends in water quality, she noted that the Norwalk River has improved in terms of oxygen levels, but it still does not meet standards for E. coli due to both septic systems and storm runoff.

Jim Coyle spoke next. He identified himself as a member of the RCC. Mr. Coyle is Chair of the RCC. He first said that Mr. Shapiro made a good point in mentioning the “not impossible” language of the DEEP in regard to being able to have one commission perform both the planning & zoning function and the inland wetlands function. He also stated that continuous improvement is a good thing. He said that separating the two boards would be a step towards continuous improvement. He made it clear that he does not think that anyone on the two board is doing anything illegal. He said that with an independent, appointed IWB, it would attract people who are more science-oriented to join the IWB.

With regard to MS4, Mr. Coyle noted that the RCC presentation only dealt with that briefly in the RCC’s presentation on March 12, 2018, but he agreed with Mr. Fossi that the PZC dealing with MS4 will be a lot of work.

Mr. Coyle then reviewed in detail the process of getting the comments of the RCC to the IWB and PZC, including the timing of elements of that process.

With regard to the Michael J. Venus property off of Route 7 along the Norwalk River that is the subject of a lawsuit, a situation described in Mr. Baldelli’s presentation, Mr. Coyle offered to have the RCC work with the IWB and PZC if they want.

With regard to the Golf Performance Center property, Mr. Coyle disagreed with the buffer established by the IWB, and he explained his view regarding the establishment of a buffer to protect wetlands in that circumstance.

Mr. Coyle said that he believes that the RCC would be less likely to give comments to what he characterized as an independent IWB than to the current IWB. He said that he firmly believes that if there were a separate IWB, there would be less conflict between the RCC and the IWB.

In response to a question, Mr. Coyle said that he favors an appointive IWB and an elective PZC. He noted that scientists and engineers may be less likely to want to run for elective office. Mr. Coyle also said that if there is a separate IWB, for example with five members, that would mean five more bodies to do the work, so he does not see where there will be a big change in required staff for extra work.

Patricia Sesto spoke next. She noted that she is not part of the RCC and that she is appearing on behalf of herself. She identified herself as a wetlands scientist. She characterized the IWB/PZC prestation as wildly comprehensive. She said the question is not whether the current IWB is inept. They are not inept, she said. The question is whether Ridgefield is best served by having different boards for the PZC function and the IWB function.

Ms. Sesto noted that the presentation inadvertently highlighted the difference between the functions of the IWB and the PZC. She explained that the IWB involves the subjective interpretation of science and regulation based on what the town finds tolerable. There are many things that Ridgefield can do better, she said, if they understood. And, she said, the issues are not wildly complicated issues.

A pool or a tennis court should not be a reason that a wetland is filled, Ms. Sesto said. We do not need a riparian buffer, she said, which is not even legal, because we have existing wetlands regulations that gives the IWB authority to look at what happens adjacent to wetlands and watercourses and then avoid it, minimize it, or mitigate it, in that order. And, she said, we should do better under our existing wetlands regulations. Ms. Sesto noted that what we have for our regulations is fine; it is in how we implement our regulations where we have an opportunity to do better.

Ms. Sesto concluded her remarks by stating that planning and zoning is setbacks; it is more definitive rules. Wetlands is science, and is the applicability of that science under the law, and how that is done that is going to serve our community the best.

Next to speak was Eric Beckenstein, who identified himself as a member of the RCC. He said that the quote that was read at the very beginning of the IWB/PZC commission presentation, that each town needs to weight its options, is really the RCC's point. That means that the people of Ridgefield should be entitled to vote on this issue.

Next to speak was Susan Baker, who identified herself as a member of the RCC. Citing Mr. Egan's comments with regard to his property, she said that it should have

been improved 10 years ago, with two separate boards. This should be seriously looked at, she said, and the people of Ridgefield should have a chance to vote.

Next to speak was Alan Pilch, who identified himself as a member of the RCC. He noted that he normally writes the memoranda to the IWB on behalf of the RCC. He explained that there is much frustration when good wetlands principles are not followed by the IWB as currently constituted. With regard to the question as to whether a newly constituted IWB would continue to receive comments from the RCC, he said that an IWB composed of professionals would make much better decisions.

Mr. Pilch also spoke about peer review, which he noted is normally done by an engineer. He said that it is a rare event that the IWB retains a wetlands scientist as a peer reviewer.

The next speaker was Bob Cascella, who identified himself as a member of the PZC. He said that he has a problem with thinking that everyone on a board or commission should be an expert. He said that he is not a builder but is a member of the PZC. He said that what is important is that a member of a board or commission cares. He noted that there are people on boards and commissions such as the Police Commission and Board of Finance who are not experts in police work or finance. They serve because they care, he said.

Next, Tom Elliott spoke. He identified himself as a long-time resident of Ridgefield and he recounted a conversation with an old friend named Tom Walsh, who is involved in town government in South Salem. Mr. Elliott said that Mr. Walsh expressed concern that the upland review area in Ridgefield was not large enough to accommodate runoff issues. He noted that the town of Ridgefield, for its proximity to the ocean, has the highest elevation on the East Coast of the U.S. So, he said, what happens in Ridgefield with regard to best practices does not stay in Ridgefield; it proceeds downstream to other towns.

Next, Ben Oko spoke. He identified himself as an alternate on the RCC. He said that he wanted to reiterate the point that this is a knotty issue with lots of ways to look at it, but it deserves the attention of not just the nine members of the CRC; it deserves the attention of the voters of the town of Ridgefield.

Mr. Coyle then spoke again. He noted that the Connecticut Council on Environmental Quality issued a report some years ago called "Swamped". It was a commentary on how local inland wetlands boards and the Connecticut Department

of Environmental Protection work. Mr. Coyle said that he would provide a copy of Swamped to the CRC.

Mr. Coyle reiterated that there are only eight towns in which the planning and zonings function is combined with the inland wetlands function which, he noted, says something.

Kitsey Snow spoke next. She is a member of the RCC. She provided a list of best practices regarding MS4. She then undertook to provide to the CRC a copy of a document on water quality in Ridgefield. She provided information on four members of the RCC who have recently taken the DEEP training course.

Mr. Seem asked how many of those documents can be submitted electronically so that they can easily be shared with the members of the CRC. Ms. Snow said that she can see that they are submitted electronically.

Next, Mr. Baldelli spoke. He reiterated that MS4 will be a zoning regulation, not an IWB regulation. With regard to peer review, he said that the IWB/PZC will obtain peer review from whatever source is needed and will get the applicant to pay for it. On more than one occasion, he explained, soil scientists and other environmental personnel have been the peer person to provide advice.

There were no more public comments or questions. Mr. Seem thanked the IWB and PZC for their very helpful presentation and then closed out public comment on that topic. He then asked for any comments or questions or concerns from members of the CRC.

Mr. Hancock asked whether any members of the CRC need any more information and whether the other members of the CRC are ready to vote on the issue of separation of the IWB and PZC. Mr. Steinman commented that the CRC had received a tremendous amount of information during the meeting he needs to review, so he suggested that there not be a vote that day.

Mr. Davidson said that it surprises him that the RCC suggests that the issue of separation of IWB and PZC be submitted to the voters for a vote, but that they do not want the members of the IWB to be selected by the voters. Mr. Steinman noted that the PZC has legislative authority, but the IWB does not have legislative authority. Mr. Walsh pointed out that the IWB has regulatory authority.

3. Proposal for Charter Revision by the Pension Commission.

Christofer Christensen, Chairman of the Pension Commission, and Michael Rettger, a member of the Pension Commission, spoke regarding that commission's proposal to replace the text of Section 5-13 of the Charter with new text proposed by that commission. Mr. Christian noted that the proposal had been shared with Rudy Marconi, the First Selectman, who had an opportunity to review and comment on it. Mr. Marconi spoke briefly and confirmed that he supports the recommended change in the text. Mr. Rettger explained that the proposed next text is simply intended to match the Charter language to the scope of responsibilities actually carried out by the Pension Commission.

There were brief discussions between the two members of the Pension Commission and the CRC, and Mr. Shapiro suggested minor edits to the language proposed by the Pension Commission. Messrs. Christiansen and Rettger agreed that those edits were acceptable.

**Mr. Egan moved and Mr. Hancock seconded a motion to recommend replacement in its entirety of the existing text of Section 5-13 of the Charter with the following text:**

**The Pension Commission shall consist of seven members serving for staggered three-year terms ending June 1. The Pension Committee shall be responsible for the administration, management, and oversight of the investment activities of those trusts which fund the retirement-related benefit programs for Town employees and elected officials, as are assigned from time to time to its purview by resolution of the Board of Selectmen, and shall have powers and duties in accordance with the General Statutes, and as enumerated in applicable ordinances and written Trust Agreements.**

**Motion carried 9-0.**

4. Review of the Change Request Tracker.

Mr. Seem observed that it was too late in the evening to review the Change Request Tracker. It was agreed that at the meeting on April 21, 2018, the CRC will review the Change Request Tracker.

5. Approval of Minutes of March 12, 2018 Regular Meeting.

Mr. Shapiro and Mr. Steinman each proposed several modifications to the unrevised/unapproved minutes of the Regular Meeting of March 12, 2018.

**Ms. Burns moved and Mr. Walsh seconded a motion to approve the unrevised/unapproved minutes of the March 12, 2018 CRC Regular Meeting, as modified. Motion carried 8-0. Mr. Davidson abstained.**

6. Any Other Business.

The CRC members discussed the issue of the interpretation of “line item” in Section 10-1(c) of the Charter. Mr. Seem agreed that the Chairman of the Board of Finance should be invited to attend a CRC meeting to comment on this issue. Mr. Davidson suggested that the CRC invite Town Counsel David Groggins to talk with the CRC about this issue.

The CRC next discussed Saturday morning working session meetings. It was proposed that there be a working session on May 5, 2018.

**Mr. Hancock moved and Mr. Walsh seconded a motion to schedule a special meeting of the CRC on May 5, 2018 at 8:30 a.m., for purposes of reviewing all pending Charter revision proposals and voting on such proposals as appropriate. Motion carried 9-0.**

It was then noted that the CRC had not formally adopted a resolution to schedule a special working session meeting of the CRC on April 21, 2018.

**Mr. Walsh moved and Mr. Steinman seconded a motion to schedule a special meeting of the CRC on April 21, 2018 at 8:30 a.m., for purposes of reviewing all pending Charter revision proposals and voting on such proposals as appropriate. Motion carried 9-0.**

7. Adjournment.

**Ms. Burns moved and Ms. Geisinger seconded the motion to adjourn at 10:31 p.m. Motion carried 9-0.**

Respectfully submitted,  
Joe Shapiro, Recording Secretary