

Town of Ridgefield
Charter Revision Commission Public Hearing
Monday, June 18, 2018 – 7:00 p.m.
Town Hall Large Conference Room
400 Main Street, Ridgefield, Connecticut
APPROVED PUBLIC HEARING MINUTES

Policy: Charter Revision Commission’s Public Hearing is conducted under Roberts Rules of Order with public comment invited. Individuals are recognized for comment.

These minutes are a general summary of the public hearing 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. Review proposed Charter Revision Commission Draft Report.
2. Public comment.
3. Adjournment.

Public Hearing Minutes

At 7:00 p.m., the public hearing was called to order by Charter Revision Commission (CRC) Chairman Jonathan Seem.

1. Review Proposed Charter Revision Commission Draft Report.

Mr. Seem explained that the CRC was sharing with the public its Draft Report, which had been posted online. Copies of the Draft Report were available at the Public Hearing. Mr. Seem explained the background for the Draft Report. He stated that on November 6, 2017, the Board of Selectmen chose the nine members of the CRC who, he noted, were all present at the Public Hearing. He stated that on November 15, 2017, the CRC met and elected officers, electing himself as Chairman, Ellen Burns as Vice Chairman, and Joe Shapiro as Recording Secretary. He noted that the CRC held its first Public Hearing on January 8, 2018, prior to commencing any substantive work, in compliance with state law. He stated that there were proposals and comments submitted at that Public Hearing, and then after that Public Hearing a number of Charter Revision proposals, recommendations, and comments were submitted to the CRC.

Mr. Seem noted that the CRC had held seven Regular Meetings and seven Special Meetings, and that following the Public Hearing the CRC would be holding its eighth Special Meeting. He stated that during the last few weeks the CRC had been taking the results of the previous meetings and converting them into a Draft Report.

Mr. Seem noted that the Draft Report consists of an Introduction followed by four sections. He explained that Section 1 of the Draft Report consists of a chart of the Charter revision recommendations approved by the CRC; Section 2 consists of a chart of Charter revision proposals that were not approved or were withdrawn; Section 3 consists of a brief explanation of the material Charter revisions recommended by the CRC and a brief explanation of the rationale for those recommended revisions; and Section 4 consists of the actual recommended language changes to the Charter, presented in a redlined format.

Mr. Seem continued by noting that the CRC intends to submit the Draft Report to the Board of Selectmen on June 20, 2018. Then, he said, the Board of Selectmen will provide feedback to the CRC, which will take that feedback and prepare a Final Report, which would be submitted some time in August 2018. Then, he explained, the Board of Selectmen would hopefully accept the Final Report, and then Town Counsel would work to craft ballot language that the Town Clerk would submit to the State in September 2018. He further explained that after the State approves those questions, they will appear on the ballot in November 2018.

Next, Mr. Seem noted that he would discuss at a high level those material changes to the Charter recommended by the CRC, all of which are explained in the Draft Report. He explained that following that high-level presentation of material changes, the CRC would open the Public Hearing to public comment, but that probably the CRC will not engage in discussion with the public on the comments presented to the CRC at the Public Hearing. He stated that the public comments would be duly noted. He stated that a Special Meeting of the CRC would follow the close of the Public Hearing.

Mr. Seem explained that he was turning to Section 3 of the Draft Report to explain at a very high level the matters covered in Section 3 regarding recommended material changes to the Charter.

Mr. Seem noted that the CRC is recommending a change to prevent one individual from running for two offices that have overlapping terms in response to comments after the November 2017 election.

Mr. Seem next noted that the CRC recommended that the offices of Town Treasurer and Tax Collector be appointive rather than elective.

The next recommended Charter change, Mr. Seem said, concerns the proposal to create an independent Inland Wetlands Board. He said that this proposal elicited the most feedback to the CRC and that the CRC spent the most time on this issue, in multiple meetings, than on any other issue. He noted that the CRC's consideration of this issue is contained in the minutes of the CRC's meetings that are available to the public. He stated that the CRC voted 5-4 to separate the Inland Wetlands Board from the Planning and Zoning Commission. He also stated that a majority of the CRC voted to make the newly independent Inland Wetlands board elective rather than appointive.

Next, Mr. Seem stated that the CRC had reviewed the terms in office of appointive positions under Article IX of the Charter. Mr. Seem explained that with the help of Commissioner Bill Davidson, the CRC found that there were many different terms specified in the Charter for different positions. What the CRC decided to recommend, Mr. Seem explained, is to remove all specific terms for all appointive positions. Instead, he explained, the CRC recommends that people who serve in appointive positions serve at the pleasure of the appointing authority. He noted that the CRC believes that it will be much clearer going forward.

The next proposed material revision Mr. Seem presented concerned Article X of the Charter, which has to do with the budget process and the town meeting. He noted that there was quite a bit of feedback from the public at large and from town officials regarding the budget process. He said that most of the language changes recommended by the CRC are basically clarifications of the budget process. He then explained the one significant change. He noted that some of the feedback included a concern that the size of the attendance at the town meeting that considers the budget is not large enough to be adequately representative of the voters of the town. In order to respond to that concern, he explained, the CRC recommends that in order for the town meeting to have the power to decrease or delete a line item from the town budget or decrease the Board of Education budget, the attendance at the town meeting would need to be at least 2% of registered voters, which Mr. Seem stated is about 360 to 370 voters.

The last item Mr. Seem explained was Article XI of the Charter, standards of conduct. He noted that Bart Van de Wehge, Chairman of the Board of Ethics, participated in one of the CRC meetings and gave the CRC some helpful guidance. Mr. Seem explained that the new text of Article XI had been developed by looking at best practices, with Commissioner Lester Steinman looking at other Charters as well. Mr. Seem observed

that the new standards of conduct text being recommended by the CRC consists of crisper language that is more in line with what one would find in other municipalities.

2. Public Comment.

Mr. Steinman moved and Ms. Geisinger seconded a motion to open the Public Hearing to public comment. Motion carried 9-0.

Mr. Seem opened the Public Hearing to public comment, noting that there will not be an opportunity to have debate or discussion, but that the CRC would happily take public comment for the record.

The first commenter was Kitsey Snow of 62 Canterbury Lane. She thanked the CRC for all their time and for the hard work they put into recommending Charter revisions.

The next commenter was Macklin Reid of Great Hill Road. He said that as someone who follows the budget process closely, he likes the changes regarding the budgets that the Board of Selectmen, the Board of Education, and the Board of Finance have worked so hard on. However, he said, he wondered whether the 2% threshold for permitting a vote changing the budget was too high, although he was supportive of the concept of a threshold. He said that it is hard to imagine 360 people turning out for the annual town meeting for the budget. He said he goes to every one and asked if the attendance ever approaches that figure. Ms. Burns said that the idea is to get more people to participate. Mr. Reid said he wondered whether the CRC wanted to set a lower threshold to give people who want to submit items to a vote an opportunity to do so. Commissioner Chuck Hancock noted that people have had two or three shots as the budget has proceeded through the process prior to reaching the town meeting. Mr. Hancock noted that people can attend the meetings of the Board of Selectmen, the Board of Education, and the Board of Finance. He said that this provides opportunities for public input. Mr. Steinman noted that the 2% threshold does not affect the ability of a person attending a town meeting to speak at the town meeting; it only affects the ability to force a vote at a town meeting.

The next commenter was Ed Tyrrell of 17 Pond Road. He said that the whole idea of a town meeting is that people can vote because we have a town meeting form of government. Mr. Tyrrell then pointed out that the CRC's proposed draft of changed text of the Charter on the town meeting issue had left it so that the 2% threshold does not apply to votes on capital items under \$100,000. He explained that the way it is drafted, a town meeting attended by 12 people could vote to delete such a capital item, which, he commented, is pretty inconsistent with the 2% requirement for larger budget items. He referred to page 32 of 52 in the Draft Report.

Mr. Tyrrell then commented on the proposed revision of the text concerning standards of conduct. He noted that in accordance with a proposed provision on page 46 of 52 of the Draft Report, no town official can serve on a town board or commission and also represent someone on an unrelated matter. He cited as an example Robert Jewell, who Mr. Tyrrell said has served on town bodies, but likes to represent people appearing before the Planning and Zoning Commission. Mr. Tyrrell said that such a restriction in the draft standards of conduct is a huge mistake, because we struggle mightily to get people to volunteer their time to serve on town boards and commissions. He asked the CRC, what are you fixing here that was broken? He also asked what happened in this town that merited such a fix? He expressed concern about unintended consequences.

Next, Michael Autuori spoke. First, he said he said that he appreciates all the very hard work by the CRC on lots of very complicated issues. He asked, other than legal representation, are there matters of concern with the issue raised by Mr. Tyrrell regarding the standards of conduct that might be problematic? Mr. Seem noted that the CRC is not answering questions at the Public Hearing. The other question Mr. Autuori said he had wanted to ask was about the rationale for elective versus appointive for the Inland Wetlands Board. He noted that he could see both sides on that issue. Mr. Seem stated that the CRC's rationale is explained in the Draft Report as well as in the minutes of the CRC's meetings.

Mr. Seem asked for any further public comments.

Mr. Tyrrell spoke again. He complimented the CRC on doing a great job. He said that it is a lot of work and at the end no one is happy. He said thank you.

No further members of the public came forward to comment.

Mr. Steinman moved and Mr. Hancock seconded a motion to close the Public Hearing to public comment. Motion carried 9-0.

3. Adjournment.

Mr. Shapiro moved and Ms. Burns seconded the motion to adjourn at 7:22 p.m. Motion carried 9-0.

Respectfully submitted,
Joe Shapiro, Recording Secretary