

Town of Ridgefield
Charter Revision Commission Regular Meeting
Monday, June 25, 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. Approve the Minutes from Charter Revision Commission Special Meeting on June 11, 2018 and Regular Meeting on June 18, 2018.
2. Review and vote on Draft CRC Report for submission to the BOS.
3. Adjournment.

The meeting was called to order by CRC Chair Jon Seem at 7:00 p.m. He noted that he had emailed to all the CRC members the prior day a June 24, 2018 draft of the Draft Report to be dated June 25, 2018 (the “June 24th Draft”).

1. Approval of Prior Unrevised/Unapproved Minutes.

Mr. Walsh moved and Mr. Davidson seconded a motion to approve the unrevised/unapproved minutes of the June 11, 2018 CRC Regular Meeting as presented. Motion carried 9-0.

Ms. Burns and Mr. Steinman proposed minor corrections to the unrevised/unapproved minutes of the CRC Public Hearing of June 18, 2018.

Ms. Burns moved and Mr. Steinman seconded a motion to approve the unrevised/unapproved minutes of the June 18, 2018 CRC Public Hearing, with the proposed minor corrections. Motion carried 9-0.

Mr. Steinman proposed minor corrections to the unrevised/unapproved minutes of the CRC Special Meeting of June 18, 2018.

Mr. Davidson moved and Mr. Hancock seconded a motion to approve the unrevised/unapproved minutes of the June 18, 2018 CRC Special Meeting, with the proposed minor corrections. Motion carried 9-0.

2. Review and Vote on Draft CRC Report for Submission to Board of Selectmen.

Mr. Seem noted that Mr. Shapiro and Mr. Hancock attended the Board of Selectmen meeting on June 20, 2018, at which Charter revision was on the agenda. Mr. Shapiro gave the CRC a brief update on the Charter revision discussion at that meeting.

Mr. Seem asked about the status of the drafting of waiver language for Article XI of the Charter in response to a comment by Ed Tyrrell at the June 18, 2018 CRC Public Hearing. Mr. Steinman and Mr. Walsh briefly explained the process of adding text to proposed Section 11-5 of the Charter to provide for a waiver, which included consultation with Bart Van de Weghe, Chairman of the Board of Ethics.

Mr. Seem noted that the CRC needs to consider how to deal with several issues. One is the issue of the inconsistency in the Charter in the terminology for the Board of Assessment Appeals. Mr. Shapiro noted that Sections 4-13 and 4-17 of the current Charter correctly refer to that board by its current name, "Board of Assessment Appeals". Mr. Shapiro also noted that Section 4-1 of the Charter, which lists all the elective boards and commissions, instead uses the old name of that board, "Board of Tax Review". Mr. Seem stated that another issue that the CRC needs to deal with is whether to use "insure" or "ensure" in Section 9-15 of the Charter, and a further issue is dealing with the choice of words "clarifying" or "revising" in the Introduction to the Draft Report.

Mr. Steinman expressed the view that the CRC should not recommend further changes to the text of the Charter. Specifically addressing the use of the old term "Board of Tax Review", he said that fixing the name of the board should be left for the future, although perhaps it could be included in a cover email to the Board of Selectmen. Mr. Shapiro stated that he recently noticed this issue and notified the incoming Chairman of the Board of Assessment Appeals who, he said, is in favor of changing the terminology used in Section 4-1 from "Board of Tax Review" to "Board of Assessment Appeals".

The CRC members discussed the June 24th Draft, focusing on the sentence in the Introduction to the June 24th Draft under the heading "Prevent Running for Two Elective Offices at Once". The text of that sentence in the June 24th Draft includes the language, "the Commission proposed clarifying the Charter to prohibit . . .". CRC members discussed a proposal to change "clarifying" to "revising" in that sentence.

Mr. Walsh commented that there is a difference between now changing the CRC's own language in the Draft Report as opposed to now proposing a new change in the text of the Charter that appears in the Draft Report. Mr. Walsh said that he does not have an objection to changing the CRC's own language in the CRC's Draft Report; he has an objection to changing the proposed Charter text that is in the June 24th Draft without a Public Hearing. Mr. Steinman agreed with Mr. Walsh.

Mr. Walsh moved and Mr. Hancock seconded a motion to modify the language in the June 24th Draft of the Draft Report, in the Introduction under the heading "Prevent Running for Two elective Offices at Once", to change the word "clarifying" to "revising". Motion carried 9-0.

Mr. Walsh moved and Mr. Steinman seconded a motion to decline to recommend changing the text of Section 4-1 of the Charter to change "Board of Tax Review" to "Board of Assessment Appeals" and to decline to recommend changing "insure" to "ensure" in the text of Section 9-15 of the Charter. Motion carried 6-3.

Ms. Burns moved and Mr. Egan seconded a motion to include, in the document that transmits the Draft Report from the CRC to the Board of Selectmen, mention of the fact that Section 4-1 of the Charter incorrectly refers to "Board of Tax Review". Motion carried 8-1.

The CRC members next discussed whether to recommend changing the word "insure" to "ensure" in the first sentence of the final paragraph of Section 9-15 of the Charter, the section concerning the Town Attorney. Mr. Davidson expressed the view that the use of the word "insure" is plainly wrong and that the proper word should be "ensure". Mr. Davidson recommended that mention of this issue be included in the email that transmits the Draft Report to the Board of Selectmen.

Mr. Davidson moved and Ms. Burns seconded a motion to include in the document that transmits the Draft Report from the CRC to the Board of Selectmen mention of the fact that the Board of Selectmen could consider changing the word "insure" to "ensure" in the final paragraph of the text of Section 9-15 of the Charter. Motion failed 4-5.

Mr. Seem summarized that the meeting thus far had made only two changes in the June 24th Draft. One was to change "clarifying" to "revising" in the Introduction to the June 24th Draft under the heading "Prevent Running for Two Elective Offices at Once". The other was to change the recommended text for Section 9-15 of the Charter from "ensure" back to the Charter's current wording, "insure".

The CRC next discussed the wording of the proposed fifth paragraph of the proposed text of Section 11-5 as shown in the June 24th Draft. Mr. Steinman noted that only the first sentence of that paragraph, which begins “The Board shall render advisory opinions . . .”, appeared in the draft of the Draft Report released to the public for purposes of the June 18, 2018 Public Hearing. He stated that he, Mr. Egan, and Mr. Walsh had drafted two additional sentences to follow that sentence. Mr. Steinman explained that the first of those two additional sentence, as originally drafted by Mr. Steinman, Mr. Egan, and Mr. Walsh, had begun with the text, “The Board is further authorized to issue a waiver of the Standards of Conduct . . .” He reported that a proposed revised version of the text for Article XI had then been provided to Mr. Van de Weghe for his comments and input. Mr. Steinman stated that Mr. Van de Weghe had suggested adding to the beginning of the second sentence of the fifth paragraph of proposed Section 11-5 of the Charter the words “In connection with the rendering of an advisory opinion,”. Mr. Steinman pointed out that Mr. Van de Weghe’s suggested additional text now appears in the June 24th Draft immediately prior to the language in the second sentence of that paragraph reading, “the Board is further authorized to issue a waiver of the Standards of Conduct . . .”. Mr. Walsh noted that the purposed of Mr. Van de Weghe’s additional text is to prohibit obtaining a waiver after the fact.

Mr. Shapiro moved and Ms. Burns seconded a motion to accept the text of the fifth paragraph of proposed Section 11-5 of the Charter as shown in Part 4 of the June 24th Draft of the Draft Report. Motion carried 9-0.

Mr. Hancock moved and Ms. Geisinger seconded a motion to accept in its entirety the text of the June 24th Draft of the Draft Report, with the only two changes thereto being the change from “clarifying” to “revising” in the Introduction and the change from “ensure” back to “insure”, and to made that Draft Report, as so accepted, the Draft Report of the Charter Revision Commission to the Board of Selectmen. Motion carried 9-0.

The CRC then discussed the likely timeline for the Board of Selectmen considering the Draft Report, holding a Public Hearing, and acting on the Draft Report. The CRC members discussed appropriate dates for further CRC meetings. Mr. Shapiro and Mr. Hancock discussed further the substance of the Charter revision portion of the June 20, 2018 meeting of the Board of Selectmen.

Mr. Walsh moved and Mr. Davidson seconded a motion to cancel the Regular Meeting of the Charter Revision Commission scheduled for July 9, 2018. Motion carried 9-0.

There was further discussion of the timeline as well as discussion of members being present for the intended July 18, 2018 Board of Selectmen Public Hearing and the meeting of the Board of Selectmen to immediately follow. In light of that timetable, there was discussion about the role of the CRC at various points in the Charter review process.

Mr. Seem suggested that he, Ms. Burns, and Mr. Shapiro try to schedule a meeting with Rudy Marconi, the First Selectman, in order to determine Mr. Marconi's intentions with regard to timing of the steps that the Board of Selectmen will take concerning revisions to the Charter. Mr. Seem undertook to follow up and contact Mr. Marconi.

3. Adjournment.

Mr. Hancock moved and Mr. Egan seconded the motion to adjourn at 7:48 p.m. Motion carried 9-0.

Respectfully submitted,
Joe Shapiro, Recording Secretary