

CHARTER COMMISSION
Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION
October 20, 2008
Wilton Historical Society Building

PRESENT: Robert Russell (7:36), Michael Kaelin, Paul Burnham, Marilyn Gould,
Louise Herot, Toni Lee, Douglas Levene, Chris Weldon (7:26)
ABSENT: Alice Ayers

ALSO PRESENT: Justin Reynolds (Bulletin)

Mr. Kaelin called the meeting to order at 7:06 p.m.

Approval of Minutes: There was a lengthy discussion of the October 2, 2008 minutes, after which Ms. Herot moved to table the approval. Motion seconded and unanimously carried.

Letter from Mr. Al Alper

Mr. Kaelin summarized the exchange of correspondence between Mr. Alper and Ms. Herot. The issues they appear to address were whether the first selectman should have a four year term or a two year term, whether we should have a town manager, whether the BOS should be a four year term or two year term, whether it should be staggered, whether we should have term limits on either the BOS or first selectman, and whether there should be some recall procedure to recall elected officials. From what he can tell from reading the correspondence, Mr. Alper was in favor of a four year term for the first selectman, not in favor of a town manager, in favor of four year terms for members of the BOS and staggering two spots every two years. He was not in favor of term limits but he was in favor of having some kind of recall procedure. Everyone on this commission has discussed all of these items except for the recall procedure.

Special Town Meeting

The Selectmen requested that the Charter Commission look at the number of signatures required to request a special town meeting by petition. Mr. Kaelin believes that is because a lot of frustration had been expressed by the BOS and others that a group of individuals can require the

town to hold a special town meeting merely by getting 50 signatures on a petition and the specific charter provision that this relates to is in Sec. C-9(8), but when you look at the CGS, it looks like the statutes dictate that the most that we can require is 50. We wouldn't have the option by charter of increasing that number. It may be something that requires legal counsel's opinion. There is a quorum requirement of 50 members and in that we appear to have some flexibility. The percentage of turnout required for a vote is currently 5%. The special town meeting cannot act unless at least 5% of registered voters actually participate.

Mr. Kaelin feels that we do seem to have discretion on the quorum requirement for a town meeting. It looks like the way that other towns have dealt with this is to determine by charter what can be voted on at a special town meeting. In Wilton, a special town meeting has very broad powers. The town meeting can pass an ordinance or overrule anything that has been done by the BOS and it can also propose any other legislative action. At the other end of the spectrum, there are towns that simply say the town meeting does not have the power to make laws, only to approve the annual budget. He feels consideration should be given as to whether we should limit by charter what the special town meeting can do. Ms. Herot advised that this happened when the ordinance making power was transferred to the BOS and then the protection was that you could overrule or petition or by-pass the BOS.

Mr. Russell arrived at this time. Mr. Russell stated that local charters or ordinances can supersede the 50 signature requirement to petition for a town meeting. Mr. Burnham does not feel this has been a big problem in town and does not feel a need to make it too burdensome to petition for a special town meeting. There was discussion and general consensus of requiring 2% of the electorate to call a Special Town Meeting. There was some discussion about having a graduating scale. What about the 50 people required for a quorum at a special town meeting? There was a lengthy discussion with a consensus to leave it at 50. Mr. Russell pointed out that it is not clear in the Charter that we are required to have an adjourned town meeting and that should be addressed.

There was a lengthy discussion about whether a request for bonding a project could come from a private citizen by petition. It was decided that the bonding procedure should be discussed at the next meeting and Mr. Dolan be invited.

Mr. Kaelin advised Mr. Russell and Mr. Weldon that the acceptance of the minutes was postponed due to some questions about the content. Mr. Russell advised that the clerk accidentally erased the recording and that he had reconstructed the meeting and that is what is in the minutes. Mr. Kaelin stated that he remembers Mr. Weldon not taking a position in the straw poll, which Mr. Weldon confirmed. A proposal was made to eliminate the summary of the straw poll. It was also not known what Mr. Russell actually said at the end of the meeting and what he had put in the minutes. Amendments were discussed and agreed upon.

Ms. Herot moved to take minutes from the table. Motion seconded and unanimously carried.

Ms. Herot moved to accept the minutes of the October 2, 2008 meeting as amended. Motion seconded and unanimously carried.

Mr. Russell stated that he is leaning toward staggered four year terms but feels that the voting process could get complicated. If you have an incumbent first selectman in the middle of his four year term, and then a sitting Republican and a Democrat and two others that are up for election or

re-election, the Democrats could probably put two people up for those spots and the Republicans only one because they already have one on the board. Ms. Herot feels that there could be a change so that four candidates could run but we would need the guidance of town counsel on this matter. There was no consensus on having four year terms or two year terms for Board of Selectmen of First Selectman.

Ms. Herot stated that we are required to have another public hearing when the draft is finished but we can have as many as we want. Maybe it is coming to the time where we want to have one. Mr. Russell will send the outstanding issues to send to town counsel before deciding to go to the public for input.

1. Increase number of signatures required on petition to call special town meeting from 50 signatures to 2% of the electorate?
2. Staggered terms for the Board of Selectmen.

Also, he will ask CCM (CT Conference of Municipalities) about how many towns have four year terms and staggered terms. Ms. Herot will ask John Hetherington to get information from the OLR (Office of Legislative Research).

Regarding the current voting procedure, where the budget passes if fewer than 15% vote and can only be rejected once, this will be discussed at the next meeting along with bonding discussions.

Having no further business, the meeting was adjourned at 9:30 p.m.

Jan Andras
Recording Secretary
(Minutes taken from audio recording)

