

CHARTER COMMISSION
Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION
November 18, 2008
Wilton Town Hall Annex, Room A

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

GUESTS: Former First Selectman Paul Hannah, Town Counsel Ken Bernhard

ALSO PRESENT: Lauren Mylo (Wilton Villager)

Chairman Russell called the meeting to order at 7:04 p.m.

Approval of Minutes: The minutes of November 11, 2008 will be approved at the next meeting.

Discussions with former First Selectman Paul Hannah

Four year terms - Mr. Hannah is in favor of four year terms for the First Selectman. He believes that four year terms have worked well for the Board of Finance. It takes at least a year to get up to speed. There are a lot of advantages in coming on, learning what you need, spending a couple of years developing your policies and plans and then having the time to implement them before running for another term or leaving office. He thinks it would be a good idea to have a provision for recall but it should be a difficult process to begin.

Staggered terms – Mr. Hannah feels there are advantages to staggering terms for the Board of Selectmen. There are also advantages to having one election every four years for those positions. We manage to have a federal government turning over operations every four years. He would also be in favor of having term limits apply to the Board of Selectmen and First Selectman.

Separate vote – Mr. Hannah likes idea of a separate vote for First Selectman and feels that it would encourage more people to run. With the increase in unaffiliated voters, there will be more contests coming along.

Approval of Grants - If there is a grant that requires the town to commit to something in the future or is tied to special conditions, then that should require Board of Finance approval. If it does have to go through the Board of Finance, then the limit should be increased, i.e. 2% of total budget.

Special Town Meeting – Mr. Hannah would like to see the number of signatures required to call a special town meeting be increased. We have had some special town meetings for issues that were of interest to only a very small group. It is easy to get 50 signatures.

Board of Finance line item review of Board of Selectmen Budget– He did not see a problem in the six years he was on the Board of Finance or the six years on the Board of Selectmen. It could be limited to departments but not line items, and in the capital budget, deal only with the total.

Board of Selectmen power to review Board of Ed Budget – Mr. Hannah always thought it would be interesting to have the power of the First Selectman in Monroe who can cut the Board of Education budget, but does not see what that accomplishes. Although, people view the First Selectman as the CEO of the town and don't understand why he does not have control over 2/3 of the budget, the Selectmen have enough to do with their own budget. The schools have a superintendent, who tends to be a manager for that side. The Board of Selectmen deal with so many different issues, he is not sure if it would be desirable to take over tweaking the schools budget, with no real power.

Should Selectman have any more powers? – He feels the First Selectman has sufficient power to run the town and does not feel that he should have voting power on boards where he is an ex-officio member.

Mr. Bernhard arrived at the meeting. Mr. Hannah had to leave for another commitment. The commission thanked him for his input.

Discussions with Town Counsel Ken Bernhard

A list of questions relative to state statutes was sent to Mr. Bernhard earlier and these were answered in writing by Attorney Pat Sullivan. Mr. Bernhard went over these. There were subsequent questions.

Staggered terms - You can have staggered terms, however, you have to adhere to the minority representation rules. If you have a five member board, and the majority party is R (3 R's and 2 D's) and there are two positions open, one of which is an R and one a D, you could by statute only elect one R but two D's. More than one R could run, but only one could win. If both R candidates received more votes than both of the D's, the second R could not be elected.

Mr. Kaelin feels that the candidate who receives the most number of votes should win, otherwise it confuses the voters.

Mr. Russell wonders if staggered terms and a separate election for First Selectman would be too complicated? First, we would decide on four year terms and then make the decision for staggering.

The Charter Commission has agreed on a separate election for First Selectman, but does not have a consensus on four year terms. Mr. Burnham feels that an interested individual might be more willing to leave a full time job to run for a four year term.

Petitions – Mr. Bernhard advised that the statutes say that 20 signatures are needed but by ordinance, you can change it to 50, which has been done. You cannot go beyond 50 for a petition to the Board of Selectmen to call a Town Meeting but you can restrict those things for which you can call a Town Meeting by culling out issues that you don't want subject to a petition. There is a difference between a petition to the Board of Selectmen for a Town Meeting and other petitions. The Town can set its own percentage as to how many voters it takes to pass or reject a budget.

Mr. Bernhard will look into how to require more than 50 signatures for a petition, as is done in New Canaan, Weston and Ridgefield. He asked commission members to formulate any other questions and send them to him.

When asked if there is anything in the Charter that he feels should be "fixed", he replied that he would like a cleaner Charter so that it is more easily understood, but does not object to anything in the Charter. Some parts of the Charter may become redundant, but as long as it is consistent, it will make it easier than constantly flipping back and forth.

Mr. Bernhard left the meeting at this time. The commission thanked him for his input.

Chairman Russell does not feel that the commission is ready to divide into subgroups to begin drafting, as there are some major items to be decided. Some public input would be helpful at this time. It was decided that for the December 9 meeting, word will be put out about what is being considered and public comment will be invited but it will not be an official public hearing.

Some other items to be discussed include:

- a) Should the Charter include the provision that all committees and commissions choose their own chairman?
- b) It should be decided whether the First Selectman's salary should be set for one year, two years, or more if the term is expanded to four years.
- c) Provisions for the Board of Assessment Appeals to be expanded in any year, rather than only the year in which there is a revaluation.

Having no further business, the meeting was adjourned at 8:50 p.m.

Jan Andras
Recording Secretary
(Minutes taken from audio recording)