

CHARTER COMMISSION

Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION

April 21, 2009

Wilton Town Hall Annex, Room A

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

Chairman Russell called the meeting to order at 7:18 p.m. in Meeting Room A. Meeting was delayed until building could be unlocked.

Approval of Minutes: Upon motion by Ms. Herot, the minutes of the 2/24/09 meeting were unanimously approved as presented.

Review Timeline:

The draft report must be ready by May 15, 2009 and then the Commission is required to hold another public hearing (right after Memorial Day). The recommendations are to be submitted to the Town Clerk on June 19 and then forwarded to the Board of Selectmen. The BOS then holds a public hearing (July) and forwards their final recommendations back to the Commission. The CRC then submits the Final Report by August 24, 2009. If the BOS do not make any recommendations for change, the report will be final at that point, which could be as early as August 3, 2009. The BOS has to vote by September 3rd in order to get recommendations on the ballot for the November 3rd elections.

Review Drafts from Subgroups:

Group 1 – Town Meeting, Board of Selectmen, First Selectman, Ordinances

Mr. Kaelin went over the draft of suggestions from Group 1, noting that major changes were in clarifying who had authority and how ordinances are enacted. One change is allowing for the Special Town Meeting and Town Meeting to override anything done by the BOS with respect to ordinances, without allowing the BOS to override the Town Meeting.

In terms of language, they propose to define “board” and “committee”. The BOS only have authority to create ad hoc or advisory boards/committees – but not commissions. In addition, each board or committee must choose its own officers.

There was a lengthy discussion regarding whether for every Special Town Meeting, an Adjourned Town Meeting is set for voting. It was decided that this is ambiguous and should be clarified. The Town Meeting always has the right to request a secret ballot and/or to adjourn to a vote. The intent is not to change the way it has been done but to clarify. Some believe there were only adjourned TM’s when money was involved. Mr. Russell will check to see what past practice has been. Mr. Kaelin does not believe there should be town meetings without a machine vote. This was deferred to the next meeting.

In Sec. C-6 Legislative Body, it is recommended in Section 5 for real estate leases and/or lease options to ADD where value of leased property is in excess of 1% of the total annual budget for the then current fiscal year or where the total lease payments exceed 1% of the annual budget for the then current fiscal year. Ms. Lee suggested that in Sec. C-16 under Board of Selectmen powers for disposition of Town property, that there be a requirement to give adequate notice to all properties within 500’, similar to Planning & Zoning requirements. All agreed.

Group 2 – Finances, Budgets

Mr. Burnham was not able to be present tonight.

Group 3 – Appointed and Elected Officials

Ms. Herot advised that the subgroup drafted the recommendation for four year, staggered terms for all members of the BOS. This will require at least two transition elections in order to convert entirely on a four year cycle. The election of the First Selectman will be entirely separate from the remaining members of the BOS. Votes for an unsuccessful candidate for First Selectman shall not be counted as votes for the Board of Selectmen. No person can be a candidate for First Selectman and for Board of Selectmen.

It is recommended that vacancies in the Planning & Zoning Commission be filled by the remaining members of the Commission, except that the BOS shall fill such vacancy if the Commission fails to fill such vacancy within 30 days.

Board of Assessment Appeals (formerly Board of Tax Review). Recommendation is that the BOS may make additional appointments to the BAA in an assessment year.

In the event of a vacancy in the office of First Selectman with an unexpired four year term, it is recommended that the second selectman take office until a special election can be held to fill the vacancy of First Selectman. Mr. Weldon was concerned about the cost of a special election and feels the office should be filled by the second selectmen until the next regular election. There was a lengthy discussion. Some research will be done and this will be discussed again.

Recall of elected official? There was a discussion about including a provision in Charter stating that if the Town Meeting can adopt a recall provision if the States permit at some point. No decision was made.

Line item authority of Board of Finance: This was discussed at prior meetings and it was decided not to change. Mr. Russell asked if there were any different thoughts after the recent budget cycle? There was a lengthy discussion with different views. It was decided to wait for Mr. Burnham to be present before a final decision is made.

Meeting Schedule: April 30, May 7, and May 14 (tentative).

Having no further business, the meeting was adjourned at 9:40 p.m.

Jan Andras

Recording Clerk

(minutes taken from audio recording)