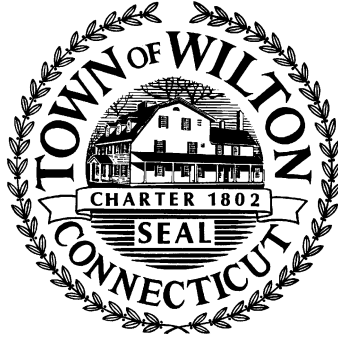


CHARTER COMMISSION

Robert Russell, Chairman
Michael Kaelin, Vice Chairman



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TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION
May 7, 2009
Wilton Town Hall, Room B

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

GUESTS: Board of Finance members - Warren Serenbetz, Al Alper, Andy Pforzheimer

Chairman Russell called the meeting to order at 7:17 p.m. in Meeting Room B.

Approval of Minutes: Ms. Gould moved to approve minutes of 4/21/09 meeting with correction. Motion seconded and unanimously carried (Mr. Burnham abstained as he was not present). Minutes of the 4/30/09 meeting will be considered at the next meeting.

Review updated timeline

First Draft Report by Friday - May 15, 2009

Public Hearing, Wednesday - June 3 at 7:30 p.m. (Room B)

Draft Report Submitted – Friday, June 19, 2009

Meet with BOS, if requested – Monday, July 6, 2009

BOS Public Hearing – Monday, July 20 (proposed)

BOS final recommendation to Charter Commission – Monday, August 3 (or earlier)

Charter Commission meetings, if necessary – August 5 and August 12, 2009

Final Report to BOS – BOS have requested by Monday, August 17, 2009

BOS votes on August 17, 2009 to approve Charter recommendations and place on November 3, 2009 ballot.

Review updates from subcommittees

Section C-9C(4)(b) Should there be an Adjourned Town Meeting (machine vote) for all Town Meetings including Special Town Meetings? Mr. Kaelin feels that it was intended that the Adjourned Town Meeting apply for a Special Town Meeting called by petition rather than one called by the Board of Selectmen. The Town Meeting can make a motion and vote for an adjourned machine vote as per Roberts Rules. In the past, the Board of Selectmen have decided beforehand and set a machine vote.

After much discussion, it was decided that an Adjourned Town Meeting will be “a continuation of the Town Meeting at which voting by machine or other secret ballot may take place”. If talking about a continuation of a Town Meeting in order to obtain more information, it will be called a “reconvened Town Meeting”.

For a Special Town Meeting called by the BOS, it will be stated expressly that the BOS has the authority to call an Adjourned Town Meeting which shall be included in the Call of the Special Town Meeting. In a Special Town Meeting called by petition, there will be an Adjourned Town Meeting for vote.

Section C-9C(6) – “No ordinance or legislative action which shall have been adopted or repealed by the Town Meeting in accordance with the provisions of this section may be repealed, amended or reenacted by the Board of Selectmen.” The current version says “cannot be reenacted by the Board of Selectmen *during its then current term of office*. With staggered terms, what would be the “current term”? It was decided that the BOS should never be able to overrule by themselves what the Town Meeting has done. If initiated and created by the Town Meeting, the BOS cannot repeal, amend or reenact. Mr. Burnham suggested adding a reference to this section in C-13 or C14.

A provision will be added for a special election if there is a vacancy in the First Selectman position during an unexpired term of office. In addition, at the end of the Charter there will be a provision authorizing the Town Meeting to adopt a recall provision if this is ever adopted by the Connecticut Legislature.

Appropriations, Budgets and Finance

Section 30 Budget Procedures – Mr. Burnham advised that in the subcommittee draft being reviewed this evening, everything remains the way it is happening now but is hopefully written to be more understandable. A few suggestions were made for minor word changes.

Regarding the Board of Finance line item authority with respect to the BOS Budget, the Board of Finance members who were present were invited to join the discussion.

Mr. Serenbetz advised that this year, the BOF reviewed each line item and made suggestions for reductions before giving the BOS authority to decide where to make reductions required by the BOF. If the line item veto is taken away from the BOF, it will take away an option that they don't have to use and have not been using but which might impact the way the BOS makes reductions in the future. He feels some of the balance of power would be lost in that scenario.

Mr. Alper stated that the BOS budget has grown at a much slower percentage rate than the BOE budget and he feels this is specifically because the BOS knows that they will have to rationalize every line item.

Mr. Pforzheimer agrees. The BOF members have the authority to talk to the BOS at line item level which they do not have with the BOE. Line item authority is an absolute must to control year over year growth.

Ms. Lee pointed out that the Commission has been discussing this issue for a year now and there is still a lot of disagreement among the members. She feels that is reason enough that this issue should stay as

is. It has worked in the past so why change. Mr. Kaelin agreed that since it has been working effectively, it is difficult to justify a change. Mr. Russell stated that he favors making the change but if the Commission is so divided on this issue, how can we support a recommendation to make a change.

After more discussion, it was decided to make the final decision after comments are heard at the public hearing on June 3. Ms. Gould thanked the BOF members for the thorough job they did attending BOS meetings and asking questions during the recent budget sessions.

Mr. Burnham will draft the section about line item veto using both scenarios in order to be ready for the final decision by the Charter Commission.

The subcommittee suggested a change giving the Town Meeting the ability to increase OR reduce appropriations if the original budget fails. Currently, the original Town Meeting and subsequent Town Meetings can only make reductions. The subcommittee felt that this was consistent with the ballot question of whether the amount is too high or too low. Mr. Burnham stated that this is meant to offer the chance for those who feel the budget is too low but the BOF does not agree and sends the budget to a second vote with a reduction or no change. After much discussion, it was decided to leave this as it is in the current Charter.

Bonding Procedures

A clause is added to eliminate the power of individuals to call an initiative to request the issuance of bonds. Only the BOS shall have the power to propose the issuance of bonds at the Town Meeting.

Another clause allows the CFO the ability to move unexpended bonded project funds to offset the amount of bonding for another approved project for which bonds have not yet been issued.

Next Meetings

May 14, 2009 and May 18, 2009.

Being duly moved and seconded, the meeting was unanimously adjourned at 10:00 p.m.

Jan Andras
Recording Clerk
(minutes taken from audio recording)