

CHARTER COMMISSION

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Robert Russell
Chairman

Michael Kaelin
Vice Chairman

TOWN HALL
238 Danbury Road
Wilton, CT 06897

CHARTER COMMISSION MEETING
June 15, 2009
Wilton Library, Rimer Room

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

Chairman Russell called the meeting to order at 7:33 p.m.

Acceptance of Minutes: Upon motion by Ms. Herot, the minutes of the 6/09/09 meeting were unanimously approved with amendments ((Ms. Ayers had not yet arrived).

Timeline: The draft report must be submitted in ten days. It was decided that it will be necessary to hold another meeting to vote on the draft with any changes made tonight. The Board of Selectmen plan to hold a special meeting once they receive the draft and they have requested that a few of the Charter members be available to answer questions, if possible.

There was a lengthy discussion of the latest version of the "Hudspeth compromise". At their meeting tomorrow evening, the Board of Finance will be discussing this compromise between retaining or eliminating line item authority by the Board of Finance.

Ms. Herot does not agree with the requirement of a super majority of the BOS because she feels the BOS should have the same control over their line items as the Board of Education. Mr. Burnham feels the best is no line item authority but the second best would be the proposed compromise. Mr. Russell agreed. Mr. Weldon would prefer to see a super majority of the BOF to vote to change line items, or leave the line item authority as it is.

Ms. Herot moved to eliminate Board of Finance line item authority. Motion seconded and failed 5 NO – 3 YES (Herot, Burnham, Ayers)

Mr. Weldon moved to leave the BOF line item authority as it is in the current Charter. Motion seconded and failed: 6 NO – 1 YES (Weldon) – 1 Abs. (Lee)

Ms. Lee moved to approve the latest compromise between eliminating and retaining line item authority for the BOF. Motion seconded. Mr. Kaelin moved to amend to require the vote of at least four selectmen. Amendment seconded and carried: 7 YES – 1 NO (Weldon).

Mr. Weldon is concerned that this could introduce the possibility of the two boards opposing each other and could drag out the budget process. He prefers requiring a supermajority of the BOF to change line items, and the BOS not able to make changes after the BOF. Ms. Lee would like to wait to see what the BOF says about the amendment at their meeting tomorrow night. Compromise wording below:

If the Board of Finance votes to change one or more of the Board of Selectmen's Proposed Line Item Appropriations, other than any such Line Items as pertain to the employer's pension contribution or contribution to the Other Post Employment Benefits Trust, the Board of Selectmen shall have the power, with four affirmative votes, to override the Board of Finance's action, provided that the Board of Selectmen shall reduce or increase other Line Items so that the total of the Board of Selectmen's Proposed Line Item Appropriations as so reduced or increased shall equal the total amount of such Line Items as originally proposed but thereafter amended by the Board of Finance's action. The Board of Selectmen's action in such respect shall not be subject to further amendment by subsequent action of the Board of Finance. The Board of Selectmen's modified budget request shall be then be submitted to the Board of Finance prior to its final determination of the Recommended Budget and Recommended Rate of Taxation.

MAIN MOTION AS AMENDED carried: 6 YES – 1 NO (Weldon) – 1 abs. (Lee)

Mr. Burnham suggested the same line item authority "compromise" be included in the reconsidered budget process. Ms. Ayers moved to apply the line item authority compromise to the reconsidered budget process in the event of a rejection of the first budget. Motion seconded and carried: 7 YES – 1 NO (Weldon)

Mr. Weldon moved to apply the line item authority compromise that was put in place for the BOS budget to the BOE budget to the extent not otherwise prohibited by law. Motion seconded and carried: 5 YES – 3 NO (Herot, Burnham, Russell). This is being recommended to be in the Charter in the event that there is enabling legislature enacted at some time in the future. Later in the meeting, it was determined to require a vote of "at least five members of the Board of Education" instead of super majority.

Section C-15-A(5) – This section gives the BOS responsibility for "Fixing the charges, if any, to be made for services rendered by the Town". It was decided to add the exclusion "other than those rendered by the Board of Education" for clarification since the BOE fixes charges for the use of school buildings.

Section C-51-C – There was a question regarding the need to include that the Second Selectman, if required to fill a First Selectman vacancy, would receive compensation. It was decided that

this is already covered in Section C-16-B(8) which gives the BOS the right to approve “hiring, compensating and discharging of any department head or official of the Town”.

Ms. Herot suggests including a definition and pertinent sections of “Home Rule” in the back of the Charter, but not part of the Charter. She will prepare this for the final draft and will revise the list she had prepared that responds to the questions that the BOS had submitted with the charge to the Charter Commission.

A meeting will be held on June 19, 2009 at 6:00 pm to vote on the draft before it is submitted to the Town Clerk.

Having no further business, the meeting adjourned at 8:58 p.m.

Jan Andras
Recording Clerk
Minutes taken from audio-recording