

**CHARTER REVISION COMMISSION
Town of Wallingford**

**Regular Meeting
March 23, 2009**

A Regular Meeting of the Wallingford Charter Revision Commission was held on Monday, March 23, 2009, at the Wallingford Town Hall, Room 315, Wallingford, Connecticut.

Seated from the Commission was Jeffrey Knickerbocker – Chairman, Debbie Gross, Vincent Cervoni, Hank Toman, Ray Rys, Ray Lilley, Robert Applegate, and Recording Secretary Sonja Vining

Absent: Suzanne Wright, Kate Wall

Chairman Knickerbocker called the meeting to order at 7:03 p.m.

1. PUBLIC COMMENT:

Bob Gross, Longhill Road, referred to Page 39, Section 5, Line 47. He asked for an explanation of the meaning of that section. Mr. Gross asked if there is any penalty if the Charter or ordinances of the town are not followed.

2. APPROVAL OF MINUTES:

March 9, 2009 - Regular Meeting

Mr. Toman made a motion to approve the Minutes of the March 9, 2009 – Regular Meeting as amended. The motion was seconded by Mr. Lilley and passed. Mr. Cervoni abstained from voting.

3. BOARD OF EDUCATION QUESTIONS:

Attorney Small referred to her memorandum dated March 23, 2009 (Attachment I) stating that Board of Education members must be elected.

4. UPDATE ON THE RETIREMENT SECTION, PAGE 24:

Attorney Small will report on this section at the next meeting.

There was discussion of the Economic Development Commission section. Attorney Small referred to her memorandum dated March 23, 2009 (Attachment I).

MS. GROSS: **REVISE SECTION 4. ECONOMIC DEVELOPMENT COMMISSION TO READ: “THE COUNCIL SHALL, BY ORDINANCE, CREATE AN ECONOMIC DEVELOPMENT COMMISSION. THE ORDINANCE SHALL PROVIDE FOR THE NUMBER OF MEMBERS AND ALTERNATES, THE METHOD OF APPOINTMENT AND REMOVAL, MINORITY REPRESENTATION, TERMS OF OFFICE AND SUCH OTHER REQUIREMENTS AS MAY BE PERMITTED BY LAW. THE ECONOMIC DEVELOPMENT COMMISSION SHALL HAVE SUCH DUTIES AND POWERS AS SPECIFIED IN STATE STATUTES AND IN THE ORDINANCE.**

MR. LILLEY: **SECOND**

VOTE: **UNANIMOUS**

5. UPDATE IN THE FINANCE SECTION, PAGE 31:

Attorney Small reviewed her memorandum dated March 23, 2009 (Attachment I) providing language for Chapter XV, Section 4. After some discussion it was decided that the Commission would not make any changes at this time but have Attorney Small look into the details of Section 4 a little more. Attorney Small will report back to the Commission at the next meeting. The Commission asked that Attorney Small include some abandonment language in the section.

6. UPDATE CLASSIFIED SERVICE SECTION:

Attorney Small reviewed her memorandum dated March 23, 2009 (Attachment I) that included a proposed draft of Chapter XVI, Section 1 & 2. The Commission reviewed the draft. There was some concern raised that there may be a State Statute that would be violated by these proposed revisions. The Commission decided to look into this issue before making any changes on this chapter.

The Commission went on to review a draft provided by Attorney Small included in Attachment I pertaining to Chapter XIV, Public Utilities.

MR. TOMAN: **MOTION TO REPLACE CHAPTER XIV, SECTIONS 1 AND 2 WITH THE DRAFT FROM ATTORNEY SMALL DATED MARCH 23, 2009 (ATTACHMENT I).**

MR. APPLGATE: **SECOND**

The Commission reviewed the draft.

VOTE: **UNANIMOUS**

7. ETHIC BOARD:

There was discussion of the Mayor appointing this board. Previous public comments were reviewed and discussed. There was a general feeling that Chapter XVII, Section B was particularly confusing and unclear. Attorney Small gave some possible options for reworking this section. There was discussion of the members of this Board having to go through some ethics or compliance training or something along those lines. Attorney Small did not believe that was a requirement for these members.

The question was raised what happens if someone doesn't follow an ordinance, what are the consequences? Attorney Small indicated that there is no statutory way of dealing with it. She believes that the State is working on putting in place some statutory limits whether it is a local power or state power she is not sure.

The Commissioners talked about an ethical violation versus dereliction of duty. It was suggested that perhaps something be added to the Charter regarding the dereliction of duties.

MR. CERVONI: **MOTION TO DELETE CHAPTER XVII, SECTION E, LINE 99
(BEGINNING WITH WHICH) THROUGH LINE 101.**

MR. LILLEY: **SECOND**

There was discussion about the motion.

VOTE: **ALL MEMBERS VOTED "YES" BY VOICE VOTE EXCEPT FOR MS.
GROSS WHO VOTED "NO".**

The Commission discussed conflicts of interest and if people appointed to this Board should have to go through some training for ethics and such. During the previous public hearing people also discussed the issue that these board members should not be allowed to have made any political donations or served on a town committee within a certain time frame. There was discussion of the best way to get a board that is as objective as possible. There could be different sources choosing to represent the Board, not just one. The Commission discussed the possibility of having the Mayor choose 2 board members and have the Council choose 2, the possibility of clergy on the Board and having the Board be made entirely of unaffiliated members. After lengthy discussion Attorney Small stated that she would do some research and draft some language for the Commission to consider at the next meeting.

The Commission took a 10-minute break. (8:45)

The Commission went back to the issue of Chapter XVI, The Classified Service. After review of the state statute it was determined that there would be no problem in adopting the proposed language provided by Attorney Small in Attachment I.

MR. CERVONI: **MOTION TO REPLACE THE EXISTING CHAPTER XVI, SECTIONS 1 & 2 WITH THE DRAFT PROVIDED BY ATTORNEY SMALL IN HER MEMORANDUM DATED MARCH 23, 2008 (ATTACHMENT I).**

MR. APPLGATE: **SECOND**

VOTE: **UNANIMOUS**

The Commission discussed the time frame for the next public hearing. They feel there should be a draft copy of the revised Charter available for public review prior to the actual hearing.

The Commission referred back to Chapter XVII, Ethics and Conflict of Interest. There was discussion about the issue of dereliction of duty and the possibility of having it discussed and defined in the Charter. The issue of term limits was brought up as a possibility.

8. REMAINDER OF THE CHARTER:

The Commission moved on to review Chapter XVIII, Transition and Miscellaneous Provisions. Creating a regular review for the Charter was considered.

MS. GROSS: **REVISE CHAPTER XVIII, SECTION 6, LINE 57 TO READ “THIS CHARTER MAY BE AMENDED EVERY 10 YEARS OR IN THE MANNER PRESCRIBED BY LAW.”**

MR. KNICKERBOCKER: **SECOND**

The Commission discussed the motion.

MS. GROSS: **RETRACTED HER MOTION.**

MR. KNICKERBOCKER: **RETRACTED HIS SECOND.**

MS. GROSS: **REVISE CHAPTER XVIII, SECTION 6, LINE 57 TO READ “THIS CHARTER MAY BE REVIEWED EVERY 5 YEARS OR IN THE MANNER PRESCRIBED BY LAW.”**

MR. LILLEY: **SECOND**

The Commission discussed the motion. It was decided that this vote would be table to the next meeting since two members were not present. Attorney Small will draft language for this section.

9. ADJOURNMENT:

Mr. Lilley made a motion to adjourn. The motion was seconded by Mr. Applegate and passed unanimously.

The meeting adjourned at approximately 9:40 p.m.

Respectfully submitted,

Sonja Vining
Recording Secretary
Town of Wallingford
Charter Revision Commission
March 23, 2008