

1 **DRAFT DOCUMENT-SUBJECT TO APPROVAL**

2 **CHARTER REVISION COMMISSION**

3 **November 10, 2016**

4 **Room 315 – Wallingford Town Hall**

5 **45 S. Main Street**

6 **Wallingford, CT**

7 **6:30 p.m.**

8 **MINUTES**

9

10 **PRESENT:** Chairman Stephen Knight; Vice-Chair Christina Tatta; Commissioners Robert Swick;
11 Jonathan Chappell; Mark Gingras; Jim Pyskaty; Jim Seichter; Sam Carmody; Gina Morgenstein;
12 Tom Corrigan; Patricia Kohl.

13 Chairman Knight called the Meeting to order at 6:30 p.m. and the Pledge of Allegiance was
14 recited.

15 **1. Approval of Minutes - October 6, 2016**

16 On page 2 the votes need to be put in as "unanimous roll call vote."

17 On page 10 should read Atty. "Small" not Atty. "Smith".

18 Page 6, Chapter 11 – should be "Education, Health and Welfare" not "Dog Warden."

19 Ms. Kohl noted it was Section 3, "The Dept. of Public Welfare" that was being removed from the
20 Charter. On page 5, Chapter 10, line 28, is "Public Safety", not "Dog Warden".

21 **Motion: Mr. Gingras made a motion to approve the October 6, 2016 Charter Revision**
22 **Minutes as amended. Ms. Kohl seconded the motion.**

23 **Roll Call Vote: Swick-yes; Chappell-yes; Gingras-yes; Pyskaty-yes; Seichter-yes;**
24 **Carmody-yes; Morgenstein-yes; Corrigan-yes; Kohl-yes; Tatta-yes; Chairman**
25 **Knight-yes.**

26 **Motion passes**

27 **2. Discussion and possible action concerning review of the following sections of**
28 **the Charter:**

29 **a. Chapter IV: Appointive Officers.**

1 Chairman Knight noted the Charter Revision Commission has already dealt with the Town Clerk
2 issue. Chairman Knight noted the Red Line version which was sent to the Commission on
3 November 7, 2016. He pointed out Chapter IV, Town Clerk, Section 1, is already crossed out
4 and will be going elsewhere. Chairman Knight said one of the memos received from Atty. Small
5 is in regards to replacing Chapter IV Sections II and V. He pointed out there is a new Section 1.

6 Chairman Knight said if this is approved, the Commission would want to include this in the
7 changes for this meeting. Commissioner Morgenstein asked if the term "Statute" is being used
8 instead of a certain percentage of a minority party which she noted was mentioned in the old
9 charter. Ms. Kohl said she had brought up the issue that this wasn't consistent in the Charter so
10 Atty. Small did this in response to this. Commissioner Gingras asked Commissioner Chappell if
11 there are alternates, is there some verbiage that states when an alternate is used, is it a sitting
12 alternate. He said the way the Charter is written currently, would it be considered a voting
13 alternate if all the members are there and it is a quorum. Commissioner Chappell said he didn't
14 believe this would make the Commission act as a larger body.

15 Commissioner Chappell discussed the current Inland Wetlands Commission current version and
16 noted the Environmental Planner is included. He noted this is not in Atty. Small's proposal.
17 Commissioner Chappell asked if the Environmental Planner's position has to be here or
18 somewhere else. Commissioner Kohl said the only thing done regarding the Environmental
19 Planner was to change from the Commission appointing to the Mayor appointing and making
20 her position a classified service position. She said she didn't recall removing the Environmental
21 Planner position from the Inland Wetlands section.

22 Commissioner Chappell said the Environmental Planner paragraph in Section 5, has to go
23 somewhere else. Chairman Knight said in the gender redline Charter version received on
24 November 7, Atty. Small is showing in Chapter 4, Section 4, the Inland Wetlands Commission.
25 He said Section 1 is the document the Commission has in front of us. Mr. Chappell said he
26 believed Atty. Small's memo was making Section 1 going to be what is now Sections 2 and 5.
27 He clarified that the existing Section 1 is gone, which means Section 2 moves up to be Section
28 1, with Section 2 currently being Planning & Zoning and ZBA (Zoning Board of Appeals) and
29 bringing in Inland Wetlands from Section 5, currently, to be part of the new Section 1. He said
30 there will be fewer sections in that chapter.

31 Commissioner Kohl speculated that because this chapter is appointed officers, and these are
32 people who are Council appointed, the Environmental Planner wouldn't fit under there anyway
33 because it will be an oral appointment and a classified service position and not a Council
34 appointment anymore. Commissioner Seichter suggested asking Atty. Small instead of second-
35 guessing.

36 Chairman Knight said he was confused between the Environmental Planner and the Inland
37 Wetlands Commission which is appointed. He said this still fits under the appointed officers.
38 Both Commissioners Gingras and Seichter agreed that it is the Environmental Planner which is

1 the question. Vice-Chair Tatta said she was certain Atty. Small made this gender neutral
2 document before the Commission made the changes. She said she didn't believe the red-line
3 version was up to date. Commissioner Gingras said he believed the Environmental Planner
4 should stay within the Inland Wetlands body of this even though the Mayor appoints this
5 position and it is full time. He said this could be stated in the Charter. He asked the Commission
6 for a consensus. He said he would like Atty. Small to review this. Commissioner Seichter said
7 there is going to be the appointment of the Environmental Planner included in here, there
8 should be some language regarding the Town Planner.

9 Chairman Knight noted the 2009 version sets up a chapter that has the Town Planner, and the
10 Environmental Planner. Vice-Chair Tatta wondered if the Commission wanted the Town Planner
11 to be a position that always has to be in existence. She said the Environmental Planner position
12 is in the Charter. She said things should be consistent and pointed out that if the Environmental
13 Planner is mentioned, the Town Planner should also be mentioned. Chairman Knight said he
14 believed the Environmental Planner may be required by State Statute. Commissioner Chappell
15 said there must be an Environmental Planner, otherwise DEEP will do it for us. Chairman Knight
16 said Atty. Small will be asked to attend the Nov. 17, 2016 meeting.

17 **CHAPTER IV TABLED UNTIL CLARIFICATION FROM ATTY. SMALL IS OBTAINED.**

18 **b. Chapter V: The Mayor**

19 Chairman Knight noted Atty. Small made a gender change in Section 1 on the duties. He said
20 one of the items left in on the current version is line 17 and line which states: "shall prepare
21 and cause to be published, as soon as possible after the close of the fiscal year an annual Town
22 Report". Chairman Knight said he didn't know why that line was crossed out in the 2009
23 version. He said this seems like something the Commission would like to keep.

24 Commissioner Gingras noted that in Section 1 it states that "no change of salary shall be
25 effective during the term of the incumbent Mayor." He said this doesn't make sense noting
26 there would have to be some salary increase if the Mayor was reelected several times.
27 Commissioner Chappell said one could still be the Mayor, but is newly elected every two years
28 so it legally makes sense. Commissioner Corrigan suggested adding the word "current" on line 7
29 to avoid confusion.

30 **Motion: A motion by Commissioner Gingras seconded Commissioner Chappell to**
31 **change the sentence on line 7 in Section 1 to read: "no change of salaries shall be**
32 **effective during the current term of the Mayor and take out the word incumbent".**

33 Commissioner Kohl said the sentence is fine the way it is. Commissioner Morgenstein said
34 changing this sentence doesn't help, it is just a matter of understanding that one can't vote for
35 their own change during their term, it has to come with the next election. Commissioner Kohl
36 said she was in favor of leaving the sentence the way it is, noting incumbent meaning until the
37 end of this term. Chairman Knight said this is a matter of terminology, does it make it clearer to

1 state current term of the Mayor or leave it incumbent during the term of the incumbent Mayor.
2 Chairman Knight said the word incumbent was confusing. Commissioner Seichter said he thinks
3 what Commissioner Gingras is proposing in the motion makes things clearer. He said he would
4 be in favor.

5 **Roll Call Vote: Chappell-yes; Kohl-no; Morgenstein-no; Seichter-yes; Pyskaty-yes;**
6 **Tatta-no; Swick-yes; Carmody-yes; Chairman Knight-yes.**

7 **Motion passes**

8 Commissioner Chappell noted that in Chapter 5, Section 1, line 2, there is an "a" missing where
9 "his" was removed. Chairman Knight clarified that "his" was removed but "a" should be added.

10 **Motion: A motion by Commissioner Chappell second by Commissioner Gingras, that**
11 **in Chapter 5, Section 1, "Election Qualifications" should read "such Mayor shall**
12 **serve for a term of two years and until "a" successor shall be elected and qualified.**

13 Commissioner Kohl asked if this was addressed by Atty. Small in the gender issue. Chairman
14 Knight noted that "his successors" was not removed and asked that the motion be amended.
15 Vice-Chair Tatta wondered why "his/her" was not used. The other Commissioners agreed that
16 "a" was sufficient.

17 **ROLL CALL VOTE: Chappell-yes; Kohl-yes; Seichter-yes; Morgenstein-yes; Carmody-**
18 **yes; Pyskaty-yes; Swick-yes; Gingras-yes; Tatta-yes; Chairman Knight-yes.**

19 **Motion passes**

20 **Section 2 – Duties – No Changes**

21 **Section 3 – Appointments and Terms**

22 Chairman Knight said this section was addressed in the gender red version.

23 **c. Chapter VI: Department of Law**

24 Chairman Knight said Atty. Small starts Chapter VI in the redline version with the Town Clerk.
25 He said Department of Law is Chapter VII.

26 Commissioner Seichter asked about Department Heads and classified positions. Commissioner
27 Kohl said the Police and Fire Chiefs and the Department of Health are not classified.

28 Commissioner Seichter asked why this was the case, noting if they were classified, their terms
29 wouldn't end when the Mayor's term ended and that section states this, "all department heads".
30 Commissioner Kohl said this she believed this is covered under "the terms of all such appointees
31 shall terminate except as otherwise provided by the Charter." She explained that if someone is
32 in the classified service their term would not end with the Mayor's term. Chairman Knight said
33 he believed this is referenced in Chapter XVI.

1 Regarding the Chapter on the Town Clerk, Commissioner Swick asked if all the information was
2 complete noting there were just two sentences. Chairman Knight said this is the same language
3 as before except for gender changes, and noted Council compensation was eliminated because
4 the Town Clerk’s position is now classified. He said this is a Chapter unto itself and this is what
5 the Commission instructed Atty. Small to do.

6 Note: In the redline version Chapter V is the Mayor; Chapter VI is the Town Clerk and Chapter
7 VII is the Dept. of Law.

8 **Chapter VII - Dept. of Law**

9 Chairman Knight said one of the changes made in 2009 structurally was that instead of “A” “B”
10 “C” and “D”, it was broken down into Section 1 – Appointment of Town Attorney; Section 2 –
11 Appointment of Corporation Counsel; Section 3- -Appointment of Additional Attorneys; Section 4
12 – Hiring of Outside Counsel”.

13 Commissioner Morgenstein said this was redundant. Commissioner Kohl said the 2009
14 Commission made additional changes. She said the way it was structured was a lot clearer.
15 Vice-Chair Tatta said she didn’t see any other section where it was labled “A” “B” C” and “D”.

16 Chairman Knight entertained a motion to restructure and instead of naming them “A” “B” “C”
17 and “D” naming them “Section 1 formerly “A” - Appointment of the Town Attorney; Section 2,
18 formerly “B” – Appointment of Corporation Counsel; Section 3 – formerly “C” Appointment of
19 Additional Attorneys and Section 4 – formerly “D” – Hiring of Outside Counsel”.

20 **Commissioner Kohl moved the motion and Commissioner Seichter seconded the**
21 **motion.**

22 **ROLL CALL VOTE: Swick – yes; Pyskaty-yes; Corrigan-yes; Carmody-yes;**
23 **Morgenstein-yes; Seichter-yes; Kohl-yes; Tatta-yes; Chairman Knight - yes**

24 **Motion Passes**

25 **Section 1 – formerly “A”**

26 Chairman Knight noted there had been several gender changes, i.e., where “he” is now reads
27 “the Town Attorney”. He said at line 58 begins with the “Town Attorney shall attend all
28 meetings of the Council. The Town Attorney shall have such clerical and other assistance as the
29 Council may determine by Ordinance.”

30 Chairman Knight said he believed this language was changed in the 2009 version. He said he
31 was couldn’t find an Ordinance dealing with the Law Dept. Commissioner Kohl said she believed
32 this phrase has been used elsewhere in the Charter. She said she believed someone said this
33 might be in the Budget Ordinance. She said the 2009 version removed this. Chairman Knight
34 said this was substituted with “the Town Attorney shall appoint and may remove subject to

1 such rules and regulations as may be adopted pursuant to the provisions of Chapter 17 of the
2 Charter, employees of the department, except as provided herein". Chairman Knight said what
3 is not in here is determined by ordinance. He said this seems to be what was taken out because
4 there is no ordinance. He said this seems vague. Commissioner Gingras said instead of having
5 something specific in the Charter as has been discussed previously, this can be done by
6 Ordinance. He said this doesn't mean there is an ordinance, but the Charter will allow by
7 Ordinance to have rules concerning this.

8 Commissioner Chappell said this is very open ended. He had a question on the first paragraph
9 of the second sentence in Section "A" which reads that "all written opinions given by him/her
10 shall be recorded." Commissioner Chappell pointed out that privileged and confidential memos
11 are sent to Town leadership for a reason and assumed there are legal opinions that don't go
12 into the books. He said he didn't know if this means that all legal opinions are put into the book
13 and the only people who can see this are Council members and didn't know if there was a
14 public book of legal memos that are given out. Commissioner Chappell noted there are legal
15 issues that are brought to Corporation Counsel that are meant to become public because a
16 constituent may ask. He said there are other legal advice for various reasons, that should not
17 become public, i.e., strategy or legal counsel. He said this is a question for Atty. Small, i.e, is
18 there a legal book and who can view this.

19 Commissioner Kohl asked the difference between the Town Attorney and the Corporation
20 Counsel and which matters they handle. She said if one looks at what is now Section "A" under
21 Town Attorney, it states "he shall be the legal advisor of the Council, the Mayor and all Town
22 officers, boards & commissions in all matters affecting the Town, and shall upon written
23 request, furnish them with a written opinion on any question of law involving their respective
24 powers or duties."

25 She asked if the Corporation Counsel gave different opinions. Commissioner Chappell said the
26 Town Attorney and Corporation Counsel are all one department, but the Town Attorney is the
27 head of the department and Atty. Small is a classified service Counsel. He said certain issues
28 are probably delegated but it is the same client, the Town and this is how it is structured in
29 Wallingford.

30 Commissioner Kohl asked who would give opinions on strategy and negotiations. Commissioner
31 Chappell said he didn't believe it mattered. Commissioner Kohl suggested Atty. Small be
32 consulted on this issue. Commissioner Chappell will touch bases with Atty. Small.

33 Chairman Knight said he would entertain a motion on changing the 31st Day of December to the
34 31st Day of January. Commissioner Chappell said he would also discuss this issue with Atty.
35 Small.

36 In the 2009 version, Commissioner Kohl said she wanted to ask Atty. Small about Section 3
37 "appointment of additional attorneys" noting that a Number 3, a part-time assistant Town
38 Attorney was added which she noted was not in currently in the Charter.

1 **Section 2 – “formerly B.”**

2 Commissioner Kohl asked Commissioner Chappell to ask Atty. Small about the Part-Time
3 Assistant Town Attorney. She said she believed the Town had one in the past and wondered if
4 this was done by Ordinance because it is not in the Charter. Commissioner Gingras pointed out
5 that Geoffrey Einhorn is currently the Assistant Town Attorney. Commissioner Kohl said she
6 wondered if this is something that should be in the Charter because the 2009 Commission put
7 this in.

8 Commissioner Chappell will discuss going over Chapters IV and V with Atty. Small.

9 **Chapter VII – (under redline version now Chapter VIII) – Department of Finance**

10 **Section 1 – Duties – No changes made.**

11 **Section 2** – Chairman Knight said there was just a small gender change in this Section where
12 “her” was added to make it “his/her”.

13 **Section 3** – Chairman Knight said he believes the Commission already dealt with the wording:
14 “be the agent of the Town deposit fund.”

15 **Section 4 – Purchasing Agent** – Chairman Knight said this Section has been taken care of.

16 **Chapter VIII – (now the new Chapter IX) – Dept. of Public Works**

17 **Section 1 - Duties**

18 Chairman Knight said the word “lighting” was removed and “and private” in lines 5 and 6. He
19 said there were no other changes made. Commissioner Kohl said line 9 states “the Dept. shall
20 have all of their powers and duties as are prescribed by General Statutes and as the Council
21 may prescribe.”

22 She asked if it would make more sense to state “the powers and duties prescribed” instead of
23 “their or “its”.

24 **Motion: A motion by Commissioner Kohl in current Chapter VIII under Dept. of**
25 **Public Works, under Section 1, that line 9 be changed to read “the Dept. shall have**
26 **all of THE powers and duties as are prescribed” instead of “their” powers and duties.**
27 **Vice-Chair Tatta seconded the motion.**

28 **ROLL CALL VOTE: Swick-yes; Pyskaty-yes; Gingras – yes; Carmody-yes; Corrigan-**
29 **yes; Morgenstein-yes; Seichter-yes; Kohl-yes; Chappell-yes; Tatta-yes; Chairman**
30 **Knight-yes**

31 **Motion passes**

32 **Section 2 – Director of Public Works**

1 Chairman Knight indicated there was just gender changes and one change of language in 2009,
2 line 22 which states: "shall appoint and may remove such deputies, assistants and employees
3 as (with the word "he" removed), may deem necessary and prescribe their duties."

4 Chairman Knight noted the 2009 version read "may be deemed necessary."

5 Commissioner Gingras said he preferred the wording in the 2009 version because they made it
6 gender neutral in most cases by stating "the Director of Public Works in two sections. He said at
7 the end it stated "in the manner that he/she shall deem most economical and efficient." Vice-
8 Chair Tatta said there is a word missing in the line above that sentence. Chairman Knight said
9 the sentence is long.

10 **Motion: A motion by Vice-Chair Tatta that in Chapter VIII Section 2, line 22, should**
11 **read "employees as may be deemed necessary." Commissioner Kohl seconded the**
12 **motion.**

13 Commissioner Gingras suggested the Commission consider the entire Director of Public Works
14 Section 2 , page 16, from 2009 as replacing what is currently in the Charter now. He said it is
15 worded properly. Chairman Knight said the only thing left to do is to act on the motion made
16 because everything has been cleaned up and addressed.

17 **ROLL CALL VOTE: Chappell-yes; Kohl-yes; Seichter-yes; Morgenstein-yes; Carmody-**
18 **yes; Gingras-yes; Corrigan-yes; Pyskaty-yes; Swick-yes; Tatta-yes; Chairman**
19 **Knight-yes**

20 **Motion passes**

21 **Section 3 –Building Inspection**

22 Chairman Knight noted that this Section has been taken out and has already been dealt with
23 and made a separate Chapter.

24 **Chapter IX- Dept. of Engineering – (now Chapter X in the redline version)**

25 **Section 1 – Dept. of Engineering**

26 Chairman Knight said Section 1 was changed to "Licensed Professional Engineer" from "Certified
27 Civil" so it reads "and it shall be directed by a Licensed Professional Engineer" rather than
28 "Certified Civil Engineer."

29 **Section 2 – Town Engineer – Powers & Duties**

30 Chairman Knight said the changes made so far in this Section have been gender neutral.
31 Commissioner Gingras said the changes were wordsmithing, i.e., instead of "Public Works
32 Dept." they said "Dept. of Public Works" and instead of saying "Personnel" they used "Human
33 Resources" and instead of using "he" they used "the Dept.", the "Town Engineer", i.e.

1 Commissioner Kohl said she had a problem with the wording: "subject to the approval of the
2 Personnel Department" noting this is the only department in the entire Charter where it states
3 "subject to the approval of the Personnel Dept." She noted that normally, its approval of the
4 Council or approval of the Mayor. She said she didn't know why the Town Engineer should be
5 able to appoint assistants with the approval of the Personnel Dept. or Human Resources. She
6 said she wasn't sure this should be in here and no other departments state this. She said she
7 didn't believe the Personnel Dept. should be able to say go ahead and hire someone for the
8 Town Engineer.

9 Chairman Knight wondered if this had to do with ensuring the person they want to hire has a
10 professional background. Commissioner Kohl said there are job specifications for every job. She
11 said she doesn't see why this language was put in under Town Engineer. Commissioner Kohl
12 said this doesn't make sense because Personnel is involved in the hiring of people in every
13 department, but one just can't hire just because Personnel says they can; the Mayor has to
14 approve this and the Council has to appropriate the money the same as everyone else.

15 Vice-Chair Tatta said there was a word missing, there needs to be "and" or "one or more"
16 assistants. Chairman Knight said the 2009 Commission made some very minute changes and
17 wonder if there was discussion about this. Commissioner Gingras said if it is being planned to
18 take out the approval of human resources, it has to be put in that the Town Engineer may
19 appoint a qualified assistant, someone with professional certification. Commissioner Seichter
20 asked if this would be included in the job description. Commissioner Kohl said if a new position
21 were being created, Personnel would have to be involved in drafting a job description.

22 Commissioner Seichter said the wording doesn't say what "assistant" it is: would it be an
23 assistant engineer, all it says is assistant." Vice-Chair Tatta said this assistant could be someone
24 working in the office. Commissioner Gingras said he would leave the wording in and bring it to
25 Atty. Small's attention. He noted this is a very technical part of the Town Government.

26 **No Action Taken**

27 **3. Discussion and possible action concerning other chapters of the Charter.**

28 **Chapter X – Public Safety – (now Chapter XI under the redline version)**

29 **Section 1- Director of Public Safety**

30 Chairman Knight said the only changes made in 2009 was gender related. He said the
31 Commission has dealt with the Office of Emergency Management, the Dog Warden/Animal
32 Control Officer..

33 **Section 2 – Police Dept.**

34 Commissioner Corrigan asked about Constable. Commissioner Kohl and Chairman Knight said
35 the title Constable was left in. Commissioner Knight noted the word Selectmen was removed

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Section 3 – Fire Department

Chairman Knight noted there was one change made in 2009 which was in the last sentence in sub-section “a” which reads: “disobedience to the lawful orders rules and regulations of the Chief shall be grounds for dismissal or for other appropriate disciplinary action.” Commissioner Knight noted the same sentence was under the Police Department.

Commissioner Morgenstein asked if this would be a less or more if someone was dismissed and this sentence is in or out of there it would make a difference. Commissioner Chappell said he didn’t know why this was proposed. Commissioner Kohl said she understood that discipline would be covered under the Labor Contract. She said she would hesitate removing this without advice from Atty. Small. Vice-Chair Tatta said unless there is a good reason for taking this out, it should remain. She said maybe disobedience could result in a loss of life. Chairman Knight said this is a paramilitary organization and needs to be obeyed with a grievance filed later.

Section 4 – Fire Marshal – crossed out and made a part of Section 3 – Fire Department

Chairman Knight said the Fire Marshal was put under the Fire Department under a new sub-section “b”. He said this section read the “Fire Chief shall appoint and may remove for cause, a Fire Marshal and such Deputy Fire Marshals as may be necessary.” He noted that after the sentence “of the regular or volunteer fire dept. of the Town was crossed out.

Section 4 – Fire Marshal, Powers & Duties, was crossed out and the redline version is now subsection “b” “The Fire Marshal: Powers & Duties

“b” The Fire Marshal: Powers & Duties

Chairman Knight noted the Commission has already made changes in this section which Atty. Small carried over to the redline version.

Chairman Knight noted there is now “Chapter XII – Building Department” in the redline version. He also pointed out that after the word “Mayor” the sentence “the Planning & Zoning Commission may at its discretion, appoint such additional enforcement officers as deemed appropriate and/or necessary” was taken out.

It was noted that in the Charter itself, Animal Control Officer came before Education, Health and Welfare and in the 2009 Charter it came before that also. Chairman Knight said the Animal Control Officer is now part of Public Safety which is Section 5.

Chapter XI – Education, Health & Welfare – (now Chapter XIII in the redline version)

1 Chairman Knight noted that Section 3 – Dept. of Welfare was completely removed.
2 Commissioner Kohl noted a minor change to Education. She said in the current Charter, page
3 20, line 17, the word “and” should be added in front of “three copies to the Town Clerk’s
4 office.”

5 **Motion: A motion by Commissioner Kohl second by Vice-Chair Tatta to add the word**
6 **“and” in front of “three copies to the Town Clerk’s office” which is on page 20, line**
7 **17.**

8 **ROLL CALL VOTE: Swick-yes; Corrigan-yes; Gingras –yes; Pyskaty-yes; Carmody-**
9 **yes; Morgenstein-yes; Seichter-yes; Kohl-yes; Chappell-yes; Tatta-yes; Chairman**
10 **Knight-yes**

11 **Motion passes**

12 **Section 2- Dept. of Health**

13 Chairman Knight noted there were some gender changes made in this section. Commissioner
14 Corrigan asked about the third paragraph beginning with “Director of Health” and asked if it
15 was necessary. Commissioner Kohl said she believed this was supposed to be a sub-heading.

16 **Motion: Commissioner Morgenstein made a motion that for Section 2, paragraph 3,**
17 **there should be (a) followed by the words “the Director of Health: Powers and**
18 **Duties.” Vice-Chair Tatta seconded the motion.**

19 **ROLL CALL VOTE: Chappell-yes; Kohl-yes; Seichter-yes; Morgenstein-yes; Carmody-**
20 **yes; Gingras-yes; Pyskaty-yes; Corrigan –yes; Swick-yes; Tatta-yes; Chairman**
21 **Knight –yes**

22 **Motion passes**

23 **Chapter XII – Department of Parks & Recreation (now Chapter XIV) in the redline** 24 **version**

25 Chairman Knight pointed out that in the 2009 Charter Revision Commission the number 5 was
26 scratched out to read “consisting of members”. Commissioner Kohl said the next sentence takes
27 care of this by stating: “said Board shall have such “number of members by Ordinance.”
28 Commissioner Morgenstein said it appears this number can vary. Chairman Knight asked
29 Commissioner Chappell if by referring by Ordinance it is assumed the numbers could be
30 changed. Chairman Knight said he believes there are five members because the 2009 document
31 was never accepted.

32 **No changes made**

33 **Chapter XIII – Personnel & Pensions (now Chapter XV in the redline version)**

1 **Section 1 – Department of Personnel and Pensions**

2 Chairman Knight said some changes having to do with payroll vouchers were made. He said the
3 Commission took out a long sentence beginning with “for persons in the Classified Service” and
4 ending with “in accordance with the provisions of this Charter.” Chairman Knight said gender
5 changes were also made. Vice-Chair Tatta said on Section 1 letter C on page 23 reads “the
6 Dept. of Personnel and Pensions shall maintain a file for each person in the Town’s Service
7 containing all information pertaining to the status, pay and service of each person.”

8 Vice-Chair Tatta pointed out that from working in Human Resources, there is no longer one file,
9 there are separate files and that certain payroll information cannot be in the same file and this
10 may be antiquated. She said we may be able to say: “maintain files for each person”.

11 Commissioner Gingras noted that in 2009 this was completely taken out. He said by law files
12 must be maintained and a Charter does not have to state this. Chairman Knight also said this
13 was scratched in 2009 along with “D”. Commissioner Gingras said he was hoping to discuss
14 Personnel and Pensions at the next meeting because it is a big body.

15 The Commission stopped for the night at Chapter XIII. They will discuss the current Chapters
16 13 through 18 of the Charter at the Nov. 17, 2016 meeting.

17 **Adjournment**

18 **Motion by Commissioner Gingras seconded by Commissioner Pyskaty to adjourn the**
19 **meeting at 8:22 p.m. The motion passed unanimously.**

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21 Respectfully submitted,

22 Cynthia A. Kleist

23 Recording Secretary

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