

1 **Draft Document-Subject to Approval**

2 **SPECIAL MEETING**

3 Wallingford Charter Revision Commission

4 March 15, 2017

5 6:30 p.m.

6 Robert F. Parisi Council Chambers

7 Town Hall

8 45 South Main Street

9 Wallingford, CT

10 **MINUTES**

11 **PRESENT:** Vice-Chair Christina Tatta; Commissioners Sam Carmody; Mark Gingras; Jim
12 Pyskaty; Jonathan Chappell; Bob Swick; Jim Seichter; Tom Corrigan; Patricia Kohl

13 **NOT PRESENT:** Chairman Steve Knight; Commissioner Gina Morgenstein

14 **1. Pledge of Allegiance**

15 **2. Roll Call**

16 Vice-Chair Tatta called the Meeting to order at 6:31 p.m. and the Pledge of Allegiance was
17 recited.

18 **3. Public Hearing on Charter Revision: Public Opportunity to speak on the**
19 **revision of the Town of Wallingford Charter**

20 Vice-Chair Tatta presented an overview of the work of the Charter Revision Commission. She
21 said this is the third Public Hearing noting the Commission was required to have two Public
22 Hearings. She said the Town Council will also have one more Public Hearing once the
23 Commission submits its draft to them.

24 Vice-Chair Tatta said the public was welcome to their meetings and noted the Minutes are
25 posted on-line and are also available through the Town Clerk's office. Vice-Chair Tatta explained
26 the Commission received charge items from the Town Council which the Commission reviewed
27 and also took correspondence from the public and took ideas from them as well and from the
28 Commissioners. She said the ballot questions from the 2009 Charter Revision Commission were
29 also reviewed. Ms. Tatta said the Commission also consulted with Department Heads, the Law
30 Department and Mayor Dickinson on anything they thought they would want changed or not

1 changes. She said the Commission went through the Charter line-by-line and noted the draft
2 which is on-line shows the proposed changes.

3 Vice-Chair Tatta emphasized that everything in the Charter was thoroughly considered,
4 including items that were not changed.

5 **PUBLIC HEARING -opened at 6:35 p.m.**

6 Vice-Chair Tatta read two emails into the record: She said the first email was in regards to the
7 proposed change on who would appoint the Environmental Planner.

8 The first email, notes that on page 17 of the Revised Documents it should state “who shall
9 serve as staff to the Inland Wetlands & Watercourses Commission, (IWWC) and the
10 Conservation Commission”. There have been problems in the past with the IWWC thinking that
11 the Environmental Planner belongs solely to their Commission, and I feel very strongly that it is
12 a mistake to leave the Conservation Commission out of this sentence and make it look as if she
13 or he serves only the one Commission. This is from the Environmental Planner’s job description
14 “this position provides staff assistance to both the IWWC and Conservation Commission and
15 serves the Town as Administrative Staff for environmental and natural resources issues.; as
16 staff to the Conservation Commission, considers recommendations and prepares plans and
17 recommends policies for the management of Town-owned or managed passive, recreational,
18 forest and open spaces; assesses the condition of the Town’s natural resource base, and makes
19 suggestions to the Commission for the improvement and protection; as required, co-ordinates
20 and oversees implementation of management plans, conducts periodic inspections of properties
21 under the Town’s jurisdictions; oversees the Town’s Farmland Lease Program; conducts
22 enforcement action as necessary; advises and assists the Town in acquiring land, property
23 rights, for Town conservation and open space purposes; conducts Commission educational
24 activities and provides opportunities for public access and enjoyment of the Town’s open space
25 resources, while maintaining their ecological integrity.”

26 “As you are all keenly aware, the Revised Town Charter will be the standard to which we are all
27 held for decades to come, and I urge you not to put the Conservation Commission in a position
28 where another Commission will think it has sole jurisdiction over a shared staff person. I cannot
29 attend your Meeting on Wednesday, due to short notice and the fact that I have concert tickets
30 previously purchased. Jeff Borne will be attending on behalf of the Conservation Commission.
31 Thank you for your attention to this matter – Mary Heffernon”

32 Vice-Chair Tatta read the second email: “Greetings Charter Revision Commission: I just wanted
33 to suggest a grammatical change to the Charter; instead of using his/her, to use the word
34 “their”, and instead of he/she, use the word “they” because it reads smoother and doesn’t
35 reference gender at all. I do have quite a few other questions and concerns, mostly concerns,
36 about changes made to the Charter, which we can discuss at the upcoming public meeting. I
37 would have preferred to discuss them with the Commission personally during the Revision

1 meetings, but since I was unable to attend the first several meetings, I am just seeing many of
2 the changes right now, and there really isn't any time or proper venue to discuss them before
3 the public meeting. Thank you, Jessica Wysocki"

4 Jeff Borne, member of Wallingford Conservation Commission, here on behalf of Mary Heffernon.
5 He urged the Commission to accept her comments and said this would make a fairly smooth
6 running system, run even a little smoother. He said he would answer any of Chair Heffernon's
7 questions. Vice-Chair Tatta said the Commission will be discussing possible changes or
8 revisions during the next agenda item.

9 Bob Gross, Long Hill Road, stated that the Commission had already voted on keeping three
10 Public Utility Commissioners, but noted that the size of the budget the PUC handles and if one
11 person is not in attendance there are two people voting on an approximate \$90 million budget.
12 He asked the Commission to rethink making the PUC into a five member panel at minimum
13 which he said would benefit the Town of Wallingford allowing by allowing more input. He
14 pointed out that for months, two people ran the PUC and there could have been a stalemate 1-
15 1 vote for months. He said the Commission should relook at this and come up with a reason
16 why the PUC should stay at three Commissioners.

17 Mr. Gross spoke about the Ethics, noting that only the second part was removed, virtually
18 leaving everything the same. He said he was hoping the Commission could define what
19 appearance of a conflict would be in the Charter and wouldn't be ambiguous. He said this has
20 been an issue with many members of the public for years. Mr. Gross said the Commission
21 should have the ability to put into the Charter to allow training noting what is going on in
22 Southington and other communities which is not being done in Wallingford. Mr. Gross said
23 many companies have extensive ethics training. He said he hoped the Commission would take a
24 second look at this issue.

25 Mr. Gross said he had brought this up before and noted the second public hearing took place
26 on a Jewish holiday and the Commission knew many of us could not be here to give input. Mr.
27 Gross spoke about the Comptroller's office noting that they have budgets and have everything
28 audited. He said the Town's auditors have been here for many years, but they don't go out to
29 bid, they get waivers so the same auditors are kept. Mr. Gross said many communities have in
30 their Charters, that after a certain number of years, this has to go out to bid, there can't be a
31 waiver. Mr. Gross said some communities have it where the same auditor can't be used after a
32 certain number of years. He said the Town has an approximate \$160 million budget and
33 growing, and to have the same auditor in place; the Charter is for future generations and
34 doesn't get open that often. He said it is checks and balances and urged the Commission to
35 take another look at this. He said the Town could have the same Comptroller for 30 years and
36 the same auditing firm and a lot could be hidden in 30 years.

1 Mr. Gross spoke about referendums, noting it is 20%; he suggested 15% or 10% of the
2 population. He also suggested having in the Charter, how many polling place would be open
3 and the hours, i.e. three or four polling places be open and the voting hours to be 6 a.m. to 8
4 p.m. which would take this away from the Council. He urged the Commission to let the citizens
5 decide and not have any restrictions in the democracy. Vice-Chair Tatta told Mr. Gross the
6 Commission will meet April 6 and their draft will be submitted to the Council by April 30. She
7 said it is not up to the Commission when the Charter Revisions would be put onto the ballot, it
8 is up to the Council, but said she hoped it would be in time for the November election.

9 Mayor William Dickinson, Grieb Road, congratulated the Charter Revision Commission, noting
10 their job was tedious and there is a lot of information to absorb in the way of understanding
11 how all of these things interact and intersect in the workings of government throughout the
12 Charter. He said the Commission has done a good and thorough job in maintaining efficiency of
13 government in terms of chain of command and making everyone accountable. He said the
14 Commission has a good work product and should be proud of their effort in passing on a good
15 document for consideration and possible approval by the Town.

16 **Public Hearing closed at 6:50 p.m. Motion made by Commissioner Seichter seconded**
17 **by Commissioner Kohl. Vote: Unanimous**

18 **4. Discussion and Possible Action concerning additional revisions and/or edits to**
19 **existing revisions**

20 Vice-Chair Tatta the Commission changed the situation with the Environmental Planner so that
21 the IWWC is no longer her supervisor, now it will be a position to be appointed by the Mayor.
22 Vice-Chair Tatta noted the wording was left vague so that her supervisor and her job
23 description will be able to determine which Commissions and Boards she would be staffed to.

24 Ms. Kohl said she saw Chair Heffernon's email and noted the Commission decided it wasn't
25 going to add any Boards or Commissions into the Charter which weren't there. She said she
26 was concerned about referencing the Conservation Commission in those terms because the
27 Charter Revision Commission hasn't put that into the Charter. Ms. Kohl said if this is covered in
28 her job description, this would control anyway.

29 Mayor Dickinson pointed out the Conservation Commission is advisory pursuant to State
30 Statute. He said the Town has an Ordinance, and as long as it is in effect, there would be a
31 need for someone to be staffed for that Commission, it would have to function. He said it
32 wasn't clear to him that there was a significant issue here with regard to either the workings of
33 the Conservation Commission or the responsibility of the Town to provide sufficient staff for the
34 conduct of its business.

35 Ms. Kohl noted that on page 9 of the Charter, the section regarding Constables, the section
36 begins with the wording: "beginning in 1992". She asked if the Commission discussed

1 eliminating that phrase or whether this phrase was needed. Vice-Chair Tatta said she didn't see
2 that this phrase was removed when she compared it to the Minutes. Ms. Kohl said she didn't
3 see a need for this at this point; noting that we either have Constables or we don't. Ms. Kohl
4 believed this wording came in the 1989 revision.

5 **Motion: A motion by Commissioner Kohl to remove the language in Chapter 4,**
6 **"Appointed Officers, Section 3, Constables" to remove the phrase "beginning in**
7 **1992". Commissioner Gingras seconded the Motion.**

8 **Vote: Unanimous**

9 Vice-Chair Tatta noted that in Chapter 7, Dept. of Law, page 11 in the draft, the headings voted
10 on are not shown. She said she believed it was stated in the Nov. 10, 2016 Minutes there
11 would be headings and assumed this would be a grammatical change which she will submit to
12 the Law Dept. Ms. Kohl noted there were some chapter numbers and section numbers which
13 needed to be changed. She said she will forward this to the Law Dept. Ms. Kohl said on page
14 21, under "Pension Commission, Section 3", it states "members appointed by the Mayor shall
15 serve for a term of six years commencing on the date of the meeting of the Council in January".

16 Ms. Kohl said she didn't know if this should be the first meeting in January following the
17 biennial municipal elections. She said it sounded strange to just state "commencing on the date
18 of the meeting of the Council in January. Vice-Chair Tatta said this can be submitted to
19 Corporation Council Small and have an answer for the April 6th meeting. Vice-Chair Tatta noted
20 that Ms. Wysocki, in her email, requested that the Commission change he/she to "they". Vice-
21 Chair Tatta said she believed that change would make everything grammatically incorrect
22 because if we referred to the Mayor that would be plural and "he/she" is correct.

23 Vice-Chair Tatta noted on page 25, Section 11, "Obligations of the Public Utilities Commission"
24 she didn't see this in the Minutes, and pointed out it still states "Electric and Water
25 Departments" and "Sewer Authority". She said she believed that was changed throughout the
26 Charter to "Electric, Water and Sewer Divisions".

27 Ms. Kohl said she believed this was discussed, and believed Atty. Small said this should be left
28 as is because it refers to as constituted prior to the effective date of this Charter. She said for
29 that Section, the Commission decided to leave the wording as is.

30 **5. Approval of February 16, 2017 Meeting Minutes**

31 On page 4, line 13, Ms. Kohl noted that Table of Context should be "Table of Contents".

32 **Motion: A motion by Commissioner Seichter to approve the February 16, 2017**
33 **Minutes as amended. Ms. Kohl seconded the motion.**

34 **Vote: Unanimous**

1 **Adjournment**

2 **Mr. Seichter made a motion to adjourn the Meeting at 7:00 p.m. Mr. Corrigan**
3 **seconded the motion which passed unanimously.**

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5 Respectfully submitted,

6 Cynthia A. Kleist

7 Recording Secretary

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