

**CHARTER REVISION COMMISSION
Town of Wallingford**

**Regular Meeting
April 27, 2009**

A Special Meeting, Public Hearing of the Wallingford Charter Revision Commission was held on Monday, April 27, 2009, at the Wallingford Town Hall, Council Chambers, Wallingford, Connecticut.

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

Absent:

Chairman Knickerbocker called the meeting to order at 7:05 p.m.

1. PUBLIC HEARING:

Jason Zandri, Lincoln Drive, thanked the Commission Members for their time and effort. He feels the Commission has heard out the public as best it could. He stated that there are thousands of people in town that care about this issue and those are the people who will be voting come election day. Just because people don't show up for these meetings doesn't mean that they don't care.

Wes Lubee, Montowese Trail, thanked the Commission Members for their time and effort. He concentrated his remarks to the Board of Ethics. He indicated that there are more revisions to the Charter that he would agree with then disagree. Mr. Lubee referred to Chapter XVIII, Section 5 and asked when the Board would investigate an allegation. He asked if it would be before the show cause hearing or after the show cause hearing. Mr. Lubee indicated that in practice there have been no investigations, just hearings. He discussed Section 5B and the Corporation Counsel. He indicated that in recent years the Corporation Counsel has not gone to hearings. Mr. Lubee pointed out that in that same section it states that the Town Attorney shall advise the Board and he asked how it is possible for the Town Attorney to be unbiased since he/she serves the Mayor.

Patricia Kohl, North Street, commended the Commission for putting in the time and effort that it has. She agrees with many of the revisions that the Commission has made. She referred to Chapter XVIII, Section 1 and asked if the Commission meant to eliminate the requirement that the members be electors of the Town of Wallingford. She repeated her objection to changing the number of votes to override a veto and to overturn a PUC decision.

Craig Fishbein, Grieb Road, thanked the Commission for all of its hard work. He believes that the ethics issues should be left with the Town Council where it is more appropriate and more flexible. Mr. Fishbein feels that if the town is going to review the Charter every ten (10) years the Mayor should get

at least one appointee to the Charter Revision Commission. Mr. Fishbein has adapted the statement that he made in December regarding the overriding of a Mayoral veto and read it into the record.

Bob Hogan, Grieb Road, thanked the Commission for its hard work. He commented on the issue of the Mayoral veto stating that no Mayor is infallible. He believes that six (6) votes would level the playing field.

Ken Daily, North Elm, referred to Chapter II, Section 6 stating that he would like the idea of phone votes eliminated. He discussed Chapter VII, Section 4 and the preparation of bid documents. Mr. Daily suggested that the process is flawed because there is no way that the Council can confirm that the bidders have complied with the bid documents. He feels that the Purchasing Agent should make an affirmative finding that the bidders, in all respects, have satisfied the bid documents.

Phil Wright, Cedar Street, thanked the members of the Commission for all of their hard work.

Wes Lube, Montowese Trail, stated that there was a one vote difference between the Republicans and the Democrats in the RTM and attendance was marvelous.

Robert Sheehan, Cooper Ave, stated that if the Commission wants to see all of its recommendations approved it would be disappointed. He feels that 95% of the people who vote in this town could care less about the issues being discussed in the Charter revision. The other 5% he feels will push their personal agendas. Mr. Sheehan suggested that anything over five recommendations made to the Town Council would be a waste of time. He believes that this entire process began because some people believe that the Mayor has too much power. He feels that the entire process is too political.

Bob Gross, Longhill Road, stated that the process of collecting petitions for the Charter Revision was in no way political.

2. APPROVAL OF MINUTES:

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Ms. Wright made a motion to approve the Minutes of the April 13, 2009 – Regular Meeting. The motion was seconded by Mr. Cervoni and passed.

3. DISCUSS CHANGES AS A RESULT OF INPUT FROM PUBLIC HEARING:

Chairman Knickerbocker brought up the issue of when an investigation would be done by the Board of Ethics. The Commission discussed the issue and decided to leave the section as is. Chairman Knickerbocker went on to discuss the issue of Board of Ethics members being electors of the Town of Wallingford.

MS. WRIGHT:

**MOTION TO REVISE CHAPTER XVII, SECTION 1, LINE 1 TO READ
“THE BOARD OF ETHICS SHALL CONSIST OF FIVE (5) MEMBERS**

AND THREE (3) ALTERNATES WHO SHALL BE RESIDENT ELECTORS OF THE TOWN OF WALLINGFORD.”.

MR. APPLGATE: **SECOND**

VOTE: **UNANIMOUS**

MR. CERVONI: **MOTION TO CHANGE THE PERIOD AT THE END OF LINE 1, CHAPTER XVIII, SECTION 1 TO A COMMA.**

MS. WRIGHT: **SECOND**

VOTE: **UNANIMOUS**

Chairman Knickerbocker brought up the issue of the Mayoral veto being changed from seven votes to six votes. There were no changes made regarding that issue. Telephone votes were discussed but there were no changes made. Chairman Knickerbocker moved on to discuss the Purchasing Department. There were no changes made to that section.

The issue of Corporation Counsel in Chapter XVIII was discussed.

MR. APPLGATE: **MOTION TO REVISE CHAPTER XVIII, SECTION 5B, LINE 55 THROUGH 61 TO READ “THE CORPORATION COUNSEL OR IN ITS DECRETION AN ATTORNEY APPOINTED BY THE BOARD SHALL ATTEND SUCH HEARINGS AND RULE ON ALL MATTERS CONCERNING THE APPLICATION OF THE RULES OF EVIDENCE, WHICH SHALL BE THE SAME AS IN JUDICIAL PROCEEDINGS. THE TOWN ATTORNEY OR IN HIS/HER DECRETION AN ATTORNEY APPOINTED BY THE BOARD, SHALL SERVE AS ADVISOR TO THE BOARD ON ANY LEGAL ISSUES.**

MS. WRIGHT: **SECOND**

VOTE: **UNANIMOUS**

The Commission went on to discuss Chapter XIX, Section 6.

MR. CERVONI: **MOTION THAT LANGUAGE BE ADDED TO CHAPTER XIX, SECTION 6 THAT ENTITLES THE MAYOR TO TWO (2) SEATS ON THE CHARTER REVISION COMMISSION.**

MR. RYS: **SECOND**

VOTE: **MR. APPLGATE – YES, MR. TOMAN – YES, MR. LILLEY – NO, MS. WRIGHT – NO, MS. WALL – NO, MR. RYS – YES, MR. CERVONI – YES, MS. GROSS – NO, MR. KNICKERBOCKER – NO.**

4. DISCUSS NECESSITY TO HAVE FURTHER MEETING:

The need for further meetings was discussed.

MR. APPLGATE: **MOTION THAT THE CHARTER REVISION COMMISSION SUBMITS THE CHARTER TO THE COUNCIL AS REVISED WITH ALL CHANGES MADE TO DATE.**

MS. WRIGHT: **SECOND**

VOTE: **UNANIMOUS**

5. ADJOURNMENT:

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

The meeting adjourned at approximately 8:20 p.m.

Respectfully submitted,

Sonja Vining
Recording Secretary
Town of Wallingford
Charter Revision Commission
April 27, 2009