

From: Carolyn Keily March 22, 2012 9:31:35 AM
Subject: Charter Revision Commission Minutes 03/19/2012
To: SimsburyCT_CharRevComm
Cc:

CHARTER REVISION COMMISSION
SPECIAL MEETING
MARCH 19, 2012

I. CALL TO ORDER

Chairman Robert Heagney called the special meeting of the Charter Revision Commission to order at 7:10 P. M. in the Auditorium of Eno Memorial Hall, 754 Hopmeadow Street. The following members were also present: Darren Cunningham, James Fleming, John O'Neil, and Peter Pabich,. Also present were Attorney Robert DeCrescenzo; Lisa Gray, Commission Clerk; and other interested parties.

II. PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

III. PUBLIC AUDIENCE

Robert Kalechman referred to Section 708, Constables, which has been deleted in the draft revised Charter, and stated he doesn't understand why this section is being eliminated and the authority is being given to the state. He requested that it be restored to the Charter.

Mr. Kalechman then referred to revisions made to Section 1008 of the Charter, Review and Amendment of Charter, and asked why the language requiring review of the Charter has been changed from every five years to every seven years.

Mr. Kalechman further referred to the personnel duties vested in the First Selectman by the Charter and asked why those powers are not being left in the hands of the First Selectman.

Emil Dahlquist, Design Review Board Chairman, appeared before the commission to state that he is willing to agree to the Commission's proposed composition of six full-time and four alternate members for Design Review Board. He also stated that he is in agreement with the Commission's recommended specific composition of the Design Review Board, i.e. the Board

will be composed of individuals from specific professions whose input, knowledge, and experience will be beneficial to the Board. However, Mr. Dahlquist did request that the current process used for Board member selection and appointment remain the responsibility of the Board of Selectmen. Finally, he requested that the Board's purview remain unchanged.

Robert Kalechman spoke again and stated that he felt that the language in Section 1003, Conflicts of Interest, "should be made stronger".

IV. APPROVAL OF MINUTES

A motion was made by Commissioner O'Neil to approve the minutes of the March 7, 2012 meeting, as presented. The motion was seconded by Commissioner Pabich, and unanimously carried.

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V. TOWN COUNSEL'S REPORT

Attorney DeCrescenzo asked the commission if the members would like him to reinsert Chapter 5 of the Charter in its entirety and then show strikeouts for the portions pertaining to the Town Meeting which have been deleted. The members replied that they would like him to do that.

He also referred to inconsistencies in the revised Charter whereas Section 403 vests the power to create boards and commissions in the hands of the Board of Selectmen and Section 409(5) allows for the creation of a board or commission at a town meeting. He advised the Commission that they may want to think about how they will address this if the issue arises at the Public Hearing.

Attorney DeCrescenzo then referred to Section 404, Public Hearing on and Publication of ordinances, which requires each ordinance passed to be published in its entirety in a newspaper having general circulation within the town. He advised the Commission that the State of Connecticut has a statute that allows towns to publish notice of new ordinances with a copy of the entire ordinance available in the Town Clerk's office, and advised that the members may want to consider revising this Section to require only publication of the notice.

VI. DISCUSSION OF POSSIBLE CHARTER CHANGES

A motion was made by Commissioner O'Neil to revise Section 404 of the Charter to require only publication of the notice of a new ordinance in the newspaper. The motion was seconded by Commissioner Fleming, and unanimously carried.

A motion was made by Commissioner O'Neil to reconsider at a special meeting the issue of the Design Review Board becoming a permanent Board in the Town Charter. The motion was seconded by Commissioner Fleming, and unanimously carried.

VII. ADJOURNMENT

A motion was made by Commissioner Cunningham to adjourn the meeting at 7:57 PM.

Robert Heagney, Chairman