

George Ferguson, Chair
Anthony Filiato
Dan Honan
Joe Girgasky



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TOWN OF NEWTOWN

2014-15 Charter Review Charge Committee

The 2014-15 Charter Review Charge Committee of the Newtown Legislative Council held a special meeting on Thursday June 12, 2014 at 7:00 p.m. in Meeting Room 3 at the Newtown Municipal Center, 3 Primrose Street, Newtown, CT.

Minutes

The meeting was called to order at 6:59 p.m.

Attendance: George Ferguson, Anthony Filiato, Dan Honan, Joe Girgasky, Mary Ann Jacob and Town Attorney David Grogins were present.

Voter Comment: There were no members of the public in attendance.

The Minutes of the Meeting of June 5, 2014 were approved unanimously on the motion to approve of Dan Honan and second by Joe Girgasky.

Old Business

Discussion and Possible Action:

Communications: The committee received from Town Attorney David Grogins via email an introductory Charge and a Timeline.

Chairperson Ferguson opened the discussion by indicating that he felt that the Committee was prepared to act and would be able to vote to move a recommendation forward for the Legislative Council to discuss and act upon. He indicated that we had draft Charge language received from Attorney Grogins, a Timeline that seemed in order and a spreadsheet that we should be able to discuss and finalize.

Charter Charge and Timetable

Tony Filiato moved and Dan Honan seconded a motion to accept the Charge and Timeline as presented. Mary Ann Jacob made a friendly amendment, seconded by Tony Filiato seeking to strike the words "as well as an other items it considers" from the Charge. The Motion and Friendly amendment were approved unanimously.

Rec'd. for Record 6-16 20.14
Town Clerk of Newtown 8:15am
Debbie Anselia Halstead

Charter Charge Request Spreadsheet

Mary Ann Jacob made a motion, seconded by Tony Filiato to stike the “Comments” column from the spreadsheet. Approved unanimously.

Tony Filiation moved, Joe Girgasky seconded a motion to remove from the Charter Charge Spreadsheet those issues that were determined by the Committee to not be Charter issues.

Mary Ann Jacob moved and Tony Filiato seconded a motion to remove the Charter request seeking to “Implement Term Limits” and “Implement a 5 Man Board of Selectman”. Approved unanimously.

Joe Girgasky moved, seconded by Mary Ann Jacob, to change the heading reading “Submitted By” to “Suggested By” on the Charter Charge Spreadsheet. Approved unanimously.

Tony Filiato moved, seconded by Mary Ann Jacob to remove the second and duplicative reference to review the form of the Advisory questions. Approved unanimously.

Tony Filiato moved, seconded by Joe Girgasky, to remove the request by the BOE to “Review the effects of bifurcating the budget.” Approved (4-1 Jacobs, Filiato, Girgasky and Honan in favor. Ferguson opposed.)

Dan Honan moved, seconded by Mary Ann Jacob to strike the specific request to “add new section for commission on aging” and “add a new section for Water and Sewer Authority”, referred to as 4-13 and 4-14, and instead request the Charter Review Commission review for appropriateness and consistency how and why appointed Boards and Commissions are included in the Charter. Approved unanimously.

Joe Girgasky moved, seconded by Tony Filiato to accept the Charter Charge, Charter Timetable and Charter Charge Spreadsheet as amended, and to recommend that the Legislative Council, subject to their review and amendment, approve them as presented. Approved unanimously.

Voter Comment - None

Adjournment

The meeting was adjourned at 8:15 pm on a motion by Dan Honan.

Charge

The Legislative Council's ("Appointing Authority") overarching goal for the Charter Review Commission is that the Commission undertake a comprehensive review of the Charter from the perspective that it be "readable", "user-friendly" and "accurate".

Furthermore, the Appointing Authority, pursuant to Section 7-187 et seq. of the Connecticut General Statutes, charges the Charter Review Commission with considering the items listed in the attached schedule for inclusion in any amendments to the Charter; and to comment on said items in its reports to the Appointing Authority.

To assist the Charter Review Commission, attached is a chronological schedule for accomplishing its tasks in time for placing any proposed amendments on the November 2015 election ballot.

TIMELINE

TIMEFRAME	PROPOSED DATE (Hypothetical)	PROCEDURE	STATUTE
	06/18/2014	Legislative Council ("LC") adopts Resolution (2/3) majority and constitutes a Charter Revision Commission ("CRC").	§ 7-188(b)
Within 30 days from adoption of Resolution to constitute a CRC	06/18/2014	LC appoints CRC; specifies when CRC shall deliver draft report (not later than 16 months from appointment) specifies what issues LC desires CRC to consider. *assume appointment date of 06/18/2014*	§ 7-190(a)&(b)
Approx. 3 weeks	07/16/2014	CRC holds organizational meeting (elects Chairperson and Secretary).	
	07/30/2014	CRC to hold a public hearing on the proposed charter prior to the beginning of any substantive work on such charter.	§ 7-191(a)
		CRC to hold a second public hearing after the draft report to the LC has been completed, but not submitted. CRC to complete draft report by 06/01/2015.	
	06/17/2015 (Hypothetical Date)	CRC to submit draft report to the Town Clerk, who shall subsequently transmit draft report to the LC.	§ 7-191(b)
days ≤ 45 from 06/17/2015	07/15/2015	LC to hold final hearing on draft report.	§ 7-191(b)
days ≤ 15 from 07/15/2015	08/02/2015	Deadline for LC to make recommendations to CRC for such changes in the draft report as it deems desirable.	§ 7-191(b)
days ≤ 30 from 06/17/2015	08/17/2015	CRC shall make final report to LC after receiving recommendations from the LC.	§ 7-191(c)
days ≤ 15 from 08/17/2015	08/17/2015	LC, by a majority vote of its entire membership, shall either approve or reject the proposed charter amendment outlined in the CRC's final report.	§ 7-191(d)
days ≤ 30 from 08/02/2015	09/02/2015	IF APPROVED: LC must publish the proposed charter either by: 1) publishing the proposed charter in full at least once in a newspaper having general circulation in the Town; or 2) publishing the portion of the charter being amended at least once in a newspaper having a general circulation in the Town with a notice that a complete copy of the charter and amendment is available in the Town Clerk's office and that a copy shall be mailed to any person who requests a copy.	§ 7-191(d)
days ≤ 45 from 08/02/2015	09/15/2014	IF REJECTED: 10% of electors may sign and submit petition for referendum on the proposed charter to LC.	§ 7-191(d)

<p>days \geq 60 from election date (assuming election date is 11/03/15); and \leq 15 months from 09/02/15</p>	<p>09/04/2014</p>	<p>IF APPROVED: LC to determine by a majority vote of its entire membership whether proposed charter is to be submitted to electors for approval or rejection at a regular election or special election, and such election shall be held not later than 15 months after either approval by the appointing authority or the certification of a petition of a referendum. LC, by a majority vote of its entire membership, must decide whether to submit to electors at an election the proposed charter, within 60 days prior to the election date, or it cannot be voted on.</p>	<p>§ 7-191(e); § 9-369a(b)</p>
<p>days \geq 45 from election date (assuming election date is 11/03/15)</p>	<p>09/16/2015</p>	<p>IF APPROVED: Town Clerk, upon determination that the necessary action has been taken for submission of the question to vote of the electors of the Town at an election, must file in the office of the Secretary of the State a statement setting forth the designation of the question as it is to appear on the voting machine ballot labels at the election, the date upon which the submitting action was taken and the reference to the law under which the action was taken. *vote 11/03/15*</p>	<p>§ 9-369a(b)</p>
<p>30 days after election date</p>	<p>12/03/2015</p>	<p>IF APPROVED: If the proposed charter is approved by a majority of the electors of the Town voting thereon at a regular election, or if approved by a majority which number equals at least 15 percent of the electors of the Town at a special election, such charter amendment shall become effective thirty days after such approval.</p>	<p>§ 7-191(f)</p>
<p>\leq 30 days after election date</p>	<p>12/03/2015</p>	<p>IF APPROVED: Not later than thirty days after the approval by the electors of any proposed charter amendment, the Town Clerk must file, with the Secretary of State:</p> <ol style="list-style-type: none"> 1) Three certified copies thereof, with the effective date indicated thereon; and 2) Three certified copies of the complete charter incorporating such amendments. 	<p>§ 7-191(g)</p>