

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL

The Legislative Council held their regular meeting on Wednesday, September 5, 2012 in the Council Chambers at the Municipal Center, 3 Primrose Street, Newtown, CT. Chairman Jeff Capeci called the meeting to order at 7:30pm.

Present: George Ferguson, Robert Merola, Mary Ann Jacob, Daniel Honan, Paul Lundquist, Philip Carroll, Dan Wiedemann, Jeff Capeci, Mitch Bolinsky, Daniel Amaral, Kathy Fetchick(8:00)

Absent: Joseph Girgasky

Also Present: Town Attorney David Grogins, First Selectman Pat Llodra, 2 members of the public and 3 members of the press.

Voter Comment: None

Minutes from the Regular Meeting of August 15, 2012, Special Meeting August 29, 2012: Ms. Jacob moved to approve the minutes from the regular of 8/15/12, Mr. Ferguson seconded. Motion unanimously approved (Capeci and Carroll abstained). Ms. Jacob moved to approve the minutes from the special meeting of 8/29/12, Mr. Ferguson seconded. Motion unanimously approved (Lundquist abstained).

Communications: Ms. Jacob expressed concern from residents as to how they will be educated on the process for the ballot and how that information will be communicated.

Committee Reports: Ms. Jacob reported that the Ordinance Committee will meet next week. It will likely be moved from the municipal building to the Lecture Hall at the High School.

First Selectman's Report: The Board of Selectman has concerns that the Hook and Ladder building is deemed to be unsafe and has been for a few years. It has been a struggle to get that project off the ground. Hook and Ladder has communicated that they will not be successful with the property on South Main Street so they are looking for other options but there are not a lot available. Ms. Jacob questioned the property behind Edmond Town Hall, but Mrs. Llodra explained that that location is not ideal, the subsoil is unstable, there would be traffic issues and there could be millions spent for a location that is not appropriate. Mr. Merola commented that FFH would be a good option and it may be in the best interest for the town to redistrict to bring Hook and Ladder to FFH. Mrs. Llodra explained that it is an issue that will need to be handled by the Board of Fire Commissions.

OLD BUSINESS

Charter Revision – Ballot Questions, Explanatory Text – Ms. Jacob moved to approve the charter ballot question as presented.

Having a more simplified question on the ballot was expressed by Mr. Ferguson and Mr. Wiedemann. Mr. Grogins explained that it needs to be a format that the Secretary of State will approve it. The current proposal sites all the sections that will be amended which Mr. Grogins believes will be better than Mr. Fergusons suggestion. Mr. Lundquist asked if it could be in layman terms. Any explanatory text needs to go along with the absentee ballots which go out on 9/22/12. What most towns do is post it on the wall at the voting locations so they can see the text. It can go on website. It would not be part of the text on the ballot but could be posted in each ballot booth. Ms. Jacob withdrew her motion.

Ms. Jacob moved to accept the charter revision ballot question as presented with the following changes:

In the fifth paragraph, strike the duplicate "are"

The following section ends after the word process with a "?" and the rest of the section is deleted. The entire next paragraph is deleted.

Mr. Ferguson seconded, motion unanimously accepted.

Ms. Jacob moved to approve the explanatory text as presented to be provided along with the ballot questions for the voters to understand, Mr. Ferguson seconded. Mr. Merola commented that the second line under "Explanation:" the word Town should be changed to Board of Selectman. Mr. Ferguson is concerned that saying the Town Meeting will be eliminated when in fact it will go back to the town citizens for another vote, they are not loosing anything. This does not need to be completed for review by the Secretary of the State; it needs to be go out with the absentee ballots on September 22nd. Motion is tabled.

Ms. Jacob moved that the Legislative Council approve the need for explanatory text to be at the voting place and in each voting booth. The exact context of which will be produced by Mr. Lundquist that the next meeting. Ms. Fetchick seconded. Motion unanimously accepted.

A Resolution of Endorsement for HVCEO Planning Grant Applications to the CT OPM Regional Performance Incentive Program – Tabled.

Voter Comment: None

Announcements: none

Adjourned at 8:17

Respectfully Submitted,
Arlene Miles, Clerk Pro-Tem

Attachment: Charter Ballot Question

CHARTER BALLOT QUESTIONS

1. Shall Section 6-14a ~~and 6-14b~~ of the Charter be amended to change the number of questions for the Annual Budget Referendum ~~and subsequent referenda in the event of failure(s)~~ from one question to two questions as follows:

Shall the sum of \$ _____ be appropriated as the budget for the Board of Selectmen for the fiscal year?

Shall the sum of \$ _____ be appropriated as the budget for the Board of Education for the fiscal year?

and, Shall Section 6-14a of the Charter be further amended to provide that if one question is passed and one question fails, the question which passes shall be considered adopted?

~~and, Shall Section 6-14b of the Charter be further amended to provide the procedures required by a two-question budget vote in the event of one or both questions not be adopted?~~

and, Shall Section 6-14c of the Charter be amended to provide for successive referendums ~~for failed question(s)~~ until both ~~budgets~~ are adopted?

and, Shall Section 7-100b be amended ~~to remove the requirement for a town meeting in the budget process, by deleting the present Section 7-100b and substituting the following:~~

~~“Any action taken by a Town Meeting is subject to a referendum in accordance with the provisions of this section.”~~

and shall Section 6-14c of the Charter be amended to add the following advisory questions subject to the provisions of Section 6-13(b)(2):

“Do you deem the proposed sum of \$ _____ to be appropriated for the Board of Selectmen as too low?”

Yes _____
No _____

“Do you deem the proposed sum of \$ _____ to be appropriated for the Board of Education as too low?”

Yes _____
No _____

Yes _____
No _____