

Town of Prospect Charter Revision Commission

Approved ~~Unapproved~~ Minutes

December 10, 2015

Board Members Present:

Chairman Glenn Gruber, Phil Reed, Robert Nash, Paul Krisavage, Tom Galvin, Eileen Cranney, Jim Paulella, Katie Blinstrubas, B. Hiscox

Chairman Gruber called the meeting to order at 7:01 pm.

Motion by R. Nash, seconded by E. Cranney to accept the minutes of the 11/24/15 meeting. All in favor except R. Hiscox who abstained.

Chairman Gruber asked for members of the public to speak. Town Council Members, Larry Fitzgerald (10 Robinmark Road), Jeff Slapikas, (51 Royal Crest Drive), Alexander DeLelle (26 Tress Road), Patricia Geary (31 Lee Road) and Thomas Galvin (27 Rockridge) all provided input. Former Town Council Member, Theresa Graveline (20 Corrine Dr) also spoke. Town Council Member, Attorney Carla Perugini-Erickson (PO Box 7299) provided correspondence as she was unable to attend the meeting. Their input and Charter Commission members' discussion are listed by Charter Chapter as follows:

CHARTER GENERAL FORMAT

Jeff Slapikas mentioned that Prospect has 30 plus years of the same Mayor and the next person will not be able to do the same job as someone with that experience. That person will need the Charter as a guideline.

Theresa Graveline added: I suggest that the general format of the Charter be enhanced throughout so that it will be a much easier to use document and reference tool.

- No less than 10 point type throughout;
- Minimum 12 point and bold Chapter and Section Headings;
- There are many sections in which the powers, duties, time frames, etc., are listed in paragraph form; an outline or bullet format would be preferable in these areas for ease of reference.

Carla Perugini-Erickson: It would be helpful to review the proposed recommendations from the last charter revision attempt, as I am certain that the former committee had received recommendations from the Town Council and other Boards and Commissions for consideration, and the committee may have sought to implement those recommendations in the revision at that time.

Tom Galvin: Entire Document / General – SUGGESTION - There are multiple places within the Town Charter where it discusses a 'number of days' for lead times for Referendums, Notice of Public Meetings, etc. The question often presents as to whether those are full 24 hour days, town business days or

calendar days. If possible, some specific or default definitions should be made as to what 'Days' actually means. Also, if a specific 'date' were to fall on a non-business day, is it the next business day or the prior business day that would be considered applicable.

CHARTER ORGANIZATIONAL CHART:

Larry Fitzgerald: The town organizational chart shows an Emergency Management Director but the charter states that the mayor is the Emergency Management Director. Is this position needed in the chart or should the chart read Emergency Management Advisory Council?

Charter Commission member, K. Blinstrubas added that the Mayor is the Director of the Emergency Management. The Emergency Management Council meets as a Council and has a Chairperson.

Larry Fitzgerald: The organization chart refers to the Recreation Commission but does not show the new position of Director of Recreation in the organizational chart.

AL DeLelle: The organization chart needs to be fixed – updated.

CHARTER CHAPTER 2: ELECTION AND ELECTIVE AND APPOINTIVE OFFICES:

Section 2.01 – General:

Jeff Slapikas commented on the time of 8:00 pm on the second Friday for the commencement of the terms for elected officials. He mentioned that perhaps a more conducive time could be agreed upon.

Alexander DeLelle also questioned the time.

Patricia Geary added:

Length of terms—I would suggest 4 year terms for Mayor, Town Council, Tax Collector, and Town Clerk. I would also like to see the terms of the Town Council members staggered, similar to the Board of Education, so that we always have some experienced members on the council at all times.

With regard to the beginning of terms: The charter states that "Terms should commence on the second Friday after the election at 8:00 pm..." I would eliminate the stipulation of the hour (8:00). I would also like the charter to stipulate that the swearing-in ceremony will take place immediately preceding the organizational meeting of the town council.

I would like the charter revision committee to also address **Section 5.01 (page 16)** in conjunction with this topic. The Mayor's term should commence at same time as the Town Council, directly following the swearing-in ceremony, not the following day.

Theresa Graveline added: - Consider a term of four years for the offices of Mayor, Treasurer, Tax Collector and Town Clerk.

Consider staggered four-year terms for Town Council

Change the 8pm designation for the commencement of the elected term to 6pm OR "immediately following the official inauguration ceremony"

Discussion of employees holding elected positions vs. regular employees. K. Blinstrubas suggested that Town Clerk change from an elected employee to a regular employee.

Carla Perugini Erickson: Section 2.01 General: Consider changing the day of the week and time for the commencement of the terms of the elected municipal officers from Friday at 8 p.m. to perhaps Thursday at 5 p.m., so the first organizational meeting can take place at a more convenient time.

Tom Galvin- Section 2.01 – General – POLICY – Included in (b) is the specific reference to two (2) year terms for certain elected officials. PRACTICE – This is currently being followed as described. SUGGESTION – A growing number of towns have at least considered the possibility of expanding the elected term from a standard of two (2) years to four (4) years for some elected offices. Also, from time to time the concept of 'term limits' is mentioned for some elected positions. Finally, some towns, especially smaller towns have also explored the possibility that some typically 'elected' positions may perhaps be better staffed by professionally trained / certified employees. At minimum, and given that this may be the last time the Charter is reviewed for 10-15 years, these concepts should at least be discussed.

Tom Galvin: Section 2.01 – General – POLICY – Specific to the last paragraph where it requires that the Town Treasurer and the Tax Collector shall each file a monthly report with the Mayor and the Town Council...PRACTICE – The Town Council receives a detail monthly report from the Tax Collector – no report is being provided from the Town Treasurer. SUGGESTION: – The CRC should decide to either remove the requirement, or specify that a report be defined and compiled by the Town Treasurer and be made available to the Town Council on a monthly basis. NOTE: There is a report entitled Mayor's Expense Report which may have evolved from the original Treasurer's Report but it may lack the granularity or 'Line Item detail' necessary to be an effective management tool.

Section 2.02 Eligibility:

Theresa Graveline: 2.02 (b) Appointive offices: consider adding language that defines the determination of a "properly qualified" resident elector for appointive offices. [*T. Graveline: Issue is how to define "properly qualified" – potentially use Job Descriptions.*]

Pat Geary: Section 2.02b (page 3) not necessarily being followed. The postings presently do not specifically ask for Prospect residents to apply first.

Tom Galvin: Section 2.02 Eligibility – POLICY - Specifies that elected and appointed offices must be filled by Prospect residents. In paragraph B, specific to the 'Appointed' Offices, it further states that non-residents may be appointed if "no resident is properly qualified to fill the position", with the exception of the Town Attorney which is exempt from any residency testing requirement. PRACTICE – Prospect

follows this policy, but in addition to the Town Attorney, other positions on occasion appear to have also been exempted. SUGGESTION – at minimum, the policy could also possibly exempt the Town Assessor, and any other roles the CRC may consider appropriate, given the technical / professional qualifications of any specific position.

Discussion of hiring processes and “qualified applicants”.

Section 2.04 Minority Representation:

Tom Galvin: Section 2.04 – Minority Representation – POLICY - That any Town Board or Commission shall be filled with individuals so as the composition reflects only a bare minority by either political party. PRACTICE – This works well in a two-party system, but someday a third non-major party would logically complicate the process. SUGGESTION – Some towns, including Cheshire, have changed their Charter to allow a 6-3 breakout of party representation. The CRC may consider changing the ‘Bare Majority’ wording and additionally make changes to Section 2.04 C – and allow more candidates to run for a given office, which would also be required to allow a majority greater than the ‘bare minimum’. If adopted, this would allow the voters greater flexibility when choosing their elected leaders.

CHARTER CHAPTER 3 – THE TOWN COUNCIL

Section 3.01: The Council

Alexander DeLelle: Change the process for the Town Council pay. The amount should be proposed and voted by the Council. Not embedded in the Charter.

Pat Geary: Section 3.01b (page 5) Town Council stipend needs to be looked at. Perhaps the amount doesn’t need to be in the charter at all.

Theresa Graveline: 3.01: (1) Rather than stipulating a dollar amount per month, consider changing the language to allow the Council to suggest the remuneration during the budget process for approval at the annual Town Budget Meeting immediately preceding the Town election. (2) The increase should become effective on the first business day after the terms of office commence in Section 2.01.

Tom Galvin: Section 3.01 – The Council – POLICY – In Paragraph (d) the language is clear and straightforward in its presentation. Its purpose is to assure that a member of the Town Council cannot hold another position in the town government except for a temporary and non-compensatory position. PRACTICE – This policy has always been strictly observed, and perhaps not always in the best interest of the Town. SUGGESTION – On several occasions, including one currently, a case could be made for questioning the value of allowing for a temporary assignment but not for an ongoing position. Specifically, one Town Council member has such a relevant background that it almost uniquely qualifies them for participation on another important board where their expertise would clearly be of benefit the Town. Perhaps using that higher standard of a 2/3rds majority vote, the Town Council could be

'entrusted' to, under such situations, assign a member to an 'ongoing' position on a non-compensatory board or commission where there would clearly be no conflict in role or responsibility.

Carla Perugini-Erickson Section 3.01 The Council: Perhaps consider an increase in the \$25.00 payment as a means to encourage greater interest in residents to seek that office, and to recognize the time, effort and dedication of those who are elected to that office, because it can be demanding and generally involves additional participation in subcommittees, etc.

Section 3.02 – Presiding Officer

Alexander DeLelle: Time change from 8:00 pm.

Theresa Graveline: 3.02: Suggest inserting the words, "no later than" before the time of 8pm. This will allow flexibility in accommodating the Council members' schedules and would allow the possibility for the organizational meeting to take place at the conclusion of the swearing in ceremony, which would presumably take place prior to 8pm.

Tom Galvin Section 3.02 – Presiding Officer – POLICY – The first paragraph specifically discusses the process by which a newly elected Town Council selects its Chair and Vice-Chairpersons. PRACTICE – This works well as stated, but at least twice in the last thirty (30) years circumstances required one member be missing, and absent a tie-breaker, the process was 'difficult'. SUGGESTION – Given the technology advances in remote person to person communication, can this very narrow and specific section be modified to allow 'remote' participation? At minimum, whenever a situation presents where a tie vote could extend indefinitely, some method of breaking a tie should be considered. NOTE: Since whatever may be modified in this Charter Revision process will likely remain in effect for another decade, and anticipating even further technological advances, could any changes made in this section be extended to remote participation on other Boards and Commissions?

Carla Perugini-Erickson - Section 3.02 Presiding Officer: See above! Change that day/time!

Section 3.03 - Procedure

Theresa Graveline: As written, this section states that the Clerk of the Council keeps the public record of the "journal" of the Council. In practice, the Clerk keeps a copy and also files a copy of minutes in the office of the Town Clerk. I suggest the last statement should read: "Said journal shall be maintained by the Clerk of the Council and placed on file in the office of the Town Clerk."

Tom Galvin: Section 3.03 – Procedure – POLICY – The third paragraph states that five (5) members shall constitute a quorum. PRACTICE – This is currently in place, and is followed without issue. SUGGESTION - Perhaps it would be in the public interest if the language were amended to include, 'provided that at least one of the five must represent a minority party'.

Section 3.04 General Powers and Duties:

Theresa Graveline: 3.04: The clarity of this section will particularly benefit from a change to an outline or bullet format since there is a great deal of information included in these paragraphs.

Tom Galvin: Section 3.04 – General Powers and Duties – POLICY – With specific exceptions (included in Section 9.01 Town Meetings and Public Hearings) the Town Council is considered the ‘Legislative Body’ for the Town of Prospect. PRACTICE – As the Legislative Body typically acts on matters of ‘significant’ importance, everyone involved follows this provision ‘to the letter’. SUGGESTION – The Mayor on occasion has indicated that if the Charter was revised, that some of the definitions / functions / limits as to whether the ‘Town Council’ or the ‘Town Meeting’ should be considered the ‘Legislative Body’. The Mayor should be consulted as to what such changes should entail.

Carla Perugini – Erickson Section 3.04 General Powers and Duties: review the bold clause on real estate purchases to include general purchases of real estate for town use and benefit.

Section 3.06 Conflict of Interest

Pat Geary: Section 3.06 (page 8) Conflict of Interest - Look at appointment of family members, particularly in the same department.

Theresa Graveline:

(1) This section refers to conflicts of elected or appointive Officers and employees. The concern for conflict of interest applies to Board and Commission members as well in their respective boards. I suggest the opening sentence be changed to include board and commission members and that the disclosures should be made part of the record at each respective meeting.

(2) The last sentence of the paragraph refers to Town Council consent for the employment of family members. I suggest the insertion of a 2/3 majority vote of the Council for such employment.

Carla Perugini- Erickson: Section 3.06 Conflict of Interest: This is a relevant and important section, but might want to consider including language to allow for Town Council to ratify such appointments to avoid innocent violation.

Tom Galvin: Section 3.06 – Conflict of Interest – POLICY – The second paragraph deals specifically with the employment of ‘family members’. PRACTICE – Relatively clear in its intent, and something that could / should also be addressed as part of Human Resource Management (see Suggestion –Section 3.14). SUGGESTION – In the last sentence, that the word ‘prior’ be inserted before ‘consent of the Town Council’ and given the changing dynamics of the social landscape, perhaps what constitutes ‘immediate family’ should be clearly stated.

Tom Galvin also added that “family member” should be defined.

Section 3.09 Emergency Ordinances:

Theresa Graveline: 3.09: There is a reference in this section to the posting of emergency ordinances "on the public sign post". Though I understand this is an historic reference, and the language should be changed to include modern methods of posting, i.e., websites, in addition to "the public sign post".

Section 3.12 Form of Petition and Affidavit of Circulators:

Theresa Graveline: 3.12: Remove "indelible pencil" forms this section and all others in which it occurs.

Section 3.13 Official Bond:

Theresa Graveline: 3.13: Add: an inclusive list of those who are bonded and the amounts of those bonds shall be reviewed by the Council in each budget season.

Section 3.14 Salaries:

Alexander DeLelle: Recommended a review of current salary practices for Town Hall employees for labor grades and job descriptions.

Charter Commission members discussed the organizational chart as well as need for job descriptions, hiring process, salary ranges for Town Hall Employees and lack of yearly performance reviews. It was noted that only Public Works is unionized. Raises for Town Hall Employees are based upon Public Works % per union contract. No merit or performance involved. Larry Fitzgerald suggested adding a part time Human Resources Specialist (not the Mayor) to aid in keeping aligned with State and Federal Labor Requirements.

Pat Geary: Section 3.14 (page 13): Salary Schedule does not exist at the present time.

Theresa Graveline: 3.14: Salaries: During my tenure on the Council, this salary schedule never appeared in any cohesive form. It would be beneficial to include a comprehensive "proposed salary schedule" as part of the budget process and Town Budget Meeting as well as an "adopted salary schedule" on file in the Town Clerk's Office.

Carla Perugini Erickson: Section 3.14 Salaries: This is a relevant and important section, however, it does not seem to be put into practice, and perhaps review would be important to determine a more effective way to implement this.

Tom Galvin - Section 3.14 Salaries – POLICY – Just by its 'Title', this should logically provide insight into the Town's Employee salary policy. PRACTICE – Oddly enough, this small Section was one of the driving factors that caused the Town Council to conclude that it was time for a review of the Town Charter. The Council was unable to determine exactly its intent, and an opinion from our Town Attorney caused even more confusion. SUGGESTION – This is apparently the only Section in the Town Charter that even minimally addresses the broader topic of Human Resource Management. As this overall area has expanded rapidly and has become more 'specialized' over the past few decades, perhaps this Section

should be expanded to include at least some high level-policies to protect both the Town and its employees and should not be subject to changes in the town's elected administration.

Section 3.15 Compensation for Boards and Commissions:

Tom Galvin: Section 3.15 – Compensation for Boards and Commissions – POLICY – with the exception of the \$25.00 per month for the Town Council which is adjustable via the budget process, no other Board or Commission receives any salary. PRACTICE – This is currently in place, but several Boards and Commissions have become much more 'involved' that was the case when originally established. Some important board positions, appointed or elected have become difficult to fill. SUGGESTION – This topic should at minimum be discussed to see if any changes would enable various Town boards to continue to attract quality individuals and function at a high level.

Section 3.16 Grant Public Hearings:

Pat Geary Section 3.16 (page 13): "If Town Council action is required on the application for a grant..." I would like to see this changed so that the town council is at least notified when any grant is being applied for.

Carla Perugini- Erickson: Section 3.16: Grant Public Hearings: This section should be reviewed, as it requires public hearing at least two weeks prior to Town Council approval or disapproval of a grant application – not sure this is being put into practice and further, Town Council should be made aware of all possible grants and their availability and proposed applications prior to submission, as these funds are extremely relevant when setting budgets.

Charter Commission Member, Attorney Phil Reed suggested that the Grants Director update the Town Council and grants applied and their status. Charter Commission member Eileen Cranney added that Grants Director could also include any grants that are targeted.

CHARTER CHAPTER 4: OFFICERS, BOARDS AND COMMISSIONS APPOINTED BY TOWN COUNCIL:

T. Graveline – Second paragraph: suggest changing from "the second Tuesday of January following the election of the Council" to the first day of January following the election of the Council since that has been the actual practice for quite some time.

Section 4.02 – Zoning Board of Appeals – Alternate Members

T. Galvin: – POLICY – Clearly defines the roles. PRACTICE – On occasion, and especially during property re-evaluation years, some elected members have asked to be disqualified based on a conflict of interest. How alternates are seated has become an area that needs refinement. SUGGESTION – Clarification of whether an alternate is specific to an elected individual member or appointed to fill any vacancy should be stated.

Section 4.03 – Emergency Management Advisory Council:

Larry Fitzgerald: Page 14, section 4.03 – States the Mayor shall serve as the director of the Emergency Management Advisory Council. In fact the Mayor is the Director of Emergency Management. The advisory council is a council with a chairperson and serves in an advisory Public role to the Mayor regarding Emergency Management issues. Aren't they separate entities?

T. Graveline: 4.03 Emergency Management Advisory Council. (1) I suggest that the Mayor serve as an ex-officio member of the EMAC, rather than the Director, allowing the board members to elect a Chair & Vice chair of that Council and that the Chair would serve as the Director, Vice Chair as the Assistant Director. (2) All members should be regular members, no alternates. (3) This section should actually state the current make-up of the EMAC. (4) Since the Council has responsibility for the appointment and removal of the members of EMAC, if the charter is amended so that the Mayor is an ex-officio member, rather than the director, **Section 6.04** would then be removed.

Section 4.04 – Economic Development Commission:

Carla Perugini-Erickson: **Section 4.04** Economic Development Commission: I have been on the Town Council for 2 years, and I have yet to see the annual report of activities with recommendations, and I think this is essential. Perhaps a review of this section would be important to determine an effective way to implement this.

Section 4.05 Library Board:

T. Galvin - Section 4.05 Library Board – **POLICY** - In the 4th paragraph, last sentence, there is a specific reference to the Town Treasurer with the exception of grants, gifts and bequests shall have charge of all financial record-keeping for the Library. **PRACTICE** – the Town Treasurer has no involvement with the financial record-keeping for the Library. **SUGGESTION** – Either delete the reference, or require the Town Treasurer to perform the defined function.

Section 4.06 Water Pollution Control Authority:

Carla Perugini Ericson: Section 4.06 Water Pollution Control Authority: The Commission is to investigate all grants available and cause a recommendation to be submitted to the Town Council for possible application for the grants. Again, I have yet to see any recommendation, so perhaps a review of this section would be essential to set an effective way to implement this. Also, since WPCA has its own budget and control of funds collected for sewer use charges, perhaps the WPCA should submit an annual accounting of the same to the Town Council so it can be reviewed before budget time.

Section 4.07 Planning and Zoning Commission Alternates:

T. Galvin - **Section 4.07** — **POLICY** – The first paragraph is specific to the 'Alternate' members and works fine as stated. It is however silent on how alternates are 'seated'. While it seldom becomes an issue, it probably should be expanded to provide a direction. **PRACTICE** – When an elected member is absent, the question sometimes becomes, "Should an alternate from the same party be seated for them (if available), or should the alternates be seated based on a rotation regardless of party affiliation?"

SUGGESTION – Rather than waiting for the next occurrence to present, define for that board, or perhaps any other Boards using alternates, a specific rule to follow.

T. Galvin:– POLICY - The second paragraph contains language indicating that it is this Commission that shall appoint [Hire] the Zoning Enforcement Officer. This is not a situation that we encounter often.

PRACTICE – When the most recent Zoning Enforcement Officer was hired, this is not the exact process that was followed, and there was some confusion as to who / what group was responsible.

SUGGESTION – Perhaps the CRC should discuss language that would further clarify this so the next time there would not be any question as to ‘who’ is responsible for the hiring decision.

CHARTER CHAPTER 5: MAYOR-DUTIES AND POWERS:

Section 5.01 Election and Qualification:

T. Graveline: I suggest consideration of a four year term of office as previous noted

The reasoning behind the Mayor taking office the day after all other elected officials is unclear. I suggest that the Mayor take office in the same time frame as the other elected officials as determined in Section 2.01 and assume the duty of presiding over the Town Council organizational meeting.

I suggest insert of language that requires the outgoing Mayor to provide a detailed “change of administration” report to the incoming Mayor to safeguard the continued smooth operation of the town. *[T. Graveline offered to provide the CRC additional input.]*

Patricia Geary: Mayor should take office at the same time as town council, etc. See Section 2.01 above

Carla Perugini-Erickson Section 5.01 Election and Qualification: Setting a term limit may be a relevant discussion.

Section 5.02 Duties:

Larry Fitzgerald also added that “Duties of Mayor” could include keeping the Town Council updated on all Grants.

Section 5.03 Public Works:

Larry Fitzgerald: Page 17, section 5.03, Public Works – States the Public Works Office which shall be under the direction of the Mayor. Is the Mayor the Director of Public Works? If so it should be stated as such.

T. Galvin Chapter 5 – Duties of the Mayor – POLICY- two specific topics – In Sections 5.03 Public Works, and **Section 6.04** Emergency Management Director, there is specific language that requires the Mayor to function as the Director of Public Works and the Director of Emergency Management. PRACTICE – at the time of this writing, the incumbent Mayor has significant hands-on experience and is well-qualified in both of these positions. SUGGESTION – Someday, another individual may be elected Mayor, and it is

unlikely that they would be as qualified in these highly specialized areas. The CRC may choose to entertain changes in these sections so as not to disqualify or limit future office-holders, requiring immediate changes to the Charter upon their election or to potentially under-support the needs of those positions. NOTE: The Charter should never so narrowly define a position so that it would preclude or inhibit any otherwise qualified Prospect resident from serving.

Patricia Geary: Section 5.03 (page 17) Public Works is not responsible for the collection of and disposal of garbage, rubbish and ash. Language needs to be changed.

T. Graveline: Section 5.03: The last line of the second paragraph indicates that the Dept. of PW has the duty "of the collection and disposal of garbage, rubbish and ash." Since this is not the practice, that phrase should be removed.

Section 5.04 Death and Disability:

T. Galvin: Section 5.04 (c) Absences – POLICY – There is a reference to responsibilities in the 'absence' of the Mayor. PRACTICE – Seldom comes into question as the Mayor infrequently leaves Prospect, but what does 'Absence' actually mean? This was amended in 1987, but in the last 28 years, and with the advances in technology [i.e. cell phones, teleconferencing, SKYPE, etc.] is this still even applicable? SUGGESTION – Given those advance in communications, perhaps a more specific definition of what constitutes an 'Absence' is needed relative to duration, distance / location and availability of contact / communication.

CHARTER CHAPTER 6 – OFFICERS, BOARDS AND COMMISSION APPOINTED BY THE MAYOR

Section 6.01 Town Attorney:

Carla Perugini-Erickson: Section 6.01 Town Attorney: As legal advisor to Mayor, Town Council, all Town Offices, Departments, Agencies, Boards and Commissions, there may be occasions when there is a conflict between these departments and a need for independent legal counsel. Perhaps a review of this section is relevant for determining the process when the Town Attorney has a conflict of interest in representation.

Section 6.02 Recreation Commission:

Larry Fitzgerald: See comments under "Organizational Chart"

Patricia Geary Section 6.02 (page 20) Recreation Commission---Language- This Commission is commonly called the Board of Recreation.

Section 6.03 Building, Electrical, Plumbing and Mechanical Inspectors:

Tom Galvin: Section 6.03– POLICY – In the 3rd paragraph of this section, there is a reference to the collection of 'Fees' and 'Accountability' to the Town Treasurer. PRACTICE – Functionally, I don't believe

there is any interaction with the Town Treasurer. SUGGESTION – That either the reference be deleted or replaced with other applicable controls, or that the 'Practice' should be modified to adhere to the 'Policy'.

Section 6.04 Emergency Management Director:

Larry Fitzgerald: See comments under "Organizational Chart".

Patricia Geary: Emergency Management Director. I would like to see the Mayor appoint an Emergency Management Director, and an Assistant. Either that, or after the Emergency Management Council is appointed the council can elect its own Director and Assistant. The Mayor might serve on this Council, but should not necessarily be the Director.

See **T. Graveline** comment previously mentioned in Section 4.03 re: section 6.04 and **T. Galvin** comment in Section 5.03.

Section 6.05 Social Services:

Tom Galvin: Section 6.05– POLICY – describes the role and duties of the Director of Social Services. PRACTICE – Prospect no longer utilizes this position. SUGGESTION – That this Section possibly be deleted.

Section 6.09 Regional Animal Control:

Tom Galvin Section 6.09– POLICY – describes representation on this board. PRACTICE – Prospect no longer participates in a Regional Animal Control agreement. SUGGESTION – That this Section possibly be deleted.

Section 6.13 Building Code Board of Appeals:

Tom Galvin: Section 6.13– POLICY – describes membership, terms, roles and qualifications for this board. PRACTICE – Prospect no longer utilizes this board. SUGGESTION – That this Section possibly be deleted.

CHARTER CHAPTER 7: PUBLIC SAFETY:

Section 7.01 – Police System & Section 7.02 Fire Department:

Pat Geary: Section 7.01 (page 23) Police System Paragraph 2. I have never seen the resolution that prescribes requirements for police officers, never mind reviewing the resolution annually.

T. Galvin: Chapter 7 – Public Safety – Sections 7.01 Police System and Section 7.02 Fire Department – POLICY – Defines the 'interaction' between these functions and their relationship with the Town. PRACTICE – These Sections seem to work well as currently defined. SUGGESTION – Given their

importance in today's world, and as there have been limited changes in 36 years, that the CRC review existing language with applicable staff and management.

CHARTER CHAPTER 8: FINANCE AND TAXATION:

Section 8.01 – Annual Audit:

T. Galvin Section 8.01 – Annual Audit – POLICY – The Town Council shall annually designate an independent certified public account or firm to audit the books of the town in accordance with the provisions of the General Statutes of the State. **PRACTICE** – The Town Council has appointed the same individual to perform this audit for at least the last 15 years. **SUGGESTION** – To be consistent with other regulated governmental financial entities, that the CRC may consider changing the language to require the Town Council to limit the number of consecutive annual audits that could be performed by the same individual or firm.

Section 8.02: Annual Financial Proposal:

Pat Geary: Section 8.02 (page 24 Financial proposals- Date (Feb 10) to estimate expenditures needs to be earlier, by at least a month.

T. Galvin: Sections 8.02, 8.03 Finance and Taxation – **POLICY** – These various sections define certain dates pertaining to various steps in the annual budget preparation process. **PRACTICE** – All parties participating in this process adhere to the dates expressed. **SUGGESTION** – The aforementioned sections appear to have been established in 1983 and had some changes in 1987. Since then, Prospect's Municipal Budget has more than tripled in size and scope, and is inherently more complex than was the case in the 1980's. During the last few annual budget cycles, it was necessary for the Town Council, in order to 'hit' specific dates, to approve items that may have deserved a more in-depth review. For that reason, perhaps the February 10th deadline (in Section 8.02) should be moved back to January 10th, and the March 10th date (in Section 8.03) be moved back to February 10th. Increasing the time available for the Town Council to examine the proposed budget will enable them to deliver a more thoroughly reviewed budget package by the required April 20th Public Hearing as defined in Section 8.04.

Charter Revision Commission member, Eileen Cranney recommended keeping this section in line with timeline for State appropriations.

Section 8.03 – Duties of the Mayor on the Budget:

Carla Perugini-Erickson: Section 8.03: Duties of the Mayor on the Budget: Consider changing the date of March 10 to an earlier date, to allow the Town Council more time to review the budget and recommendations, and to allow for the exploration of available grants and other funding for certain departments, boards and commissions, and town projects. I suggest appointing subcommittee or a Town Council representative to follow the larger Town Departments throughout the year so when it comes time to setting their budgets, there is more information and more time to review it. Currently,

the Town Council goes through Budget Workshops and attempts to review information for all these departments and commissions in a 6 week scramble, and the concern is that there is insufficient time to review annual expenses, anticipated expenses possible grants that would be relevant to setting the budget.

T. Galvin: Section 8.03 Duties of the Mayor on the Budget – POLICY – Specific to paragraph C it outlines the formatting by which the budget is to be presented. PRACTICE - Within that presentation budget numbers are grouped by 'Department', each with subordinate 'Line Items'. In recent years during the budget review process, it was noted that there were occasions where the description of what was included in specific line items appeared inconsistent with the anticipated usage of the requested funds. It was explained that the detail provided was consistent with what is required in the Town Charter. SUGGESTION – If the CRC would aspire to improve the transparency of the budget process, they may consider adding language to require more specific line item definitions / descriptions and limit the combining of multiple expense topics within any single line item.

T. Graveline: 8.03: (1) I suggest an earlier date for the presentation of the budget to the Council as: on or before the third Tuesday in February of each year.

T. Graveline: 8.03 (c): the budget presented each year should include a minimum of two years of **proposed and expended budget amounts** in addition to at least 6 months of proposed and expended amounts in the current fiscal year. [*T. Graveline: Historical perspective needed.*]

Section 8.04 Duties of the Council on the Budget:

T. Graveline 8.04: [p.26 3rd paragraph from the bottom] Each year the Council "tables the mil rate" while waiting for information of the state budget which significantly impacts our town budget. It would be more appropriate to stipulate that the Town Council must set the mile rate 72 hours after the passage of the state budget, rather than the town budget.

Tom Galvin: Section 8.04 – Duties of the Council on the Budget – POLICY – In the 6th paragraph it states that upon the defeat of any Budget, that subsequent Town Meetings be called at ten (10) day intervals until a budget is approved. PRACTICE – The Town Council fully complies with the Policy as stated. SUGGESTION - This does not come into play all that often, but when it does it may be better to reduce the interval to seven (7) days. This would keep the meetings on a specific day of the week and allow for more meetings to occur in a shorter period.

Section 8.05 Expenditures and Accounting:

Patricia Geary: Section 8.05(page 27) Paragraph 3. Not done in practice. Very confusing. Should probably be removed. All transfers should be approved by the Town Council.

T. Graveline: 8.05 Expenditures and Accounting. The last line of the third paragraph indicates that after May 1st of the fiscal year, no approval is required for budget transfers to be made. I suggest removal of this date, since all transfers should rightly be subject to oversight and approval of the Council.

T. Galvin: Section 8.05 Expenditures and Accounting – POLICY – These three (3) paragraphs and seven (7) sentences contain essentially all of the fiscal controls for the Town’s financial operations. PRACTICE – With no updates in the last 32 years, and considering the changes in professional accounting standards and significant advances in technology, these policies may no longer be as applicable or provide adequate protections in today’s more robust financial environment. SUGGESTION – That the contents of this Section be thoroughly reviewed with the Town Treasurer, the external auditor, any other town staff that has involvement with tasks defined therein, and if necessary, any outside expertise that may be required. This review should: 1) determine if these policies are currently being adhered to, 2) determine if those policies are currently sufficient to protect the assets of the town, and 3) add, modify or delete as necessary any policies, procedures, staff positions and performance standards in order to assure that Prospect is utilizing a comprehensive set of financial controls.

Charter Revision Commissioners discussed the need for this to be process dependent, not people dependent.

CHARTER CHAPTER 9: TOWN MEETINGS & PUBLIC HEARINGS:

Tom Galvin: Section 9.01 – Town Meetings and Public Hearings – POLICY – For various legal purposes, either the ‘Town Council’ or the ‘Town Meeting’ is considered to be the ‘Legislative Body’ for the Town of Prospect. PRACTICE – This Section defines the specific situations where it is the Town Meeting rather than the Town Council that functions as the Legislative Body. SUGGESTION – The CRC should consult with the Mayor and review his input as to the re-alignment of some legal responsibilities from the Town Meeting to the Town Council.

CHARTER CHAPTER 10 TRANSITION AND MISCELLANEOUS

T. Galvin: Section 10.05 Amendment – POLICY – This refers to the Town Council having the authority of establishing a Charter Revision Commission. PRACTICE – By the fact you are currently in session, this is clearly working well. SUGGESTION – Some could consider this as a ‘Political’ topic. Rather than leaving the ‘timing’ entirely up to the Town Council, perhaps the CRC may consider ‘requiring’ an action by the Town Council at some pre-established interval. Possibly every ten (10) years the Council should have to formally address this and vote to appoint or not to appoint another Commission. This would still allow the public to petition for one at any time.

Liz Normand, 30 Candee Road also spoke. She had taken over as Chairperson of EMAC Committee and is also a member of the Chesprocott's Board. The EMAC Committee meets quarterly and they will report back.

Motion by B. Hiscox, seconded by P. Krisavage to adjourn the meeting at 8:45 pm. Unanimous.

G. Gruber, Chairman

C. DeBiase, Clerk

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