

**Town of Prospect Charter Revision Commission
Special Meeting
Unapproved Minutes
February 25, 2016**

Board Members Present:

Chairman G. Gruber, R. Nash, P. Krisavage, T. Galvin, E. Cranney, B. Hiscox, K. Blinstrubas
P. Reed (J. Paulella absent).

Chairman Gruber called the meeting to order at 7:03 pm.

Motion by E. Cranney, seconded by P. Krisavage to accept the minutes of the 2/11/16 meeting as revised. All in favor.

Public Participation: Sue McKiernan, Chairperson of Library Board spoke. She has been following the minutes and is in attendance to learn more of what transpires with the Charter.

The Commission members began their discussion of the following chapters:

CHAPTER 7: PUBLIC SAFETY:

SECTION 7.01: POLICE SYSTEM

Commission members agreed to change title of this section to **Police Services.**

B. Nash commented that less wording is better as this chapter is too detailed.

P. Krisavage presented two suggestions for this section. The first suggestion was to delete all paragraphs and replace with a simple one line sentence. T. Galvin described staffing levels. Commission members discussed certification, standards, Town ordinance relating to Police services and the Police Operations Manual.

After discussion, the members agreed to change Section 7.01 as follows: (additions underlined and deletions in strike-through):

First paragraph: remove and replace with:

Within the funds provided in the budget, the Mayor shall appoint with the advice and consent of the Town Council, such number of police officers as may be deemed necessary by the Town Council. Consent shall not be withheld without just cause.

Until such time as the Town Meeting enacts a Town Ordinance establishing a Police Commission, the Town Council shall be the Police Commission.

Second paragraph in current charter – replace with:

The Town Council may:

- a) Utilize the services of Resident State Troopers per Section 29-5 of the General Statutes;
- b) or they may organize a local Police Department as established by ordinance.

Upon enactment of any such ordinance, the Police Commission shall establish an administration and operations policy for the department that shall be executed by the Chief of Police. Such ordinance shall specify the Commission's duties and responsibilities, number of members and terms of office and any other powers prescribed by Chapter 104, Sections 7-274, of the General Statutes.

Until enactment of any such ordinance, the Town Council shall, by resolution, prescribe all requirements necessary for qualifying all Police Officers. The Town Council shall make a review of said resolution annually.

Third paragraph in current charter:

~~Anyone~~ Any Town Police Officer not fulfilling his responsibilities as a police officer shall be presented at a Hearings Board consisting of the Town Council, a resident State Trooper, if one is still assisting the Town, and one of the Town's police officers, as chosen by ~~the accused~~ the officer being presented before the board.

Fourth paragraph in current charter, beginning with "The procedure to be followed by the Hearing Board...": leave as is.

Last paragraph in this section shall read as follows:

All ~~Town~~ Police Officers shall be certified by the Police Officer Standards and Training Council (POSTC) and shall have the powers and duties as prescribed by the General Statutes of the State.

SECTION 7.02: FIRE DEPARTMENT

Insert the following before the first paragraph in the current charter:

The Town Council is authorized to enter into an agreement with the Volunteer Fire Department of Prospect, Inc. for the protection of the Town from fire and other such services as may be determined by the Town Council. Agreements concerning financial assistance shall be conditioned on such appropriations as the Town has heretofore made or may now or hereafter make for such purpose.

Leave the old first paragraph as is, however, it is now the second paragraph.

Commission members discussed the relationship between the Town and the fire department being only budgetary. Commission members will revisit the use of the word "agreement." Atty. Knott is in favor of using an agreement between the Town and fire dept.

CHAPTER 8: FINANCE AND TAXATION

T. Galvin presented the proposal along with Chairman Gruber for this chapter.

SECTION 8.01. ANNUAL AUDIT:

Add the following sentence at the end of the first paragraph of the current charter: The number of consecutive annual audits performed by the same independent certified public account or same firm of independent certified accountants, shall be (5) five. No accountant or firm may provide any other services to the Town during the time it is retained to provide independent audits to the Town.

Attorney Knott suggested the auditors use a management letter. He will check with the Board of Accountancy on whether a Management Letter is provided by the Auditor as a matter of requirement.

SECTION 8.02 ANNUAL FINANCIAL PROPOSAL:

In the second paragraph of the current charter – change January 10 to February 10.

Third paragraph of the current charter – insert the words “line item” in the first sentence between any and changes.

SECTION 8.03: DUTIES OF THE MAYOR ON THE BUDGET:

In the first sentence of first paragraph of current charter change March 10 to February 10.

Item (c) will read as follows:

(c) itemized estimates of expenditures, presenting in parallel columns, the actual expenditures for each line item of each Department, Office, Agency or activity for the last two (2) completed fiscal years and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, ~~the requests of the several offices and agencies~~ for the ensuing fiscal year and the Mayor's recommendations of the amounts to be appropriated for the ensuing fiscal year for all items, and such other additional information as may be required by the Council; such itemizations shall be very specific with no combining of multiple expense topics within a single line item. The Town Council shall approve the format used for these reports.

All remaining paragraphs in this section remain the same.

SECTION 8.04: DUTIES OF THE COUNCIL ON THE BUDGET:

In the second paragraph, last sentence, after ...circulation in the Town, add “and through all reasonable electronic means.”

In paragraph 6, beginning with ... Should the Annual Town budget: change 10 days to 7 days.

In paragraph 7, beginning with...Upon approval: after seventy two (72) hours, insert “of the approval of the State budget”.

In paragraph 8, beginning with.... Notwithstanding the above: after extenuating circumstances, insert “including but not limited to the absence of State revenue information.”.

In paragraph 10, beginning with...Should the Council fail: after fix tax rate, insert “and not to exceed the time in which to set the tax rate.”. Also insert then after the tax rate shall.

Add the following paragraph, as the twelfth and final paragraph in this section:

The Town Council may, with the advice of the Mayor, prescribe by resolution (ordinance), any procedures for the administration and fiduciary oversight of the budget and shall provide a method of implementing said procedures. Attorney Knott will advise of any suggested changes to this addition.

SECTION 8.05: EXPENDITURES AND ACCOUNTING:

The second sentence of the first paragraph will read as follows:

Each order, bill, invoice or request for payment, provided to ~~drawn upon~~ the Treasurer shall state the Department, Commission, Agency, Board, Officer, or appropriation against which it is to be charged.

In the second paragraph, first sentence, insert the underlined words. When any Department, Commission, Agency, Board or Officer shall desire to secure a transfer of funds ~~in~~ within its, his, or her appropriation from funds set apart for one specific purpose or line item to another,....

In the third paragraph, end of the last sentence ... vote of the Board or Commission, delete ~~involved until May 1 of the fiscal year, after which such approval shall not be required.~~

In paragraph five, beginning with No voucher.... shall be modified as follows: ...has been audited by the Mayor and Treasurer and approved by ~~him or her~~ the Treasurer for correctness and legality.

SECTION 8.06: SUPPLEMENTAL APPROPRIATIONS: Leave as is.

SECTION 8.07: EMERGENCY APPROPRIATIONS OF TOWN FUNDS: Leave as is.

SECTION 8.08: PURCHASING:

After discussing the suggestions regarding purchases from previous meetings, the Commission proposed to change this section as follows:

The Town Council ~~shall~~ may, with advice of the Mayor, ~~within ninety (90) days of the effective date of this Charter~~ prescribe by resolution, a any ~~procedures~~ procedures for the purchase of all materials, supplies, equipment or contracted services and shall provide a method for implementing said procedure.

SECTION 8.09 EMERGENCY GRANTS AND APPROPRIATIONS: Leave as is.

SECTION 8.10 SPECIAL CONSIDERATIONS FOR GENERAL FUND BALANCES (This is new)

After discussion of mill rates, bonding, credit rating and what happens when the mill rate is reduced. The Commission agrees to the concept of this new section, however will revisit to remove some details and simplify the words.

When it comes to any necessary borrowing [qualify type of borrowing], the rate of interest the Town ultimately pays is based on the ratings the various Bonding companies assign the Town on an annual basis. The main benchmark they employ is the Town's reserve fund balance as a percentage of the overall municipal budget. The June 30th balance of the Town's General Fund is of significant importance to the Town's Bond Credit Rating. The percentage of the balance of the Town's General

Fund when compared to the Town's Municipal Budget needs to be at least 8%. Should the General Fund balance when compared to the Municipal Budget fail to be at least 8% for two (2) consecutive years, the Town Council shall require additional taxation to increase the General Fund balance. Further, if the balance in the General Fund exceeds 14% for two (2) consecutive years, any excess will be used to either reduce debt or appropriated to the capital non reoccurring account, as approved by the Town council with advice from the Mayor.

CHAPTER 9: TOWN MEETING & PUBLIC HEARINGS:

E. Cranney and P. Krisavage each presented their proposals for this chapter. It was noted that the Commission is waiting for feedback from the Town Attorney John Yarborough with respect to this chapter – Atty. Knott will follow-up with Atty. Yarborough.

SECTION 9.01 TOWN MEETINGS AND PUBLIC HEARINGS:

In the first paragraph, change the date from May 10 to May 15.

In the second paragraph beginning with Except as otherwise.... Shall be modified as follows: ...shall be the legislative body of the Town (meaning the Voters of the Town of Prospect)...

After item 7, insert the following sentence as a new separate paragraph:

Notwithstanding item #3 above, the Town Council may authorize entering into lease and or purchases of vehicles and equipment without prior approval of the Town Meeting other than an appropriation for such lease/purchases by the Town Meeting.

For the paragraph beginning with Special town Meetings.....after the word twenty (20) insert qualified voters and delete electors. Also include the as a last sentence: Notification of the Town Meeting shall be made by all reasonable electronic means.

For the paragraph beginning with: The Town Council May...: add to the end of the sentence and include such topics on the agenda.

For the paragraph beginning with: In accordance with Section 7-7.... Change voting machines to "voting tabulators."

For the last paragraph, insert on a day of the week in between "held" and "and time of day...."

CHAPTER 10: TRANSITION AND MISCELLANEOUS:

E. Cranney and P. Krisavage presented their proposal.

SECTION 10.01 EFFECTIVE DATE: Add the date November 8, 2016 to the end of the first sentence.

SECTION 10.02: TRANSFER OF POWER: Leave as is.

SECTION 10.03: TRANSFER OF RECORDS AND PROPERTY: Leave as is.

SECTION 10.04 SAVING CLAUSE: Leave as is.

SECTION 10.05 AMENDMENT: Modify the sentence to read as follows: The Town Council shall, at a minimum of every 10 years, formally vote whether to appoint a Charter Revision Commission.

ORGANIZATION CHART: E. Cranney presented an updated Chart for the Commission members to review. The Commission will table further discussion until the next meeting.

General Discussion: included reviewing the schedule for completing the draft revised Charter document as presented by Chairman Gruber and agreed to by the Commission.

Public Participation II: Fred Bonyia, 18 Woodcrest Drive asked about the remaining schedule of meeting dates and their locations. Rory McKiernan asked about the use of the word "agreement" when the Commission discussed the relationship between the Town and the Fire Dept. Chairman Gruber explained that the Commission has left it open for further discussion.

Motion by T. Galvin, seconded by B. Hiscox to adjourn the meeting at 8:59 pm. Unanimous.

G. Gruber, Chairman

C. DeBiase, Clerk

PROSPECT, CONN
TOWN CLERKS OFFICE
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2016 FEB 29 AM 8:39
Raymond L. DeBiase
TOWN CLERK