Town of Prospect Charter Revision Commission
Unapproved Minutes
March 10, 2016

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

Chairman Gruber called the meeting to order at 7:00 pm.

Motion by P. Reed, seconded by P. Krisavage to accept the minutes of the 2/25/16 meeting. All in favor.

Public Participation I: None

The Commission members discussed the following open issues and miscellaneous changes in the draft revised charter document dated 3/6/16:

Chapter 2: Election and Elective and Appointive Officers:
Section 2.01: General: Commission members resumed their discussion of terms of 4 years vs. 2 years for the Offices of Mayor, Town Council and Board of Assessment Appeals. A preliminary vote was in favor of staying with 2 year terms. It was noted that the vote was fairly split with 5 in favor of 2 year terms and 3 in favor of 4 year terms. One member was absent.

G. Gruber asked Attorney Knott if the Town Council is restricted in suggesting changes to only the sections of the Charter that the CRC modifies, after the CRC presents the Revised Charter document to the Town council, or can the TC suggest changes to any section. Attorney Knott will research.

It was also proposed to remove from the end of the paragraph which begins: "The terms of all Municipal Officers shall commence on the second Friday…", the following: ….~~and the Town Clerk shall take office on the first day of January following each Town Election~~.

Section 2.02 Eligibility: Item (b) will read: All ~~appointive offices~~ members of Boards and Commissions shall….. Also the last sentence will be removed. ~~The preceding shall not apply to the appointment of Town Attorney.~~

Chapter 3: The Town Council:
Section 3.04: General Powers and Duties: The Commission members discussed including a dollar limitation on the proposed two paragraphs added to the end of Section 3.04. $50,000 was the agreed upon amount.

Section 3.05: Investigations: Atty. Knott will review the language in the section referring to removal of individuals from their position and offer a re-write if required.

Section 3.06 Conflict of Interest: The Commission members discussed whether "family member" should be well defined in this section or kept as a broad definition. Atty. Knott suggested not defining "family member" in this section, and making "Conflict of Interest" its own section in Chapter 11. The Commission agreed on both. Attorney Knott suggested leaving the definition of "family member" up to the Town council to be defined via a Town Ordinance (it is easier to change the Town Ordinance in the future if required). The commission agreed. Atty. Knott had previously presented the Commission with a memo, dated 2/23/16, which provides a definition of "family member" as: "any person related to any officer or employee by blood or marriage in a degree closer than the fourth degree of consanguinity or affinity (determined by the civil law method)". The town of Cheshire uses this definition.

Section 3.08 Public Hearings on and Publications of Ordinances: Commission members discussed better language regarding Notification of Public Hearings to include electronic means. They proposed to add the phrase "and any reasonable standard electronic means" to this section **3.08** as well as to **Sections 3.09, 8.04 and 9.01.** As communication methods have been changing from just newspapers to newspapers and many other electronic channels, the Commission wants to utilize these new electronic means to also post notification of Public Hearings – to stay abreast of the changing times. The Commission also suggests that the Town Council evaluate having this language used by all Boards and Commissions and do so via an Ordinance. The message is that standardization is suggested across all Boards and Commissions regarding meeting notifications, meeting minutes, etc. – which is more than just addressing Public Hearings.

Section 3.13: Official Bond: Discussion of whether to include additional administrative employees for "bonding". Attorney Knott mentioned that it is not required as the Town Council currently oversees the bonding of Town employees.

Section 3.14: Salaries: The Commission is waiting for response from Attorney Yarborough on this section.

Chapter 4: Officers, Boards and Commissions Appointed by the Town Council:
Section 4.03: Emergency Management Advisory Council: Commission members had previously proposed changing this section to Emergency Management Commission. Attorney Knott informed the Commission that this is in violation of state statute. Commission members agreed to change the title and all references within the section back to Emergency Management Advisory Council.

Section 4.05: Library Board: The Commission is waiting for response from Attorney Yarborough on this section.

Section 4.08: Anti- Blight Commission: The Commission proposed a new section to be added to the charter covering the Anti-Blight Commission and shall read as follows: The Town Council shall appoint five (5) members to the Anti-Blight Commission. Said Commissioners shall have the powers and duties vested by the Town Ordinance #83-02-17-15.

Chapter 5: Mayor Duties and Powers:

Section 5.01: Election and Qualification: As discussed in Section 2.01, the term will remain at 2 years. Also, to be consistent with Section 2.01, the first sentence in this paragraph will end with "qualified." The following language will be deleted....~~and shall take office of the second Saturday next, following the date of the Municipal Election in which he or she was elected~~.

Section 5.02: Duties: It was also proposed to remove the phrase "he or she" when referencing the Mayor and simply use "The Mayor" throughout this section.

Chapter 6: Officers, Boards and Commissions Appointed by the Mayor:

Section 6.04: Emergency Management Director: As in Section 4.03, the name remains the same throughout the section: Emergency Management Advisory Council. Also, the first sentence shall read: The Mayor shall appoint ~~serve or may serve~~....

Section 6.12 Assessor: Revised as follows:

The Mayor shall appoint a qualified Assessor and may remove, with the consent of Town Council, the Assessor. The Assessor shall have the powers and duties prescribed by the General Statutes of the State.

(Note: "with consent of the Town Council" relates to both appointing and removing, in Sections: 6.12, 6.15, 6.16 and 6.17.)

The Commission re-visited the discussion on whether to change some elected positions to appointed ones. The Commission again re-affirmed the desire to change some elected positions to appointed positions, the following sections are added:

Section 6.15: Tax Collector: The Commission added the following new section:

The Mayor shall have the authority to appoint and may remove, with the consent of Town Council, the Tax Collector.

Section 6.16: Town Clerk: The Commission added the following new section:

The Mayor shall have the authority to appoint and may remove, with the consent of Town Council, the Town Clerk.

Section 6.17: Town Treasurer: The Commission added the following new section:

The Mayor shall have the authority to appoint and may remove, with the consent of Town Council, the Town Treasurer.

Section 6.18 Hearing Officers: The Commission added the following new section:
The Mayor shall appoint, one or more citation-hearing officers to conduct hearings provided by Town Ordinances. Hearing Officers shall serve a term of two (2) years, unless removed for cause. Neither Elected or Appointed Officials, nor any employee of the Town exercising regulatory authority may be appointed to be a Hearing Officer.

Chapter 7: Public Safety:

Section 7.02 Fire Department: The Commission resumed their discussion on the use of the word agreement as proposed in this section. The Commission agreed to the use of "written agreement".

Chapter 8: Finance and Taxation:

Section 8.01 Annual Audit: It was determined that there is no need for including a Management Letter or Engagement Letter in this section.

Section 8.04: Duties of the Council on the Budget: The Commission discussed their previous proposal to add an additional sentence at the end of Section 8.04. It was decided to leave the proposal as is, therefore keeping the following in section 8.04:
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.

Section 8.10: Special Considerations: A revision of the proposal for this section was reviewed. The consensus of the Commission was in favor of eliminating this new section in its entirety.

Chapter 9: Town Meetings & Public Hearings: The Commission is waiting on a response from Attorney Yarborough on this section.

Section 9.01: Town Meetings & Public Hearings:

It was proposed to remove the additional sentence currently inserted after item 7: ~~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 or purchases by the Town Meeting.~~

Chapter 11: Conflict of Interest: Insert language from the former Section 3.06.

Public Participation II: None

Typos to correct in the draft Charter dated 3/06/16:

1. Page 6, Section 2.07, last paragraph. A record of **all** official....
2. Page 9, Section 3.06, last sentence, first paragraph:
   a. Always be mindful, not Always be ~~in~~ mindful
   b. **recuse**, not rescue.
   Note – these will become part of Chapter 11.
3. Page 15, Section 4.05, last paragraph. End the first sentence with a . after libraries.
4. Page 25, Section 8.04. paragraph beginning with Should the Annual Town Budget.... **Seven** (7) not ten (7)
5. Page 25, Section 8.05 last paragraph at bottom of page: **line** item, not Sine item.

Motion by B. Hiscox, seconded by P.Reed to adjourn the meeting at 9:05 pm. Unanimous.

G. Gruber, Chairman

C. DeBiase, Clerk

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TOWN CLERK