Town of Prospect Charter Revision Commission
Unapproved Minutes – Regular Meeting
May 12, 2016

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

Chairman Gruber called the meeting to order at 8:01 pm.

Motion by B.Hiscox, seconded by J. Paulella to approve the minutes of the 4/26/16 meeting. All in favor with the exception of P. Reed and K. Blinstrubas who abstained (they were not at the 4/26/16 meeting).

Public Participation:
Diane Lauber, 9 Pondview Drive. She asked the Commission if they will be discussing the draft charter with respect to the changes in 2.01 elected vs. appointed positions. Chairman Gruber stated they would be and would discuss the other comments from the Public Hearing.

No additional public participation.

Discuss DRAFT Revised Charter Document:
The Commission began discussion of the following sections in which the public commented:

Section 2.01 General with respect to appointed vs. elected positions of Tax Collector, Town Clerk and Town Treasurer.

B. Hiscox stated he was never in favor of this change. Given the comments from the public, he does not feel the public is ready. If it remains in the revised charter it should be a separate question on the ballot. Not in favor of appointed.

Chairman Gruber agreed with keeping it a separate line item in the ballot.

T. Galvin mentioned he was never 100% with the decision. However, the problem is that it is extremely difficult to remove an elected official. The Commission's decision has no reflection on the current incumbents. Not in favor of appointed.

P. Krisavage, totally in favor of the best tax collector in the State of Connecticut. He considers the work of the Town Clerk to be exceptional too. He would like to see the people continue in these positions. The position of the Town Treasurer needs some tweaking as the proper checks and balances need to be maintained. He did not appreciate the mob mentality present at the Public Hearing. In favor of appointed.

K. Blinstrubas mentioned the need for qualified candidates for these positions. They need certification and continuing education programs. In favor of appointed.

E. Cranney is in favor of appointed positions. It is going to be hard to find a replacement for Diane. The Town needs to keep the best people in these positions.

P. Reed is in favor of appointed positions. Although the subject is controversial, as an attorney he is aware of a situation in which an elected official never once set foot in the office. The Superior Court ruled that the Town (not referring to Town of Prospect) had to continue to pay the elected official. Currently, the Tax Assessor is an appointed position in Prospect. It is a professional position, just like the Tax Collector, Town Clerk and Treasurer.

J. Paulella was originally on the fence, but still went with appointed. He has changed his mind and would like to see it remain as is. However, he understands that the Town could lose qualified people through election. Not in favor of appointed.

B. Nash stated that the future is the issue. What will happen to these positions with the current Mayor is not the issue. We need to be prepared to discuss with the general public the reasoning for appointed vs. elected. In favor of appointed.

A vote was taken. Six (6) members were in favor of keeping the positions as appointed in the draft charter and three (3) were not. Therefore, no change to the document concerning the appointment of the Town Clerk, Town Tax Collector and Town Treasurer.

Section 6.12 Assessor, Section 6.15 Tax Collector, Section 6.16 Town Clerk, Section 6.17 Town Treasurer: With regards to the following language "...with the consent of the Town Council,..." the Commission members discussed the meaning of the word "consent" or whether they should use the word "majority." On a vote of 8 to 1, the Commission was in favor of keeping the language and leaving the word "consent." No change to document.

Section 7.02 Fire Department:

B. Hiscox stated that during the break he spoke with the Chief and Assistant Chief. He reiterated his conversation. He likes what the Fire Department does and would like the relationship with the Town to continue, but he also would like it to be solidified. He did not understand their opposition. The Commission used the word "may" not "shall" when proposing and agreement with the Town Council and the Fire Department.

The Commission stated that it is important to note that this is an opportunity to create an agreement, not a requirement to do so. Also, in no way is this recommendation based on any negative performance of the fire department. Quite to the contrary, the fire department does a great job for our Town. The Commission believes that it would be a good long term benefit to the fire department to document the nature of their relationship with the Town in an agreement, so that when change in Town leadership

occurs, the fire department would have a written document upon which to continue the positive working relationship. The agreement will protect the fire department.

The Commission members asked Asst. Chief Lauber to speak . He stated that a memo regarding the Charter was placed on his desk. He did not read it. The Commission explained to the Assistant Chief the notification process. Adding, in earlier meetings the Mayor told the Commission that he would go back and discuss with the Fire Department.

P. Krisavage stated that B. Hiscox has presented the situation well.

B. Nash stated that an agreement is the starting point of a positive relationship.

P. Reed stated that contracts do a good thing. It is apparent that the Fire Department present at the meeting does not want it.

The Commission voted unanimously in favor of keeping the current wording in the draft charter in reference to **Section 7.02 Fire Department** as is.

Section 8.02, Section 8.03, Section 8.04 - Dates:
Chairman Gruber reminded the Commission that the dates for these sections in the document were the dates provided by the Mayor to the Commission during his visit to the CRC in April. The Commission decided to keep the dates as is and have a discussion later with both Town council and Mayor present.

Section 8.04 Duties of the Council on Budget:
Regarding the third paragraph: "Should the Annual Town Budget Meeting disapprove the budget, subsequent Town Budget Meetings shall be called at ~~ten~~ seven (~~10~~ 7) day intervals until a budget is approved". The Commission asked Attorney Santoro to research whether there is a CT Statute issue with this being 7 days. No change to the document.

Section 3.16 Grant Public Hearings:
In the draft charter, the Commission had added a paragraph requiring that the "Town Council be notified of all grant applications by the Officer making such grant applications. All additional grant applications and awards not requiring Town Council action shall be reported to Town Council within days of application or award." This was requested by the Town Council and the Commission agreed to keep the paragraph as is.

Section 2.01 General:
The Commission revisited this section as the Mayor stated at the Public Meeting that the Commission neglected to put in a time to take office. Commission members rehashed their thoughts regarding conflicts and who takes office when in reference to Town Council and the Mayor. E. Cranney stated that this language was inserted upon advice from Attorney Knott. K. Blinstrubas suggested a time be inserted. It was agreed to leave the draft charter language as is and let the Town Council discuss.

Section 2.02 Eligibility:

Page 5 item (b). Commission members revisited the "resident elector" requirement for certain appointed offices. The current draft charter eliminates the "resident elector" requirement for the Town Attorney and Town Assessor. At the Public Hearing the Mayor suggested adding the Director of Public Works and Land Use Inspector. Commission members discussed including all appointed offices as well as excluding all. The Commission maintained that this clause does not refer to Board and Commission members, who must be resident electors. The Commission agreed to add the Director of Public Works and Land Use Inspector to the last sentence in (b). The Commission also agreed that they need a list of who is appointed vs. whom is not and will further discuss this topic with the Town Council/Mayor.

Section 5.03 Public Works Department:

Page 17: The Mayor referred to this page during the Public Hearing in reference to mowing grass. He otherwise had no suggested changes. No changes by the Commission.

Section 11.01: Conflict of Interest:

Page 32 last sentence in the paragraph. The Commission members discussed using the language "3/4 majority". Commission members proposed leaving as is – no changes to language in document.

Section 9.01 Town Meetings and Public Hearings:

Page 30, second to last paragraph in this section. Commission members discussed use of the words "tabulator machines" and "ballot boxes". The Commission agreed to change "tabulator machines" to "paper ballots" – only in this section.

P. Krisavage asked if there was any issue with the memo the Commission received from Town Auditor or if there was anything they needed to address. The Commission agreed – no action by CRC required.

Motion by E. Cranney, seconded by P. Krisavage to approve the Draft Charter Revision document dated 04/29/16 as amended this evening. All in favor.

Discuss draft Town Organization Chart:

Discussion of the Organizational Chart as submitted by E. Cranney. It was noted that Registrar of Voters and Director of Public Works need to be added. Discussion of whether to include Senior Center (or does that fall under Commission on Aging) and Police Department.

Additional Charter Revision Commission Regular Meeting Dates:

Motion by T. Galvin, seconded by E. Cranney to add the following dates as regular meetings for the Charter Revision Commission:

Tuesday, June 28, 2016 at 7:00 pm at the Library Conference Room;
Thursday, July 14, 2016 at 7:00 pm at the Lower Level Conference Room at Town Hall;
Tuesday, July 26, 2016 at 7:00 pm at the Library Conference Room;
Thursday, August 11, 2016 at 7:00 pm at the Lower Level Conference Room at Town Hall.

Chairman Gruber discussed the remainder of the revised charter document completion process:

Charter Revision Document Completion Schedule:

CRC Revised Charter Document Completion Schedule – REV. 5/12/16

✓ 1. CRC completes draft document: March 22

✓ 2. CRC provides document to Atty. Knott: by March 28

✓ 3. Atty. Knott's time required to review/turn document: ~ 2 weeks

✓ 4. Atty. Knott provides document back to CRC: by COB April 8

✓ 5A. Mayor provides feedback on document to CRC: April 14
✓ 5B. CRC Reviews document: April 14
✓ 5C. CRC provides updated document back to Atty. Knott: by April 18

✓ 6. Atty. Knott's time required to review/turn document: ~ 1 week

✓ 7. Atty. Knott provides document back to CRC: by COB April 22

✓ 8A. CRC Reviews document & Approves/Votes: **April 26**
✓ 8B. CRC Reviews "Summary of Document Changes": April 26

✓ 9. DRAFT Revised Charter document: placed on Town Website: April 27-29
Copies made available at Town Hall for the Public
"Summary of Document Changes" published in newspaper(s) & Town Website

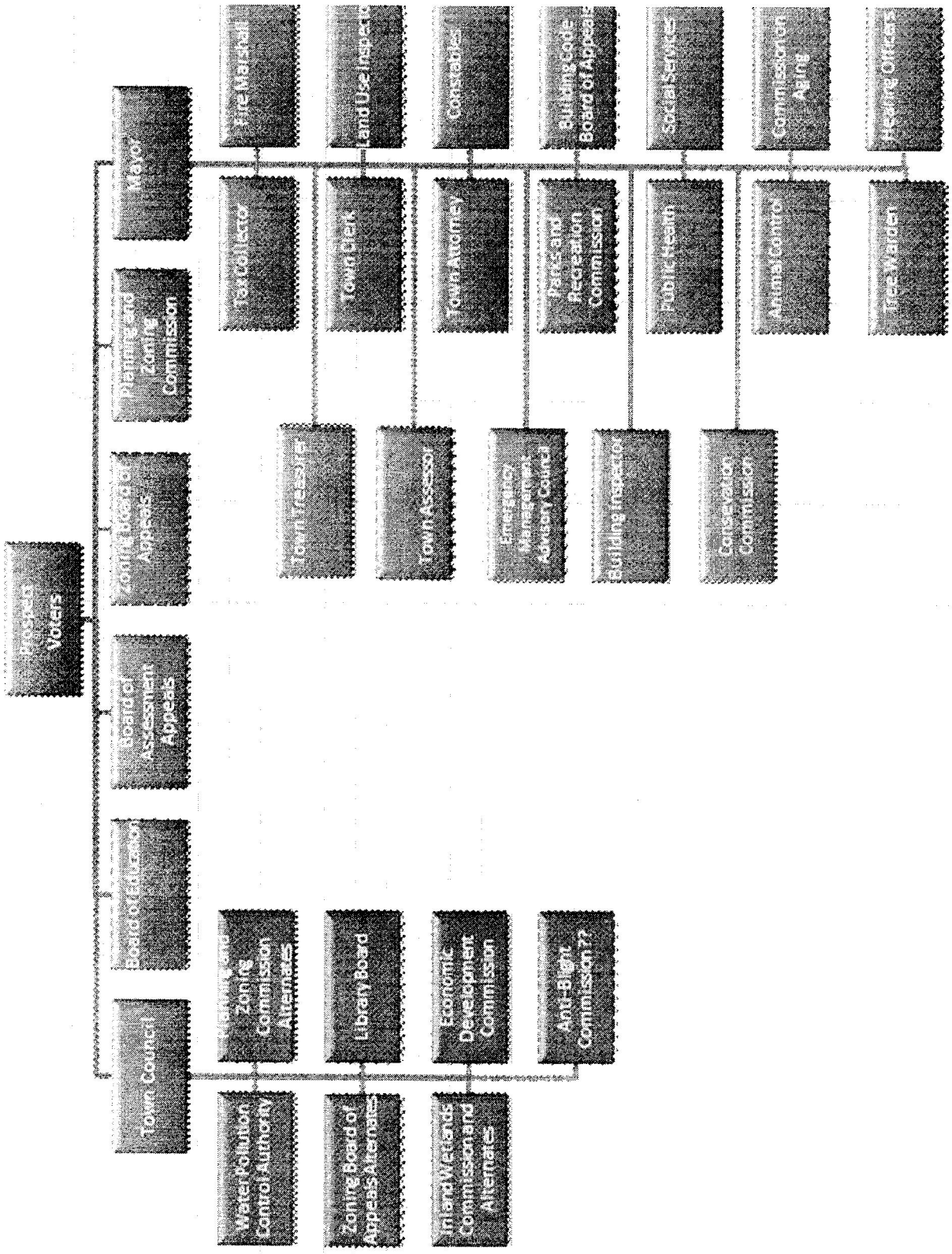
10. CRC holds Final **Public Hearing: May 12**
CRC holds Regular Meeting to discuss any potential changes: May 12

11A. Path 1 ("**no changes**" from May 12):
CRC provides Approved DRAFT Revised Charter document to
Town Clerk and Town Council: by May 17

11B. Path 2 ("**significant-changes**" from May 12):
CRC provides document to Atty. Knott: by May 16
Atty. Knott provides document back to CRC: by COB May 20
CRC Reviews document & Approves/Votes: May 24
CRC provides Approved DRAFT Revised Charter document to
Town Clerk and Town Council: by May 26

12. **Scheduled Reviews with Town Council** of Draft Revised Charter document:
Tuesday May 17: Summary discussion of document and schedule;
Thursday May 26: Detailed discussion (front-to-back of entire document).

Draft Town Organization Chart:



The next CRC meeting will be on Tuesday May 24th at the Library Conference Room.

Motion by E. Cranney, seconded by K. Blinstrubas to adjourn the meeting at 9:37 pm. Unanimous.

G. Gruber, Chairman

C. DeBiase, Clerk

PROSPECT, CONN
TOWN CLERKS OFFICE
RECEIVED FOR RECORD
2016 MAY 19 AM 8:31
Theresa C. Andrews
TOWN CLERK