

**MINUTES
TOWN OF GROTON
CHARTER REVISION COMMISSION
June 9, 2008
TOWN HALL ANNEX – COMMUNITY ROOM 2**

1. Members Present: Frank "Mick" O'Beirne, Nancy Moffat, Raymond Munn, Ed Stebbins, and John Wirzbicki
Members Absent: Shirley Dunbar-Rose, Robert Frink, and Richard Moravsik
Also Present: Town Clerk Barbara Tarbox and Office Assistant Lori Watrous; RTM Moderator Natalie Billing, RTM Liaison Genevieve Cerf

The meeting was called to order at 7:00 p.m.

2. A motion was made by Commissioner Stebbins, seconded by Commissioner Moffat to approve the minutes of May 12, 2008. For clarification Commissioner Munn requested that in Section 5, Paragraph 2 the word "It" be changed to "The Charter and Referendum questions to the citizens". The corrected minutes passed unanimously.
3. COMMUNICATIONS
 - a. Chairman:
Chairman O'Beirne had requested Commissioner Wirzbicki to look at the language in *Sec. _ .3 Legal Proceedings*. He replied that the wording is understandable and defensible, and should not be changed.
 - b. Secretary: None
 - c. Members: None
4. CITIZEN COMMENTS
None
5. OLD BUSINESS

NOTE: All section references to the Charter are to the "new" Charter as revised, not to the existing Charter.

Ex-officio members of the RTM.

- a. Natalie Billing requested that the ex-officio members of the RTM that are currently serving in that capacity remain ex-officio members. She remarked that there needs to be good communication between the Council, BOE, and RTM and strongly recommended that the Superintendent of Schools be added to the list of ex-officios of the RTM, as it will be especially helpful during the budget season.

A motion was made by Commissioner Wirzbicki, seconded by Commissioner Moffat, to add the Superintendent of Schools as an ex-officio member of the RTM in new Section 4.3 of the Charter. The vote passed unanimously.

- b. Secondly, Ms. Billing is concerned that while the Town Council always needs five votes In Favor for an item to pass, the BOE only needs a majority of the members present, therefore a vote can be passed by a minority of the Board. The BOE is a small body, similar to the Council, and she is concerned by the possibility of items being passed by a minority vote. Chairman O'Beirne stated that he will research this issue.

Members began discussion of the **PERSONNEL SYSTEM** section as in the **DRAFT CHARTER**.

- a. *Sec. 10.1 – Applicability* – Add a second sentence to this section as follows: “This chapter does not apply to employees of the BOE.” The vote passed with 4 In Favor, 1 abstention (Moffat).
- b. *Sec. 10.3 – Approval of Positions* – In the third sentence change “Town Manager” to “Town Council”. The vote passed unanimously.

Members began discussion of the **MISCELLANEOUS PROVISIONS** section as in the **DRAFT CHARTER**.

- a. *Sec. 11.4 – Existing Laws and Ordinances* – A discussion ensued regarding the words “all general laws”. The Town Clerk stated that there are special acts that apply to Groton only, some of them being passed before the original Charter. If these acts are to be repealed with the passing of the Charter they need to be alluded to in the question that will go to the voters. She will identify any special acts that are currently in effect.
- b. *Sec. 11.5 – Amendment of the Charter* – In the second sentence change the words “one-hundred twenty (120) days” to “sixty (60) days”. The vote passed unanimously.

A recess was taken from 7:58 p.m. to 8:10 p.m.

6. NEW BUSINESS

Members discussed the **DRAFT CHARTER**.

a. **CHARTER OUTLINE**

1. Delete the words “A. Preamble”.
2. Change the words “I. Adoption of Charter” to read “I. Preamble and Adoption of Charter”.

b. **DEFINITIONS**

1. Chairman O’Beirne will restructure the **DEFINITIONS** section. Other Commissioners are encouraged to email him with suggestions for additional words or changes to include in this section.

c. **CHAPTER I – PREAMBLE AND ADOPTION OF CHARTER** – no changes

d. **CHAPTER II – INCORPORATION AND POWERS**

1. *Sec. 2.4 – General grant of powers* – In the first sentence change the words “that management,” to “the management,”.

e. **CHAPTER III – OFFICERS AND ELECTIONS**

1. *Sec. 3.2 – Election of state and federal officers* – Change the words “Justices of the Peace” to read “thirty (30) Justices of the Peace”.
2. *Sec. 3.3 – General town elections* – Change the words “November 2007” to read “November 2009”.
 - (a) *Sec. 3.3.1 – Representative Town Meeting (RTM)* – Change the words “minority representation” to read “minority representation per CGS”.

- (b) *Sec. 3.3.2 – Town Council (Council)* – Change the words “does not apply to the Council” to read “shall not apply to the Council per exception in CGS 9-167a.”
- (c) *Sec. 3.3.4 – Board of Education (BOE)*
 - (1) Delete the sixth sentence “Vacancies shall be filled as per CGS.”
 - (2) In the seventh sentence change the words “Minority representation applies to the BOE.” to read “Minority representation per CGS shall apply to the BOE.”

3. *Sec. 3.5 – Breaking an election tie*

- (a) *Sec. 3.5.1 – General*
 - (1) Change the words “Section 3.6.2” to read “Section 3.5.2”.
 - (2) Delete the last sentence “All voting machines concerning the returns from which there is no disagreement may be unlocked, and paper ballots may be used in such election if voting machines are not available in sufficient numbers”.

4. *Sec. 3.6 – Eligibility to hold town office*

- (a) *Sec. 3.6.3 – Conflict of interest*
 - (1) At the end of the third paragraph after the word Town add “, except those of negligible intrinsic value”. The Town Council can then develop a dollar value that will describe “negligible intrinsic value” as this may change over time.
 - (2) The question was posed whether to delete the fourth paragraph which reads “The Town shall establish a Code of Ethics Ordinance and an Ethics Commission consisting of at least five (5) members appointed by the Council.” The vote on this deletion will be postponed until the next meeting.

f. **Chapter IV – REPRESENTATIVE TOWN MEETING**

- 1. *Sec. 4.2.3 – Minority representation and majority limitation* – In the table the corresponding number for five total representatives should be four maximum from one party to be nominated and to be elected.

g. **Chapter VII – THE TOWN MANAGER DEPARTMENTS**

- 1. *Sec. 7.3 – Appointment of Officers and Department Heads, Sec. 7.4 – Appointment of Boards and Commissions, Sec. 7.5 – Departments, and Sec. 7.6 Direction by Town Manager* – Chairman O’Beirne stated that he will restructure these sections due to the amount of duplication contained in them.

At the next meeting, the commission will continue with **OFFICERS AND ELECTIONS** (*Sec. 3.6.3 Conflict of interest*) section, the **DEFINITIONS** section, **THE TOWN MANAGER DEPARTMENTS** (*Sec. 7.3 Appointment of Officers and Department Heads, Sec. 7.4 Appointment of Boards and Commissions, Sec. 7.5 Departments, and Sec. 7.6 Direction by Town Manager*) section and then resume discussing the **DRAFT CHARTER** beginning at the **OFFICERS AND ELECTIONS** (*Section 3.7 Vacancies*) section.

7. ADJOURNMENT

By consensus the meeting adjourned at 9:14 p.m.