

**MINUTES
TOWN OF GROTON
CHARTER REVISION COMMISSION
May 12, 2008
TOWN HALL ANNEX – COMMUNITY ROOM 2**

1. Members Present: Frank "Mick" O'Beirne, Nancy Moffat, Richard Moravsik, Raymond Munn, Ed Stebbins, and John Wirzbicki
Members Absent: Shirley Dunbar-Rose and Robert Frink
Also Present: Office Assistant Lori Watrous

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

2. A motion was made by Chairman O'Beirne, seconded by Commissioner Stebbins to approve the minutes of April 28, 2008. Commissioner Munn stated that there is one correction; he was the one who restructured the Transition and Miscellaneous Provisions section on page 2. The corrected minutes were passed, 4 In Favor and 2 Abstain (Abstain – Moffat and Wirzbicki).

3. COMMUNICATIONS

a. Chairman:

Commissioner Dziurzynski has resigned from the Charter Revision Commission due to issues in his immediate family.

Chairman O'Beirne received an email from Genevieve Cerf pertaining to the following items:

1. Greater input to Land Use Commission process – The Town Attorney has previously informed the CRC that Land Use cannot be controlled through the Charter.
2. Separating the Planning and Development Departments – This is a matter for the Town Council, not the CRC.
3. Referendum – The Referendum will be discussed later in tonight's meeting.
4. Appointing of the head of the Conservation Commission – This is a matter for the Town Council, not the CRC.
5. Land Use Commission members – The CRC has discussed this item already, and the decision was not to have elected members for the Land Use Commission.

He also received an email from Natalie Billing with the following items:

1. A request that the Superintendent of Schools become an ex-officio member of the RTM – This raised the question whether the Town Manager, Town Clerk, and even Town Council members should continue to be ex-officio members. This item will be placed on the next CRC agenda for discussion.
2. Why is the phrase "no member of the RTM shall receive any compensation from the town...or be employed by the Town," in the Charter? – Chairman O'Beirne stated that there is a State law that Town employees aren't eligible to be on boards.

Chairman O'Beirne will respond to both Ms. Cerf and Ms. Billing.

b. Secretary: No report.

c. Members:

Natalie Billing also contacted Commissioner Munn, Commissioner Stebbins, and Commissioner Wirzbicki and in addition to the comments above she is opposed to a Referendum.

4. CITIZEN COMMENTS

None

5. OLD BUSINESS

Members continued discussion of the **REFERENDUM** section as restructured by Chairman O'Beirne.

Chairman O'Beirne requested that a vote be taken simply on whether we should have a Referendum question or not, with the details to be worked out if it passes. The Charter and Referendum questions to the citizens would be formatted as two questions, the first would approve the Charter and the second would approve a Referendum if the Charter were passed. Discussion ensued.

Commissioner Moravsik moved that a vote be taken to have a Referendum question. The vote failed with 2 In Favor, 4 Against (In Favor – Moravsik and Munn).

Commissioner Moravsik stated that with the economy as it is, he feels that a Referendum needs to go out to the people. Chairman O'Beirne suggested that if Commissioner Moravsik and Commissioner Munn want to draft a minority report, it could be sent to the Town Council.

Members continued discussion of the **DEPARTMENTS** (*Sec. _ .3 (new) Library services*) section.

Chairman O'Beirne made a motion to not include specific verbiage on the Department of Library Services in the Charter, similar to the other Departments. The vote passed unanimously.

Members continued discussion of **APPOINTIVE OFFICERS – BOARDS AND COMMISSIONS** (*Sec. _ .2 Town Attorney*) section as distributed with the May 12 Agenda.

a. *Sec. _ .2 – Town Attorney* – no changes

Chairman O'Beirne made a motion to approve the Town Attorney section. The vote passed unanimously.

A recess was taken from 7:55 p.m. to 8:05 p.m.

6. NEW BUSINESS

Members began discussion of the **MERIT SYSTEM** section as restructured by Chairman O'Beirne.

Chairman O'Beirne informed the Commission that he consulted with Doug Ackerman to form this section, melding the current version of the Charter with the 1998 version to attain what is currently in practice.

a. *Sec. _ .1 – Applicability* – no changes

b. *Sec. _ .2 – Regular Positions* – Chairman O'Beirne will consult with Mr. Ackerman to ascertain the intent of the words “which are governed” and this section will be revised for clarity.

c. *Sec. _ .3 – Approval of Positions* – no changes

d. *Sec. _ .4 – Employment* – no changes

e. *Sec. _ .5 – Appointments* – no changes

- f. *Sec. __.6 – Salaries – no changes*
- g. *Sec. __.7 – Terms and Conditions of Employment – no changes*
- h. *Sec. __.8 – Removal, Discipline and Dismissal – no changes*
- i. *Sec. __.9 – Retirement System – No changes, but Chairman O’Beirne will find out if there are contractual obligations to non-union town employees.*
- j. *Sec. __.10 – Personnel Rules – no changes*

Chairman O’Beirne made a motion to approve the above changes and modifications. The vote passed unanimously.

Members discussed the **TRANSITION AND MISCELLANEOUS PROVISIONS** section as restructured by Commissioner Munn.

- a. *Sec. __.1 – Transfer of powers – no changes*
- b. *Sec. __.1.1 – Reserved – no changes*
- c. *Sec. __.1.2 – Continuity of functions*
 - 1. Change the words “abolished by” to read “eliminated from”.
 - 2. Change the words “the discontinuance” to read “their discontinuance or alteration”.
 - 3. Delete the following words at the end of the sentence: “of such commissions, boards, departments or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter or any revision thereof and until the town clerk shall have notified the members of such commissions, boards, departments or officers as are abolished by this Charter that their successors have been appointed.”
- d. *Sec. __.2 – Transfer of records and property*
 - 1. Delete the first sentence as follows: “All records, property and equipment whatsoever of any commission, board department or office or part thereof, all the powers and duties of which are assigned to any other commission, board, department or office to which such powers and duties are so assigned.”
 - 2. At the beginning of the second sentence change the words “If part” to read “If all or part”.
- e. *Sec. __.3 – Legal proceedings – Commissioner Wirzbicki will develop a simple paragraph to replace this section.*
- f. *Sec. __.4 – Existing laws and ordinances –*
 - 1. Chairman O’Beirne will contact the Town Attorney to explain the intent of this section.
 - 2. Delete the second sentence as follows: “All special acts or parts of special acts relating to the Town of Groton, inconsistent with the provisions of this Charter are repealed.”
- g. *Sec. __.5 – Amendment of the Charter –*
 - 1. Chairman O’Beirne will contact the Town Attorney to explain the intent of this section.
 - 2. Change the words “in the general statutes” to read “by CGS”.

Members discussed the **ADOPTION OF CHARTER** section as restructured by Commissioner Munn.

- a. *Sec. _ .11.1 Approval of the Charter & Sec. _ .11.2 Effective date* – Chairman O'Beirne will contact the Town Attorney to see if we need this historical reference here or if this information can be placed into an introduction section at the beginning of the Charter.

Members discussed the *Draft Charter Outline*.

- a. *Draft Charter Outline*
 1. Add "Preamble" at the beginning of the outline.
 2. Add "Introduction" between "Definitions" and "Incorporation".

The Town Clerk will assemble and distribute a full rough draft of the Charter to the Commission members.

At the next meeting, the commission will continue with discussion regarding *ex-officio members of the RTM*, the **MERIT SYSTEM** (*Sec. _ .2 – Regular Positions*), the **TRANSITION AND MISCELLANEOUS PROVISIONS** section, the **ADOPTION OF THE CHARTER** section, the *draft Charter Outline*, and then move on to the *rough draft of the Charter*.

7. ADJOURNMENT

By consensus the meeting adjourned at 9:07 p.m.

Shirley Dunbar-Rose
Secretary
Approved June 9, 2008