

**WINDHAM CHARTER REVISION COMMISSION
SPECIAL MEETING
WINDHAM TOWN HALL
979 Main Street, Willimantic, CT
THURSDAY, MAY 22, 2014 8:00 PM**

Respectfully submitted by Janet Laukaitis, Clerk of the Charter Revision Commission

Attendees: Members Dennis O'Brien, Doug Lary, Victor Rayhall, Chuck Pennewill, Priscilla Root, and Pamela Shorey. Other attendees: Marylou DeVivo; Tom DeVivo; Pam DeVivo; Bill Powers; Heather Lake from the Chronicle; Ernest Eldridge; Paula Haney; and James Flores

1. Public Hearing on Draft Charter

Bill Powers stated he feels it is ill-advised to change the make-up and election of members of the Board of Education. Commissioner Lary described the reason behind this commission's proposed changes to the Board of Education election section.

Mayor Ernie Eldridge stated he believes the proposed taxing district change will make the management of the Police and Fire Department difficult to manage. Also, the creation of Taxing Districts may mean the Willimantic Taxing District will lose PILOT funding. Commissioner Lary answered that the commission is aware of the issue of management of Police and Fire Departments. Chairman O'Brien stated that he'll look into the issue of PILOT funds. It may be necessary to change the name of Taxing Districts to Service Districts, but no one knows for sure.

Mary Lou DeVivo stated she attended many meetings of this commission and commended commissioners on their hard work and thanked them for a job well done. She also asked for a "clean" copy of the draft charter. Commissioner Lary stated that while it would be possible, though time consuming, to remove the editorial changes, the results would not show the changes to the Charter as clearly.

Paula Haney advocated for one budget vote for the Town and the Board of Education. Chairman O'Brien strongly favors this but did not pursue it because he felt it would be a lost cause with this Commission.

Tom DeVivo stated the following:

Section III-3 – 2 Voting Districts: Mr. DeVivo said the Charter should give the Town Council the authority to change voting districts. They can change districts but, it requires a charter change. Chairman O'Brien respectfully disagreed.

Section IV-3 – Elective officials: Mr. DeVivo believes the Town Council should consist of 8 councilors, not 10.

Section V-1 – The Town Council: He believes councilors should not be compensated. Chairman O'Brien noted that could discourage lower income citizens from serving and play into naysayer complaints about public officials in general.

Section V-4 – Procedures: Mr. DeVivo said the Chairman pro tempore should be elected every two years. Also, there is no need to have the meeting minutes signed.

Section Va-2 – Removal (2): He suggested that the word “may” in the first sentence, should be “shall”.

Section Va-4 – Appointments by the Manager: Mr. DeVivo believes that in the absence of the Manager, the person designated to be the acting-Manager should always be the same person.

Section Va-5 – He suggests that the Town Clerk and the Town Treasurer should not be the same person. Some commissioners agreed and Commissioner Pennewill agreed to inquire about this.

Section VII-4 – Town attorney: Mr. DeVivo suggested that the Special Counsel which may be appointed by the Board of Education, Water Pollution Control Authority and the Housing Authority, without the approval of the Town Council, should be the same person.

Section VII-10 – Other appointive boards (3): He suggested that the Willimantic Switchboard Fire Chiefs Association should be removed from this list. Mr. DeVivo also requested clarification of the Traffic and Parking Authority. And, he suggested that the Police and Fire Departments should not be overseen by the Town Council/Taxing District Board of Directors only. Chairman O'Brien agreed and also agreed that the Fire Chiefs association should be deleted from the list.

Section VII-11 – Eligibility: Also, DeVivo opined that the Commission should remove Willimantic Switchboard Fire Chiefs Association from this paragraph. Commissioners agreed.

There being no other public comments or questions, the Public Hearing was closed at 8:15.

2. Call to Order of Charter Commission Meeting: Meeting called to order at 8:16.
3. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): None
4. Discussion and Possible Action to Approve Minutes for May 15, 2014. Correct minutes to show that Priscilla Root and Jan-Maya Schold were not at the meeting. Moved by Commissioner Rayhall and Seconded by Commissioner Pennewill to approve the minutes of the May 15, 2014 meeting, with amendments. Motion Carried, with Commissioner Root abstaining.
5. Chairman's Report: Chairman O'Brien reported that he and Commissioner Lary attended the last meeting of the Town Council and presented the elements of the Charter. He is concerned about Mayor Eldridge's point about the possible loss of PILOT funding to the proposed Willimantic Taxing District and the issue will be checked. This commission will meet again next week on 5/29 to finalize the draft Charter.
6. Commissioner Discussion and action related to the Public Hearing on the Draft Charter and possible revision of the Draft. Copies of the Draft have been emailed to all commissioners and are available for public review at the office of the Town Clerk and on home page of the Town website under “Documents” as “Charter Draft 5-20-14”.

Commissioners reviewed public comments, as follows.

Bill Powers said he is satisfied with the commissioners' response to his question about the Board of Education. He also questioned the existence of a Traffic and Parking Authority.

Commissioner Rayhall verified that the authority does exist and Chairman O'Brien agreed to look into the authority's work and will let this commission know how it stands

Mayor Eldridge's comments were re-visited and commissioners discussed the possible loss of PILOT funding. Chairman O'Brien will look into the matter and report back to the commission at the next meeting.

Tom DeVivo's many comments were discussed and commissioners agreed to leave the Charter as drafted with regard to the Town Council's not having ability to change the Voting Districts, without a Charter change; the number of members of the Town Council at 10, not 8; and, the compensation of commissioners as written.

Commissioners discussed the designation of a temporary Town Manager in the event of the absence of the Town Manager. It was Moved by Commissioner Root and Seconded by Commissioner Rayhall to amend the Charter to read "In the absence of the Town Manager, the Financial Director shall serve as Town Manager. Motion carried.

The issue of the Town Clerk and Treasurer signing checks was discussed. Commissioner Pennewill will contact the Town Clerk and the Treasurer to determine the current process and will report back to the commission at the next meeting.

It was agreed that the Water Commission and the Water Pollution Control Authority should each have the authority to choose their own attorney.

Commissioners agreed to remove the Switchboard and Fire Chief's Association from Section's VII-10 and VII-11.

Commissioners discussed, and agreed by consensus that the Enterprise Funds should be included in the Finance Department authorities.

Again commissioners discussed the merits and disadvantages of removing the Town Manager's authority over the Taxing District. It was decided by consensus to leave the Draft Charter as written, at least for now.

In regard to Section XIII-5, it was agreed that any conflict of interest can be handled by the Board of Ethics.

7. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): None.
8. Adjournment: Moved by Commissioner Root and Seconded by Commissioner Shorey, to adjourn the meeting at 9:40. Motion Carried.