

WINDHAM CHARTER REVISION COMMISSION

WINDHAM HIGH SCHOOL MEDIA CENTER
355 High Street, Willimantic, CT
THURSDAY, APRIL 24, 2014 7:00 PM

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

Attendees: Members Dennis O'Brien, Doug Lary, Jan-Maya Schold, Victor Rayhall, Chuck Pennewill and Pamela Shorey; and Citizens Richard Bloomer, Claire Lary, Bernard D'Auteil and MaryLou DeVivo.

1. Call to order:
2. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification):
3. Discussion and Possible Action to Approve Minutes for April 10, 2014:
4. Chairman's Report: Chairman O'Brien reported that he had used his entire file including but not limited to Commission minutes, commissioner submissions and his notes to try to prepare draft amendments to Chapters I through IX, inclusive, of the Charter that reflect the will of the Commission to date.
5. Commissioner Discussion and possible action related to Draft Charter prepared by Commission Chairman, beginning at the beginning. Copies of the Draft Charter, Chapters I through IX, inclusive were made available at the meeting.

Page 2 of Draft Charter:

Paragraph 1-1 – Definitions:

Commissioners discussed and approved the "joint ownership" addition on page 2 of the Draft Charter regarding the definition of "voter." The voting rights of LLC's, non-profits, tax-paying corporations and non-USA citizens were discussed and commissioners agreed that only one non-electoral representative of any corporation, partnership or LLC should be able to vote in the budget referendum. The chairman will make the change. Commissioner Schold wants the change in the definition of "elector" that she has proposed. Some commissioners wanted to include non-citizen voters, but a majority may be opposed. In the interest of time, this issue was left for further discussion at a future meeting.

Page 3 of Draft Charter: No amendments.

Page 4 of Draft Charter:

Chapter III-2 – Voting Districts: Amendments were agreed upon, with the deletion of the duplicate phrase "of the City of Willimantic" in the second sentence.

Chapter III-3 – Minority party representation was discussed and Chuck Pennewill and Jan-Maya Schold requested clarification. Doug Lary proposed that the Board of Education be subjected to General Statutes just like any other board and there was little or no disagreement, so Chairman O'Brien will re-write this paragraph for clarification.

Chapter III-4 – Eligibility Change of "an elector" to "a resident", in the second sentence of this paragraph was discussed and it was agreed to leave the phrase "an elector".

Page 5 of Draft Charter:

Chapter III-6 - Resignation of elected officials. The electronic communication amendment was approved by consensus.

Chapter III-7 – Vacancies In the first paragraph, second sentence, as proposed by Doug Lary, the change of the phrase "a member of the same political party" to "the town committee of the same party" was agreed upon. And, in the third sentence, it was agreed to change the word "Mayor" to "Town Clerk," a change which was made throughout III-7 to consistently replace the Mayor with the Town Clerk in the vacancy

filling process. In the fourth sentence of the second paragraph of III-7, it was agreed to change the phrase “regional committee of the party, or the state party committee if need be” to “Nominating Committee”. There was much discussion about the new concept of “Nominating Committee” consisting of the Mayor and one Councilor from each Voting District to be embodied in Chapter V-3 of the Charter. In the third paragraph of this section, it was agreed to change the word “Mayor” to “Nominating Committee” to effect the consensus that vacancy appointments would be made by the Nominating Committee chaired by the Mayor rather than by the Mayor alone..

Page 6 of Draft Charter:

Chapter **IV-3. – Elective officials.** In sub-section (b), it was agreed to remove the asterisks at the end of the first sentence and, in the second sentence, change the word “Service District” to “Voting District”, in all four occurrences.

In sub-section (d), it was agreed to remove the second lengthy paragraph which all agreed is no longer necessary..

Page 7 of Draft Charter:

Chapter **IV-5 – Compensation.** It was agreed to change the phrase “Elected officials” to “Mayor, Town Council and Registrars of Voters”; and to substitute “compensation” for “salaries.”

Page 8 of Draft Charter:

Paragraph **V-1 – The Town Council:** In view of the additions to Chapter IV-5, it was agreed that the second sentence of this provision should be deleted.

Paragraph **V-2 – The Mayor:** Proposed amendments of this paragraph limiting the authority of the Mayor were approved. It was agreed to forego a special election in favor of a vacancy appointment if any Mayor were to leave office 6 months or less before the end of a mayoral term.

Additionally, it was agreed to remove the second sentence of V-2 and; in the third sentence, it was agreed to change the word “set” to “prepare”, and in the fourth sentence, change the phrase “prior to the” to “more than 6 month’s prior to the next election.” It was also agreed that the Mayor shall serve as the Chairman of the Nominating Committee.

Paragraph **V-3 – General powers and duties of the town council:** Amendments to the second line of V-3 on page 8 adding “Boards of Selectmen and Town Meetings” were approved. (*continued to page 9*).

Page 9 of Draft Charter:

Paragraph **V-3 – General powers and duties of the town council:** (*continued from page 8*) It was agreed to change the proposed amendment to the final sentence to “and establish a Town Council Nominating Council, chaired by the Mayor and consisting of two Council members elected from each Voting District by majority vote of the councilors representing each of the voting districts, to act after consultation with the affected board or commission chair and political party.”

Paragraph **V-4 – Procedures.** Amendments approved, except that a consensus that did not include the Chairman agreed that Council members who recuse themselves or abstain from voting with good cause should not count to make a quorum.

Page 10 of Draft Charter: No changes.

Page 11 of Draft Charter:

Paragraph **V11 – Reapportionment.** Amendments changing “Service District” to “Voting District” were approved.

Page 12 of Draft Charter: No changes, but members want to see the current Town Manager’s contract.

Page 13 of Draft Charter:

Paragraph **Va -3. – Duties of Town Manager:**

Though the Chair was concerned about deletion of “emergency or disaster,” Va-3(h), as previously amended by the Commissioners, was again approved.

Page 14 of Draft Charter:

Paragraph **VI-1 Board of Finance** : Removal of second sentence limiting Board of Finance to BOF membership was approved.

Page 15 of Draft Charter:

Paragraph **VII- 1 General**: It was agreed to change the amendment from “Town Council Nominating Committee” to “Nominating Committee”.

Page 16 of Draft Charter:

Paragraph **VII-4 Town Attorney**: Amendments changing “Mayor” to “Town Manager” as the appointing authority of special counsel and seeker of alternative legal opinions in second and third paragraphs were approved.

Page 17 of Draft Charter:

Paragraph **VII-7**. Amendments approved confirming Planning **and** Zoning Commission..

Paragraph **VII-8. – Planning Commission**: Removal of paragraph was approved.

6. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): Citizen MaryLou DeVivo suggested waiting at least two weeks after the death of an elected official before a replacement is sought.

7. Adjournment: Moved by Chuck Pennewill to adjourn, seconded by Doug Lary. Motion carried. Meeting adjourned at 9:05pm.