

**WINDHAM CHARTER REVISION COMMISSION
SPECIAL MEETING
WINDHAM TOWN HALL
979 Main Street, Willimantic, CT
THURSDAY, MAY 29, 2014 7:00 PM**

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

Attendees: Dennis O'Brien, Doug Lary, Victor Rayhall, Chuck Pennewill, Priscilla Root, Jan-Maya Schold, and Pamela Shorey. Other attendees: Marylou DeVivo, Joe Marsalisi and Richard Bloomer

1. Call to Order of Charter Commission Meeting: Meeting called to order at 7:05.
2. Discussion and Possible Action to Approve Minutes for May 22, 2014. Correct minutes to read: "Tom DeVivo" in place of the pronoun "he". Moved by Commissioner Rayhall and Seconded by Commissioner Pennewill to approve the minutes of the May 22, 2014 meeting, with amendment. Motion Carried
3. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification): None
4. Chairman's Report: Chairman O'Brien reported that a member had an opportunity to talk with the Financial Director and determined that the director would agree to be appointed Acting Town Manager, in the absence of the Town Manager.

Commission Pennewill reported on his conversation with the Town Clerk and Town Comptroller and, they saw no need for changes to the section on finances.

Chairman O'Brien reported that he had contacted Attorney Cody for an opinion on PILOT funding. It was determined that PILOT funds would not be in jeopardy due to proposed changes in the Charter.

5. Commissioner Discussion and action related to the Public Hearing on the Draft Charter and possible revision and finalization of the Draft. Copies of the Draft had been emailed to all commissioners and were available for public review at this meeting and, as of May 29, 2014, by going to the Town website under "Documents" as "Charter Draft 5-28-14".

Commissioner Lary reviewed the following 8 changes that have been made to the charter:

Section V-3 – General powers and duties of the town council. The split of PILOT funds should be determined by the Town Council.

Section V-4 – Procedures – The final sentence of this section was removed, eliminating the need for the Mayor's signature on the minutes of Town Council meetings.

Section Va-2 – Removal (2) – The word "may" was changed to "shall" in this section. Also, the Finance Director, or if the Financial Manager is unavailable, another qualified administrative officer, will be appointed as acting Town Manager in event of the absence of the Town Manager.

Section VII – 4 – Town Attorney – Special Counsel may be retained by the Board of Education, Water Pollution Control Authority, Water Commission, the Taxing Districts and the Housing Authority, without approval of the Town Council.

Sections VII – 10 – Other appointive boards – The list of appointive boards was changed by removing (3) Willimantic Switchboard Fire Chiefs Association, and re-numbering the list accordingly. Also, remove Police and Fire Pension Commission from this list and from **Section VII- 11 – Eligibility**. Willimantic Switchboard Fire Chiefs Association is also removed from **VII-11**.

Section X-2 – Department of Finance – Commissioner Schold suggested that town subunits like the Taxing Districts should not be forced to use the Town Finance Department. Commissioner Lary suggested specification of 2 Enterprise Funds and deletion of the reference to Section X-10. This change was agreed to by consensus.

Section X-10 – Enterprise Funds – Removal of language in this section referring to the Electric Utility Commission was agreed upon.

Section XIII-5 – Conflict of interest – Most language in this section was removed in deference to the Ethics Ordinance. This change was discussed and was approved.

Chairman O'Brien asked if any more changes needed to be discussed. It was moved by Commissioner Pennewill and seconded by Commissioner Rayhall to delete the last sentence of Section III-3 regarding election of the Board of Education. Commissioner Pennewill believes there is fair and adequate representation with the current split between parties on the Board of Education. Others, including the Chairman and Vice-Chairman disagreed. After much discussion it was decided to let the voters decide the issue and the motion failed.

Commissioner Schold asked for discussion of a change of wording in Sections IX-2 and Va-3 (1) to clarify that the Town Manager does not have authority in the taxing districts. After further discussion, it was suggested that if the district board determines that the Town Manager has a conflict of interest, the chairman of the district shall be in charge. Wording of this change will be developed by the Chairman and Vice-Chairman. Agreed by consensus.

After discussion of possible questions for the ballot, it was moved by Commissioner Pennewill and Seconded by Commissioner Schold to have the Chairman and Vice-Chairman draft proposed ballot questions.

6. Citizens and Delegations (3 minutes, related to Charter, Commissioners may ask questions or seek clarification) – Richard Bloomer asked commissioners to be very careful with the wording of the ballot questions. Joe Marsalisi asked Commissioners for clarification of the change from a Service District to a Taxing District in Willimantic, and Commissioner Schold told him the change is for consistency. Joe Marsalisi also asked that the matter of mutual aid be left alone; “if it ain’t broke, don’t fix it!”
7. Adjournment: Moved by Commissioner Shorey and Seconded by Commissioner Pennewill, to adjourn the meeting at 9:15 p.m. Motion Carried; meeting adjourned.