

Minutes of East Lyme Charter Revision Commission - 12/06/22

Date and time: 12/06/22 07:00 pm to: 12/06/22 08:15 pm

Present: Brooke Stevens, Brooke Stevens, Recording Secretary, Marc Salerno, Beth Hogan, Anna Johnson, Timothy Hagen , Larry Fitzgerald, Jay Ginsberg, Wayne Blair , Barry Sheckley, Absent:, Vivek Puohit, Maryanna Stevens , Jeffrey McNamara

CC: Kevin Seery, First Selectman

Location: Lillie B Haynes School, 29 Society Road, Niantic, CT, 06357.

Link: <http://app.meetingking.com/meetings/389490>

Topics

1. Call to Order & Pledge

Note Mr. Salerno called the Regular Meeting of the East Lyme Charter Revision Commission to order at 7:03 p.m. and led the Pledge of Allegiance.

2. Approval of Meeting Minutes

Note The Commission agreed that each subcommittee will approve their own set of meeting minutes.

2-1. November 15th, 2022, Budget Subcommittee Meeting Minutes

Note see attached minutes

[Charter Revision Budget Subcommittee November 15 2022 Minutes.pdf](#)

Decision MOTION (1)

Ms. Johnson moved to approve the Charter Revision Budget Subcommittee Meeting Minutes of November 15th, 2022, as presented.

Mr. Sheckley seconded the motion.

Motion carried, 2-0-0.

Budget Subcommittee Members in attendance: Anna Johnson & Barry Sheckley

2-2. November 15th, 2022, Town Commissions Subcommittee Meeting Minutes

Note see attached minutes

[Charter Revision Town Commissions Subcommittee November 15 2022 Minutes.pdf](#)

Decision MOTION (2)

Mr. Blair moved to approve the Charter Revision Town Commissions Subcommittee Meeting Minutes of November 15th, 2022, as presented.

Mr. Ginsberg seconded the motion.

Motion carried, 2-0-1.

Town Commissions Subcommittee Members in attendance: Wayne Blair, Jay Ginsberg, & Marc Salerno; Mr. Salerno abstained from the vote due to his absence from the meeting.

2-3. November 15th, 2022, Town Structure Subcommittee Meeting Minutes

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Note see meeting minutes

 [Minutes for Town Structure Subcommittee 11 15.docx](#)

Decision MOTION (3)

Mr. Fitzgerald moved to approve the Charter Revision Town Structure Subcommittee Meeting Minutes as presented.

Mr. Hagen seconded the motion.

Motion carried, 2-0-1.

Town Structure Subcommittee Members in attendance: Larry Fitzgerald, Tim Hagen, & Beth Hogan; Ms. Hogan abstained from the vote due to her absence from the meeting.

2-4. November 15th, 2022, Charter Revision Meeting Minutes

Note see meeting minutes

 [Minutes of the East Lyme Charter Revision Commission \(1\).pdf](#)

Decision MOTION (4)

Ms. Johnson moved to approve the Regular Meeting Minutes of the November 15th, 2022, Charter Revision Commission as presented.

Mr. Ginsberg seconded the motion.

Motion carried, 6-0-2.

Mr. Salerno & Ms. Hogan abstained from the vote due to their absence from the November 15th, 2022 meeting.

3. New Business

3-1. Open Discussion on Charter Topics Not Covered by Subcommittees

Note Mr. Ginsberg mentioned how the idea of re-reviewing the Charter at some minimum period of time came up during his Subcommittee meeting, and Mr. Salerno observed that this could be similar to the review of the Plan of Conservation and Development, that is required to be updated every 10 years.

Note Ms. Hogan said it used to be that the losing party, if they were a top vote getter, automatically went on the Board of Selectmen, and asked if this were an item they might want to entertain during this revision.

Note Mr. Salerno suggested that the set time to review the Charter be an added topic for the Town Structure Subcommittee to explore.

Note Mr. Sheckley mentioned imposing term limits not to exceed two consecutive terms which the Commission discussed. He said there are people trying to figure out how they can get membership on boards since they're finding they're pretty much locked out because of incumbents, and there are some boards that seem like they have a lifetime membership.

Note Mr. Salerno said he would be more hesitant to impose this rule on elected boards and noted State law would need to be checked; the Commission discussed what this might look like for elected as well as appointed boards.

Note Mr. Fitzgerald said it's hard enough to get people involved and Mr. Salerno agreed that it might work against them.

Note: Ms. Johnson said they should proceed cautiously since you don't want to lose the continuity of knowledge that a board member with experience provides.

Note: Mr. Salerno agreed with Ms. Johnson's sentiments stressed the importance of continuity and history, and valuable contributions of long-term members of certain commissions. He added that he would be willing to explore this for appointed boards but thinks it's problematic for elected boards.

Note: Mr. Sheckley said obtaining the service of new people and new ideas is conducive to growth; it's important to consider innovative ideas as opposed to continuing the status quo, simply because it has always been done that way.

Note: Ms. Hogan observed that appointed boards are usually where people gain their initial experience.

Note: Mr. Hagen said if you look at all the elected boards, there is actually a substantial turnover.

Note: Mr. Salerno said there are also boards such as Harbor Management, which doesn't have town oversight and requires specialized knowledge.

Note: Mr. Salerno said the Charter lists appointed boards, and some are no longer in service.

Note: Ms. Hogan discussed the Economic Development Commission and how it simply ceased to be years ago, individuals were no longer appointed, at the behest of the First Selectman at the time. She briefly discussed the benefit such a board might provide.

Task: Mr. Seery said he would ask Mr. Geary to list all the appointed boards mentioned in the Charter, and confirm which boards are required to be in practice.

Owned by Sam Geary, Charter Revision Research Assistant due 12/20/22

Note: Mr. Salerno said right now we have elected officials that really work for the Town, such as Tax Collector, Town Clerk, the First Selectman and so forth and asked what these positions have in terms of sick time and vacation time.

Note: Mr. Seery explained that once you're elected, even if you fail to come into the office, you still get paid your full salary. The Commission discussed how this has led to staffing shortages and related issues. The Commission questioned what's appropriate in terms of being out of town when in an elected position, and said they need clarification of what it means to be out of town.

Note: Ms. Johnson said there should be some kind of time off policy and Mr. Salerno said he thinks that this is an item they should look into.

Note: The Commission discussed how it seems reasonable to make the Tax Collector and Town Clerk positions administrative positions given that certification is desired for the positions.

Note: Mr. Seery said in terms of his own position it's difficult to define what a work week is, and actual hours worked given daily duties, events, meetings, and the like. Ms. Hogan, Mr. Salerno, and Mr. Seery agreed it would be helpful to look at other towns and see what different First Selectman's do.

Note: Mr. Salerno said he thinks these items fall best under the umbrella of the Town Structure Subcommittee.

Note Mr. Ginsberg said he couldn't help but notice while reading the Charter that it's not gender neutral and asked about entertaining nongendered language.

Note The Commission discussed how a time off and sick time policy can be addressed in the unaffiliated handbook, but they would need to determine what is permissible for them to alter in terms of elected positions.

4. Old Business

Note Subcommittee Report and Discussions

4-1. Town Commissions

Note Mr. Ginsberg gave a brief report of the Town Commission Subcommittee meeting and shared some of the following:

They discussed having four-year terms for Selectmen and First Selectman.

They discussed having someone who's appointed to fill a vacancy complete that term.

They think there's no point in having special elections.

They want to obtain more information about reinstating the Conservation Commission.

They spoke with Ms. Hardy, who conveyed that the Natural Resources Commission feel as if they're being ignored and reinstating the Conservation Commission might help address this and give them more of a voice.

They're going to continue to speak with various Board members and Commissions for additional feedback.

4-2. Town Structure

Note Mr. Fitzgerald gave a brief report on the Town Structure Subcommittee meeting and shared some of the following:

They discussed the prospect of making the Town Clerk and Tax Collector appointed positions.

They discussed how requiring certain positions be filled by East Lyme residents' limits the scope of available talent.

They spent a lot of time discussing an Operations Officer and additional consideration for a Town Manager.

They would like to collect more data.

They discussed how 30 towns have adopted a Town Manager and what the duties of an Operations Officer would be.

Note Ms. Hogan said adopting a Town Manager doesn't change the structure of the Board of Selectmen and First Selectman; they would still be the Town governance while the Manager would report to them, but be more focused on operational items such as contract negotiations.

Note Mr. Fitzgerald added that they discussed how an operations officer seems more of a Human Resources item rather than a Charter specific item; the current First Selectmen could find an operations officer necessary while a future First Selectman may not.

Note Mr. Seery said Mr. O'Connell advised him that they could make an operations officer an appointed position by ordinance, rule, or regulation, as opposed to stating it in the Charter, which then requires that the position always be there.

Note Mr. Hagen said Mr. McNamara plans to contact Mr. Geary regarding collecting information about the requirements of an operations officer- who does it, and how they do it.

Note Mr. Salerno said part of their recommendation to the Board of Selectmen can be to endorse ideas they like but cite when they think those items don't need to be in the Charter.

4-3. Town Budget

Note Ms. Johnson gave a brief report of the Budget Subcommittee meeting and shared some of the following:

They discussed State Statutes and how other towns approve their annual budgets.

The Town purchasing policy is \$10,000 and anything over requires approval by the Board of Selectmen, followed by the Board of Finance, and a Town Meeting.

They discussed how you really can't do anything nowadays for \$10,000 and how this process causes an even greater expense.

They discussed changing this rule to a specific percentage of the budget.

Note Ms. Johnson asked if the Subcommittee could work on recommendations or if the entire committee need to approve it first? Mr. Salerno said they'll have a new business section on every agenda and any new item can be brought up at that time.

Note Ms. Johnson added that they also discussed budget transfers and if it's appropriate to ask that an explanation be provided when budget transfers happen, or if it's more of a policy issue?

5. Public Delegations

Note There were none.

6. Adjournment

Note Mr. Seery said he will forward the requested tasks to Mr. Geary and ask him to attend the next meeting.

Note Mr. Salerno noted their next Subcommittee Session is scheduled for December 20th, 2022, at the East Lyme Town Hall, at 7:00 p.m.

Decision MOTION (5)

Ms. Johnson moved to adjourn the December 6th, 2022, Regular Meeting of the East Lyme Charter Revision Commission at 8:08 p.m.

Mr. Blair seconded the motion.

Motion carried, 8-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Next Meeting

Meeting title: East lyme charter revision commission

Date and time: 12/20/22 07:00 pm to: 12/20/22 08:00 pm

Location: East Lyme Town Hall, Upper Conf. Room, 108 Pennsylvania Avenue, Niantic, CT

Task Summary

New Tasks

Task Mr. Seery said he would ask Mr. Geary to list all the appointed boards mentioned in the Charter, and confirm which boards are required to be in practice.

Owned by Sam Geary, Charter Revision Research Assistant due 12/20/22

Open tasks from previous meeting(s)

Task Mr. Seery asked Mr. Geary to scan all past minutes of the various Charter Revision Commission for the current Members.

Owned by Sam Geary, Charter Revision Research Assistant due 11/08/22

Task Mr. Geary will craft a list of the Boards and Commissions not listed in the Charter.

Owned by Sam Geary, Charter Revision Research Assistant due 11/08/22

Task Mr. O'Connell asked that the settling of tax appeals be added to the Misc housekeeping portion of the agenda; the Charter says that lawsuits are settled by the Board of Selectmen, while the Assessor has generally been the party to settle tax appeals. He added that a line could be added stating that the Board of Selectmen can relegate tax appeals to the Assessor.

Owned by Marc Salerno