

Agenda for East Lyme Charter Revision Commission - 04/04/23

Date and time: 04/04/23 7:00 PM
Organizer: Brooke Stevens
Participants: Recording Secretary, Marc Salerno, Vivek Purohit, Anna Johnson, Maryanna Stevens , Timothy Hagen , Wayne Blair , Barry Sheckley, Jay Ginsberg, Larry Fitzgerald, Jeffrey McNamara
Optional: Ed O'Connell, Town Attorney, Diane Vitagliano, Assessor
Location: East Lyme Town Hall, **Conf. #1**, 108 Pennsylvania Avenue, Niantic, CT
Link: <https://app.meetingking.com/meetings/395554>

Topics

1. Call to Order & Pledge
2. Approval of Minutes

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

- 2-1. Charter Revision March 21st, 2023, Regular Meeting Minutes
- 2-2. February 21st, 2023, Budget Subcommittee Minutes

Note (Tabled from previous meeting)

- 2-3. March 21st, 2023, Budget Subcommittee Meeting Minutes
- 2-4. March 21st, 2023, Town Commissions Subcommittee Meeting Minutes
- 2-5. March 21st, 2023, Town Structure Subcommittee Meeting Minutes

3. Ex-Officio Comments
4. New Business

- 4-1. Open Discussion on Charter Topics Not Covered by Subcommittees
- 4-2. Summary of New Items Brought up for Consideration since October 18th, 2022, Charter Revision Kickoff Meeting

Note November 1st, 2022, Public Hearing, Public Comment:

"The addition of a town manager, who would be a professional, have the proper education, have experience, and give us stability.

An operations manager would just be adding to the town without considering if we have the right town management."

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Note November 1st, 2022, Regular Meeting:

"Mr. Salerno and Ms. Hogan discussed how the topic of a Town Manager, which was brought up at the Public Hearing, should be investigated in addition to the research for an Assistant to the First Selectman (item #10 Consider the possible addition of an appointive officer named the "Operations Officer" to assist the First Selectman in the performance of his or her administrative duties.)"

Note November 1st, 2022, Regular Meeting:

"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."

Note November 15th, 2022, Town Commissions Subcommittee Meeting:

"Although not part of our charge, the subcommittee feels we should develop criteria that can be used to determine what Commissions should be included in the Charter and which should be created by ordinance."

"The subcommittee discussed whether the charter should mandate a maximum time between reviews. Although we felt the Board of Selectman should have the authority to convene a Charter Review Commission at any time, we considered setting a maximum time between reviews to make sure that the Charter does not get out of date."

Note December 6th, 2022, Regular Meeting:

"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. Seery explained that once your 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.

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 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."

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 February 7th, 2023, Regular Meeting:

"Bifurcation of the budget."

Note "Ms. Johnson said they're in support of "the possible amendment of Section 6.3 to provide that projects funded entirely by grants from the State of Connecticut which do not require an appropriation of town funds need not be approved by the Board of Finance or at a Town Meeting."

She added that they're thinking of adding language "along as all provisions of the grant have been met, and any operating grants- grants that involve future budgets, would still need to be overseen."

Note "Ms. Johnson said she has another housekeeping item in regard to the Charter; the Charter reads that a copy of the annual proposed budget can be viewed in the First Selectmen's Office, and the Town stopped doing this once the budget became available to view online."

Note "Mr. McNamara mentioned the high cost of newspaper publications and the Commission discussed substituting "electronic and website notice" for newspaper publication."

Note March 7th, 2023, Regular Meeting:

"Mr. Salerno and Mr. Blair discussed how new information was given to them about the suggestion that the Aquifer Protection Agency be part of the Conservation Commission. Mr. Blair said they're not in total agreement with making the Aquifer Protection Agency part of the Charter. Mr. Salerno said the Subcommittee discussed putting items required by the State into the Charter, and how if a Commission is listed in the Charter, it must be staffed."

Note "Mr. Salerno said two Commissions listed in the Charter are now defunct and at a minimum, they need to clean this up."

Note "Mr. Salerno said the Conservation Commission would love to be part of the referral process, but putting this into the Charter is a bit too detail orientated."

Note March 21st, 2023, Regular Meeting:

"Ms. Johnson said when she reviewed the Charter again, she noticed under Section 3.3., Board of Selectmen, General Powers, Duties and Procedures, item 3.3.1.5. reads:

'with Board of Finance approval, to purchase real estate, the price of which shall not exceed ten thousand dollars and accept gifts of real estate.'"

Note "Ms. Johnson said she also noticed a housekeeping item:

Section 6.2.2.,

'The Tax Collector shall then collect the tax in accordance with the General Statutes. The due date shall be July 15th unless otherwise provided by the town in accordance with the General Statutes.'

Ms. Johnson said taxes are actually due July 1st, and Mr. Seery noted that the Town Attorney is able to fix an obvious error or typo like this, without Charter Revision."

5. Old Business

Note Meeting of the whole to discuss the work of the Town Commissions Subcommittee, Town Budget Subcommittee, and Town Structure Subcommittee.

5-1. Town Commissions

Note The Town Commissions Subcommittee will focus on items #2, #3, #12 & #13-

Consider possible merger of the Planning Commission and Zoning Commission.

Consider possible amendment of Section 2.7 to provide four-year terms of Selectmen and two- or four-year terms of First Selectman.

Consider the possible amendment of Section 2.5.411o provide that an appointee to a vacancy in an elective office shall serve the remainder of the term that was filled.

Consider reinstating the Conservation Commission which will be comprised of members from both the Inland Wetlands Agency and the Commission for the Conservation of Natural Resources.

5-2. Town Structure

Note The Town Structure Subcommittee will focus on items #4, #5, & #10-

Consider possible removal of Town Clerk and Tax Collector from elective offices and add said offices to administrative offices.

Consider the possible exemption from the residency requirement set forth in Section 4.1 .2, certain appointive offices, such as Director of Emergency Management, Dog Warden, etc., and the offices described in Sections 5.3- 5.7.

Consider the possible addition of an appointive officer named the "Operations Officer" to assist the First Selectman in the performance of his or her administrative duties. This group will also look into the concept of a town manager government system, and the cleanup of appointed Board(s) language.

Housekeeping item- Relegation of Tax Appeals to the Town Assessor.

5-3. Town Budget

Note The focus of the Town Budget Subcommittee are items #1 , #7, #8, & #9-

Consider possible elimination of automatic budget referendum provision in Section 7.3 of the Charter.

Consider the possible amendment of Section 6.3.4 to provide that if the Board of Finance does not act on requests for special appropriations or transfers of funds within specified time, the result is an automatic approval.

Consider the possible amendment of Section 6.3 to provide that projects funded entirely by grants from the State of Connecticut which do not require an appropriation of town funds need not be approved by the Board of Finance or at a Town Meeting.

Consider the possible amendment of Section 6.3,1 to provide that the current dollar threshold of \$10,000 for special town meetings be raised.

6. Public Delegations

7. Adjournment

Note The next Regular Meeting of the Charter Revision Commission is scheduled for April 18th, 2023.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary