

Town of Durham
CHARTER REVISION COMMISSION

Regular Meeting
Minutes
April 24, 2006

1. Call to Order

The Charter Revision Commission (CRC) met at the Temporary Town Hall located at 350 Main Street on Monday, April 24, 2006. Chairman McLaughlin called the meeting to order at 7:05 p.m.

Members Present: Laura Francis, Martin French, Carol Kleeman, Mark McLaughlin, Pat Murawski, Alice Tucker, Betty Long, Ron Melnik.

Absent: John Corona.

2. Public Comments

No public present. No additional advice from the website or suggestion boxes.

Carol passed on a verbal comment from the Planning and Zoning Commission. They did not attend the joint meeting because they are happy with the way things are.

Alice spoke with a couple members of the Board of Finance about terms. Three members stated terms for the Board of Finance should be consistent with the state statutes, which is six years. It takes time to become acclimated to the board. As far as terms for other elected and appointed positions they did not offer their opinions.

Laura spoke with Fran Korn about some of the charter changes:

3.7 Actions Requiring Referendum; Fran agreed with the changes made by CRC.

4.9 Duties of the First Selectman; Fran agreed with the changes made by CRC.

3. Review of minutes

*Motion by Carol Kleeman to approve minutes of April 22, 2006 with correction to page 4 to read, "Question asked what are the town's monthly expenses **not** including the payment to Regional District 13Rett stated around \$300,000 " Ayes: Laura Francis, Martin French, Carol Kleeman, Mark McLaughlin, Ron Melnik, Pat Murawski, Betty Long. Abstain: Alice Tucker. The motion passed.*

4. Discuss/Decide Charter Revision Items

Motion by Laura Francis to remove Section 5.1.5 Preparation of the Budget from the table. Motion seconded by Betty Long. Motion passed unanimously.

5.1.5 Preparation of the Budget. Laura reports that Fran felt the deadlines set by the CRC were a little aggressive. He agreed with the premise that budgets should be submitted earlier than they have been, but he felt the deadlines should be January 1st for submission to Board of Selectmen and February 1st for submission to the Board of Finance. Alice agreed the deadlines of December 1st and January 1st seemed aggressive. Laura stated that in town clerk conferences she has attended both for State of Connecticut and New England, the clerks are working on their budgets much earlier than the Town of Durham. General agreement that the Board of Selectmen should be talking with the departments early on anyway, and, if this year's budget passes as presented the town will have a

Town of Durham
CHARTER REVISION COMMISSION

Finance Director and this should help with the budgeting process. January 1st and February 1st are guideline dates; there is nothing preventing the submission of budgets before these dates. After some additional discussion the following motion was made:

*Motion by Laura Francis to change Section 5.1.5 Preparation of the Budget as follows: "At such time and in such manner as the Board of Finance may require, but not ~~less than ninety (90) days before the end of the fiscal year~~ **later than January 1st**, every agency and office " and "At such time and in such a manner as the Board of Finance may by regulation require, but not ~~less than forty five (45) days prior to the Annual Budget Meeting~~ **later than February 1st**, the Board of " Motion seconded by Carol Kleeman. Motion passed unanimously.*

5.1.9 Special Appropriations. Fran felt this figure should be somewhere between \$15,000 and \$25,000. Laura and Fran felt \$20,000 was a reasonable figure. Some general discussion about what the commission would be solving and what it might be risking in making this and other changes in the charter. The following motion was made:

*Motion by Martin French to change Section 5.1.9 Special Appropriations as follows: ".....Such a special appropriation in excess of ~~five thousand dollars (\$5,000.00)~~ **twenty thousand dollars (\$20,000)** shall require" Motion seconded by Alice Tucker. Motion passed unanimously.*

4.6 Additional Powers and Duties of Selectmen. *Motion by Laura Francis to make changes to Section 4.6 Additional Powers and Duties of Selectmen as follows: new Section 4.6(5) To adopt a Town Acquisition Policy and review on an annual basis; Section 4.6(6) To put out to public bid all contracts in accordance with the Town Acquisition Policy Motion seconded by Alice Tucker. Discussion ensued.*

Very lengthy discussion on the wording of "create" versus "adopt" and who should be responsible for writing the Town Acquisition Policy. Suggestion made to adopt an ordinance regarding the Town Acquisition Policy, although Laura discouraged this idea. The Board of Selectmen is already empowered to create policies, which they then have to follow. While some members felt the Board of Selectmen are obligated to create and then administer and maintain a Town Acquisition Policy, others felt strongly that the board of selectmen should not create the policy as this could be interpreted as a conflict of interest. Chairman McLaughlin explained that at CCSU, the purchasing department writes the details for RFP's etc. Because this separate entity writes the policy, there is no conflict of interest when the various departments make purchases. Chairman McLaughlin is concerned with protecting the Board of Selectmen from the misconception that could arise if they are the same people making purchases based on policies they have written. He thinks a disinterested body should establish the purchasing protocol and therefore minimize the risk for elected officials and/or department heads. Ron suggested the Connecticut Council of Purchase Managers might be able to customize a purchase policy for the town.

Since there was no consensus among the commission members the following motion to table this item was made:

Motion by Laura Francis to table changes to Section 4.6(5) and Section 4.6(6). Motion seconded by Ron Melnik. Ayes: Laura Francis, Carol Kleeman, Mark McLaughlin, Ron Melnik, Pat Murawski, Alice Tucker, Betty Long. Opposed: Martin French. Motion passed.

Town of Durham
CHARTER REVISION COMMISSION

Section 6.9. Department of Emergency Management. Chairman McLaughlin presented wording to CRC members for review. Ron made several comments: there should be an odd number of members on this board; proposed make up of this board needs to be looked at, do we want a road crew member and a fair member since this is a big event in town that requires emergency coordination; should the first selectman be an ex officio member; does this board also fall under minority representation; will these positions be appointed or elected; who defines emergency or disaster.

Betty questions should there be no more than one member from each service on this board? Laura adds the current members include Chris Soulias, Civil Preparedness Coordinator; Steve Levy, Fire Department; Francis Willett, Durham Fair Association; and Scott Wright, Ambulance.

Discussion continued regarding how many members should be on this board and the number of deputies. Steve Levy's organizational chart shows the Emergency Management Board being comprised of one director, three deputies, the EOC and the LEPC. EOC includes an Operations Director, Facility Manager, Sheltering, Logistics and Town of Durham members that include Municipal Government Leadership, Health Department, Building Department and Public Works. LEPC consists of the Fire Chief, EMS Chief, Emergency Management Director, First Selectman, Resident State Trooper, Fair, Public Works, Public Health and outside agencies. So there are many members under the Emergency Management umbrella with overlap between the three branches.

Pat comments that basically the CRC is taking an organization that has been developed in an ad hoc nature and conforming it to the charter. Martin adds the make up of the board should be defined so that you have all sides of emergency management represented. Laura states that, traditionally, Civil Preparedness has not been a member of an emergency management group.

Chairman McLaughlin will continue discussions with the first selectman and Steve Levy to clarify details.

Section 7: Code of Behavior *(the current Section 7: Miscellaneous Provisions will be renumbered to Section 8).*

Carol and Martin provided a handout and reported they used many resources to come up with this one page description for the charter. There is much information out there regarding ethics. Currently there is no state legislation regarding ethics for towns yet but the state is working on this and plans to have something in 2007. Durham will be ahead of the game by including ethics in its charter.

Laura believes ethics is important enough that it should be included under town ordinances. She suggested that a section in the charter could simply state, "There shall be an Ethics Commission and it shall be established by ordinance." The establishment of the Water Commission by ordinance was 15 pages long. The Water Commission did not establish its own rules and there was much legal input for the establishment of this ordinance. Laura added there were public hearings, etc. The details of establishing an ethics ordinance would not be the responsibility of the Charter Revision Commission.

Commission members praised the work Carol and Martin did in developing such a concise framework for the ethics section.

Town of Durham
CHARTER REVISION COMMISSION

Chairman McLaughlin asked Carol and Martin to make changes to their handout as discussed and bring to the next meeting.

Discussion continued as to whether members should be elected or appointed, etc.

Terms of Office. Ron distributed a handout regarding terms of office, length of, etc. for review by the commission. This will be reviewed at future meeting.

5. Other Items as Appropriate

No report.

6. Prepare for Next Meeting

Continue reviews.

7. Adjourn. Chairman McLaughlin adjourned the meeting at 9:33 p.m.

Respectfully submitted,

*Kimberly D. Garvis
Recording Secretary*