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**CITY OF NORWALK
CHARTER REVISION COMMISSION
VIA TELECONFERENCE
MARCH 29, 2023**

ATTENDANCE: Patsy Brescia, Chair; Carl Dickens; Angela Wasunna; Benita Watford
Raleigh; Michael Witherspoon

OTHERS: Steven Mednick, Commission Counsel; Tom Mooney, Board of
Education Counsel; Dr. Alexandra Estrella, Superintendent of Schools;
Diana Carpio, Chair, Sheri McCready Pritchett; Sherelle Harris; Janine
Randolph; Kara Nelson Baekey; Mary Ellen Flaherty Ludwig, Norwalk
Boar of Education

I. CALL TO ORDER

Ms. Brescia called the meeting to order at 6:25 p.m.

II. ROLL CALL

Ms. Brescia called the Roll as indicated above. A Quorum was present.

III. APPROVAL OF MINUTES:

Regular Meeting: March 15, 2023

The following correction was made to the minutes under Section D:

Correct the spelling of radical.

- ** MS. WATFORD RALEIGH MOVED TO ACCEPT THE MINUTES AS CORRECTED**
- ** MR. DICKENS SECONDED**
- ** MOTION PASSED WITH ONE (1) ABSTENTION (MR. WITHERSPOON)**

V. DISCUSSION: ARTICLES I – III, VI

A. §3-3.C, §6-3, §6-4 and §6-5 - Sheriff, Selectmen and Constables

Andy Garfunkle, First Selectman, in his fourth term shared his thoughts on the position. He said he served 10 years as the City Clerk and looked up in the City Charter to see what the First Selectman does and said he could find nothing in the Charter. He said he would receive a \$100.00 stipend per year, but has never gotten it.

Mr. Garfunkel said he searched intensely for what the duties of the Constable would be, but could not find anything in the City Charter.

Ms. Brescia asked Mr. Garfunkle for his opinion. Mr. Garfunkel said it is an honor to serve the City in any capacity, but in his opinion, there is no position on the ballot for it.

Ms. Watford Raleigh asked Mr. Garfunkle what he meant by to serve. Mr. Garfunkle explained that he has been active in Norwalk politics since 1995 and feels ready to function any time if called upon.

Mr. Ray Cooke, said he is one of seven elected Constables for Norwalk and on an almost daily basis performs the duties of the Constable such as serving papers. He noted it is an interesting position.

Mr. Cooke said he is busy and in touch with other Constables that also have work serving papers in Norwalk. Ms. Brescia asked if there is any training for this position. Mr. Cooke said there is no training but would love to have some training. He said that in talking with the Marshalls, they are very busy and welcome someone local to serve papers.

Ms. Wasunna said there is a State Statute that refers to Constables and they also refer to an “Indifferent Person”, which is anyone who is not party to a suit. She added that there are a lot of opinions about the position. Mr. Cooke said the Charter does not clearly describe the position.

Mr. Dickens asked Mr. Cooke if he serves eviction notices. Mr. Cooke said he does – they are a Notice to Quit. Mr. Dickens asked if they are licensed to carry a firearm. Mr. Cooke said they are not. Mr. Cooke asked if when doing his job and feels it is necessary to call the Police, will he do that. Mr. Cooke said he will contact the Norwalk Police Department.

Following a brief discussion, Mr. Cooke said he believes the position should remain as an elected position to remove any favoritism. Mr. Mednick said that Mr. Bondi, a Constable called and said he would like this position to remain status quo.

Ms. Beth Eglebaum described her first term as a Constable. She said that when she was sworn in, she was told there were no instruction on what to do. She found out at a “Constable does a Constable’s job”. She said she knows she can serve papers and asked to be put in the rotation; this is a totally non-position.

Mr. Dickens asked Ms. Eglebaum what her motivation was to become a Constable. She said she likes to be involved in the Town and the position needed someone to run.

Mr. Stuart Wells, Registrar of Voters said that as far as he knows, the Sheriff Selectman and Treasurer positions serve no purpose. The Constable serves a purpose in the City by serving papers. The Job of the Selectman was to serve on the Board of Electors, that that board was abolished some time ago.

Mr. Wells described the risk with the election of these positions because a City wide re-count would be expensive. If these positions were eliminated, they would be able to only print on one side of the ballot, instead of double sided, which would be a cost savings.

In response to Mr. Mednick’s question, he was told that Constables have insurance to cover the type of work they do.

Mr. Rob Romano, said he is in a unique position, because his father was a Constable. He stepped in after he passed away. There was not a lot of direction on what to do. Mr. Romano said the position is important, but he would need training. He explained that he was at the District D meeting when they were asked if anyone would volunteer for the position. He volunteered and he was voted in.

Ms. Brescia said they need to check the Charter to see if there is a defined process to replace a Constable.

Mr. Garfunkle said that having been involved in the last Charter Review, 10 years ago, they asked that the wording be simplified. People were very confused by the questions on the ballot.

Mr. Jalen Sneed, Constable said he feels that there should be training for all of the positions. He said people are eager to serve, but a lot do not get the training, unless someone takes them under their wing.

IV. MEETING WITH MEMBERS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Ms. Brescia explained that tonight, they are listing to comments from the members of the Board of Education. The Charter Revision Commission is trying to modernize and bring up to date the Charter and how the city really functions.

Ms. Brescia welcomed members of the Board of Education. Board of Education and Charter Revision Commission members introduced themselves.

Mr. Mooney, said he appreciated receiving the proposed changes to the Charter in advance. He said he shared his initial thoughts with Mr. Mednick. He said he understood that the goal was to make the Charter more user friendly. He touched upon several technical points and said that Board of Education members will be sharing their concerns. Ms. Brescia said the Commissioners read the comments.

Mr. Mooney explained that the Board was concerned about the provision regarding the reporting requirements in section 9-5, specifically about the administrative burden.

Ms. Carpio said their concern is that they were told the revision to the Charter was with the language and to make it easier to understand; however there are a lot of concerns about the responsibilities.

Ms. Brescia explained that this meeting is to get information. They are scheduling at least two public hearings. They are in the gathering phase and the suggestions will be presented to the Common Council and reviewed by them. Any changes to the Charter will go on the November 2023 ballot. She said their major focus was to try and cull and re-arrange the Charter so like issues are together, get rid of the archaic language and to be responsive to how the City currently functions. As people offer suggestions, they will look at them.

Ms. Carpio said the Board of Education is a very different department. Ms. Brescia noted that all departments are different. Ms. Nelson Baekey explained that the Board of Education is elected to operate the school district

A member of the Board of Education said that regarding the reporting requirement, it is an immense amount of pressure and stress to put that information together on a quarterly basis. Mr. Mednick suggested that if it is an administrative burden, they could use effective dates to accommodate that concern.

Ms. McCready Pritchett said the items are public documents. She said her understanding was that the Commission was not going to alter any practices, but the reporting requirement suggests a practice change. The Board of Education gets its power from the State and this requirement does not seem to be appropriate.

Ms. Brescia explained that her understanding was the Commission was tasked with cleaning up the Charter and hearing from all departments in the City. She said they received a lot of comments from other boards. She added that they did not meet with the Board of Education earlier, because the Board of Education was busy. Ms. Brescia said they are looking for input and every comment is welcome.

Ms. Mc Cready Pritchett said there are over 2,000 employees that information could be received is asked for or if people read the documents. The burden of sharing the agreements is on the wrong shoulders. She added that people could FOI items if they want.

Dr. Estrella said that because of the confidential nature of some documents, not all of the information is shared. She asked who would do the work of collating information from all of their departments. She said that as Ex Officio of the Board of Education, the Mayor gets all of those documents. She said that the level of specificity being asked for in 9-5 is excessive. She again asked who would be doing the work. Dr. Estrella said they are already strained with the work on a day-to-day basis and to ask is inconsiderate. Many of the documents are protected through confidentiality. She asked if the City would pay for additional personnel to do the work for the City. Dr. Estrella asked for 9-5 to be eliminated from the Charter and stressed the confidentiality of some of the contracts. Mr. Mednick said that is taken into account in 9-5 and added that this is a governing document.

Dr. Estrella explained that they would have to go document by document and that is quite excessive. She said you are creating an unfunded mandate and asked who is going to do this work. This is an unnecessary burden based on the work that they are already doing.

Mr. Mooney explained that their concern is operational. Finding the agreements would be an administrative burden and redacting the agreements on a quarterly basis would be a burden.

Ms. Brescia asked about the budget. Mr. Mooney said he understands that the budget piece is a work in progress. He raised three points. Ms. Brescia said the Board of Education is a department of the City under the Charter. Mr. Mooney said the Board of Education has dual responsibility and also acts on behalf of the State. Ms. Brescia said they want the reports on time. Dr. Estrella said the Board of Education shifted their calendar to better align with the City's calendar.

Mr. Brescia asked Dr. Estrella if they had access to the suggested changes. Mr. Mednick said Article 10 addresses the changes. Dr. Estrella said she will review the changes with their Chief Financial Officer.

A member of the Board of Education said that 9-4 was new and she was not sure of the intent. She added that it felt demeaning. Mr. Mednick said it was standard language. There are cooperation clauses in the Charter.

A member of the Board of Education said she has been on the Board for a little less than two years and is impressed by how complex it is, with 12,000 children and 2,000 employee. The complexity makes the Board of Education a different department in the City. There seems to be friction, but the complexity of work is another level. Dr. Estrella said she will send recommendations around the budget.

Ms. Brescia announced that a public hearing will take place on April 5th.

B. §3-6. B (1) - Mayoral Succession and Temporary Disability

C. Background Document #5 re – Term of Office and Term Commencement Date

D. List of Critical Charter issues for Public Hearing on 5 April 2023

VI. OVERVIEW ARTICLE IV - COMMON COUNCIL

VII. COUNSEL DISCUSSION OF STATUS – WHAT'S NEXT?

A. Articles V, VII and VIII (Mayor, Boards, Commissions and Departments)

VIII. DISCUSSION OF PUBLIC COMMENT ON CRITICAL CHARTER ISSUES

IX. ADJOURNMENT

**** MR. WITHERSPOON MOVED TO ADJOURN**

**** MS. WATFORD RALEIGH SECONDED**

**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:00 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services