Norwalk Charter Revision Commission Actions

SEPTEMBER 9, 2004

ATTENDANCE: Thomas A. Flaherty, Chairman; Mayor Alex Knopp; Tom Hamilton, Director of Finance; Louis Ciccarello, Corporation Council; Galen Wells; Kelly Straniti; Charles R. Pennington; Richard Moccia

The Chairman called the meeting to order at 7:35 p.m.

INTRODUCTION OF MEMBERS

Mr. Flaherty welcomed the members and said he was honored to chair the Charter Revision Committee. Then he asked the commission members to introduce themselves. He noted that three commission members were absent from the meeting. As well, he reviewed the meeting's agenda, which included two items: 1) To change the dates required under the charter for the various financial meetings that have to be held, reports filed and decisions that have to be made by departments and the board of estimates and taxation and 2) To determine whether or not the presently elected town clerk will be changed to a position which is appointed and under what terms the appointment will take place.

The Chairman said that the Mayor and Attorney Ciccarello have advised them that they are to follow a Charter Revision Format. The format requires a series of steps to accomplish a revision to the charter and the organizational meeting is a primary step. Officially, there must be two public hearings. The first public hearing would be more of an informational gathering hearing. At that point, Mr. Flaherty informed them, the commission would have to come up with a draft proposal for changes to the Charter. Then there must be another public hearing, in which there is available to the public the draft the commission wrote, in order for comments to be given by the public, regarding the direction the commission is going. After the 2nd public hearing, it is required that they complete their draft and make it a final report and submit it to the Common Council. The Chairman commented that they must schedule between 4 to 6 meetings to accomplish their goals.

The Mayor now thanked the commission members for giving their time and for being willing to serve. He noted that charter revision is a significant process of the city and it is governed by state statute. As well, the party representation is equal, which he feels is important, because charter revision should be accomplished on a bi-partisan basis.

Mayor Knopp drew the commission's attention to the packet he had distributed. He then proceeded to review the items included in the packet. The first item he mentioned was the resolution that was adopted by the Common Council, which states there is a recording deadline of December 15, 2004. The resolution puts before the commission two issues, a change in the schedule for the adoption of the operating budget and a change in the method of the selection of the town clerk from an elected position to an appointed position.

Also included in the packet, the Mayor remarked that there is a draft for possible meeting dates, for which his office has reserved rooms at City Hall. A portion of their meeting tonight would be to determine their schedule of meetings for the two issues before them.

DISCUSSION OF COMMON COUNCIL CHARGE RE BUDGET SCHEDULE

The Mayor continued that in terms of the first issue, which is the change for the budget, the packet included the following items: The current deadlines for the budget adoption; a draft that would change the date from the 1st Monday in April to the 1st Monday in May; and items for the second issue: Background information, including a memo from Attorney Ciccarello with information from charters and other principalities regarding town clerks; a copy of the Norwalk provisions regarding the town clerk; and a copy of the state statute governing charter revisions.

The Mayor informed the commission that Norwalk has one of the earliest budget adoption schedules in the state and that only a minority of principalities requires the adoption of a budget in April. The majority of principalities call for the budget adoption in May and a few allow the adoption process to go into June. He explained that the reason this issue is being discussed is that more and more state aid plays an important role in the state budget. The legislature's trend is to adopt its own budget, with levels of education funding, county roads, and other issues later and later calendar wise. Of late, Norwalk has only been able to incorporate the Governor's budget speech as setting the base line for state aid figures without knowing if those would be the final ones or not. In even numbered years, the legislature adjourns the first week in May and in odd numbered years, they adjourn the first week of June. If Norwalk could extend the budget process till May, it would allow them to get a much more accurate reading on state budget figures.

Additionally, the Mayor noted, that the later the process occurs, the more accurate the information is that they are working with. The budget begins July 1. There are figures the schools submit concerning how many teachers are needed for the next school year and how many teachers are retiring, which would be beneficial to have for the budget, but the handicap is not having these figures in time for the April 1 budget adoption. The earlier the budget comes up, the more guesswork is involved; the later the budget is adopted, the guesswork is less.

DISCUSSION OF COMMON COUNCIL CHARGE RE TOWN CLERK

The Chairman then asked the Mayor to please give some background information on the town clerk issue. The Mayor explained that for about fifteen years, the City had a town clerk, who both parties agreed, was someone with stellar credentials and who didn't favor either party. After this individual retired, Norwalk had a town clerk who served two years and then a new town clerk who replaced him. Within four years, there were two new town clerks. It seemed to both parties that the concept of having a professional office with continuity, especially considering new technology in the services provided by the city, would be a benefit. These remarks are made without criticism to the current town clerk, the Mayor noted and he said that this town clerk is in favor of an appointment for this position.

DISCUSSION OF MEETING AND PUBLIC HEARING SCHEDULE

The Chairman presented the suggested meeting dates given to the commission by the Mayor. According to the list of suggested dates, 6 meetings would take place. The next meeting would occur on Tuesday, September 21st and the date of the last meeting would be on November 18th. Mr. Flaherty felt that the meeting they were having then covered the criteria needed and the next meeting could be the 1st public hearing.
The Chairman commented that he had obtained some ordinances from towns that have a town clerk. They tend to be a paragraph long.

The Mayor pointed out that there is a state statute that allows a municipality to move from an elected to an appointed town clerk by the Common Council passing an ordinance. The Mayor's preference is to make the town clerk change through the Charter Revision Committee, even though the statute doesn't require a special committee.

Attorney Ciccarella noted that he will advertise the public hearing and the meeting following and both will have specific times listed.

After considerable review of the suggested dates, the determination for the meetings and two public hearings resulted in the following schedule:

Tuesday, September 21:
Part One: 7:30 p.m. 1st Public Hearing
Part Two: Commission meeting at 8:15 p.m.,
or immediately following public hearing

Thursday, September 30:
7:30 p.m. Hold the date for a meeting if needed.

Thursday, October 21:
Part One: 7:30 p.m. 2nd Public Hearing
Part Two: 8:15 p.m. Commission meeting at 8:15 p.m.,
or immediately following public hearing

Thursday, October 28:
7:30 p.m. Hold the date for a meeting if needed.

** MR. MOCCIA MOVED TO APPROVE THE MEETING AND PUBLIC HEARING SCHEDULE

** MR. PENNINGTON SECONDED THE MOTION
** THE MOTION PASSED UNANIMOUSLY

The Chairman requested the authority to send out special invitations for the public hearings to specific groups that will be impacted by the proposed revised budget schedule, i.e. the Board of Education and the Taxing Districts. He would like them to be sent from the Mayor's office. Then on the issue of the town clerk, the Chairman would like to invite the present town clerk and the prior town clerks to specifically attend. He thought that all could benefit from input from the past and present town clerks. The Chairman said he would talk with Mr. Hamilton about the specific names for invitation letters.

Then he stated that there is a draft in the file, which was not going to be discussed at that meeting, but it was for approval of the budget schedule date change.

The Mayor requested that everyone attending send him an e-mail, which would provide him with members' e-mail addresses. He left the meeting at 8:10 p.m followed by Mr. Hamilton, who left at the same time.

The Chairman asked Attorney Ciccarello what constitutes a quorum for this commission and Atty. Ciccarello responded that five commission members are needed.

Attorney Ciccarello said that Mason's Rules or Robert's Rules could be on the agenda for adoption and that will be the source of any rulings. He suggested that while the Chairman had everyone there, he could take a vote. He then explained the basic difference between the two types of rules.

** MR. MOCCIA MOVED TO ADOPT MASON'S RULES
** MR. PENNINGTON SECONDED THE MOTION
** THE MOTION PASSED UNANIMOUSLY

Attorney Ciccarelli suggested to the Chairman that when the letters are written to the specially invited individuals that the invitees forward any comments to the Chairman in writing. This way there is an opportunity for the commission members to review the suggestions prior to the hearings and meetings. Also, he suggested that a like letter be written to Mr. Hamilton, regarding his input.

Attorney Ciccarelli comments included pointing out that the Home Rule Act is in the packet, because it is the basis for the commission's findings. He recommended that if they would like to review any particular section, that they review Section 7-191, which addresses the committee. He mentioned that most of the act is not pertinent to this commission and that the section about the town clerk is a one-paragraph section. He stated that if the town clerk should change from an elected position to an appointed position, Chapter 107 of the code would be expanded to include the appropriate language.

The Chairman asked Atty. Ciccarelli about the technical procedure of how many days prior notice must be given in an advertisement about the public hearings. His response was seven days. Further, Atty. Ciccarelli said that his office would assume the responsibility for the placement of the notice, as well as the content of the notice. The Chairman asked him if there were an additional meeting, such as September 30th, would it suffice to post the additional meeting notice at City Hall, rather than placing an ad. Atty. Ciccarelli responded positively and said that kind of posting would be acceptable.

** MR. PENNINGTON MOVED TO ADJOURN THE MEETING.
** MS. STRANITI SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted by,

Katharine Reilly
Telesco Secretarial Services