



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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Ted Graziani
Chairman

Tom Palshaw
Vice Chairman

Bill Correia
Keith Durao
Jim Prichard
John Ridzon
Heather Stavens

Charter Revision Commission

REGULAR MEETING MINUTES

March 21, 2018

MEMBERS PRESENT: Keith Durao, Ted Graziani, Tom Palshaw, Jim Prichard, John Ridzon and Heather Stavens

MEMBERS ABSENT: Bill Correia

I. CALL TO ORDER:

Chairman Graziani called to order the Charter Revision Commission (CRC) Regular Meeting at 6:34 p.m. in the Town Hall Meeting Hall, 55 Main Street, Ellington, CT.

II. CITIZENS' FORUM [Non-agenda items]: None.

III. APPROVAL OF MINUTES:

A. February 21, 2018 Regular Meeting Minutes

MOVED (PALSHAW), SECONDED (RIDZON) AND PASSED UNANIMOUSLY TO APPROVE THE CHARTER REVISION COMMISSION REGULAR MEETING MINUTES OF FEBRUARY 21, 2018.

IV. UNFINISHED BUSINESS:

A. Review Memo from Town Attorney

1. Section 205

The members reviewed the memo from the Town Attorney, dated February 28, 2018, regarding whether the Town has the power to fill vacancies in elected Town boards for the duration of the unexpired term, rather than until the next regular election. Mr. Palshaw reviewed the research he did on State Statutes 9-221, 7-107, 9-220, 7-343, 7-194 and 7-193 and stated that he is at odds on how to proceed. He questioned which State Statute the CRC could use to justify filling an elected vacancy for the duration of the term. Mr. Palshaw researched how other Towns address this issue and reported the following:

- Town of Tolland: Appointed for the unexpired term, or until the next biennial election, whichever is sooner.
- Town of Simsbury: Appointed for the unexpired term, or until the next election, whichever is sooner.
- Town of East Windsor: Appointed for the unexpired term or next election, whichever is sooner.

- Town of Andover: Appointed for the unexpired portion of the term.
- Town of Seymour: Appointed to the next regular election.
- Town of Bolton: Appointed for the unexpired portion of the term.
- Town of Glastonbury: Appointed for the unexpired portion of the term.

Mr. Palshaw will contact the towns that fill elected vacancies to the unexpired portion of the term for guidance on how to incorporate that language into the Town Charter.

2. Section 1011

Mr. Palshaw referred to the memo from the Town Attorney, dated February 28, 2018, regarding Section 1011. He stated that the Town Attorney has pointed out that the Ordinance Concerning Competitive Bidding is flawed because it specifically says it is amending the Charter and it refers back to the Charter for specific changes in the text; however, the Charter cannot be amended by an ordinance. Mr. Palshaw noted that the intent of the ordinance is clear that competitive bidding is only required if a purchase is estimated to exceed \$25,000. The Town Attorney has recommended that the Ordinance be amended and stated that she will provide assistance in revising the wording.

Mr. Palshaw noted that the Board of Selectmen recently voted to have the Board of Selectmen Ordinance Committee study the Ordinance Concerning Competitive Bidding and make a recommendation to the full Board of Selectmen. The CRC decided to wait on considering a Charter change to Section 1011 until the Board of Selectmen make a finding on possibly revising the Ordinance Concerning Competitive Bidding.

MOVED (DURAO), SECONDED (GRAZIANI) AND PASSED UNANIMOUSLY TO TABLE DISCUSSIONS/ACTION ON THE PROPOSED REVISIONS TO SECTION 1011 OF THE TOWN CHARTER UNTIL THE BOARD OF SELECTMEN HAVE MADE A FINDING ON THE POSSIBLE REVISION TO THE ORDINANCE CONCERNING COMPETITIVE BIDDING.

- B. Consider Changes to the Town Charter
 - 1. Charter Revision Commission Draft Report

The CRC members discussed the proposal to add a Director of Emergency and Medical Services position to oversee all three emergency services agencies.

Mr. Palshaw stated that the voters are sure to ask why the CRC is recommending adding this position. He felt the CRC should prepare justification for this proposal and distributed a list of questions that he anticipates residents may ask. The CRC will review the questions for discussion at the April meeting.

The CRC members agreed that the issue of establishing a position/department to administer the fire and emergency services is not about performance of the agencies but to coordinate the administrative work, i.e., budgeting, purchasing, maintenance and repairs to facilities, apparatus and equipment.

The CRC was provided with copies of the section of the Town of Coventry Charter regarding the establishment of a Town Fire and EMS Department. Mr. Palshaw reviewed the document and made comments on how to refine it for Ellington. Mrs. Stavens stated that Coventry's language is simple and to the point.

Mr. Graziani stated that there is a lot of work to do regarding this proposal and he does not feel the CRC will be ready to place it on the November ballot.

Regarding the proposal to change Section 605 – Power to Overrule Town Meeting Actions, the CRC decided to table discussion to the next meeting.

MOVED (PALSHAW), SECONDED (GRAZIANI), AND PASSED UNANIMOUSLY TO TABLE DISCUSSION ON SECTION 605 – POWER TO OVERRULE TOWN MEETING ACTIONS TO THE APRIL 18, 2018 MEETING.

2. Other Changes

No new proposals have been submitted.

V. NEW BUSINESS:

No new business was received.

VI. ADJOURNMENT:

MOVED (PALSHAW), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO ADJOURN THE REGULAR MEETING OF THE CHARTER REVISION COMMISSION AT 7:43 P.M.

Respectfully submitted,



Marie Sauve
Recording Secretary