



**TOWN OF MADISON**  
CONNECTICUT  
06443-2563

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**MEETING DATE:**

Thursday, February 12, 2015

**MEETING PLACE:**

Town Campus - Room A

**SUBJECT TO APPROVAL**

**Charter Review Committee  
Special Meeting  
Minutes**

Members Present: Joan Walker (Chair), Bill Gladstone, Diane Stadterman, Dotty Bavin (Vice Chair), Jim Deephouse, Scott Scherban and Deb Heinrich.

Others Present: Stacy Nobitz, Finance Director; Mike Ott, Director of Public Works; Alma Carroll, Director of Town Services

The subcommittee convened at approximately 7:31 a.m.

1. Public Comment.
2. Review and take action on prior meeting minutes.

**MOVED:** by Diane Stadterman and seconded Dotty Bavin by to accept the regular meeting minutes of February 5, 2015.

**VOTE:** This motion was approved with six votes in favor and one abstention.

3. Review and take action to approve language changes to Sec. 7.3.1

**Ms. Walker motioned for and Ms. Stadterman seconded the approval of revising Section 7.3.1 as follows:**

**7.3.1 Establish and Abolish.**

**The motion was approved unanimously.**

4. Review and take action to approve language changes to Sec. 8.1

Ms. Walker stated that the Town's Legal Counsel has verified that there is no harm in listing all permanent authorities/boards/commissions/committees even if they were not meeting. The BoS can be the default of any of the Boards.

Mr. Gladstone stated that he felt that not all the authorities/boards/commissions/committees should be listed in the Charter and Mr. Scherban agreed.

Ms. Heinrich noted that the language can state that the information on all authorities/boards/commissions/committees can be in an ordinance.

Mr. Deephouse did not see a problem with the current wording and wanted to ensure that the information about the Police Commission lives within the Charter.

Ms. Stadterman suggested that the committee should decide what goes in the Charter.

Mr. Gladstone noted that if all the committee was trying to do was to protect the permanent authorities/boards/commissions/committees, then that may be a reason to list them in the Charter.

Ms. Walker responded that protection is covered in Sections 9.3 and 9.4.

A further discussion occurred, regarding the rewording of Section 8. It was decided that all specific lists of authorities/boards/commissions/committees would be removed. Ms. Heinrich also brought up the point that Section 8.9 could be reviewed regarding whether wording was needed for temporary and permanent boards.

Ms. Walker read the new proposed language for Section 8.1 which should clarify Ms. Heinrich's concern:

There shall exist agencies, boards, commissions and committees in the Town of Madison. Their duties membership and duration will be pursuant to Town Ordinance and Connecticut General Statute. Temporary agencies, boards, commissions and committees may be established by a majority vote of the Board of Selectmen.

**Ms. Stadterman motioned for and Mr. Gladstone seconded the new language for Section 8.1 and the removal of Section 8.1A-R.**

**The motion was approved with six votes in favor and one opposed.**

Mr. Deephouse noted that he felt Section 8.1K should remain in the Charter.

A discussion then ensued where Ms. Heinrich asked for a recap of the history behind the current language of Section 8.1K. Mr. Deephouse noted that in

the past, there were issues of authority between the Police Commission and the Board of Selectmen, and that Section 8.1.K.3 covers that issue specifically. It was noted that 8.1.K.1 and 8.1.K.2 were covered in other sections.

Ms. Stadterman also noted that similar issues happened between Planning and Zoning Commission and the Board of Selectmen in the past.

A discussion ensued about what happens if an ordinance is passed and a certain group would want to overturn it. It was resolved that the Charter allows for this in section 2.2.

**Ms. Stadterman then motioned for and Ms. Walker seconded the approval to move the language of 8.1.K.3 be to Section 7.2.2. Therefore, Section 7.2.2 will be as follows:**

Management employees of the Police Department, other than the Chief of Police, if any, shall also be appointed, as required, by the Police Commission with the prior approval of the Board of Selectmen. Employees of the Police Department, other than the Police Chief or other management, if any, shall be hired by and be responsible to the Police Commission acting on behalf of the Town. All actions dealing with appointments, promotions, demotions or other matters concerning non-union employees of the Police Department shall follow the Town personnel rules, regulations and procedures, unless superseded by a collective bargaining agreement.

**The motion was approved unanimously.**

**5. Review and take action to approve removal to Ordinance of Sec. 8.2 through Sec. 8.7**

Ms. Stadterman noted that section 8.2 should be removed  
A discussion ensued on the current nominating process and the question of whether anything should change in the Charter debated.

Ms. Stadterman stated that both she and Ms. Walker felt that the current system does not do enough to bring in unaffiliated voters. It is almost as if the Town has three political parties – Democrat, Republican and Unaffiliated.

Mr. Scherban felt that the system worked and nothing should be done to the Charter.

Ms. Heinrich raised the point that an unaffiliated voter could be disenfranchised if forced to go through one of the official parties' nominating process. She asked whether there was anything codified in either ordinance, procedures etc.

Ms. Carroll noted that there does not seem to be anything specific to the nominating process.

Mr. Gladstone noted that historically the nominations have been channeled through the two Town Committees. Back in 2008, there was the creation of a common application that could be reviewed and possibly re-instituted.

Ms. Stadterman felt that when the creation of the ordinances to replace the listing that is currently in Section 8.1 was completed, an ordinance could be put in place to ensure a better way to nominate so that unaffiliated voters felt they were covered as well.

To allow for this, Section 8.3 would need to change slightly.

**Ms. Bavin motioned for and Ms. Stadterman seconded the approval of removing Section 8.2., and revising Section 8.3 as follows:**

Pursuant to Subsection 4.1.4 I, the Board of Selectmen shall, within 90 days of vacancy, appoint and/or reappoint all appointed commissioners to vacancies on appointed commissions consistent with the terms of this Charter and Town Ordinance.

**The motion was approved with five votes in favor, one abstention and one opposed.**

No further changes were made to Section 8.4 - 8.7

**6. Review and take action to approve language changes to 2.1.4.1 Annual Town Meeting**

Ms. Stadterman noted that there have been very few people of the public that show at the Annual Town meeting - three this year and about six last year. She felt that if the date of the meeting was changed to September, there would be better turnout. A discussion on the timing ensued.

Ms. Scherban felt it should stay at the same time since it is right after elections.

Ms. Bavin felt that the timing was because the Annual Audit is required to be submitted to the State by the end of December.

Ms. Heinrich questioned if there were any statutes requiring this timing since it is so specific in the current Charter.

Ms. Stadterman responded that other local towns have their meetings at different times, and Ms. Walker noted that all other levels of government – state and federal – have their “state of” addresses in January.

The committee agreed that language for timing would remain. The remaining changes to the paragraph were discussed, including; removal of language requiring reports to be at the Annual Town meeting; removal of the reading of any reports at the town meeting and removal of possibility to vote for reports to be read at the Annual Town meeting.

**Ms. Stadterman motioned for and Mr. Gladstone seconded the approval of adding Section 2.1.4.1 to read as follows:**

There shall be an annual Town Meeting held at 7:30 PM, no later than 45 days from the start of each calendar year. The agenda shall include the audit results, a State of the Town report, and a Five-Year Capital Expenditure Plan. At the close of the fiscal year, each permanent commission shall file a report of its activities for the preceding fiscal year with the Selectmen's Office. Such reports shall also be made available by the Town Clerk. The Board of Selectmen may add, and publish notice thereof, additional items of business to the call of the meeting. Records and reports from the annual Town Meeting shall be kept on file with the Town Clerk and available to the public.

**The motion was approved unanimously.**

**7. Review Special Appropriation Definition.**

The committee reviewed the current definition and chose not to make any changes.

**8. Review all proposed Charter changes.**

This item was tabled.

Ms. Heinrich asked that the agenda be opened to include a possible further extension on submission of the draft. Hearing no objections, the agenda was opened to include this item. It was agreed that in order to present the best possible draft, the committee would ask for an extension to March 20, 2015. This would give the committee time to do a thorough review of all changes that have been proposed and agreed upon, along with any changes that may be considered from the Public Hearing.

It was also discussed at to what the role the CRC will play until the referendum. Ms. Carroll noted the various steps that will involve the CRC in the future months

Ms. Walker moved and Ms. Stadterman seconded to move for an extension to March 20th. A new meeting schedule was created as follows:

Wednesday February 18, 2015 - 7:00pm Hammonasset Room  
Thursday, February 19, 2015 - 7:00pm Room D

Wednesday February 25, 2015 - 7:00pm Room A  
Wednesday March 4, 2015 - 7:00pm Room B  
Friday March 13, 2015 - 7:30am Room A  
Thursday March 19, 2015 - 7:00pm Room D

**9. Public Comment.**

None.

**10. Adjourn**

There being no objections, Chairwoman Joan Walker adjourned the meeting at 9:29 a.m.

Respectfully submitted,

Lauren Rhines  
Recording Secretary