



TOWN OF MADISON
CONNECTICUT
06443-2563

MEETING DATE:

Thursday, February 19, 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: Alma Carroll, Director of Town Services

The subcommittee convened at approximately 7:00 p.m.

1. Public Comment.

Gus Horvath of Aylsebury Circle stated that he felt the Town Manager position was a change to the form of government and that the language in the Charter should be such that the position "may" be implemented. He also felt this would be best done via Ordinance and not via Referendum vote. Regarding the Extended Town Meeting, Mr. Horvath felt that the quorum limits should be raised 15% of the registered voters and that there are too many Town Meetings and there should be changes made to reduce the number of Town Meetings called.

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 12, 2015.

VOTE: This motion was approved unanimously.

3. Review all prior Charter revisions.

The committee read through the draft Charter starting with the Preamble and made the following edits:

Preamble

~~A.—This Charter is the organic law~~ of the Town of Madison (hereinafter referred to as the “Town”) provides ~~ing~~ for the administration of its local affairs.

~~B.—Matters of administration of local affairs not provided for by this Charter, or by lawful ordinance, shall be governed by the General Statutes including the Home Rule Statute~~ and any Special Acts of the State of Connecticut applicable to the Town.

~~C.—Nomenclature and Usage~~

The word “commission” in this Charter includes boards, agencies, authorities, committees and commissions.

~~When the context so requires, the masculine gender shall include the feminine, and the singular shall include the plural, and the plural the singular.~~

The term “elector” as used in this Charter shall mean any person possessing the qualifications prescribed by Connecticut law and duly admitted to, and entitled to exercise, the privileges of any elector in a Town.

The term “voter” when used in this Charter shall mean ~~an~~ electors of the Town and United States citizen of the age of 18 years or more, who is liable, either alone or jointly and severally, to the Town for taxes on an assessment of not less than \$1000 as shown by the last complete Grand List or otherwise by presentation of adequate proof pursuant to Town Ordinance.

Section 1.2 Powers and Privileges

B. Except to the extent otherwise lawfully provided by this Charter, the Town shall have all powers and privileges ~~heretofore or hereafter~~ conferred upon the Town by the Constitution of the State of Connecticut, by the ~~Home Rule Law, or any other the~~ General Statutes, or by applicable Special Act.

Section 2.1.1 Members of Town Meetings

Members of the Town Meeting and those entitled to vote at Town Meetings and referenda extending from Town Meetings, including the Annual Budget referendum, shall be the voters of the Town as defined in ~~subparagraph C of~~ the Preamble to this Charter. Seventy-five (75) voters shall constitute a quorum and, if not attained, the recommended action by the executive branch and/or financial branch shall be final.

Section 2.1.3 Moderator of Town Meetings

There shall be a Town Meeting moderator who **is an elector of the Town and** shall be elected at each Town Meeting by the majority of the members present at the call to order of the Town Meeting. Duties of the moderator shall be defined by ordinance.

Section 2.1.4.3 Petitioned Town Meeting

The Board of Selectmen shall call a petitioned Town Meeting upon receipt of a petition signed by 500 voters to: (1) propose ordinances; (2) propose the repeal or modification of existing ordinances; and (3) propose other valid Town Meetings provided that the item petitioned **meets is of** proper legal subject. The procedure and requirements to be followed to petition a Town Meeting shall be:

- a. The petition shall be filed by an elector of the Town with the Town Clerk and, except as otherwise provided herein, such petition shall conform to the requirements of **Sections 7-9 of** the General Statutes, as amended.
- b. Said petition, or counterpart thereof, shall contain the full text of the proposal and ordinance and shall be signed **in ink or indelible pencil** by no less than 500 voters.
- c. Said petition, or counterpart thereof, shall be accompanied with affidavits signed or sworn to by each circulator as provided in **Sections 7-9 of the General Statutes**.
- d. The Town Clerk shall, within five calendar days after receipt of said petition, determine whether the petition **and counterparts thereof** received **are is** sufficient as required by law, and, if so, shall certify said petition to the Board of Selectmen.
- h. Except for the adoption of the Annual Budget, all Town Meeting actions, including a negative action, shall be subject to reconsideration by a referendum pursuant to Subsection 3.3.; **but No** petition shall be accepted **if it is determined** by the Town Clerk **if he determines** that the action proposed therein is substantially similar to that of any initiated petition rejected by a prior Town Meeting less than six months prior to the date thereof. Any such petition must include 1200 1,000 signatures of voters.

Section 2.2 Voting at Town Meeting

Voting shall be allowed by all voters present at the meeting and at the Office of the Town Clerk during normal business hours **for four business days starting the first business day following the call of the meeting, as set forth in the call of the meeting.** Voting hours at the Office of the Town Clerk shall be from 6am-8pm on at least one of the four voting days as determined by the Board of Selectmen. **for four business days starting the first business day following the call of the meeting, as set forth in the call of the meeting.** The extended town meeting shall automatically adjourn at the conclusion of that period. A recording of the initial meeting will be made available to voters. Any

vote cast by a qualified voter during the period of the extended town meeting shall count toward the quorum requirements of this Charter ~~and whether the question(s) presented is/are carried.~~

Section 3.1 Town Elections

A regular Town election shall be held on the first Tuesday after the first Monday in November of each odd numbered calendar year. Special Town elections may be held from time to time as required by law. Those eligible to vote in Town elections shall be the electors of the Town as defined in ~~Subsection C of~~ the preamble of this Charter.

Except where otherwise specified by the General Statutes, all elected officials shall be elected ~~biennially~~ at the regular Town election, and all elective terms of office shall commence on the Monday following election to office. Only an elector of the Town shall be eligible for election to any Town office. Any person ceasing to be an elector of the Town shall thereupon cease to hold elective office in the Town and the office shall be deemed vacant.

Section 3.2 Annual Budget Referendum

An annual referendum to vote on the recommended Town Budget, including the Education Budget, shall be held no later than the 25th day of May ~~by use of voting machines.~~

Section 3.3 Petition for Referendum to Reconsider Town Meeting Action

b. Any such petition shall conform to the requirements of the General Statutes, as amended, and signed ~~in ink or indelible pencil~~ by no less than 500 voters.

c. Said petition, ~~or counterparts thereof,~~ shall be accompanied with affidavits signed and sworn to by each circulator as provided in ~~Section 7-9 of the General Statutes, as amended.~~

d. The Town Clerk, within ten calendar days after receipt of said petition ~~and counterparts thereof,~~ shall determine whether said petition and affidavits are sufficient as prescribed by law, and if so, certify said petition to the Board of Selectmen.

h. ~~Except for the adoption of the Annual Budget, all Town Meeting actions, including a negative action, shall be subject to reconsideration by a referendum pursuant to this Subsection 3.3.; but~~ No petition shall be accepted if it is determined by the Town Clerk ~~if he/she he determines~~ that the action proposed therein is substantially similar to that of any petition rejected at a

Town Meeting held less than six months prior to the date thereof. Any such petition must include 1,000 signatures of voters.

Section 3.5 Board for Admissions of Electors

The Town Clerk and assistants and the Registrars of Voters and assistants or deputies shall constitute the Board of Admissions of Electors in accordance with ~~Section 9-15a of~~ the General Statutes.

Section 4.1.1 Meetings of the Board of Selectmen

C. A majority of the votes cast at a meeting at which a quorum is present at the time of the vote, shall constitute the act of the Board of Selectmen, unless a greater vote is required by this Charter, ~~or by~~ ordinance, ~~or~~ General Statutes ~~s~~ or applicable Special Act.

Section 4.1.2 General Powers of the Board of Selectmen

B. Except to the extent otherwise provided in the Charter, the Board of Selectmen shall have all powers, duties, and responsibilities ~~heretofore or hereafter~~ conferred upon Boards of Selectmen by any General Statute or applicable Special Act.

Section 4.1.3 General Duties and Responsibilities of the Board of Selectmen

B. Supervise the custody of all records and books of account of the Town except those of the Board of Education consistent with the right of access of the Board of Finance pursuant to Section 10.11 ~~hereof~~;

Section 4.1.4 Specific Powers of the Board of Selectmen

C. Perform the ~~These~~ duties, responsibilities and powers set forth in Article X. ~~hereof~~.

Ms. Walker motioned for and Ms. Bavin seconded the approval of the above edits.

The motion was approved unanimously.

4. Discuss potential new Charter revisions.

Section 8.1 Appointive Commissions

There shall exist the following ~~agencies, boards, and committees commissions~~ 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.

Section 8.3 Terms of Appointed Commissioners

~~All terms on appointive boards and commissions started prior to January 2, 2006 shall continue until completed.~~ The terms of all appointive ~~boards,~~ commissions ~~and committees~~ shall be four years in length and staggered. The Board of Selectmen shall be the appointing authority ~~;~~ ~~thereafter, as terms expire, the Board of Selectmen shall make appointments so that the terms of all boards and commissions shall be four years in length and staggered.~~

Section 8.6 Removal of Appointed Commissioners

The Board of Selectmen, with a minimum of four affirmative votes, may remove any member or alternate of an appointive ~~board,~~ commission, ~~or committee~~ who has: (1) failed to attend at least 75 percent of the regular meetings scheduled by said ~~board,~~ commission, ~~or committee~~ during any calendar year, or (2) for cause, including for failure to comply with the duties and abide by the obligations imposed on such appointees by local, state or federal law or regulations, including the Town ~~code of ethics~~ Ethics Policy.

ARTICLE IX. GENERAL PROVISIONS APPLICABLE TO ALL TOWN BOARDS AND COMMISSIONS

Section 9.1 Political Composition of ~~Boards and~~ Commissions

Except as provided within this Charter, the composition of all commissions shall be in accordance with requirements of the General Statutes relating to minority representation.

Section 9.2 Powers and Duties of ~~Boards and~~ Commissions

All ~~boards and~~ commissions shall have the power and duties granted or imposed upon such ~~board and~~ commissions by the General Statutes, ordinances, this Charter, and any applicable Special Act except as otherwise provided by this Charter.

Section 9.3 Creation of Permanent Commissions

Elective or appointive permanent ~~boards and~~ commissions may be created by a Town Meeting after due notice, as prescribed in Section 2.1.2 of this Charter.

Section 9.4 Abolishment of Commissions

No permanent ~~board or~~ commission shall be abolished except upon the affirmative vote of a Town Meeting, provided that a quorum is present at the Town Meeting or by Charter revision.

During the discussion of these changes, the committee decided not to make a formal vote but to consider the language needed in Section 8.3 to define the initial creation of a commission where terms need to be staggered (some appointments being 4 years and some appointments being 2 years).

Section 10.3.2 Annual Audit.

The Board of Finance shall annually designate an independent certified public accountant to audit the books and accounts of the Town as required by the General Statutes.

The Town of Madison will solicit competitive audit proposals as defined in the Board of Finance Regulations.

5. Public Comment.

None.

6. Adjourn

There being no objections, Chairwoman Joan Walker adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Lauren Rhines
Recording Secretary