

**TOWN OF HADDAM**  
**CHARTER REVISION COMMITTEE**  
**REGULAR MEETING**  
**ANNEX BUILDING**  
**11 JAIL HILL ROAD, HADDAM, CT 06438**  
**MONDAY, 21 NOVEMBER 2016**  
**UNAPPROVED MINUTES**  
*Subject to Approval by the Commission*

**ATTENDANCE**

A	Michael Battistoni, Assistant Secretary
X	Thomas Berchulski
X	William Bowles
X	Audrey Brookes, Secretary
X	John Fernandes, Vice Chairman
A	Harlan Fredericksen
A	Amy Jacques-Purdy
X	Wayne Rutty, Chairman
A	Lizz Milardo, First Selectman
X	Bunny Hall Batzner, Recording Clerk

**1. Call to Order**

Mr. Rutty, chairman, called the meeting to order at 7:06 p.m.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**3. Review Minutes – 19 September 2016 Meeting**

Tabled.

**4. General Discussion**

Mr. Rutty opened the discussion by reviewing comments made by Joe Centofanti, Chairman of the Board of Finance (BOF), at the September meeting concerning revisions to **Article 9**. Mr. Rutty stated it is his personal opinion that it's a mistake, as the Charter is only a guide to let people know what's available and what can be done; and although not every step is taken, it doesn't mean it shouldn't remain in the Charter as the next group of people may want to do it or get ideas of what could be done.

Mr. Rutty also discussed the proposed seventh member of the BOF noting that the BOF has worked fine for a number of years with six members. Mr. Bowles stated the Committee has already voted on the matter. Mr. Rutty stated the Committee can still discuss the issue. Mr. Bowles agreed the Committee can discuss it and change their vote. Mr. Bowles stated when given the floor, he will explain what he's done with **Section 4**. Mr. Rutty gave Mr. Bowles the floor to open discuss.

Mr. Bowles distributed copies of **Article 4** - Elections and Elective Officers and reviewed with the Committee. Mr. Bowles agreed with Mr. Rutty that there needed to be another revision.

**Section 4-1** - There were no changes only to typos. **Section 4-2** - Revised to reflect the appointment of an individual with the insertion of “or Appointment” in the subtitle as well as within the text. **Section 4-3** – There were no changes. **Section 4-4(a)** – Revised. This is in regard to the filling of a vacancy if the individual is unaffiliated and the lack of language regarding their being sworn in. Proposed language added is as follows - “Should the vacancy arise from a person not affiliated with the Republican or Democratic Party, each such Party may recommend a person to fill such vacant position. In addition, the Board of Selectmen shall allow unaffiliated electors to register their interest in filling the vacate position. The Board of Selectmen shall then consider those persons who have been recommended or expressed interest as an unaffiliated elector to fill the vacancy by majority vote.” **Section 4-4(b), (c) and (d)** – There were no changes. **Section 4-4(e)** – New language starts after “respective board” and reads as follows - “for the unexpired portion of term. If the vacancy relates to a person unaffiliated with the Republican or Democratic Party, the procedure set forth in Section 4-4(a) of this Charter shall be followed.” **Section 4-4(f)** – Revision shown in italic - “*Any resulting vacancy created in the alternates shall be filled as prescribed by Section 4-4(a) and Section 4-2 of this Charter. The appointed alternate shall serve until the time of the next regular town election.*” Mr. Bowles noted that the phrase “regular town election” is defined in Section 4-1. Continuing with the revised language: “*At the next regular town election, the alternate seat which has been filled pursuant to this section shall be placed on the ballot for the remainder of the term, if the full term has yet to expire.*” **Section 4-4(g)** – There were no changes. **Section 4-5** – There were no changes. **Section 4-6(c)** – Revisions are shown in italics and they are for the benefit of cleaning up the language – “The First Selectman shall provide each person *elected or* appointed to a board or commission with a copy of the ordinance or other source which defines the duties of *the office for which the said person has been elected or appointed.*” **Section 4-7** – This has not been previously discussed by the Committee. Mr. Bowles reviewed the second sentence as it currently exists and with the proposed revision shown in italic - “The record shall specify the *number* of regular meetings at which they had been present.” **Section 4-8** - This section was previously discussed and will remain as it stands. **Section 4-9** – The word “Treasurer” has been removed. Mr. Bowles stated he thought there was a consensus there was no further need for a treasurer. Mrs. Brookes stated the Committee was waiting for the job descriptions. **Section 4-12** – Revised. “The Board of Finance shall consist of six (6) members and three (3) alternates serving six (6) years each, until the 2019 regular Town election. At that time, the Board of Finance shall consist of seven (7) members and three (3) alternates serving six (6) years each. At least two (2) members and one (1) alternate shall be elected at each regular Town election.” **Section 4.15** – Revised. “There shall be a Board of Assessment Appeals consisting of three (3) members serving four years each. At least one member shall be elected at each regular Town election.” **Section 4-17** – Deleted.

In regard to **Section 4-4**, Mr. Fernandes asked how would someone register or who would they register. Mr. Bowles stated perhaps the Board of Selectmen. Discussion followed with it being determined that the wording “register with the Board of Selectmen”.

Discussion followed in regard to the proposal that the BOF have seven members. Mr. Bowles stated he believes Mr. Centofanti had commented that other towns have an odd number of board members and perhaps Haddam should as well. Mr. Ruty stated just because Mr. Centofanti doesn’t do it doesn’t mean it shouldn’t be in there. Mr. Ruty stated he’s uncomfortable with the whole thing noting that it’s worked for a number of years. Mr. Ruty stated if the BOF were deadlock and the chairman didn’t vote, the motion failed. Mr. Bowles asked if the BOF adopts its rules on how it’s going to govern its meetings and if the chairman only votes if there’s a tie vote. Mr. Ruty responded yes to both questions. Mr. Bowles stated there isn’t a mandate indicating it should be done that way. Mr. Ruty stated no, however, it doesn’t have to be mandated. Mr. Ruty asked why Mr. Centofanti wasn’t monitoring the school budget when it’s outlined in the Charter. Mr. Ruty stated there are a number of things within the Charter that Mr. Centofanti stated he doesn’t do; and asked why somebody isn’t holding him to task.

Mr. Ruty asked why the Committee removed the monitoring of the Regional School District budget as that’s something the BOF should be doing. Mr. Ruty stated there are a number of things that have been taken out and he believes it’s wrong. Mr. Bowles asked if the Committee voted to remove these items or was it merely suggested. Mr. Berchulski stated he thought the reasoning was due to the Regional School District being its own entity as opposed to being just a public school. Mr. Ruty agreed, but that 75 cents

of the tax dollar which the BOF collects goes to the school. After review of the minutes, Mr. Bowles stated it wouldn't be eliminated but moved. Mr. Bowles stated someone else on the Committee needs to take **Article 9** and break it down as he did with **Article 4**. Mrs. Brookes stated she will type it so the changes are visible and send it to everyone to see if anything is missing prior to the next meeting.

Mr. Fernandes asked if there was anything that was brought to the Committee that has not been addressed. Mr. Bowles and Mr. Ruty stated they believe all items brought before them have been covered. Mr. Bowles reviewed the concerns brought up at the public hearing with it appearing the Committee has not addressed elected officials following the Personnel Policy. Mr. Fernandes stated he had Code of Ethics written down. Mr. Bowles reviewed the resolution to see that all items have been addressed (all items appear to have been).

In regard to **Section 3-4**, Mrs. Brookes stated she had a note to change dates. Will address matter with Mr. Fredericksen. The Committee reviewed **Section 3-7(b)** reference to Section 9-6 (Mrs. Brookes noted the wording "Board of Finance should approve" was to be added, but it's unclear if the Committee agreed on it.). Mr. Bowles stated he believes the reference to Section 4-13 means limiting the use of private property is a zoning function which Section 4-13 talks about with the Zoning Board. Mr. Fernandes noted that Section 4-13 only address the number of commissioners. Mr. Bowles stated rather than cite the section within the Charter it may be better to cite the General Statute 8-1. Mr. Bowles also stated he agrees the reference shouldn't be 4-13, but believes what was trying to be said is that the Town Meeting cannot usurp the General Statutes as they relate to zoning. Mrs. Brookes stated perhaps they are trying to reference the last sentence in 4-13 - "The Board shall have the powers and duties prescribed by law." Mr. Bowles stated he believes the statutory reference would be better and that the referencing of 4-13 is vague and confusing and potential not appropriate. Mr. Berchulski agreed with Mr. Bowles. Mr. Bowles will rewrite to reference State Statute.

**Section 3-7(e)** – Mr. Ruty stated he thought the Committee had discussed changing the "50 persons" reference to a percentage. Mr. Fernandes stated he didn't see a problem leaving the number at 50 noting he didn't call anyone indicating it was an issue. Mr. Bowles reviewed the 20 June 2016 minutes (page 4) regarding this matter.

**MOTION:** John Fernandes moved to leave the number of 50 persons in Section 3-7(e) stand as it is. Audrey Brookes second. Motion carried unanimously.

Mr. Bowles noted that the majority of **Section 3-7(e)** talks about an ordinance enactment not a repeal. After review of the paragraph, Mr. Bowles suggested the placement of "or repeal" after "ordinance" in the second and third sentences of the paragraph. Sentences would read as follows - "Such petition shall conform to the requirements of Section 7-9 of the General Statutes and shall contain the personal signatures, printed names and addresses of said persons, and shall contain the intent of such proposed ordinance or repeal, and shall be filed with the Town Clerk. If the petition complies with this subsection, then the Town Clerk shall notify the Board of Selectmen of such proposed ordinance or repeal within two business days after the receipt of such petition." The proposal of the wording "or repeal" would merely clean up the language. The Committee was agreeable with the amendment.

**Section 3-8(b)** – Mr. Ruty noted there's language pertaining to the 50 voters again. Mr. Fernandes stated his notes indicate the Committee was o.k. with the subsection.

**Section 3-9** – Mr. Bowles stated language was merely cleaned up. Section should read as follows - "The acceptance and abandonment of roads by the Town, the sale or other disposition of real estate of the Town used or reserved for Town purposes and the purchase or other acquisition of real estate for such purposes shall require approval of a Town Meeting. The sale of real estate not used or reserved for Town purposes shall be in accordance with an ordinance adopted by a Town Meeting."

Mr. Ruty asked if the revision dates made by the previous Committee should stay, especially if the present Committee did not make the revision. The Committee felt it would be appropriate to leave the

dates; and if revised proposals are accepted, then new revision dates would be noted in areas where it would be appropriate.

**Article 5** reviewed. **Section 5-4** – The Committee had previously reviewed and voted on new wording as submitted by Mr. Bowles. **Section 5-7(a)** – The Committee had previously reviewed. At that time a period “.” was placed after “vacancies” and the remainder of the sentence was deleted. Section 5-8(b) - The Committee questioned the wording “otherwise they shall have no force or effect” at the end of this subsection and the significance of it. After discuss, it was determined the subsection was fine as it stands. **Section 5-10(b)** – The Committee found this wording to be interesting. Mr. Rutty thought it was a good thing to have within the Charter if an appointed board/committee chose to use it.

**Section 6.3(e)** – Mr. Bowles asked if this may be an area to put in wording regarding the Code of Ethics. It was determined this subsection concerns staff and the Code of Ethics should be placed in another location. Mr. Fernandes asked for copies of the Code of Ethics and Personal Policies could be obtained as well as job descriptions. Mrs. Batzner will obtain copies of the requested documents and bring to the next meeting. The Committee will review the documents and determine where they should be referenced, if at all. Mr. Bowles stated he was not suggesting any language change merely to reference the document. Mr. Fernandes thought perhaps a reference could be made in **Section 4-2**. The Committee agreed as this was a more general location and applied to everyone.

**Article 8** reviewed. **Section 8-1** – Mr. Bowles stated he believes the Finance Director needs to be added to the list in this section, especially if it's decided a treasurer is no longer required. Mr. Rutty asked what the department is called now. Mrs. Batzner stated Finance Department. Discussion followed. The Commission requested the job description for the Finance Director (Mrs. Batzner will try to obtain a copy). Mrs. Brookes asked if the Ambulance Service would be treated in the same manner as the Fire Department or would they be a separate function. Mr. Rutty stated he didn't know where the Ambulance would fit noting that for a long time the Ambulance Service was not funded by the town. **Section 8-13** – Mr. Bowles thought the wording was odd in regard to “shall continue to be responsible for”. Mr. Bowles wondered if it should be removed. Mr. Rutty suggested deleting the words “continue to”. The Committee agreed. **Section 8-14(a) and (b)** – The following are to be deleted - “except the employees in the office of Judge of Probate”. Mr. Bowles thought this would be the place to mention the Personnel Policy. Mr. Fernandes stated elected official would be excluded from following the Personnel Policy. Section

**Article 10** reviewed. **Section 10-6** – This may be the one location where the effective date will be removed.

Task list: Mrs. Batzner to provide copies of the Code of Ethics, the Personnel Policy, and the job descriptions. Mrs. Brookes will retype Section 9 and email to all Committee members.

## 5. Adjournment

**MOTION:** Audrey Brookes moved to adjourn. Bill Bowles second. Motion carried unanimously.

The meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The next meeting is scheduled for Monday, 19 December 2016.**