

TOWN OF WESTON

CHARTER REVISION COMMISSION

FINAL REPORT

JULY 12, 2012

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I. EXECUTIVE SUMMARY

Weston's Charter Revision Commission was formed in June, 2011. Our mandate was to review the existing Town Charter, gather input from elected officials, the public and the Town Administrator, and make recommendations regarding changes to the existing Charter.

Sections 7-187 and 7-201 of the General Statutes of the State of Connecticut (the "General Statutes") contain a framework for Charter revision in the State of Connecticut (the "State"). In accordance with that framework, and the Connecticut Freedom of Information Act, the Commission has conducted a series of public hearings, has interviewed Town officials and has, by televising its meetings and through the media, attempted to make the process of Charter amendment as open and transparent as possible.

The Commission, having received input from the public and from Town officials, was guided by a few broad principles in developing its recommendations. First, we endeavored to create a new Charter that would best serve our Town both for the present and well into the future, balancing both the need for immutable principles and the need for flexibility for future evolution. Second, we based our recommendations on what we believe are the overall interests of the entire Town, without influence by any political party or special interest. Third, we were mindful of the importance of protecting and promoting the interests of all residents, including those unaffiliated with either major political party. Fourth, we sought to preserve the fundamental structure of our Town's government, while providing appropriate checks and balances between our elected officials and the Town Meeting. Fifth, in rewriting the Charter, our goal was to simplify the language and achieve more consistency throughout the document.

After an extensive and detailed review process that involved 36 separate meetings of the Commission, the Commission has made a series of substantive recommendations for changes to the Charter and has prepared a draft revised Charter that it unanimously recommends for adoption by the Town.

A. SUBSTANTIVE CHANGES

The Commission is recommending a considerable number of changes to the existing Charter. Some make meaningful changes to the way we govern ourselves. Others are less significant, such as those that are intended to clarify the document or make it more readable. In this section, we summarize a few of the most significant changes. However, the changes are too numerous to include in a short summary, and we therefore recommend that the public read the proposed Charter in its entirety in order to understand the full range of changes that are being proposed.

1. Changes to the Annual Budget Process

The process required by our current Charter for approval of the Town's annual budget is in some respects cumbersome and in other respects unclear. The Commission is proposing a new process that it believes is clearer, simpler and more effective. The key changes are: (1) a requirement that every proposed budget be approved by both a Town Meeting and a referendum taken by machine ballot in order to ensure the broadest possible participation in the budget process; (2) review by the Board of Finance of any budget submitted to a

referendum, including any budget rejected by the voters, to allow for changes to the budget in response to the views of the public; and (3) requiring that a quorum be present at the Town meeting in order for changes to be made to the budget, along with a new procedure to allow secret ballots at the Annual Town Budget Meeting, which are intended to promote broader participation at the Meeting and a balanced process for the Town budget.

2. Elections

Certain changes are being proposed that affect our municipal elections. First, we recommend that the position of Tax Collector, which is currently an elected position, become an appointed position beginning at the end of the Tax Collector's current term. The reasoning for this recommendation is detailed in our Report at Section II F(1)(j). In short, we believe that, as a professional Town employee, like the Town Administrator, this position should be appointed by the Board of Selectmen and should report to the First Selectman. The Town Clerk would remain an elected position. (However, we recommend that, upon the filing of a petition signed by 5% of the qualified voters, the question of whether the position of Town Clerk or Tax Collector, as the case may be, should become an appointed position or elected position, respectively, be presented to the voters.)

Second, we recommend that the terms of the members of the Board of Finance should be reduced from six years to four years beginning in 2017. The reasoning for this recommendation is found in our Report at Section IIF(1)(l). The current six-year term is longer than any other Weston public official and longer than the terms of Boards of Finance in nearly all Fairfield County towns with charters. We recommend the adoption of terms more consistent with prevailing standards. These changes will also help us fix the election cycle for members of the Board of Finance, which is currently out of balance.

Finally, we have addressed a long-standing flaw in the manner in which we elect members of the Board of Education. Currently, members holding a majority (four seats) on that Board are not subject to competitive elections, and are essentially appointed by our two major parties. We propose to make it possible for all members of that Board to be selected via a competitive election process. This recommendation is discussed in our Report at Section IIF(1)(k).

3. Power to Create or Change Positions, Vacancies and Removal of Officials

In order to give the Town more flexibility to modify the current roster of appointed officials, boards and commissions, the revised Charter would give the Board of Selectmen the power to add appointed positions and, with the approval of a Town Meeting, reduce or abolish appointed positions. The Board of Selectmen would not have the power to change in any way elected positions or offices, other than adding alternate positions to the Planning & Zoning Commission.

Because of a flaw in the current Charter, it has provisions for addressing a vacancy in the position of First Selectman that are, at best, misleading. The Commission believes it is important to remedy that problem, and has proposed a procedure to address vacancies in the position of First Selectman. The Commission has also added provisions specifying the

grounds for, and procedures governing, removal of public officials, which our current Charter does not specifically address.

4. Other Changes

The Commission is recommending certain changes to the existing Charter's conflict of interest section, including an express provision creating the Board of Ethics and requiring a Code of Ethics (neither of which is contained in the current Charter), as well as a provision specifying that the Board of Ethics has authority to interpret the Code of Ethics. These changes establish more clearly the legal framework for the critically important ethical standards of our Town.

II. FULL REPORT OF THE COMMISSION

A. BACKGROUND

The Town Charter and the ordinances established thereunder, along with applicable State and federal law, govern the administration of the Town's affairs.

The Town Charter of the Town of Weston was originally adopted in 1967, and was amended in 1976, principally to change the annual Town budget process. In 1979, the Charter underwent extensive revision and changes were made to many of its provisions. Finally, in 2003, the Charter was amended in relatively minor respects.

On June 2, 2011, the Town's Board of Selectmen, by resolution, formed a Charter Revision Commission to review the existing Charter, gather input from elected officials, the public and the Town Administrator, and draft recommended changes to the Charter. As subsequently amended on June 16, 2011, the Resolution requires that the Charter Revision Commission render its report not later than August 1, 2012. A copy of the Resolution, as amended, is attached as Appendix A.

The Resolution specified that all actions of the Commission should be conducted in accordance with Connecticut General Statutes Sections 7-187 through Section 7-201, which outline the process for amending a Town Charter under Connecticut Law. A description of the requirements applicable to Charter revision is attached as Appendix B.

B. FORMATION OF THE COMMISSION

Pursuant to the Resolution, the Board of Selectmen appointed the following individuals to the Charter Revision Commission: Woody Bliss, Richard A. Bochinski, Nina R. Daniel, Arne J. de Keijzer, Kenneth C. Edgar, Jr., Susan A. Moch and Dennis H. Tracey, III.

At its organizational meeting, held June 19, 2011, the Commission unanimously elected Kenneth C. Edgar, Jr. and Dennis H. Tracey as Co-Chairs of the Commission.

C. PUBLIC HEARINGS; ORGANIZATIONAL AND PROCEDURAL MEETING OF THE COMMISSION

Under Connecticut Law, the Commission was required to hold at least one public hearing prior to beginning its substantive work on the Charter, and one public hearing before it

submitted its Report to the Selectmen. Consequently, the Commission held a public hearing on July 19, 2011 and, to give people who may have been traveling or otherwise unavailable to appear on July 19 a chance to testify, held a second public hearing on September 7, 2011. Finally, it held a public hearing on April 25, 2012 to gather public input on its draft Report.

1. The July 19 and September 7 Public Hearings

At the July 19 and September 7 public hearings, members of the public appeared and expressed their views and recommendations concerning the Charter to the Commission. In addition, the Commission received written comments from members of the public. Transcripts of the July 19 and September 7 meetings and the written comments are available online on the Town's website.

2. August 17, 2011 Meeting of the Commission

At the Commission's August 17 meeting, it determined a framework and process for reviewing the Charter. As subsequently modified and implemented, it consisted of the following:

1. All meetings of the Commission would be televised (other than those meetings devoted primarily to drafting the amended Charter).
2. The public could attend all meetings of the Commission, as required by law.
3. In certain instances, preparatory work might be performed by subgroups of the Commission.
4. Legal research would generally be under the supervision of Co-Chairman Tracey.
5. Agendas for all meetings would be posted, when feasible, in time for them to be included in the Weston Forum prior to the meeting date.
6. Public input would be solicited at each meeting.
7. Written comments would be welcomed at any time.

The Commission agreed to solicit comment from Town public officials, including:

1. The Board of Selectmen (current and former)
2. Chairman of the Board of Finance
3. Chairman of the Board of Education
4. Registrars of Voters
5. Tax Collector

6. Town Clerk
7. Town Administrator
8. Town Attorney.

3. April 25, 2012 Public Hearing

At the April 25 public hearing, members of the public commented on tentative recommendations contained in the Commission's draft Report. A transcript of the April 25 public hearing is available on the Town's website.

The intent of the Commission throughout the process was to conduct an open, transparent, nonpartisan and complete review of the Charter.

D. COMMENCEMENT OF SUBSTANTIVE WORK

The first meeting of the Commission regarding the substance of the Charter was held on September 17, 2011. Meetings were then held, in general, every first and third Wednesdays of the month, although as the process unfolded, weekend meetings became necessary.

1. Town Officials Interviewed

The Commission interviewed, in order of appearance, the following Town officials regarding their comments on the Charter:

Stephan Grozinger, Chair, Planning & Zoning Commission
Donald Saltzman, Member, Planning & Zoning Commission
Selectman Dan Gilbert
Michael O'Brien, Chair, Board of Finance
Phil Schaefer, Chair, Board of Education
First Selectman Gayle Weinstein
Selectman David Muller
Town Administrator Tom Landry
Former First Selectman George Guidera
Former First Selectman Woody Bliss
Town Attorney Patricia Sullivan
Town Clerk Donna Anastasia
Tax Collector Charity Nichols
Rick Phillips, Chair, Board of Police Commissioners
Best Gralnack, Vice-Chair, Board of Police Commissioners
Lynne Langlois, Chair, Historic District Commission
Laura Smits, Registrar of Voters
Susan Moran, Registrar of Voters
Amy Sanborn, Chair, Weston Library Board
David Coprio, Chair, Building Board of Appeals
Patrice Kopas, Member, Board of Finance

Transcripts of the remarks of our public officials are available online on the Town's website, and the Commission thanks the many public officials who took the time to share their thoughts on the Charter with us.

2. Towns Selected for Comparative Purposes

The Commission also determined that it should review charters of other towns reasonably comparable to Weston in size and/or governmental structure. After analysis of the charters of many towns in Connecticut, the Commission designated four towns as comparator towns. The charters of these towns were analyzed to give the Commission an idea of a range of potential approaches to issues that they would consider under the Charter. The towns were Brookfield, Canton, Ridgefield and Wilton. (Interestingly, neither Easton nor Redding has a town charter.)

3. Review of Prior Town Charters

As part of its review the Commission obtained and analyzed the provisions of all prior Town of Weston Charters, including the failed Charter amendment initiative of 1970. As indicated above, the original Charter was adopted in 1967, and that Charter was subsequently amended in 1976, 1979 and 2003. Also helpful were the minutes of the meetings of the 1979 Charter Revision Commission, and the Commission thanks Hal Shupack for sharing them with us.

4. Legal Review

The Commission reviewed applicable State Law to determine which proposed changes to the Charter would be permissible under Connecticut Law, and what constraints might be imposed by such Law.

Although the Commission does contain one lawyer (Commissioner Susan A. Moch) who is licensed to practice in Connecticut, we do not purport to be experts at relevant Connecticut Law and requested that the Town Attorney review our proposed changes for legal sufficiency.

E. METHODOLOGY OF REVIEW

The Commission decided to review the Charter section by section, systematically, to assure that any potential issues were identified and discussed. Generally, prior to a meeting, a detailed agenda was created covering the questions that would be considered at that meeting. The agendas for our meetings are all available online on the Town's website and the office of the Town Clerk. Minutes of the Commission meetings set forth the sense of the Commission regarding the questions raised in the agenda. The minutes for our meetings are also available on the Town's website and the office of the Town Clerk.

The Commission decided that rather than have serial votes on issues as they arose, it would prepare and review a full draft of the amended and restated Charter before voting formally on the Commission's recommendations to the Selectmen.

F. THE COMMISSION'S DETAILED REVIEW OF THE CHARTER

The overall sense of the Commission, after hearing the initial testimony at its public hearings, was that the public felt that the Charter was working reasonably well in most areas, although one prominent exception to that statement was the Town's budget process, which drew significant comment. In addition, members of the Commission expressed concern regarding some of the complexity and inconsistencies within the current Charter.

After an extensive and detailed review process that took place over more than eight months and involved 36 separate meetings of the Commission, the Commission unanimously approved the draft revised Charter and recommends its adoption by the Town.

Proposed substantive changes to the Charter will be discussed in the order the affected provisions appear in the existing Charter. The format for discussion of these proposed changes will be as follows: first the applicable provision of the current Charter will be summarized, then the proposed change, including a reference to its location in the revised Charter, and finally the Commission's reasons for recommending the change.

We should note that the Commission also recommends many other minor changes to the Charter, including clarifying and other language changes, and a complete reading of the proposed revised Charter is necessary to comprehend all of these changes.

1. Principal Proposed Substantive Changes to the Charter

(a) *Timing of the Annual Town Budget Meeting (Existing Section 2.2)*

Section 2.2 provides that the Annual Town Budget Meeting must be held by April 22.

Proposed Change (Section 9.5)

Extend that date to the end of the first full week in May.

Reason for the Change

The Commission felt that giving the Board of Selectmen the flexibility to move the Annual Town Budget Meeting to a date as late as the end of the first week in May allowed the Board of Finance to use additional time to resolve difficult issues and to schedule the Meeting at a time that would not be affected by the April school vacation. Providing this flexibility puts the Town more in line with its neighbors in terms of scheduling the Town Meeting.

(b) *Requiring a Town Meeting to Approve Certain Town Obligations (Existing Section 2.4)*

Section 2.4 sets forth those instances in which a Town Meeting is required to act on certain matters.

Proposed Change (Section 3.4)

Add approval of (i) certain material multi-year commitments of the Town in connection with federal or State grants (ii) abolition of appointed offices and abolition or reduction in membership of those appointed boards and commissions provided for in Article 8 of the revised Charter and (iii) changes to the position of Town Clerk or Tax Collector. Delete approval of contracts with other governments or subdivisions thereof.

Reason for the Change

The Commission felt that it was appropriate that material, multi-year commitments of Town funds to be incurred in connection with a federal or State grant should, in the discretion of the Board of Finance, be referred to a Town Meeting. In addition, if the Board of Selectmen seeks to abolish or reduce certain offices, boards or commissions, this decision is of a magnitude that it should be referred to a Town Meeting (see also discussion of this matter in item f. below). Proposed changes to the position of Town Clerk or Tax Collector should also be submitted to a Town Meeting (and be voted on by machine ballot). Finally, the deletion of the requirement that a Town Meeting act on nearly any agreement between the federal or State governments, or subdivisions thereof, is not consistent with the current operation of the Town and is not necessary (see further discussion in item g. below).

(c) *Petition for Overrule of Action by the Board of Selectmen (Existing Section 2.6(d))*

Section 2.6 provides that within 20 days after an action by the Board of Selectmen a group consisting of not less than five percent of eligible voters can file a petition to overrule such action at a subsequent Town Meeting. Under Section 2.6(d), at the Town Meeting at least 100 voters, constituting a majority of those present and voting, must vote in favor of overruling such action for the action not to take effect.

Proposed Change (Section 3.6(d))

Increase the required vote at the Meeting to 3% of qualified voters (about 200 voters at present) in order to overrule the action.

Reason for the Change

Overruling an action of the Board of Selectmen is a rare and serious occurrence, and the Commission felt that more than 100 votes should be required to do so. Also, expressing the required vote as a percentage allows it to change appropriately with the number of qualified voters.

(d) *Petition for Special Town Meeting (Existing Section 2.7)*

Under Section 2.7, similar to Section 2.6 (item c. above) five percent of voters can call a Town Meeting to adopt a new ordinance or mandate an action by the Selectmen, but that Meeting can only act if five percent of voters are present at the meeting and a majority of those voting support the proposed ordinance or action.

Proposed Change (Section 3.7)

Change the required vote at the meeting to 3% of voters, if they constitute a majority of those present and voting.

Reason for the Change

The reasons are similar to those expressed above with regard to Section 2.6(d) of the existing Charter. In addition, changing the requirement to 3% achieves consistency with the new percentage requirement for overriding an action of the Board of Selectmen, discussed in item c. above.

(e) Service on Other Boards by Selectmen (Existing Section 3.1)

Section 3.1 provides that no Selectman can hold any other "office of profit" in Town Government.

Proposed Change (Section 4.1)

Broaden this provision to preclude service by a Selectman on other Town boards and commissions.

Reason for the Change

The Commission felt that it was inappropriate for the members of the Board of Selectmen to be serving on other Town boards and commissions. One exception to this rule is that the First Selectman is an ex officio (non-voting) member of all such boards and commissions and may designate another Selectman to serve in lieu of the First Selectman.

(f) Creation, Change or Abolition of Positions; Use of Alternates (Existing Section 3.2(b))

Section 3.2(b) provides that the Board of Selectmen may create, change or abolish Town offices, Boards and Commissions, other than those provided for in the Charter. This precludes the Selectmen from affecting any office and the composition of any board or commission that is set forth in the Charter.

Proposed Change (Section 4.2(b) and Section 3.4(f))

Expand this authority to provide that the Board of Selectmen may:

- i) create appointed Town offices or additional boards or commissions;
- ii) expand the membership of any appointed boards and commissions (for example, to add alternates to the Conservation Commission);
- iii) with the approval of a Town Meeting, abolish appointed Town offices, boards and commissions or reduce the number of members on appointed Boards or Commissions; or

- iv) add alternate positions to the Planning & Zoning Commission. If alternate positions are added, the new alternates must be elected, they could not merely be appointed by the Selectmen.

The Board of Selectmen would not, however, have the power to change in any way elected positions or offices, other than adding alternates to the Planning & Zoning Commission, as indicated in (iv) above.

Reason for the Change

This change is intended to provide the Board of Selectmen with flexibility to make changes in appointed offices, boards and commissions and, with the consent of the voters, abolish appointed positions or reduce the size of, or abolish, boards and commissions in response to the needs of the Town. In fact, several positions that are contained within the current Charter (e.g., an Assistant Treasurer and a Constable) have been effectively eliminated over the past several years as the needs of the Town have evolved.

In addition, the Commission has received significant input from the Conservation Commission requesting that alternates be added to that Commission. The proposed change would permit the Board of Selectmen to add alternates if the Board felt that such action were appropriate. Finally, we felt that the Board of Selectmen should have the power to provide for alternates on the Planning & Zoning Commission as well, since land use boards in general may have greater need for alternates given the nature of their responsibilities.

(g) Board of Selectmen's Power to Enter into Agreements (Existing Section 3.2(c))

Section 3.2(c) enables the Board of Selectmen to enter into agreements with the State's Commissioner of Transportation.

Proposed Change (Section 4.2(c))

Broaden this authority to include agreements with any federal or State agency.

Reason for the Change

This is largely a recognition of the status quo. The Selectmen periodically enter into agreements with federal and State agencies and the Commission felt it unnecessary to hold a Town Meeting each time there is such an agreement. (However, if an agreement requires matching commitments by the Town that extend over a period of years it may be necessary to obtain approval from a Town Meeting (see item b. above)).

(h) Creation of the Position of Acting First Selectman (Existing Section 4.2(a))

Section 4.2(a) provides for a Second Selectman to act when the First Selectman is temporarily absent, but only when the Board of Selectmen consists of more than three people. Because we only have three Selectmen, this provision of the Charter is inapplicable, and we do not currently have a Second Selectman.

Proposed Change (Section 5.2)

Provide for a Selectman to be elected by the Board of Selectmen, when the Board takes office, to assume the duties of the First Selectman in situations where the First Selectman is temporarily absent. This “acting” First Selectman cannot, however, make personnel or other significant decisions in the First Selectman’s absence without the concurrence of the remaining Selectman.

Reason for the Change

As will be mentioned later (see discussion of existing Section 4.2(b), item i. below) the Charter does not adequately provide for the circumstance where the First Selectman is absent or the office of First Selectman becomes vacant, principally because the provisions of the existing Charter regarding the Second Selectman are inapplicable. Creating the position of “acting” First Selectman addresses these issues.

(i) Vacancy in the Office of First Selectman (Existing Section 4.2(b))

Section 4.2(b) provides that in the event the First Selectman dies, becomes disabled or otherwise vacates office the Second Selectman would become First Selectman. This provision is not helpful because there is no Second Selectman. Therefore, the Charter is misleading, at best, on the question of succession, should the First Selectman’s position become vacant.

Proposed Change (Section 7.6)

Create the position of acting First Selectman (see item h. above). If the First Selectman position becomes vacant, the acting First Selectman would succeed to that position. If that succession occurs with six months or more left in the First Selectman’s term, a special election would be held to pick a new First Selectman. Otherwise the acting First Selectman would serve until the next regularly scheduled biennial election of Town officials.

Reason for the Change

As was noted, the existing Charter provides for a Second Selectman to become First Selectman should the First Selectman’s office become vacant, but no Second Selectman exists pursuant to the Charter. The Commission felt that choosing an acting First Selectman at the start of the Selectmen’s term would minimize disruption should such a vacancy occur. The Commission also felt that if there were less than six months left in the First Selectman’s term the acting First Selectman could serve out the term, but if six months or more remained, a special election should be held to fill the vacancy, and unless the acting First Selectman was then elected First Selectman, he or she would resume the office of Selectman.

(j) ***Making Tax Collector an Appointed Position and Providing a Mechanism for the Voters to determine whether the Town Clerk should be an Appointed Position or the Tax Collector should be an Elected Position (Existing Sections 5.3(c) and 5.4)***

Sections 5.3(c) and 5.4 provide that the Town's Tax Collector and Town Clerk are elected positions.

Proposed Change (Sections 8.2, 8.6(d), 6.2 and 6.6(c))

Change the position of Tax Collector to an appointed one, effective upon expiration of the existing office holder's current term. The Town Clerk would remain an elected position. In both cases, the Charter would provide for a mechanism whereby qualified voters could file a petition to make the position of Town Clerk an appointed one, or the position of Tax Collector an elected one. After receiving the petition, a Town Meeting and subsequent machine ballot would occur to determine whether this change should take place.

Reason for the Change

Since the inception of the Charter, these positions have been elected positions. For the past several years, the current holders of these positions have run for their positions unopposed. In fact they were recently reelected to a two-year and four-year term, respectively. The Commission found that a preponderance of towns in Connecticut elect their Town Clerks, and about half elect the Tax Collector. There is a small but discernible trend toward appointed Town Clerks and a more significant trend towards appointed Tax Collectors. In researching other towns, it was learned that increasing emphasis is being placed on professionalism.

The Connecticut General Statutes require State certification for both positions, a process that involves a comprehensive series of courses and training programs as well as certain other eligibility requirements. (A Town Clerk must have two-and-one-half years on-the-job experience in the municipal clerk field, for example.) In addition, the Connecticut Tax Collectors' Association's position is that Tax Collectors should be appointed rather than elected.

The Commission engaged in considerable discussion regarding these positions. With regard to the Town Clerk, while there was strong sentiment within the Commission to change this position to an appointed one, the Commission was not unanimous in this view, and after hearing further input from the public at its April 25, 2012 hearing the Commission determined that the position of Town Clerk should remain an elected one at this time. However, given the support within the Commission for the Town Clerk to be an appointed position, the Commission decided to provide a mechanism whereby the issue of whether the Town Clerk should be an appointed position could be presented to the voters in the future, without having to amend the Charter further. Under this mechanism, a petition signed by 5% of the Town's qualified voters could be submitted to the Town requesting a Town Meeting and subsequent machine ballot. If a majority of those voting in the machine ballot supported the change, the position of Town Clerk would become an appointed one, with a four-year term, upon the expiration of the then Town Clerk's term of office.

With regard to the Tax Collector, given the support of the Tax Collectors' Association, the increasing prevalence of appointed Tax Collectors in Connecticut and the Commission's strong sense of the appropriateness of this change, the Commission's recommendation is that the position be changed to an appointed one. However, the same mechanism described in the preceding paragraph could be used to convert the position of Tax Collector to an elected position, continuing to have a two-year term.

(k) *Eliminating Board of Education "Safe Seats" (Existing Section 5.5)*

Under Section 5.5, absent a special Charter provision, when four positions on the Board of Education are being filled at an election basically two must be elected from each party, making them "safe" seats.

Proposed Change (Section 6.6(a))

Adopt a provision doing away with the safe (i.e., uncontested) seat requirement.

Reason for the Change

The Commission believes that, where possible, all Town elections should be contested elections to give the public meaningful input into the selection of their representatives. With regard to the Board of Education in particular, Connecticut Law provides that, unless a town's charter provides otherwise, when four seats are up for election, Democrats and Republicans can only run two candidates, thus assuring that all such candidates get elected. (This of course assumes no nonaffiliated candidates run for that Board.) Adoption of the new provision will change the process to allow each party to nominate a candidate for each open seat (in addition to nonaffiliated candidates), which should result in meaningful contested elections.

(l) *Four-Year Terms for the Board of Finance, beginning in 2017 (Existing Section 5.6)*

Section 5.6 deals with the Board of Finance. It provides for six-year terms for its members, but does not explicitly provide for staggered terms.

Proposed Change (Section 6.4)

Beginning in 2017, change members' terms to four years.

Reason for the Change

In 1979, the terms of members of the Board of Finance were changed from four years to six years, and the following staggered terms were established: three members are elected, then four in the next two-year cycle, then none in the third two-year cycle. This was not the original intent, but an error occurred and this cycle was established.

The Commission felt that both the length of the members' terms and the cycle needed to be addressed. Changing the terms to four years, in the Commission's view, would allow voters to have input more frequently than every six years, which is viewed by the Commission as

very desirable and consistent with its overriding objective to maximize accountability of the Town's elected boards and commissions. A four-year term would also be more consistent with other Fairfield County towns that have charters, virtually all of which provide for four-year terms for their boards of finance.

We note that the current six-year term was not the result of any principled choice, but was caused by a misunderstanding of applicable law. Prior to 1979, members of the Board of Finance served four-year terms, and the change to six-year terms occurred, we understand, due to the misimpression that State law required six-year terms. Finally, if we introduce four-year terms, we can fix the problem with the current stagger beginning in 2017, upon expiration of the terms of the members who were elected in 2011 to a six-year term.

We have weighed concerns that have been expressed that the longer terms are helpful due to the significant learning curve required for a Board of Finance member and that longer terms may contribute to non-partisanship. We unanimously concluded that four-year terms allow for greater accountability to the voters, while also allowing for adequate learning time for members and a non-partisan board.

(m) Justices of the Peace (Existing Section 5.11)

Section 5.11 appears to provide that Justices of the Peace are elected, when in fact they don't appear on the ballot.

Proposed Change

Eliminate these positions from the Charter.

Reason for the Change

This change reflects the status quo. Connecticut State Law contains detailed provisions concerning Justices of the Peace, the net effect of which, in Weston, has been that the political parties and others designate these individuals. The candidates for Justice of the Peace do not appear on the ballot. Since State Law deals with this position, the Commission decided to recommend conforming the Charter to the reality of the situation by eliminating mention of them from the Charter.

(n) Non-Budgeted Expenses (Existing Section 5.12(b))

Section 5.12(b) provides that non-budgeted expenses must be reimbursed upon requisition, with approval of the Board of Selectmen.

Proposed Change (Section 6.5(c))

Provide that all such expenses be approved in advance by the First Selectman, as well as being approved by the Board of Selectmen, in order to be reimbursed.

Reason for the Change

The primary reason for this change is to give the First Selectman more control over expenses by compelling Town officials to obtain pre-approval if they wish to incur non-budgeted expenses.

(o) Removal of Town Officials (Existing Section 6.7)

Section 6.7 provides that any elected official may be removed “in accordance with the general law.”

Proposed Change (Section 7.7)

Add a new removal section. An elected official may be removed from office by the Board of Selectmen in the event of:

- i) malfeasance, willful neglect of duty, incapacity, conviction of a felony or abandonment of office;
- ii) material violation of the Charter’s Ethical Standards provisions or the Town’s Code of Ethics; or
- iii) the making of unauthorized expenditures.

A corollary provision was added to Section 8.5(b) with regard to appointed officials, except that Section 8.5(b) will also include as a reason for removal the failure to attend three consecutive meetings without giving prior notice to the Chairman or Vice-Chairman of that official’s board or commission and providing a reason for such absences.

Reason for the Change

The current Charter provisions give no guidance as to the reasons why an elected Town official may be removed from office or the procedure for doing so. The Commission felt that this was a significant lack in the current Charter, and modeled its revision generally on the charter provisions of the Town of Wilton.

(p) Timing of Appointments by the Board of Selectmen (Existing Section 7.1)

Section 7.1 provides that the Board of Selectmen must make appointments within 30 days after being elected.

Proposed Change (Section 8.3)

Extend this date to December 31 or, if earlier, 60 days after the expiration of the official’s term of office. In addition, require that the Board of Selectman make public, not less than 30 days prior to the expiration of an appointed official’s term, the fact that a vacancy is about to occur.

Reason for the Change

The Board of Selectmen is having difficulty meeting the current time limits imposed by the Charter. First the Town political committees must vet candidates for appointment, and then the Board of Selectmen must evaluate and appoint such individuals. Moving the required appointment date to December 31 (or 60 days after expiration of an official's term, if earlier) will help the Board of Selectmen meet the applicable deadline. In addition, in order to alert the public, and specifically nonaffiliated residents, the Board of Selectmen would be required to make public in advance the fact that positions were becoming available. Hopefully this will encourage participation by the public at large in appointed offices, boards, commissions and committees.

(q) Elimination of Archaic Positions; Listing of Current Provisions (Existing Section 7.1)

Section 7.1 includes in the list of appointed positions the positions of Assistant Treasurer, Constable and Jury Committee.

Proposed Change (Section 8.2)

Eliminate these positions and add the positions of Board of Ethics, Commission on Aging, Commission for Children and Youth and Commission for the Arts.

Reason for the Change

Since 1979, which was the last time these provisions were revised, the above-mentioned positions in the current Charter have essentially been eliminated, and the new ones mentioned above have been added.

(r) Vacancies in Appointed Positions (Existing Section 7.3)

Section 7.3 requires that in the case of a vacancy in an appointed position the successor must be a person recommended by the same party as the person who vacated the position.

Proposed Change (Section 8.5(a))

Eliminate this requirement. In addition, the Selectmen must give public notice of the existence of the vacancy.

Reason for the Change

In the case of appointed positions, the Board of Selectmen is very often presented with a candidate from either party (or an unaffiliated voter who has stepped forward), and chooses which person is ultimately appointed. If that person were to resign or otherwise vacate office, the Board of Selectman should be able to choose the best replacement candidate (whether or not from that party, or a nonaffiliated candidate) and not have to accept the candidate put up by the party with whom the prior appointed member was affiliated. This provision is of course subject to the general rule that no more than a bare majority of a Town board or commission be members of the same political party. The public notice requirement is

intended (as in item p. above) to encourage public awareness of vacancies and thus foster more public response to such needs.

(s) Pre-Approval of Requests for Legal Opinions (Existing Section 7.5)

Section 7.5 provides that the Town Attorney must render a legal opinion to any Town officer, Board or Commission upon request.

Proposed Change (Section 8.6(a))

Provide that the First Selectman must pre-approve any such request in writing, but may not unreasonably withhold such approval.

Reason for the Change

The Commission felt that there should be some reasonable centralized control over the issuance of legal opinions by the Town Attorney. The First Selectman can determine, what is the cost of such opinion? Is it wise to ask for this opinion? How does it affect the Town?

(t) Addition of an Alternate to the Historic District Commission (Existing Section 7.11)

Section 7.11 provides that the Historic District Commission has two alternate members.

Proposed Change (Section 8.2)

Increase the number of alternates to three people.

Reason for the Change

Under Connecticut General Statutes Section 7-147c(d) the Historic District Commission is required to have three alternate members.

(u) Compensation of Appointed Officers (Existing Section 7.14(c))

Section 7.14(c) provides that the compensation of an appointed officer cannot be reduced during that officer's term of office.

Proposed Change (Section 8.7(a))

Eliminate that provision.

Reason for the Change

The Commission felt that it is not logical that the Board of Selectman can remove a person from appointed office (see existing Section 7.3) but cannot reduce that person's compensation. This provision is, of course, subject to the terms of any applicable collective bargaining agreement.

(v) Submission of Budget by Board of Selectmen to Board of Finance (Existing Section 8.3)

Section 8.3 provides that the Board of Selectmen must submit the proposed budget to the Board of Finance by February 25th.

Proposed Change (Section 9.3)

Extend that date to March 1.

Reason for the Change

Given the extension of time in which to hold the Annual Town Budget Meeting from April 22 to the end of the first full week in May, the Commission felt that a small amount of additional time should be given to the Board of Selectmen to submit the budget to the Board of Finance.

(w) Reduction of the Budget at the Annual Town Budget Meeting (Existing Section 8.4(f)(ii))

Section 8.4(f)(ii) permits the Annual Town Budget Meeting, by majority vote, to reduce any item in the budget. A secret ballot must be conducted to determine the amount of any reduction if such ballot is requested by a majority of qualified voters present and voting.

Proposed Change (Section 9.5(d)(ii) and (iii))

Retain the power of the Annual Town Budget Meeting to reduce the budget by majority vote, but require that at least 2% of qualified voters (currently about 130 people) be present in order for such reduction to occur. A secret ballot on such a budget reduction would be held if requested by at least one-third of the qualified voters present at the Meeting.

Reason for the Change

The Commission was concerned that if a small number of qualified voters attended the Annual Town Budget Meeting, budget reductions could be effected by a very small minority of voters whose views might not be representative of the views of the great majority of voters in Town. While it is true that such a decision could be subsequently reversed by machine ballot (see item x. below), that would not be an efficient remedy and would cause additional expense and disruption to the Town. Requirements that a critical mass of voters (or “quorum”) be present in order to reduce a budget are relatively common, and in fact were part of the Town’s Charter until 1979 (and the requirements for a quorum were far stricter than the proposed 2%).

The Commission also considered testimony that, by permitting a reduction of the budget at the Annual Town Budget Meeting, voters in favor of a reduction would have two opportunities to cause a reduction in the budget, either at the Meeting or in a subsequent machine vote. The suggestion was made that, in order to avoid affording voters two opportunities to do the same thing, no budget reduction should be permitted at the Annual Town Budget Meeting. This would turn the Meeting, in effect, into an additional public hearing on top of those already held in the budget process. The Commission was not inclined to adopt this

suggestion. We felt that the Town Meeting remains an important aspect of our Town's governance. It gives voters a forum to effect change other than at the ballot box. At the Town Meeting, voters can hear both sides of the argument immediately prior to determining whether, and if so, by how much, to lower the budget. To reiterate, however, in order to reduce the potential for dominance of the Meeting by a small group, we recommend imposing a quorum of 2% of all qualified voters, whether or not in attendance, in order for the budget to be reduced.

With regard to a secret ballot on budget reduction, the Commission did hear comment from those who supported use of a secret ballot because, among other reasons, they felt that voters could be concerned about public criticism if they publicly supported reductions in the budget. The Commission was of the view that a vote to conduct a secret ballot might be viewed as a proxy for reduction of the budget, and that some individuals might be reluctant publicly to support a secret ballot for that reason. It considered many approaches to this issue, but settled on an approach that gave a minority (albeit a substantial minority) of voters the right to call for a secret ballot on a particular issue.

(x) Machine Balloting (Existing Section 8.4(g)(i))

Under Section 8.4(g)(i), voters may petition under Connecticut law for a machine ballot to be held with regard to the annual budget. (Under Section 8.4(g)(ii), after the machine ballot the Annual Town Budget Meeting must be reconvened, and "taking under advisement" the results of the machine ballot, the Annual Town Budget Meeting then votes on the budget. A petition may be filed after the Meeting to attempt to overturn the results of the Meeting by machine ballot.)

Proposed Change (Section 9.6)

Approval of the budget would be determined by mandatory referendum (machine ballot). Voters would separately approve (i) the Town's operating budget, (ii) the Board of Education's operating budget and (iii) the capital budget. The referendum would commence immediately after the Annual Town Budget Meeting and would recommence between 7 and 14 days after the Annual Town Budget Meeting. At the discretion of the Board of Selectmen, voters could be given the opportunity, if they opposed a particular component of the budget, to indicate whether they did so because that component was too high or because it was too low.

Reason for the Change

The Commission supports the widest possible participation by voters in the budget approval process. We perceive that there is broad support for an annual budget referendum. In fact such a referendum has been conducted with respect to the Town and Board of Education operating budgets for 2010, 2011 and 2012, and has resulted in significantly greater voter participation than is normally the case at the Annual Town Budget Meeting. In addition, a referendum is of course conducted by secret ballot, thus addressing to some degree the comments by those who are concerned about the potential lack of a secret ballot in the budget process.

Our proposed referendum mirrors in some respects the process used by the Town of Wilton, which also conducts the ballot immediately after the Town Meeting and recommences the vote at a later date. In addition, Wilton utilizes the “too high” or “too low” options on its ballot. While the Commission thought that these options might to be attractive in certain circumstances, it declined to mandate their use in every budget cycle.

(y) Procedure If the Budget Fails to Pass (Existing Section 8.4(h))

Under Section 8.4(h) a petition may be filed to overturn, by machine ballot, the decision of the Annual Town Budget Meeting. If the decision of the Meeting is overturned, the Meeting is reconvened one last time and the voters at the Meeting can increase the proposed budget up to an amount not greater than was originally recommended by the Board of Finance or can further decrease the budget.

Proposed Change (Section 9.7)

If one or more of the three components of the proposed budget are rejected by the mandatory referendum the component(s) that have been rejected are returned to the Board of Finance for reconsideration. The Board of Finance may increase that component of the budget, decrease it or resubmit it to the voters in the same form. A new referendum on that component will then be held between 10 and 21 days after the original referendum was completed. If that component is rejected again, the process of resubmission to the Board of Finance and subsequent referendum on the rejected component would be repeated.

Reason for the Change

The Commission felt that the lack of provision in the current Charter for resubmission of a rejected budget to the Board of Finance needed to be addressed. Having recommended that there be a mandatory referendum, the Commission felt that all subsequent approvals should be by referendum.

(z) Prohibiting Borrowing to Make Additional or Supplemental Appropriations (Existing Section 8.5(d))

Section 8.5(d) permits additional or supplemental appropriations to be funded by means of borrowing.

Proposed Change (Section 9.9(b))

Eliminate this possibility.

Reason for the Change

The Commission felt that it was inappropriate for additional or supplemental appropriations to be funded by borrowing without the approval of a Town Meeting.

(aa) Ability of a Town Board or Commission to Call a Town Meeting (Existing Section 8.6(b))

Section 8.6(b) provides that a Town Board or Commission may call a Town meeting if their request for an extraordinary appropriation is denied by the Board of Selectmen.

Proposed Change

Eliminate this possibility.

Reason for the Change

The Commission felt that the ability of a Town Board or Commission to compel the Selectmen to call a Town meeting (and, if an appropriate petition were filed, conduct machine balloting) was not necessary and a marginal protection at best. If the Board or Commission felt sufficiently aggrieved, it could petition voters to call for a Town meeting under Section 2.6 or 2.7 of the current Charter, the substance of which would be preserved in the proposed Charter.

(bb) Code of Ethics and Board of Ethics (Existing Section 9.1)

Section 9.1 contains a prohibition on certain conflicts of interest and a provision for remedies for violations.

Proposed Change (Article 10)

Establish a high general standard of ethics, including avoidance of conflicts of interest, and provide for specific ethical standards to be contained in a Code of Ethics that is established by ordinance and interpreted by the Board of Ethics.

Reason for the Change

The existing Charter does not provide for either a Code of Ethics or a Board of Ethics, and contains only a single provision relating to conflict of interest with no clear standard for removal of officials who violate ethical standards. As noted above, the Commission is recommending that the Board of Ethics be established by Charter (item q. above) and that removal standards be clearly stated (item o. above). The Commission further believes that the Charter should not itself contain the Town's Code of Ethics (because a code of ethics should be subject to change as evolving standards of conduct require), but rather the Charter should (1) expressly require a Code of Ethics (which the Town has but it is not provided for in the current Charter) and (2) authorize the Board of Ethics to interpret the Code of Ethics.

(cc) Election of Officers of Boards and Commissions (Existing Section 10.1)

Section 10.1 provides that boards and commissions must elect their Chairman and Vice-Chairman by January 1 of each year.

Proposed Change (Section 6.3(b) and 8.3(b))

Election of these officers would now occur during the month of January.

Reason for the Change

As discussed earlier (see item p. above) the Commission's recommendation is that, unless 60 days elapse between the end of their term and December 31, members of appointed boards should be appointed by December 31. By mandating elections of officers in January the Commission avoids the potential disenfranchisement of members who were newly appointed in December. They should be able to participate in the selection of their officers.

2. Other Changes

The Commission is recommending many other changes to the Charter, most of which fall into the category of clarifications, simplifications, grammatical corrections or minor substantive amendments, which we have not enumerated above. We have created a marked version of the proposed Charter that indicates every proposed change to the current Charter, regardless of how minor that change might be.

The Commission has also proposed that the Charter include a "Preamble", which would not be a part of the Charter itself, but would be printed at the beginning of the Charter. The Preamble provides a brief history of our Town and contains a reaffirmation of the Town's fundamental character and its commitment to participatory democracy and strong community values.

The Commission was also cognizant of the fact that in the 21st Century we try to remain gender-neutral in our legal documents. Our First Selectman is a female, and we explored a more gender-neutral title for our Selectmen, but were unable to come up with a suggested title that did not sound, at best, awkward. Instead, we inserted into the proposed Charter a provision (Section 12.4) that made it clear that these titles were intended to be gender-neutral.

3. Proposals Not Recommended by the Commission

The Commission heard and considered, but did not adopt, a number of proposals concerning the Charter. The principal proposals, and the Commission's response to them, are set forth below.

(a) Proposals that Would Modify our System of Government

The Commission received a number of proposals that would materially affect the manner in which our Town government operates. Among them were:

- a) do away with political party nominations and ask people interested in holding Town office to step forward, presumably with support from their neighbors in the form of a petition;
- b) adopt provisions permitting a Town Manager system, under which the Town would effectively be run by a professional Town Manager. The Office of First Selectman

would become a nonpaid position, and the First Selectman would head the Board of Selectmen but would not have day-to-day administrative responsibilities;

- c) do away with the Annual Town Budget Meeting and go directly to a referendum on the budget;
- d) allow the Annual Town Budget Meeting to increase the proposed budget; and
- e) alter the system so that nonaffiliated voters would have a greater opportunity to serve as Town officials.

The Commission considered each of these proposals, and each of them has some merit. Taking them in order, while doing away with the role of political parties in our local elections is intriguing, strong arguments can be made that our two-party system in Town provides an initial level of screening for our candidates, that contested elections with real choices are beneficial and that our system, while not perfect, works rather well in finding qualified candidates to fill Town positions.

As to a Town Manager, while the Town might benefit from putting oversight of its administration in the hands of a professional manager, the Commission believes that the current system of a First Selectman, supported by a full-time Town Administrator, and directly responsible to the people, while not ideal in all respects, has served the Town well and should not be changed.

The Annual Town Budget Meeting can be poorly attended, tedious at times, and potentially susceptible to undue influence by a small group that may not represent the views of the Town as a whole. Having reviewed the minutes of the 1979 Charter Revision Commission, these are not new issues in Weston. The Town Meeting, however, is a well-established New England tradition that encourages participation in Town government, and the Town Meeting is the one opportunity that voters get affirmatively to alter the budget before its final approval. Again, while the Town Meeting system of government is far from perfect, it does afford voters an opportunity to effectuate change and there are not sufficient reasons, in our view, to abandon it.

While the Commission received some comment that the Annual Town Budget Meeting should be able to increase the budget as well as decrease it, the Commission's analysis indicated that a) generally, other Towns did not that permit their Annual Meetings to increase any budget item, and b) Section 7-344 of the Connecticut General Statutes could be read to preclude a Town Meeting from increasing the budget. On balance, the Commission determined that this proposal was not in the best interest of the Town.

The Commission supports participation by nonaffiliated voters in Town government. It should not be, and is not, a requirement that one belong to a political party to serve. While there are ways for nonaffiliated voters to be placed on the ballot via petition, we recognize that there are very few Town officials that are nonaffiliated. The Commission did not find alternatives, other than changes to make vacancies more publicly noticed and language making it clear that every resident of the Town (regardless of affiliation) is eligible for appointment, that would more effectively promote such participation and also recognizes, as previously stated, that the political parties play a valuable role in screening potential candidates.

(b) Proposals that Would Affect How We Elect our Board of Selectmen and the Number of Selectmen

The Commission considered two such proposals. One proposal was to extend the term of the Selectmen to four years. The advantage of this change is that there would be more potential continuity on the Board of Selectmen, they would not have to expend significant time every two years working on their reelection, and they would have the time to effectuate their vision for how the Town should operate. The disadvantage is that they wouldn't be as immediately accountable to their constituents, and longer terms might cause the Commission to focus on recall provisions in the event that the Board of Selectmen was acting in a manner that was unsatisfactory to the electorate. Finally, the Commission felt that there wasn't significant enough evidence that the system was broken to warrant a change.

Another suggestion was to expand the Board of Selectmen to five members. The Commission agreed, after considering testimony on this issue, that expansion in the number of Selectmen was not particularly warranted at this time.

(c) Proposal to Lengthen the Period of Time to Gather Signatures to Overturn a Board of Selectmen's Decision

The existing Charter provides, in Section 2.6, that in order to overturn an action of the Board of Selectmen, a petition signed by at least 5% of qualified voters (currently that would be around 325 people) must be filed within 20 days after such action. At least one person commented that the prescribed period was too short and should be lengthened.

The Commission felt that this provision, which is very rarely used, was meant to enable residents to challenge very controversial decisions by the Board of Selectmen, in which case it should be possible to round up the requisite number of signatures in the 20-day time period.

(d) Proposal to Reduce or Eliminate the Ability of the Board of Selectmen to Make Additional (Non-Budgeted) Appropriations.

Under the Charter, the Board of Selectmen has the power to make additional appropriations to Town agencies in an amount not to exceed \$5,000 to any agency and \$50,000 in the aggregate in any one fiscal year. The Commission received a proposal that all such appropriations should be approved by the Board of Finance, as well as proposals to lower or increase the maximum permitted appropriations.

The ability of the Board of Selectmen to make appropriations has been in the Charter since its inception in 1967, although at the time the limits were \$2,500 and \$25,000, respectively. These numbers were raised to their present level in the 1979 amendments to the Charter. In view of the longstanding presence of this provision in the Charter, and the lack of evidence that it has proven to be a problem in the past, the Commission felt that no modification was necessary at this time.

(e) Proposals Made by the Planning & Zoning Commission

The Town's Planning & Zoning Commission suggested unanimously that the Town Charter be changed to require a Town Meeting in the following circumstances: First, the Planning & Zoning Commission proposed that the Town's exemption from the Town's zoning regulations be submitted to a vote at a Town Meeting. Second, it proposed that a decision to have the Town join a "Council of Governments" be mandatorily referred to a Town Meeting.

It is beyond the scope of the Commission to comment on whether the Town should follow its zoning rules or join a Council of Governments. The Commission felt, however, that the Charter should not mandate a Town Meeting on specific matters. The Charter does contain a mechanism for a Town Meeting to be called via petition, and this can be utilized if there is substantial disagreement on these issues that a Town Meeting can resolve.

**(f) Proposals to Add Alternates to The Board of Finance;
Reduce the Number of Members of the Board of Police
Commissioners**

The Commission considered a proposal to add alternates to the Board of Finance but eventually decided that, other than our land use boards and commissions, it was not necessary to amend the Charter to add alternates.

While it is true that adding alternates to other boards and commissions could improve their ability to produce a quorum and would enable people who served as alternates to become full members with an enhanced amount of knowledge, the Commission declined to add such alternates. First, the Commission felt that members of boards and commission should be attending meetings, and should not need alternates to achieve a quorum. Second, the Commission felt that people who served as alternates might not ultimately be elected to full membership, and thus the value of any background gained could be tenuous. Finally, the Commission was concerned that the available number of volunteers for service on Town boards and commissions is finite, and there is a danger of spreading our available talent pool too thin.

As to the Board of Police Commissioners, Rick Phillips and Beth Gralnick from that Board appeared before the Commission and made persuasive arguments as to why having seven members was appropriate for that Board.

(g) Proposal to Appoint a Town Ombudsman

The Commission received a proposal that the Charter be amended to add the position of Town Ombudsman to the list of Town offices. The theory was that an ombudsman could help resolve disputes before matters wound up in court, with the attendant delay and expense. The Commission heard mostly negative comment on this proposal, including comment that disputes between individuals should not be the province of the Town, and that disputes within Town agencies rarely wind up unresolved and in court. The Commission was convinced that on balance adding a Town ombudsman was not necessary.

G. TEXT OF THE PROPOSED CHARTER

The text of the proposed Charter is attached as Appendix C, and a version of the proposed Charter that has been marked to show all changes made to the existing Charter is attached as Appendix D.

ACKNOWLEDGEMENTS

The Commission wishes to thank the members of the Community who appeared before the Commission, participated in its Public Hearings, and watched at home as the process progressed. We would be remiss in not specially recognizing Dr. Margaret Wirtenberg, who faithfully attended most of our meetings and added thoughtful comment throughout.