

AGENDA FOR THE OCTOBER 19 MEETING OF THE WESTON CHARTER REVISION COMMISSION

Item 1 – Approval of the Minutes of the October 5 Meeting.

Item 2 – Discussion of Articles 4 and 5 of the Charter. This discussion will include an analysis of the following Sections:

Section 4.1. Section 4.1 uses the term “First Selectman,” which implies a male officeholder.

Question: Should “First Selectman” be the proper title or should the title be more gender-neutral?

Section 4.2. Section 4.2 contemplates the existence of a “Second Selectman,” but only when the Board of Selectmen consists of more than three members.

Question: Should Section 4.2 be eliminated?

Section 4.3. Section 4.3(b) requires the Town Administrator to see that programs to evaluate employee performance are established. This is not in fact the way that human resources are administered in Town.

Question: Should Section 4.3(b) be changed to provide that the town Administrator will manage Town personnel?

Section 4.3(e) requires the Town Administrator to help the First Selectman analyze the short-term and long-term financial and cash flow implications of Town programs.

Question: Should this specific function be in the Charter?

Section 5.2. Section 5.2 provides that the newly elected Board of Selectmen takes office on week after being elected, but also provides that they have the immediate right, upon being elected, to make appointments and fill vacancies.

Question: Is this provision the most appropriate way for the new Board to take office?

Section 5.3. Section 5.3 provides for a two-year term for the Selectmen.

Question: Should Selectmen be elected for a four-year term? Should their terms be staggered? Should the position of First Selectman be full-time or part-time? Should there be a separate election for the First Selectman and the other Selectmen?

Section 5.3(c) provides that the position of tax collector is an elected position.

Question: Should the tax collector be an elected position?

Section 5.4. Section 5.4 provides that the position of Town Clerk is an elected position.
Question: Should the Town Clerk be an elected position?

Section 5.5 – 5.10. These Sections provide for the election of various Boards and Commissions. There are a variety of questions that can be raised generally with respect to these provisions.

Questions: Should any of these positions be a “safe seat,” meaning a seat where all candidates nominated by the two parties in Town must be seated, or is it more desirable that all elections, where possible, be contested? (This of course ignores the possibility that an unaffiliated candidate might run for one of these positions.)

If contested elections are preferable, how would they be implemented?

Is the number of alternates established by the Charter appropriate? Should we add alternates to the Board of Finance, the Planning and Zoning Commission and/or Conservation Commission? Should we eliminate alternates from the Zoning Board of Appeals?

Sometimes the staggering of terms is covered in Section 5, and sometimes not. Is it desirable to include the specific staggering provisions with respect to each elected Board or Commission?

Section 5.6. Section 5.6 provides for an elected Board of Finance with each member serving a six-year term, but does not specifically provide for staggered terms (as noted above). We understand that currently three members are elected in one biennial election, four in the next such election, and none in the third election.

Question: Should we change the staggered election schedule to three in the first election, two in the second election and two in the third election?

Section 5.10. Section 5.10 provides for a seven member Board of Police Commissioners.

Question: Should we reduce the number of members of the Police Commission? Should we provide for the First Selectman to be a voting member of the Commission?

Section 5.11. Section 5.11 provides for elected Justices of the Peace, but we understand that in fact the Town’s Justices of the Peace do not appear on the ballot.

Question: Should Justice of the Peace be an elected position?

Section 5.12. Section 5.12(a) (second and third sentences) provides that compensation to be paid to Selectmen (other than the First Selectman) and elected officers and members of elected boards will be determined in a certain manner.

Question: Since these are nonpaid positions, should the provisions relating to their compensation be eliminated from the Charter?

Section 5.12(b) provides that necessary non-budgeted out-of-pocket expenses of an elected official must be reimbursed if approved by the Board of Selectmen.

Question: Is there an issue that a Board member (e.g.) could incur material non-budgeted expenses? Should there be a required pre-approval by the First Selectman or the Board of Selectmen of any non-budgeted expense in excess of a certain amount? Must the Board of Selectmen approve every such expense? Does this level of detail have to be in the Charter, or could it be handled administratively? (See also Section 7.14(b).)

Section 5.12(c) provides that the rate of compensation of the First Selectman (and the other Selectmen) cannot be changed during their term.

Question: Is this provision appropriate? First, compensation is a very broad term, including pension, health care and other potentially compensatory items. Second, compare Section 7.14(c), which provides, in other circumstances, that compensation cannot be reduced during an elected (or appointed) board member's term. Lastly, there is complete Board of Finance review of the proposed level of compensation and a Town vote.

Article 5 (Generally).

Question: Is there any way to facilitate the ability of unaffiliated voters to hold public office?

Item 3 – Any other business of the Commission.