



MEMORANDUM

To: Christopher Spaulding, First Selectmen
From: Nicholas R. Bamonte, Esq.
CC: Ira W. Bloom, Esq.
Jonathan Luiz, Town Administrator
Date: June 5, 2019
Re: Weston – Explanatory Summary regarding Town Clerk change from elected to appointed position

The Town has received a petition pursuant to Charter § 6.6(c) requesting that a machine ballot be held to determine whether the position of Town Clerk, currently an elected position, should become an appointed position.

For purposes of public notice and/or Special Town Meeting moderation, I have drafted the following explanatory language addressing all substantive elements set forth under Charter § 6.6:

Pursuant to Section 6.6(c) of the Town Charter, not less than five (5) percent of Qualified Voters have filed with the Town Clerk a petition that conforms to the requirements of Section 7-9 and 7-9a of the General Statutes requesting that a machine ballot be held to determine whether the position of Town Clerk, currently an elected position, should become an appointed position.

To consider this proposal, the Board of Selectmen have called a Special Town Meeting held not less than ten nor more than thirty days after the date the petition was filed with the Town Clerk.

After adequate discussion of this issue, the moderator will adjourn the Town Meeting and the question of whether the Town Clerk shall be an appointed position will be submitted to the Qualified Voters, not less than seven days nor more than fourteen days thereafter, for a "yes" or "no" vote on the voting machines during the hours permitted by Section 7-7 of the General Statutes.

If a majority of those voting vote "yes," the position of Town Clerk shall become an appointed position, with a four-year term commencing upon the expiration of the term of office of the current Town Clerk, Donna M. Anastasia, and the position of Town Clerk shall otherwise be subject to the provisions of Article 8 of the Town Charter applicable to appointed Officers, without further action of the Board of Selectmen. Otherwise, the position of Town Clerk shall remain an elected office.

In preparing this recommended language, I have assumed the following:

- At least 5% of Qualified Voters have signed the petition
- The petition conforms to the requirements of C.G.S. § 7-9 and 7-9a (statutes attached for reference), as verified by the Town Clerk
- The Special Town Meeting has been scheduled between 10 and 30 days after the receipt of the petition
- There will be discussion at the Special Town Meeting and the question will be adjourned to the Qualified Voters between 7 and 14 days later, during the hours between twelve o'clock noon and eight o'clock p.m. pursuant to C.G.S. § 7-7 (polls may be opened as early as 6:00 AM upon such vote by the Board of Selectmen)