

Minutes of the Charter Revision Commission's
Regular Meeting of October 7, 2020

1. Call to order.

Chair Jon FitzGerald called the meeting to order at 7:00 PM and read the call of the meeting.

2. Introduction of Commissioners

The commissioners introduced themselves. Present were: Jon FitzGerald, Laurie Scotti, Roman Czuchta, John Krampitz, John Lafreniere, Richard Carter.

Absent was: Kimberly Ploszaj

3. Discuss and approve the minutes of the public meeting held on September 16, 2020 and take any action as necessary.

After discussion, on motion made by Commissioner Lafreniere and seconded by Commissioner Richard Carter it was unanimously voted: to approve the minutes.

4. Public participation regarding revisions to the Charter.

Dawn Leger, Grants Administrator addressed concern about making the Treasurers position an appointed position. She feels that this would be a disservice to the community as there were so little elected positions. We would be taking away opportunities from the people voting and that might look negatively. She urged the Commission to leave it as it stands as an elected position.

5. Discussion of possible revisions to the charter regarding city council powers and to charter sections 21, 22, 31, 32, 33, 34, 35, 36 and 37 and take any action as necessary.

Chairman Fitzgerald stated that the Commission asked Corporation Counsel's office to check our City's charter in comparison to the Connecticut General Statutes. Attorney Tom Conlin did extensive research and provided an informational packet for the members to review and discuss at the next meeting.

6. Discussion of possible revisions to charter section 15 (appointive officers; terms of office; suspensions) and take any action as necessary.

No recommendations at this time. No votes taken.

7. Discussion of possible revisions to charter section 23 (bonds of officials) and take any action as necessary.

No recommendations at this time. No votes taken.

8. **Discussion of possible revisions to charter section 8 (town elections, town clerk, registrars) and charter section 17 (city clerk, town clerk, duties) and take any action as necessary.**

No recommendations at this time. Town and City Clerk, Therese Pac entered the meeting at 7:25 and stated that she will have recommendations to this section. The Town Clerk position is regulated by State Statute and we need to see if the Statutes have been amended so we can add them to the Charter. No votes taken.

9. **Discussion of possible revisions to charter section 25(t) (comptroller, assistant comptroller, purchasing agent) and take any action as necessary.**

Comptroller, Diane Waldron handed the Commission recommended changes to this section stating it was for housekeeping and redundancy. No votes taken.

10. **Discussion of possible revisions to charter section 26 (assessor) and take any action as necessary.**

No recommendations at this time. No votes taken.

11. **Discussion of possible revisions to charter section 27 (tax lists, filing for assessment) and take any action as necessary.**

No recommendations at this time. No votes taken.

12. **Discussion of possible revisions to charter section 28 (tax collector) and take any action as necessary.**

No recommendations at this time. No votes taken.

13. **Discussion of possible revisions to charter section 29 (lien fees) and take any action as necessary.**

No recommendations at this time. No votes taken.

14. **Discussion of possible revisions to charter section 30 (taxes; abatement) and take any action as necessary.**

No recommendations at this time. No votes taken.

15. **Discussion of possible revisions to city council powers and to charter sections 40(g), 42(k) and 42(l) (fire chief) and take any action as necessary.**

No recommendations at this time. To be taken up with Fire Board. No votes taken.

16. **Discussion of possible revisions to charter section 43(h) (superintendent of parks and recreation) and take any action as necessary.**

Superintendent of Parks, Josh Mederios submitted recommended changes to this section of the Charter. To be taken up with Park Board. No votes taken.

17. **Discussion of possible revisions to charter section 44(b) (director of public works) and to take any action as necessary.**

No recommendations at this time. To be taken up with Public Works. No votes taken.

18. **Discussion of possible revisions to charter section 44(c) (city engineer) and take any action as necessary.**

No recommendations at this time. To be taken up with Public Works. No votes taken.

19. **Discussion of possible revisions to charter section 44A (building department) and take any action as necessary.**

The Commission stated that this section isn't clear on who appoints the Building Official. Attorney Clift determined that it was regulated by CT General Statute Section 29-260.

No recommendations at this time. No votes taken.

20. **Discussion of possible revisions to charter section 48B (chief of police) and take any action as necessary.**

Chief Brian Gould addressed the Commission with possible revisions to this section which he will forward to Corporation Counsel's office for the next meeting. He stated this section is not self-serving for the future of the Department. The Charter requires the Interim Chief to go through a written exam and a two day oral board, at an expense to the City. The previous Chief spent time developing him and his nomination went before the Police Board and the City Council. He feels that the Chief of Police should name a successor because he has the confidence in that person and develops that person to serve as the Chief of Police. He stated that a written exam is not going to tell you what you want to know and thinks the testing and background checks should be eliminated.

21. **Discussion of possible revisions to charter section 52 (corporation counsel) and take any action as necessary.**

No recommendations at this time. No votes taken.

22. Discussion of possible revisions to charter section 54(b) (director of human resources) and take any action as necessary.

Director of Human Resources, Mark Penney handed out recommended changes to the Charter which he stated were housekeeping items. He thinks that the sentence "Notwithstanding the provisions of this section, the full-time director of human resources in office on the effective date of this section shall continue in office until the expiration of that individual's term of office" should be eliminated. No votes were taken.

23. Discussion of possible revisions to charter section 12 (city officers, elective) and section 18 (treasurer) to replace an elected city treasurer with an appointed city treasurer and take any action as necessary.

Corporation Counsel's office sent a request to Connecticut Conferences of Municipalities regarding which towns had appointed or elected treasurers. Once that information becomes available, it will be forwarded to the Commission members.

No recommendations at this time. No votes taken.

24. Discussion of possible revisions to the charter to recommend a city manager form of government and take any action as necessary.

No recommendations at this time. No votes taken.

25. Discussion of possible revisions of the charter to recommend changing the term of the office of mayor from a two-year term to a four-year term.

The Commission would like Corporation Counsel's office to make a request to Connecticut Conferences of Municipalities on which towns have a four-year term of office.

No recommendations at this time. No votes taken.

26. Discuss comments and potential topics for charter revision raised during public participation and take any action as necessary.

No comments were made.

27. Discuss the charter and proposed charter revisions raised by the commissioners of the charter revision commission and take any action as necessary.

No comments were made.

28. Discuss meeting dates and agendas and take any action as necessary.

Chairman Fitzgerald stated that the next meeting of the Charter Revision Commission was October 28, 2020 at 7:00 p.m. in the Staff Lounge.

29. Old Business

None.

30. New Business

None.

31. Adjourn

At 7:53 PM, on motion by Commissioner Scotti and seconded by Commissioner Czuchta, it was unanimously voted: to adjourn.

Respectfully Submitted:
Noelle Bates
Recording Secretary

Subject to Approval

From
Joshua Medeiros

Sec. 43. Department of Parks, ~~and Recreation~~, Youth and Community Services.

- (a) The public parks and ~~playgrounds~~ recreational amenities of the City of Bristol existing and maintained or which may be established or maintained by said city, or, which may be assigned by the city council, whether within or without the corporate limits of the city, together with all park property which may be acquired, shall be under the general care and control of the Superintendent of Parks, Recreation, Youth and Community Services with policy guidance from the board of park commissioners. Said board shall consist of the mayor as a member ex officio, and chairman, and six commissioners.
- (b) As each commissioner, incumbent at the time of adoption of this charter, shall complete his six-year term, the mayor shall nominate and the council shall appoint a commissioner who will serve for three years, and all commissioners thereafter appointed will hold office for three years or until a successor shall be appointed.
- (c) All nominations and appointments for full three-year terms shall be made in the month of December next preceding the expiration of the term of any commissioner, and such appointments will take effect on the first of January following the appointment.
- (d) In case of a vacancy, a successor shall be nominated by the mayor and appointed by the council in the next month after the vacancy occurs. Such successor shall take office on the first day of the ensuing month and shall serve out the unexpired portion of the term, except that if the vacancy occurs during the first three years of the term of a commissioner who is serving a six-year term, the first three years of such term shall be construed to be a full term as provided by this charter and the commissioner appointed to fill the vacancy shall serve for the remainder of this three-year term.
- (e) The Board of Park Commissioners shall elect from its membership a vice-chairman who shall act as chairman in the absence or disability of the mayor. ~~The board shall elect a secretary, who, at the discretion of the board, may be one of its members.~~ At all meetings, four members of the board shall constitute a quorum for the transaction of business. No member of the Board of Park Commissioners shall receive compensation for their service, ~~but each commissioner shall receive his actual disbursements for necessary expenses in the performance of any duty imposed upon him by direction of said board.~~ Said board shall have the policy oversight of the care, management and control of all parks and playgrounds recreational amenities of the city and of all constructions thereon and it may give proper designating names thereto. Said board shall have power to lay out and improve, with walks, drives and roads, the parks and other property thus held and acquired, and shall have the power to build necessary culverts and bridges and to drain, plant and otherwise, at their discretion, to improve and adorn such properties thus held or acquired. It may erect such buildings as may be needed for the use, protection and refreshment of the public, provided no expenditure shall be made in excess of the amount appropriated by the board of finance for the use of the parks or otherwise

provided. It shall recommend to the city council rules, regulations and ordinances necessary to the maintenance of such parks and for safety and order therein. ~~The board shall nominate a duly qualified individual to serve as acting or interim superintendent for a specific term in the absence or during a vacancy in the Superintendent of Parks and Recreation's position to be approved by the city council.~~

(f) Said board shall have exclusive power to make rules and bylaws for the ordinary transaction of business and shall keep proper records and books of account, subject to the supervision of the board of finance. Books of account and record shall, at all times, be open to the inspection of the mayor and city council and to the board of finance and shall be subject to annual audit by the proper municipal officials.

(g) Said board shall have sole power to determine the places in said parks, grounds and other property under their control, where ~~sewer, gas and water~~ utility pipes shall be laid, and no trench for such purposes shall be opened without written consent from said board. No telegraph, telephone or electric light, or other wires or posts or supports therefore shall be erected in, upon, through or over said park or parkways without the consent in writing of said board.

(h) ~~The Superintendent of Parks and Recreation~~ Parks, Recreation, Youth and Community Services shall be nominated by the mayor and appointed by the city council for a term of four years. The mayor shall notify such Superintendent of ~~Parks and Recreation~~ at least one month prior to the expiration of his or her term in writing that he or she will or will not be re-nominated. Notwithstanding the provisions of this section, the full-time Superintendent of Parks ~~and~~ Recreation, Youth and Community Services in office on the effective date of this section shall continue in office until the expiration of his or her term. He shall be (1) a graduate of a four-year college or university with a degree in parks and/or recreation or related field and shall have at least two years of administrative experience in parks and recreation or park planning and development, or (2) shall have had at least six years administrative experience in the park and recreation field and two-year college degree in parks and/or recreation or related field. Under the direction of the Board of Park Commissioners and subject to the approval of the city council, the Superintendent of Parks ~~and~~ Recreation, Youth and Community Services shall exercise general supervision over the public parks and the public recreation program, shall be responsible for the efficiency and discipline and conduct of the Department of Parks ~~and~~ Recreation, Youth and Community Services ~~Recreation~~ and shall appoint and remove such deputies, assistants and employees as he or she may deem necessary. The Deputy Superintendent of Parks, Recreation, Youth and Community Services assumes the role of Department Head in the absence or vacancy of the Superintendent. In the absence of the Deputy Superintendent, ~~the board~~ The Board shall nominate a duly qualified individual to serve as acting or interim superintendent for a specific term in the absence or during a vacancy

~~in the of the~~ Superintendent of Parks, Recreation, Youth and Community and Recreation's position ~~Services position~~, to be approved by the city council.

(i) Property heretofore and hereafter acquired for squares or highway parkways, grass parks or plots at street intersections, and between traveled ways and highways not on park properties, shall be under the general care and control of the director of public works. In the event of doubt whether any portion of city properties shall properly be under the care of the Board of Park Commissioners or of the director of public works, the city council shall determine such question.

~~It shall~~ The board shall, in its discretion, have power to lease any buildings or land for a term not to exceed three years, and to dispose of timber, gravel and stone.

(j) Rents, profits or income from properties acquired for park or ~~playground~~ recreational purposes shall be paid into the city treasury to be placed at the disposal of the Board of Park Commissioners as an addition to the annual appropriation, unless otherwise provided by the terms of acceptance by the city council.

(k) The term "park property" shall include all parks and areas of land within the management of said board, and all buildings, structures, improvements, seats, benches, fountains, boats, walks, drives, roads, trees, plants, flowers and other things thereon and enclosures of the same, and all resting places, watering stations, playgrounds, and parade grounds, or the like, and all connecting parkways, and all birds, animals or curiosities, or objects of interest or instruction, and all tools and implements placed in or on any of such enclosures, ways, parkways, roads, or places.

(l) A listing of the city-owned property, under the care of the Board of Park Commissioners, is on file in the office of the town and city clerk. Said board shall have policy oversight over the ~~the~~ general care and control of that real property through the Superintendent as cited above and any additions as may be acquired by the City of Bristol from time to time.

(m) The City of Bristol shall have power to acquire and hold real estate or other property for the purpose of establishing or enlarging public parks and squares for boulevards and parkways or for the improvement or ornamentation of parks and playgrounds or for the establishment or maintenance therein of museums, gardens, collections, monuments, statues, fountains or other works of art, by condemnation or by contract, and to accept conveyances of any such properties and to receive gifts, donations or devises of land or other property upon such conditions as may be prescribed by the grantors or devisors and accepted by the city council. Said properties may be so acquired by a vote of the city council, which shall first submit a proposal to acquire the same to the Board of Park Commissioners and the City Planning Commission for recommendations and to the board of finance for advice and counsel concerning the effect of acceptance of such gift or gifts upon taxation. No such vote of the city council shall go into effect before fourteen days from the date of its publication ~~in a newspaper or~~ for general circulation in the city. If, during such fourteen days, a petition signed by at least ten per cent of the qualified electors protesting

against such acceptance is filed, the council shall submit the question of such acceptance to the vote of the electors of the city, either at the next general municipal election or at a special election called for that purpose and, if such question shall be so submitted to the electors, such vote of acceptance by the city council shall not go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof. The sufficiency of such petition shall be determined, the election ordered and conducted, and the result declared as provided in section fifty hereof, so far as such provisions are applicable.

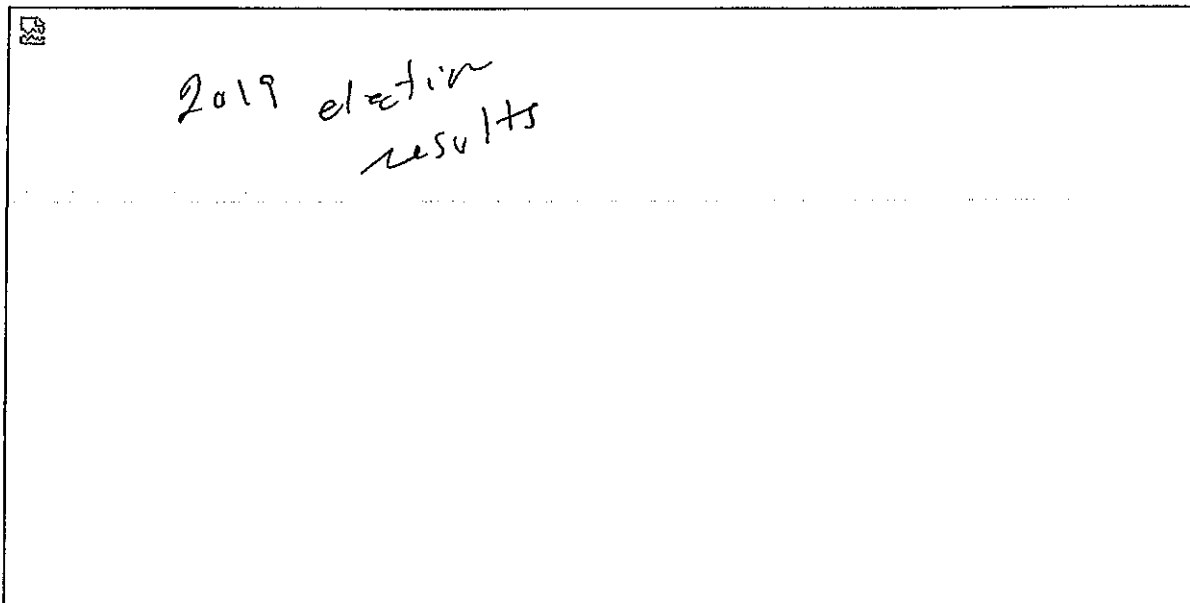
(Amend., eff. 11-9-77; Amend., eff. 11-9-83; Amend., eff. 11-7-89)

RE: charter revision commission and appointed officials

From: Thomas DeNoto (thomasdenoto@bristolct.gov)
To: jfitzgerald01@snet.net
Cc: annbednaz@bristolct.gov; dawnleger@bristolct.gov
Date: Tuesday, September 22, 2020, 10:15 AM EDT

Good morning Jon,

I am President of the Bristol Professionals & Supervisors Association (BPSA) City union unit. The BPSA Executive Board is reviewing the charter sections pursuant to your request. We do not have any recommended changes at this time. We have followed the Treasurer department initiative and support an elected Treasurer. Our recommendation is that the Treasurer operates independent from the Comptroller's office while noting the electorate (November 5th 2019 referendum 2,000 + margin results below) has effectively represented the Treasurer should be an elected official. I am available to discuss this with you or the commission if there are any questions or requirement for any additional research.



Best regards. Tom

3. Shall the treasurer be changed from an elected to an appointed officer, and a technical revision and removal of a gender reference be approved?

Machine Votes	77-1	77-2	77-3	78-1	78-2	79-1	79-2	79-3	77-4	Total
Yes	506	576	404	520	378	403	353	486	283	3909
No	751	757	749	802	593	659	496	766	386	5959
Absentee Votes										ABS
Yes	20	26	15	16	12	14	31	19	11	164
No	27	25	23	32	17	13	28	15	18	198
EDR										EDR
Yes	1	1	1	1	3	1	3	3	0	14
No	0	1	1	0	0	6	1	0	3	12
	77-1	77-2	77-3	78-1	78-2	79-1	79-2	79-3	77-4	TOTAL
Yes	527	603	420	537	393	418	387	508	294	4087
No	778	783	773	834	610	678	525	781	407	6169



Comptroller's Office | Phone: 860.584.6130 | Fax: 860.584.3827

Memorandum

To: Jon Fitzgerald, Chair, Charter Revision Commission

Cc: Mayor Ellen Zoppo-Sassu
John Smith, Chair, Board of Finance

From: Diane M. Waldron, Comptroller *DMW*

Re: Charter Section 25 (t)

Date: October 7, 2020

As per your request attached are the suggested revisions to Charter Section 25 (t) as it relates to the Comptroller and specific duties.

I am available to answer any questions the Commission may have.

Charter Revision: 10/4/2020

Submitted by: Diane Waldron, Comptroller

(t) The comptroller, assistant comptroller and purchasing agent in office on the effective date of the enactment of this charter shall continue to hold office and may be removed only for cause. They shall be bonded in an amount to be determined by the board of finance. As hereinafter provided, the comptroller, assistant comptroller and purchasing agent shall be nominated by the mayor and appointed by the city council for terms of four years each. The mayor shall notify such comptroller, assistant comptroller, or purchasing agent, as the case may be, at least one month prior to the expiration of such person's term in writing that such person will or will not be renominated. When a vacancy exists in the comptroller's office, the assistant comptroller shall function until such time as a comptroller is appointed. In the absence of the comptroller and assistant comptroller from the city or their inability to perform the duties of the office for whatever reason, the mayor shall name an acting comptroller of the city of Bristol, and said acting comptroller shall have the powers and discharge the duties of the comptroller while so acting. The comptroller shall be the chief financial officer for the City and shall act as clerk of the board of finance. Such clerk shall keep a true and complete record of all of the City's fiscal activities. [Such clerk shall accurately record the doings of the board and shall be the custodian of all its books, papers and data relating to the conduct of its business.] The comptroller shall perform for the city the [usual] duties of such office [or] and such additional duties [for the city and its districts] as may be prescribed by the Mayor and/or the board. [shall designate. The comptroller shall examine all bills ordered paid by the city council or the board, or of any department, except as herein otherwise provided, and, on the approval of any bills by the city council or the board or such department, shall draw an order on the city treasurer for the payment of the same.] All orders on the city treasurer shall be signed by the comptroller. [Upon a written order of the mayor, the comptroller shall withhold payment of any bills in controversy. The comptroller shall keep all the accounts of the city in such manner as may be provided for by the board.] The comptroller shall, at any time when directed by the mayor, [or] city council, or Board of Finance cause to examine the accounts, books, bills, and the methods of conducting business of any department of

the city government, and of any officer of the city, and shall report thereon to the mayor and city council. [All the books, accounts, vouchers and memoranda in the office of the comptroller shall, at all times during usual business hours when not required in actual use, be open to the inspection of the public. The minute book shall be open to the inspection of the public.] don't feel this last part is necessary in light of FOIA?

Sec. 54. - Personnel committee. Director of human resources.

- (a) The city council may establish by ordinance a personnel committee that shall be comprised of members of the city council appointed by the mayor. The mayor may also appoint up to two (2) electors of the city who shall be of different party affiliations. The city council members and electors shall serve at the pleasure of the mayor. The aforesaid elector(s) shall advise the personnel committee without vote, and may not be employed by the city, the board of education, or the Bristol-Burlington Health District. The city council may refer general personnel matters to the personnel committee, including but not limited to the consideration of salaries, benefits, and grievances, the addition or elimination of employee positions, the restructuring current positions, the creation, modification, and review of job descriptions, personnel policies and procedures, the review of surveys dealing with salaries and benefits, the review and evaluation of employment training, including training provided to employees and elected officials on anti-harassment policies, and the evaluation and review of preventative measures, complaint data and the corrective actions taken with respect to workplace harassment. The personnel committee may also serve as a nonbinding advisory review panel when there are personnel matters involving the mayor, a city councilor, or the director of human resources.
- (b) The director of human resources shall be nominated by the mayor and appointed by the city council for a term of four years. The mayor shall notify such director of human resources at least one month prior to the expiration of the term in writing that such person will or will not be renominated. [Notwithstanding the provisions of this section, the full-time director of human resources in office on the effective date of this section shall continue in office until the expiration of that individual's term of office.] The qualifications of the director of human resources shall be established by ordinance.

(Amend. eff. 11-9-83; Amend. eff. 12-8-05; Amend. eff. 12-8-11; Amend. eff. 12-6-18)