

CITY OF STAMFORD 17TH CHARTER REVISION COMMISSION

Members

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CLARENCE R. GREBEY III

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Jay H. Sandak, Co-Chair

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RICH ROSEMAN

JAY H. SANDAK

GEORGE SESSA

DONALD B. SHERER

DUDLEY N. WILLIAMS, JR.

MINUTES OF MEETING

Monday, May 7, 2012

6:00 p.m. – Board of Finance Room, 4th Floor, Government Center
888 Washington Boulevard, Stamford, CT 06904-2152

Call Meeting to Order

Co-Chair Sandak called the meeting to order at 6:00 p.m. Present were all Commissioners except Messrs. Sessa and Roseman. Also present was Steven Fogarty, Esq., counsel to the Commission.

Public Comment

Mr. Cogliano of the Belltown Fire Department submitted draft charter language (copy attached) and recommendations for language re a Fire Commission made up of volunteer and paid fire fighters with three members elected by the public. Mr. Cogliano stated that this would give both the volunteers and career firefighting personnel a vote, and the public will ultimately decide the issue. He added that there is broad support among the volunteers for this concept.

Approval of Minutes of Meeting

Chair Sandak stated that the Ballot, which is part of the minutes of last week, is color-coded with red and green text representing open issues. Chair Sandak asked all commissioners to review the chart to ensure that no one has any open issues with the report.

Upon motion duly made and seconded, the minutes of the April 25, 2012 and the May 2, 2012 meetings were approved by unanimous voice vote (Rep. Gwozdziowski abstaining on the 4/25/12 minutes).

Review Ballot and Consider Items on Ballot for Vote

The Commission continued voting on items beginning with No. 129, in the order they appear on the attached document entitled, "17th Charter Revision Committee Recommendations."

Discussions are summarized below in vote number order.

Vote No. 131 – Mr. Williams stated that the words "department" and "office" are used interchangeably in this section, and the Committee recommends the word "department." Co-Chair Sandak moved to amend the description to read: "Recommend using the word "department" in place of the word "office" with regard to the transfer of certain non-salary budgeted funds within an office, department, etc." Said motion was seconded and approved unanimously.

Vote No. 133 – This item was referred to legal counsel. The Charter currently has a 30-day requirement to submit an application challenging an assessment. Mr. Fedeli stated the Committee did not recommend any changes, and the Committee was just interested in finding out if this complied with State Law.

Mr. Fogarty stated that this does, in fact, need to be modified (along with Sections C8-16 Nos. 1-17) to comply with State statute (which allows for a 6-month window for appeal in this case). He recommends using wording that makes this section (and the section before it) “according to State statutes.”

Mr. Sandak stated that this recommendation would modify current charter language regarding takings to be consistent with State law, and this vote would be on the concept with counsel providing language. The item was approved unanimously.

Vote No. 134 – Mr. Fogarty stated this section is inconsistent with State law, but is remedied by making the following language changes:

~~If the Mayor approves the resolution, any land to be taken shall be deemed condemned, and title thereto shall vest in the City as of the date that the Mayor returns the resolution and report to the Board of Representatives.~~ **Title to the land shall vest with the City in accordance with State statutes.**

The change was approved unanimously.

Vote No. 135 – Mr. Fogarty stated that current Charter language is consistent with state and federal law.

Vote No. 136 – Mr. Fogarty stated that C1-50-2 should be amended to conform to State statute as follows:

The procedure for the condemnation of said land shall be that set forth in the General Statutes or where appropriate, the condemnation procedure provided for in this Charter. The owners of the property to be condemned shall be notified in writing by certified mail, return receipt requested, ~~not less than sixty (60) days prior to the condemnation proceedings.~~ **Initial notice of the condemnation shall be made in accordance with C8-60-4 of this Charter. In those instances where this Charter conflicts with the General Statutes, the condemnation procedures shall be in accordance with the General Statutes.**

Vote No. 137 – Mr. Fogarty reported this provision is not consistent with State law, and needs to be amended by deleting the entire section. Mr. Sandak stated that this is similar to a notary public's duties, and it does not affect other powers of the mayor. The item was approved unanimously.

Vote No. 138 – This item was already taken up at the April 18th Commission meeting.

Vote No. 142 – Upon motion duly made and seconded, the Committee voted unanimously to define “days” as “business days.”

After Mr. Fogarty pointed out an issue with references to 60 or 90 days, a motion to reconsider was made, seconded and approved by unanimous voice vote.

Mr. Grebey moved to amend C-10-4 to define 10 days or less as “business days” and anything over 10 days as “counted days.” Said motion was seconded and approved by unanimous voice vote.

Vote No. 149 – This item was taken up as Vote No. 35; upon motion duly made and seconded, the item was withdrawn by unanimous voice vote.

Vote No. 150 – The Commission voted in January not to take this item up, which explains why Vote No. 49 does not appear in the Chart. Upon motion duly made and seconded, a recommendation of “No Change” was approved by unanimous voice vote.

Votes No. 155 through 160 – Mr. Sandak stated that the Committee recommended that Items 155-160 should be handled by the legislative body. Upon motion duly made and seconded, a recommendation of “No Change” for Item Nos. 155-160 were approved unanimously. At Mr. Robins’ suggestion, there will be a notation in the Final Report recommending that these items be handled by ordinance.

Vote No. 165 – This referred to a catch-all charge that captures specific technical issues. Upon motion duly made and seconded, the item was withdrawn by unanimous voice vote.

The Commission took a ten-minute break, resuming at 8:20 p.m.

Chair Sandak stated that the Commission would now start at the beginning of the chart to handle all open votes.

Vote No. 6 – Mr. Sandak stated that this item was incorrectly worded in last week’s chart. The Charter does not exclude any amounts for additional appropriations. This would institute a new process, exempting amounts under \$2,500 from board approval.

Mr. Grebey moved to amend the Description so that any department could only go back once per year for an additional appropriation in amounts less than \$2,500. The motion to amend was seconded and approved by unanimous voice vote.

Vote No. 7 – Mr. Fogarty stated he found no prohibition against this language. Mr. Sandak stated that Mr. Larobina initially submitted a charge authorizing the Mayor to manage salary budgets after board approval. Mr. Larobina maintains that the current provisions conflict with case law. Mr. Williams stated that this would allow the mayor to move money from one account to another (with respect to salary items) without requiring BOF approval. Ms. McManus moved to recommend this change; said motion was seconded and approved unanimously.

Vote No. 9 – Mr. Fedeli moved to strike the language: “any and all incidental powers.” Said motion was seconded. Mr. Fogarty referred the Commission to Section 6-20-7(a) that reads:

The Board of Finance shall have any and all incidental powers necessary to enable it to investigate and determine the fiscal policy of the City. (Referendum 11-7-1995)

Mr. Fogarty suggested language to replace this section that reads:

“The Board of Finance shall have such incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the City as are within its direct jurisdiction and responsibility.”

A motion was made, seconded and unanimously approved to accept this language.

Mr. Fogarty also suggested amending C6-20-9, to read:

The Board of Finance shall have authority, by a majority vote of the full Board, to incur any expenses which it deems necessary or advisable in connection with any hearing before it or for the investigation of requests for appropriations and may employ experts to assist it in such investigation, **provided, however, that it may only conduct investigations into matters in which are within the direct jurisdiction and responsibility of the Board.** The Director of Administration may, in his or her sole discretion, but shall not be required to, provide internal audit department personnel to the Board of Finance for the purposes of conducting any such investigation. Expenses incurred by the Board of Finance pursuant to this section shall be paid by the Office of Administration on warrant issued by the Chairperson of the Board of Finance and countersigned by the Clerk of the Board of Finance.

A motion to amend the previous motion to include the additional change above was made, seconded and approved by unanimous voice vote.

Vote No. 16 – As this item was already acted upon under another number, a motion to withdraw this item was made, seconded and approved by unanimous voice vote.

Vote No. 17 – Messrs. Sandak and Fogarty stated there were a series of pension recommendations that concluded that the Charter was inconsistent with state law and/or collective bargaining agreements, both of which overrule the Charter. Amending the pension section would require a specialized law firm, would be very technical in nature and very time-consuming.

Mr. Fogarty spoke with city employees who advised that the system currently works even with these outdated provisions in the Charter. Mr. Sandak stated that the Commission should be cautious about tinkering with these sections because if not done correctly, it could create some harm.

Mr. Sandak suggested informing the BOR that the Commission has identified issues in the Pension section, but could not take them up in an adequate and professional manner due to the short time frame. However, the items are substantive and worthwhile to address. Ms. McManus added that the Commission should recommend to the BOR that it empanel another charter revision commission to look at pensions some time prior to the next mandated charter review.

Vote No. 18 – Upon motion duly made and seconded, the Commission voted unanimously to reconsider Vote No. 18.

Mr. Fedeli moved to Vote on 17, 18, 20 and 29 as one vote, with the recommendation that the items be permanently tabled and referred back to the BOR with the recommendation outlined above. The motion was seconded and approved unanimously.

Vote No. 30 – Mr. Fogarty stated that this item was previously taken up. Upon motion duly made and seconded, the item was withdrawn by unanimous voice vote.

Vote No. 31 – Mr. Fogarty stated that this is consistent with state law. A motion to recommend no change was made, seconded and approved by unanimous voice vote.

Vote No. 32 – Mr. Fogarty stated that this is clear in the Charter. Mr. Sandak stated this charge is quizzical in nature. Mr. Grebey moved to take no action; said motion was seconded and approved by unanimous voice vote.

Vote No. 34 – The Commission previously agreed that counsel should review the entire charter to ensure that its anti-discrimination provisions comply with state law. Mr. Sandak stated the Commission initially wanted a general statement to this effect.

Mr. Fogarty stated that political discrimination, which is a category of non-discrimination, is however permissible in certain offices (e.g., the Mayor's office). This explains the dichotomy in the anti-discrimination provisions between unclassified and classified sections.

The Commission wants the Charter to reflect Stamford's commitment to anti-discrimination. Mr. Fogarty also confirmed that gender identity and expression is included in the state statutes.

Vote No. 37 – Mr. Sandak stated that there is an inconsistency in the language. It currently reads:

No obligations of the City shall be authorized for any capital project not included in the capital projects budget as finally recommended by the Mayor. Upon the request of the Mayor, the Board of Finance *may amend* the capital projects budget to increase the amount appropriated or the amount of obligations which may be authorized for any project previously authorized if such increase is, in the opinion of the Board of Finance, necessary for the completion of the project, or to add new capital projects. (Referendum 11-7-1995)

However, before any such action can be taken, an advisory opinion of the Planning Board shall be obtained. When the Board of Finance adopts an amendment adding a project to the capital projects budget, or increasing the expenditures or the obligations which may be authorized on account of any project, such amendment shall be submitted to the Board of Representatives. If the Board of Representatives adopts it, the capital projects budget shall be deemed amended accordingly. Not later than five days after such adoption, the amendment to the capital projects budget shall be filed in the Office of the Town and City Clerk and public notice thereof shall be given.

Mr. Sandak explained that in fact, in Paragraph 1 above, the Board of Finance may NOT amend the capital budget – it can only make a recommendation. The decision, in the second paragraph, is up to the Board of Representatives. The charge is to change the word “amend” in

the first paragraph. Mr. Sherer stated that the Committee recommended that the BOF should not *approve* prior to BOR approval, just offer a recommendation.

Upon motion duly made, the recommendation to re-word Section C8-20-7 was approved by unanimous voice vote.

Vote No. 40f – A motion to withdraw this item was made, seconded and approved by unanimous voice vote.

Vote Nos. 52 –Mr. Fogarty suggested language for the Description that states:

“The following boards and commissions shall contain 5 members who shall serve for four-year terms coinciding with the term of the Mayor: Police and Fire Commission.

The Commission previously approved the concept of this change.

Vote No. 54 – Mr. Freccia stated that historically if the Mayor didn’t send names down, individuals would sit on commissions forever. This change will put the onus on the mayor to act, and gives the Mayor the opportunity to submit names to the BOR that did not come from the political committees. Upon motion duly made and seconded, the item was approved unanimously.

Vote Nos. 65 and 66 – Mr. Freccia recommended amending C5-30-2 by specifying and designating that the Director of Operations shall aid and support the WPCA in carrying out those responsibilities in Items 5, 9, 10, 1, 12 and 18. This revision should partially remedy the conflict of responsibilities between the Office of Operations and the statutory intent for the WPCA as an independent entity and allow the BOR to designate organization and management by ordinance.

Mr. Fogarty stated he recommends making a “Section A” that incorporates the first 15 enumerated responsibilities of the Director of Operations (which do not refer to the WPCA), and then creating a “Section B” that reads: “The Director of Operations shall be responsible for aiding and supporting the Water Pollution Control Authority in its performance of the following functions,”, and then listing Items 5, 9, 10, 11, 12 and 18 above from Section A.

The Charter sections would now read:

“Sec. C5-30-2. - Public Works Functions.

(a) The Director of Operations shall be responsible for overseeing the following public works functions of the Office of Operations:

(1) Through (20) remain as written in current Charter.

New Section:

(b) The Director of Operations shall be responsible for aiding and supporting the Water Pollution Control Authority in its performance of the following functions,:

(1) List ONLY existing items in (a) above Nos. 5, 9, 10, 11, 12 and 18.

Vote No. 66 – Mr. Fogarty stated that C6-160-1 be amended as follows:

The Water Pollution Control ~~Commission~~ **Authority** shall consist of five members to serve overlapping terms of three years, to be appointed by the Mayor and approved by the Board of Representatives in accordance with this Charter.

Section C6-16-2 Definitions would be deleted in its entirety.

Section C6-16-3 Powers and Duties would be amended to read:

The Water Pollution Control ~~Commission~~ **Authority** shall have **all of the powers and duties as provided in Chapter 103 of C.G.S. as may be amended from time to time and as may be amended by ordinance adopted by the City of Stamford. It should coordinate its activities with the Director of Operations and the City of Stamford to perform its functions.**~~the power to enter upon and take and hold by purchase, condemnation or otherwise, the whole or any part of any real property or interest therein which it determines is necessary or desirable for use in connection with any sewerage system, and to enter into and fulfill contracts, including contracts for a term of years, with any person or any other City or municipalities to provide or obtain sewerage system service for any sewage, and may make arrangements for the provision or exchange of staff services and equipment with any person or any other City or municipalities, or for any other lawful services. The Water Pollution Control Commission may establish rules for the transaction of its business.~~

Sections C6-16-04, 5, and 6 would be eliminated in its entirety.

Mr. Freccia amended the Description in the Ballot Sheet to read: “Recommend establishing a new and separate Charter section recognizing the WPCA as an entity that exists by State statute and organized and managed by city ordinance. The WPCA shall, along with the aid and support of the Director of Operations, carry out its duties.”

A motion to adopt the above changes was made, seconded and approved by unanimous voice vote.

Vote No. 72 –A motion to recommend No Change to the item was made, seconded and approved by unanimous voice vote.

Vote No. 74 – A motion to recommend reducing the size of the BOR to 20 was made and seconded.

Mr. Williams stated that a fair amount of testimony from BOR leadership was heard, and while on the surface a body of 40 people may seem excessive, the size does not really represent an issue nor is it a challenge to the operation or efficiency of the Board. In light of this, along with the limited likelihood that it will go any further, he is not in favor of the recommendation.

Ms. McManus stated that most cities and towns with 300,000 to 800,000 have 20 people, and she believes the larger number hinders progress. She is in favor of the recommendation.

Mr. Robins stated that the Commission should not be second-guessing the BOR and that the public and all 40 members of the BOR should weigh in on this issue.

Mr. Fedeli recommended giving a more specific method to reduce the numbers, such as electing only one representative from each district. The current wording is too easily dismissed as being symbolic in nature. Mr. Freccia stated he agrees with Mr. Fedeli, and is in favor of limiting the number of representatives to one per district (because redistricting was just done).

Mr. Jachimczyk amended the motion by rewording the Description to read: Reduce the size of the BOR to one representative per current district commencing with the election of 2013. Said motion was seconded.

Ms. Nabel stated that the size affords opportunity for people to participate in the democratic legislative process. The number of people is not impeding its work, and if anything is slowing it down, it might be the number of procedures that are being carried over from charter to charter.

Mr. Freccia stated that if this passes, it will affect other sections of the charter.

Mr. Sandak noted that no one other than commission members and Mr. Fred Flynn came forward to support this recommendation.

Mr. Fedeli stated that he has been troubled from the onset of this process that the power that the BOR holds over this process limits the process. It limits the effectiveness to make effective change in government. If the Commission feels, as a board, that this is true, and that this process would be better served by providing alternative routes to ballot other than the BOR, this is as much a symbolic vote as any to take it up. He would like to take this to the State and ask them to put forward a piece of legislation to look at this. It would be nice to have something indicative of the issue and ask them how they could implement this change if the BOR is required to approve it.

Mr. Sandak stated will vote against it only because he does not have knowledge enough to know that the current system is not working. It certainly is a large board, but he does not believe that the case has been made that other than theoretically there is a lot of people compared to other legislative bodies that in fact it is causing difficulty. If the votes were being impeded by the number, or there was an inability to get a quorum, then that would be a reason. If he is pressed by anybody for a reason, he cannot articulate a case.

The motion was approved by a vote of 8-5-0 (Commissioners Fedeli, Freccia, Grebey, Jachimczyk, Lucas, McManus, Okun and Robins in favor; Commissioners Gwozdzowski, Nabel, Sandak, Sherer and Williams opposed).

Vote No. 77 –A motion to replace the word “meeting” with the word “election” was made, seconded and approved unanimously.

Vote No. 82 – This matter was discussed at the May 2, 2012 meeting.

Mr. Fogarty recommended adding language at the end of C1-40-5: To the extent permissible under applicable State law, the BOR shall endeavor to schedule the referendum on any proposed charter amendments or revisions to coincide with the general election at which either the mayor, state officials or federal officials are to be elected.

A motion to approve was made, seconded and approved by unanimous voice vote.

Vote No. 86 – Mr. Freccia submitted revised language that reads (after friendly amendments by Messrs. Sandak and Williams) a: “Recommend creating an Office of Planning & Economic Development, headed by a new cabinet level position, the Director of Planning & Economic Development, who shall be responsible for the administration, supervision, and performance of all administrative municipal functions related to land Use and Economic Development including but not limited to planning, zoning, zoning appeal and enforcement, environmental protection, economic development, community development and traffic planning. The Building Dept. remains under the Office of Operations.”

Mr. Freccia noted that this came from the Mayor’s office. Ms. McManus questioned whether this was not too much under one department.

Mr. Fedeli stated that the Mayor’s argument persuaded him in that this will increase the level of collaboration, and there is a lot of support staff and division heads under the Director.

Mr. Sandak also liked the concept, and did note that there is a possibility that there will be an additional position created as a result.

Upon motion duly made and seconded, this item was approved by unanimous voice vote.

Vote No. 110a – Legal counsel reported that per State Statute, the Board of Ethics is already provided with subpoena power. A motion to withdraw this item was made, seconded and approved by unanimous voice vote.

Vote No. 111 – Mr. Fogarty stated that while it is possible to do this, the process would be cumbersome because there are minority representation laws in effect, and Stamford would have to start over with a whole new Bd of Ed (existing unexpired terms would quickly run afoul of State law). You would have a percentage of the Board seated under the old rules and another percentage under the new laws.

Mr. Sandak noted that it could be done, but it would be quite complicated as Stamford would have to abandon the election process for a petition candidate process. Ms. McManus moved for a no change recommendation; said motion was seconded and approved unanimously.

Vote No. 112 – Ms. McManus moved for a no change recommendation; said motion was seconded and approved unanimously.

Fire Service Votes:

Vote No. 113 – Mr. Sandak stated that this item recommends no change to the districts and boundaries in the charter. Mr. Sandak moved the item; said motion was seconded.

Mr. Fedeli asked how you could have one fire department if the boundaries remain.

Mr. Sandak stated that the Committee recommends there be a single department and the various districts. Items 113, 114, 115, 115a and 116 are the components to provide for this concept and for a single fire chief over all fire services in the City of Stamford.

Mr. Fedeli stated that the Committee did not assign responsibility for designing a fire plan in the City of Stamford. Mr. Sandak stated that the Commission never had this as a charge.

Mr. Grebey stated that this in fact does institute a plan (See Vote No. 115). Mr. Sandak confirmed that the Committee is not providing charter language that designates the entity that will develop the plan. Mr. Sandak added that he believes this is a management issue and should come from the administration to the boards.

Mr. Williams stated he is concerned with the high threshold for changing the districts, and this could be a hindrance in achieving a single department. The districts function like land grants and were not put together with a focus on maximizing safety. Mr. Sandak stated that by giving the Fire Chief the right to oversee the districts, the concept of boundaries changes.

Mr. Robins stated the plan really centers on the unity of control through the Fire Chief. Mr. Grebey stated a lot of time was spent on discussing the Fire Commission, or a new Commission, but a lot came down to the fact that Charter language regarding the fire commission now is very specific; and the Fire Commission is not really creating policy. The Fire Commission is a volunteer board without expertise in fire planning. The Director of PSH&W and the Fire Chief have the expertise.

Mr. Freccia confirmed that the current Fire Commission is not qualified to make policy decisions, and it is rare to find a Fire Commissioner who has firefighting experience.

Mr. Freccia asked about the word "status" in the second sentence in the jurisdiction section. To him, this word is vague enough to cause concern. The current section C5-40-3(d) reads:

Jurisdiction. The services of the Fire and Rescue Department under the control of the Chief shall be limited to the City Fire Service District, except in the case of an emergency. **Nothing in this Charter shall be construed to affect the organization, status or property of the Volunteer Departments of Stamford.** The Fire Service Districts are indicated on the map of Fire Service Districts, prepared by the City Engineer, dated January 21, 1977 and on file in the Office of the Town and City Clerk of the City and shall delineate the fire service boundaries of the respective regular and Volunteer Fire Departments. Changes in Fire Service Districts may be made by ordinance adopted by a two-thirds' vote of the total membership of the Board of Representatives with the advice of the City Fire and Rescue Chief and the respective Chief of the Volunteer Fire Department affected.

Ms. McManus stated she is supporting the recommendation but does not support assigning someone in the Charter to come up with a plan. This is a management issue. These recommendations give the administration and the boards a good foundation on which to begin working.

Mr. Fedeli stated that the way the recommendation reads, any mayor and any fire chief could in effect destroy the volunteer fire companies. If that is the stated goal of the Committee, he does not believe this plan does it. The proposal relies too much on intent.

A motion to move the question was made, seconded and FAILED by a vote of 6 -6-1 (Commissioners Grebey, Gwozdzowski, Jachimczyk, Nabel, Okun and Sherer in favor;

Commissioners Freccia, Lucas, McManus, Robins, Sandak and Williams opposed; Commissioner Freccia abstaining).

Mr. Roseman stated that part of the Fire Chief's job description will be to maintain the volunteer function in the City.

A motion to move the question was made, seconded and approved by a vote of 11-1-1 (Commissioners Fedeli, Grebey, Gwozdzowski, Jachimczyk, Lucas, McManus, Nabel, Okun, Robins, Sherer and Williams in favor; Commissioner Sandak opposed; Commissioner Freccia abstaining).

Vote No. 113 was approved by a vote of 10-2-1 (Commissioners Grebey, Gwozdzowski, Jachimczyk, Lucas, McManus, Nabel, Okun, Robins, Sandak and Sherer in favor; Commissioners Fedeli and Williams opposed; Commissioner Freccia abstaining).

Vote Nos. 115 – Mr. Grebey offered a friendly amendment, changing “etc.” to “assignments of personnel and allocation of other resources.”

Mr. Fedeli offered an amendment to delete “assignments of personnel” whereby the career firefighters would report to a Stamford Fire supervisor, not the volunteer person/chief in charge of a particular fire house. He will not vote on a plan that would have a career veteran firefighter reporting to a temporary volunteer chief. Mr. Fedeli stated he also doesn't understand how the City could install equipment in fire houses that the City does not own. It could be very expensive if the City had to find locations to house its equipment. Mr. Fedeli expressed concern that this recommendation is too much down the middle and ultimately no one will back it.

Mr. Robins stated that the Volunteer Chief could change the Chief in charge, if there was a younger, relatively inexperienced chief in charge at a particular time.

Mr. Grebey stated that some of the equipment in the volunteer houses is owned by the City. The volunteer chiefs said they would be open to lending their equipment to the City if it is necessary. Regarding the Vine Road and SEMS equipment, it is his understanding that this equipment would not necessarily be moved; they would put the proper personnel in the volunteer houses rather than deploying a second fire company for a district. Currently, there is animosity between the two groups and segregation within the fire houses. The Committee believes this is a management issue, and if the chiefs fail to manage these issues, the chiefs are insubordinate.

Mr. Sandak stated that the Incident Command System currently in place would not change. The person in charge would be the Incident Commander, not necessarily the chief. The Committee's intent is that whoever is in charge at the volunteer house at the time would be the person in charge of the fire, all subject to the Fire Chief and the two Assistant Fire Chiefs.

Mr. Grebey stated that the highest ranking person on duty in that fire house at any given moment – whether volunteer or career firefighter – ultimately are under the jurisdiction and responsibility of the Chief of that station.

Mr. Fedeli moved the amendment; i.e.,” This recommendation would create a single fire department with a single chief with jurisdiction over all fire services training, standard operating

procedures, ~~assignments of personnel~~ and allocation of other resources citywide. Said motion was seconded.

Mr. Sandak surveyed all commissioners for their input.

Mr. Fedeli stated he wants a fire plan developed by a fire professional that can put forward the best fire service for the City. He is willing to support the proposal if the following language is removed: "This recommendation would grant (subject to the supervision and direction of the Chief) the chiefs of the volunteer companies primary firefighting responsibilities in their fire districts and primary responsibility over the personnel and equipment assigned to their fire districts. Utilization of all resources, career and volunteer, is under the direction of the Chief."

Mr. Sandak clarified Mr. Fedeli's motion. The motion is to accept the Committee's recommendation (#115) by deleting "assignments of personnel." The motion was seconded and FAILED by a vote of 6-6-1 (Commissioners McManus, Jachimczyk, Gwozdzowski, Fedeli, Sherer and Williams in favor; Commissioners Sandak, Robins, Lucas, Sandak, Nabel, Grebey and Okun opposed).

The main motion, Vote No. 115, was approved by a vote of 10-2-1 (Commissioners McManus, Robins, Okun, Gwozdzowski, Jachimczyk, Grebey, Lucas, Sherer, Nabel and Sandak in favor; Commissioners Fedeli and Williams opposed; Commissioner Freccia abstaining).

Vote No. 116 – Mr. Grebey amended the Description by adding "under the supervision of the Chief and Assistant Chief for Volunteer Services" at the end.

Ms. McManus clarified that in that the volunteers are being named a "priority," the aim is to get more volunteer firefighters over career firefighters. Upon motion duly made and seconded, the item was approved by a vote of 11-0-2 (Commissioners McManus, Robins, Okun, Gwozdzowski, Jachimczyk, Grebey, Lucas, Sherer, Nabel, Williams and Sandak in favor; Commissioners Freccia and Fedeli abstaining).

Vote No. 116(a) – Mr. Freccia stated that the word "status" is vague in the following sentence:

Jurisdiction. The services of the Fire and Rescue Department under the control of the Chief shall be limited to the City Fire Service District, except in the case of an emergency. Nothing in this Charter shall be construed to affect the organization, **status** or property of the Volunteer Departments of Stamford.

Mr. Grebey moved that when this section is re-written to include the new provisions, the word "status" be eliminated. Said motion was seconded and approved by voice vote (Commissioner Freccia abstaining).

Vote No. 116(b) – New addition to charge: Mr. Williams moved to amend the requirement for a 2/3 vote of the BOR to change a fire district to a simple majority. Said motion was seconded.

Ms. McManus was concerned that undue influence could be put on the board, especially by union members. The motion was approved by a vote of 10-2-1 (Commissioners Freccia, Grebey, Gwozdzowski, Jachimczyk, Lucas, Nabel, Robins, Sandak, Sherer and Williams in favor; Commissioners McManus and Okun opposed; Commissioner Freccia abstaining).

Mr. Sandak stated that there will be a global change that all references to Stamford Fire & Rescue Department will be changed to Stamford Fire Department. Mr. Sherer pointed out C5-40-3 (a) and (b) refers to “paid employees” and “sworn members” and that during drafting, this may be a place to define all volunteer and career firefighters as being part of the Stamford Fire Department.

Vote No. 129 – Mr. Sandak stated that this extends the jurisdiction of the current Fire Commission to cover the Stamford Fire Department, which will consist of career and volunteer staff.

The motion was amended to include changes below to C6-90-1(1) to read:

(1)Except for the appointment or removal of the Fire and Rescue Chief, the Commission shall have the sole power of appointment and promotion of sworn **career** members after consideration of any recommendations made by the Fire and Rescue Chief and in accordance with the provisions of this Charter.

Upon motion duly made and seconded, the item was approved by a vote of 12-0-1 (Commissioners Freccia, Grebey, Gwozdzowski, Jachimczyk, Lucas, Nabel, Robins, Sandak, Sherer, McManus, Okun and Williams in favor; Commissioner Freccia abstaining).

Vote No. 140 and 141 – Mr. Freccia read draft language for #140, which the Committee asked counsel to prepare: “All citizens of the City of Stamford, CT are guaranteed the following rights, **subject to state law**:

- I. Fair and accessible government
 - a. Access to records, information
 - b. Accessibility of municipal employees, elected officials
 - c. Reasonable and timely ability to conduct business with the city
- II. The ability to participate in government
 - a. Appointed boards and commissions, committees
 - b. Public access to meetings, public comment
- III. Ethical conduct of city government
 - a. Works in tandem with the Ethics Code
- IV. The right to appeal
- V. Notice of action and reasons
 - a. Transparency as to the decisions or actions of government
 - b. ~~Written notice of action, decision or change in government policy, procedures, etc.~~ **Timely notice in accordance with city law.”**

Mr. Sandak stated that he doesn’t know what the reference to “written notice of changes in government policy” means. Mr. Fedeli stated that counsel will guide the Commission on the actual language. He added that sometimes a citizen needs a written response. Said motion was seconded and approved by unanimous voice vote.

Mr. Sandak stated that the written notice section carves out a new right; Mr. Fedeli stated it was never his intention to provide new rights. Mr. Grebey suggested an amendment to Vb. to read: “Timely notice in accordance with city law.” This amendment was moved, seconded and approved unanimously.

Mr. Jachimczyk stated that with regard to access to information, citizens are already entitled to information under FOI. Mr. Sandak moved to add "subject to state law," at the end of the introductory statement. Mr. Jachimczyk moved this amendment; said motion was seconded and approved 12-1-0. (Commissioner Okun opposed).

The main motion, the Citizens Bill of Rights preamble, was moved, seconded and approved by unanimous voice

Vote No. 141a – Mr. Fedeli stated this is a three-part issue: 1) include the Citizens Service Bureau in the Charter, preventing its defunding; 2) have the Customer Service Director assume the role of ombudsman; and 3) have the ombudsman/Customer Service Director report to the Mayor. This is the mechanism to enforce the preamble language just approved.

A motion to approve Part 1 (include the Citizens' Service Bureau in the Charter, preventing its defunding) was made, seconded and approved by unanimous voice vote.

Vote No. 141b - A motion to approve Part 2 (have the Customer Service Director incorporate the role of ombudsman to deal with citizens' complaints not related to service) was made and seconded.

Ms. Okun stated she is not certain that this is really needed; there is already a process in place for complaints. Mr. Freccia noted that Laure Aubuchon unveiled the soon-to-be 311 system that is an online method of citizen service inquiry and resolution. It is a management tool for the Mayor to determine what kind of requests/complaints is being made, the resolution of them, etc. Mr. Freccia noted that it is the mayor's position (per Laure Aubuchon) that this will more than adequately promote good service to the citizens, and that an ombudsman reporting to the Mayor is unnecessary.

Mr. Jachimczyk stated that Hoboken, NJ (where this system was modeled after) is small and may not be suitable for Stamford. Mr. Fedeli stated that the 311 system is a software update to an existing system that provides a dashboard for the Mayor. The system is not adequate for fielding non-service-related requests. It is software, not someone who can advocate for a citizen to get help with a complaint.

Upon motion duly made and seconded, Vote No. 141b FAILED by a vote of 5-8-0 (Commissioners Fedeli, McManus, Nabel, Sandak and Williams in favor; Commissioners Freccia, Grebey, Gwozdzowski, Jachimczyk, Lucas, Okun, Robins and Sherer opposed).

Vote No. 141c – Upon motion duly made and seconded, Vote No. 141c FAILED by a vote of 2-11-0 (Commissioners Fedeli and Nabel in favor; Commissioners Sandak, Williams, Freccia, Grebey, Gwozdzowski, McManus, Jachimczyk, Lucas, Okun, Robins and Sherer opposed).

Vote No. 99a – Mr. Fogarty reviewed the impeachment proceedings section and determined Charter Section C1-90-1 is probably infirm and could create a legal challenge if it was used. 1) The word "impeachment" should be deleted and replaced with the term "removal." 2) Removal should be done upon charges approved and adopted by the BOR. 3) The removal should be after a hearing on the charges and if $\frac{3}{4}$ vote in favor of removal, then the removal will take place. 4) There is no standard of proof, which is necessary ("clear and convincing evidence in something less than a criminal matter"). 5) The rights of the person being charged (e.g., to compel witnesses, hear the charges, right of notice) should be enumerated. 6) The prosecution should either be left up to the BOR or the Charter could mandate that the BOR designate an

attorney to act as prosecutor.

A motion for a new charge, 99A, was made and seconded to adopt the suggestions listed above. Said motion was seconded and approved by unanimous voice vote.

Upon motion duly made and seconded, upon a recommendation from the committees of "No Change Recommended, the following items were approved unanimously: Vote Nos. 2, 3, 145, 146, 147, 4, 5, 8, 148, 11, 12, 150, 151, 152, 153, 154, 162, 161, 80, 87, 15, 78, 99, 163, 48, 53, 55, 122, 123, 69, 94, 57, 59, 62, 60, 91, 58, 89, 90, 82, 84, 144, 93, 98, 164, 72, 75, 76, 111, 112, 117, 118a, 118b, 119, 120, 43, 31, 32, 135, 141b, 141c, 113, 114, 155, 156, 157, 158, 159, 160, 18, 17, 20, 22, 23, 24, 25, 26, 27, 28 and 29.

General

Chair Sandak stated that the Commission should discuss whether it wants to allow for reconsideration on any and all items by any Commissioner after the public hearing. This process is fair, but it is inconsistent with Robert's Rules and an amendment to the Commission's rules would be required to effect this.

Robert's Rules requires the motion to be from the prevailing side and at the same meeting that the vote was taken.

Ms. McManus moved that notwithstanding Robert's Rules and previously-adopted rules, the Commission accept any motions for reconsideration before the Draft Report is submitted to the Board of Representatives.

A discussion ensued whether a member who was not present during the initial vote could then vote to reconsider a matter. The Commission agreed that the absent person cannot vote on reconsideration, but could vote on the issue.

Mr. Freccia and Ms. Okun felt that if the item was not brought up by the public, then the Commission should not reconsider items. Mr. Grebey felt that the Commission should not be lobbying absent members. Commissioners could have the public come and comment on the item at the public hearing, which would then open it up for reconsideration.

The motion to amend the rules of order by allowing reopening of any vote passed on a tie vote of 7-6-0 (Commissioners McManus, Lucas, Gwozdzowski, Fedeli, Williams, Sandak and Jachimczyk in favor; Commissioners Robins, Sherer, Okun, Grebey and Freccia opposed).

Scheduling of next meeting of full Commission

The Commission will meet after the public hearing (it will be noticed for 8:00 p.m.).

The full Commission will also meet on Wednesday, May 16, 2012 at 7:00 p.m.

Adjournment

The meeting was adjourned at 12:05 a.m.

Submitted by,

Jay Sandak & Vincent Freccia, Co-Chairs

This meeting is on [video](#)

17th Charter Revision Committee Recommendations - Draft as of May 7, 2012								
Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	1	20	G/F	City Directors/Director of Administration	Recommends	This recommendation would mandate an Internal Audit and Risk Management function within the Office of Administration. (Under the current Charter, the Internal Audit function is discretionary.)	C5-50-2 (Page 35)	APP 14-0-0
C	2	36	F	Budget Process	No change recommended	This recommendation would amend the capital projects budget to include projects expected to be started with the next 2 years.	C8-30-1 et seq. (Page 81)	APP 14-0-0
C	3	37	F	Budget Process	No change recommended	This recommendation would require BOR approval of appointments of Special Assistants by the Mayor.	C3-10-2 (Page 20)	APP 14-0-0
C	4	38	F	Budget Process/Board of Education	No change recommended	This recommendation would permit the BOE to prioritize and direct the spending of capital funds.	C8-30-1 et seq. (Page 81)	APP 14-0-0
C	5	39	F	Budget Process/Board of Education	No change recommended	This recommendation would amend the timeline of the approval of the BOE budget to permit planning for September hiring needs.	C8-30-8 (Page 83)	APP 14-0-0
C	6	41	F	Budget Process	Recommends	Recommendation new provision eliminating BOF and BOR approval for additional appropriation requests in amounts of \$2,500 or less in the aggregate per annum per department.	C8-30-12 (Page 85)	APP 13-0-0
C	7	45	F	Budget Process	Tabled pending opinion of legal counsel	Commission voted to recommend the Mayor have the ability to manage the budget (with respect to salary items) once approved by the elective boards.	C8-30-11 (Page 84)	APP 13-0-0
C	8	46a	F	Budget Process	No change recommended	This recommendation would institute a two-year budget cycle. (The Charter currently mandates a one year operating budget and estimates for each of the two fiscal years thereafter.)	C8-30-1 (Page 81)	APP 14-0-0
C	9	49	F	Board of Finance	Recommends	This recommendation would amend Charter Sec. C6-20-7 and C6-20-9 relating to the powers of the BOF to specifically limit the powers of the Board of Finance to only matters relating to fiscal policy and financial matters.	C6-20-7(a) and 9 (Page 44)	APP 13-0-0
C	10	49	F	Board of Finance	Recommends	This recommendation would narrow the investigatory powers of the BOF to fiscal matters only, consistent with its fiscal responsibilities listed in C6-20-7 (Page 44). (The current Charter gives the BOF broad investigatory powers and appropriations to conduct investigations.)	C6-20-9 Page 44), C6-20-7	APP 13-0-0
C	11	50	F	Board of Finance	No change recommended	This recommendation would reduce the number of BOF members needed for approval of additional/contingency appropriations from 2/3 vote to a majority.	C8-30-3 (Page 82)	APP 14-0-0

17th Charter Revision Committee Recommendations - Draft as of May 7, 2012								
Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	12	52	F	Board of Finance	No change recommended	This recommendation would require BOF approval (in addition to BOR approval) on all collective bargaining agreements.	C6-20-7(d) (Page 44)	APP 14-0-0
C	13	54		Audit Process	Recommends	This recommendation would extend the Annual Audit Report delivery deadline by the BOF to the Mayor's Office and the BOR by one month, until October 31).(Currently it is due by September 30th.)	C6-20-8 (Page 44)	APP 14-0-0
C	14	56	F	Board of Finance	Recommends	This recommendation would add a requirement that a Request for Proposal (RFP) for the City's outside auditors be issued at least every five years.	C6-20-8 (Page 44)	APP 14-0-0
C	15	58	F	Board of Finance/Board of Representatives	No change recommended	This recommendation would mandate joint hearings of the BOF and BOR during the approval process of various routine financial matters.		APP 14-0-0
	16	59	F	Board of Finance/Board of Representatives	Item tabled	This recommendation would define and segregate the functions of the BOR and the BOF in furtherance of limiting the responsibilities of the BOF to fiscal matters. (The Committee only agreed to the changes in recommendation 49 above.)	C6-20-1 (recommendation #49) (Page 43)	Withdrawn-13-0-0
C	18	60	F	Pension	Recommends	This recommendation would require that the Mayor serve as a Trustee on the board of trustees for every city pension plan. (Currently, the Mayor is required only on the CERF Board.)	C7-10-1 (Page 65)	Tabled 13-0-0
C	17		F	Pension	Recommends	This recommendation provides for designees for the Mayor, the Chair of the BOF and the President of the BOR and that the Chairperson of the CERF Pension Trust be elected by a majority vote of all Trustees (eliminating the requirement that the Mayor (or designee) automatically serve as Chair.	C7-30-3 (Page 71)	Tabled 13-0-0
C	19	61	F	Pension	Recommends	This recommendation will eliminate the provision that the Police and Fire trust funds are the beneficiaries of any abandoned, unclaimed, or stolen money in the recommendation of the police and fire departments and of any fines for forfeitures imposed on members of the police or fire department.	C7-10-8 (Page 67)	APP 14-0-0
C	20	62	F	Pension/CERF	Tabled pending opinion of legal counsel	This recommendation would eliminate most of the Pension section of the Charter as the provisions are overridden by CT State Statute and collective bargaining agreements.		Tabled 13-0-0
C	21	63	F	Pension	Tabled pending opinion of legal counsel	Eliminate all or part of pension provisions (e.g., disability requirements, pension benefits) and include solely in the trust agreements and/or plan documents	C7-10-1 et seq (Page 65)	

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	22	64	F	Pension	No change recommended	This recommendation would establish an oversight board over the existing four pension boards.	C7-10-1 (Page 65)	APP 14-0-0
C	23	65	F	Pension	No change recommended	This recommendation would require all pension board members to have some level of pension training; or require that at least 1 member be a professional in the pension field.	C7-10-1 et seq (Page 65)	APP 11-3-0
C	24	66	F	Pension	No change recommended	This recommendation would forfeit the pension benefits of an employee upon "termination for cause."	C7-10-1 et seq. (Page 65)	APP 14-0-0
C	25	67	F	Pension	No change recommended	This recommendation seeks to terminate all OPEB benefits to the fullest extent permitted by law and to the extent not permitted, apply least costly plan provisions and highest participant contribution percentages.		APP 14-0-0
C	26	68		Pension	No change recommended	This recommendation seeks to amend pension plans so that costs do not exceed Charter-specified limits.	C7-10-1 et seq (Page 65)	APP 14-0-0
C	27	69	F	Pension	No change recommended	This recommendation seeks to prohibit any employee benefit plan with long-term implications not authorized by the Charter	C7-10-1 et seq (Page 65)	APP 14-0-0
C	28	70	F	Pension	No change recommended	This recommendation would require external, independent, operational audits of all pension plans retroactively to FY 2005 through FY 2012.		APP 14-0-0
C	29	71	F	Pension	No change recommended	This recommendation would eliminate the Pay Plan (contained in Chapter 47 of the Code of Ordinances).		Tabled 13-0-0
G	30	92	F	Special Assessments	Item tabled	This recommendation seeks to consider ways to simplify procedures for special-assessments and takings. (The current Charter provisions are complex and do not align with state statutes.)	C8-60-1 – C8-60-17 Pages 88-92)	Withdraw 13-0-0
C	31	112a	F	Classified & Unclassified Service	Tabled pending opinion of legal counsel	Recommend no change. Confirm whether this provision is consistent with State law. (Relates to Classified Service rules re: discharge/reduction in rank.)	C5-20-10(9) (Page 25)	APP 13-0-0
C	32	112b	F	Classified & Unclassified Service	Tabled pending opinion of legal counsel	Recommend no change. Determine whether attorneys and teachers are classified or unclassified City employees. (Relates to Classified Service rules re: discharge/reduction in rank.)	C5-20-15 (Page 26)	APP 13-0-0
C	33	112c	F	Classified & Unclassified Service	Recommends	This recommendation would expand anti-discrimination protection to all employees of the City of Stamford. Presently, the Charter makes reference only to Classified Employees.	C5-20-16 (Page 27)	APP 14-0-0

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C	34	112d	F	Classified & Unclassified Service	Recommends	This recommendation would amend Charter Sec. C5-20-16 by ensuring that all "protected classes" of employees recognized by State and Federal law are protected by the Charter. Except, "political opinion of affiliation" shall not be a protected class for employees who serve at the pleasure of the Mayor.	C5-20-16 (Page 27)	APP 14-0-0
C	35			Bonding	Recommends	This recommendation revises the description of " Short-Term Capital Project" as a capital project with a useful life of seven (7) years or less under Federal tax guidelines; it also allows bonding for these Short Term Capital Projects up to 5 years.	C1-10-4 (Page 11)	APP 14-0-0
C	36			Bonding	Recommends	This recommendation is a technical/grammatical change and provides that the word "recommendations" be stricken and replaced with the words "such projects."	C8-20-6 (Page 80)	APP 14-0-0
C	37			Bonding	Recommends	The current Charter language provides that upon the request of the Mayor, the BOF may amend the capital projects budget subject to the approval of the BOR. Thus essentially, the action of the BOF is a "recommendation" to the BOR. This proposed change would clarify this process and make the language consistent.	C8-20-7 (Page 80)	APP 13-0-0
C	39			Bonding	Recommends	C8-20-9 relies upon the current Charter language in C8-20-7 and provides that the approval process to increase the capital projects budget requires the approval of an amendment to the capital budget by both the Board of Finance and the Board of Representatives. Consistent with the recommendation of clarification to C8-20-7, this recommendation would eliminate the requirement that the Board of Finance approve such an amendment.	C8-20-9 (Page 80)	APP 13-0-0
C	40a			Bonding	Recommends	This recommendation would codify and clearly provide that the authorization for issuance of bonds lies with the Mayor and his administration. (Currently, the BOR is authorized to issue bonds and under State law may delegate this authority to the Mayor and his administration to facilitate the process. In fact such a delegation occurs.)	C8-50-1 (Page 87)	APP 14-0-0
C	40b			Bonding		This recommendation would allow the Mayor and the Director of Administration to set the maximum interest rates for bond issuances. (The Charter currently provides for BOF approval.)	C8-50-1 (Page 87)	APP 14-0-0
C	40c			Bonding		This recommendation would have the Mayor and the Director of Administration determine whether the City uses "Project Specific v. Cash low Bonding."(Current Charter language provides that the BOF determines the manner and amount in which bonds so authorized are issued.)	C8-50-1 (Page 87)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	40d			Bonding		This recommendation provides that short-term capital projects (as defined in the proposed revisions to section C1-10-4) shall be financed by bonds maturing not later than five years after issuance.	C8-50-1 (Page 87)	APP 14-0-0
C	40e			Bonding		This recommendation transfers the authority to refund bonds from the BOF to the BOR in the manner proscribed in the Connecticut General Statutes. (Current Charter language provides this authority to the BOF.)	C8-50-1 (Page 87)	APP 14-0-0
G	40f					An alternate recommendation is that C8-50-1 remain the same but the following language is inserted after the third sentence ending with the word "time". "The Mayor and the Director of Administration shall determine the capital projects to be funded by the proceeds of the bonds so issued" [This is language suggested by Peter Privitera and has not been reviewed by Bond Counsel.	C8-50-1 (Page 87)	Withdraw 13-0-0
C	41			Bonding	Recommends	This recommendation transfers the power to issue, set the terms, rate of interest, form, manner of sale and other particulars of temporary Bond Anticipation Notes (BANs) to the Mayor and the Director of Administration and extends the period from one year up to three years. (Current Charter language allows the BOF to issue temporary BANs for a period of up to one year.)	C8-50-2 (Page 87)	APP 14-0-0
C	42			Bonding	Recommends	This recommendation eliminates the requirement of a vote by the BOF regarding the issuance of bonds in case of public emergency. Current Charter language requires the approval of five members of the BOF and three fourths of the entire membership of the BOR (the BOR vote will still be required).	C8-50-3 (page 88)	APP 13-1-0
C	43	112f	F	Condemnation & Disposition of Land	No change recommended	This recommendation asked whether this section (re: condemnation) be eliminated and replaced by an ordinance of the BOR.	C1-50-2 (Page 13)	APP 14-0-0
C	44	1	G	Board of Representatives	Recommends	This recommendation would change the requirement that the BOR's first meeting following each quadrennial election be held on the "first Monday in December" rather than "December 1st" to avoid weekend conflicts.	C3-10-11 (Page 21)	APP 14-0-0
C	45	2	G	Board of Representatives	Recommends	This recommendation would allow the BOR to hold its monthly meeting on another day within the same month by resolution. (This will avoid potential conflicts with federal and religious holidays as the Charter currently requires the BOR meet on the "first Monday of every month.")	C2-10-4 (Page 18)	APP 14-0-0
C	46	3	G	Board of Representatives	Recommends	This recommendation would amend the Charter's language to provide that at the end of a term of the BOR, items on the agenda are terminated and must be reintroduced by members of the incoming BOR.	C2-10-2 (Page 17)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	47	4	G	Board of Representatives	Recommends	This recommendation would amend the Charter, Sec. C2-10-4, relating to meetings of the Board of Representatives to permit the Board to cancel one regular meeting during each successive twelve month period following its Organizational Meeting.	C2-10-4 (Page 18)	APP 14-0-0
C	48	5		political	No change recommended	This recommendation sought to limit party caucuses.		APP 14-0-0
C	49	6	G	Ordinance/Mayor/Bd of Reps	Recommends	This recommendation requires the Mayor return an ordinance within 10 business days after receipt from the BOR. (Current Charter language is ambiguous.)	C2-10-13 and C2-10-14 (Page 19)	APP 14-0-0
C	50	6a	G	Ordinance/Mayor/Bd of Reps	Recommends	This recommendation requires the Mayor to give written notification of being absent from the city for any period of 48 hours or more to the President and/or Clerk of the BOR and/or the Town Clerk. (The Charter currently does not have any similar provisions.)	C2-10-14 (Page 19)	APP 13-1-0
C	51	7 & 8	G	Ordinance/Mayor/Bd of Reps	Recommends	This recommendation would require the Clerk of the BOR to present an ordinance to the Mayor within 2 business days of BOR enactment; upon presentation to the Mayor, the Clerk should receive dated official acknowledgement of receipt; the Mayor has 10 business days to approve the ordinance and return it to the BOR and if not returned in that time frame, the ordinance becomes effective after another 10 business days have passed. (The current Charter language is ambiguous.)	C2-10-13 and C2-10-14 (Page 19)	APP 14-0-0
C	52	9	G	Boards and Commissions	Recommends	This recommendation would amend the Charter, Sec. C6-00-2, relating to Boards and Commissions to provide that the terms of office for members of the Police and Fire Commission shall coincide with the term of office of the Mayor.	C6-00-2;C6-00-4 (Pages 41-42)	APP 14-0-0 (5/2/12) and 13-0-0 (5/7/12)
C	53	10	G	Boards and Commissions	No change recommended	This recommendation set November 30 as the expiration date of terms of service regardless of month of formal appointment of members of boards and commissions. (Currently the Charter provides for termination of board and commission members.)	C6-00-4 (page 42)	APP 14-0-0
C	54	11	G	Boards and Commissions	Recommends	Recommend revising C6-00-4 (a) by adding to this section the following language: "or upon the passage of six months from the date of expiration, whichever shall first occur."	C6-00-4 (Page 42)	APP 13-0-0
C	55	11a	G	Boards and Commissions	No change recommended	This recommendation establishes a Human Resources clearing process for nominees to boards/commissions.	C6-00-3 (Page 41)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	56	12	G	City Directors/Director of Economic Development	Recommended	This recommendation would add a 5th member to the Mayor's Cabinet by elevating the Director of Economic Development to a cabinet position and leading a newly-created Office of Planning & Economic Development.	C5-10-1 (Page 22)	APP 14-0-0
C	57	13	G	City Directors/Director of Human Resources	No change recommended	This recommendation would elevate the Director of Human Resources to a cabinet position.	C5-10-1 (Page 22)	APP 14-0-0
C	58	14	G	City Directors/Interim or Acting	No change recommended	This recommendation would require BOR approval of any "acting" or "interim" directors. (Under current Charter language the BOR only approves interim directors after they have served for 120 days.)	C5-10-2 (Page 22)	APP 14-0-0
C	59	15	G	City Directors/Director of Public Safety Position	No change recommended	This recommendation would have imposed minimum qualifications on the position of the Director of Public Safety, Health and Welfare.	C5-40-1 (Page 22)	App 13-1-0
C	60	16	G	City Directors/Director of Legal Affairs	No change recommended	This recommendation would have made the Director of Legal Affairs either a full time or contract position. (It is currently a part-time position in the Mayor's cabinet and serves at the pleasure of the Mayor.)	C5-20-1, et seq (Page 22)	APP 14-0-0
C	61	16a	G	City Directors/Director of Legal Affairs	Recommends	This recommendation would add: "or his/her designee" after the word "appear" to clarify that Corporation Counsel does not have to personally appear in all actions. (Current Charter language requires that the Director of Legal Affairs to personally appear at all actions.)	C5-20-3 (Page 23)	APP 14-0-0
C	62	17	G	City Directors/Director of Administration	No change recommended	This recommendation would require the Director of Administration to report to both the Mayor and the Fiscal Committee of the Board of Representatives. (Currently, this position is a member of the Mayor's Cabinet and serve at his/her pleasure.)	C-5-50-1, et seq (Page 35)	APP 14-0-0
C	63	18	G	City Directors/Director of Administration	No change recommended	This recommendation would delete the economic development function. See Vote # 56	C5-50-1 (Page 35)	
C	64	19	G	City Directors/Director of Administration	Recommends	This recommendation seeks to include Risk Management in the list of functions in C5-50-02B, and modernize language. See Vote # 1	C5-50-1 (Page 35)	

17th Charter Revision Committee Recommendations - Draft as of May 7, 2012								
Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	65	22	G	City Directors/Director of Operations/WPCA	Recommended change.	This recommendation would revise Sec. C5-30-2 (Public Works Functions) by specifying and designating that the Director of Operations shall aid and support the WPCA in carrying out those responsibilities in items 5,9,10,11,12 and 18. This revision should partially remedy the conflict of responsibilities between the Office of Operations and the statutory intent for the WPCA as an independent entity and allows the BOR to designate organization and management by ordinance.	C5-30-2 (Page 28)	APP 13-0-0
C	66	23	G	City Directors/Director of Operations/WPCA	Recommended	This recommendation would establish a new and separate Charter section recognizing the WPCA as an entity that exists by state statute and organized and managed by city ordinance. The WPCA shall, along with the aid and support of the Director of Operations, carry out its responsibilities.	C5-30-2 (Page 28)	APP 13-0-0
C	67	25	G	Commissions/Boards (possible elimination or merge)	Recommends	This recommendation will eliminate the Water Pollution Control Commission as it has been superseded by the Water Pollution Control Authority. (In accordance with the recommendation of the Mayor's Task Force on Governance.)	C6-160-1 (Page 63)	APP 14-0-0
G	67A	25a	G	Commissions/Boards (possible elimination or merge)	Recommends	Eliminate provision re: elimination by Superseding Ordinance as WPCC no longer exists. See Vote #67	C6-160-6 (Page 63)	
C	68	26	G	Commissions/Boards (possible elimination or merge)	Recommends	This recommendation eliminates the Personnel Appeals Board and transfers its duties to the Personnel Commission. (In accordance with the recommendation of the Mayor's Task Force on Governance.)	C6-150-1-, C6-150-2 (Page 63)	APP 14-0-0
C	69	27	G	Commissions/Boards (possible elimination or merge)	No change recommended	This recommendation would eliminate the Municipal Building Board of Appeals. (In accordance with the recommendation of the Mayor's Task Force on Governance.) [SEE LEGAL OPINION]	C6-70-2 (Page 57)	APP 14-0-0
C	70	28	G	Election	Recommends	This recommendation would limit the service to one elected municipal position. (Currently there is no restriction on serving on multiple elected boards.)	C1-80 (Page 15)	APP 14-0-0
C	71	29	G	Election	Recommends	This recommendation would change the term of constables from two to four years.	C1-70-3 (Page 14)	APP 14-0-0
C	72	32	G	Election	Recommends; refers to full Commission	The Commission voted not to make a recommendation to impose term limits for elected officials.	C1-70-3 (page 14)	APP 13-0-0
C	73	33	G	Election	Recommends	This recommendation would impose limits of two terms (either consecutive or separate) on the Office of Mayor.	C1-70-3 (Page 14)	APP 8-6-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	74	34	G	Election	No consensus; refer to full commission	Recommend reducing the size of the BOR to the election of one representative per current district commencing with the election of 2013.	C1-80-1 (Page 15)	APP 8-5-0
C	75	35	G	Election	No change recommended	This recommendation would stagger the terms of BOR.	C1-70-3 (Page 14)	APP 14-0-0
C	76	35a	G	Election	No change recommended	This recommendation would reduce the term of office for members of BOR to 2 years beginning in 2013.	C1-70-3 (Page 14)	APP 14-0-0
C	77	35b	G	Election	Tabled pending opinion of legal counsel	This recommendation would replace the word 'meeting' with 'election' .	C1-70-1 (Page 14)	APP 13-0-0
C	78	59a	G	Board of Finance/Board of Representatives	No change recommended	This recommendation would create an independent investigative authority	C2-10-1(12) (Page 17) & C6- 20-9 (Page 44)	APP 14-0-0
C	79	82	G	Charter Review	Recommends	This recommendation would amend the Charter Sec. C1-40-5 relating to the timing of Charter Review to include the following language: "To the extent permissible under applicable state law, the Board of Representatives shall endeavor to schedule the referendum on any proposed charter amendments or revisions to coincide with a general election at which either the Mayor, state officials or federal officials are to be elected."	C1-40-5 (Page 13)	APP 13-0-0
C	80	84	G	Counsel/Board of Reps	No change recommended	This recommendation seeks to expand the ability of the BOR to retain counsel.	C2-10-2 (Page 17), C5-20-3 (Page 23)	APP 14-0-0
	81	86	G	Appointments	No change recommended	This recommendation would require appointments of Special Assistants by the Mayor be approved by the Board of Representatives	C3-10-2 (Page 20)	
C	82	87	G	City Departments	No change recommended	This recommendation seeks to determine whether the Human Resources Department should remain under the Legal Department	C5-20-7 (Page 24)	APP 14-0-0
C	83	88	G	City Departments	Recommended	This recommendation would place the Land Use offices under a new Office of Planning & Economic Development under the supervision of a newly-created cabinet position, Director of Planning and Economic Development. (See Votes #56 & 86.)	C5-30-1, et seq (Page 28)	APP 14-0-0
C	84	89	G	City departments	No change recommended	This recommendation was to separate Parks & Recreation.	C5-30-5 Page 30)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	85	90	G	City Departments	Recommends	This recommendation would add a #9 to the list of responsibilities in C5-30-5: "The maintenance and operation of the Terry Conners Rink will be under the jurisdiction of the Parks & Recreation Commission." (The current Charter language does not address Terry Conners Ice Skating Rink.)	C5-30-5 (Page 30)	APP 14-0-0
C	86	91	G	City Departments	Recommended	This recommendation would create an Office of Planning and Economic Development, headed by a new cabinet level position, the Director of Planning & Economic Development, who shall be responsible for the administration, supervision and performance of all administrative municipal functions related to Land Use and Economic Development including but not limited to planning, zoning, zoning appeal and enforcement, environmental protection, economic developments, community development and traffic planning. The Building Department remains under the Office of Operations.	C5-10-1; C5-30-1	APP 13-0-0
C	87	96	G	Contracts/Bd of Reps vs. Mayor	No change recommended	This recommendation would provide procedures to address situations where the BOR approves a contract but the Mayor fails to execute the contract. (Currently only the Mayor can execute deeds and contracts for the City.)	C3-10-12 (Page 21)	APP 14-0-0
C	88	101	G	Chief Building Official	Recommends	This recommendation would add "Notwithstanding any provision hereinafter to the contrary, the Building Officer reports directly to the Director of Operations." (The current Charter does not state to whom the Building Officer reports.)	C5-30-6 (Page 30)	APP 14-0-0
C	89	102	G	Legal Representation	No change recommended	This recommendation seeks to clarify the scope of legal representation for elected and appointed officials. (The current Charter states Corporation Counsel is the legal officer for the City and its officials.)	C5-20-3 (Page 23)	APP 14-0-0
C	90	103	G	Legal Representation	No change recommended	This recommendation seeks new language in cases of conflict of interest (two or more parties) to provide a mechanism for legal representation for each party. (The current Charter does not contain any provisions for this.)	C5-20-4 (Page 24)	APP 14-0-0
C	91	104	G	Corp Counsel	No change recommended	This recommendation would require the selection of a Director of Legal Affairs by a formal Request for Proposal. (Currently the Director of Legal Affairs is nominated by the Mayor and approved by the Board of Representatives.)	C5-20-3 (Page 23)	APP 14-0-0
C	92	105	G	Environmental Protection Function	Recommends	This recommendation would amend Charter Sec. C5-40-1 concerning the duties of the Director of Public Health and Safety of Welfare to include the following language: and, unless otherwise provided by state or federal law, shall be responsible for the oversight of all municipal functions related to the abatement and management of environmental contamination...	C5-40-1 et seq (Page 31).; and C5-30-8 (Page 31)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	93	106	G	Environmental Protection Function	No change recommended	This recommendation requested a review of a reserved (empty) section, entitled "Environmental Protection Function."	C5-30-8 (Page 31)	APP 14-0-0
C	94	107	G	Planning Board	No change recommended	This recommendation would require the Planning Board membership to have at least one member who is qualified in financial planning and capital debt management and at least one member who is qualified in sustainable urban planning. (The current Charter language does not address qualifications for membership on the Planning Board.)	C6-00-2 (Page 41) or C6-30-1 et seq (Page 45)	APP 14-0-0
C	95	112h	G	Mayor's authority	Recommends	This recommendation would remove this section (re: hindering the Mayor) and request the BOR to address it by ordinance.	C3-10-14 (Page 21)	APP 14-0-0
C	96	113	G	Annual Report	Recommends	This recommendation would extend by one month the deadline for each entity named (e.g., City Agency, Department, Commission, etc.) to file its Annual Report for the preceding fiscal year.	C3-10-13 (Page 21)	APP 14-0-0
C	97	114	G	Easements	Recommends	This recommendation requires BOR approval prior to the City entering into an agreement for an easement. (The Charter currently provides that the BOR approves the sale of property.)	C2-10-2(10) (Page 17)	APP 14-0-0
C	98	117	G	Transportation	No change recommended	This recommendation requested a review of the Transportation Section of Charter (without specification).	C5-30-4 (Page 29)	APP 14-0-0
C	99	117a	G	Removal of Elective Officers	No change recommended	This recommendation requested a clarification as to who would prosecute an impeachment proceeding.	C1-90-1 (Page 16)	APP 14-0-0
	99a					This recommendation is that the Charter provision relating to Removal or Impeachment of Elected Offices be amended to remove the term "Impeachment" from the section and to add procedural requirements to comply with State and Federal due process rights.	C1-90-1 (Page 16)	APP 13-0-0
C	100	119	G	Creation of a historic Preservation Commission	Recommend	This recommendation would establish an Historic Preservation Advisory Commission which would serve in an advisory role only to all land use boards. The composition, membership and method of appointment of the Commission will lie with an ordinance to be enacted by the BOR. (Currently there are no Charter provisions for an Historical Preservation Commission.)	C6-00-1 et seq. (Page 40)	APP 11-2-1

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	108	24	PH	City Directors/Director of Health	Recommends	This recommendation would add a new subparagraph: "The Health Director will seek the counsel of the Health Commission to establish and review all matters of health policy for the City, and the Health Director shall keep the Health Commission advised on matters pertaining to health policy of the City." (Current Charter language is ambiguous as to relationship between Health Commission and Health Director.)	C5-40-4 (a) (Page 34)	APP 14-0-0
C	109		PH	Creation of a Board of Ethics	Recommended	This recommendation will establish a Board of Ethics in the Charter. (The current Charter does not have a Board of Ethics.)	C6-00-1 et seq. (Page 40)	APP 14-0-0
C	109a		PH	Code of Ethics	Recommends	This recommendation would mandate that the BOR adopt a Code of Ethics (which could be the one already established).		APP 14-0-0
C	110		PH	Limitation of membership of Board of Ethics	Recommends	This recommendation would require the Charter follow CGS 1-80 (but only for 2 years). 1) "All members shall be electors of the City of Stamford and not an employee of the City of Stamford; 2) no member of the Board [of Ethics] shall (a) hold or campaign for any public office; (b) have held a public office or have been a candidate for public office for a 2-year period prior to appointment; and (c) hold office in any political party or political committee or be a member of any organization or association organized primarily for the purpose of influencing legislation or decisions of public agencies."		APP 14-0-0
C	110a		PH	Subpoena power for Board of Ethics	Recommended	This recommendation would provide the Board of Ethics with subpoena power. (Legal counsel advised this is already provided by state statute.)		Withdraw 13-0-0
C	110b		PH	Legal Advisor to Board of Ethics	Recommended	This recommendation provides that the Office of Legal Affairs shall serve as legal counsel to the Board of Ethics unless a conflict of interest arises wherein the Director for Legal Affairs shall retain outside counsel for the Board of Ethics.		APP 14-0-0
C	110c		PH	Powers of Board of Ethics	Recommended	This recommendation provides that the powers of the Board of Ethics are limited to investigate and adjudicate violations of the Code of Ethics brought to its attention.		APP 14-0-0
C	111	30	PH	Election/Board of Education	Tabled pending opinion of legal counsel	Commission recommended no change. This recommendation would make the BOE elections non-partisan.	C1-80-5 (Page 16)	APP 12-1-0
C	112	31	PH	Election/Board of Education	Tabled pending opinion of legal counsel	Commission recommended no change. This recommendation would amend the BOE election process to ensure that candidates who receive the most votes are seated on the BOE.	C1-80-5 (Page 16)	APP 13-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	113	72	PH	Fire Service	No change recommended	This recommendation would eliminate or change the provisions for fire service districts and boundaries as set forth in C5-40-3(d). (The Charter currently provides that the fire districts are established by a certain map on file with the City Clerk and that it can be amended by vote of the BOR.)	C5-40-3(d) (Page 34)	APP 10-2-1
C	114	73	PH	Fire Service	No change recommended	This recommendation would change the jurisdiction of the Stamford Fire and Rescue Company (career firefighters), overlay the current volunteer districts and create a citywide volunteer fire fighter district (formerly said "policy").	C5-40-3(d) (Page 34)	APP 12-0-1
C	115	74	PH	Fire Service	Recommends	This recommendation would create a single fire department with a single chief with jurisdiction over all fire services training, standard operating procedures, assignments of personnel and allocation of other resources citywide. A combined fire fighting service would be created to be known as the "Stamford Fire Department" with a single Chief, two paid Assistant Chiefs (one for Career Services and the other for Volunteer Services). The Chief would be appointed by the Mayor; the Assistant Chief for Career Services would be appointed by the Chief from the ranks of the career services and the Assistant Chief for Volunteer Services would be appointed by the Chief from a pool of three nominated by a majority vote of the Chiefs of the volunteer fire companies. (The Charter currently establishes a separate fire department for career firefighters (The Stamford Fire and Rescue Department) and the five (5) volunteer fire companies. (Long Ridge, Turn of River, Glenbrook, Springdale and Belltown). This recommendation would grant (subject to the supervision and direction of the Chief) the chiefs of the volunteer companies primary firefighting responsibilities in their fire districts and primary responsibility over the personnel and equipment assigned to their fire districts.	C5-40-3 (d) (Page 34)	App 10-2-1
C	116	75	PH	Fire Service	Recommends	This recommendation would also include a statement that the volunteers remain an important component of the Stamford Fire Department and that recruitment of volunteers and strengthening of the volunteer force be a priority, under the supervision of the Chief and Assistant Chief for Volunteer Services.	C5-40-3(d) (Page 34)	APP11-0-2
C	116a			Fire Service		Commission recommends that the word "status" be deleted in the re-write of this section: Jurisdiction. ... Nothing in this Charter shall be construed to affect the organization, status or property of the Volunteer Departments of Stamford.	C5-40-3(d) (Page 34)	APP 12-0-1
C	116b			Fire Service		Recommend the requirement for a 2/3 vote of the BOR to change a fire district to a simple majority	C5-40-3(d) (Page 34)	APP 10-2-1

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	117	97	PH	Board of Education	No change recommended	This recommendation seeks clarification of the role of the BOR approval requirements for Board of Education labor contracts. (There is a proscribed process for the approval of all labor contracts within the City of Stamford.)	C2-10-2(9) (Page 17)	APP 14-0-0
C	118a	98	PH	Board of Education	Recommends	This recommendation would allow the Mayor to appoint a designated Special Assistant to serve as a designee on Board of Education with all of the powers and rights of the non-voting Mayor in the Mayor's absence. (The Mayor personally serves as a non-voting member of the Board of Ed.)	C1-80-1 (Page 15)	FAILED 5-9-0
C	118b	98	PH	Board of Education	No change recommended	This recommendation would provide the Mayor (or his/her designee) with voting rights on the Board of Education.	C1-80-1 (Page 15)	APP 12-2-0
C	119	99	PH	Board of Education	No change recommended	This recommendation would allow for possible future consolidation of City and Board of Education finance, purchasing and HR functions.	C6-10-1 (Page 43)	APP 14-0-0
C	120	100	PH	Board of Education	No change recommended	This recommendation seeks to have the Board of Education Finance Director "functionally responsible" to City's Director of Administration or Controller.	C6-10-1 (Page 43)	APP 14-0-0
C	121	108	PH	Health Commission	Recommends	This recommendation would change the Health Commission's duties by amending of C6-100-2 by eliminating subparagraph (1), "[The Health Commission shall] [d]etermine the health policies for the City" and amend subparagraph (2) by deleting "[The Health Commission shall] "make recommendations" with "[The Health Commission shall]serve as an advisory body to the Director of Health regarding health policy issues for the City."	C6-100-2 (Page 58)	APP 14-0-0
C	122	109	PH	Health Commission	No change recommended	This recommendation sought to involve the Health Commission more actively in the appointment process of a Director of Health.	C5-40-4 {c} (Page 34)	APP 13-0-1
C	123	110	PH	Health Commission	No change recommended	This recommendation sought to expand the authority of the Health Commission.	C6-100 (Page 59)	APP 14-0-0
	124	111	PH	Health Commission	No change recommended	This request sought to expand the Health Commission authority.	C6-100 (Page 59)	
C	125	112	PH	Health Commission	No change recommended	This recommendation would mandate funding for the Health Commission.	C6-100 (Page 59)	APP 14-0-0
C	128		PH	Fire Service	Recommends	This recommendation would create a single office of Fire Marshal for the City of Stamford with a single Fire Marshal and his deputies for the entire City.	C5-40-3 {c} (Page 33)	APP 14-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	129		PH	Fire Service	Recommends	This recommendation would revise the role of the Fire Commission by revising the structure and role of Fire Commission. Consistent with the other recommendations establishing a combined fire firefighting service to be known as The Stamford Fire Department, that this Commission's role and duties apply to the entire Stamford Fire Department; also to amend C6-90-1(1) to read: (1) Except for the appointment or removal of the Fire and Rescue Chief ... the Commission shall have the sole power of appointment and promotion of sworn career members ...".	C6-90-1 and C6-90-3 (Pages 58 & 59)	APP 12-0-1
C	130		PH	Superseding Ordinance Language	Recommends	This recommendation would eliminate the authority of the BOR to vote a Commission out of existence. (This authority is found in several charter sections.)	C6-100-3; C6-120-4; C6-130-3; C6-140-10; C6-160-6 (Pages 59, 60, 61, 62, & 64)	APP 13-0-0
C	131	44	Tech	Budget Process	Recommends	Recommend using the word "department" in place of the word "office" with regard to the transfer of certain non-salary budgeted funds within an office, department, etc.	C8-30-11 (Page 84)	APP 13-0-0
C	132	93	Tech	Special Assessments	No change recommended	Recommend relocating this provision to a different section. (The Charter currently includes street discontinuances within the section of powers of the BOR.)	C8-60-1 - C8-60-17 (Pages 88-92)	Withdraw 13-0-0
C	133	94	F	Special Assessments	Recommends	This recommendation is to amend the Charter provisions relating to Special Assessments so that it complies with State Statutes.	C8-60-10 (Page 91)	APP 13-0-0
C	134	95	F	Special Assessments	Tabled and referred to legal counsel	This recommendation is to amend the Charter provisions relating to Special Assessments so that it complies with State Statutes.	C8-60-9 (Page 90)	APP 13-0-0
C	135	112a	F	Classified and Unclassified Service	No change recommended	This recommendation seeks to determine whether the current language in the Charter providing a certain procedure be followed when an employee is discharged or reduced in rank is consistent with state and federal law.	C5-20-10(9) (Page 25)	APP 13-0-0
C	136	112e	F	Condemnation and disposition of land	Tabled refer to counsel	This recommendation is to amend the Charter provisions relating to Condemnation Proceedings so that it complies with State Statutes.	C1-50-2 (Page13)	APP 13-0-0
C	137	112g	G	Authority of the Mayor	Referred to legal counsel	Recommend deleting this section, which allows the Mayor to take acknowledgement of signature on deeds and other instruments, as it is inconsistent with State law.	C3-10-8 (Page 21)	APP 13-0-0
C	138	117b	PH	Ordinance	Recommended	Recommend amending public notification language to read: "Official Notice will be posted on the city website and notification given to at least one local news media, including, but not limited to, print, electronic and broadcast media."	C1-10-4; C2-10-16 (Pages 11 & 20)	APP 10-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	139	117c	PH	Official Undertaking	Recommends	Recommends adding the word "a" in between the words "in and "form" for clarity (grammatical correction).	C5-20-18 (Page 27)	APP 13-0-0
C	140		G	Citizen's Bill of Rights	Recommended	This recommendation adds language as a Preamble to the Charter which would give citizens certain rights and access to city government and to participate in city government. (The current Charter is devoid of any language to provide citizens certain rights.)	Preamble	App 12-1-0
C	141a		G	Citizen's Bill of Rights - Ombudsman	No consensus reached; refer to Commission	This recommendation seeks to include the Citizens Service Bureau in the Charter.		APP 13-0-0
C	141b			Citizen's Bill of Rights - Ombudsman		This recommendation seeks to have the Customer Service Director assume the role of Ombudsman.		FAILED 5-8-0
C	141c			Citizen's Bill of Rights - Ombudsman		This recommendation seeks to have the Ombudsman/Citizens Service Director report to the Mayor's Office.		FAILED 2-11-0
C	142	7	G	Ordinance/Mayor/Board of Representatives	Recommended	This is a technical recommendation relating to the calculations of time throughout the Charter. The recommendation is that wherever the Charter specifies action or a timeline tied to a specific number of days, that any such timeframe which is less than ten (10) days be exclusive of weekends and holidays.	C1-10-4 (definitions)	APP 13-0-0
Ø	143	8	G	Ordinance/Mayor/Board of Representatives	Recommended	This recommendation proposes that the time frame be "2 business days". The Charter is currently unclear as to the number of days the Board of Representatives has to present an ordinance to the Mayor.	C2-10-13 and C2-10-14 (Page 19)	
C	144	21	G	City Directors et al	No change recommended	This recommendation would require that the Controller report directly to the Director of Administration. (The Charter is currently non-specific as to whom the controller reports.)	C5-50-1 et seq	APP 13-0-0
C	145	40	F	Budget Process	No change recommended	This recommendation would allow the BOF and/or the BOR to modify and increase the budget by allowing either Board to increase the budget or to transfer appropriations from one line item of program area to another.	C8-30-1 et seq. (Page 81)	APP 13-0-0
C	146	42	F	Budget Process	No change recommended	This recommendation seeks clarification as to whether the Planning Board needs to hold a public hearing on department estimates for the Capital Projects program and who is responsible for calling the hearing.	C8-20-1 et seq	APP 13-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	147	43	F	Budget Process	No change recommended	This recommendation would give the Mayor the authority to reduce the Board of Education's annual operating budget.	C8-30-1 et seq. (Page 81)	APP 13-0-0
C	148	46	F	Bonds	No change recommended	This recommendation would require all bond resolutions to be accompanied by a legal opinion that the offering is in compliance with Charter and other governing law and a list showing how the proceeds will be spent by project.	C8-50-1 (Page 87)	APP 13-0-0
G	149	47	F	Bonds	No change recommended	This recommendation would permit bond proceeds to finance short term assets. [See Vote #35]	C8-50-1 (Page 87)	Withdrawn-13-0-0
C	150	48	F	Board of Finance	No change recommended	This recommendation would eliminate the BOF and transferring its responsibilities to the Fiscal Committee of the BOR.	C6-20-1 (recommendation #49) (Page 43)	APP 13-0-0
C	151	51	F	Board of Finance	No change recommended	This recommendation would increase the number of elected members of the BOF.	C8-30-3 (Page 82)	APP 13-0-0
C	152	53	F	Board of Finance	No change recommended	This recommendation would expand the BOF's investigatory powers.	C6-20-9 Page 44)	APP 13-0-0
C	153	55	F	Board of Finance	No change recommended	This recommendation would require the Internal Audit Department to report directly to the BOF, with at least two qualified staff members, to provide assistance to elective boards and administration and conduct performance and compliance audits.	C6-20-9 Page 44)	APP 13-0-0
C	154	57	F	Board of Finance and Board of Representatives	No change recommended	This recommendation would combine all or certain fiduciary and fiscal oversight responsibilities into either the BOF or the BOR Fiscal Committee.	C6-20-1 (recommendation #49) (Page 43)	APP 13-0-0
C	155	76	PH	Ethics	No change recommended	This recommendation would add a provision to the Charter requiring recusal of an elected or appointed official on any Board or Commission from voting on items relating to the Ethics Board, including appropriations, in the event of an ongoing ethics investigation or charge concerning the official and precluding the official from voting on an issue if there is a conflict of interest. [Recommended that this matter be handled by the legislative body.]		APP 13-0-0
C	156	77	PH	Ethics	No change recommended	This recommendation would mandate funding for the Board of Ethics. [Recommended that this matter be handled by the legislative body.]	C2-10-1 (Page 17)	APP 13-0-0
C	157	78	PH	Ethics	No change recommended	This recommendation seeks a Charter provision mandating that certain provisions be included in the Code of Ethics. [Recommended that this matter be handled by the legislative body.]		APP 13-0-0

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Status: Open; Closed	Vote No.	Charge No.	Com.	Subject	Committee Recommendation	Description	Charter Section	Vote
C	158	79	PH	Ethics	No change recommended	This recommendation provides that willful violation of the Open Records provisions would be a violation of the Code of Ethics and heard on an expedited basis. [Recommended that this matter be handled by the legislative body.]		APP 13-0-0
C	159	80	PH	Ethics	No change recommended	This recommendation would establish "whistleblowing" procedures and a hotline. [Recommended that this matter be handled by the legislative body.]		APP 13-0-0
C	160	81	PH	Ethics	No change recommended	This recommendation seeks a Charter provision prohibiting all gifts and contributions from contractors two years before a contract and two years after the termination of a contract. [Recommended that this matter be handled by the legislative body.]		APP 13-0-0
C	161	83	G	Charter Review	No change recommended	This recommendation would modify the Charter to require a mandatory review every five years instead of the current ten year requirement.	C1-40-5 (Page 13)	APP 13-0-0
C	162	85	G	Counsel/Board of Reps	No change recommended	This recommendation seeks a Charter provision in which all Boards and Commissions would be empowered to retain legal counsel.	C5-20-1 (Page 23)	APP 13-0-0
C	163	115	G	Elective Boards	No change recommended	This recommendation seeks to have a Charter provision in which the BOF and the BOE would be prohibited from discussing items in caucus.		APP 13-0-0
C	164	116	G	Air Quality	No change recommended	This recommendation would establish a department within city government focusing on air quality issues.		APP 13-0-0
G	165	118	G	Technical Amendments	No change recommended	This recommendation seeks non-specific technical changes.		Withdrawn-APP 13-0-0