

Charter Revision Commission Organizational Meeting
Wednesday, September 22, 2021
7:00 p.m.
Via Webex
Fairfield, CT

A recording of this meeting can be found here: [youtube.com/watch?v=h3e2plWDP6c](https://www.youtube.com/watch?v=h3e2plWDP6c)

DRAFT MINUTES

MEMBERS PRESENT: Marlene Battista, Chris Brogan, Bryan Cafferelli, Jay Gross, Pamela Iacono, John Mitola, John Wynne

OTHERS PRESENT: Selectman Tom Flynn, Town Attorney Jim Baldwin, Attorney Steven Mednick

I. Call to Order – Selectman Tom Flynn

Selectman Flynn called the meeting to order at 7:06pm. Pamela Iacono led the Pledge of Allegiance.

II. Roll Call and Introduction of Commission Members and Counsel – Selectman Flynn

Selectman Flynn asked the members to introduce themselves and talk about their experience on boards and committees in the town previously.

III. Election of Officers – Selectman Flynn Presides Through Election of Chair

A. Nomination and Election of Chair.

Pam Iacono nominated Bryan Cafferelli as Charter Revision Commission Chair. John Mitola seconded the motion.

The motion carried unanimously.

B. Nomination and Election of Vice Chair.

John Mitola nominated Chris Brogan as Charter Revision Commission Vice Chair. Pam Iacono seconded the motion.

The motion carried unanimously.

C. Nomination and Election of Secretary.

Pam Iacono said she spoke with Town Attorney Jim Baldwin to nominate a Recording Secretary. Attorney Baldwin said this could be done. Pam Iacono nominated Pru O'Brien as Charter Revision Commission Recording Secretary. John Mitola seconded the motion.

The motion carried unanimously.

Charter Revision Commission Officers

Chair – Bryan Cafferelli

Vice Chair – Chris Brogan

IV. Overview of Law of Home Rule, Freedom of Information, Robert's Rules and Municipal Charters: Attorney Steve Mednick

Attorney Mednick introduced himself and reviewed his presentation for the Fairfield Charter Revision. This presentation is included in the backup online, as well as in the Webex recording of the meeting. He explained the process of the Charter Revision:

- Creation and appointment of CRC
- A non-partisan activity – not more than one-third can hold other public office in the municipality and no majority of one political party
- Two required public hearings: at the outset and at the conclusion
- Work plan formulated and executed at public meetings from September 2021 through May 2022.
- Submission to the BOS through a public hearing within 45 days of receipt of proposed revision.
- Action by the BOS within 15 days of the hearing.
- If no recommendations and CRC revisions are approved, the report is final and the CRC is finished.
- If there are recommendations, the CRC confers with the BOS and has 30 days to act.
- Final action by BOS within 15 days of receipt from CRC and whether the referendum shall proceed in November 2022.

Attorney Mednick said he will be available at all Charter Revision Commission meetings and will, from time-to time, invite government officials from other towns and other experts on municipal government to attend and discuss matters before the commission. He will offer legal advice, research and participation in workshops as well as facilitate deliberations and interactions.

V. Discussion and Approval of 2021 Meeting Schedule, Including Selection of Date of Initial Statutory Public Hearing

Jay Gross made a motion to have the next statutory meeting on Wednesday, October 6, 2021, at 7:00pm. John Mitola seconded the motion.

The motion carried unanimously.

The first statutory meeting will be held on Wednesday, October 6, 2021, at 7:00pm. At that meeting, the regular schedule will be determined.

VI. Further Discussion and Questions – Members

John Wynne said he will look into other social media outlets to get the word out to the public about the meetings.

VII. Adjourn

Marlene Battista made a motion to adjourn. John Wynne seconded the motion. The meeting adjourned at 8:17pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary

Charter Revision Commission Meeting
Wednesday, October 6, 2021
6:30 p.m.
Fairfield, CT

DRAFT MINUTES

A recording of this meeting can be found at: <https://www.youtube.com/watch?v=Ai75jPg59QQ>

MEMBERS PRESENT: Bryan Cafferelli-Chair, Chris Brogan-Vice Chair, Marlene Battista, Jay Gross, Pamela Iacono, John Mitola, John Wynne

OTHERS PRESENT: Attorney Steven Mednick, Town Attorney James Baldwin, members of the public

- I. **Call to Order.** Chairman Bryan Cafferelli called the meeting to order at 6:30pm.
- II. **Roll Call.** Recording Secretary Pru O'Brien took the roll call. All members were present.
- III. **Approval of Minutes.** Pamela Iacono made a motion to postpone approval of the minutes to a date certain of the next meeting on 10/14/21. John Mitola seconded the motion. The motion carried unanimously.
- IV. **Overview of the Charter Revision process.** Mr. Cafferelli thanked the public for attending the meeting and wanted to give them an overview of the process. He introduced Attorney Steven Mednick who presented the Charter Revision Process. This Power Point document is also online with the backup documents for this meeting. The Charter is our town's governing document. It establishes rules, functions and procedures that reflect history and cultures of the town. There are only two required provisions of the charter, to establish legislative function and executive function. Everything else is permitted under Home Rule but not required under Home Rule. State Statute provides for periodic updates of the charter. Fairfield's last revision was in 2006. There is a Review and Law of Home Rule posted on the website and it is very important to understand this revision process. Tonight, is a required statutory hearing of the public so the commission can get the perspective of the town. There will be a second one later as well. Issues will be analyzed in an objective way. There will be a panel of experts who know the powers of local government. Going thru the process Attorney Mednick will try to combine law with culture through community input. Communication can be made through email and public hearings. The objective is to improve governance and accountability of boards and elected officials that satisfies the public.

Charter issues:

- Governance
- Boards and Commissions
- Budget Process
- Operations

Non-Charter Issues:

- Traffic Lights
- Planning and Zoning Issues
- Lease Laws
- Budget Allocations

The result is to have a document that will be approved by the BOS. Once passed, it will go to the Secretary of State's office for approval and then to referendum in November 2022.

- V. **Public Hearing – To Hear Comments from the Public.** Mr. Cafferelli acknowledged emails sent to the CRC and thanked the public for sending them. He then opened the meeting to the public for comments:

(Full comments are on the recording of the meeting.)

- Jeanne Stevens, 71 Old Mill Rd Maintaining Fairfield Historic Cemeteries
- Matthew Hallock, 6 Summerville St
 - Review National Civic League Model City Charter document as a guide;
 - Consider a Preamble to the Charter.
 - Creation of Citizens Commission
- Sarah Keitt, 538 Winnepoge Dr Concerns about CRC members who served on Strategic Planning Committee.
- Ed Bateson, 2195 North Street (RTM District 1)
 - Many issues need to be addressed including status of elective offices
 - Too much government and too many boards and commission
 - Departments should be accountable to elected officials
 - Glad to see attorneys on CRC
- William Gerber, _____ (RTM District 2)
 - Concerned about the imbalance on the CRC caused by inclusion of members of Strategic Planning Committee
- Jenn Jacobsen, _____
 - Equal representation from all voting districts
 - Review purchasing authority
- Kathy Braun, _____
 - CRC should conduct additional public hearings
 - Leave Conservation as a separate department from Planning
- Carolyn Trabuco, _____ Charter is in conflict with Code with regard to pensions and retirement
- Elizabeth Zezima, 160 Fairfield Woods Rd Read statement from Judy Ewing generally addressing public participation, indexing of

public documents, vacancies on Board of Selectmen, referendum, term of service on Board of Education, commencement of the term of office (see, CRC Website and submission dated 6 October 2021)

- State Representative Laura Devlin
134th District
CRC transparency by posting meetings and minutes and keeping the public informed
- Selectwoman Nancy Lefkowitz
Lack of diverse voices on CRC
- Karen Wackerman
RTM District 7
 - Concerns about CRC members who served on Strategic Planning Committee.
 - Unelected members serving on boards and commission are an attribute
- Patrick Burhenne, 27 Riverside Dr
Maintain a strong conservation role as a check on development
- Keri Langerman, 1506 Burr St
Create a process for an equitable charter and representation of the diversity in Town
- Rep. Cristin McCarthy Vahey
133rd District
CRC schedule, in-person meetings when possible, for public.
- Dru Georgiadis, 321 Puritan Rd
RTM District 9
Importance of retaining boards and commissions

VI. **Approval of Commission schedule.** Mr. Cafferelli made a motion to approve the meeting schedule for 2021:

- Thursday, October 14
- Monday, November 8
- Thursday, December 9
- Thursday, October 28
- Tuesday, November 16
- Tuesday, December 21

All meetings will begin at 6:30pm.

The motion carried unanimously.

VII. **Adjournment.** Marlene Battista made a motion to adjourn. Pamela Iacono seconded the motion. The meeting adjourned at 8:07pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary

EMAILS SENT TO CRC COMMITTEE 9/29/2021 – 10/14/21

From: Justin Beck

Sent: Wednesday, September 29, 2021 2:56 PM

To: O'Brien, Pru <PO'Brien@fairfieldct.org>

Subject: charter revision

Hi,

I had previously sent comments to another email address a couple of weeks ago and Jen Carpenter

said it would be forwarded on.

Just checking if it got to you and/or the parties that need to see it.

Topics were

- 1/ Allow for private/corporate sponsorship of town sites. (produce town revenue)
- 2/ Revise the set back rule for recycling to be curbside along with the trash bins.
- 3/ Allow for a privately run fund to work with town on funding special projects.

All the best,

Justin C Beck

41 Beth Drive

Fairfield 06825

From: Michael Dowling [REDACTED] >

Sent: Friday, October 1, 2021 12:19 PM

To: O'Brien, Pru <PO'Brien@fairfieldct.org>

Subject: Charter Revision Commission Comments re Public Safety on Post Road, Black Rock Turnpike, and Kings Highway along Fairfield Metro

Dear P. O'Brien,

I served as a fire commissioner from 1989 to 1999. I am a civil litigation attorney who moved to Fairfield in 1983. I handle traffic and pedestrian cases throughout CT primarily as the defense attorney. My office moved from Bridgeport to the corner of Commerce Drive and Kings Highway in 1994. When I lived on Riverside Drive (1983-2009) I determined that the traffic lights needed to be altered to allow vehicles to safely cross Fairfield Avenue to and from Grasmere Avenue and Riverside Drive. I petitioned the FPD and the State traffic commission. The lights were upgraded to allow "protected left turns" for the crossing streets, saving lives and accidents.

1. Post Road.

As Fairfield has increased in population and commercial growth, the traffic patterns have become so flawed during rush-hours, Saturdays, and train-discharge times. Specifically, the Post Road from South Benson to South Pine Creek Roads is jammed from 4:00-6:00 PM daily. The traffic often attempts to make left turns into the Brickwalk hotspots (Molto) or former post office further jamming and creating chance-taking by impatient drivers who are not afforded a protected left-turn. I raised this with the FPD. I spoke to the FPD traffic officer. He acknowledged the problem, but said it was a State highway and not within the Town's control. Adding to this exposure is the absence of a boxed illuminated cross walk in the center at Unquowa and Old Post Road. People, children, college students, have to guess when it's safe to cross the busiest spot in town. Please create a better system to compel the State to cooperate with the Town.

2. Black Rock Turnpike

This main artery (north and south) also needs to be upgraded to enhance traffic. At least there are some crosswalks with crosswalk boxes, but it's still overwhelmed. One feature that needs addressing is the absence of a sidewalk in front of the Pub. Since outdoor eating was established, pedestrians stand in the street to cross BRT or Stillson. These are both State Highways.

3. Kings Highway at New England Avenue

Since Fairfield Metro opened I have observed more people walking from the station to Whole Foods or to New England Avenue where they cross Kings Highway. There is no crosswalk at New England Avenue. I submitted a request to the Police Commission or Planning Commission, not sure which, on this risk when a study was scheduled in late 2020. It was ignored. The Alto and Landmark apartment buildings are fully leased. More people are walking from these 300-unit building along Kings Highway to the Whole Foods and Home Depot stores. Rather than wait for some to be hurt or killed (as happened in Stamford to a Fairfield woman stepping off a curb) more safety for pedestrians is needed on this road.

Thank you for considering my input. Please forward it to the appropriate units to enable public input to be followed-up within Fairfield and the State until matters are improved.

Michael A. Dowling
Holahan Gumper & Dowling
1375 Kings Highway East
PO Box 320177
Fairfield, CT 06825-0177

t 203-384-1385

f 203-335-3594

From: budmorten [REDACTED]
Sent: Sunday, October 3, 2021 12:56 PM
To: Board of Selectmen <BOS@fairfieldct.org>; BOF <BOF@fairfieldct.org>;
boemembers@fairfieldschools.org; RTM <RTM@fairfieldct.org>; TPZ Commission
<TPZCOMMISSION@fairfieldct.org>; O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: WHICH DO YOU THINK IS BETTER FOR FAIRFIELD: POWER THAT IS MORE-CONCENTRATED OR
LESS-CONCENTRATED?

Please see the attached two-page paper that will soon be posted on Fairfield Taxpayer's website.

**WHICH DO YOU THINK IS BETTER FOR FAIRFIELD: POWER
THAT IS MORE-CONCENTRATED OR LESS-CONCENTRATED?**

***If and when you are asked to vote on this important question, please
do not confuse "efficient government" with "efficient governance."***

The **Board of Selectmen** has created a "**Charter Review Commission**" (CRC) that is likely to recommend a major change in Fairfield's governance structure that would concentrate the power of the Town's government in fewer hands by replacing the **Board of Selectmen (BOS)**, the **Board of Finance (BOF)** and the **Representative Town Meeting (RTM)** with a **Mayor**, a **Town Council** and perhaps a **Town Manager**.

A referendum on this proposal seems likely since three of the seven members of the new CRC are former leaders of the "**Strategic Plan Committee**" (SPC), which last year issued a 109-page report¹ asserting that

Fairfield needs "**a streamlined government structure**" in order "**to manage increasing complexities and**

risks,” and that we should “**transition the Town governance structure from the current Selectmen-Representative Town Meeting style of governance to an alternative form such as a Town Council/Mayor or Town Council/Manager form.**”

The report claims this new structure would produce: *a more effective and efficient form of government; better cross-department and Commission operations; simplified and consolidated control structures; simplified and clarified escalation and risk management; better access for town citizens to their government (one-stop shopping); and improved overall citizen satisfaction.* The overarching rationale for these claims was that: “*Fairfield has a dated form of government with highly distributed responsibility for decision-making that exists in very few places, other than New England, and is on the decline even there*”; and “*It’s very rare to see such highly distributed decision-making processes in towns of its size.*”

Sounds great, right? But, let’s look more closely at these claims: (a) the SPC provided no analysis or empirical evidence to support any of these claimed benefits; (b) it gave no consideration to the potential costs and risks of concentrating political power; and (c) it failed to demonstrate that **any of the means by**

which we might be able to improve the performance of our GOVERNMENT is dependent upon changing

our basic GOVERNANCE structure. For example, we do not have to eliminate the Board of Finance and

the RTM in order to hire a highly qualified and professional Town Manager or to consolidate some of our many committees and commissions.

There is no question that having a three-person BOS, plus a nine-person BOF, plus a nine-person BOE, plus

a forty-person RTM – **sixty-one citizens in total** – all jointly responsible for our spending and taxes – can

make life difficult for any elected officials who are convinced they definitely know what is best for our Town and should therefore not have to deal with “obstructionists.” But for many reasons, including the critical importance attached by our nation’s Founders to the need for “**checks and balances,**”

Fairfield

Taxpayer urges everyone to remember that **efficient GOVERNMENT is always a good thing, but it should**

never be confused with efficient GOVERNANCE, which can be a very bad thing.

[1 DRAFT_2020_Fairfield_Strategic_Plan_LQ_\(11-30-20\).pdf \(fairfieldct.org\)](#)

If and when you are asked to vote on eliminating our BOS, BOF and RTM in favor of entrusting power to a

much smaller group of people, Fairfield Taxpayer urges you to demand good answers to these questions:

1. When in the past did Fairfield end up with a bad outcome (i.e., demonstrably and materially not in the best interests of the Town) that was directly attributable to our governance structure?
2. What future conditions and circumstances would cause our current governance structure to produce a bad outcome?
3. What benefits would a change in our governance structure provide that cannot be obtained within

our present structure?

4. Why would fewer elected leaders be able to “manage increasing complexities and risks” better than our present system does?
5. Isn't it likely that having more rather than fewer elected officials looking over budgets, proposals and plans reduces the probability of serious mistakes?
6. Is there any compelling evidence from the experience of other towns that more-concentrated power works better than less-concentrated power?
7. What are the potential costs and risks of changing our governance structure and concentrating power in the hands of fewer people, including:
 - **Culture** – Doesn't the fact that many elected officials are responsible for Fairfield's spending and taxes mean that there are many more citizens, both currently in office and previously in office, who are empowered and enfranchised by their knowledge of how our Town's government works to engage in and contribute to public debate on important issues than there would be otherwise?²
 - **Access** – Doesn't having more elected officials provide greater access by all citizens to their government, and wouldn't having fewer elected officials result in greater general disengagement from issues important to the Town's future?
 - **Transparency** – Isn't it easier to restrict public knowledge when there are fewer elected officials rather than when there are more, and isn't this particularly true at a time when the quality and quantity of local news coverage have been so greatly diminished?
 - **Corruption** – Isn't it easier when there are fewer elected officials for bad things to happen, including backroom deals and compromises that are not in the best interests of the Town?
 - **Domination** – Isn't it more likely that one political party or one section of Town could dominate local government and stifle debate if we reduced the number of elected officials per capita?
 - **Tribalism and Partisanship** – What effect would reducing the number of elected officials have on the tendency of some citizens to become overly partisan?
 - **Home Rule** – Would we lose certain valuable rights and local autonomy under State law (e.g., how successors are chosen following resignations) if we abandoned our longstanding governance structure?

Perhaps representative democracy is inherently adversarial and inefficient for good reason?

October 6, 2021

² Fairfield Taxpayer takes this opportunity to salute the many people of Fairfield who now and in the past have volunteered so much of their time and energy to the governance of our Town by serving on its various governance bodies. There are so many thoughtful and dedicated people from every part of town, from every demographic background, and from every political persuasion.

From: Douglas Bunnell [REDACTED]

Sent: Monday, October 4, 2021 12:19 PM

To: O'Brien, Pru <PO'Brien@fairfieldct.org>

Subject: Charter Review Commission

Hi,

I would like to urge the Commission to include an explicit focus on issues of racial equity in their recommendations to the board of selectmen. These issues were largely missing in the recommendations from the strategic planning commission and they require emphasis in the review of the town charter. I would encourage the commission to form a racial equity subcommittee that would be responsible for formulating recommendations in this area.

--

Douglas W. Bunnell, Ph.D.
2008 Fairfield Beach Road

Fairfield, CT 06880

o: (203) 834-1635

c: (203) 247-0083

From: Karen Bassett [REDACTED]
Sent: Monday, October 4, 2021 2:32 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Cc: Bobbi Williams [REDACTED] Sheree Dunningham
[REDACTED] jamespeterhoneycutt [REDACTED]
Subject: Charter Revision Committee

Dear Ms. O'Brien,

Warm greetings and I hope this email finds you safe and well. I wish to submit this proposal for charter revision and inclusion on the Wednesday, October 6, 2021 agenda.

Issue:

A neighbor, residing at 824 North Benson Road, has been causing "excessive and unreasonable noise" with daily dirt bike/ATV use on his property for several months now. On October 3, 2021, several recreational vehicles were used simultaneously, causing even further "excessive and unreasonable noise" in this residential neighborhood for the majority of the day. At about 3:30 pm, two noise complaints were lodged by neighboring homeowners and the Fairfield Police were dispatched. I am unaware of the outcome of this police visit, but the excessive noise continued into the early evening and leads me to believe that this situation was not properly remedied or the homeowner chose non-compliance.

While the legislative intent of the noise ordinance in Fairfield applies primarily to night time noise, I would propose that more specific language be utilized for day time noise to determine what is "loud,

excessive and unreasonable noise” that may interfere with “a person’s right to the use and enjoyment of his property”...”especially in residential areas.” When these motor vehicles are being utilized, no neighbors listed here enjoy their property and instead, remain indoors with windows closed. The constant noise level is not only a nuisance, but could be harmful to health and welfare. State law grants municipalities the authority to “define, prohibit, and abate nuisances, including activities harmful to the inhabitants’ health, morals, safety, convenience, and welfare.” State law more explicitly prohibits someone from “operating an ATV so that the exhaust makes excessive or unusual noise.” That is clearly the case here. I would propose that this municipality develop and adopt a more comprehensive noise control policy by prohibiting the use of such motor vehicles in residential areas.

Please see, attached, appropriate legislative references for CT.

<https://www.cga.ct.gov/2003/olrdata/env/rpt/2003-R-0531.htm>

ATV OPERATION ON PRIVATE PROPERTY

And

<https://www.cga.ct.gov/2014/rpt/2014-R-0184.htm>

UPDATED REPORT: REGULATING DIRT BIKES ON PRIVATE PROPERTY

Thank you for your consideration.

Most sincerely,

Karen and Ed Bassett

145 Wormwood Road

203-581-4028

Other very concerned neighbors:

Denise and Jim Honeycutt

130 Wormwood Road

Barbara “Bobbi” Williams

136 Wormwood Road

John Peteshel

161 Wormwood Road

Sheree Cunningham

175 Wormwood Road

From: mia cueva [REDACTED]
Sent: Monday, October 4, 2021 2:44 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter revision commission

Hi Pru,
I would like to know what they want to change, what revisions are on the docket.
Thank you,
Mia

From: Jan Carpenter [REDACTED]
Sent: Tuesday, October 5, 2021 11:12 AM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Commission Comments

To The Town of Fairfield Charter Revision Commission,

Thank you all for serving in this important role. We as taxpayers owe you a great deal of thanks and respect - for volunteering and in advance of the hard work to come.

There are 4 areas I would like to see explored:

1. Form of Government
2. Budget Cost of Living Limits
3. Boards - lack of effectiveness (lack of experience?) - too many
4. Term Limits

1. Form of government. "The RTM/BOF/BOS work well together and are an efficient, effective form of government" - said no one ever.

As we have grown, Fairfield has out grown our government structure. I urge the Committee to explore options. A few key points:

- The Town Manager structure employs the hiring of an experienced professional to run the town. This person is appointed, not elected, and has no political agenda. Some studies show that this method of town administration results in 10% more efficiency than other forms of gov't.
- The Town Manager structure can then be combined with an over-arching political structure that can take many forms: Town Mayor, Town Council, etc.

- Those who argue that making our gov't smaller will lead to unnecessary risk need only look back at:
 - our recent fill pile problems including the arrest of several town officials (mismanagement and municipal corruption)
 - the Pennfield/FEMA debacle
 - the ever present partisan posturing that occurs in the RTM each budget season

to conclude that our current bloated government may already possess an unacceptable level of risk. And there are ways to ensure we maintain the appropriate level of checks and balances going forward (keeping a Board of Finance structure is one idea). Instead, we need competent management that works for the betterment of the town without regard to politics.

- There are quite a few towns in CT that have switched to this approach (as well as this being the most widely used form of municipal government of the other 49 states). Some in CT experienced with the options have offered to visit Fairfield and describe their experiences in an effort to help guide us to a positive decision. Also, the Town Managers generally belong to a national organization - The International City/County Management Association that provides support, education and best practices for Town Managers (www.icma.org). This is another resource that we can use to learn more about this opportunity.
- West Hartford, one of the towns in CT often compared to Fairfield (due to similar size and demographics, income, etc.) governs with a Town Manager (who coincidentally was recently a board member of the ICMA). Having this Town Manager visit Fairfield is yet another opportunity to learn more.

2. Budget COL Limits. Budgets have always been a challenge and will no doubt continue to be so. I believe a limit on how high budgets can be approved (without a town-wide referendum) will ensure that we all work very hard to keep Fairfield affordable. We have all heard (almost every year), that we should seek to maintain budget increase no greater than the cost of living, but without the mandate, it is too easy to let that goal slide. To a large degree, our budgets are based on personnel costs and quite a few of them based on bargaining agreements (aka labor contracts). At budget time, we often hear "well, our bargaining agreements were agreed upon last summer, so we have no choice but to raise budgets". That, must be an unacceptable outcome to anyone attempting to manage town finances. If we had a COL budget cap, we would be cognizant of that when negotiating labor contracts. Specifically if agreements greater than COLA are agreed to, we would have the understanding that some other portion of the budget will need to be adjusted to compensate for this. I believe this would be a strong step towards fiscal responsibility.

3. Boards - lack of effectiveness (lack of experience?) - too many. I have less suggestions on this one though it is my perception that we have too many Boards and Commissions - and some of them are comprised of well meaning, but less experienced individuals (in relevant and specialized skills). By way of examples, do we think that members of the Board of Assessment Appeals should have some level of understanding/experience with real estate appraisals? Or, do we think that members of the Historic District Commission should have experience with historic architecture? it seems that we have a high level of complaints/lawsuits from residents due to the lack of experience in certain areas.

4. Term Limits. The majority of Americans are in favor of term limits in the US Congress, and I think the same concept applies to local government. We want the best for our town, but there are inherent dangers in having the same people elected to positions over and over again with no fresh thinking and potential lack of independence. During your recent orientation meeting, Attorney Mednick indicated that term limits are not a right bestowed on towns by the State of CT. If a town wants to institute term limits, our state representatives must petition the State to grant us that privilege. I believe this Committee should do so.

Thank you again for your service.

Jan Carpenter
144 Harbor Road

From: Robert C. Lamonica [REDACTED]
Sent: Tuesday, October 5, 2021 5:15 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Review Commission

Dear Ms. O'Brien,

I would like to receive a copy of all of the proposed redlines of the Town charter as revised drafts become available.

Thank you for your assistance in this matter.

Sincerely,

Robert C. Lamonica
423 Lucille Street
Fairfield, CT 06825

From: Tuttle, William [REDACTED]
Sent: Tuesday, October 5, 2021 8:09 PM

To: O'Brien, Pru <PO'Brien@fairfieldct.org>

Subject: Charter Revision

Charter Commission Revision

As a long time town employee and a resident, I respectfully request the language requiring a fire or police chief to become an electorate of the town be removed from section 3.1 of the Fairfield Town Charter.

Current Language:

ARTICLE III Appointed Officers and Permanent Boards and Commissions in General

§ 3.1. Eligibility for appointed Town office.

A. Elector requirement for appointed Town officials. No person not at the time an elector of the Town shall be eligible for appointment to any appointed board or commission or to the office of Town Treasurer, Town Attorney, or Assistant Town Attorney. Persons serving as Chief of Police or Fire Chief must be or become an elector of the Town within six months after the time they take office.

Proposed Language:

ARTICLE III Appointed Officers and Permanent Boards and Commissions in General

§ 3.1. Eligibility for appointed Town office.

A. Elector requirement for appointed Town officials. No person not at the time an elector of the Town shall be eligible for appointment to any appointed board or commission or to the office of Town Treasurer, Town Attorney, or Assistant Town Attorney. ~~Persons serving as Chief of Police or Fire Chief must be or become an elector of the Town within six months after the time they take office.~~

The original language was based on a time when the town residency was required to be a Fairfield firefighter or police officers. Over the years, the town has amended these requirements in concurrence with court rulings and modern practices eliminating the requirement for residency through collective bargaining. The second in command Deputy Police and Fire Chiefs are not required to be electorates of the town and have also served as the acting chiefs of each department during illness and in the absence of the chiefs.

There are many public safety employees that live outside the town boundaries but are extremely dedicated and committed to Fairfield and its residents and would make excellent leaders. Succession planning begins with identifying and grooming future leaders inside the department over many years from a pool of dedicated employees. Fostering education and developing leadership qualities will ensure efficient organizations and a seamless transition of power with a full understanding of the Fairfield form

and style of government. In my opinion, a long time town employee with more than 20 years of experience most likely has more knowledge, understanding and awareness of Fairfield specific Issues than someone lacking that valuable experience.

Thank you for the boards' consideration.

Bill Tuttle
1375 South Pine Creek Road

From: Carol Waxman [REDACTED]
Sent: Tuesday, October 5, 2021 9:02 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Commission Comments

A small number of towns in CT have non-partisan Representative Town Meetings, how long has Fairfield had partisan town meeting representatives?

Carol Waxman 1255 Fairfield Beach Road
Fairfield, CT 06824
203 259 2106

From: Judith Ewing [REDACTED]
Sent: Wednesday, October 6, 2021 8:47 AM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Pubic Comment tonight

Hi Pru!

I would like to make some comments tonight at the virtual meeting. How will we be able to be called upon? I'm sure many people will want to speak. After I speak, or if I don't get an opportunity, I will send you a copy of my comments.

I miss seeing everyone at public meetings. Thanks for your continued service!

Judy Ewing

From: Jeffrey E. Bloch [REDACTED]
Sent: Wednesday, October 6, 2021 10:16 AM

To: O'Brien, Pru <PO'Brien@fairfieldct.org>

Subject: Charter Revision Commission Comments

(Please confirm receipt)

As you'll see in the quoted email below, the Fairfield Ethics Commission claimed to not have jurisdiction to act when the Chief of Police lies under oath during sworn testimony in front of the Police Commission. The Ethics Commission should be able to provide you with all documentation including my sworn complaint.

Every level of Town Hall oversight then compounded the unwarranted, untruthful attack against one of their own by ignoring all requests for relief.

Subsequent investigations, including one contracted outside of Town governance, showed that the egregious action in question committed by the Chief had only scratched the surface of what had been a reign of repeated malfeasance perpetrated by multiple high-ranking members of the police department, yet brushed off by Town leadership who chose rather to turn their heads and cover their eyes like children who believe that this triggers invisibility.

Should the claim of the Ethics Commission be found to be based in fact, surely a Charter Revision is called for. On the other hand, if those charged with raising the bar relating to truth and honesty throughout the Town of Fairfield have themselves slipped below, then the depths of betrayal in local government will have reached all-time lows.

Complete e-mail from Ethics Commission:

On Aug 26, 2020, at 14:37, Alex <[REDACTED]> wrote:

Dear Mr Bloch, The ethics commission met via conference call last night. We have concluded that we do not have jurisdiction to entertain your complaint under the Town of Fairfield Town Charter. See section 10.15.and Article 11. Accordingly, we will take no further action on your complaint.

Very Truly Yours,

Alexander Trembicki

Chairman

Town of Fairfield

Ethics Commission

Jeffrey E. Bloch

From: lisadvy@aim.com [REDACTED]
Sent: Wednesday, October 6, 2021 11:58 AM
To: CRC <CRC@fairfieldct.org>
Subject: Charge from the BOS

Dear Members,

According to the update from the First Selectwoman about your commission, the BOS developed a charge for your commission. I would like to see it. Where do I find this document?

Regards,

Lisa Davy

From: Jeanne Stevens [REDACTED]
Sent: Wednesday, October 6, 2021 12:53 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Commission - Public Comment

October 6, 2021

Members of the Charter Revision Commission:

To mark the 100th anniversary of the burning of Fairfield by British troops during the Revolutionary War, a centennial commission was established to acknowledge the local and national significance of our town in the fight for independence. Part of these observances were held at the Old Burying Ground on Beach Road, where many Revolutionary Patriots and town mothers and fathers are buried. In fact, a survey of the Old Burying Ground had been done by Kate E. Perry, who recorded the inscriptions of the 583 stones that were still visible. She wrote of "broken stones, moss covered inscriptions, and the neglected tombs of our ancestors." Among those stones are a Revolutionary War general, two colonels, both of whom died in service, captains, privates, government leaders, and a key member of Washington's spy ring, as well as many ordinary citizens who after the town was almost completely destroyed by the British, worked to rebuild it. These ancestors deserve our thanks and our respect.

Members of the Revision committee, please walk through the Old Burying Ground on Beach Road, just a short walk from Town Hall, to see for yourselves its condition. You will see 60 American flags marking the graves of Revolutionary Patriots, and on Saturday October 9th, members of the Eunice Dennie Burr Chapter, DAR, who will be cleaning those stones.

Our old historic burial ground is in a general state of disrepair, again neglected, with moss covered, broken walls and many broken fallen stones. Efforts over the years have been laudable, but ineffective in maintaining this cemetery, as well as the other historic cemeteries in town. What is needed is a Town Cemetery Commission, with members appointed by the Selectmen, with the charge of overseeing maintenance and restoration. Many towns in Connecticut and across our nation have been doing so in order to preserve their history. I urge the Commission to add such a group to its proposed town charter revision.

Respectfully submitted,

Jeanne Stevens, Board Member, Eunice Dennie Burr Chapter DAR

71 Old Mill Road, Fairfield 06824

From: Jane Gitlin Nishball [REDACTED]
Sent: Wednesday, October 6, 2021 4:50 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Commission Comments

Please include the following letter into the minutes of the meeting this evening.

Thank you,

Jane Gitlin Nishball

67 Middlebrook Place

Fairfield

To the Charter Revision Commission:

This is the 50th anniversary year of the founding of the Town of Fairfield's Conservation Department which began in 1971 with the Town's Open Space Program. Under Tom Steinke's 40 plus years of leadership, the Conservation Department has restored hundreds of acres of salt marshes, created 1200 acres of natural open space, and restored shellfish beds after the Exide property and lower Mill River were remediated from lead contamination. The staff of the Conservation Department provides expert information to three town commissions: Wetlands Commission, Conservation Commission, and Shellfish Commission. In addition, the Conservation Department runs the Marsh Restoration Program, the Open Space Program, and the provides input to the Harbor Management Commission. Finally, the Town Conservation Department represents our town to state agencies such as the DEEP in order to protect our town's natural resources. Unfortunately, under the current town administration, the Conservation staffing budget was slashed by almost 20%. The institutional knowledge and history of the department was eliminated by suddenly dismissing longtime staff. In this time of climate change worsening extreme weather events, and with internal and external

development pressure, our town more than ever needs a strong and properly funded and staffed Conservation Department. We don't want to go back to the days when our marshes were on fire and unregulated development destroyed the natural landscape. Any recommendation made by this Charter Revision Commission MUST restore and strengthen the Conservation Department so that it can support the town commissions and programs and continue to be an example of excellent conservation work in Connecticut.

Respectfully,

Jane Gitlin Nishball
67 Middlebrook Place
Fairfields

From: j. gillis [REDACTED]
Sent: Wednesday, October 6, 2021 5:36 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Committee

As the Town's Charter is reexamined and updated, I am requesting there be an examination of the country clubs in this town given tax exempt status - places such as the Fairfield Beach club, the Fairfield Golf Club on Sasco Hill, and other massive privately-owned properties that do not pay property or other taxes.

Is this the purview of the Charter as it stands? Or is this solely the purview of the Town's Attorney, Jim Baldwin? Both?

The time for this serious tax inequity to end is now.

Thank you for the consideration of my concern, and I look forward to your response,

Sincerely,

Jennifer A Gillis
230 Nichols Street
203-254-1020

From: Jennifer Ellwood [REDACTED]
Sent: Wednesday, October 6, 2021 6:31 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Public comment for charter revision hearing

Hello,

My name is Jennifer Ellwood and I reside at 46 Bibbins Ave in Fairfield. I am unable to attend the forum tonight and would like to submit the following...

The town charter revision committee is not properly reflective of the Town of Fairfield. 1/5 of our town identifies as being of color, yet all representatives on our committee identify as white. Further, the same representatives who headed up the strategic plan (again an all white committee with no lens toward the experience of 1/5 of our town) are on this town charter committee. Their openly expressed partisan opinions of our town government along with the recommendations around education funding laid out in that plan make them poor candidates for membership in this review committee. I believe that a town charter revision is prudent to ensure that our government is as efficient and effective as possible, however the current committee membership does not fulfill the basic operating need for such a process.

Membership of this committee must be reviewed to adequately represent our town and to remove current existing conflicts of interest (as seen between the strategic plan and this committee).

Additionally, the process for review must be completely transparent and include specific measures beyond the opportunity for public hearing to ensure that it is fair and representative of all members of our community.

Thank you,

Jennifer Ellwood

From: KatieRomeo [REDACTED]
Sent: Wednesday, October 6, 2021 6:43 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject:

Hello,

My name is Kathleen Romeo and I reside at 237 Greenfield St in Fairfield. I am unable to attend the forum tonight and would like to submit the following...

The town charter revision committee is not properly reflective of the Town of Fairfield. 1/5 of our town identifies as being of color, yet all representatives on our committee identify as white. Further, the same representatives who headed up the strategic plan (again an all white committee with no lens toward the experience of 1/5 of our town) are on this town charter committee. Their openly expressed partisan opinions of our town government along with the recommendations around education funding laid out in that plan make them poor candidates for membership in this review committee. I believe that a town charter revision is prudent to ensure that our government is as efficient and effective as possible, however the current committee membership does not fulfill the basic operating need for such a process.

Membership of this committee must be reviewed to adequately represent our town and to remove current existing conflicts of interest (as seen between the strategic plan and this committee).

Additionally, the process for review must be completely transparent and include specific measures beyond the opportunity for public hearing to ensure that it is fair and representative of all members of our community.

Thank you,
Katie Romeo

From: Judith Ewing [REDACTED]
Sent: Wednesday, October 6, 2021 7:26 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Charter Revision Proposed Changes

My remarks to be made by Liz Zezima at the virtual meeting tonight:

I moved to Fairfield from a small town in upstate NY in 1970 and was encouraged to run for the RTM in 1971. I was very pleased to find a small-town atmosphere where people were welcomed immediately and invited to participate. The town has maintained its small-town charm and I have met so many wonderful citizens who have given so freely of their time serving our town as volunteers. Therefore, I would not want to change the structure of our government, but agree that we should review the Charter language for clarification from time to time.

As someone who has been involved in Town Government since

1971, and has served on two Charter Revision Committees, and has copies of Charter proposals dated 1982, 1985, 1992, 1997 and 2006, I have some idea of most of the Charter issues that have been discussed in the past. (Example: We cannot change the BoF.)

Now that Fairfield has dropped the indoor mask requirement, I would like to recommend that the committee offer two additional options for all meetings: Public meetings with the public present, and live meetings on FairTV. More options will allow more citizens to be fully informed.

My suggestions for revisions are as follows:

1. Although an index was recently added, I would strongly urge a cross-referencing index because a subject matter is often discussed in more than one place and is only useful if all pertinent references are read together. An example of this is the language about appointing and dismissing full-time employees. (Section 1.4 B (1) and 6.2.B (1) and Section 3.6.)
2. Section 6.3. Vacancies on the BoS: There was confusion about the Charter language and the CT statute. Suggestion: Eliminate the Charter language and refer to the CT statute.
3. Section 13.2.F Manner of Holding Referendum is confusing to most, and needs clarification as to what is required to pass a referendum.
4. The current BoE terms of service has come under criticism because it could result in too many inexperienced members being elected at any one time. Suggestion: return to the six year term.
5. Section 2.3.D. Commencement date of terms of elected office and the RTM: The swearing in ceremony has traditionally been held the third Monday in November. There has been confusion about this, but to do otherwise would be in conflict with Section 4.4.A. which states that the organization meeting of the RTM members SHALL be held on the Fourth Monday in November each year. Again, cross-referencing is needed here.
6. Look through the Town Code to determine if any item should receive Charter status.
7. All cross-references to CT statutes should be checked for changes in numbering and/or language since 2006.

I may have more suggestions and comments after hearing from others. I will send these comments to Pru O'Brien after I speak.

Judy Ewing

From: Matthew Hallock [REDACTED]
Sent: Wednesday, October 6, 2021 7:30 PM
To: brien@fairfieldct.org; CRC <CRC@fairfieldct.org>
Subject: Model City Charter

Hi - Attached is the document I referenced in the meeting. Several members requested it. As it has a lot of thought leadership and best practices in it, I would like it to be required reading for all Charter Commission members. Thank you.

Regards,

Matthew Hallock

(203) 394-7238

From: Sarah Keitt [REDACTED]
Sent: Wednesday, October 6, 2021 7:42 PM
To: CRC <CRC@fairfieldct.org>
Subject: Charter Revision Commission meetings moving forward

Moving forward, if the Commission decides to meet in-person, I would ask that you require that all attendees either wear a mask or provide proof of vaccination. One of my many hats is that of disability rights advocate. The medically vulnerable are currently unable to safely access municipal buildings (e.g., Town Hall) now that the mask mandate has been removed.

There are hundreds, if not thousands, of Fairfielders living with cancers, autoimmune disorders, organ transplants, and cardiac and pulmonary disease, etc, who are effectively shut out of public spaces. Not having mask and/or vaccine requirements is akin to not having a ramp into a public building.

Thank you for your consideration.

From: hannahfichandler@gmail.com <[REDACTED]>
Sent: Wednesday, October 6, 2021 8:06 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Comment

Hello,

My name is Hannah Fichandler and I reside on Newman Place in Fairfield. I am unable to attend the forum tonight and would like to submit the following:

The town charter revision committee is not properly reflective of the Town of Fairfield. 1/5 of our town identifies as being of color, yet all representatives on our committee identify as white. Further, the same representatives who headed up the strategic plan (again an all white committee with no lens toward the experience of 1/5 of our town) are on this town charter committee. Their openly expressed partisan opinions of our town government along with the recommendations around education funding laid out in that plan make them poor candidates for membership in this review committee. I believe that a town charter revision is prudent to ensure that our government is as efficient and effective as possible, however the current committee membership does not fulfill the basic operating need for such a process.

Membership of this committee must be reviewed to adequately represent our town and to remove current existing conflicts of interest (as seen between the strategic plan and this committee).

Additionally, the process for review must be completely transparent and include specific measures beyond the opportunity for public hearing to ensure that it is fair and representative of all members of our community.

Thank you,
Hannah Fichandler

From: **DONALD R KLEBER** [REDACTED]
Date: Thu, Oct 7, 2021 at 11:40 AM
Subject: Article III, Section 3.1 (A) Town Charter
To: Bkupchick@fairfield.org <Bkupchick@fairfield.org>
Cc: Robert Kalamaras <rkalamaras@fairfieldct.org>, pamelaiacono4fairfield@gmail.com <pamelaiacono4fairfield@gmail.com>, jilvergara@gmail.com <jilvergara@gmail.com>

Dear First Selectwoman Kupchick,

I am writing this email to suggest the permanent elimination of Article III Section 3.1 (A) wording "Persons serving as Chief of Police or Fire Chief must be or become an elector of the Town within six months after the time they take office."

I am listing a brief summary of my law enforcement expertise, so that you may be able to judge my suggestion in the proper light. From 1977 through 2006 I served as a Special Agent of the FBI in Virginia, New York and Connecticut. During the last four years of my career, while assigned to the Bridgeport Office, I was the FBI's National Academy Coordinator. In that position, I work with every state and local law enforcement agency in Connecticut. During that time I became familiar with many department heads and with their procedures and requirements. Most towns in Connecticut, no longer have a residence requirement for their Chiefs. I also served for eight years on the Fairfield Board of Police Commissioners and was Chairman at the time of the selection of Chief Gary MacNamara. It was during this time that the town's attorney issued the opinion that the Chief needs to maintain a residence in town and become an elector.

While I was not present at the time the language in question was established in the Charter, it seems the spirit of the language wanted to ensure that the Chief of Police and Fire Chief were living in the town. This requirement stems from the earliest days of law enforcement, when a Chief needed to be present and respond rapidly to town emergencies. Often these rules were written when night and weekend manpower was either not existent or minimally staffed. With today's technology and staffing levels, it is not always necessary for the Chief to be present. Also, our command staff is adequately trained and the shifts are adequately staffed to handle any emergency. The command staff is able to be in constant communication with the Chief regardless of their location. Today's technology and shared information among law enforcement partners, often leads to advanced preparedness of possible emergencies.

During my over 20 years association with the Fairfield Police Department, I have found our command staff, properly trained and of the highest caliber. Many officers aspire to someday become the Chief of Police in a town that throughout their careers they have served well and have developed a strong sense

of attachment too. Why have in place language that would preclude a fully qualified in house candidate simply because they could not become an elector. Or worse yet, choosing a person from the outside, solely because they could become an elector in town. Whether in the Charter or elsewhere as deemed necessary, I believe language that mirrors the current resident requirements for officers would be appropriate for the Chief.

Thank you for your time and consideration. If you would like further input from me or if i can be of further assistance in this matter, please feel free to call or email me .

Sincerely,

Donald R. Kleber

50 Taquoshe Pl

Fairfield

203-395-0611 (C)

203-254-8462 (H)

From: Timothy Kelly [REDACTED]

Sent: Thursday, October 7, 2021 5:09 PM

To: CRC <CRC@fairfieldct.org>

Subject: Charter Revision Commission

Members my name is Timothy J Kelly I retired from the Fairfield Police Department July 1, 1990, on a disability (heart attack in line of duty).

Circa 1980 there was a paragraph that addressed Police and Fire disabilities.

This paragraph for IRS purposes made the disability pension tax exempt,

After CRC at the time had finished that years changes it was sent to a printer.

The Charter printer cut the Police and Fire provision out of the Book.

Donald Agar head of Human Resources at the time went to the IRS and explained what had happened, Since then IRS and Fairfield Human Resources as agreed on a letter of Disability has been given to the retiree as agreed upon. It would be appreciated if the Committee would put the clause back in the Charter

Thank You Retire PO Timothy J Kelly [REDACTED]

From: Michelle Caruso Walker [REDACTED]
Sent: Thursday, October 7, 2021 6:33 PM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>
Subject: Issues with committee for charter revision

Good evening Ms. O'Brien,

My name is Michelle Walker and I reside at 127 Blueridge in Fairfield. I am unable to attend the forum tonight and would like to submit the following:

The town charter revision committee is not properly reflective of the Town of Fairfield. 1/5 of our town identifies as being of color, yet all representatives on our committee identify as white. Further, the same representatives who headed up the strategic plan (again an all white committee with no lens toward the experience of 1/5 of our town) are on this town charter committee. Their openly expressed partisan opinions of our town government along with the recommendations around education funding laid out in that plan make them poor candidates for membership in this review committee. I believe that a town charter revision is prudent to ensure that our government is as efficient and effective as possible, however the current committee membership does not fulfill the basic operating need for such a process.

Membership of this committee must be reviewed to adequately represent our town and to remove current existing conflicts of interest (as seen between the strategic plan and this committee).

Additionally, the process for review must be completely transparent and include specific measures beyond the opportunity for public hearing to ensure that it is fair and representative of all members of our community.

Thank you,
Michelle Walker, PhD

From: Jill Vergara <jillvergara@gmail.com>
Sent: Thursday, October 14, 2021 9:58 AM
To: O'Brien, Pru <PO'Brien@fairfieldct.org>; CRC <CRC@fairfieldct.org>
Subject: Fwd: Article III, Section 3.1 (A) Town Charter

I respectfully request that my email be reflected in the minutes. It was correspondence to CRC about a proposed revision, so I believe it's appropriate to include in the backup. I would hope that ALL emails to CRC/Pru O'Brien are reflected in the backup, and I would like confirmation that all emails sent to CRC/Ms. O'Brien are being publicly recorded and are publicly accessible.

Thanks so much.

Jill

----- Forwarded message -----

From: **Jill Vergara** <jillvergara@gmail.com>
Date: Thu, Oct 7, 2021 at 2:56 PM
Subject: Re: Article III, Section 3.1 (A) Town Charter
To: Donald Kleber <[REDACTED]>
Cc: <crc@fairfieldct.org>

Thank you so much for your email regarding potential charter revisions to Article III, Section 3.1(A) ("Persons serving as Chief of Police or Fire Chief must be or become an elector of the Town within six months after the time they take office.").

I am cc-ing the Charter Review Commission, which convened its first public meeting last night and announced its email last night to be crc@fairfieldct.org, so that they can have your suggested revision on their list of potential changes.

You make a compelling argument to change this language regarding Fairfield's Police Chief and Fire Chief. I've never thought about the issue before, and I wonder whether a residency requirement may exist for these positions so that these important officials are subject to their own regulations/enforcement. Internalizing costs produces more effective/efficient systems, and I wonder whether having a non-resident Police Chief and/or Fire Chief would mean that costs of important safety decisions are externalized by those officials, which would possibly mean that all of the potential cost of such regulation/enforcement is not fully considered.

But you clearly know a lot more than me on this issue; and I think that you raise really good points as to why this requirement should be removed.

Thank you so much for taking the time to write.

Sincerely,

Jill

Jill Vergara

Democratic Caucus Leader, Fairfield RTM

Representative, RTM District 7

(203) 292-8115 (home)

(203) 993-5592 (cell)

On Thu, Oct 7, 2021 at 2:07 PM Donald Kleber [REDACTED] > wrote:

Dear Ms Vergara

Please see my email below. I misspelled your email on my original email.

Sincerely

Don Kleber

Sent from my iPhone

Begin forwarded message:

From: DONALD R KLEBER <[REDACTED]>

Date: October 7, 2021 at 11:40:02 AM EDT

To: "Bkupchick@fairfield.org" <Bkupchick@fairfield.org>

Cc: Robert Kalamaras <rkalamaras@fairfieldct.org>, "pamelaiacono4fairfield@gmail.com" <pamelaiacono4fairfield@gmail.com>, "jilvergara@gmail.com" <jilvergara@gmail.com>

Subject: Article III, Section 3.1 (A) Town Charter

Dear First Selectwoman Kupchick,

I am writing this email to suggest the permanent elimination of Article III Section 3.1 (A) wording "Persons serving as Chief of Police or Fire Chief must be or become an elector of the Town within six months after the time they take office."

I am listing a brief summary of my law enforcement expertise, so that you may be able to judge my suggestion in the proper light. From 1977 through 2006 I served as a Special Agent of the FBI in Virginia, New York and Connecticut. During the last four years of my career, while assigned to the Bridgeport Office, I was the FBI's National Academy Coordinator. In that position, I work with every state and local law enforcement agency in Connecticut. During that time I became familiar with many department heads and with their procedures and requirements. Most towns in Connecticut, no longer have a residence requirement for their Chiefs. I also served for eight years on the Fairfield Board of Police Commissioners and was Chairman at the time of the selection of Chief Gary MacNamara. It was during this time that the town's attorney issued the opinion that the Chief needs to maintain a residence in town and become an elector.

While I was not present at the time the language in question was established in the Charter, it seems the spirit of the language wanted to ensure that the Chief of Police and Fire Chief were living in the town. This requirement stems from the earliest days of law enforcement, when a Chief needed to be present and respond rapidly to town emergencies. Often these rules were written when night and weekend manpower was either not existent or minimally staffed. With today's technology and staffing levels, it is not always necessary for the Chief to be present. Also, our command staff is adequately trained and the shifts are adequately staffed to handle any emergency. The command staff is able to be in constant communication with the Chief regardless of their location. Today's technology and shared information among law enforcement partners, often leads to advanced preparedness of possible emergencies.

During my over 20 years association with the Fairfield Police Department, I have found our command staff , properly trained and of the highest caliber. Many officers aspire to someday become the Chief of Police in a town that throughout their careers they have served well and have developed a strong sense of attachment too. Why have in place language that would preclude a fully qualified in house candidate simply because they could not become an elector. Or worse yet, choosing a person from the outside, solely because they could become an elector in town. Whether in the Charter or elsewhere as deemed necessary, I believe language that mirrors the current resident requirements for officers would be appropriate for the Chief.

Thank you for your time and consideration. If you would like further input from me or if i can be of further assistance in this matter, please feel free to call or email me .

Sincerely,

Donald R. Kleber

50 Taquoshe Pl

Fairfield

203-395-0611 (C)

203-254-8462 (H)

████████████████████

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence	Research and Report	Relevance Discussion
Editorial Issues	<ul style="list-style-type: none"> • Create a cross-referencing index because a subject matter is often discussed in more than one place and is only useful if all pertinent references are read together. An example of this is the language about appointing and dismissing full-time employees. (Section 1.4 B (1) and 6.2.B (1) and Section 3.6.)¹. • Review Code of Ordinances to determine whether any matters should be elevated to Charter status². • All cross-references to CT statutes should be checked for changes in numbering and/or language since 2006³. • Use the National Civil League Model City Charter as a guide⁴. • Review conflicts in charter and code with regard to pensions and retirement⁵. • Is the issue of tax exemptions for county clubs a matter that is properly before the CRC⁶? 	
Procedural Issues	<ul style="list-style-type: none"> • Request for Proposed Redlines of Charter Provisions⁷ • Composition of CRC is not reflective of the racial demographics of Fairfield⁸ and lacking in diversity⁹. • Additionally, the process for review must be completely transparent¹⁰, equitable¹¹ and include specific measures beyond the opportunity for public hearing to ensure that it is fair and representative of all members of our community¹². • Concerns about conflict between the CRC members who served on the Strategic Planning Committee; one witness suggested “ex officio” membership (Note: presumably “non-voting membership)¹³ and resulting imbalance on CRC¹⁴ • CRC meetings should be conducted in public¹⁵ and live on Fair TV¹⁶. 	
Non Charter issues	<ul style="list-style-type: none"> • Request for expanded restrictions pertaining to ATV operation on private property and the regulation of dirt bikes on private property¹⁷ • Include provisions to allow the town to accept private sponsorships with naming rights of town controlled sites (revenue generation)¹⁸. • Modify the 6’ setback for recycled materials on homeowners property to be curbside, like the trash bins¹⁹. • Allow for a private funding group to be created and in coordination with the Town for Special projects to enhance the standard of living in Fairfield²⁰. • Traffic issues on Post Road, Black Rock Turnpike and Kings Highway at New England Avenue²¹.. 	
No Preamble	<ul style="list-style-type: none"> • Consider adopting a preamble to the Charter²². 	
Legal Issues/Comment		
Article I Incorporation, General Powers and		

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence	Research and Report	Relevance Discussion
Organizations		
Legal Issues/Comment		
Article II Elected Officials and Elections	<ul style="list-style-type: none"> • §2.3.D – Commencement of Terms of Elected Officials and the RTM. Section 2.3.D. Commencement date of terms of elected office and the RTM: The swearing in ceremony has traditionally been held the third Monday in November. There has been confusion about this, but to do otherwise would be in conflict with Section 4.4.A. which states that the organization meeting of the RTM members SHALL be held on the Fourth Monday in November each year. Again, cross-referencing is needed here²³. • §2.6 – Voting Districts. Equal representation of all voting districts²⁴. 	
Legal Issues/Comment		
Article III Appointed Officers and Permanent Boards and Commissions in General	<ul style="list-style-type: none"> • §3.1.A - Eliminate “elector” requirement and six-month waiting period for the Police and Fire Chief²⁵ 	
Legal Issues/Comment		
Article IV Legislative Branch	<ul style="list-style-type: none"> • Non-partisan RTM elections²⁶. • Retain the RTM or “some form of direct representation in our town governance”²⁷. 	
Legal Issues/Comment		
Article V Executive Branch	<ul style="list-style-type: none"> • Form of Government should be change from Board of Selectmen/RTM to Town Manager/Council²⁸. • Retain the current “town” form of government as opposed to a “city” form of government²⁹. 	
Legal Issues/Comment		
Article VI Board of Selectmen and First Selectman	<ul style="list-style-type: none"> • §6.3. Vacancies on the BoS: There was confusion about the Charter language and the CT statute. Suggestion: Eliminate the Charter language and refer to the CT statute³⁰. 	

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence	Research and Report	Relevance Discussion
Legal Issues/Comment		
Article VII Elected Officers	<ul style="list-style-type: none"> Term Limits for elected officials. The proposal acknowledges the legal challenge and suggests that the CRC ask the state legislative delegation to grant Fairfield the “privilege” to limit terms³¹. 	
Legal Issues/Comment		
Article VIII Elected Boards and Commissions	<ul style="list-style-type: none"> Too many boards and commissions to be effective and perhaps come qualification standard for more technical or specialized boards³². §8.2 - The current BoE terms of service has come under criticism because it could result in too many inexperienced members being elected at any one time. Suggestion: return to the six-year term³³. 	
Legal Issues/Comment		
Qualifications for elected Boards and Commissions may be difficult.		
Article IX Appointed Officers	<ul style="list-style-type: none"> §3.1.A, §9.21 and §9.22 - Eliminate “elector” requirement and six-month waiting period for the Police and Fire Chief³⁴. §9.25 – Conservation Director. Charter Revision Commission must restore and strengthen the Conservation Department so that it can support the town commissions and programs and continue to be an example of excellent conservation work in Connecticut³⁵. The Conservation Department should remain a separate department³⁶ and strengthen in order to remain a check on development³⁷. 	
Legal Issues/Comment		
Article X Specific Permannet Appointed Boards, Authorities, Commissions and Departments	<ul style="list-style-type: none"> Too many boards and commissions to be effective and perhaps come qualification standard for more technical or specialized boards³⁸. Departments should be accountable to elected officials³⁹. Create a Cemetery Commission to address the condition of the Old Burying Ground⁴⁰. §10.15 – Ethics Commission. Authority of the Commission to consider actions of Police Chief (and, presumably, other officials) who lie before public bodies, in this instance the Police Commission⁴¹. §10.3 – Conservation Commission – See §9.25, above⁴². Creation of Citizens Commission (“Office of the People”)⁴³. Address issues of diversity⁴⁴ and racial equity (create a racial equity subcommittee)⁴⁵. 	
Legal Issues/Comment		

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence	Research and Report	Relevance Discussion
Article XI Standards of Conduct		
Legal Issues/Comment		
Article XII Budget Procedure and related Matters	<ul style="list-style-type: none"> Cost of living limit on budget increases⁴⁶. §12.8 – Purchasing Authority. Review⁴⁷. 	
Legal Issues/Comment		
Article XIII Referenda	<ul style="list-style-type: none"> §13.2.F Manner of Holding Referendum is confusing to most, and needs clarification as to what is required to pass a referendum⁴⁸. 	
Legal Issues/Comment		
Article XIV Miscellaneous		
Legal Issues/Comment		
Article XV Transition Provisions		

¹ Submission of Judith Ewing - 6 October 2021

² Submission of Judith Ewing - 6 October 2021

³ Submission of Judith Ewing - 6 October 2021

⁴ Public Hearing Testimony of Matthew Hallock, 6 Summerville Street – 6 October 2021

⁵ Public Hearing Testimony of Carolyn Trabuco – 6 October 2021

⁶ Submission of Jennifer A. Gillis, 230 Nichols Street – 6 October 2021

⁷ Submission of Robert C. Lamonica, 423 Lucille Street – 5 October 2021

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence

Research and Report

Relevance Discussion

- ⁸ Submission of Hannah Fichandler, Newman Place – 5 October 2021; Jennifer Ellwood, 46 Bibbins Ave – 6 October 2021; Katie Romeo, 237 Greenfield Street – 6 October 2021
- ⁹ Public Hearing Testimony of Selectwoman Nancy Lefkowitz – 6 October 2021.
- ¹⁰ Public Hearing Testimony of State Representative Lisa Devlin (134th District) – 6 October 2021.
- ¹¹ Public Hearing Testimony of Keri Langerman, 1506 Burr Street – 6 October 2021.
- ¹² Submission of Jennifer Ellwood, 46 Bibbins Ave – 6 October 2021; Katie Romeo, 237 Greenfield Street – 6 October 2021
- ¹³ Public Hearing Testimony of Sarah Keitt, 538 Winepoge Drive and Karen Wackerman, RTM District 7 – 6 October 2021; Submissions of Jennifer Ellwood, 46 Bibbins Ave – 6 October 2021; Katie Romeo, 237 Greenfield Street – 6 October 2021; Michelle Walker, PhD, 127 Blueridge – 7 October 2021; and, Bud Morten - 3 October 2021.
- ¹⁴ Public Hearing Testimony of William Gerber, RTM District 2) – 6 October 2021
- ¹⁵ Public Hearing Testimony of State Representative Cristin McCarthy Vahey – 6 October 2021
- ¹⁶ Submission of Judith Ewing - 6 October 2021
- ¹⁷ Submission of Karen and Ed Bassett, 145 Wormwood Road; Denise and Jim Honeycutt, 130 Wormwood Road; Barbara “Bobbi” Williams, 136 Wormwood Road; John Peteshel, 161 Wormwood Road; and Sheree Cunningham, 175 Wormwood Road – 5 October 2021.
- ¹⁸ Submission of Justin C. Beck, 41 Beth Drive – 22 September 2021.
- ¹⁹ Submission of Justin C. Beck, 41 Beth Drive – 22 September 2021.
- ²⁰ Submission of Justin C. Beck, 41 Beth Drive – 22 September 2021.
- ²¹ Submission of Michael A. Dowling, 1375 Kings Highway -1 October 2021
- ²² Public Hearing Testimony of Matthew Hallock, 6 Summerville Street – 6 October 2021
- ²³ Submission of Judith Ewing - 6 October 2021
- ²⁴ Public Hearing Testimony of Jenn Jacobsen – 6 October 2021.
- ²⁵ Submission of William Tuttle, 1375 South Pine Creek road – 5 October 2021; Submission of Jill Vergara, RTM 7th District – 7 October 2021; Submission of Donald R. Kleber, 7 October 2021
- ²⁶ Submission of Carol Waxman, 1255 Fairfield Beach Road - 5 October 2021.
- ²⁷ Submission of Erin Lopez, 77 Patricia Circle – 13 October 2021.
- ²⁸ Submission of Jan Carpenter, 144 Harbor Road – 5 October 2021
- ²⁹ Submission of Morton Fisher, 172 Sigwin Drive – 6 October 2021
- ³⁰ Submission of Judith Ewing - 6 October 2021
- ³¹ Submission of Jan Carpenter, 144 Harbor Road – 5 October 2021
- ³² Public Hearing Testimony of Ed Bateson, 12195 North Street (RTM District 1) – 6 October 2021; Submission of Jan Carpenter, 144 Harbor Road – 5 October 2021
- ³³ Submission of Judith Ewing - 6 October 2021
- ³⁴ Submission of William Tuttle, 1375 South Pine Creek Road – 5 October 2021
- ³⁵ Submission of Jane Gitlin Nishball, 67 Middlebrook Place – 5 October 2021
- ³⁶ Public Hearing Testimony of Kathy Braun – 6 October 2021.
- ³⁷ Public Hearing Testimony of Patrick Wackerman, 27 riverside Drive – 6 October 2021
- ³⁸ Submission of Jan Carpenter, 144 Harbor Road – 5 October 2021
- ³⁹ Public Hearing Testimony of Ed Bateson, 12195 North Street (RTM District 1) – 6 October 2021;
- ⁴⁰ Public Hearing Testimony and Submission of Jeanne Stevens, Eunice Dennie Burr Chapter DAR, 71 Old Mill Road – 6 October 2021

Issues Tracking Chart – Fairfield Charter Revision Commission

Substantial Due Diligence

Research and Report

Relevance Discussion

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- ⁴¹ Submission of Jeffrey E. Bloch – 6 October 2021
⁴² Submission of Jane Gitlin Nishball, 67 Middlebrook Place – 5 October 2021
⁴³ Public Hearing Testimony of Matthew Hallock, 6 Summerville Street – 6 October 2021
⁴⁴ Public Hearing Testimony of Keri Langerman, 1506 Burr Street – 6 October 2021.
⁴⁵ Submission of Douglas W. Bunnell, Ph.D, 2008 Fairfield Beach Road – 4 October 2021.
⁴⁶ Submission of Jan Carpenter, 144 Harbor Road – 5 October 2021
⁴⁷ Public Hearing Testimony of Jenn Jacobsen – 6 October 2021.
⁴⁸ Submission of Judith Ewing - 6 October 2021