

CHARTER REVISION COMMISSION

Special Meeting

March 10, 2022

6:00 p.m.

Via Webex

Fairfield, CT

DRAFT MINUTES

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

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

MEMBERS ABSENT: Jay Gross

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=i92FISIfMM>

I. **CALL TO ORDER**

Chair Bryan Cafferelli called the meeting to order at 6:00pm.

II. **ROLL CALL**

Recording Secretary Pru O'Brien took the roll.

III. **PLEDGE OF ALLEGIANCE**

Chair Cafferelli led the Pledge of Allegiance.

IV. **PUBLIC COMMENT** – Town Governance Proposals as put forth at the Feb 25, 2002 CRC meeting (public comment not to exceed one hour time)

Chair Cafferelli opened the meeting for public comment and the following people requested to speak. Their full comments can be heard in the meeting recording.

Kenneth Flatto: 3200 Park Avenue, Bridgeport, CT

Kate Braun: 245 Sunnyridge Avenue, Fairfield, CT

Patrick Berheny: 827 Riverside Drive, Fairfield, CT

Sharon Pistilli: RTM D3, 107 Lota Drive, Fairfield, CT

Jill Vergara: RTM D7, 271 Old Post Road, Fairfield, CT

Commissioner Wynne commented to the public that we have received everyones written comments and Attorney Mednick has them for reference for his backup documents.

All emails sent to the Commission are in the backup documents and can be accessed online.

V. **ADJOURN**

Commissioner Iacono motioned to adjourn. Commissioner Battista seconded the motion.

The meeting adjourned at 6:33pm.

Respectfully submitted,

Pru O'Brien

Recording Secretary

CHARTER REVISION COMMISSION
Regular Meeting
March 10, 2022
7:00 PM
Via Webex
Fairfield, CT

DRAFT MINUTES

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

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

MEMBERS ABSENT: Jay Gross

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=JF7lpizebgc>

I. **CALL TO ORDER**

Chair Bryan Cafferelli called the meeting to order at 7:00pm.

II. **ROLL CALL**

Recording Secretary Pru O'Brien took the roll.

III. **PLEDGE OF ALLEGIANCE**

Chair Cafferelli led the Pledge of Allegiance.

IV. **Approval of Minutes from February 24, 2022 meeting**

Commissioner Iacono motioned to approve the minutes from 2/24/22 as written. Commissioner Battista seconded the motion.

The motion carried unanimously.

V. **Topic 1. CRC Working Session and Discussion on Governance**

Chair Bryan Cafferelli and Vice Chair Chris Brogan spoke with the Board of Selectmen about the different forms of government that had been discussed among the commissioners in the last few weeks, mainly the Town Manager form of government. Selectwoman Lefkowitz needed more information before she could comment. They will follow up with her. First Selectwoman Kupchick and Selectman Flynn liked the idea of a Town Manager but thought it would take another Charter Revision Commission before it would transition, if the Town decided to go in that direction. The First Selectwoman and Selectman Flynn both thought things were working well with the current town government and discussed adding positions like a COO. Many or all Department Heads would report to the COO and the COO would report to the First Selectperson. First Selectwoman Kupchick and Selectman Flynn felt the Town needs a Board of Finance, but were open to a smaller RTM with clearly defined roles for both. Selectman Flynn said Fire, Police and Finance should report directly to the First Selectperson. Commissioner Mitola wondered if they had discussed the Board of Selectmen (BOS). Chair Cafferelli said that Selectman Flynn liked the BOS but felt the roles need to be defined or adjusted. Vice Chair Brogan thinks the First Selectperson can do without a BOS, but the Legislative Board would need to change. Selectwoman Lefkowitz did tell them that at times she is frustrated with how the BOS works but thinks adjustments would help that. Commissioner Iacono would like to keep the First Selectperson with a stronger Legislative body. She is not looking to give the First Selectperson/Mayor more power, but have the Legislative body be more emboldened, effective and accountable. Commissioner Iacono would

like to dissolve the BOS for a smaller Legislative body. She also suggested putting the COO position in the Charter as a non political position. When Commissioner Wynne asked Commissioner Iacono who would be in charge and what would happen if the Chief Executive and the COO did not agree. Commissioner Iacono said the person in charge would be the person elected by the people. The COO is appointed to assist the Chief Executive in achieving goals and managing the Town.

Commissioner Mitola suggested clarifying in the Charter, First Selectperson appointments and how the appointees can be terminated. He also said the RTM could be smaller but still needs to be a strong Legislative body so the First Selectperson doesn't have all the power. Give appointments terms for checks and balances.

Attorney Mednick stated that the COO could become political because he/she would work directly with the Legislative Body. A Town Manager would dissolve the RTM and it would still be a Legislative body, but only having 9 people. The discussion continued about the size of the RTM and whether there should be a BOF.

Attorney Mednick appreciated all the suggestions and needs to know in what direction the Charter Revision Commission wants to move forward to present his proposals for the Charter.

Topic 2. Miscellaneous Issues – Part A. Minority Party representation, Constables, Commencement of Terms of Elected Officials and RTM; Resignations and Vacancies (TBD).

Attorney Mednick understands the concept of neighborhoods in Fairfield and thinks they should be constitutionalized and put in the Charter. An odd number of persons elected per district guarantees minority party representation. Attorney Mednick went over different towns and how many members they have in their Legislative bodies. The discussion continued on the size of the boards and whether all of them were necessary. Attorney Mednick will speak with Town Attorney Baldwin about looking into terms for Department Heads.

Constables work with Probate Court. Attorney Mednick suggested reducing the number of Constables to four and have them appointed and not elected. There should be a commencement on terms of public officials and the RTM. All serving with terms would start their terms on the same day and there should be one constant standard for resignations and vacancies for officials in the Town. Attorney Mednick will draft a proposal on these items.

Topic 3. Update by Counsel

Attorney Mednick will go through the emails and add to his documents based on those suggestions.

VI. **Next Steps**

The next meeting is on Thursday, March 24, 2022 at 7:00pm. Attorney Mednick said he will need to coordinate with the BOS to see how far out they can go in May and if they can add meetings is necessary to get everything done. There will also be another statutory public hearing.

VII. **Adjourn**

Commissioner Iacono motioned to adjourn. Commissioner Brogan seconded the motion. The meeting adjourned at 8:50pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary

Charter Revision Commission – Email(s) Received from 3/9/22 – 3/23/22

Kathryn Braun klbesq@aol.com

Thursday, March 10, 2022 at 5:51 PM

to: Charter Revision Commission

re: 3/10/22 Public Comment

Please see my attached memo - updated from my comments on the 11/8/22 CRC meeting.

Sincerely,
Kathryn L. Braun
Cell: (203) 209-8116

Date: March 10, 2022

To: Fairfield Charter Revision Commission

From: Kathryn L. Braun, Town Plan and Zoning Commissioner (speaking as an individual) Re: CRC 3/10/22 Public Comment Session 6-7pm

I'm writing to reiterate and supplement my prior comments on 11/8/22.

A. Land Use Departments: Should not be consolidated into a single or combined land use agency- Zoning, Building, DPW, Conservation all have distinct missions and combining agencies with conflicting missions will de-prioritize the separate and sometimes conflicting missions.

1. This is especially of concern regarding Conservation Dept. which now supports 5- 8 commissions and programs, all of which would be de-prioritized should staffing and budgeting be combined with say, Zoning or Building Departments.
2. All Conservation Dept programs and the commissions the department supports - should remain and not be broken up or delegated to other Depts or Commissions- environmental expertise and mission are needed to ensure Fairfield's environmental award-winning stewardship and leadership is maintained
3. Budgeting for land use departments- must be expanded
 - i. for expert testimony in land use applications- The TPZ, ZBA and IWWA

should have the ability to draw on an expanded budget to retain experts to provide neutral expertise on which to rely when making critical permanent decisions concerning our land use. Commissioners should not have to rely solely on development applicants experts when deciding and the matters that come before these commissions require each member to be fully informed before rendering decisions.

- ii. Staffing- the Conservation Staff was severely cut by about 18% in the 2021/2022 budget- and the Zoning Department staff was cut to a lesser degree. With the current and anticipated burden posed by State Laws that impact our land use decisions and planning, we require more staff to research and advise these commissions.
- 4. Department updates: the Town Charter should prioritize information exchange, transparency and accountability by mandating biannual reports to each Commission or supervising entity on the status and trends of program and issues managed by said departments.
- 5. Separate the Conservation Commission from the Inland Wetlands Agency and Make Wetlands Agency an elected body
More research is needed but preliminary review indicates that we can separate the commissions thereby ensuring the Conservation component receives the attention needed, and that the Wetlands agency can be elected body thereby separated from political appointment by the Town CEO.
 - i. Per CGS 7-131a, the Conservation Commission is appointed by the Town CEO
 - ii. Per CGS 22a-42, the Inland Wetlands Agency can be designated by the legislative body
- 2. Director of Dept of Public Works-the requirement must remain that this important position require a professional engineering license in the State of Connecticut- the Director should not be beholden to others with the expertise needed for this important wide-ranging position- the Director is responsible for pulling together large public projects with input and involvement from multiple other Town departments. To ‘dumb down’ the role would be to weaken it in times when we need more rather than less expertise and accountability.
- 3. Commission on Climate Change- with membership from the various land use boards and departments should be formed
- 4. Legislative Branch- Representative Town Meeting- Having served for 3 terms (6 years) in the Legislative Branch of our Town Government, it must remain as is- when I served it had 50 members, with 5 members per Town district and with 10 members serving on each standing committee. It has since been reduced to 40 members.
 - 1. I do not believe it should be either reduced in size, or that its district representation should be reduced or removed.
 - 2. Our Town residents need a voice from their neighborhoods and the RTM members provide that voice- to remove this and convert to a ‘City Council’ form with representatives at large, people will lose this voice and government will become less transparent.
 - 3. The legislative branch in Town Government should have more, not less power, as it does at the State and Federal level- in this manner checks and balances can be maintained to ensure government is transparent, with appropriate oversight to minimize the ability of individuals from creating problems, scandals and corruption.
- 5. Board of Selectmen/First Selectperson- I believe this should remain as-is. Possibly a town Manager can be appointed by the Board of Selectman to perform administrative and

operational duties. We should not replace the Selectperson form of governance with a Mayoral form- people reside in our Town because it is a Town, not a City.

6. Boards and Commissions- I refer to, and incorporate all the points made in the excellent piece written by the Fairfield Taxpayer group- the more involvement we enable for our citizenry, the better off we are- residents are invested in the workings of our government and this improves a sense of shared civic responsibility.

a. The corollary to this is that too much streamlining would reduce transparency, oversight and proper review and consideration of matters which can lead to adverse unintended consequences

In short, we can improve the process and practices without changing the form of governance, and we should be enhancing oversight, balance of powers, checks and balances, expertise of our public officials, and civic involvement.

Judith Ewing jeewing8@outlook.com

March 23, 2022 at 8:38 AM

As someone who has served on two previous Charter Revision Commissions, I have been following the current CRC meetings and have offered some ideas, mostly about how to make our Charter more user friendly. It is now time for the CRC to make some final decisions that will appear as questions on the ballot in the Fall.

Having been actively involved in the town since 1971 – 1983, I first served on the Representative Town Meeting (RTM). For several years I was Chairman of Public Works & Planning, and served as Majority Leader, and on two redistricting committees. Later, I served on the zoning commission and reported on town building projects for two First Selectmen. Over the past fifty years I have had first hand experience of how the town operates.

Since 1947 our legislative body (RTM) had over fifty members, which was unwieldy, in my opinion. I was relieved to see that the size was finally reduced to a more reasonable number of forty in 2015. Since then, Fairfield has had an RTM of ten districts each with four representatives. It is my strong opinion based on experience that forty representatives is the correct number to serve a community of nearly 40,000 registered voters. There has been recent discussion of reducing that number to thirty. If that is the decision, I feel that our population of over 60,000 citizens would be grossly under-represented.

I hope you agree that a Representative Town Meeting of forty members is the proper number to serve the citizens of a town of our size.

Judy Ewing
98 Sasco Hill Terrace
Fairfield, CT 06824
(203-255-6243)