



**2011 Charter Committee
Board of Representatives**

John Mallozzi, Co-Chair

Mary Fedeli, Co-Chair

Committee Report

The 2011 Charter Committee of the Board of Representatives met on:

Date: Wednesday, May 30, 2012
Time: 7:00 p.m.
Place: Democratic Caucus Room
888 Washington Boulevard, Stamford, CT

Present were Co-Chairs Mallozzi and Fedeli and Committee Member Reps. Layton, Savage, Sklover and Taylor. Absent or excused were Reps. Day, DePina and Summerville. Also present were Rep. Zelinsky and Charter Commission Co-Chairs Freccia and Sandak, Charter Commission members Grebey, Gwozdzowski, Okun, Sherer and Williams and Stephen Fogerty, Esq. Halloran & Sage.

Co-Chair Mallozzi called the meeting to order at 7:00 p.m.

Item No.	Description	Committee Action
1. C28.011	REVIEW; Draft Report of the 17 th Charter Revision Commission and scheduling of Board of Representative's Public Hearing on the Recommendations.	Report Made

Mr. Freccia introduced the members of the Commission present.

Mr. Sherer explained the recommendations of the Financial Committee:

- Budget Process – the Committee examined ways to reduce redundancies and overlaps
 - The committee examined whether or not to reduce or eliminate the multiple presentations and public hearings before different boards, but did not do so because the different focuses of the hearings result in different items and concerns being raised
 - The committee looked at ways to speed up the budget process in order to permit earlier hiring by the Board of Education and found they could not (but recommended that the Board of Education hire teachers for known positions in advance of the budget process)
 - Wanted the Administration to be able to manage the budget for allocated funds in amounts less than \$2,500 without having to go back to the BOR or BOF

- Allow the Mayor to transfer personnel within a salary line in a department as long as there is money allocated within a department for the salary
- Audits
 - The audit process was revised to make the date consistent with other reporting dates by adding a month
 - Require an internal auditor within the Office of Administration (rather than the current discretionary position)
 - In response to questions from the Committee, Mr. Sherer stated that Auditor could report to the Board of Representatives in response to a special request or provide a schedule of audits to the BOR and the BOF.
- Pensions
 - The current pension provisions in the Charter have been superseded by State statute which make most of the issues subject to collective bargaining and so recommend that the Charter follow the state statutory language
 - Eliminated the provision that the Fire and Employee trust funds receive abandoned funds because this has never happened
 - Permitted the Mayor to appoint a designee for the pension boards
- Board of Finance
 - Clarified the investigatory powers of the BOF, so that it clearly pertains to the Board's fiscal authority
- Bonding – the committee examined ways to reduce multiple and redundant presentations and approvals and the requirement of project-specific bonding
 - Once the bonding is authorized, and approved by the Board of Representatives the bond can be issued by the Mayor and the Administration (still requires preparation by Bond counsel)
 - Committee member questioned whether project-specific bonding promotes greater accountability and whether this could also be accomplished by better reporting or whether it makes it impractical to respond quickly to more pressing projects and to complete larger projects
 - Redefined short-term bonds as 5 years
- Takings
 - The language was clarified to comply with state statutes

Co-Chair Mallozzi explained that the language permitting the BOR to vote a Commission out of existence was put in in 1995 to permit the BOR to address the situation in which some commissions were created by Charter and others by ordinance, but probably isn't needed anymore.

Mr. Freccia explained the recommendations of the Government Committee including:

- Adding a preamble with a Citizen's Bill of Rights
- Reducing the size of the Board of Representatives to be comparable to other cities the size of Stamford
 - Mr. Williams stated that this was a very close vote and that he didn't support it because the size of the current Board doesn't seem to affect the operations of the Board
 - Some districts have a hard time coming up with representatives

- Committee members noted that this would increase the time required by Board members, who are unpaid
 - Reducing the number of districts might also work, but redistricting was just completed
- Requiring the Mayor to notify the BOR of an absence from the City of more than 2 days
 - Addresses the question of who is in charge
- Having the Police and Fire Commission terms coincide with the terms of the Mayor
- Requiring a mandatory termination of positions on commissions 6 months after a term expires
- Eliminating the Personnel Appeals Board and transfer its responsibilities to the Personnel Commission
- Adding a 5th member to the Mayor's Cabinet – a Director of Planning and Development (head of a new Office of Planning and Development) with the land use offices under that Director and encompassing the Director of Economic Development to increase coordination among departments
 - Committee members discussed whether there would be an advantage to putting planning staff under this office, and whether it would increase the efficiency of permitting process when there are projects proposed,
 - the land use boards would continue to set policies
- Making clear that the Chief Building Officer reports to the Director of Operations
- Cleaning up items regarding the responsibilities of the Director of Operations and the WPCA and clarifying to comply with state law
- Limiting service to one elected municipal position
- Increasing the term of constables from 2 to 4 years
- Mandating the Citizen's Service Bureau, which is now just a creation of the administration
- Establishing a Historic Preservation Commission
 - Committee members noted that this is mandated because the City is a Certified Local Government but questioned whether it should be handled by ordinance rather than by Charter
 - The Commission thought this was valuable outside of the requirements of a Certified City

Co-Chair Sandak explained the Public Safety/Education/ Ethics Committee's recommendations regarding the Fire Service Plan:

- The Commission was not designing a fire service plan, but rather providing a structure to give the people designing the plan something to work with
- The recommendation is for a single Stamford Fire Department with a single Fire Chief, and recognizing the importance of the volunteer services by including 2 Assistant Chiefs, one for volunteer services and one for career services
- The Chief would be appointed by the Mayor and report to the Director of Public Health and Safety
 - The Personnel Commission would have to create this position and the Assistant Chief position would have to be redefined (the titles might need to be changed)
- This would have a single fire department which would encompass all 6 current fire services
- Most cities have volunteer services which provide many advantages to cities

- The Assistant Chief would be responsible for recruiting more volunteers
- The City should have a single fire marshal if there is a single fire department in order to be consistent
- The Fire Commission would have jurisdiction over the entire Fire Department to receive complaints, etc.
- In response to questions from the Committee, Commission members noted:
 - The reaction of the volunteer chiefs to this proposal was mixed
 - The goal of having a volunteer Assistant Chief is to make sure the volunteers have a seat at the table and the volunteer chiefs would maintain authority over their houses
 - Economic efficiency would be increased because there could be single contracting and uniform training
 - In speaking to other municipalities, this type of arrangement has not resulted to the demise of other volunteers
 - The community wants a combined force
 - There have been no issues of volunteers and career firefighters not working together at a scene
 - Deleted the word status because thought the word was unclear
 - The union expressed support for this structure
- Changed requirement for changing districts from a 2/3 vote of the BOR to a majority in order to make it easier to address problems with a district, although don't foresee needing this

Mr. Grebey explained the Public Safety/Education/ Ethics Committee's other recommendations:

- Made no recommendations regarding the Board of Education particularly as to giving the Mayor a vote, the ability to appoint a special assistant
- Recommended cleaning up inconsistencies between the Health Commission and the Director of Health
- State statute requires the Health Director to set policy, not the Health Commission
- Ethics is not addressed in the current charter, but recommended the Charter require a Code of Ethics and a Board of Ethics or Ethics Commission and outlined the requirements for membership so that there would be no political conflicts, paralleling state law
- The Director of Legal Affairs would serve as counsel unless the Director decides there is a conflict, and would then hire outside counsel
- In response to questions from the Committee
 - The decision not to make the Director of Legal Affairs a full-time job would require someone to give up their practice, and wouldn't be able to fill the position
 - Making it a civil service position would take it outside of the role of counsel to the Mayor

The Committee discussed the timeline for review of the recommendations and returning its comments back to the Commission. The Board must vote on its ballot at the August meeting. The Commission is statutorily dissolved once it issues its final report. The Board then decides which recommendations go onto the ballot and how. Mr. Sandak recommended continuing to use Stephen Fogerty to help draft questions and language.

2. [C28.012](#) RESOLUTION; concerning Recommendations for Changes to the Draft Report of the 17th Charter Revision Commission. **Not addressed**

3. C28.013 RESOLUTION; approving the final report of the 17th Charter Review Commission. **Not addressed**

A motion to reconvene on Tuesday, June 5, 2012 at 6:30 p.m. was made, seconded and approved by unanimous vote. (Reps. Fedeli, Mallozzi, Layton, Savage, Sklover and Taylor in favor.)

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

John Mallozzi, Co-Chair

This meeting is on [video](#).