

# CITY OF STAMFORD 18<sup>TH</sup> CHARTER REVISION COMMISSION

Members  
VALERIE COOPER  
ROSANNE MCMANUS  
SUSAN NABEL

Members  
ROBERT ROBINS  
GEORGE SESSA  
DONALD B. SHERER  
DUDLEY WILLIAMS.

Susan Nabel, Co-Chair  
Donald B. Sherer, Co-Chair  
Rosanne McManus, Clerk

## MINUTES OF MEETING

Wednesday, April 3, 2013

7:00 p.m. – Democratic Caucus Room  
4<sup>th</sup> Floor, Government Center

888 Washington Boulevard, Stamford, CT 06904-2152

The Charter Commission met on Wednesday, April 3, 2013. Present were Co-Chairs Nabel and Sherer and Commission Members Cooper, Robins and Sessa. Excused were Commission Members McManus and Williams. Also present was Valerie Pankosky, Administrative Assistant, Board of Representatives.

Co-Chair Nabel called the meeting to order at 7:00 p.m. Ms. Nabel opened the meeting for public comment.

Mr. Frank Vartulli spoke regarding the Citizens Bill of Rights.

Ms. Pankosky stated that the two-day time frame imposed on the Board to have ordinances delivered to the Mayor for signature was creating difficulties. Provisions must be made so that ordinances can be sent via overnight mail to the BOR President and returned should the President not be available.

The Commission briefly discussed the matter, and upon motion duly made and seconded, unanimously approved the following change:

### **“Sec. C2-10-13. - Action by Mayor; Passage Over Mayor's Veto.**

Every ordinance adopted by the Board of Representatives shall, promptly after its passage, be separately printed or typewritten, signed by the President, and attested by the Clerk who shall, within **five (5) [two (2)]** business days, present it to the Mayor. ...”

### ***Ethics Ordinance***

Co-Chair Sherer stated that Ms. Bader explained the process last week wherein a 3-person investigatory committee is required and upon the finding of probable cause, a different 3-member hearing panel is convened. If one member cannot participate, they have to use alternates.

In response to a suggestion that the wording be changed to provide for 5 full members and as many alternates as determined by ordinance, Ms. McManus stated that she did

not want to give the BOR that much power, and suggested the language “not less than 5 full members and 2 alternates.”

Upon motion duly made and seconded, the Commission voted unanimously to approve the following change:

“The Board of Ethics shall consist of not less than five (5) full members and two (2) alternates to serve overlapping terms of three years to be appointed by the Mayor and approved by the Board of Representatives ...”

Co-Chair Sherer stated that the Final Report should contain a notation that states the Commission is aware of the discrepancy wherein the ordinance calls for five-year terms while the Charter calls for three-year terms.

### **WPCA**

Co-Chair Nabel stated that the issue here is whether the Charter should be amended to match the ordinance, which calls for 9 members (4 city staff and 5 appointed members). Mr. Sherer noted that the City has a comprehensive ordinance, and the WPCA is currently dealing with several issues. The only issue for the Commission to take up is to address the fact that the Charter calls for a 5-member Board and the ordinance calls for a 9-member board. This Commission has already agreed not to take up the issue of potential conflicts of interest on the part of city staff appointed to the WPCA. Co-Chair Sherer added that there is not enough time to go into all of the issues surrounding the WPCA.

Ms. McManus stated that she agrees that the WPCA issues were not dealt with thoroughly, and it is true that they cannot be dealt with at this time.

Co-Chair Nabel stated that the prior Commission did not talk about the four people from the City as this was not included in the BOR’s charge. Ms. McManus recalls that President Skigen brought it to the Commission and the Commission voted it down. She added that she is against the provision that allows the BOR to supersede the Charter and the Charter should be clear. She doesn’t like the charter not reflecting what the actual practice is, and therefore is in favor of amending the language so that it matches the ordinance.

Co-Chair Sherer stated that the language should be amended to read “not less than 5 members.”

Mr. Sessa stated that the WPCA is supposed to be an independent operation from the City. It was supposed to have 5 appointed members of its Board, and the BOR added 4 city staff. This resulted in the City basically controlling the “independent” WPCA.

Co-Chair Nabel stated that she sees no conflict in having city staff serve on this Board. The City is involved with the WPCA and will be ultimately responsible for the WPCA.

Ms. McManus stated that it is supposed to be a quasi-autonomous organization, and it is not if there are four members of the city on the Board.

Co-Chair Sherer stated that he doesn't believe that it is the Commission's place to micromanage how it works. He agrees with Co-Chair Nabel that in principle, the WPCA is entwined with the taxpayers and the needs of the City. If you had a Board with 5 totally independent members, they could theoretically spend money that the City would have never authorized. Mr. Robins stated that if there is any doubt about this, the Commission should defer to the BOR.

Mr. Sessa felt that the relationship between the two should be handled by a management contract that specifies exactly what the City does for the WPCA. He questioned whether the WPCA pays for every penny of work that the City has expended on its behalf.

Co-Chair Sherer noted that in the last charter change, language was added that integrated the two – "it [the WPCA] shall coordinate its activities with the Director of Operations and the City...". Co-Chair added that this discussion should be held at the BOR level. He agrees with both Mr. Sessa and Ms. Nabel because both of their points make sense, but the proper forum is the BOR.

Co-Chair Sherer moved to amend the Charter by adding "no less than five members." Said motion was seconded.

Mr. Sessa moved to amend the language to read, "no less than 5 and no more than 9." Ms. McManus seconded the motion, which failed by a vote of 5-1-0 (Mr. Sessa in favor; Reps. Sherer, Robins, Nabel, Cooper and Sherer opposed).

The main motion, to amend the language to read:

"The Water Pollution Control Authority shall consist of **not less than** five members to serve overlapping terms of three years, to be appointed by the Mayor and approved by the Board of Representatives in accordance with this Charter."

Was approved by a vote of 5-1-0 (Mr. Sessa opposed).

### ***Future Meetings***

The Commission members agreed to meet Thursday, April 18<sup>th</sup> at 7:00 p.m. to hold the 2d public hearing with a commission meeting following immediately thereafter. Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 8:00 p.m.

Submitted by,

Susan Nabel, Co-Chair

Donald B. Sherer, Co-Chair

*This meeting is on [video](#).*