

# CITY OF STAMFORD

## 19<sup>TH</sup> CHARTER REVISION

### COMMISSION

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#### Supplement to Transmittal Letter

From: Thomas A. Lombardo, Chair, Charter Revision Commission  
To: Board of Representatives  
Re: Supplement pursuant to C.G.S. §7-190(b)  
Date: June 26, 2023

As promised in the Transmittal Letter, the following are the provisions of the Charge of the Board of Representatives (“BRC”) that were not included in the proposed revised Charter. If you have any questions, please do not hesitate to contact me.

- | BRC # | Issue  |
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| 2.c   | <b>Division 1 – Construction: Sec. C1-10-4.</b> Refine the definition of public notice to exclude any biased media. It was determined that establishing a standard for what constituted “biased media” would be difficult.   |
| 2.d   | <b>Division 4 – Legal Effect: Sec. C1-10-5.</b> Review the frequency of charter revision. The ten-year requirement is a sufficient standard and there is no statutory mandate to do so more often. The Board of Representatives is permitted to create a commission at any time, in its discretion.  |
| 2.f   | <b>Division 7 – Elections Provisions: Sec. C1-70-3.</b> Consider term limits. This item was discussed this item and we received input on this item from members of the leadership of the Board of Representatives. The general consensus is that it is difficult to find members of the public to run for public office, and that it takes years to gain knowledge of how the Boards and systems work. Therefore, the consensus was against term limits. Moreover, Counsel pointed out that there is no express grant of authority that would permit a municipality to limit the term of elective office.                |
| 2.g   | <b>Division 7 – Election Provisions: Sec. C1-70-1.</b> Consider term limits. The committee discussed this item and received input on this item from members of the BOR leadership and members of the Board of Education. The general consensus is that it is difficult to find members of the public to run for public office, and that it takes years to gain knowledge of how the Boards and systems work. Therefore, the consensus was against term limits. The committee reviewed with Commission Counsel who advised that the authority to enact term limits was not authorized by law in the State of Connecticut. |

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<b>BRC #</b>	<b>Issue</b>
2.h	<b>Division 8 – Elective Officers: Sec. C1-80-1.</b> Consider preventing elected officers from holding dual offices, including state offices such as state representative or as appropriate with appointed Boards or Commission. No further action was required because this issue was already addressed.
2.i	<b>Division 8 – Elective Officers: Sec. C1-80-1.</b> Consider compensation for members of the Board of Representatives, Board of Education and Board of Finance. Compensation for the BOR is permitted under law; although subject to referendum and other limitations under the state Constitution. Compensation is not permitted for the other elected positions (e.g., Board of Education and Board of Finance); although expense reimbursement is permitted. The committee did not pursue.
2.j	<b>Division 8 – Elective Officers: Sec. C1-80-5.</b> Review having terms for Board of Education members be 4 years. The committee reviewed and was not in favor due to the logistics of a nine-member board having four-year terms instead of three-year terms; the committee thought that nine members, each with three-year terms worked well. The committee also discussed with the BOE. Several members of the BOE thought the logistics would be difficult to implement. The committee decided not to pursue.
2.k	<b>Division 8 – Elective Officers: Sec. C1-80-7.</b> Consider including an Independent Registrar and/or Unaffiliated Registrar. The committee reviewed and discussed. This is controlled by C.G.S. §9-190 and therefore, outcomes should be addressed in accord with the law.
3.a	<b>Division 1 – Board of Representatives: Sec. C2-10-2.</b> Allow citizen petitions to be received, reviewed, and adjudicated by Board of Representatives. Addressed with regard to Planning issues only.
3.d	<b>Division 1 – Board of Representatives: Sec. C2-10-10.</b> President. Allow the President of the Board of representatives to issue oath of office. According to Counsel this is not permitted by state law.
3.e <sup>1</sup>	<b>Division 1 – Board of Representatives: Sec. C2-10-12.</b> Clarify the ordinance process to require that draft ordinances must be published and a public hearing be held by Committee prior to approval by committee and clarify when a second public hearing must be held if a draft ordinance is revised. While the Commission did not amend this provision, a Public Hearing is required for Ordinances as set forth in Sec. C1-10-4(15).
4.b	<b>Division 1 – The Mayor’s Powers: Sec. C3-10-7.</b> Clarify that the Mayor may issue the oath of office (might be a separate section; make consistent with State law). The Mayor, as chief executive of a municipality, already has this authority under C.G.S. §1-24(7).

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<sup>1</sup> Addressed in another section.

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<b>BRC #</b>	<b>Issue</b>
5.a	<b>Division 1 – Town and City Clerk: Sec. C4-10-1.</b> Add language that requires a Town Clerk upon election to appoint a deputy Town Clerk. NO further action was recommended
5.b	<b>Division 1 – Town and City Clerk: Sec. C4-10-1.</b> Add record management and archival functions to the duties of the Town Clerk. No further action was taken.
5.c	<b>Division 1 – Town and City Clerk: Sec. C4-10-1.</b> Add a section permitting the Town Clerk to request funding if deemed necessary from the BOF. No further action was taken by the Finance Committee as the budget of the Town and City Clerk is already subject to the same protocols as any other department of the City.
6.a	<b>Sec. C5-10-1 and C5-30-1.</b> Look into restructuring all departments under the Operations Department including potential additional director level positions or cabinet level positions. No further action.
6.b	<b>NEW:</b> Create an Office of Emergency Management with a full time Bureau Chief. No further action.
6.d	<b>Division 1 – General Provisions. Sec. C5-10-1.</b> Create a cabinet level position, Director of Facilities Management, Construction and Energy for all Municipal buildings and schools. No further action.
6.f <sup>2</sup>	<b>Division 2 – Office of Legal Affairs: Subdivision A. Legal Division. Sec. C5-20-3.</b> Review whether the Board of Representatives, Board of Education and Board of Finance should have their own legal counsel. The Commission addressed the issue of counsel to the Board of Representatives only.
6.g	<b>Division 2 – Office of Legal Affairs: Subdivision A. Legal Division. Sec. C5-20-3.</b> Review whether the City should have a dedicated tax attorney, to represent the city’s interests for appeals of tax bills No further action.
6.h	<b>Division 2 – Office of Legal Affairs: Subdivision B. Personnel Function. Sec. C5-20-17.</b> Change the language regarding Oaths to match the State statute. There was no perceived benefit in changing to the State language.
6.j	<b>Division 3 – The Office of Operations. Sec. C5-30-5.</b> Clarify and clean up C5-30-5(4)(Parks & Recreation) Have one person fill the role. No action.
6.k	<b>Division 3 – The Office of Operations. Sec. C5-30-5.</b> Clarify the role of Director of Emergency Management and potentially remove Director of Emergency Management from under Director of Public Safety. No action.

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<sup>2</sup> Addressed in part.

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<b>BRC #</b>	<b>Issue</b>
6.m	<b>Division 5 – The Office of Administration. Sec. C5-50-2:</b> (a) §C5-50-2(c) does not work with the purchasing ordinance bid waiver process (i); (b) Consider revising §C5-50-2(d). The estimate should be furnished to the Director of Administration (ii); (c) Consider revising §C5-50-2(d)(2). The certificate should come from the Director of Operations (iii); and (d) Consider revising §C5-50-2(d) – Section should be clarified (iv). No action. Some of these issues were addressed in provisions that dealt with Finance Reports and an annual report of the Corporation Counsel.
6.n	<b>Division 5 – The Office of Administration. Sec. C5-50-3(b)(6):</b> Revise requirement of printing out the real estate grand list books each year; to possibly include digital free copies on City. No action.
7.e	<b>Division 1 – General Provisions: Sec. C6-00-2.</b> This is based on C.G.S. §9-167a-2-3. Minority representation. Look into increasing minority representation based on voter registrations. No action.
7.g	<b>Division 1 – General Provisions: Sec. C6-00-4.</b> Clarify expiration of terms of office and to make an end date for an appointment that was not approved or whose term has expired. Action was taken to modify C6-00-3 which addresses the issue of appointment.
7.q	<b>Division 4 – Other Boards and Commissions, Subdivision C – Health Commission: Sec. C6-100-2.</b> Consider expanding duties of Health Commission to review and investigate environmental hazards and violations. No action.
7.s	<b>Division 4 – Other Boards and Commissions, Subdivision G – Personnel Commission: Sec. C6-140-8.</b> Consider adding “failure to adhere to the City’s Charter and/or Code of Ordinances” (Ground for Discipline). No action.
8.a	<b>Division 1 – Pensions: (NEW).</b> Require the Mayor to call a meeting of the Chairs of all pension trusts and OPEB quarterly to share best practices. No action.
8.b	<b>Division 1 – Pensions: Sec. C7-10-1; C7-10-2 and C7-10-3.</b> Review how frequently providers are compared. No action.
8.c	<b>Division 1 – Pensions: Sec. C7-10-2.</b> Provide the Mayor the authority to appoint a trustee for each pension plan. No action.
8.d	<b>Division 1 – Pensions: Sec. C7-10-8.</b> Review whether this section is applicable. No action was recommended.
9.a	<b>Division 1 – Fiscal Calendar: (NEW).</b> Develop a Biennial budget similar to the State of Connecticut. There is already a requirement to provided a second year in the proposed budget (for planning purposes). The mill rate is adopted annually and it would be difficult to approved a true two-year budget on that basis.

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9.b	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-4).</b> Consider having the Board of Education budget process earlier to allow earlier hiring of teachers. The Board of Education budget is a single line appropriation in the General Fund budget. This is no mechanism for meeting this request.
9.c	<b>Division 3 – The Mayor’s Budget: (NEW).</b> Consider increasing public scrutiny and input, e.g. a digital checkbook or participatory budgeting. No action.
9.e	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-9).</b> Consider making the budget process more inclusive of resident involvement (i.e. Participatory Budgeting) and provide longer notice of public hearing. No action.
9.f	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-7).</b> Consider giving the Board of Representatives the ability to increase any item in the budget. No action.
9.g	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-7).</b> Action of Board of Representatives on Budget. Consider allowing Board of Representatives authority to restore a budget cut by the Board of Finance by a 2/3 vote of body Considered and rejected.
9.h	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-10).</b> Review this section (“fixing of tax rates”). The Committee reviewed this section and determined that no action was necessary as the rates took into account all items necessary to set the mill rate and provided for additional taxation in the event of miscalculation.
9.k	<b>Division 3 – The Mayor’s Budget: (Sec. C8-30-12).</b> Review this section (“additional appropriations”). Also, approval; requirements for increasing capital projects. Additional appropriations 2/3 <sup>rds</sup> or majority vote of the Board of Representatives? The CRC decided not to pursue this Charge since 2/3 vote of the BOF and the BOR are required for increasing the capital budget together with a positive advisory opinion from the PB.
10.e	<b>NEW.</b> Consider translation of Charter into various languages. No action.
10.g	<b>NEW.</b> Consider adding Diversity, Equity, and Inclusion in aspects of Charter where applicable. An ADA/DEI Commission was created.
11	Consider any minor technical changes and corrections to the Charter submitted separately to the Charter Revision Commission by the Board of Reps and/or the Department of Legal Affairs. Very little information was presented.