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# Vote no on charter revision – Part II

Last week, we reviewed the merits of changing the form of government from a town manager to a strong mayor. The conclusion: Vote no!

There have been too many attempts at charter revision in the recent past. Winsted's charter, like the Constitution, is the framework for continuity. It is not meant to be amended by each new crop of elected officials. Yet, over the past several election cycles, there have been multiple charter revision commissions appointed. Only one expanded the role of citizens in the budget process and was supported by citizens. Some, including this one, restrict or eliminate citizen participation. Citizens rejected these charter changes and should reject this entire proposal.

This week, let's review the second and third revision proposals. The Charter Revision Commission provided no rationale for these changes so, again, we must speculate as to the reasons behind these proposals. But both are, at their core, anti-democratic and appear intended to benefit the faction in control.

The second of the five charter revision questions on the ballot is: Shall the charter be amended to require the annual budget increase 3 percent above the preceding fiscal year if a budget is not adopted at referendum by Aug. 1?

This means if the budget as proposed by the selectmen does not pass by Aug. 1, then a budget with an automatic 3-percent increase on the previous year's budget is put into effect without citizen approval. This proposal is a blatant at-

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tempt to circumvent the town meeting and the budget referendum. Such a scheme is plainly against the interests of citizens because it would effectively eliminate the town meeting and budget referendum.

It is easy to predict the strategy that selectmen would employ knowing that on Aug. 1 a budget with an automatic 3-percent increase would take effect. It eviscerates the town meeting/budget referendum process adopted and supported by an overwhelming majority of citizens in this community.

The third of the five charter revision questions on the ballot is: Shall the charter be amended to allow the Board of Selectmen to investigate any officer or agency of the town, including the power to call witnesses and issue subpoenas?

The two words that should make the hair on the back of everyone's neck stand up are "investigate" and "subpoenas." This would be a very bad idea even if it were legal. Do we want local elected officials to have the most powerful judicial tool available to them to potentially harass and intimidate citizens serving on local commissions? In light of the recent history of intimidation of commission members, the clear answer is no.

The subpoena is an order of a court, a legislature or a grand jury to compel a

witness to be present at a trial or hearing, under penalty of fine or imprisonment. The subpoena power can only be exercised when authorized by statute. The Connecticut General Statutes give the General Assembly the subpoena power, but recently the Connecticut Supreme Court has clarified and limited this power.

There is no legal authority in the Connecticut Constitution or the general statutes that permits a local elected municipal body to issue subpoenas. On the other hand, the law does authorize the establishment of a commission to issue subpoenas in the investigation of allegations of unethical conduct, corrupting influence or illegal activities by any official or employee. Winsted has such an ethics commission in the town charter. So the rhetorical question is: Why does the Board of Selectmen need this authority? Fortunately, the law, based on sound public policy, does not permit it.

These two charter proposals are anti-citizen and aimed at curbing the ability of the town meeting to govern. There are no good reasons to support these changes. There are, however, important reasons to reject both these proposals. Vote no.

Watch Winsted Reviews on Channel 13 on Friday at 7 p.m. for more analysis of the charter proposals.

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