

10/31/14

# Vote no on charter revision

There are proposed changes to 15 sections of the charter. Some are insignificant. Others take power away from citizens, shifting these powers to the Board of Selectmen.

Changes to four sections of the charter are of specific concern.

Section 305 deals with town meetings, referenda, challenging ordinances and resolutions. It is the section that maintains the traditional rights of the people in the charter to challenge actions of the selectmen.

The proposed change to Section 305 eliminates the right of citizens to challenge resolutions of the board of selectmen by petition. Citizens have used this provision in the recent past to challenge actions of the board of selectmen.

Section 309B deals with who can speak at a board of selectmen meeting. Now it says that electors, property owners and residents may speak. The proposed change states that only residents may speak. There are many who own property in town, pay taxes but who do not legally reside here.

Section 906 is a seemingly innocuous section that deals with what happens to capital improvement appropriations not spent at the end of the project cycle. The proposed change removes the authority of the town meeting completely and substitutes

## The Civic Beat Charlene LaVoie

the Board of Selectmen. Capital improvements are usually done through bonding that requires a referendum vote for adoption and for modification. The town meeting has always been the appropriating authority in these matters (305C) and should remain so.

Section 1708 is the definition of voters and electors. There has been some confusion over the years on who can and cannot vote but the proposed change does not help. It divides the definition into electors and taxpayers. An elector is a "bona-fide resident" who is 18 or older and whose dwelling is located within the geographic boundaries of the town. Taxpayer is defined as anyone "who is a property owner, or 18 years or more, who jointly or severally, is liable to the town for taxes on an assessment of not less than \$1,000."

The argument that the amendment to section 1708 will "cause changes to multiple other sections" after the vote, is improper. A commission cannot present one change to the public to vote on then argue that, as a result of approving that one change, other changes will

be required after the fact. The law requires that all charter changes be presented to the people for review and approval.

The commission's intentions are irrelevant. It may have intended that the changes expand participation (although there is no evidence of this), but the actual words do not do so.

Cross-referencing other sections in the charter reveals that "electors" can speak or vote in some things and "taxpayers" in some things. Under the proposed definition, property owners are precluded from voting on a bond proposal under 305C. Section 1101 poses the same problem. Only "electors" can vote at the annual town budget meeting. Simply put, it's a mess.

Finally, there is not one shred of rationale or explanation from the Charter Revision Commission for making any of these changes. So no record will exist in the future to explain the actions of this Commission.

One diminishment to the role of citizens is enough to reject this charter revision proposal. This proposal contains multiple reductions in the rights of citizens and, therefore, should be rejected.

*Charlene LaVoie is the community lawyer in Winsted. Her office is funded by the Shafeek Nader Trust for the Community Interest.*