

CHARTER REVISION COMMISSION

MINUTES
Madden Room

PAGE 1
TOWN HALL

REGULAR MEETING
December 19, 2023

1. Call Meeting to Order

Chairperson Andy Paterna called the meeting to order at 5:34 pm.

2. Roll Call

Members Present

Andrew Paterna
Janice Snyder
Craig Zimmerman
Kathleen Daugherty
Steven Cordeiro
Denise Ricotta
Jessica Vogelgesang

Others:

Richard Carella, Town Attorney, Updike, Kelly, & Spellacy
Kaydeen Maitland, Associate Attorney, Updike, Kelly & Spellacy

Members Absent

Guests Present

3. Adoption of Agenda

Jan Snyder made a motion to adopt the agenda as presented. Denise Ricotta seconded the motion. Motion passes unanimously.

4. Discussion Item: Discussion regarding Charter Revision Commission Membership and possible options available

Rich Carella, Town Attorney explained that members cannot be added to the commission as the commission is not legal due to having more than two members of the commission that are serving a Public Office. Rich discussed case law that supported his statement.

Kathy Daugherty suggested that since the commission is an illegal commission that they go back to the Town Council and ask them to reappoint members. There is also the option to move the number of members to 9 instead of 7. Rich Carella said that the number of members on a Charter Revision Commission are by state statute and cannot be changed. Andy feels that the Public Hearing needs to be cancelled on January 18th. Rich Carella agreed that no work can be done right now until one member of the commission resigns from their other position of public office and another member has been appointed by the Council. The Commission cannot

CHARTER REVISION COMMISSION

MINUTES
Madden Room

PAGE 2
TOWN HALL

REGULAR MEETING
December 19, 2023

proceed until this has been resolved. Rich also clarified that according to state statute the Commission cannot be dissolved until the commission's work is done and a report has been made to the Town Council. Rich explained that the options are to have one of the three members that are holding Public Office step down; if one person does not step down, then the Town Council can make that decision of who to remove to make the commission legal and able to move forward with their work. Craig Zimmerman said that if the Commission must wait for the Town Council to remove a member, a Public Hearing would not be able to take place until March. Andy Paterna said that he would be happy to speak with Mayor Delnicki and ask the Town Council to take this item up at their earliest available meeting. The Commission agreed to take this back to the Town Council.

5. New Business

6. Old Business

7. Adjournment

Kathy Daugherty made a motion to adjourn the meeting. Jan Snyder seconded the motion. **MOTION CARRIES.** The meeting was adjourned at 6:07pm.

Respectfully submitted,

Katherine Senerth
Executive Assistant