

# Town of Greenwich

Selectmen's Board of Education Charter Revision Committee

Meeting 10 January 2017

7:00 p.m.

Town Hall – Evaristo Room

## DRAFT MINUTES

### **1. The meeting was called to order at 7:02 p.m.**

#### a. Attendance:

Committee members: William Finger, Barry Rickert, Peter von Braun, Brian Peldunas (Secretary) – Present. Joan Caldwell (Chair) – Absent

Mr. Finger chaired the meeting at the request of Ms. Caldwell.

Members of the public: Stephen Walko, Irene Dietrich, Richard, DiPreta, Lucy Krasnor, Bob Brady, Jennifer Dayton, Bob Krasnor, Glen Canner, Wynn McDaniel, Jason Auerbach

### **2. Discussion with representative from Town of Greenwich Law Department.**

Mr. Fox and Mr. McLaughlin represented the Town of Greenwich Law Department. Mr. Finger did a short recap to past conversations, e-mails, opinions and research relating to the possibility of a non-partisan Board of Education. The committee had requested that the Board of Selectmen allow the committee to seek a second opinion. Mr. Fox indicated that it was not unusual to request a second opinion, and that he wanted to understand what the committee was trying to accomplish. Mr. Finger indicated that he thought, based on the previous conversations that he had with the Law department, there might be a “crack” which might allow such a structure. Mr. Peldunas echoed this opinion, based on e-mails with the Secretary of State's office.

Mr. Fox explained the Law Department's opinion that the “Connecticut Constitution Article 10, Section 1, provides that after July 1, 1969, the General Assembly shall enact no special legislation relative to the powers, organization, terms of elective offices or form of government of any single town, city or borough.” The opinion made the likelihood of this path (i.e., special act) as “non-existent.”

The other possible path involves a validating act. Mr. Fox and Mr. McLaughlin explained that this path was used, in part, to correct issues with previously enacted local laws or omissions (check this), and that the possibility of succeeding via this path was “not likely.” The committee asked questions on the impact of pursuing such a path on home rule, on the risk of this path being subject to legal challenge even if successful (yes per Mr. McLaughlin), whether this was the way to get around the constitution (legislature would not like it per Mr. Fox), whether this is would be good policy (no per Mr. Fox), the leanings of the local legislators (not embraced by that group per Mr. von Braun; Mr. Fox suggested the committee speak with the group).

Mr. von Braun stated that the benefits to the students of a non-partisan board had not been made clear. Mr. Finger replied that the benefits of a partisan board were also not clear, but that

a non-partisan election might encourage more unaffiliated residents to seek election. Mr. von Braun opined that unaffiliated voters should join a party.

Mr. Finger asked if there were other means of achieving a non-partisan board. Mr. McLaughlin replied in the negative. After a brief discussion (Mr. von Braun out of the room) the committee concluded that, based on the input from the Law Department, and the fact that no community had been able to move to a non-partisan board in fifty years, there was no realistic avenue to a non-partisan board and the alternative could be removed from consideration.

### **3. Discussion of alternatives.**

Mr. von Braun is in favor of alternatives which seat candidates based on the vote of the public. He indicated that he thought the "Glastonbury" model (eight members, alternating three and five elected) was acceptable. He believes any model allowing for a majority party would benefit education by making it easier to come to a decision, and would encourage bolder initiatives from that party, although not all issues rely on party votes.

Ms. Caldwell, via Mr. Finger, indicated she would support a nine member board, which would help address work load, and would provide pressure on the parties to run more candidates.

Mr. Rickert believes a change to an "unbalanced" board would encourage more competition between the parties and more candidates putting themselves forward.

### **4. Develop plan for drafting of recommendation.**

Mr. Peldunas was asked to draft a detailed outline of a recommendation document, based on an outline discussed previously: charge and history (including meeting dates); structures considered for the board (including number of members, term, party impact); limitations of state law; the goals for any change (competition, choice, inclusion); public input and search committee inputs; impact on education; detailed review of alternatives; recommendation(s); minority opinions (if any).

### **5. Approval of minutes.**

The approval of minutes was postponed given the absence of Ms. Caldwell.

### **6. Adjourn.**

Mr. von Braun made a motion to adjourn at 8:17, seconded by Mr. Finger.