

## **TOWN OF EAST WINDSOR CHARTER REVISION STUDY COMMITTEE**

**Special Meeting**  
**Monday, March 26, 2018, 7:00 p.m.**  
**Scout Hall, 28 Abbe Road, East Windsor, CT.**

### **Committee Members**

**Co-Chairman:** John Matthews, Keith Yagaloff  
**Regular Members:** Don Arcari, Cher Balch, Betsy Burns, William Loos, John Mazza,  
Charlie Szymanski  
**Alternate Members:** Rachel Safford, Bonnie Yosky

### **Meeting Minutes**

*\*\*\*These Minutes are not official until approved at a subsequent meeting\*\*\**

#### **Call To Order, Roll Call:**

Co-Chairman Matthews called the Meeting to Order at 7:03 p.m. in the large Meeting Room, Scout Hall, 28 Abbe Road, East Windsor, CT.

**Roll Call:**     *Present:*     John Matthews, Co-Chairman, Keith Yagaloff, Co-Chairman, Don Arcari, Betsy Burns, William Loos, John Mazza, Charlie Szymanski, Bonnie Yosky, Rachel Safford  
                  *Absent:*       Cher Balch

#### **ADD AGENDA ITEMS, VOTE TO ADD/CHANGE IF NECESSARY:**

**MOTION:**    **To ADD the discussion of the Town of Cromwell Town Charter to Agenda Item 5D.**

**Loos moved/Yosky seconded/VOTED:    In Favor:    Unanimous**

#### **PREVIOUS MEETING MINUTES, COMMENTS AND ACCEPTANCE VOTE:**

**MOTION:**    **To ACCEPT the previous Minutes of the Charter Revision Study Committee dated Monday, March 12, 2018, as presented.**

**Yosky moved/Burns seconded/VOTED:   In Favor:    Unanimous**

John Mazza wanted to thank Keith and John for their presentation to the Board of Selectmen.

**PUBLIC PARTICIPATION:**

Bob Leach stated that during the presentation to the Board of Selectmen there was a question about the clarification of the role of the Police Commission and he wanted to know what in Chapter 104 of the State Statute was not clear. John Matthews stated he was not obligated to answer but stated that they were wondering about the clarity of who the Police Chief reports to. They were wondering if he reported to and spoke only to the Police Commission or if he was obligated to come to the Board of Selectman to report and answer questions they have. So Mr. Matthews stated they were looking for clarity on that. Mr. Yagaloff stated that the Charter does not create the Police Commission, He states *“that the Charter is almost an error, it states that there shall be 5 members elected to a Police Commission and that is all it says. It does not say that there shall be a Police Commission, or it does not give authority for a Police Commission. It is like an error. The Charter is not clear what it is intended because it says there shall be 5 members elected to a Police Commission. It does not say anything about or establish a Police Commission. It does not say who is going to be what. Then an Ordinance came along in the 70’s and established a Police Commission, pursuant to State Statute. The Statute says that you can create it by Charter or Ordinance.”* Mr. Leach stated it was made by Ordinance and Mr. Yagaloff stated *“the Charter says only that the Police Commission will have 5 elected members. It needs to be decided if it was going to be in the Charter that it establishes a Police Commission or if it is by Ordinance.* He states that the Charter is inconsistent and they are trying to figure out a way to make the Charter more consistent

**NEW BUSINESS/a. Accept Resignation of Jack Mannette, with Regret:**

Mr. Matthews wanted to acknowledge the resignation letter by Jack Mannette. His letter went to the Board of Selectmen and they accepted it with regret and it was passed on to this committee.

**NEW BUSINESS/b. Add Bonnie Yosky as Regular Member:**

The resignation of Jack Mannette left a vacancy that needed to be filled.

**MOTION: To make Bonnie Yosky a Regular Member of the Charter Revision Study Commission.**

**Szymanski moved/Mazza seconded/VOTED: In Favor: Unanimous**

**NEW BUSINESS/c. Review Status Report Presented at the BOS Meeting of 3/15:**

Mr. Matthews went over the presentation that was given to the BOS on March 15<sup>th</sup>. To see the presentation it is hereto attached as attachment 1(7 pages). Mr. Matthews stated that he received a phone call from a resident stating that they would also like to see a checks and balances added to the **WHAT?** section on page 2 of the presentation. He states that this Committee is obligated to have a final report to by April 5, 2018. Mr. Yagaloff will put together a letter for the BOS that will summarize where this Committee is as a final report. Mr. Matthews thinks the Committee should continue to meet until the next Committee is in place, which should be in early May. He is hoping everyone that is on this Committee gets their membership paperwork in so they can be on the next Commission. Membership is for the Charter Revision Commission and it will have an 18 month window to operate.

A question was asked about the checks and balances that were raised earlier and Mr. Matthews stated that the if there was a Town Meeting and only a few people showed up and someone was unhappy with the outcome then there could be a petition for a referendum. The Town Meeting is a check on what the Board of Selectmen does or what the Board of Finance does. Mr. Yagaloff stated that is part of the Procurement/purchasing procedures in the recommendations that they are sending to the BOS.

**NEW BUSINESS/d. Other Town Charters of Interest:**

Rachel Safford went over the highlights of the Town of Cromwell Charter that she researched and came up with. To see the highlights they are hereto attached as Attachment 2 (1 page).

Mr. Matthews went over the highlights of the Town of Bolton Charter that he researched. To see the highlights they are hereto attached as Attachment 3 (2 pages).

**NEW BUSINESS/e. Further Review of January 16<sup>th</sup> Brainstorm List:**

After going over this list a brief discussion about the contract of the Town Attorney ensued. Mr. Yagaloff could not understand how a contract was allowed that was detrimental to the Town. He stated that most Town Charters state that if a contract is detrimental to the Town it is null and void. This is why the section about the Town Attorney needed to be clarified. This is the final list they came up with.

**Final List:**

1. Reduce number of failed budget referendums to two from current three.
2. Define how to allocate default budget money (i.e.: deemed to constitute the specific office).
3. After the last budget vote, what is the default percentage (i.e.: 2% Cap).

4. Address ambiguities in the Charter
  - a. Put Charter into Municode to improve searches.
  - b. Identify State Statutes where applicable.
  - c. Specify State Statutes for establishment of Boards and Commissions.
  - d. Ensure codification of all Ordinances into the Charter.
5. Define requirements for Departments and Boards to provide narratives for budget requests.
6. Consider Charter provision for CFO position.
7. Consider Charter provision for Town Administrator position.
8. Clarify role of Police Commission.
9. Define/clarify Town Attorney selection process/term.
10. Consider Shared Services Commission in Charter.
11. Reduce number of petitioners to force referendums.
12. Charter to require Procurement/Purchasing procedures and external department operational audits.
13. Consider the removal of the constable positions.

**BRAINSTORM FOR ADDITIONAL ITEMS:**

No other items were added.

**SECOND PUBLIC PARTICIPATION:**

Bob Leach wanted to note that the Board of Education budget is a lower increase than the Board of Selectmen budget. He thinks that goes to the point of separating the budgets. He also says that if this committee thinks that there would be a majority vote to separate the two budgets then isn't it in the best interest of the Town to do that? He calls in to question this committee's view to look at things objectively and to maintain the integrity of this committee. Mr. Yagaloff stated that the reason it was not put on the final list is because the Committee felt it may be too controversial. They felt that to get everything passed on the list the Committee felt leaving off the more controversial items would allow for this to happen.

**SUGGESTIONS FOR NEXT MEETING AGENDA:**

No new suggestions

**ADJOURNMENT:**

**MOTION: To ADJOURN this meeting at 9:03 p.m.**

**Szymanski moved/Mazza seconded/VOTED: In Favor: Unanimous**

Respectfully Submitted,

Rebecca D'Amicol, Substitute Recording Secretary

East Windsor Ct Charter Revision Study  
Commission (CRSC)  
First Status Report  
March 15, 2018  
Requested by Board of Selectman

Attachment 1  
page 1

EW Ct CRSC

**Why?** – Meet State mandate of 5 year review.

Our last Revision was approved by voters November 2009

**What?** – Review for potential improvements to government structure, operation efficiency, voter participation, voter rights.

**When?** – Study Commission NOW.

Followed by Revision Commission to start in May 2018.

Commission to Send questions to voters November 2019

**Who?** – Resident volunteers appointed by BOS.

**Where?** – Scout Hall on 2<sup>nd</sup> and 4<sup>th</sup> Monday at 7:00pm.

Attachment 1  
Page 2

East Windsor Ct Charter Revision Study Commission

January 2018 Thru June 2018

Commissioners

Co-Chairman – John Matthews, Keith Yagaloff

Don Arcari

Cher Balch

Betsy Burns

Bill Loos

Jack Mannelle

John Mazza

Charlie Szymanski

Alternates:

Rachel Safford

Bonnie Yosky

Attachment  
Page 3

EW Ct CRSC

Activity

1<sup>st</sup> Meeting

- Brainstorm for Current Shortcomings, Problems, Opportunities for Improvement.
  - 25 Ideas Identified.
- Reading Assignments
  - EW Charter
  - Connecticut Council of Municipalities (CCM) Document;  
“Connecticut’s Local Forms of Government.”

Attachment 1  
page 4



EW Ct CRSC

2<sup>nd</sup> Meeting

- Review & Discuss CCM Document ; 'Connecticut's Local Forms of Government".
  - Commissioners Unanimously prefer Selectman / Town Meeting form of Government.
    - **Town Meeting is Legislative Body of Town.**
  
- Discuss, Consolidate / Prioritize Brainstorm Ideas.
  
- Reading Assignment: Review Predecessor (2015) Charter Commission work.

Attachment 1  
pages

EW Ct CRSC

3rd Meeting

- Review Previous Charter Commission (2015) proposed Charter changes. (Not Sent to Voters)
  - Poll commissioners for Agree/Disagree with the 2015 proposals

4<sup>th</sup> Meeting

- Review Ellington Charter (2008) for similarities, differences & ideas to incorporate into EW Charter.
- Consolidate/ prioritize Brainstorm List of Jan 16<sup>th</sup>

Attachment 1  
page 6

EW Ct CRSC

5<sup>th</sup> Meeting

- Review of Suffield Town Charter.
- Identify items from Brainstorm List to recommend to Follow-on Commission.

Future Meetings, April and May

- Continue to review other Town Charters.
- **Refine list of Revision Subjects to advance to;**  
**Follow-on Commission.**

Attachment 1  
page 7

Attachment 2

Review of Current Cromwell Charter

March 26, 2018

Highlights:

1. Town Council – 7 members
  - a. Mayor is a figure-head.
  - b. All elected officials
  - c. Independent annual audit performed by a certified public accountant with no personal interest in the affairs of the town or its officers. Firm designated for 5 years. Audits submitted to Town Manager, the Town Council and the Board of Finance.
  - d. Once a month meetings.
  - e. Codification – Town charter within 3 years (and every 10 years after), the codification of all ordinances to the charter.
2. Town council shall appoint a Town Manager through RFP or RFQ, not to exceed 1 year.
  - a. Appointed solely based on executive and administrative qualifications, character, professional training and experience.
  - b. 4 year term. CEO and Administrative Officer of the Town.
3. Finance Director/Town Treasurer
  - a. Full time – indefinite term
  - b. Serves as Treasurer
4. Incompatible Offices – provides a list of offices which would hold a conflict of interest. To hold within the same year.
5. Town Manager prepares and submits a 5 year Capital Improvement plan to the Town Council.

Review of current Bolton Charter ~ March 26, 2018

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Highlights:

1. Form of Government ~ Selectman /Town Meeting
  - a. **BOS is legislative body except as provided in Chapter 9 when Town Meeting is legislative body.**
  - b. Town Meeting relinquishes considerable authority to BOS
    - i. There are listed 21 Powers and Duties of BOS set forth in the Charter.
    - ii. Ordinances are approved by four affirmative votes of BOS
      1. There must be a public hearing on Ordinances before voting, and a second hearing is required if substantive changes are made by BOS after first hearing.
      2. Town Meeting can override some actions of BOS and BOF with petition of 5% of electors (within 14 days)
      3. **Special Town meetings on new items can be called by Petitioning with 20 signatures, vote at meeting requires quorum of 150 voters.**
  - c. Annual Budget approved by Referendum.
    - i. No limit to # of Referendums to approve Budget.
    - d. Town Meeting approves Supplemental Appropriations greater than \$20,000. Much larger amounts require Referendum.
2. BOS ~ First Selectman and four Selectmen. All are two year terms.
  - a. First Selectman is CEO
    - i. **There is an Administrative officer who is hired and fired by BOS with 4 affirmative votes.**
      1. Responsible to 1<sup>st</sup> Selectman and BOS
      2. Administrative Officer Administers, Supervises, and Researches (**provides analysis to BOS**). He is Personnel officer handling labor matters.
3. Other Elected positions, all four year terms (not a complete list)
  - a. BOE ~ 7 members
  - b. BOF ~ 7 members
  - c. P&Z ~ 7 members

Attachment 3  
page 2

4. Appointed Position.
  - a. Administrative Officer
    - i. Administrative Officer Administers, Supervises, and Researches (**provides analysis to BOS**). He is Personnel officer handling labor matters.
      1. Treasurer, Tax Collector, Town Clerk, Assessor report to AO but serve at pleasure of the BOS
    - ii. AO assist in preparation of operating and capital budget
    - iii. The AO and the First selectman shall work closely together to serve the best interest of the Town.
5. Other Positions appointed by BOS.
  - a. The Charter Does not identify the many specific positions but says that all appointments are made by the BOS, including the appointment of Commissioners and non- elected Board Members.
6. Board of Finance with input from BOS and BOE is responsible for preparing, managing, and monitoring the Annual Town Budget. They will submit a proposed Annual Budget to the Annual Town Meeting and Annual Referendum in May.
7. Other:
  - a. **The approved Annual budget shall be deemed to constitute the appropriation to each commission, board, agency, and office.**
    - i. **The BOS must approve transfers between accounts of any commission, board, agency or office.**
    - ii. There shall be a Reserve fund for Capital and Nonrecurring Expenditures.
    - iii. **A Special Town Meeting (20 signature petition) can be called to reject a teacher's contract and any other collective bargaining agreement or contract pursuant to provisions of the CGS.**
    - iv. **The BOS and BOF can call for Special Audits.**

*(All the forgoing is my interpretation of the most recent Bolton Charter.*

*Respectively submitted, John Matthews, Co-chairman of Charter Revision Study Commission, March 2018)*