

**CHARTER REVISION COMMISSION  
TOWN OF EAST WINDSOR  
11 RYE STREET  
EAST WINDSOR, CONNECTICUT 06088**

These minutes are not official until approved at the subsequent meeting.

**Minutes of Special Meeting**

**Thursday, December 5, 2013 at 6:30 p.m.**

Members Present:	Richard LeBoriosis, Karla Schultz, Leonard Norton (arrived at 7:08 p.m.), Richard Pippin, Jr., Charles Riggott and Alan Baker
Members Absent:	Lois Noble
Others:	Kathy Pippin and one other citizen
Press:	None

**I. Call to Order**

Chairman Richard LeBoriosis called the Public Hearing to Order at 6:33 p.m. in the East Windsor Town Hall.

Mr. LeBoriosis noted for the record that Ms. Noble was absent from the meeting. He commented that there are three members of the Commission who are considered town officials; those members are Richard Pippin, Charles Riggott and Lois Noble. He indicated that for the purposes of this Committee, only two members can be town officials and either one of those members must resign this Committee or resign their town official position. Due to the fact that Ms. Noble was not present at this meeting, the decision was held in abeyance until the next meeting.

**II. Approval of Minutes**

- I. Special Meeting Minutes of November 7, 2013**
- II. Public Hearing of November 21, 2013**

It was noted that throughout the Public Hearing Minutes the Chairman's name was misspelled. It should be amended to read Richard LeBoriosis.

It was **MOVED** (Baker) and **SECONDED** (Riggott) and **PASSED** (5-0) (In Favor - K. Schultz, L. Norton, R. Pippin, C. Riggott, and A. Baker; Opposed - None) that the Charter Revision Commission approves the Special Meeting Minutes of November 7, 2013 as

presented and the Public Hearing Minutes of November 21, 2013 as amended.

### **III. Public Comments**

Ms. Kathy Pippin of 33 Woolam Road, East Windsor, Connecticut addressed the Committee. She commented as a former Board of Finance Member, she believes that anyone that is on the Charter Revision Commission should have business savvy and understand business math. She commented that there is a serious problem in this Town when Board of Finance alternates cannot be elected. She believes that a candidate for the Board of Selectmen should have some experience on the Board of Finance so they can understand the workings of the Town. She also suggested that a percentage of the voters from the Town should vote on serious financial questions, for example, purchasing two fire trucks not just lobbying members of Boards and Commissions.

### **IV. New Business**

#### **I. Set Dates for Future Meetings**

Mr. LeBoriosis commented that each of the Committee Members were given a list of proposed dates for future meetings of the Charter Revision Commission and asked if there were any questions. Mr. Baker had a concern about the third Thursday meetings because he has a conflict with another Commission he sits on, but he said he would work out his conflict.

It was the general consensus that the proposed dates would be the next scheduled dates for the Meetings scheduled for January, February, March and April of 2014.

### **V. Old Business**

#### **I. General Overview of Charter**

Mr. LeBoriosis inquired with the Commission on which why they would like to begin to review the Charter. He wondered if they would like to review the comments from the public which was received at the Public Hearing or if they would just like to go through the Charter, section by section, and make a list of what sections they would like to research or discuss further. It was the general consensus that they should begin by going through the Charter, section by section, and make notes as to what sections would need to be researched and/or discussed further.

Mr. LeBorious began with the preamble. He indicated that it is really not part of the Charter and does not need to be reviewed. The next section was Chapter 1 – Information and General Powers. He asked if there were any concerns or questions. He mentioned the first chapter is boiler plate language.

Chapter II – Elections as discussed next. He asked if there were any concerns. Mr. Baker commented that at the Public Hearing he heard a lot of comments in regards to the term of the First Selectmen in Section 2-1(c). He, himself, does not have an opinion; however, it seems from the public comments, there is a strong opinion for four years and two years. Mr. LeBorious commented that he will be putting a list together while going through this first review, to go back to after this review is completed to discuss the sections in more depth at a later date. Mr. Pippin and Mr. LeBorious felt that the four year term is a good for the First Selectmen. Mr. Baker commented that it is not against a four year term; however, if a Town Manager is decided to be used instead. Mr. LeBorious mentioned if a Town Manager is to be used, then it is a different form of government and limitation of powers.

A lengthy discussion was then held regarding Town Manager, Town Administrator and a part-time First Selectmen and the duties of each of those positions and how a Town Manager and/or Town Administrator would report to the Board of Selectmen and the part-time First Selectmen would do all of the ceremonial duties.

The next section discussed was the terms of the Board of Selectmen and how they should be staggered so there is always some members who were seated on the previous Board. It was asked if all of the other Boards have the same staggered terms. No one was too sure and it was mentioned it would be something that will be looked at in the future. Ms. Schultz inquired what other surrounding towns have, it was suggested to look at those comparable towns, such as, Tolland, Ellington and Windsor Locks. Mr. LeBorious cautioned everyone that if they decide to have a Town Manager or Administrator, it can be expensive; however, on the flip side, if you hire a manager or administrator, they will have the knowledge and experience to applying for grants, labor negotiations, and other ways to save money for the town.

It was the general consensus that the Commission will pursue these options of Town Manager and/or Administrator. Mr. LeBorious remarked that he could inquire with CCM to send speakers to a future meeting to give an informative talk about Town Managers and/or Administrators. Ms. Schultz commented that it would be a

great idea to regionalize to share a Town Manager/Town Administrator so money can be saved for all of the towns involved. Section 2-1 (C) (10) Constables was commented on briefly. Mr. Pippin suggested removing the Constables completely as they are only ceremonial. Mr. Baker and Ms. Schultz were in agreement. Mr. Pippin mentioned they have not been used in 20 years and as long as the Connecticut General Statutes do not demand that Constables be used, then they should be removed. A discussion then began regarding removing some of the elected officials and have those positions be appointed by Board of Selectmen so that if there are vacancies in any of those Boards and/or Commissions, they do not spark a special election. It was suggested those positions would be: Board of Assessment Appeals, Zoning Board of Appeals, Alternates of the Zoning Board of Appeals, and Constables.

The discussion continued regarding Section 2-7 Vacancies. Mr. LeBorious read from the Charter. He suggested that all vacancies to be appointed by the Board of Selection, excluding the Board of Finance and Board of Education. It was agreed as long as the Connecticut General Statutes are consulted and the vacancies are not dictated by the statutes, then all vacancies can be filled by the Board of Selectmen. The discussion turned regarding voting districts and the possibility of having only one voting district in the Town. Mr. Baker commented that since the Town has been split between the 57<sup>th</sup> and 59<sup>th</sup> Congressional District, it may not be as easy as just changing to one voting district. It was suggested to contact the Secretary of State to confirm what can and or cannot be done in regards to the voting districts. A brief discussion was held about the voting districts and it was agreed this subject would be placed on the revisit list.

Section 2-5 Eligibility was briefly mentioned and the qualifications of a citizen for a town official and if that person should be in good standing with the Town, for example, current on taxes or no lawsuits pending against the Town. Mr. Baker commented that should be a Town Ordinance. Mr. LeBorious suggested consulting the Town Attorney for the definition of elector. A brief discussion was then held regarding filling positions and what positions are considered elected positions and this was something that was going to be checked by consulting the statutes. Another suggestion regarding elected officials and alternates was that if an alternate was appointed within the meeting as a voting member, they should be a voting member throughout the entire meeting. Two members agreed with this suggestion that when a meeting starts and a board is seated, that is the board that should make the decisions. It was suggested having

a time limit for being late, perhaps 15 minutes. It was noted that this issue will be discussed further at a future meeting.

Mr. LeBorious inquired if anyone had any questions or suggestions in regards to Chapter III – Duties of Elected Offices. No comments were heard.

Mr. LeBorious moved onto the next chapter, Chapter IV – Boards and Commissions. The discussion began regarding the Board of Selectmen elect a Deputy First Selectman from the majority party, highest vote getter. It was suggested it maybe it should be the highest vote getter. It was inquired what happens when the make up of the Board is 2-2-1, what would transpire at that point. The Board would then vote. It was noted that it shouldn't be the highest vote getter it should be the senior Board Member. According to the Connecticut State Statutes, the Board make up can be 4-1. A question was posed that if the highest vote getter can be a lunatic and not capable of the position of Deputy First Selectman, just because he has the highest votes, doesn't necessarily make that candidate the right choice. The next question was in regards to Section 4-6 Emergency Powers in regards to the First Selectman, or Deputy First Selectmen may summon, marshal or deputize during an emergency and what exactly that was referring. Mr. Norton gave an example during a storm or public emergency certain people can be marshaled in order to receive funding for certain emergency supplies or services. It was asked if this could be defined clearer.

Chapter VI – Appointed Officials Section 6-5 Removal of Public Officials was discussed. It was noted that it should be allowed to have this meeting in executive or public session, whatever the choice of the people involved would require. It was noted this section could be dictated by statute. Section 6-1 Authority to Establish and Abolish Town Departments and Agencies was briefly discussed indicating that all towns are required to have one Treasurer, one Tax Collection, one Assessor, one Town Clerk and other appointed officials. A question regarding if the town had Town Counsel and its role within the Town, it was quickly answered that the Town does have Town Counsel and its duties are listed under No. 2 and the uses of the Town Attorney is certain circumstances. It was suggested that under the Treasurer's duties, it should be noted that the accounting procedures should be governed under the General Accepted Accounting Principles "GASP" and those should also be used in the Board of Education. It was noted that all the rules for the Board of Education are governed under Connecticut State Statutes. Another suggestions regarding procedures is deposits should be made either

every three days or every five days, those deposits should be made in a timely fashion.

Chapter VI – Appointed Officials, Section 7-1 (e) Political Composition was discussed. A discussion regarding the political affiliation of the members appointed to Boards or Commissions shall be reflected by the requirements of the Connecticut General Statutes. It was suggested this section was very unclear. It was noted that the election information is usually obtained by the Town Clerk by contact the Secretary of State's office. It was asked if there was a specific statute that is being referred to and what the number was. Connecticut General Statutes Section 9-167(a) was quoted and read aloud and it was indicated this is the statute that this section is being referred. It was noted that the way the present procedure may not be the correct way of handling the political affiliations and the elections to Boards or Commissions.

It was quickly noted that Section 7-1 (H) Removal has recently been addressed by the Board of Selectmen and it is believed that a Town Ordinance was written and approved by the Board of Selectmen. Therefore, this does not need to be in the Charter. Sections 7-2 and Sections 7-2 were discussed briefly wherein it was noted that if the Board was not listed within this document the Board of Selectmen can form a Board or Commissioner per Town Ordinance.

The next meeting the Commission will begin to discuss Chapter VIII. Mr. LeBorious reminded everyone that the next meeting will be held on Thursday, January 2, 2014 at 6:30 p.m.

**VI. Adjournment**

It was **MOVED** (Baker) and **SECONDED** (Pippin) and **PASSED** (5-0) (In Favor - K. Schultz, L. Norton, R. Pippin, C. Riggott, and A. Baker; Opposed - None) that the Charter Revision Commission adjourn the December 5, 2013 Special Meeting at 8:07 p.m.

Respectfully submitted,

Denise M. Piotrowicz  
Recording Secretary