

**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

Wednesday, April 23, 2014 at 6:30 p.m.

Members Present: Richard LeBoriosis, Richard Pippin, Jr., Alan Baker, Karla Schultz, Leonard Norton and Lois Noble
Members Absent: Charles Riggott
Others: Kathy Pippin, Cynthia Herms, Dale Nelson, Denise Menard and Kimberly Lord
Press: None

I. Call to Order

Chairman Richard LeBoriosis called the Regular Meeting to Order at 6:35p.m. in the East Windsor Town Hall.

II. Approval of Minutes

• Regular Meeting Minutes of April 3, 2014

It was the general consensus to move the approval of the Minutes of April 3, 2014 to the next meeting.

III. Public Comments

Ms, Cynthia Herms of 12 Pamela Court, Broad Brook, addressed the Board. She commented that she saw the presentation of the Town Administrators/Town Mangers which was done a few meetings ago. She thought the presentation was awesome and thinks this is the direction the Town should be going in. She would like those presenters to return and address the townspeople. She believes the benefits of having a professional administrator running the Town out weights the costs of same.

IV. New Business

None.

V. Old Business

a. General Overview of Charter

Mr. LeBoriosis began by stating that he had been approached by one of the Commission Members after the last meeting indicating they had second thoughts about the discussion of having a Town Meeting versus a Referendum when deciding the budget. He didn't want to mention which member of the Commission it was but wanted the rest of the Commission to know about this concern. Ms. Lois Noble commented that she was concerned about the Town Meeting platform because not everyone would be able to attend the Town Meeting due to either child care or employment obligations of second shift workers. Ms. Karla Schultz did not disagree with Ms. Noble; however, she commented it is always the same people who attended the meetings. She agrees it is nice to have a public participation and it is nice to know what is in the budget and to have a question and answer session with the Town's Administration to discuss the proposed budget. Ms. Noble agreed that it is not the Town's job to hold all of the taxpayers' hands but to make sure they are able to be informed about the budget. The taxpayers have many opportunities to attend meetings and to become informed about the budget; although many taxpayers just vote no because they do not understand the reasoning behind the budget and increases. Mr. Pippin commented that he would suggest instead of three referendums, it should be two referendums and if and when the second referendum fails, then revert to a default plus a percentage increase. Some of the members disagreed in allowing to have a Town Meeting to decide the budget and allowing the taxpayers to petition to force a referendum. It was eventually decided, the taxpayers cannot be denied the right to vote and/or force a referendum if they have enough verified signatures to force a referendum on the budget. The discussion continued discussing the percentage of taxpayers' voting in order to reject the budget. An example of what recently happened in the Town of Ellington. The Town was asking for funding of a fire truck and according to their Charter, ten percent of the taxpayers' need to vote and only 9.9% voted and it passed because not enough taxpayers participated in the vote.

It was noted that the average referendum usually is about 900 people who participate in the election; but if a Town Meeting was the way the Town chose the budget, there would be no way that 900 people would be able to attend a Town Meeting in any facility

the Town has to offer. It was noted that in all the years Town Meetings have taken place, there has never been a meeting that had to be moved due to the amount of people wanted to attend. Only a fraction of the population attend Town Meetings and/or referendums, only the people who have the strongest feelings one way or the other will attend the meetings and/or referendums. Mr. Baker remarked that although it is unfortunate that some of the townspeople will not be able to attend the meetings due to work obligations and/or child care, the majority of the voters are the voters that make the ultimate decision. He has taken part in many Public Hearings and Budget Workshop Meetings and the people who attend those meetings do not understand the numbers or the reasons for those numbers; the voters need to trust their elected officials and Town Administrators who have developed the proposed budget because they have the most skin in the game.

A brief discussion was held.

Ms. Menard introduced to the Commission the current Town Treasurer, Ms. Kimberly Lord, and asked if she could weigh in on the 2% default budget and what her feelings regarding the default, since she is in the middle of the budget season. Mr. LeBorious inquired asked if any of the members had any objection. No objection was heard. Mr. LeBorious asked Ms. Lord if there was any way to modify the current default of 2%. Ms. Lord indicated that the default 2% budget is unworkable. The current Charter is unclear on how to apply that 2% default, either by the approved budget or the adjusted budget. She believes that the 2% is a disaster and has created confusion and the budget is just not workable. She believes that any specific number of increase just constraints the Town. The Charter is very vague and does not give details in how the 2% default should be applied. Mr. Baker disagreed saying that good fences made good neighbors. He believes that the vagueness of the Charter just increases the legal fees and the problem with the 2% default increase is too vague and it should be more specific and to give details and direction to the Administration. Mr. LeBorious asked Ms. Lord if she would prefer six referendums and eventually have a budget in October. Ms. Schultz remarked that made no sense. The other Towns in Connecticut all seem to pass a budget in a timely manner. Mr. LeBorious commented the first decision that has to be made is adjusted budget or approved budget, to avoid legal opinions and fees.

A lengthy discussion was held regarding the number of referendums, Town Meetings, default budget and having the Board

of Finance eventually set the budget once it fails the referendums. Ms. Cynthia Herms, Board of Finance Member, commented that some towns use the Municipal Cost Index or Construction Index and if the Commission has heard of these indexes and if they could research them.

It was **MOVED** (Baker) and **SECONDED** (Norton) that the Charter Revision Commission moves that the number of referendums from three to two. The budget should be voted upon by a Town Meeting and if approved at that meeting, the budget is approved and the process ends. At that Town Meeting, the Board of Finance and School Administration will present their budgets to the public. At the end of the presentations, questions will be entertained and a vote will be taken. If the budget is approved, the process is complete. If anyone petitions to call a referendum, they would have to do so by have approximately 10% of the voting population sign said petition in order to challenge the vote. If it fails, the budget goes to a referendum.

A discussion was held.

It was suggested that “approximately” to be removed. It was noted that the people should be provided options for voting for the budget; however, they should also have faith in those who they have elected on the Board of Selectmen and Board of Finance. It was also discussed that the Board of Finance has public meetings that anyone can attend and listen to the Town Departments discuss their proposed budgets. It was cautioned that if the people cannot vote for the budget.

The motion was then amended as follows:

It was **MOVED** (Baker) and **SECONDED** (Norton) and **PASSED**(4-2) (In Favor - K. Schultz, R. Pippin, A. Baker, and R. LeBoriorous; Opposed - L. Noble and L. Norton) that the Charter Revision Commission moves that the number of referendums from three to one. The budget should be voted upon by a Town Meeting and if approved at that meeting, the budget is approved and the process ends. At that Town Meeting, the Town Administration and School Administration will present their budgets to the public. At the end of the presentations, questions will be entertained and a vote will be taken. If the budget is approved, the process is complete. If anyone petitions to call a referendum, they would have to do so by have 10% of the registered voters sign said petition in order to challenge the vote within 14 days of the Town Meeting. If it fails, the budget goes to a referendum.

A brief discussion was held.

Mr. LeBorious indicated that was the first change made to Section 8, the next portion that has to be discussed is the default budget and how it will be applied. It was noted that clarification in regards to the default budget has to be spelled out in the Charter. Currently, the default budget is the approved budget beginning of the current fiscal year. However, it was noted that the budget changes throughout the fiscal year and perhaps the approved budget should be the approved budget at the end of the fiscal year, perhaps June 15 or May 1.

The Commission then addressed the percentage of the increase for the default budget. It was the consensus of the Commission that 2% increase was not enough. It was suggested using the 2% plus the actual grand list or using the construction price index or consumer price index.

A brief discussion was held.

It was **MOVED** (Baker) and **SECONDED** (Norton) and **PASSED**(6-0) (In Favor - K. Schultz, R. Pippin, A. Baker, R. LeBorious, L. Noble and L. Norton; Opposed - None) that the Charter Revision Commission moves that changes of Section 8-5(4) as follows:

If the budget following the Town Meeting and Referendum fails, the approved budget will be the last years approved budget as of May 1 of the current fiscal year and divide proportionately between General Government and Board of Education by 2% or consumer price index, whichever is higher.

Mr. LeBorious commented that the other issues which need to be decided upon are choosing between the Town Manager, Chief Executive Officer or Town Administrator. It was asked if the Board of Finance should be eliminated and combined with the Board of Selectman which would now be a seven member Board.

The discussion continued regarding how the election would take place and how long the terms would be and what the political make up would be. It was asked why seven members and not five. It

was the thought that both Boards combined had 13 members, breaking down the people in half by combining both Boards.

A brief discussion was held.

It was **MOVED** (Baker) and **SECONDED** (Norton) and **PASSED**(6-0) (In Favor - K. Schultz, R. Pippin, A. Baker, R. LeBorious, L. Noble and L. Norton; Opposed - None) that the Charter Revision Commission moves that to combine the Board of Selectmen and Board of Finance to a six member Board, elected at large for two year term. The First Selectman will be elected in a special election to serve as the Chairman of the Board of Selectmen and as a ceremonial head of government at CEO to follow the Town of Columbia Model.

A brief discussion was held.

It was suggested having seven members rather than five members for two year terms. It was suggestion that maybe it should be four year terms. A concern to vote all the members every two years and not to stagger terms because it would be feasible that a board could possibility be a completely new board every two years.

The motion was then amended to read as follows:

It was **MOVED** (Baker) and **SECONDED** (Norton) and **PASSED**(6-0) (In Favor - K. Schultz, R. Pippin, A. Baker, R. LeBorious, L. Noble and L. Norton; Opposed - None) that the Charter Revision Commission moves that to combine the Board of Selectmen and Board of Finance to a six member Board, elected at large for four year term. The First Selectman will be elected in a special election to serve as the Chairman of the Board of Selectmen and as a ceremonial head of government at CEO to follow the Town of Columbia Model.

Mr. LeBorious indicated that at the next meeting, which will be scheduled for May 1, 2014 at 6:30 p.m. The changes to the Charter that have been made throughout these meetings will be incorporated into the Charter and will be distributed to all members for their review at the next meeting.

VI. Adjournment

It was **MOVED** (Noble) and **SECONDED** (Schultz) and **PASSED** (6-0) (In Favor - K. Schultz, R. Pippin, A. Baker, R. LeBorious, L. Norton and L. Noble; Opposed – None) that the Charter Revision Commission adjourns the April 23, 2014 Regular Meeting at 7:57 p.m.

Respectfully submitted,

Denise M. Piotrowicz
Recording Secretary