

CHARTER REVISION COMMISSION

Regular Meeting

Thursday, December 10, 2020

Via teleconference

7:00 P.M.

Phone: 1-929-205-6099

Meeting ID: 891 3365 3958

The December 10, 2020 special meeting of the Charter Revision Commission was called to order at 7:02 PM.

1. ROLL CALL

MEMBERS PRESENT: Chair Gwen Marrion, Vice Chair Eleanor Georges, Adam Teller, Richard Hayes, Jay Brudz, Jim Aldrich, and John Toomey.

MEMBERS ABSENT: None

OTHERS PRESENT: Board Clerk Michael Stankov, Community Voice Channel Videographer Nick Lavigne

2. PUBLIC COMMENT

G. Marrion called for public comment, but there was none.

3. ACT ON MINUTES OF NOVEMBER 24, 2020 SPECIAL MEETING

MOTION MADE by J. Brudz, seconded by A. Teller, to ratify the minutes of the November 24, 2020 meeting minutes.

DISCUSSION: A. Teller and E. Georges pointed out several small spelling errors, numbering errors, and extraneous words, which were corrected.

VOTING IN FAVOR: G. Marrion, J. Brudz, J. Aldrich, A. Teller

VOTING AGAINST: R. Hayes and E. Georges

ABSTENTIONS: J. Toomey

4. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTION 8.5 (C), FAILURE TO ADOPT BUDGET

J. Toomey arrived at the meeting at 7:08.

G. Marrion raised the question as to whether there was any further discussion on this point from the previous week. A. Teller pointed out that the commission seemed deeply divided on this issue and that agreement seemed unlikely, and that it might be best to move on from this topic

and to leave it as currently written in the Charter. No other commissioners disputed this statement.

5. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTION 8.7 (A) RE USE OF RESERVE FOR CAPITAL AND NONRECURRING EXPENDITURES

G. Marrion noted that this topic had been raised in public comment and should thus be considered by the commission. The issue was whether or not computer systems for the school system could be considered to be Capital and Non-Recurring Expenditures, as the BoS has previously ruled that computers are not eligible to be purchased as Capital and Non-Recurring Expenditures under the current charter.

J. Brudz noted that the rules of the Governing Accounting Standing Board (GASB) govern how funds that are earmarked for Capital and Non-Recurring expenses can be spent, and that changes to the charter would have to be in line with those statutes. J. Aldrich noted that if there was consensus in the CAPA committee, capital improvement funds could be set aside for the purchase of computers by the BoE, but that this has never happened before. R. Hayes, a member of CAPA, spoke against allowing computers to be Capital and Non-Recurring Expenditures as they are well below the normal price point for such expenses and thus fall out of the purview of that body.

6. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTION 9.1 (B) RE VOTER ELIGIBILITY

E. Georges began the discussion of Chapter 9 by approaching Chapter 9.1 (B), which was related to whether non-resident property holders in Bolton could vote at referendums or town meetings. E. Georges proposed that such individuals should be allowed to vote at these events because as property owners, they are liable for taxes and should have a say in the body of the government that taxes them.

The more complicated question, however, was whether or not non-resident administrators of businesses and properties, such as Trustees, Full Partnerships, and Limited Partnerships, would have the same rights extended to them. E. Georges spoke in favor of allowing any individuals who are liable in full for town taxes to vote at referendums and town meetings – this would include Trustees and Full Partners, but not Limited Partners.

Several board members raised potential issues with changing this provision – namely, that voter eligibility is governed by a state statute that can only be altered by special act, which would preclude any changes to this concept being made in the charter. A. Teller, G. Marrion, and R. Hayes all mentioned the complexities of accurately assessing the amount of property owned by a business to permit partners to vote and the strain this would place on poll workers. Ultimately, the commission decided to leave this section of the charter without any changes.

7. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTIONS 9.7 (A)(1) AND 8.6 (D)(1) RE THRESHOLD FOR REFERENDUM PERTAINING TO SPECIAL APPROPRIATIONS

G. Marrion introduced Agenda items 7,8 and 9 together, as each is related. The primary question before the commission in these sections is whether or not the threshold for a referendum on a economic question of borrowing, grants, and special appropriations should be decreased. Currently, because the threshold for calling a referendum is so high, many questions of the aforementioned issues are brought up at special meetings, which often have low attendance and are hard for many members of the public to make. Meanwhile, a referendum that takes all day is much easier to encourage public participation on.

E. Georges noted that surrounding communities that have larger budgets have lower thresholds for referendum on these issues than Bolton does, and that changing to be in line with some of these other communities would be beneficial with the town. G. Marrion noted that many other communities, such as Mansfield, tie the dollar value to trigger a referendum to a percent of the annual budget, and recommended doing the same for Bolton

J. Brudz agreed with G. Marrion's comments, and noted that the primary question would be what percent to set the referendum trigger at. A. Teller and J. Aldrich agreed with J. Brudz's opinion, noting that the correct percent would likely sit at whatever percent comes out to between \$300,000 and \$500,000. After further review, the commission determined that this would be a value between 1.5% and 2% of Bolton's budget. J. Toomey and A. Teller noted that this value may need to be reassessed in a future charter revision, but that this value should work well at the present.

A. Teller also noted that there was a decent argument to be made that the threshold for grants triggering a referendum should not be lowered, as grants do not require the town to increase spending or take on debt. The commission spent some time discussing the exact values that should trigger referenda special appropriations, borrowing, and grants.

MOTION MADE by J. Brudz, seconded by A. Teller, to move the threshold for a referendum for special appropriations to 1.5% of the total budget.

DISCUSSION: None

VOTING IN FAVOR: G. Marrion, J. Brudz, J. Aldrich, A. Teller, E. Georges, and J. Toomey

VOTING AGAINST: R. Hayes

ABSTENTIONS: None

8. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTIONS 9.7 (A)(2) AND 8.8 (B)(3) RE THRESHOLD FOR REFERENDUM PERTAINING TO BORROWING AND ISSUANCE OF BONDS OR NOTES

MOTION MADE by J Brudz, seconded by A. Teller, to move the threshold for a referendum for borrowing and issuance of bonds to 2% of the annual budget.

DISCUSSION: None

VOTING IN FAVOR: G. Marrion, J. Brudz, J. Aldrich, A. Teller, E. Georges, and J. Toomey

VOTING AGAINST: R. Hayes

ABSTENTIONS: None

9. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTION 9.3 (5) RE THRESHOLD FOR REFERENDUM PERTAINING TO TOWN SHARE OF GRANTS

After previous discussion, the commission decided not to change the provisions in Section 9.3(5).

10. DISCUSSION AND POSSIBLE VOTE ON REVISING SECTION 9.9 RE THE USE OF PAPER BALLOTS AT TOWN MEETINGS

E. Georges spoke in favor of permitting individuals who desire to vote by paper ballot to do so at a town meeting without a vote being required beforehand. Permitting this would allow individuals to keep their votes secret if they desire to do so, which is a general good. A. Teller and G. Marrion noted the language in the Connecticut State Statutes, which indicated that latitude is given to towns to choose their own rules of conduct, and that this would be permissible if the commission chose to change the charter.

J. Brudz noted that one potential problem issue that could arise from allowing anonymous paper ballots is that it would not allow individuals to vote to reconsider. Under Robert's Rules of Order, the vote to reconsider is only available to those who voted on the victorious side of a motion and allows an issue to be called back up later. However, as this rule rarely comes up, the commission determined that this edge case should not prevent the

A. Teller noted that allowing any one individual to request paper ballots would have the potential to be disruptive, but having the number be small but greater than one should still have the intended effect of allowing secrecy for those who do not wish their vote to be public.

MOTION MADE by A. Teller, seconded by J. Brudz, to follow the principles for section 9.9, following the request by at least 3 individuals at a town meeting, the vote shall be by paper ballot.

DISCUSSION:

VOTING IN FAVOR: G. Marrion, J. Brudz, J. Aldrich, A. Teller, E. Georges, J. Toomey, and R. Hayes

VOTING AGAINST: None

ABSTENTIONS: None

G. Marrion adjourned the meeting at 8:24.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael Stankov". The signature is written in a cursive style with a large initial "M" and a stylized "S".

Michael Stankov, Charter Revision Commission Board Clerk

Please see future minutes for revisions and corrections to these minutes.