

## CHARTER REVISION COMMISSION

Thursday September 10, 2020

Via teleconference

7:00 P.M.

Phone: 1-929-205-6099

Meeting ID: 820 6617 1275

The September 10, 2020 meeting of the Charter Revision Commission was called to order at 7:03 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

### 2. PUBLIC COMMENT

G. Marrion called for Public Comment, but there was none.

### 3. ACT ON MINUTES OF THE AUGUST 17, 2020 SPECIAL MEETING AND THE AUGUST 20, 2020 MEETING.

MOTION MADE by J. Brudz, seconded by A. Teller, to approve the August 17<sup>th</sup> special minutes.

DISCUSSION: E. Georges noted that the minutes, as written by M. Stankov, feature many adverbs, and that while they make the reading of the long-form minutes that he takes easier, he may be inadvertently casting the commissioners in a light different from their intention at any time. M. Stankov promised to do better at accurately and consistently capturing the essence of each individual's comments without bias or miscoloration in the future.

E. Georges noted the clumsiness of the language on page 6, and the wording "many of the conversations that this commission and he individually had had" was changed to "commission members and he individually had".

VOTING IN FAVOR: Chair Gwen Marrion, Vice Chair Eleanor Georges, Adam Teller, Jay Brudz, Jim Aldrich, and John Toomey.

VOTING AGAINST: R. Hayes

ABSTENTIONS: None

MOTION MADE by J. Brudz, seconded by A. Teller, to approve the August 20th minutes.

DISCUSSION: E. Georges noted two misspellings on page five – individuals was missing a d and proposed was missing an o, both of those were changed. On page 6, “what” was accidentally misspelled as “was”. On page 7, “Additional” was changed to “Additionally”. Lastly, on page 9, Correspondence was originally misspelled “correspondance”.

VOTING IN FAVOR: Chair Gwen Marrion, Vice Chair Eleanor Georges, Adam Teller, Jay Brudz, Jim Aldrich, and John Toomey.

VOTING AGAINST: R. Hayes

ABSTENTIONS: None

#### 4. CONTINUING REVIEW OF TOWN CHARTER

G. Marrion thanked A. Teller for his hard work on the draft of the new language for the Charter Revision commission. G. Marrion spoke to the two different proposals that A. Teller had written in his draft: The first was the plan that the commission discussed at the previous meeting, a 5-member body composed of 2 members of the BoE, 2 members of the BoS, and the First Selectman. The second option proposed in A. Teller’s draft was a 7-member body referred to as the Finance Committee (FC), with 2 members of the BoE, 2 from the BoS, 2 appointed members, and the First Selectman. G. Marrion asked the commissioners for their thoughts on the material that A. Teller had crafted, noting that there had been some opposition by First Selectman S. Pierog to the steps being taken by the CRC to revise, instead of eliminate, the Board of Finance.

R. Hayes started the conversation by noting that, despite S. Pierog’s objections, this body should continue to push forward with changes similar to those discussed in previous weeks and drafted by A. Teller. J. Aldrich spoke about his surprise that S. Pierog and Selectman R. Morra were so strongly opposed to the plans that the CRC had created based upon feedback from individuals across different levels of town government, many of whom were against the elimination of the BoF.

J. Toomey appreciated the work that A. Teller did on the draft, but stated his concern regarding the provision in this new hypothetical Finance Board/Commission that some of the members of the body should be appointed, instead of elected. E. Georges asked J. Toomey about the specifics of how he thought the new FC should be composed. J. Toomey stated that he believes that the new form of the FC should be comprised of 2 members of the BoE, 2 members of the BoS, and the First selectman because all of those individuals are already elected officials. E. Georges asked if it would be up to the BoS and the BoE to select which of its members would sit on the

FC or if they would be appointed in some other way. J. Toomey stated that he envisioned the BoS and BoE electing members of their own bodies to sit on those committees.

G. Marrion asked A. Teller about his logic for inserting the alternate form of the BoF that he created. A. Teller noted that in the perception of the public, the current BoF stands for those people who are outside of the viewpoint of the BoE and the BoS, and that having such a body in town that is not beholden to those other bodies is a good thing. Thus, having members on that body who are not members of the BoS or the BoE may improve public faith that the new FC would not devolve into partisan fighting.

A. Teller also argued that those individuals in town who have a great deal of expertise related to finances and budgeting could serve on a board that has at-large members even if they have no interest in running for political office if there are appointed positions that they could fill. The town would have the potential to greatly benefit by having appointed seats to be filled for the budgeting process.

A. Teller concluded that, based on the lack of support in the community that this body has heard for the complete elimination of the BoF, it would be better to move forward with either the concept that was discussed last week or the alternative concept that he had proposed, both of which will preserve the BoF. If the BoS chooses to not push changes to the BoF to the ballot, that is their prerogative – but in his view, A. Teller doubted that a full elimination of the BoF would pass at the ballot, and revising the structure of the BoF into the FC will help streamline the budgeting process without getting rid of the BoF entirely. R. Hayes doubted that the opinions of the individuals on the BoF and BoE necessarily represented those held by the majority of the voting population of the town, and argued that fear of the BoS completely defunding the BoE is unfounded based upon different protections that exist at the state level.

G. Marrion voiced her support for A. Teller's proposed 7-person FC for two reasons. First, having non-elected members that are not part of the BoS or BoE on the body may help convince individuals that feel that the elimination of the BoF would be detrimental to either the BoS or the BoE. Second, organizing the new FC in this manner would allow the town to eliminate the CAPA committee and roll its responsibilities directly into those of the FC – doing so would further streamline the budgeting process. J. Toomey stated that after considering A. Teller and G. Marrion's statements on A. Teller's 7 person FC proposal, he feels himself more in support of such a body than the 5-person BoF that was discussed at the previous meeting of the CRC.

J. Brudz laid out the three options that exist for the CRC with regards to the BoF – should it be eliminated (as the BoS has requested), should it be changed to the 5 person BoF that was previously voted on, or should the CRC consider the merits of A. Teller's 7 person FC plan. J. Brudz noted that because of the general lack of enthusiasm for the elimination of the BoF among members of the community that has been noted by A. Teller, advocating the elimination of the body could lead to a defeat of the Charter Revision at the ballot, which would sink all of the work that this body has done in the past year. It would be better, in J. Brudz's view, to debate the merits of the 5-member and 7-member plans and discard the idea of complete elimination of the BoF. Personally, J. Brudz looked favorably on the 7-member FC design, and argued strongly in

favor of A. Teller's point that individuals with many practical skills related to finances that do not want to run for public office can still be of great practical use for the town, and that the 7-member design could encourage those people to get involved when they otherwise wouldn't.

G. Marrion agreed with J. Brudz's support of the 7-member FC. R. Hayes asked G. Marrion what she thought the benefits of the 7-person board would have over a 5-person board. G. Marrion stated that in her view, a larger board is better for enabling more discussion, and the 7-member board would have two members that are not necessarily beholden to either the BoS or the BoE. R. Hayes countered G. Marrion's point that a larger board is better by noting that larger government is not always a good thing. Additionally, R. Hayes pointed out the issue that any individual appointed by both the BoE or the BoS would have to be selected by those boards, and those boards would always act in rational self-interest by appointing individuals who are sympathetic to their viewpoint. In this way, R. Hayes argued that the design of the 7 person board would not truly be 2 BoE – 2 BoS – 2 Appointed – 1 First Selectman, but would functionally wind up as 3 BoE – 3 BoS – 1 First Selectman because the appointed individuals would vote in lockstep with the board they appointed them.

J. Aldrich noted the similar direction that this commission has been moving as that which the Town of Columbia took, and that in his discussions with the former First selectman of Columbia it had been noted that a 5 person board can often be problematic if some board members are digging their heels in against an idea, whereas a 7 person board often has enough individuals to prevent one or two obstinate members from stopping progress on an issue. In this way, he disagreed with R. Hayes' assertion that larger government is always going to be problematic. However, he also floated the idea that the two non-board members of the FC should be elected instead of being appointed, as J. Aldrich saw R. Hayes' expectations regarding appointed members to the body as being very likely. Elected officials, meanwhile would be truly neutral between the boards.

A. Teller noted that he would be willing to support making the two non-board members of the FC elected, but also argued that in such a case it would be good to make one of those individuals the Chairman of the Board, such that the nonaffiliated individuals would have a great deal of power to balance the BoE and the BoS. J. Aldrich disagreed that such an individual should be the chair of the FC, and instead stated that giving such responsibility to the First Selectman would encourage them to consider the wellbeing of the entire town throughout the budgeting process.

R. Hayes stated that making the First Selectman the permanent chair of the FC would be an important addition to that position's job description and would lead voters to consider such a fact when voting. R. Hayes also questioned how the actual process of running and electing these last two individuals for the new FC would go.

J. Aldrich noted some of the issues R. Hayes alluded to that could arise in voting for these individuals – namely, the need for minority representation. J. Aldrich then spoke to the situation of the Town of Naugatuck, in which the First Selectman had a permanent position on multiple boards in that town. Despite this precedent, no other communities of note had adopted such a

government form – implying that it might be too drastic of a step for many communities, including Bolton, to take.

G. Marrion also noted that in addition to all of the previous points, the 7-person body envisioned by A. Teller is currently written as the body that sets the budget that goes to referendum, not the BoS. Regardless of whether the CRC would like to support a 5 or 7 person FC, it is important to consider whether or not the new FC should be able to control what budget actually goes to the referendum.

E. Georges asked for clarification regarding the details of the public meeting at which the proposed budget was presented. Traditionally, had the BoF been the only body at the public presentation of the budget? J. Toomey noted that in the past, the members of the BoS and BoE had often attended as audience members but were not there in an official capacity. E. Georges noted that the new model of the FC being considered was a major improvement over the old model in that it “cuts out the middle-man”, and ensures that the individuals who make the budget will actually be the ones defending the budget when questioned about it at the referendum. A. Teller and J. Toomey both agreed with E. Georges, and the commission discussed and reached a consensus that requiring the body that passes the budget to be the one to present it to the public would be good for the town.

G. Marrion asked the commission about their thoughts on whether or not the body should pursue the 5-member or the 7-member model for the new FC. J. Brudz spoke in favor of a 7-member model with some members of the board being appointed, but was open to having those non-board members being elected as well. J. Aldrich stated that he did not feel strongly about either size of the board, approving of both. A. Teller agreed with all of J. Brudz’s points.

R. Hayes stated that he saw several potential issues with the 7-member board. First, what would happen if an appointed member of the FC were to leave the town? Who would appoint their replacement? Additionally, would there be issues with minority representation in this Board since some of the members are appointed? A. Teller noted that in the draft text, it notes that the body that appointed that individual in the first place would appoint the next individual. A. Teller also noted that R. Hayes’ concern about minority representation would not be an issue under the 7-member system, because under existing statutes, as long as there are no more than 5 individuals from a single party on the Board, no laws are violated. Since the BoS and BoE would inherently not be putting up individuals entirely from one party for that board, no laws would be violated.

E. Georges spoke next, stating that she saw no major issues with either size body and that while she did not think that a 7 person body would be more effective at passing a budget than a 5 person body, either would likely be sufficient. J. Toomey stated that he has come around further to the idea of the 7-person body, noting his approval of the at-large members as well as the pleasant symmetry of a 7 person BoE, a 7 person FC, and the proposed expansion of the BoS from 5 to 7 individuals.

G. Marrion asked if any of the commissioners were ready to make a motion regarding revisions to the draft language. J. Brudz laid out several ideas that have to be clarified before the commission would be ready to take a vote on anything. These include:

Whether the elected and appointed members of the FC would be appointed by the BoS and BoE as a whole, or by the Chairs of those bodies;

Whether or not the FC should be considered elected or appointed;

Whether there are any concerns of minority representation to be considered;

Whether this body or the BoS would be the body that ultimately presents the budget for the referendum;

Whether the chair for the new FC would automatically be the First Selectman, or if the FC would elect its own chair.

J. Toomey asked if it would be possible to stagger the election of new individuals to the FC such that the entire composition of the body would not turn over at once. A. Teller noted that as the language currently stands, appointments to the FC would be for two years, which coincides with the length of the term for the BoE, and would allow members of the BoS to be reappointed halfway through their term (or recalled if their performance was poor).

G. Marrion asked if there were any further issues that needed to be addressed or discussed, and J. Aldrich asked for clarification about whether or not the First Selectman would also be the chair of the finance commission. A. Teller noted that as it currently stands, the First Selectman will automatically be a member of the FC if they want to be, but they are not necessarily the chair of the FC. Language could be written to allow the BoS to select any three individuals from the board, of which the First Selectman would almost certainly be one, but also allow that person to delegate the role to another individual if they wanted to.

R. Hayes disagreed with the sentiment that the First Selectman being an automatic member of the Board of Finance would be strengthening the executive to an unreasonable level, and stated that any First Selectman worth being elected in the town should be interested enough in the town's budget to serve on the FC. J. Aldrich also supported the idea that the First Selectman should be both an automatic member and the Chairperson for the FC, arguing in favor of having a singular executive at the top of the budgeting process and the town as a whole.

The Commission spent some time discussing what the exact relationship would be between the FC and the First Selectman; in particular, whether or not the First Selectman would be an automatic member and/or automatic chair of the new model FC.

G. Marrion asked if some final direction could be given to A. Teller regarding revisions to the language in the draft. A. Teller requested that the body come to a consensus about the issue of the first selectman being an automatic member and/or the automatic chair of the FC before he begin drafting.

E. Georges stated that the first selectman should be an automatic member and automatic chairman, and the other two selectmen to serve on the board should be elected by the BoS as a whole. J. Aldrich agreed with E. Georges entirely.

J. Toomey agreed with E. Georges that the First Selectman should serve on the commission automatically and that the other two selectmen to serve on the board should be elected from the BoS, but stated that he was in favor of the FC electing its own chair. In his view, giving the power to be the chair of the budgeting apparatus of the town to the First Selectman automatically involves giving entirely too much power to the central executive.

R. Hayes agreed entirely with E. Georges, but also noted that he would be as happy with the current model of the Board of Finance as with the 7-member board being envisioned.

J. Brudz stated that he was willing to support the First Selectman being an automatic member of the FC, and that the selectmen serving on the body should be elected from among the BoS. However, in his view the FC should elect its own chair, instead of having the executive chair a legislative body. A. Teller and G. Marrion agreed with J. Brudz's position.

R. Hayes asked the commission whether the new FC would be 5 or 7 members. R. Hayes was strongly in favor of a 5 person commission; E. Georges was moderately in favor of a 5 person commission, but would be willing to support the 7 person body in the instance that the chairman was an elected individual; J. Toomey, A. Teller, J. Brudz, and G. Marrion were strongly in favor of the 7 person commission; and J. Aldrich was neutral about the issue.

At the end of this discussion, the Board was able to come to a consensus that the Board of Selectman should be an automatic member of the FC and that the other selectmen on the FC would be elected by a vote of the BoS as a whole, but the commission agreed to return to the topic of how the chair of the FC would be elected at a subsequent meeting.

A. Teller asked the commission on their thoughts on whether or not the new FC would have the power to pass a budget for the coming year that had failed at referendum after a certain number of referendums. After some brief discussion, this issue was shelved until the next meeting due to the lateness of the hour.

5. OTHER – NONE

6. CORRESPONDENCE - NONE

G. Marrion adjourned the meeting at 9:13 P.M.

Respectfully submitted,



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