

CHARTER REVISION COMMISSION

Thursday October 8, 2020

Via teleconference

7:00 P.M.

Phone: 1-929-205-6099

Meeting ID: 810 3706 8917

The October 8, 2020 meeting of the Charter Revision Commission was called to order at 7:00 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, Member of the Public Bob Munroe, Community Voice Channel representative Nick Levine

2. PUBLIC COMMENT

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

3. ACT ON MINUTES OF THE SEPTEMBER 10, 2020 REGULAR MEETING AND THE SEPTEMBER 22, 2020 SPECIAL MEETING.

MOTION MADE by A. Teller, seconded by J. Brudz, to approve the September 10, 2020 Meeting Minutes.

DISCUSSION: E. Georges noted several places throughout the minutes where the terminology used should be changed from Board of Finance (BoF) to Finance Committee (FC) to clarify which body the commission is discussing at any given time. There was some discussion as to whether or not retroactively changing the wording that commissioners used to be FC instead of BoF would be a disingenuous representation of the way that discussion unfolded. A. Teller noted that his original draft of the concept used the wording "Finance Committee", so it would not be unacceptable or inaccurate to retroactively change the terminology in his view. The commission generally came to a conclusion that it would be fine to revise this wording, and that these minutes should be tabled until this revision could be taken place. J. Brudz noted that Correspondence

was misspelled on page 7. G. Marrion noted an extra word “a” in the revision of the previous minutes, an extra instance of E. Georges' name, and the improper spelling of CAPA as CAPPa.

Board Clerk M. Stankov arrived at 7:12 PM.

VOTING IN FAVOR: J. Toomey

VOTING AGAINST: Chair Gwen Marrion, Vice Chair Eleanor Georges, Adam Teller, Jay Brudz, Jim Aldrich.

ABSTENTIONS: R. Hayes

MOTION MADE by A. Teller, seconded by J. Brudz, to approve the September 10, 2020 Meeting Minutes.

DISCUSSION: E. Georges noted several changes to the September 22 minutes in line with those previously discussed for the September 10 minutes – namely, changing several instances of BoF to FC. E. Georges also noted that September 10 should read September 22 at the top of the document, and that Page 2, Paragraph 4 had an instance of BoF that should read BoS/BoE. G. Marrion noted that on Page 2, Paragraph 7, the word “current stands” should read “currently stands”.

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 opened the evening’s discussion by continuing the conversation regarding whether or not the Inland Wetland Commission (IWC) should be merged with Planning and Zoning (PZC). G. Marrion argued that the many substantive statutory regulations that the IWC has to meet warrant the body serving in its own capacity. E. Georges asked about how merging the bodies would streamline development. G. Marrion noted that the benefit to keeping these bodies different is that very small cases of infringement can be dealt with swiftly without having to come before the whole of the commission.

A. Teller noted that that PZC is unable to act on a building project that has any activities in the upland review area without a wetlands report, which can slow down the advancement of

different applications. This can be deeply problematic when timetables are ticking and seasons are turning away from good construction weather. A. Teller agreed with G. Marrion's point that there are many technical skills and issues that are specialized for Wetlands as opposed to those needed by the PZC, but that there is nothing that makes it impossible for the members of the PZC to gain that expertise after some time also assessing wetlands impacts.

J. Aldrich spoke extensively about his experience in the field of development and the many different organizations that the average construction contract has to deal with in order to finally get approved. As the role of the IWC and PZC stands at the very end of the building project, they are in many ways the gatekeepers of a project that has been in development for months already. Because of the great costs associated with such contracts, getting caught at the end of the process in multiple meetings for both IWC and PZC, potentially for political reasons, is excruciating for such companies.

J. Brudz spoke next, noting his uncertainty with the concept of merging the IWC and the PZC. He wondered if it was necessary to make this decision about merging these bodies through charter, or if such decisions could be left up to the discretion of the BoS or another body.

R. Hayes spoke about the many different towns that have successfully merged their IWC and PZC, and about how Bolton has not had a significant case brought before its IWC in over a decade. Not only is there a great deal of evidence in favor of the viability of combining these commissions, but the existence of professional staff that reviews all of the applications that come before both bodies should mean that the additional skill burden required to review wetlands applications should not fall too harshly on the commissioners of the PZC.

MOTION MADE by A. Teller, seconded by J. Aldrich, to support a draft of language change the structure of the Planning and Zoning Commission to be an appointed body, and to absorb the duties and responsibilities of the Inland Wetlands Commission, with the option being granted to the Board of Selectmen to separate those boards and powers again at a later date.

DISCUSSION: J. Toomey asked for clarification about the exact statutory requirement for an IWC. G. Marrion mentioned that there are many steps regarding how inland wetland commissioners have to make decisions, but there is nothing that says that the PZC would not follow the same provisions were the responsibilities of the IWC to be absorbed by the former body.

R. Hayes asked A. Teller for clarification regarding the last part of the motion. A. Teller voiced his agreement with the point put forward by J. Brudz that it could be beneficial for the town to not be locked into this system of a merged PZC and IWC until another charter revision.

Member of the Public B. Munroe spoke, mentioning that he had initially come to this meeting to hear about the plans to eliminate or change the Board of Finance (BoF) and to voice his opinion on the matter. G. Marrion noted that the CRC had spent several months discussing the issue and would not be doing so further tonight, but that she would be happy to send Mr. Munroe a copy of the last several meeting minutes such that he could read the conversation that had gone on surrounding the issue. B. Munroe's opinion on the merging of the IWC and PZC was that in general, combining and simplifying the development process by merging these bodies would be a good thing. His experience with developing properties in town was such that it would be greatly beneficial for businesses to have a simpler application process going forward.

VOTING IN FAVOR: A. Teller, J. Brudz, R. Hayes, E. Georges, J. Aldrich

VOTING AGAINST: G. Marrion, J. Toomey,

ABSTENTIONS: None

G. Marrion moved the discussion on from the combination of the IWC and PZC. The next question to come to the table was related to whether or not the size of the Board of Selectmen (BoS) should be increased from five to seven individuals.

MOTION MADE by R. Hayes, seconded by J. Aldrich, to retain the BoS as a five member body.

DISCUSSION: A. Teller argued in favor of raising the BoS to seven members, noting that the proposed Finance Committee (FC) previously discussed by this body would have three of its members drawn from the BoS. Keeping the BoS a five-member body would result in those individuals who served on the FC having a complete control over the vote in the BoS. In his view, this is far too much power to be concentrated into the hands of a few representatives.

J. Toomey spoke in favor of increasing the size of the BoS, as raising the number of people involved in government is a good idea, particularly considering that the BoF may be eliminated.

Discussion turned to the question of whether or not it would be too hard to find sufficient individuals to run for the enlarged board. A. Teller pointed out that, due to the planned elimination of many elected positions in the PZC and BoF, there should be enough interested parties to fill all positions. E. Georges noted that because the terms for the BoS could be staggered, even fewer individuals would need to be running at a given time.

VOTING IN FAVOR: NONE

VOTING AGAINST: A. Teller, J. Brudz, E. Georges, J. Aldrich, G. Marrion, J. Toomey

ABSTENTIONS: R. Hayes

MOTION MADE by J. Toomey, seconded by J. Brudz, to change the size of the BoS to seven members.

DISCUSSION: None

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

VOTING AGAINST: None

ABSTENTIONS: None

After completing the discussion of this topic, the commission continued to review different topics proposed by A. Teller and R. Hayes in their memo to the commission. Conversation next pivoted to the related topic of whether or not the term of office for members of the BoS should be four years, and that the election of such individuals should be staggered. The commission was generally in agreement that such an idea had great merit, and agreed to roll such a change into the draft language regarding the change in size of the BoS.

The next topic on the table was a discussion of whether or not alternates to boards such as the Zongg Board of Appeals (ZBA) and PZC should be elected or appointed, and for how long.

MOTION MADE by R. Hayes, seconded by J. Toomey, to change the structure of the ZBA and its alternate members to be an appointed board as opposed to an elected body.

DISCUSSION: None

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

VOTING AGAINST: None

ABSTENTIONS: None

MOTION MADE by R. Hayes, seconded by J. Aldrich, to change the structure of the PNZ and its alternate members to be an appointed board as opposed to an elected body.

DISCUSSION: None

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

VOTING AGAINST: None

ABSTENTIONS: None

MOTION MADE by R. Hayes, seconded by J. Toomey, to establish the full terms for the PZC and ZBA members at four year terms, staggered every two years, for the full members and alternates.

DISCUSSION. A. Teller noted that in the CT General Statutes, the PZC must have staggered terms, but the ZBA is not required to do so. There is also no indication regarding the length of terms for ZBA appointments.

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

VOTING AGAINST: None

ABSTENTIONS: None

MOTION MADE by R. Hayes, seconded by J. Toomey, to eliminate all references to the Judge of Probate in the Town Charter, as such a position no longer exists.

DISCUSSION: None

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

VOTING AGAINST: None

ABSTENTIONS: None

Conversation next turned to the status of elections as it pertained to the Board of Selectmen.

MOTION MADE by R. Hayes, seconded by E. Georges, to ensure that the unsuccessful candidate for First Selectman should have no automatic right to serve on the Board of Selectmen.

DISCUSSION: R. Hayes spoke against the idea of allowing the runner up to serve on the BoS, as one should not be given a consolation prize for losing an election. G. Marrion stated that in her view, if an individual who runs for the office of First Selectman has more votes than some of the other selectman candidates, they should be allowed to serve

on the board. A. Teller voiced his opinion that having the runner up to the selectman model serve on the BoS is much better in a 7 person board than on a 5 person board.

R. Hayes argued that a First Selectman candidate that loses and is permitted to “bump” the lowest vote-getting selectman from their seat is denying that person the office that they chose to seek. G. Marrion noted, however, that those individuals who choose to run for first selectman have demonstrated that they are willing to put in a great deal of time in service of the town, and such people should be rewarded.

J. Brudz voice his discomfort with allowing individuals who lose elections to serve as selectmen. A. Teller suggested that the Office of Selectman could be handled with Ranked-choice voting, and individuals could be permitted to run for both First Selectman and Selectman. The commissioners spent some time discussing different models by which the various selectmen could be elected.

VOTING IN FAVOR: J. Brudz, R. Hayes, E. Georges, J. Aldrich

VOTING AGAINST: A. Teller, G. Marrion, J. Toomey

ABSTENTIONS: None

The next topic of discussion centered around the various small language changes that would be required due to the recommendation of the CRC that the BoS should move to a 7 member model. Discussion points included the idea that any decision that currently requires a 4/5 majority should require a 5/7 majority on the larger BoS size. A. Teller also introduced the idea that the sale and purchase of assets and leases should be controlled by a super-majority of the BoS instead of a simple majority so that real property held by the town in perpetuity cannot be sold off or leased for a long period by a simple majority of the BoS at the end of their terms. A. Teller and R. Hayes also proposed that such a super-majority vote would likely only be necessary for assets of great value – A. Teller proposed all property valued at over 2 million dollars be the threshold, but it was agreed that the specifics of such values would be determined in a future meeting.

G. Marrion adjourned the meeting at 9:11.

Respectfully submitted,



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