

CHARTER REVISION COMMISSION

Special Meeting Monday, June 11, 2020

Via teleconference

7:00 P.M.

Phone: 1-929-205-6099

Meeting ID: 829 7140 0660

The June 11, 2020 special meeting of the Charter Revision Commission was called to order at 7:06 PM.

1. ROLL CALL

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

MEMBERS ABSENT:

OTHERS PRESENT: Board Clerk Michael Stankov, Administrative Officer Joshua Kelly, and CVC streamer Nick Lavigne, and Board of Finance (BoF) members Kristen Gourley and Emily Bradley

G. Marrion requested a motion to add public comment to the agenda as agenda item 2, amending the agenda to allow the BoF members present to speak.

MOTION MADE By J. Aldrich, seconded by A. Teller, to add public comment to the meeting agenda.

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

VOTING AGAINST:

ABSTENTIONS:

2. PUBLIC COMMENT

E. Bradley spoke about her view of the BoF, and its importance to be the financial heart and soul of the community, whose role is to make informed and impartial decisions regarding budgets for the town. The BoF has, in her view, been an important institution for the Town of Bolton in the past, and the idea of replacing the BoF makes her uneasy without knowing more about the specific institutions that would be created.

K. Gourley next spoke to her perspective regarding the role of the BoF as a new member to that body. K. Gourley agreed with E. Bradley in that the BoF is the financial consciousness of the town, and that it is largely impartial. She spoke in favor of the BoF's regular meetings and the

ability for multiple boards to touch base with and through the BoF, and that the elimination of the BoF at this point would be unwise.

3. ACT ON MINUTES OF APRIL 16 REGULAR MEETING, MAY 20 SPECIAL MEETING, AND MAY 21 REGULAR MEETING.

G. Marrion asked M. Stankov about the wording of a particular point in the April 16th meeting minutes about which there was some confusion – R. Hayes and J. Brudz remembered a different series of towns being listed during discussion than what was noted in the minutes. Upon review of the audio recording, M. Stankov noted that the original minutes were correct in stating that the only towns that R. Hayes referred to in the indicated section of the text were the towns of Hebron and Vernon. E. Georges noted that the other needed change to the April 16th meeting minutes was a switch in the names of R. Hayes and J. Toomey on the third page of the minutes, which M. Stankov noted would be in the adjusted minutes.

MOTION MADE By A. Teller, seconded by J. Brudz, to accept the April 16 regular meeting minutes, with the changes discussed above and at the May 21st meeting.

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

VOTING AGAINST: Richard Hayes

ABSTENTIONS:

G. Marrion mentioned that a mix-up at town hall had prohibited the minutes for the May 20 special meeting and May 21 regular meeting from coming before the commission until today and mentioned that the chair would look favorably on tabling the approval of the minutes until the following meeting if it was the pleasure of the board. J. Brudz mentioned his support on acting on the meeting minutes today. E. Georges mentioned that she had several corrections to the minutes, and G. Marrion asked for a motion to approve the minutes.

MOTION MADE By A. Teller, seconded by J. Brudz, to accept the May 20 special meeting minutes.

Discussion: E. Georges pointed out a spelling error as well as a paragraph that ended in the middle of a sentence and a sentence with erroneously repeated words. A. Teller requested that all future minutes bear page numbers for organization's sake. G. Marrion pointed out another spelling error and superfluous wording to be removed from the minutes.

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

VOTING AGAINST: Richard Hayes

ABSTENTIONS:

MOTION MADE By A. Teller, seconded by J. Brudz, to accept the May 21 regular meeting minutes.

Discussion: G. Marrion noted that the wording found at the end of page 5, paragraph 4 was unclear and requested clarification from the board. After some discussion, the wording was clarified and changed to state “A full time First Selectman would be able to effectively fulfill the role of administrator without the need for a full-time administrative officer that could be fired by a majority of the BoS, which he views as a process that could potentially become political.”

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

VOTING AGAINST: Richard Hayes

ABSTENTIONS:

4. REVIEW PROPOSED FLOW CHART FOR COMMISSION’S FUTURE WORK.

G. Marrion asked E. Georges to present the flow chart, and E. Georges spoke briefly to the structure of the flowchart, which J. Brudz spoke to the issues that might arise with the structure of the current work plan, as it is difficult to revise the structure of the Board of Selectmen (BoS) and BoF when many individual have voiced their concerns about eliminating the BoF without knowing exactly what would replace it. E. Georges agreed, stating that they are entangled, but both agreed that the decision regarding the structure of the town’s executive officer should be first.

J. Brudz next asked about whether or not the work that has currently been done by the committee could be displayed on the flowchart as a living document, to which E. Georges said that she thought it would be very easy to do so. G. Marrion asked if E. Georges was volunteering to keep the document updated as a living, working file, which she agreed to.

J. Aldrich stated that he views the three stages of the flowchart as it currently stands as being very entangled, and that it would be hard to separate and make a decision on any point without it affecting the decision making on the other. E. Georges agreed that these ideas are entangled, but that the flowchart is still a useful tool to show the progress of the CRC to the public.

5. CONTINUING BUSINESS: REVIEW TOWN CHARTER

G. Marrion began the conversation by speaking specifically about the form of government for the town, and the commission member’s thoughts on what should be done about form of government after hearing reports from a large number of people in different levels and positions of the town’s government.

A. Teller spoke first, stating that it was important to be practical in approaching revisions to the structure of town government. Though he strongly favors moving the town to a Town Manager form of government, there appears to be a significant amount of opposition in town, including that of the current first selectman, and that it would be unwise to attempt to push such an

unsupported change. If there isn't major support on the commission either, then it isn't worth considering such a form of government any further.

J. Brudz agreed with A. Teller, saying that he views a strong Administrator/Manager as a good thing for the town, but does not see the politics of Bolton as being conducive for that change at this time. J. Aldrich stated that he thinks that a strong town manager is a good place to lose some ground, concerning the breadth of the changes that are being made in total. A. Teller clarified that he supports a town manager form of government, but that it is a waste of the commission's time to discuss it if there isn't good support for it.

E. Georges stated that she was in support of a Strong First Selectman form of government, as a First Selectman is a stakeholder in the community and is more likely to stick around as opposed to Town Administrators, who are unelected officials who may view Bolton as a stepping stone/training ground to bigger and better things and may not properly care about the community.

J. Toomey stated that he wasn't sure if someone living in town necessarily makes them care more about their job than if they live outside of it. He also stated that competency is his chief concern, and that while the town is currently quite lucky with the capabilities of its First Selectman, that may not always be the case. In his view, the COVID-19 Pandemic well illustrates the issues with "rolling the dice" on the competency of an administrator

E. Georges stated that she sees vetting a town administrator via a resume and vetting a first selectmen via the opinions of the people in the community are fundamentally different, and that community vetting is superior to vetting someone blind by their resume.

J. Toomey stated that the people who may be applying for a job as a town administrator, regardless of how often they need to be hired, are people who have often gone to college for public administration or other administrative degrees, and are thus equipped to run a town because of their credentials. J. Toomey pointed to Administrative Officer J. Kelly as someone who had been vetted "blind by resume" but was very competent at their job, and that one shouldn't be afraid of hiring individuals via resume even though it could be considered a "crap shoot".

E. Georges stated that she doesn't view hiring someone who lives in town as a crapshoot, because that person is already vetted for competence and is directly accountable to their neighbors. Part of the argument for getting a Strong First Selectman is that it would attract competent people because of its large salary and longer term.

J. Toomey stated that trying to find qualified candidates in the town's border is the problem – why limit the town to just its own population.

G. Marrion weighed in on the conversation by asking why the form of government was even being considered by this body in the first place – what issues exist that actually need answering? In the many conversations this body has had, it has become clear to her that issues that have existed in the past have largely been based on personality disagreements between individuals in powerful positions.

G. Marrion noted that people in Bolton like voting for their leader, and it would be difficult to convince people to give that up. Simultaneously, giving up the administrative position for the town is a hard sell for a town of only 5000 people – it is hard to guarantee that there are enough talented people in town to fulfill all administrative roles. As a result of this, G. Marrion stated that she was not convinced that the town needed to move away from the First Selectman/Town Administrator form of government. She believes that the current Charter works, by and large, but that the primary issues that have emerged in the past have been issues of personalities or failures to follow the charter properly – for example, by not having contracts or proper reviews of the Administrative Assistant. If all involved parties in the town abide by the terms already laid out in the charter, the system should work – and because of this, the only major changes that need to be made are ones of clarification.

J. Brudz stated that he is starting to envision a slightly modified form of the current First Selectman/Town Administrator model, wherein:

The title of the Administrative Officer is standardized with other positions of similar caliber in surrounding towns, likely moving towards calling the position a Town Administrator.

A series of contractual provisions are added to the charter to ensure that the town would be able to readily fire a Town Administrator without experiencing undue financial burden.

Enforcement mechanisms are added to ensure that some of the charter violations that have been noted as having occurred in the past do not occur again.

A simple majority of the board of selectman is needed for the termination of the Town Administrator.

The powers that are actually given to or delegated by default to the Town Administrator are formalized to increase clarity and accountability for all involved parties.

J. Brudz spoke to the fact that he doesn't view a move to a Strong First Selectman form of government as being a good idea for this town, largely because it has a small candidate pool inherently. Additionally, J. Brudz spoke to E. Georges' argument that Bolton is just a training ground for town administrators by stating that a First Selectman position is no less likely to be a stepping stone to a higher office than a Town Administrator – many view being a First Selectman as a stepping stone to higher elected office. J Brudz also pointed out that it is much more difficult to fire a Strong First Selectman than a Town Administrator – if a First Selectman is elected for 6 years, they will hold the office for 6 years short of committing some major felonies, and so is much less accountable on a regular basis than a Town Administrator.

A. Teller agreed with most everything that J. Brudz stated. He noted that in a Strong First Selectman form of government, the Administrative Officer position should be eliminated, and all power be clearly vested into the First Selectman such that the chain of command is always clear. He stated that he would support a Strong First Selectman form of government if there was substantial support for it on the commission, as long as such a role was vested with sufficient

power to be able to be an effective administrator. A. Teller also noted that he viewed the charter as having been dysfunctional in the past, and that changes needed to be made – or this body would not exist in the first place.

J. Aldrich stated that the Town Manager form of government is probably too much for many voters. In discussing the role of the chief executive of the town, and the current division of power that exists between the Administrative Officer and the Board of Selectman, J. Aldrich spoke to the Federalist papers, specifically Federalist 70, in which it is argued that an executive must be able to react quickly and decisively to issues. He also spoke to the fact that Bolton has been receiving less money from that state in recent years than it used to, and that executive for the town must be strong enough to fight for the town.

G. Marrion asked if J. Aldrich thus felt that a Strong First Selectman should be the individual to guide the town through this difficult time, or if the current model of government was sufficient in his eyes. J. Aldrich stated that despite the importance of having a strong central executive, the benefit of having the current system is that it promotes the preservation of institutional knowledge. If an inexperienced first selectman is elected, they can lean on the Town Administrator as they learn the complexities of town government. A new Town Administrator, conversely, can “learn the ropes” more rapidly under an experienced first selectman. J. Aldrich pointed out that staggering the election and appointment of these positions would be particularly beneficial to maintaining the institutional knowledge needed to run a town.

R. Hayes stated that he is in strong agreement with A. Teller, in that the town should move to a Strong First Selectman form of government, and such an individual should be able to hire and fire whatever personnel they need. R. Hayes stated that Bolton is a stepping stone for many people, either up or down in their career paths, and that he is wary of the Town Manager form of government as a result. He did state, however, that he views that a Strong First Selectman form of government should have a short term – likely only two years – such that there is more rapid accountability to the voter. He also agreed with A. Teller in his previous assertion that the charter of the town does not function particularly well at the moment, and that he wants to see bold changes come out of this discussion.

G. Marrion clarified that her viewpoint was not in favor of a Town Manager form of government, but instead of a tweaked form of the current form of government.

J. Brudz asked whether or not it should be stipulated in the Charter that a First Selectman of the Town of Bolton would have to resign from their position before running for a different office, in order to prevent individuals from using Bolton as a political stepping stone. A. Teller surmised that it is likely not possible to write a charter for the Town in such a way as to prevent a town official from holding office and running for a different office. R. Hayes noted that he does not think that creating such language in the charter would be a good idea, even if it was possible.

J. Aldrich noted that it is currently legal in the State of Connecticut for the First Selectman to also sit on the Board of Education, and that regardless of what happens to the Form of Government, it might be a good idea to have such a situation in town, particularly if the body goes forward with the recommendation to eliminate the Board of Finance. Such a move could be

seen as moving the Board of Education and Board of Selectmen closer together and making them not appear adversarial to each other.

G. Marrion noted that the members of the commission are currently seemingly split between wanting a Town Administrator and a Strong First Selectman, and wanted to bring the topic of conversation back around to this matter such that the commission might resolve this question.

E. Georges noted that J. Aldrich's concerns about reduced State Funding for the town were a good argument for a Strong First Selectman, such that there was someone to fight and argue for the community.

A. Teller stated that he would support a Strong First Selectman form of government that completed eliminated the Administrative Officer position, vested more hiring and firing power in the board of selectmen, and giving the first selectman a longer term. A. Teller noted that he viewed the Strong First Selectman form of government as a clear second to a Town Manager form of government because he doesn't see the candidate pool for the First Selectman as being large enough to consistently produce strong candidates, especially compared to the wider pool of candidates available for a professional manager.

G. Marrion asked if A. Teller didn't view the Town Administrator form of government as being more similar to the Town Manager form. A Teller stated that the current form of government in Bolton is similar to a Town Manager form of government, but mostly by coincidence – that the charter does not clearly define the Administrative Officer's jobs and powers, and that the Administrative Officer has only been strong lately because power has been delegated. The Town Manager form of government is different because a Town Manager creates the budget, can hire and fire at will, and represents the town outside of the town. The current administrative officer may be making the budget, but the budget has to be approved by the Board of Selectmen and can be tweaked at budget meetings. The current administrative officer can't effectively hire and fire individuals. The current administrative officer may be going to some meetings outside of town, but the first selectman may be going to others. As to this last point, A. Teller stated that regardless of other decisions made by this body, it is important to firmly decide who should represent the town outside of the town – A. Teller is of the opinion that such power should be vested in the first selectman unless explicitly delegated to a town administrator.

J. Brudz stated that he views the Town Administrator as being a more natural fit to be the representative of the town on a state level than a first selectman. The Town Administrator is a professional who is trained in administration and does the on-the-ground work of government every day, and is far more qualified than the average potential candidate who might be first selectman.

A. Teller agreed – and stated that such an argument as J. Brudz was putting forth was a good reason to have a proper Town Manager and not just a Town Administrator. Brudz agreed, but also said that the same functionality could be accomplished with a Town Administrator if such an individual was made the Chief Executive Officer of the town. A. Teller countered by pointing out that telling someone that they are the CEO and have a great deal of power, but are only the

town administrator and have to work with a first selectman is like trying to eat your cake and have it too.

R. Hayes stated that he viewed that a Town Manager is a more political position than a Town Administrator position, and that he would prefer to keep politics out of the office in every way that he can. G. Marrion and J. Toomey asked for some more specific examples of political decision making by Town Managers that R. Hayes was referencing. J. Aldrich stated that one example from a nearby community is an instance in which a police officer in Coventry had a relationship with a minor, but remained working in the police department for several years because of the slow speed of the firing process and the delicate political nature. R. Hayes noted other examples of Town Managers being handicapped by politics and being unable to act unless public support was behind them.

G. Marrion noted that the commission has to make some sort of decision regarding the form of government, and cannot push making this decision off forever. J. Aldrich noted that he would like to offer the voters two different visions for the town government and see what they think about the issue of Town Manager vs. Strong First Selectman in order to gauge actual public support for these different forms of government. If it was possible to create a straw poll to gauge public interest, doing so might be useful for this body. J. Toomey stated that he would like to see written proposals for the different forms of government being proposed, and that it might be time to have another public meeting such that more people could weigh in on them.

G. Marrion stated that her worry about involving large numbers of people in the decision making process is that the issue of form of government is extremely complex and nuanced, and the commission has been debating and forming evolving opinions about the topic for quite some time. It may be better to present a unified viewpoint, made with the careful consideration of the commission, and then get feedback on the specifics of that suggestion instead of fielding broader feedback. A. Teller agreed, stating that the commission is unlikely to get informed and carefully considered viewpoints from a public poll.

R. Hayes asked if A. Teller thought that people will be more informed when they vote on the changes to the charter in 2021 than they would be now. A. Teller argued that the series of public hearings that will occur between now and then will be focused around creating a polished final product from the ideas that the commission chooses to present, and that such a product is much more effective to present to the public than fielding any number of ideas from the public now.

G. Marrion concluded the meeting with the statement that the most important thing is to home in on what the problems are with the current charter and how changes to the form of government might address those issues.

6. CORRESPONDENCE - None

7. OTHER - None

G. Marrion adjourned the meeting at 9:02 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Stankov", with a long horizontal flourish extending to the right.

Michael Stankov, Charter Revision Commission Board Clerk

See minutes of subsequent meetings for approval of these minutes and any corrections hereto.