

## **CHARTER REVISION COMMISSION**

### **Special Meeting**

**Wednesday, May 19, 2021 7:00 P.M.**

**Via Zoom teleconference**

Phone: 1-929-205-6099

Meeting ID: 829 8210 6583

The May 19, 2021 joint meeting of the Charter Revision Commission and Board of Selectmen was called to order by G. Marrion at 7:07 PM.

#### **1. ROLL CALL**

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** First Selectman Sandra Pierog, Selectman B. Morra, Administrative Officer Jim Rupert, Town Residents Milton Hathaway and Will Roddy, Board Clerk Michael Stankov

#### **2. PUBLIC COMMENT**

#### **3. REVIEW OF AND POSSIBLE VOTE ON PROPOSED CHANGES TO THE TOWN OF BOLTON CHARTER**

G. Marrion began the discussion with a discussion of the disagreements of the BoS and the CRC when reviewing the charter.

Pertaining to section 5.1 (D), the Role of the Town Administrator, G. Marrion noted that this was the first time the BoS was seeing the exact language of the position and asked for feedback. S. Pierog and B. Morra both had some issues – B. Morra noted that the First Selectman is the Chief Executive of the town and has some issues with the default delegation of power from the Town Administrator. S. Pierog noted similar feelings, in particular pointing to allowing the Town Administrator to set the agenda for the BoS and requiring 3 selectmen to come together to add anything else to the agenda. J. Brudz and A. Teller noted that this was actually a mistake in the draft, as the power to set the agenda should sit with the First Selectman – it was agreed that this would be corrected in the language.

S. Pierog next noted some of her issues with 5.2(F), pertaining to the Town Administrator's ability to serve on any number of organizations in town. Specifically, S. Pierog did not like the enumeration of a list of organizations that the Town Administrator should not serve on being placed into the charter – in her view, it should be sufficient to bind the Town Administrator to the appropriate ethics codes, and they should not be restricted in their ability

to join organizations in town as long as those codes are not broken. J. Brudz agreed in theory but noted that being a part of any organization like the Fire Department will make it difficult for a Town Administrator to make truly objective decisions and creates an inherent institutional conflict of interest – and, as A. Teller pointed out, even if an individual is making perfectly objective decisions regarding spending and the necessities of the Fire Department, it could appear that they are compromised, and avoiding the appearance of conflicts is also important for an administrator.

S. Pierog noted that the BoS and Finance Committee are the ones who set the budget and the TA only prepares the budget. If the BoS can be members of the Fire Department, why not the TA? A. Teller noted that those other roles are elected positions and that the citizenry of the town puts those individuals into power, and they have the right to do so. The TA is a full-time managerial position hired by the town staff and as a result must be free of such conflicts that could conflict with their managerial role. B. Morra and S. Pierog both continued to hold their initial position, and the commission moved on to the next topic of discussion.

S. Pierog noted that she would like language added to allow the TA to serve as assistant or deputy treasurer, and would like to note that the TA recommends, but does not put into practice, the long-range fiscal plans for the town.

S. Pierog next noted that in Chapter 5.1, item 3, the charter has been changed to remove language that allows the Town Administrator to come to any town meeting and act as a non-voting ex-officio member. A. Teller noted that technically anyone has the right to come to any town meeting without voting rights, and thus this language is largely redundant and unnecessary.

S. Pierog next noted that Chapter 5.2 Item 10 should begin with language indicating that the Selectmen have the right to approve or deny application for grants.

S. Pierog next noted that in Chapter 5.2 Item 3 Subsection H, the Town Administrator should be allowed to, but should not be required to, serve on various committees and should thus read “may be allowed to”. She also recommended that this section should also note that the Town Administrator should serve as the town’s traffic authority. R. Hayes asked why the TA should serve as traffic authority for the town, and S. Pierog noted that because the Town of Bolton lacks a Police Chief the power of the traffic authority must be held by either the First Selectman or the Town Administrator.

The BoS and CRC members spent some time discussing whether or not all of these various powers listed for the TA should be enumerated by default in the charter and if the powers should default to the TA or the BoS, with revisions to these powers only being alterable by ordinance. A. Teller noted that the benefit of having all of these powers be enumerated in the Charter is that there is no confusion as to what the position’s powers are. It is beneficial to the public and to all job applicants for this position to have the powers of the job explicitly laid out and in one place. In order to clarify that the powers enumerated in section H were grantable optionally but not by default, it was agreed that the charter would put the following

language at the beginning of section H: “If specified by town ordinance, the Town Administrator may have the following responsibilities and hold the following positions”.

The next item to be discussed was Item 6.1, wherein there is no mention to the First Selectman being a member of the Finance Committee. It was noted that the First Selectman’s default role as one of the members of the FC is defined in Chapter 3 and thus was not reiterated in 6.1.

G. Marrison next moved discussion on to speak about section 8.2, pertaining to the maximum length of the auditor’s contract. The most recent language written by the CRC noted that a contract with an auditor will not exceed 4 years, and that such contracts will not extend more than 1 year beyond the next regularly scheduled appointment of the Selectperson. S. Pierog noted that the town generally gets better contracts with longer contract lengths when selecting an auditor, and with the current cycle of elections and contracts the town is already locked into, it would require the town to sign a 2-year contract at some point in the future. S. Pierog noted that if it was possible to avoid having to sign a 2-year contract, that would be ideal.

The next topic of discussion was related to Chapter 8.5, which pertains to supplemental appropriations. The BOS agreed to change the figure currently in the charter (a flat \$20000) to a percentage but requested that the percentage be tied to total expenditures and not the current budget. The CRC has created a defined term, “total expenditure amount”, which is defined as the amount of expenditure found in the most recently adopted town budget. S. Pierog noted that this term was still ambiguous, as it does not define whether debt and capital are included in this value or not. The CRC clarified that such values would not be included, as the goal of changing this value to be a percentage is that it will rise with inflation but not be an extremely volatile number. Capital expenditures can change wildly in a given year. After some additional discussion, the term “total expenditures” was clarified to mean capital expenditures, debt service, BoE expenditures, Town proper expenditures, Teacher Retirement Service expenditures, and yearly additions to the contingency fund.

Discussion next turned to the topic of the threshold at which a supplemental appropriation must go to town meeting for approval. The CRC noted that there was a significant amount of public comment from individuals who requested a lower threshold on expenditures before a town meeting was required. S. Pierog noted that she and the other selectman had not been able to determine where the CRC’s proposed numbers originated. E. Georges and G. Marrison noted that these were percentages that were based on numbers used by surrounding, similarly sized towns.

G. Marrison next broached the topic of section 10.2 (G), related to whether or not the Town Administrator should be able to serve on the fire department. S. Pierog and R. Morra both noted that they disagree with disallowing the TA to serve on the Fire Department but would leave the issue to the voters at the referendum.

Regarding section 10.3, pertaining to conflicts of interest, the CRC felt that certain basic tenets of responsible government should be enshrined in the charter and not left to ordinance.

After some brief discussion clarifying what would constitute an economic conflict of interest, the BoS agreed.

The next topic of discussion was 11.2, a requirement for the BoS and FC to record their meetings if feasible and practical. The BoS was primarily concerned not with the process of recording, which is good in theory, but in the cost to store and make available these meetings. As per state statute, all such recordings would have to be kept for 3 years, and hosting so many files on the website could become costly. A. Teller noted that publishing the videos for some reasonable duration and then keeping them in a hard drive at town hall to be reviewed on public request. A. Teller also noted that such videos could be hosted on a video sharing website such as youtube if storage on the town website was a concern.

S. Pierog next asked about why the video recordings should be limited to the BoS and FC. The CRC noted that allowing all meetings to be recorded would be fantastic for transparency but were still conscious of the limited nature of appropriations available for this process.

The BoS and CRC members spent some time discussing various topics throughout the charter, clarifying language, confirming conformation to state statutes, and attempting to increase transparency across the political process.

#### 4. DISCUSS NEXT STEPS IN CHARTER REVISION PROCESS INCLUDING FORMAT OF BALLOT QUESTIONS

G. Marrion noted that the CRC has 30 days to accept or reject the recommendations of the BoS, at which point they will return their final recommendation to the BoS. The BoS will then have 15 days to accept or reject the charter revision as put forward by the CRC. If rejected, the charter revision process ends here and is not put to a public vote. If accepted by the BoS, the next step in the process will be determining how many ballot questions there will need to be in order to break up the multitude of suggested changes to the charter into a number of ballot questions.

S. Pierog noted that she saw five potential referendum questions: 1) Gender neutrality, 2) Town Administrator, 3) Appointed vs Elected for various town boards, 4) Restructuring of the Finance Committee, 5) Cleanup of all other small changes. B. Morra noted a 6<sup>th</sup> potential question concerning the restructuring of the Board of Selectmen, which is linked to question 4. J. Brudz noted that there would be no reason to restructure the FC if the BoS was not restructured. A. Teller noted that the change of the budget restructuring to “revise” from “reduce” could constitute yet another question.

G. Marrion adjourned the meeting at 9:17 P.M.

Respectfully submitted,



Michael Stankov, Charter Revision Commission Board Clerk

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