

Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOARD OF SELECTMEN SPECIAL MEETING TUESDAY, JULY 20, 2021 – 7:00 P.M. MINUTES

The Board of Selectmen held a Special Meeting on July 20, 2021 virtually by zoom with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen: Robert Morra, Kimberly Miller and Robert DePietro. Absent was Administrative Officer James Rupert.

1. Call to Order

Sandra Pierog called the meeting to order at 7:03 p.m.

2. Public Comment

None. We appear to have no one here for public comment.

3. Develop Questions for Charter Revision.

SP: So, the first item on the agenda is to develop the questions for Charter Revision and I'm going to share my screen (assuming I can).

KM: So, now you're going to look at the side of my head again. (Laughs). I try to angle it so it's not so bad.

SP: Yup. Alright, can you see my screen?

RM: Yes.

KM: Yes, we can.

SP: Umm, it's not exactly um, paged well. So, what I did was to take the questions that we had at our last meeting and broke them down into eight (8) questions and I'll explain eight (8) as we go through. I know we originally talked about seven. Um, but as I started thinking about it I think the restrictions on the Town Administrator um, not serving in certain organizations or holding certain other titles, um, needs to be a question for the public. Separate from changing the duties and the title.

RM: It so happens that's what I wrote up.

SP: Oh Bob, that's wonderful.

RM: So, we're of a similar mindset on that.

SP: Yeah. So, let's just go through this. Um, and I need to move you guys because I can't see what's moving, going, okay. Um, question 1, um this comes pretty much directly from um one of Eleanor George's questions. Um, shall the Town Charter be amended to replace the Board of Finance with a finance committee composed of two (2) members of the Board of Selectmen, two (2) members of the Board of Education and three (3) members at large; and shall the new finance committee assume the role of Capital Acquisition Planning and Allocation Committee known to its friends as CAPA; um, and then, shall the Board of Selectmen be increased from five (5) to seven (7) members with staggered four (4) year terms; and shall the members of the Board of Selectmen be prohibited from serving simultaneously in other elected office except the finance committee? And, I added except the finance committee um, but I need some input from you guys. Um, the finance committee from the Board of Selectmen would have been appointed and I think the discussion at the charter revision was that no other member of the Board of Selectmen or Board of Education could run for the finance committee.

KM: So you couldn't end up having three (3) people from the Board of Ed or the three (3) people from the Board of Selectmen?

SP: Correct.

RM: Yeah, I think that was their intent too. So, it's still two (2) and two (2).

SP: Okay, so I will....

KM: Because you didn't want anyone to have a ... yeah.

SP: Let's see if I can edit this as we go. Whoa, I guess I'm not that talented.

RM: That's all right. I'll just use my magic marker on my screen.

SP: Yeah, don't. (Laugh). It's a little tough to come out. Question two.

KM: Can I ask, I have a question about this.

SP: Go ahead Kim.

KM: So, I apologize I'm just forgetting what this says. So remember we had the conversation around where in the four (4) year staggered term did the First Selectmen go. Did we determine that they were every two (2) years? They had to run every two (2) years? (Inaudible).

SP: No. I don't think so.

RM: No.

SP: I think that was, I think that's a four year.

KM: I just couldn't remember.

RM: Four (4) year term.

KM: Okay.

SP: Umm, question two, shall the town charter be amended to change reduce to revise in the provision relating to a failed budget referendum? And Bob, I think that was the one you wanted to make sure was a separate question.

RM: Right. And, let's see ah. I have written it. May I just kind of written it slightly different. I don't know (inaudible).

SP: Okay, go ahead.

RM: I'll try. I think ah, where is it here? Simply said shall the town charter be amended to allow increasing the budget after a failed budget referendum? It says the same thing, but I think it just says it more clearly. That's just my thought and I put it out there for discussion.

KM: So can you.., So, I think the actual change is reduce to revise. Could you leave that first sentence and then add a second sentence that clarifies what you mean; because I get what you're saying, right.

RM: Yeah. So, it really is a clarification.

SP: Yeah, so maybe it's,

KM: I think we probably have yeah...

SP: So maybe saying um, in the provision relating to a failed budget referendum; therefore allowing an increased budget after a failed referendum.

RM: Yeah that (inaudible)

KM: An increase or decrease right, either one?

SP: Okay.

RM: The difference is it allows an increase. That's the difference.

SP: Yeah, right now we can only decrease.

RM: Right.

KM: To allow an increase. Oh okay.

RM: Yeah, I'm good with that.

SP: Okay.

RM: With that type of language we have, we may need to tweak it.

SP: Yup.

RM: But that's okay.

SP: Um, and then question 3 shall the town charter be amended to change the title of Administrative Officer to Town Administrator; change the roles and responsibilities of that position; and shall the town charter be amended to change the title of Chief Financial Officer to Director of Finance?

RM: That's pretty straight forward.

SP: And then question four, shall the town charter be amended to prohibit the Administrative Officer from serving in organizations or other appointed town's positions which may be conflicting with the responsibilities of the position?

Um, just reading that now I think we need to define the position as um responsibilities of (Town) Administrative Officer. (Inaudible). The word positions in there too many times.

RM: Yeah, so where does that portion of shall the Town Administrator be prohibited from being a member of the Fire Department or the Fire Marshal.

SP: That's, there's actually two sections um and I don't think I have my (inaudible)

RM: Will that go there or should it go somewhere else?

SP: Well, I think that's here and that's the list of organizations I think is in section five which is where the Town Administrator is and that lists um things like PTA, Land Trust and things of that nature. Um, then it says other appointed positions which may be conflicting and that's where it talks about Fire Department, Emergency Management Director and...

RM: Right.

SP: ... everything else.

RM: Yeah.

SP: So, it's actually two sections.

RM: Oh, okay. So, what you're saying, it can be handled in two (2) separate questions.

SP: Well no, this is one question...

RM: That is part of that one question? Okay.

SP: ... that affects that and when we do the explanation which is going to be our next step once we've decided what the questions are we'll have to lay out what sections is actually effects.

RM: Okay. To me that was important that be clear so people understand what all that means.

SP: Mmm hmm. Um and then questions 5 should the current thresholds for borrowing and special appropriations be lowered so that amounts above 2% of total expenditures must go to referendum? ...Hi Bob D.

RD: Hi! Sorry about this.

SP: Did you lose your power too?

RD: Oh yeah, oh yeah. I lose my power up here.

RM: (laughter)

SP: Aren't we all.

RM: Yeah, the difference is Bob, Bob and I lose our hair along with it. (Laughter).

SP: Yeah, well my foreheads growing guys so, (laughter)... you're not alone. (More laughter). Um, moving on to question six: Shall the charter be amended to merge planning and zoning and inland wetlands; make members of that board, it's alternates and members of the zoning boards of appeals and its alternate appointed positions? Um, I think before I move on, I think after reading this allowed it needs to say make members of that combined board, to make that clear.

RM: Right.

RD: Yes, yes.

SP: Um, and shall the charter, go ahead Kim.

KM: (Inaudible). No, go ahead, no, no, no, you go.

SP: Um, shall the charter be amended to change how vacancies on appointed boards are filled and the procedure for removal of members of appointed boards?

RD: Um

SP: That section that second shall the charter be amended to change vacancies? Um, I think that could move to um the technical changes question which is the next question below which might take it out of the planning and zoning/inland wetlands combination because I think that's going to be controversial.

RM: Yeah, I think that question alone, should stand alone. Right, take that other portion out.

SP: We'll move it down to question 7.

RM: Yeah, if it's a place to put it in, I concur with that.

SP: Question 7 goes on and on forever and we may want to make that, break it into other questions but um, it starts out shall the charter be amended to make technical changes which will change the economic development commission from a required to an optional board; add a definition of total expenditure amount; change the timing of notices of transfers of special appropriations; decrease the term of fire commissioners to four (4) years and change the timing of the election of such members, except there not elected that's appointed. So, that needs to be fixed. Um...

RM: The appointment, yup.

SP: Change the timing of the election of chairman of elected and appointed boards and commissions; clarify conflict of interest provisions; change the method of resolving a tie vote to a coin toss; add provisions for posting and recording materials of certain boards and commission meetings; change the timing of the selection of the auditor; change the provisions reappointment of the treasurer; add a requirement of a plain language summary of the budget; change the date of publication of the annual report; remove references to the Judge of Probate; change the definition of majority on the Board of Selectmen; allow additions to the Board of Selectmen agendas; and change the duration of the temporary building commission?

RD: Man, oh man, oh man.

SP: That's a debacle.

KM: People are going to read that question and like am I supposed to put yes or no. (Inaudible)

SP: Well, yeah. It's a huge, long question and ...

RM: How do you break it up?

SP: Well, that's the other thing. Um, I'm wondering if we could just do a um...

RD: bullets

SP: Well, either bullets or refer to um, shall the charter...just say something like shall the charter um, be changed to adopt the technical changes as noted in the communication dated June 15th or what September 15th or whatever it is?

RD: Yup, yup.

SP: I don't know how the attorney's will feel about that; but I think...

RM: Yeah, I think by the time you get done reading this you say what? What? I'm not sure what I'm voting for. I mean that's, that's ...

SP: Yes, it's way too much stuff.

RM: Yeah.

KM: Can you say something like, can um you know the the recommended changes, but then put a like bullets of what they are? So, at least people can see what they were if anybody cares but the people who don't at least know this was the recommendation of the ...

RM: Oh, I see what you're saying. Instead of on going sentences, we bullet 1, 2, 3, 4, 5, 6 underneath it. Right? Is that what you're saying?

KM: Yeah, so then they can just see what it is but, the first sentence sort of tells you these are technical, recommended technical changes. I don't know how you want to word it but...

RM: Well, that would at least make it so that yeah, there would be an order to it, yeah asymmetry. Yeah, I think that makes good sense Kim.

SP: Yeah, no I think I will try that. Um, and see what happens.

RM: Yeah.

SP: And then, shall the town charter adopt gender neutral language to replace the current selectman, selectmen terms and pronouns throughout the charter?

RM: Right.

SP: Um ... I'm not sure that's descriptive enough of what we're trying to do.

RM: I don't know. I mean that's, appears to be (inaudible)

KM: To me that seems fine.

RM: It does. I think this one is simple and straight forward...the easiest to understand.

SP: Now, another question, um should we flip question 7 and 8 so that the technical changes come

RM: And you can read underneath it. Yeah.

KM: Yup. Yup.

last.

SP: Or should we move the gender neutral language somewhere else?

RM: I, I would put it certainly in front of 7 because it's just a straight forward simple one right there.

KM: Yeah.

RM: A simple line no matter what they may skip other stuff but they'll read that.

SP: Yup, yup.

KM: I have a dumb general question. So, for questions 1 and is it 6, the two that are changing committees. One is changing the finance committee and the other is changing the zoning board of appeals. I forget what number it was.

SP: Mmm hmm.

RM: Yup.

KM: So, if were asking these questions during the election in November aren't people running for the Board of Finance and...

SP: Yes, but the charter doesn't go into effect um for elected positions until the election following this November. So, it would be 2023 that elected positions would be effected.

KM: So, what happens with the Board of Finance? Isn't the Board of Finance rotating four years?

SP: Yes.

KM: So ... (inaudible).

SP: So anybody who is, people who are elected now assuming the charter passes, would serve a two (2) year term and then, the new three (3) members would be elected.

RM: Right. So, all those three (3) members no matter what, would have to run for that spot, the three member board. Because it's a different structure.

KM: Oh okay. So, it doesn't matter, it's not when your term expires; it's the next municipal election.

RM: Right.

SP: Correct.

KM: Got it.

RM: (Inaudible)

KM: I'm like how's that gonna work? Yup.

SP: Alright, I just wanna quickly go by um for Bob D's um info here. Whoops. Sorry! Um, I don't think we did, made any changes here (see attachment) on the first page...

RM: No, no.

SP: ...in the question. And then um on the second page shall the members of the Board of Selectmen be prohibited from serving simultaneously in other elected town offices; that, except the Finance Committee will come out.

RM: (inaudible) too we added a little explanatory after that. End of the sentence.

SP: Yup, yup. And then two, we said um shall the Town Charter be amended to change reduce to revise in the provision relating to a failed budget referendum. Um, thereby allowing an increase in a budget at, increase or decrease in a budget after a failed referendum?

RM: Right.

SP: Um, let's see...

RD: Thank you Sandy.

RM: That explains it so nobody has any questions.

SP: Yeah, that was Bob's. Bob Morra's suggestion. I really liked it. Um, let's see I don't think we did anything too three.

RM: No.

SP: Um, and four shall the Town Charter be amended to prohibit the Administrative Officer from serving on organizations or other town appointed positions which may be conflicting with the responsibilities of um we changed the position to the position of Administrative Officer.

RM: And with that didn't we somewhere in the explanatory portion describe what those positions are?

SP: Yeah. Yup, we will definitely do that.

RM: Yeah. Yeah.

RD: How do people know what is conflicting with responsibilities?

SP: Um, it's delineated in the proposed language to the charter. You'll remember that there was the section that says the Administrative Officer can't be a member of the Land Trust, can't be a member of

Bike Walk Bolton, can't be a member of um, the PTA and there was a list of four or five organizations that they couldn't participate in; and then further on in the charter they added he could not be a member of the Fire Department or she, could not be a member of the Fire Department, could not be the Emergency Management Director and ...

RM: Fire Marshal.

SP: Oh, you're right Fire Marshal.

RM: Yeah all three.

SP: So, um I think those are gonna be somewhat controversial provisions. Um, I know at least on this board I think they're somewhat controversial positions.

RM: Yeah, they are and I ...

RD: Yup. Yup.

SP: So, um that was that and five um I don't think we did any changes on.

RM: And you came in on six I think. (Speaking to RD).

SP: You came in on six so I think you're all caught up.

RD: (Inaudible). Okay.

SP: So, what I will do is um, revise these questions with the changes we've made tonight. So, and circulate them again among all the selectmen and then hopefully we can take a final vote on the questions at our August meeting. And then ...

RD: Alright, Sandy are going to break up question number seven like Kim and Bob said.

SP: Yes, I'm gonna try. (Laughter). So, I'll try, make a stab at it and send it back to you folks and then be very interested in any suggestions you have once you've seen it. Because I think we all agree it's not a workable question at this point in time.

RD: True, and what about people who like to know, even me, stupid as I am, what it was we're changing.

SP: Yup, we will, there, our next job um and I already have Jim and Kathy working on it, is to develop an explanatory document that says these for each question it will say this affects section (and I'm just throwing numbers out here) 5.A.2.

RD: Mmm hmm.

SP: And is used to say this and it will say that.

RD: Good, Good.

SP: And then that will be something that will go out on the website, it will have to be published in the newspaper which will cost us a gazillion dollars and nobody will read it. Um, and then...

RM: (Inaudible).

SP: Well, you know that kind of depends on how many pages it is.

RM: That's true. Right.

SP: It may be worthwhile to, um it would cost us around \$10 grand to mail it to everybody. Every um, an every door mailing of about 40 pages which is probably what it is going to end up being.

RM: Oh wow! I forgot how big it was. Yeah. Okay.

SP: Yeah. It's the entire charter. So, um yeah were gonna have to um, refer this to an attorney who's um, experienced in municipal charters; and then um have them review anything we put together.

RM: Right.

RD: Okay.

SP: So, that um that were sure we're not breaking any laws here. And then, on the revised one I'll move question 8 um, which is the gender neutral language up so that 7 is the last question here. Um, so if you see after you've had some time to look at this something you think ought to be a separate question, um or that you think is confusing um please bring it to our attention and if we need to have another short zoom meeting we can do that.

RD: Okay.

4. Consider and Act on Setting A Billing Date for Supplemental Tax Bills To Be Sent Out.

SP: Alright. Well, okay moving on um consider and act upon setting a billing date for supplemental tax bills to be sent out. Um, I'm hoping that the next budget referendum passes and I'm also hoping that the revised mil rate which I don't even remember what it is anymore um is a supplement and we will have to be setting a supplemental bill out. Um, I've had a meeting with Jill and Jill Collins the Finance Director and Lori Converse Bushnell. (Laughter). That's what happens when you've lived in Bolton too long.

RM: Right. Right.

SP: Um the Tax Collector and Lori suggested that it would be much easier for her and her collections process if we made the due date of the supplemental billing January 1. Which would match the due date of the supplemental billing for automobiles.

RM: Yeah.

SP: People are used to getting a supplemental bill in January, um and would be looking for it. And, actually tax collections are going very, very well so far. The bills just went out.

RM: (Inaudible).

SP: I'm sorry?

RM: She's been overloaded with people.

SP: Yeah.

KM: Can I ask a dumb question? So the temporary, did they set the temporary mil rate?

SP: Yes, at 38.86.

KM: Oh they did. Okay. I didn't know that.

SP: Which is ...

RM: Didn't you get your bill yet?

KM: Did I get a bill?

RM: Yeah.

KM: I don't know.

RM: I got all my tax bills already. (Inaudible).

SP: Yeah, I did too. Most of them came on Saturday and they're was a straggler on Monday which probably got delivered to somebody else on Saturday.

RM: I would love to keep the \$54.00 Monday one. Throw the rest out but that's... (laughter).

SP: (Laughter).

RM: That's not gonna happen.

KM: So, is the mil rate that they set the same as the mil rate we're voting on, on Tuesday?

SP: No. No.

KM: Is it lower?

SP: The mil rate they set is the mil rate, the same as this current year that we just passed.

RM: Right.

KM: Okay.

SP: And according to the charter, it could not be set any higher than that.

KM: Oh, okay. I was gonna say it would have been nice if they could have just set it too what it was going out as.

SP: So, yeah. Well in order, because of the drop in revenues and um everything else that's going on; in order to keep the 38.86 mil rate, they would need to reduce the budget and Bob D. help me here. Um, I think it's another \$250,000 dollars.

RM: Over what we are currently presenting.

SP: Over what it is today. I mean what it is in the referendum next week.

RD: Yup, yup.

SP: I'm sorry.

RD: Yup.

SP: Okay, yeah. So, \$250,000 dollars um if it were split 2/3, 1/3; that would be like a \$80,000, another \$85,000 to us.

RM: Right.

SP: And, we're already below last year's budgeted amount.

RM: Right.

SP: By about 25 almost \$30,000 dollars at this point. So, it's a, that will bring us down \$110,000 which...

RM: I think that what's being proposed Bob if I'm not wrong is about a ½ mil differential, is that about what it is?

SP: I don't remember what the new mil rate was Bob do you?

RD: It's 39.4 something.

RM: Yeah.

SP: 39. Okay, so were now at 38.86

RM: So, it's a hair over it.

SP: Yeah, it's about 6/10 of a mil.

RM: Right. Yeah.

SP: Unfortunately, I think unless we can get our "yes" people out; we lost by 47 votes at this last referendum. So, we need to get some "yes" people to show up and vote.

KM: I don't know if you guys read the stuff on Facebook?

RM: Yeah.

KM: There has been quite the ...oh my

RM: No, my constitution can't handle it. (Chuckle).

KM: Honestly, it makes me really mad. Like people get like... accusatory.

SP: Oh, they do.

KM: Oh, there must've been a ton of waste if they can have a meeting right after it and just cut \$150,000 from the budget. They didn't need (inaudible). It just, it gets very not good...

SP: Yeah.

KM: And, I should just not read it.

RM: (inaudible).

SP: What you should do, um Emily Bradley, Chris Davey and I filmed another CVC show today on the budget and...

KM: (inaudible)...your last one.

SP: What Chris did was to go through all of the Bolton discussion groups um on Facebook and pulled out the questions and did sort of a round robin. You know we've seen people asking on social media, why do we only have one payment date? Um, why do we only, why did they, how could they just cut \$80,000 dollars just like that?

KM: Yeah.

SP: Oh there must have been fat in the budget to begin with. Um, you know why if they turned back \$800,000 dollars, um, don't we just cut \$800,000 dollars off the budget?

RD: (Inaudible).

SP: Right off the bat. We tried to answer those questions. (Excuse me). It's another show that's about 40 minutes long. Um, we got a pre-taped um statement from the Chairman of the Board of Ed. Unfortunately, we probably won't be able to include it. Um, because he says "go out and vote yes on the budget."

RM: Well, you can't do that.

SP: You can't do that.

KM: OH.

SP: And, he sent the email from his Town of Bolton, he sent the video from his town of Bolton email to my town of Bolton email. So, we've used, he's already used town resources to spread the message.

KM: Okay.

SP: They're going to try to edit that piece out of the video. But it's entirely possible he won't be, he won't appear.

RM: Okay.

SP: Um, so I just, especially since he lives in the neighborhood Bob Morra I thought you might...

RM: Yup. If I catch him I'll ring his ear. (Laughter).

SP: I don't think you can catch him but you might want to have his dad ring his ear. Um, alright so, um I need a motion to set the billing date for supplemental tax bills to be due on January 1st, 2022 with a late payment date of February 1st, 2022.

RM: I'll move.

SP: Alright, it's moved by Bob Morra. Is there a second?

RD: Second.

KM: I Second.

SP: Bob DePietro. Okay, all those in favor ... Aye.

RD: Aye.

RM: Aye.

SP: Aye.

KM: Aye.

SP: That's ayes from all four members here. Pierog, Morra, Miller, DiPietro. Okay, thank you.

5. Appointments: Fire Commission.

SP: Um, appointments to the Fire Commission. It's actually one appointment to the Fire Commission and the individual is Elizabeth Malone. Who goes by Lizzy. Um, she's a resident of South Road. She is um asking to be considered for a full-time member of the Fire Commission. Um, she is a member of the fire department; and right now there is only one other member of the fire department who is a member of the Fire Commission. Um, the charter limits the Fire Commission, um to two members of the fire department.

RM: Right.

SP: So.

RD: Sandy, Sandy is that John's daughter?

SP: Whose daughter?

RD: John Malone?

SP: Uh, I don't know who John Malone is. I'm sorry.

RD: He's a landscaper on South Road. He's you know...

SP: Um, could be.

RM: Yeah. Yeah we have a lot of our kids and grandkids who are now at the age where they're actually in the fire service or EMT's.

RD: Wow!

RM: Tell you. Bob tells you, you've been around a while.

SP: Yeah. (Laughter). Yeah, she has an impressive resume.

RM: Oh really?

SP: She's been a member of the fire department for five (5) years. She's fire fighter 1, fire fighter 2, hazmat operations. RM: Wow.

SP: She's an EMT and she's an engineer on some of the fire trucks. So, she's on her way up there. She knows her stuff.

RM: She really is a go getter.

RD: I move to appoint her.

SP: Alright, it's been moved to appoint Elizabeth Malone to the Fire Commission by Bob DePietro.

RM: I second.

SP: Bob Morra seconded. All in favor?

RD: Aye.

SP: Aye.

RM: Aye.

KM: Aye.

SP: That was aye's from Pierog, Morra, Miller and DePietro. Okay. I think...

RM: That's it?

SP: That's the last thing on this agenda. Holy cow. New Record. (Laughter).

KM: That's the shortest meeting we've ever had.

SP: Well not quite. Not quite. We had one that was 12 minutes but...

RM: Right.

KM: Okay.

SP: This is very good considering the last one which went for 2 ½ hours.

RM: Right.

SP: So, alright. Um, I probably won't get this, uh these questions rewritten um until Friday or Saturday but I will email them to everyone and please feel free to comment back and ...

RD: Oh yeah.

6. Adjournment.

SP: With that, because this is a special meeting um, this meeting is adjourned. Have a wonderful evening everyone. (Adjourned at 7:51 p.m.)

Respectfully submitted,

Kathy McCavanagh

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

Possible Charter Revision Ballot Question Formats For November 2, 2021 Municipal Election July 20, 2021

Q. 1. Shall the town charter be amended to replace the Board of Finance with a Finance Committee composed of two members of the Board of Selectmen, two members of the Board of Education and three elected members at-large, and

Shall the new Finance Committee assume the role of the Capitol Acquisition, Planning, and Allocation Committee, and

Shall the Board of Selectmen be increased from five to seven members with staggered four-year terms, and

Shall members of the Board of Selectmen be prohibited from serving simultaneously in other elected town offices (except the Finance Committee)?

- Q. 2. Shall the town charter be amended to change "reduce" to "revise" in the provision relating to a failed budget referendum?
- Q. 3. Shall the town charter be amended to change the title of Administrative Officer to Town Administrator, change the role and responsibilities of that position and

Shall the town charter be amended to change the title of Chief Financial Officer to Director of Finance?

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