

**MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVISION COMMISSION
May 21, 2015**

Present: Bob Brooks, Brian Fitzgerald, Jeff Kew, Brian Dudack, Charles Watras and Bobbie Kling. **Absent:** Bob Parks. First Selectman Ed McAnaney was also in attendance. Chairman Brooks called the meeting to order at 7:03 p.m.

Approval of Minutes from May 14, 2015 Regular Meeting

Mr. Kew requested that the sentence on Page 3 in the CFO/Treasurer paragraph be changed from “Mr. Kew said that perhaps the problem is the review process and we should remove the 4 year appointment and eliminate the review process.” to “Mr. Kew said that perhaps the problem is the lack of a review process and we should remove the 4 year appointment and conduct an annual review”. Ms. Kling made a motion to accept the minutes of the April 23rd Regular Meeting of the Charter Revision Commission (CRC) as corrected. Mr. Watras seconded the motion. Vote 6-0 in favor.

Mr. Watras complimented the Recording Secretary for the outstanding minutes and her ability to pick up the essence of the conversations while removing the verbosity.

Correspondence Received: Mr. Brooks noted that he did receive an email from Tom Frenaye regarding the Town Manager. He said he was in favor of a Town Manager and didn't agree with the CRC approach to not pursue it based on it not being recommended by the Board of Selectmen (BoS). He suggested the CRC pursue the Town Manager and force the BoS to reject it

Public Comment: None

The authority of the Board of Selectmen to approve expenditures not otherwise budgeted and transfer money among accounts less than a pre-determined percent of the budget (or some other limitation).

Mr. Fitzgerald noted that at the previous night's BoS meeting there were about 8-9 transfers due to unusual snow removal costs. The Selectmen do not want the ability to move funds from contingency without Board of Finance (BoF) approval. They are seeking the ability to move excess funds between departments without BoF approval. They are agreeable to setting a limitation on the amount allowed. Perhaps this should be allowed after contingency funds are expended. Excess funds are returned to the general “unassigned” fund.

Ms. Kling said she would like a BoF member come to discuss this item. She noted that you cannot take from the payroll line without BoF approval. Ms. Kling said that department heads develop and justify their budgets. If a department head has an unanticipated expense or has mishandled their budget they must get it approved by the BoS and the BoF. She is not in favor of the BoS of moving money between departments without BoF knowledge. She also noted that any amounts in excess of .25% of the approved budget (currently about \$135,000) must go to Town Meeting for approval. Mr.

Dudack said since the budget has been approved by the BoS, BoF, and Town Meeting is there harm in moving it around in the budget? Mr. Kew said that the budget was approved with the idea that it would be used as allocated. Mr. Fitzgerald said that allowing movement between departments would make it more efficient and that individual departments tend to keep a maximum needed in each of their budgets and always have money left over. Ms. Kling was against ‘watering down’ the BoF authority. She said the BoS is in charge of policy and administration but is not a financial board. Mr. Watras suggested that since the CRC has the BoS perspective they should request the perspective of the BoF on whether or not the Town Meeting threshold should be raised or consider a smaller amount to be allowed to be transferred by the BoS. Mr. Brooks said that he feels more uncomfortable about moving money for unbudgeted expenses but moving money between accounts seems okay to him. Discussion followed that the Board of Education (BoE) and their lack of disclosure in the budget expenditure process which is allowed by State Statute. Mr. McAnaney said that the BoS is seeking the same authority as the BoE but with much more transparency since BoS transfers would be noted in their minutes. Mr. Brooks proposed that any transfer that the BoS makes between accounts needs to be approved by the BoS and recorded in their minutes. Ms. Kling said that the BoF provides the defense for departments to ensure that the BoS cannot steal money from one department to give to another. Mr. McAnaney said that money should not be protected if there are other emergencies that require transfers. Mr. Watras suggested that BoF input be sought since their procedures, policies, etc. impact the financial strength of the Town and items that seem insignificant may have ramifications.

The authority of the Board of Selectmen to accept easements and town roads in new developments.

Mr. McAnaney defined easements generally as of two types; accepting and granting. He said the Town recently granted an easement to Tennessee Gas for a pipeline expansion but typically the Town accepts easements (like drainage, electrical). Ms. Kling said that authorizing easements at Town Meeting is another option for transparency and not a lot of effort to hold a Town Meeting. Mr. Kew asked if there were tax consequences or risk with easements. The answer was no. Mr. Brooks said he sees the charge as allowing the BoS authority to accept easements and town roads in new developments vs separately i.e. authority would be limited to easements only in new developments. Acceptance of easements is limited to those affecting town business. Mr. McAnaney said that accepting town roads is perfunctory and is less likely to be necessarily done at a Town Meeting. The road has been built and built to Town specifications. All agreed that it should be limited to roads in new developments not considerations of private roads. Mr. Fitzgerald said it’s not practical to have a Town Meeting for the sole purpose of accepting a road and that acceptance should not have to wait until a future Town Meeting. He also said that the Town shouldn’t plow until the roads are accepted. Mr. Brooks will contact the Town Engineer for his thoughts on the matter of easements and town road acceptance.

The authority of the Board of Selectmen to appoint vacancies in the Board of Education and Board of Finance.

Mr. Brooks asked Mr. McAnaney what the rationale for the requested change was. Mr. McAnaney said that appointing vacancies in BoE and BoF would make the process congruent with other elective and appointed Board and Commissions. He asked what made them different from other Boards and Commissions and worthy of a different process? Mr. Fitzgerald said the intention of the BoS would be to fill the vacancy only until the next local election. Mr. Kew said that the BoE chair spoke in favor of keeping the process as is. He said they have the most knowledge in the function and could best assess the qualifications of the candidates. Mr. Fitzgerald asked how that would be any different than a land-use board like zoning? Mr. McAnaney said that all Boards and Commissions have focused areas of expertise and importance. He said the BoS can fill vacancies on their own Board. Mr. McAnaney said the charge items were developed to streamline and to stop items being treated disparately without justification. Mr. Watras asked if the BoF would typically elevate an alternate member to a full member? Mr. Watras said that the BoF acts as an oversight commission to the BoS and having the body that is subject to oversight appointing the members could pose a conflict of interest. He also noted that regarding the BoE that BoE members could be more attracted to individuals with the pure interest of the quality of the education program irrespective of cost where the BoS may be more interested in a cost perspective. Mr. McAnaney said that as elected leaders BoE members are obligated to taxpayers to provide a responsible cost of education. Mr. Watras responded that their responsibility is to do what they feel is best. He noted he was just raising a point of view. Mr. Brooks made a motion to authorize the Board of Selectmen to appoint vacancies in the Board of Education until the next election. Mr. Fitzgerald seconded the motion. Ms. Kling suggested that the CRC extend a courtesy to the BoE to attend the next meeting to discuss the item. Mr. Fitzgerald moved to table the motion until the next meeting. Mr. Brooks seconded. Vote 6-0 to table.

Mr. Dudack will be absent for the May 28th meeting. After discussion, it was agreed to cancel the next meeting.

Mr. Fitzgerald said that the BoS extended the due date of the draft report from June 30th to July 31st. Timing was discussed to get the Charter changes on the November ballot. Phone in voting was also discussed due to planned vacations. He also mentioned that there was a contingent appointment in case Mr. Parks doesn't withdraw his resignation. The CRC preference is to have Mr. Parks come back as a member.

Ms. Kling moved to adjourn. Mr. Fitzgerald seconded. After a unanimous vote, the meeting was adjourned at 9:10 p.m.

Next Meeting will be held on June 4th.

Respectfully submitted,
Lisa Trase
Recording Secretary