

Town of East Windsor
Charter Revision Commission

Regular Meeting
June 11, 2009

Co-Chairman Butenkoff called the Meeting to order at 7:05 p.m. in the Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT.

ATTENDANCE:

Present: Co-Chairman Butenkoff, Co-Chairman Matthews, Commissioners Badstubner, Phillips, Riach, Thompson, and Yosky.

Absent: Commissioner Arcari, Gaudreau, and Riggott.

ESTABLISHMENT OF QUORUM:

A quorum was established as seven members were present.

ADDED AGENDA ITEMS: None.

PUBLIC PARTICIPATION - The public is encouraged to provide their thoughts as succinctly as possible. CRC members will not comment on the merits of an idea at this meeting but may ask questions to clarify the proposal. A time limit may be imposed.

Kathy Pippin, Woolam Road: reported she attends many meetings which occur within Town government. She has heard at least two Commissions seeking to do something with members who do not show up for scheduled meetings.

Commissioner Yosky indicated that elected officials can't be touched; Co-Chairman Butenkoff suggested the Town Ordinance only addresses appointed officials. Commissioner Philips suggested Mrs. Pippin contact the State representative for suggestions. Mrs. Pippin questioned where she could acquire a copy of the Town Ordinance; Commissioner Yosky will provide a copy of the appropriate Ordinance for Mrs. Pippin.

PREVIOUS MEETING MINUTES, comments and acceptance - 3/26/2009 Public Hearing:

MOTION: To APPROVE the Minutes of Public Hearing dated 3/26/2009.

Riach moved/Badstubner seconded/VOTE: In Favor: Unanimous

PREVIOUS MEETING MINUTES, comments and acceptance 4/2/2009, and 4/23/2009:

Tabled.

WRITTEN INPUT SUBMITTED TO CRC:

- * E-mail dated June 10, 2009 from First Selectman Menard to Commissioner Yosky (cc to all Commission members with e-mail availability) regarding status of Board of Selectmen's Report on Proposed Charter Revisions:

The Commissioners took a minute to review the First Selectmen's e-mail. Essentially the e-mail thanked Commissioner Yosky for meeting with the First Selectman, and noted concurrence that the BOS were unable to meet until after the 15th day following their Public Hearing on proposed charter revisions, which made it impossible to return recommendations to the Charter Revision Commission within the CRC's (statutory) timeframe. First Selectmen Menard offered suggestions made at the BOS June 2, 2009 meeting, including: 1) ".....the BOS felt that the referendum and 2% cap issue is still a problem; a suggestion was to cap based on the cost of living as used by social security; and 2) concern regarding perceived opposition targeted specifically to the referendum/cap part of the proposed changes; how failure of the automatic referendum and 2% cap questions would affect that section of the charter.

Co-Chairman Butenkoff concurred that the if the BOS Public Hearing was held on May 18th the 15 day response period was not met. Co-Chairman Butenkoff referenced CGS 7-401; the Charter Revision Commission submitted its final draft to the Board of Selectmen on May 1, 2009; the CGS allows 45 days for the BOS to respond back to the Charter Revision Commission with recommendations. The 45 days ended on June 8th. The First Selectmen's e-mail dated June 10th offers a summarization of discussion which occurred at the BOS's June 2nd meeting. Co-Chairman Butenkoff felt no further changes/revisions could be made to the Charter via BOS recommendations after June 8th; per State Statutes as of June 8, 2009 the charter submitted to the BOS on May 1, 2009 is the charter that should go to vote in November.

Commissioner Yosky concurred that the biggest issue of her June 9th meeting with First Selectman Menard was the 2% cap. She concurred they did also discuss using a cost of living increase. Commissioner Yosky noted recent media reports that there will be no social security cost of living increase for the next 2 or 3 years; if the Commission continues with the proposed 2% cap that's better than a cost of living increase of zero. Commissioner Yosky felt that if a budget goes to 3 referendums then the town would be back to where it was in the beginning.

Commissioner Philips suggested subsequent budgets might not go to three referendums.

Commissioner Riach offered a brief summary of information contained in various charters offered to the CRC for review. Many towns go back to the previous year's budget with no increases; the required number of referendums was 2 or 3 to unlimited. He also felt to provide a 2% cap was better than the previous year's budget.

The Commission recalled several members of the public had suggested during the CRC Public Hearing on March 26, 2009 that no increase would hurt the town.

The consensus of the Commission was that by not revising the budget cap to the cost of living/social security percentile suggested by the BOS then in effect the charter was not changing.

ADMINISTRATIVE HOUSEKEEPING: Nothing presented.

REVIEW OF CRC MEMBERS INPUT FOR PROPOSED REVISIONS:

Nothing presented.

DISCUSSION ITEMS/a) Discussion of final revisions to Charter:

See discussion above under WRITTEN INPUT SUBMITTED TO CRC.

DISCUSSION ITEMS/b) Discussion of ballot questions:

Commissioner Yosky and Co-Chairman Matthews queried if the ballot questions submitted to the BOS on May 1st could be revised? Co-Chairman Butenkoff recalled Attorney Mednick had advised the Commission earlier that the decision on the ballot questions lies with the BOS. Co-Chairman Matthews referenced the second question:

- 2) Shall the charter be revised to have an automatic budget Referendum?

and, with input from Commissioner Riach, proposed the following changes:

- 2) Shall the charter be revised to have an automatic Budget Referendum?
Yes/No
- 3) If Question #2 is approved shall the charter be revised to allow that the number of referendums be limited to three (3) with the budget reverting to last year's approved budget, plus 2%?

Co-Chairman Matthews cited the opposition raised by several residents; he suggested he

didn't want to lose everything (the automatic referendum) because of opposition to the subsequent action regarding additional referendums. Co-Chairman Butenkoff questioned if the Secretary of State would allow a question based on the passage of another question? Co-Chairman Matthews cited First Selectman Menard concern about what happens if the referendum fails; his proposal better addresses that possibility.

MOTION: That on the question of the referendum, it be presented in two pieces, as follows: 2) Shall the charter be revised to have an automatic budget Referendum? Yes/No; and 3) If Question #2 is approved shall the charter be revised to allow that the number of referendums be limited to three (3) with the budget reverting to last year's approved budget, plus 2%?

Matthews moved/Riach seconded/VOTE: In Favor: Unanimous

The recording secretary noted Commissioner Gaudreau had proposed an additional ballot question asking if items requiring bonding should be passed before a referendum. That question had not been included in the May 1st submission to the BOS; the recording secretary asked if she had inadvertently omitted that question? Commissioner Phillips suggested that issue is addressed in the charter under Section 10.8. Commissioner Badstubner noted First Selectmen Menard's April correspondence to Commissioner Gaudreau suggesting that item should not be a ballot question. The consensus of the Commission was that there was no need for an additional ballot question.

The Commission discussed submitting their final report to the BOS for review at their meeting scheduled for Tuesday, June 19, 2009. The final report will indicate the Commission would like to continue with the original wording of the Charter submitted to the BOS on May 1, 2009, with the revised ballot questions as noted above. Review of the timeframe schedule indicated the BOS will have until June 30th to return comments to the CRC; the next CRC meeting is scheduled for Thursday, June 25th.

BRAINSTORM FOR ADDITIONAL ITEMS, NO COUNTER POINTS:

Nothing presented.

SECOND PUBLIC PARTICIPATION:

Journal Inquirer reporter Kory Loucks requested clarification of the revised ballot question.

GUIDANCE FOR NEXT MEETING: Nothing presented.

ADJOURN:

MOTION: To ADJOURN this Meeting at 8:06 p.m.

Gaudreau moved/Riggott seconded/VOTE: In Favor: Unanimous

Respectfully submitted,

Peg Hoffman, Recording Secretary, East Windsor Charter Revision Commission