

**Board of Selectmen
Town of East Windsor
11 Rye Street
East Windsor, Connecticut**

**Minutes of Public Hearing
Monday, March 30, 2015 at 6:30 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Denise Menard, Jason Bowsza, Steven Dearborn (arrived at 6:35 p.m.), Dale Nelson and James Richards
Members Absent: None
Others: Richard Pippin, Kathleen Pippin, Marie DeSousa, Lenoard Norton, Richard LeBorious, John Burnham, Catherine Simonelli, Robert Maynard and a few others

First Selectwoman Denise Menard called the Public Hearing to Order at 6:32 p.m., in the East Windsor Town Hall.

Ms. Menard thanked all who were in attendance. She read from the legal notice which was published in the *Journal Inquirer*. "The Board of Selectmen will hold a Public Hearing on Monday, March 30, 2015 at 6:30 p.m. at the Town Hall, 11 Rye Street, Broad Brook, Connecticut. The purpose of the Public Hearing is to receive public comments regarding the Town of East Windsor's proposed revisions to the Town Charter. Copies of the Charter will be available at the Town Clerk's Office." She mentioned there were copies of the proposed Charter and copies of the proposed Charter red-lined showing those changes available to the public if they would like copies.

Selectman Steven Dearborn arrived at the meeting 6:35 p.m.

Ms. Menard indicated there were members of the Charter Revision Committee in attendance if any questions needed to be answered or they could give some insight on why such changes were made by the Committee.

She indicated if anyone would like to speak, could do so by signing their name and address on the pad and those people would be called up in the order of which they signed the sheet.

Mr. Richard LeBorious of 16 Church Street, Broad Brook, Connecticut addressed the Board. He commented that he was the Chairman and is the current Chairman of the Charter Revision Commission. This process started quite some time ago and the group met and went through the Charter quite extensively. The group was non-partisan and diverse in their political make-up. The Commission worked to find a general consensus by all members to recommend the revisions to the Charter to the Board of Selectmen

which best suits the needs of the Town of East Windsor. In regards to the addition of the Town Administrator, in the complex world that we live in, the demands on public administration required a professional to seek opportunities and manage the day-to-day operations of the Town. This is by no way a reflection on the current administration, Ms. Menard is doing a fine job as the First Selectman; however, going forward it was the general consensus of the Commission to have a professional administrator to do the day-to-day management of the Town. It was also recommended to expand the Board of Selectman by adding the Board of Finance and making it one Board to focus on policy making; therefore, citizens with problems or concerns, could place their complaints to one Board. As the Chairman of the Charter Revision Commission, this revised Charter is recommended to the Board of Selectman. He would be happy to answer any questions.

Mr. Robert Maynard of 7 Blue Heron Way, East Windsor, Connecticut addressed the Board. He indicated that he has three concerns regarding the revisions of the Charter. The first being the proposed Charter revisions in its entirety is bad for the Town of East Windsor. The approval of this Charter will cripple the Town of East Windsor. As the Board of Selectmen, they can prevent the proposed Charter from passing by preventing the revised Charter to go to a referendum. He said it is simple what needs to be done, at the next Board of Selectman meeting, a Board Member who has political courage and sense of responsibility for the Town of East Windsor to move that the revised Charter be rejected and another courageous Board Member can second the motion and a vote can be held. He has heard throughout those who are opposed of this revision. The second concern he had is that as a Board of Finance Board Member, he understands that bringing this revision question to a referendum will cost the Town approximately \$9,000. The costs include printing the entire revised Charter in the newspaper. He feels that the Town is in such direr straits, it cannot afford bring this revised Charter to a referendum. He gave a realistic example of how tight the Town is financially that at a recent budget workshop meeting held by the Board of Finance, a budget request of \$2,100 had to be cut. He is suggesting giving the \$9,000 to the Broad Brook Library rather than spending it on a referendum on the Charter revision. The third and last reason is that it is quite possible that the proposed Charter is illegal. He looked through the minutes of the last meetings of the Charter Revision and the last meeting minutes are dated February 5, 2015 and on that agenda the Commission was to forward the revised Charter to Board of Selectman; however, that wasn't done at the February 5, 2015 meeting and another meeting was to be held on February 12, 2015, again to forward the revised Charter to the Board of Selectman. However, those minutes were not recorded in the Town Clerk's Office so therefore, he is not sure if this meeting took place. This could be challenged if this meeting even took place and who voted. He urges the Board of Selectman to have political courage and not move that this revised Charter be voted upon and have the Charter Revision Commission review the Charter again and come up with a better product.

Ms. Menard questioned Mr. Maynard as to what specifically in the revised Charter did he have a problem with so she could note same. He responded there were so many things, he couldn't mention all of them as he could spend a half hour discussing all of them. He gave an example of 200 signatures that are needed to hold a Town Meeting. Ms. Menard

commented that currently that is the requirement of a Town Meeting. Mr. Maynard did not wish to argue over specific items, but commented that if anyone read the entire document, they would know that this document will hurt the Town of East Windsor.

Ms. Catherine Simonelli of 71 Depot Street, Broad Brook, Connecticut addressed the Board. She commented that she has not read the entire revised Charter, but she went through the red-lined copy and there were small pieces she will comment on. She said that the elimination of the Board of Finance and combining the Board with the Board of Selectman was a bad idea. She feels that the checks and balances of different governmental bodies was missing if this happens and does not serve the Town well. In addition, she was not sure about the elimination of the Zoning Board of Appeals, which would fall under the Board of Selectman, again giving the Board of Selectman more power, as does the elimination of the Police Commission. She then began discussing the position of Town Administrator and the requirements of the job. She indicated that a professional should have specialty training in finance. She understands that a First Selectman doesn't necessarily have training, and it is a gray area. A Town Administrator should be required to have a bachelor's degree, but it isn't specific as to what type of degree or training is required. She believes the job description needs to be more specific. In regards to the budget and the 2% increase or Social Security increase, whichever is higher, she is concerned that the flat 2% gives the Board of Selectman leeway needed more sense 2% increase should be split between the two Boards, Board of Selectman and Board of Education as the budget breaks down 40% Board of Selectman and 60% Board of Education. She hopes that the Board of Selectman rejects this revision to the Charter.

Ms. Catherine Simonelli was speaking for the Chairman of the Board of Education, Christopher Mickey via email. She read the email to the Board. Mr. Mickey apologizes for not attending this public hearing as he is away on business. He wrote that he disagrees with the revised Charter in that he believes that the elimination of the Board of Finance removes the checks and balances of governmental bodies and this gives the Board of Selectmen too much power. He disagrees with the part-time paid First Selectman and a full time Town Administrator and lastly, he believes that a Town Manager should require more schooling, such as a MBA rather than a Bachelor's Degree. He believes that this revised Charter cannot be allowed to move forward. Ms. Simonelli indicated she would forward this email to the First Selectman's Office.

Ms. Marie DeSousa of 10 Rice Road, Broad Brook, Connecticut addressed the Board. She mentioned that she has attended a few meetings of the Charter Revision Commission. She hasn't read the revised charter in its entirety, but she believes that the 2% default increase is not enough in the real world. She believes that if the Town of East Windsor wishes to move forward, it needs to take a hard look at going to a paid Town Administrator for the future. It would be a mistake not having a part-time First Selectman as that part-time First Selectman is familiar with the Town and knows the business of the Town. This Town has come a long way in the last five or six years and the Town has grown, but for it to grow even more in the future, the Town needs a professional to guide it. She agrees with the elimination of the Police Commission. She believes that the Police Administration should report to the Town Administrator. She has

experience as she has sat on the Board of Finance and a lot of what she heard was redundant especially during budget workshops. She respects those who volunteer for the Board of Finance or any other Board, but understands the commitment. Most of the surrounding towns are moving forward in the future and she wants the Town of East Windsor to move ahead and she doesn't want to see the Town of East Windsor left behind. She thinks a professional administrator is best for the Town because that person isn't affiliated with any political repercussions.

Mr. Richard Pippin of Wooham Road, East Windsor, Connecticut addressed the Board. He is the Vice-Chairman of the Charter Revision Commission. He commented that the job description was not too detailed within the Charter because the feeling was that a job description changes periodically, and if it was written in the Charter, the job description couldn't be changed until the Charter was revised. The rationale of the part-time First Selectman was to keep the head of the government to partake in ceremonial obligations and duties.

Mr. Richard LeBoriosis of 16 Church Street, Broad Brook, Connecticut addressed the Board. He commented that the First Selectman position is important in that as an elected official, he or she is able and capable to relate to other governmental elected officials. As a Mayor in another Town, he knows that if a Town Manager called the Governor's Office or another elected official's office, he may not get a response; however, as an elected official, the First Selectman will get a call back quickly. He understands that the revision has a lot of changes; however, the members of the Commission worked hard and made thoughtful decisions in the changes that are being proposed.

Ms. Menard asked if any other comments were to be made. No one responded.

She did have a letter from Ms. Kimberly Lord, Treasurer of East Windsor. She read from this letter which is attached hereto and marked Exhibit A.

The public hearing of March 30, 2015 was closed at 7:09 p.m.

Respectfully Submitted:

Denise M. Piotrowicz
Substitute Recording Secretary

Kimberly Lord, Town Treasurer
11 Rye Street
Broad Brook, CT 06016
March 30, 2015

East Windsor Board of Selectmen

Dear Board of Selectmen Member:

In my capacity as Treasurer for the Town of East Windsor, I would like to record my opinions on the revised charter as presented by the East Windsor Charter Revision Commission on 2/17/2015.

It is evident that the Commission took their charge seriously; they produced a significantly revised charter. The revised charter was finished after many hours of thoughtful discussion by the Commission, and the Commission members' hard work and dedication should be commended.

My comments will focus on Chapter 8- Finance and Taxation. I will begin with some "housekeeping" type issues.

Section 8-4 "Submission of the budget to referendum" (page 30)

(2) This section discusses failure of the **initial** and **second** referendum and says that after the second budget referendum fails, the budget will return to the BOS, who shall resubmit a budget to a **subsequent referendum...**

However,

(4) says that if the budget fails at the second budget referendum, it will **revert** to the current fiscal year's budget plus 2% or the last announced social security increase, whichever is larger.

Items 2 and 4 contradict each other. I will discuss my thoughts about the 2% provision a little later. Also, if (4) takes place, and the budget automatically reverts to 2%, Item C on page 31 is not needed- "C. Expenditures without an Adopted Budget" would never take place.

Also on page 31:

Section 8-5 Duties of the Board of Selectmen on Other Financial Matters

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B. Supplementary Appropriation. The Town currently has a Transfer/ Supplemental Appropriation policy that works very well, which may be helpful when looking at the language in this section. (Attached to this letter). Also, it mentions a contingency fund, as if the contingency fund exists outside of the general fund. Our contingency fund is a department within the general fund operating budget. Transferring money from the contingency line *is not* a supplemental appropriation or transfer from budget surplus.

Page 32:

Section 8-7 Unexpended Appropriations. The revised charter has all unexpended funds lapsing at the end of the year and then put in the *CNR Fund*, rather than returning to unassigned fund balance. This can be very detrimental to our fund balance; this section would require that any operational savings must be used for capital projects only (projects which don't even exist). Our fund balance would never grow, and if we use fund balance for any reason, we would have no way to replenish it.

Section 8-8 Annual Audit

B. Any organization receiving funds from the Town *not included* in the Town audit, *including but not limited to the Board of Education...* The Board of Education and Broad Brook Fire Department are included in the regular town audit. The town does not exert line-item control over the Warehouse Point Fire District or the town libraries, but the bottom line revenues and expenditures are covered by the town audit as well. I understand the intent of this section- you want to make sure any outside agency receiving town funds is properly audited, but this section should be re-written so that it's accurate. It should simply say "any outside agency receiving funds in excess of \$----- from the Town shall submit an audit..."

Aside from the language issues in the above sections, I want to express my concerns regarding the 2% budget increase provision.

Attached to this letter, you will find the budget referendum language from the charters of eleven comparable communities. As you can see, East Windsor is the *only town* that limits budget increases to a specific number. (Plymouth does have a provision for a 3% increase, but it excludes debt service, and allows the Town Council to allocate the funds). Most towns submit annual budgets to the voters until they pass, and have provisions for current year revenue collection if the

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budget hasn't passed by the end of June. This allows the process to work as its intended- voters get the budget they choose to support each year, without the threat of an arbitrary, artificial constraint of 2% being added to every line. Is the 2% provision the best way to manage the Town's spending? Just look at our crumbling infrastructure and enormous list of deferred maintenance and you will get your answer. The budget process should be designed with flexibility, and should give the town's residents ultimate control. The 2% provision looms over all budget meetings, and has become a dictator that ultimately drives all financial decisions. By leaving the provision in -and in fact, making it stronger, by reducing the number of referenda- you are allowing the town to be governed by a *number* and stripping the elected officials and town residents of their right to direct the town's spending to meet its needs based upon the current year's conditions. I ask you to please take a look at the charter language I've provided from comparable towns and perhaps re-think the 2% provision.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kimberly Lord".

Kimberly Lord

Enclosure- 8 pages