

TOWN OF EAST WINDSOR BOARD OF SELECTMEN

PUBLIC HEARING

Thursday, June 27, 2019

7:30 p.m.

Town Hall Meeting Room
11 Rye Street, Broad Brook, CT. 06016

Meeting Minutes

*** *These Minutes are not official until approved at a subsequent meeting* ***

Board of Selectmen:

Robert Maynard, First Selectman
Steve Dearborn, Deputy First Selectman
Jason Bowsza, Selectman
Andy Hoffman, Selectman
Charles J. Szymanski, Selectman

ATTENDANCE: Board of Selectmen: Robert Maynard, First Selectman; Selectmen: Jason Bowsza, Selectman; Andy Hoffman, Selectman; Charles J. Szymanski, Selectman.

ABSENT: Steve Dearborn, Deputy First Selectman.

SPEAKERS/GUESTS: Members of Boards, Committees, Commissions, or Town Entities: Board of Education: Cathy Simnelli, Chairman; Broad Brook Library: Paul Anderson, President; Charter Revision Commission: John Matthews, Chairman; Keith Yagaloff; Democratic Town Committee: Rick Leborious; Police Commission/Republican Town Committee: Bob Leach, Chairman (of both agencies);

Public: Marie DeSousa, Dick Pippin, Kathy Pippin,

Press: No one from the Press was present.

TIME AND PLACE OF PUBLIC HEARING:

First Selectman Maynard called the Public Hearing to Order at 7:30 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

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FOR THE RECORD, the Public Hearing Notice is as follows:

PUBLIC HEARING, Town of East Windsor, June 27th at 7:30 p.m. at the East Windsor Town Hall. The purpose of this hearing is to obtain public input and comments on the Board of Selectmen recommendations regarding the East Windsor Charter Revision Commission Draft Report and other relevant comments that were presented to the Town on May 15, 2019 by the Charter Revision Commission.— East Windsor Board of Selectmen. JI: June 22, 2019. (See Attachment A – Public Hearing Notice)

NOTE: The Public Notice as displayed on the NEWS section of the Town website listed the location of pertinent documents on the Town Website. (See Attachment B).

First Selectman Maynard reported that after this Public Hearing the Board of Selectmen will put together their final recommendations, and vote on each item; the recommendations will then be given to the Charter Revision Commission. The Board of Selectmen and the Charter Revision Commission will then meet for a working session in mid-July. The Charter Revision Commission will make a final draft, which will include proposed questions for the November ballot. The Board of Selectmen will decide which questions they would like on the ballot.

First Selectman Maynard indicated he will now take public input. He requested the audience be respectful when giving their comments.

First Selectman Maynard provided a handout for the audience which summarized the Charter Revision Commission proposed changes for the various sections. Following each item is the date of the Board of Selectmen recommendations. (See Attachment C– Summary of BOS Recommended Changes: June 20, 2019 Discussion Draft (Date of BOS Review indicated).

PUBLIC PARTICIPATION:

First Selectman Maynard recognized Paul Anderson.

Paul Anderson, 89 Main Street: Mr. Anderson read an excerpt from the Public Hearing notice – “...the purpose of this Public Hearing is to take public input and comment on the Board of Selectmen’s recommendations regarding the East Windsor Charter Revision Commission Draft Report and other relevant comments...”

Mr. Anderson said his understanding of the process was for the Board of Selectmen to take comments from the public. Mr. Anderson requested if the Board chooses to respond that their comments will be brief; Mr. Anderson wanted the public to have their say.

First Selectman Maynard concurred.

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Bob Leach, 39 Church Street: Mr. Leach questioned if there was a list of the proposed language changes? Where can it be found? First Selectman Maynard noted the proposed language changes are available on the (Town) website.

Cathy Simonelli: Ms. Simonelli indicated she looked on the (Town) website and found a copy of the edited Board of Selectmen comments but she was unable to find an updated copy for the Charter Revision Commission of all of their changes. Ms. Simonelli suggested she understands they continue to make changes but their May 20th publication was the last information she could find. Ms. Simonelli questioned if what the audience is seeing tonight is a complete set of all of the changes that are being proposed?

First Selectman Maynard suggested the purpose of the Public Hearing is to go over the changes and the recommendations the Board of Selectmen have made. He cited the discussions of those changes and recommendations are in the Minutes of June 6, June 12, and June 20. The Board of Selectmen will finalize their recommendations and give them to the Charter Revision Commission. First Selectman Maynard indicated both boards will then meet to discuss the Board of Selectmen's recommendations; the Board of Selectmen will then prepare their final draft.

Cathy Simonelli: Ms. Simonelli questioned if procedurally there would be another Public Hearing where the public would see the final draft before it goes to Town Meeting, or referendum? First Selectman Maynard indicated he felt this was the last Public Hearing, or input from the public. Ms. Simonelli suggested it's difficult to comment on something she hasn't seen.

First Selectman Maynard thought there could be additional dialogue, as the meeting between the Board of Selectmen and the Charter Revision Commission would be on video, and people can see that. First Selectman Maynard felt the Final Draft will also be available.

First Selectman Maynard recognized Bob Leach.

Bob Leach 39 Church Street: Mr. Leach suggested, to clarify, this Public Hearing is to hear public input on the Board of Selectmen's changes to the language, but the public doesn't have that language in front of them; how can we have a Public Hearing on what isn't in front of us? First Selectman Maynard requested Mr. Anderson to read the Public Hearing notice; First Selectman Maynard questioned if the Public Hearing notice listed the urls (Webpage address) of the documents to be discussed? Mr. Anderson replied – absolutely not; the Public Notice is about this meeting but it doesn't include any additional information. First Selectman Maynard noted the information regarding the location of this information had been listed under "News" on the website. First Selectman Maynard then used the Smart Board to post the language changes.

NOTE: The Board of Selectmen's Agenda page also lists a link to the proposed recommendations for language changes for each Charter section under discussion. The date of the recommendations is June 20, 2019.

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Discussion followed regarding the information First Selectman Maynard would be displaying on the Smart Board, and how it related to the handout provided earlier. Selectman Bowsza stepped away from the table to make copies of one of his documents for Ms. Simonelli.

Selectman Bowsza questioned if the Public Hearing notice had been read; Mr. Anderson indicated he had read only an excerpt. Selectman Bowsza requested Mr. Anderson read the Public Hearing Notice.

Paul Anderson, 89 Main Street: PUBLIC NOTICE - PUBLIC HEARING, Town of East Windsor, Board of Selectmen. The Board of Selectmen will hold a Public Hearing on Thursday, June 27th at 7:30 p.m. at the East Windsor Town Hall. The purpose of this hearing is to obtain public input and comments on the Board of Selectmen recommendations regarding the East Windsor Charter Revision Commission Draft Report and other relevant comments that were presented to the Town on May 15, 2019 by the Charter Revision Commission. – East Windsor Board of Selectmen. JI: June 22, 2019.

First Selectman Maynard began review of each Charter section proposed for revision. First Selectman Maynard reviewed the proposals in the order stated in **Attachment C** - Summary of BOS Recommended Changes: June 20, 2019 Discussion Draft (Date of BOS Review indicated).

Section 6.6(B): Town Attorney (revises current language):

First Selectman Maynard noted the Board of Selectmen's changes regarding Section 6.6(B): Town Attorney, are as follows: deletion of "shall be retained by the Board of Selectmen", and ADDED "the Town Counsel shall be appointed by the Board of Selectman and the First Selectman jointly. The Town Counsel shall serve at the pleasure of the Board of Selectmen and the First Selectman."

Dick Pippin, 37 Woolam Road: Mr. Pippin felt the language should be left alone. Mr. Pippin suggested the First Selectman is a member of the Board of Selectmen; this language gives the First Selectman veto power. The Charter is supposed to be a guideline, not a dictatorship, which is about what this does. Mr. Pippin felt that the new language should be stricken; take the redline out and put it back the way it was. Mr. Pippin suggested the current language worked for years.

Paul Anderson, 89 Main Street: Mr. Anderson indicated he agreed with Mr. Pippin. The Board of Selectmen includes the First Selectman; those are the only people who should have a say, not "and". First Selectman Maynard gave a previous example where the Board of Selectmen and the First Selectman were unable to agree on a Town Attorney that everyone was able to work with. First Selectman Maynard suggested when that occurs the Town goes nowhere. Mr. Anderson indicated he failed to see how complicating the Charter fixes that. First Selectman Maynard indicated this would allow the Board of Selectmen and the First Selectman to agree on a Town Attorney.

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Mr. Anderson suggested that there are other things that will relate to this Charter Revision concept, such as an Administrative position. The Administrative position would have to work with the Town Attorney so if we gain one and lose another we start getting into problems. Mr. Anderson suggested the Charter doesn't have to say a word about an Administrator, you can still have one. Mr. Anderson felt the whole section related to the Town Administrator was a waste of time. It doesn't need to be there; it complicates things. If you put the Town Administrator in the Charter you have no option but to have one, and you'll have to pay for one. Mr. Anderson felt the Board could create the position of the Town Administrator today; you don't need all this Charter nonsense; you never did. Mr. Anderson felt the proposal was too complicated, too legalistic, and a waste of time.

Rick Leborious, 16 Church Street: Mr. Leborious indicated his comments don't really relate to this section, or any other individual section; they relate to the Charter and Board of Selectmen recommendations as a whole. Mr. Leborious felt the Charter as recommended by the Charter Revision Commission, and then as revised and recommended by the Board of Selectmen, makes no sense. Mr. Leborious felt it's a disjointed document, like the left hand doesn't know what the right hand is doing.

For example, Mr. Leborious suggested in the Charter it calls for a Town Administrator and it gives him the power of the day to day operations of the Town. And in another section it says that the First Selectman shall be the Chief Executive Officer of the Town. Mr. Leborious suggested it's a built-in conflict. Mr. Leborious suggested in another section it calls for the Police Department to be a department of the Town but it still leaves the power of personnel and other issues to the Police Commission. Mr. Leborious felt it should be one way or the other; you can't have it both ways.

Mr. Leborious felt this Charter is way too long; it should be a relatively few pages that outlines the basics of how we govern ourselves as a municipality. It doesn't have to detail every single issue that may come up. Mr. Leborious felt this Charter was an attempt to address past political grievances.

Mr. Leborious felt the proposal to lower the number of signatures required to force a referenda is too low; he felt if anything the number of signatures should increase. Mr. Leborious felt we don't need to have a referenda on every issue that comes up. The provision to overrule items adopted at Town Meeting and take it to referendum should be a very difficult thing to do. Otherwise, we're going to have a referendum once a month or every two weeks. Mr. Leborious felt that instead of governing by a Board of Selectmen Town Meeting form of government we're going to be governed by a referendum form of government. Mr. Leborious felt that was inefficient and wasteful and fails to have the focus we need to properly govern our community.

Mr. Leborious felt the biggest thing is the provision that allows for the splitting of the budget into multiple questions. He felt a budget is a document that should be a planning tool for the community as a whole. It should be a compromise and a recognition of the varied needs and

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interests of the community and balanced in one document that should go before the voters in a referendum, not six different questions. Mr. Leborious felt the Board of Finance does it's best to balance the needs of the Board of Education and the Highway Department and Social Services into a package we can afford and best suits the whole community. Mr. Leborious felt this is a balanced document and that's the way it should stay. Mr. Leborious felt we shouldn't be pitting one segment of our town against another.

Mr. Leborious indicated he would applaud the research done by one of the Board of Selectmen that was published recently online. Although he disagreed in some areas he felt the analysis for the most part it was dead on.

Mr. Leborious indicated he would recommend that the Board of Selectmen not even go to referendum with this Charter proposal because it's too badly flawed to fix in the last meeting prior to the mandatory conclusion of this Charter revision process. Mr. Leborious indicated he would recommend the Board of Selectmen allow this Charter recommendation to die a peaceful death.

Marie DeSousa, 10 Rice Road: Ms. DeSousa agreed with Mr. Leborious. She has a lot of questions after reading the proposed changes. Ms. DeSousa felt, in her opinion, there is animosity for a decision the Board of Finance made, or a disconnect between the Chief Executive Officer and the Police Commission and the Chief. Ms. DeSousa suggested it's her understanding the Charter Revision Commission has not gone out and spoken to anyone. Ms. DeSousa felt the Charter Revision Commission wants to micromanage every aspect of what goes on in this town and you can't do it; you can't do your job now. Ms. DeSousa suggested to micro manage is ridiculous. Ms. DeSousa thanked Selectman Bowsza for his due diligence. Ms. DeSousa suggested you can't let your anger stand in the way of protection for the town.

Ms. DeSousa felt to give one person two votes on a Town Attorney is wrong because that just gives them the power to overrule the authority of the Board. Ms. DeSousa felt not having the Police Commission is wrong and having the Police Department a part of the town reporting right to the First Selectman is wrong. Ms. DeSousa felt you don't have to have a referendum every time the Board of Finance makes a decision; go to their meetings, see if you can persuade them during that meeting. Ms. DeSousa felt this meeting is an important meeting and we have a Selectman who isn't here. Ms. DeSousa suggested she understood there was a change made regarding the 2%; she doesn't see it in this document. Ms. DeSousa cited her understanding of the process is that if the change isn't in the document of the 15th no changes can be made to original document; is that correct? First Selectman Maynard noted there was one item in there that's missing that the Board of Selectmen discussed. Selectman Bowsza suggested he felt it was (section) 8-3 (Finance General Provisions); First Selectman Maynard thought it might be (section) 10-5 (a and b: Petition Signatures). Ms. DeSousa questioned how the Board of Selectmen could do that if it wasn't recommended to you? She felt that wasn't part of what you're doing up there; she referenced a document in her left hand and suggested they were supposed to be responding to that document.

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Ms. DeSousa cited she was concerned that she didn't trust the Charter Revision Commission; she felt it's not representative of the town of East Windsor. Ms. DeSousa felt it's representative of a small group, which is wrong, and she's stated that's wrong from the beginning. Ms. DeSousa questioned what's to say they're not going to sneak something in there and we're not going to see it because it won't be one of the questions. Ms. DeSousa would recommend to say thank you very much everybody for your time and effort, put it aside and start over.

Paul Anderson, 89 Main Street: Mr. Anderson reported he spent a lot of time in the past suggesting that we split the Board of Education and the Town budgets but he's come to the conclusion that that isn't a very good idea. Mr. Anderson suggested it's not going to work; it sounds "cute" but he didn't think it was in the best interest of the Town of East Windsor. Mr. Anderson believed the budget should be the budget. The Board of Finance has the control to be able to change the numbers, even for the Board of Education. They do their due diligence; people should understand that; they don't nilly willy make cuts and changes. They work hard at it, and they understand it because that's what they work with; that's their area of expertise. Mr. Anderson suggested that's why we have a Board of Finance, and a Board of Selectmen, and a Building Commission and Office, and a Planning and Zoning Office; they all have their areas of expertise. Mr. Anderson felt the Board of Finance has to be allowed to do their job. And that's why we have it separate; it's very important that it's separate. The Board of Finance recommends or requests that the Board of Selectmen puts something to Town Meeting it's not for the Board of Selectmen to decide if it's a good idea or not; the Board of Selectmen's job is to send it to Town Meeting. Case closed. They're not supposed to discuss it, analyze it and pick it apart. Mr. Anderson suggested we go to Town Meeting because it's a good idea to give things to the public to decide.

Mr. Anderson felt we're getting very divisive in this Charter concept. Mr. Anderson felt the Charter revisions were way too many words, way too many details. He suggested if you want to change the Treasurer to a Finance Director – fine, but the job description does not belong in the Charter. Mr. Anderson felt we can't put everything in the Charter; Mr. Anderson felt the revisions will never pass. You can send it off to referendum and everybody's going to vote no and it's not going to happen anyhow. You better see it clearly that this is not going anywhere. Mr. Anderson suggested his opinion is that it doesn't work; it's inappropriate. So it's not happening.

First Selectman Maynard queried the audience for additional speakers; no one requested to speak on this section. First Selectman Maynard suggested moving on.

Section 6-6(D): Finance Director/Treasurer (re-names Treasurer):

First Selectman Maynard suggested the only change is removing the reference to the Treasurer and replacing it with Finance Director.

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Paul Anderson, 89 Main Street: Mr. Anderson questioned that the Board of Selectmen took out all the language that said all POs would be approved by the Finance Director? First Selectman Maynard concurred.

Section 6-6(H): Administrative Officer (new position):

First Selectman Maynard noted the Board of Selectmen has changed “shall” to “may” (in sub-paragraph (a) “The First Selectman shall MAY appoint”). First Selectman Maynard read sub-paragraph (a) including the minor change. First Selectman Maynard also noted the Charter Revision Commission has suggested the language [in sub-paragraph (b)] should be more specific regarding the duties of the Administrative Office. First Selectman Maynard read sub-paragraph (b) for the audience.

Dick Pippin, 37 Woolam Road: Mr. Pippin questioned if, in the third paragraph [sub-paragraph (c)] the language “The compensation and benefits of the Administrative Officer shall be fixed by the Board of Selectmen...”. Mr. Pippin felt there should be a period in the sentence where he stopped reading; the remainder should be stricken out. Mr. Pippin questioned why are you addressing that you only have to do it once a year, and you’re addressing their salary. First Selectman Maynard indicated the language (of sub-paragraph (c) had been stricken out. Selectman Bowsza suggested it would be helpful if people understood what had been stricken; Mr. Pippin concurred, noting the document he was reading still had it in there.

Bob Leach, 39 Church Street: Mr. Leach returned discussion back to the Administrative Officer. Mr. Leach suggested if anyone in the Town is concerned about public safety they should be concerned because the language specifically says the Town Administrator would be in charge of the day to day operation of all Town departments. Considering that the language that’s included in this Charter revision would also make the Police Department a Town department, and that means the Administrative Officer would also be in charge of the day to day operation of the Police Department. Mr. Leach suggested that should frighten anybody in this town that’s concerned about public safety.

First Selectman Maynard indicated it had been clarified that neither the Town Administrator nor the First Selectman would have control over the Police Department. Mr. Leach felt that was what the language says. Mr. Leach suggested the language in the document puts the Town Administrator in charge of the day to day operation of the Police Department.

Paul Anderson, 89 Main Street: Mr. Anderson felt the Administrative Officer doesn’t need to be in the Charter whatsoever. He suggested you can have one today. You have a Board of Selectmen; you want one? Hire one. There is no problem; it’s an employee. Human Resources will set up the job description and you’ll have one and that’s what they’ll do. Mr. Anderson felt the Charter doesn’t have to say a word. It’s not required. So it’s another item that’s unnecessary that just “fluffs” the Charter up for no reason.

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First Selectman Maynard suggested he personally felt we need a Town Administrator but he questioned if the voters would support it. First Selectman Maynard felt we should give the voters an opportunity to say how they feel.

Cathy Simonelli: Ms. Simonelli requested to ask another procedural question. She questioned that the language on the Smart Board was the Charter Revision Commission's modified language with the Board of Selectmen's changes on top of it? Ms. Simonelli questioned if the audience was seeing a full redline of the entire Charter? First Selectman Maynard suggested Ms. Simonelli was seeing any change to the Charter that the Board of Selectmen is recommending to the Charter Revision Commission. Lengthy discussion followed regarding the various hard copy material the audience was reviewing vs. the Smart Board presentation being made by First Selectman Maynard.

Ms. Simonelli suggested the second question that she had from a procedural standpoint is that the Board of Selectmen are making these suggestions that the language be changed to what you have on the screen. Is there any requirement of the Charter Revision Commission to adopt those changes prior to just moving forward to a Town Referendum? First Selectman Maynard reiterated the process for completion of the Board of Selectmen's review of the proposed Charter Revision Commission changes, and the Board of Selectmen's recommendations in response to those proposals. Ms. Simonelli felt the audience didn't have a holistic way of seeing all of the changes that are being made; she questioned if additional public meetings would occur with the opportunity for public input? First Selectman Maynard reported a complete copy of the Charter will be printed out with the changes made redlined in, and you can see what the difference is between the old Charter and the new Charter. First Selectman Maynard suggested maybe something should be mailed out as well. First Selectman Maynard noted that definitely the material would be on the website. Ms. Simonelli suggested people don't go to the website before they go to vote.

Dick Pippin, 37 Woolam Road: Mr. Pippin indicated he had two issues: You've got to have some hard copies of the finished product in the Selectmen's Office and somewhere else. Mr. Pippin noted that some people don't use the computer.

Mr. Pippin suggested his second question related to sub-paragraph (b) ... "shall be responsible for day to day operations of Town Departments, except the WPCA and the Housing Authority..." Mr. Pippin noted the Board of Education is not included in the omitted departments, he questioned if that could be construed that the Administrative Officer could oversee the day to day operations of the Board of Education? Mr. Pippin felt that would make an interesting court case.

Mr. Pippin felt it goes back to what Mr. Anderson said, keep it simple, keep it short, and let the Board of Selectmen, who are duly elected by the people, handle it. Mr. Pippin felt that same premise related to the Board of Finance and the Board of Education; they're all duly elected.

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Cathy Simonelli: Ms. Simonelli offered copies of the document provided by Selectman Bowsza which she had copied to the audience.

First Selectman Maynard recognized Paul Anderson.

Paul Anderson, 89 Main Street: Mr. Anderson suggested people should look at why the WPCA is exempted – because it's controlled by State Statutes. Why is the Housing Authority exempted – because they're controlled by State Statutes. Mr. Anderson suggested the Police Department and the Board of Education are controlled by State Statutes as well. Mr. Anderson felt that none of this crap has to be in the Charter because the agencies are exempt. Mr. Anderson suggested they're exempt because they're exempt, they're not exempt because of the blessings of the Charter. Mr. Anderson suggested that's a very important thing. That's why he gets frustrated by having all this verbiage in the Charter dancing around all these items when they don't even apply to the Charter at all. The Charter has no say so over those items, and shouldn't. Mr. Anderson suggested that's why we have the Legislature to create things that control things that should not be in control of politics. You control it somewhere else at a higher level because it's for the public good, not the local. Mr. Anderson felt that was critical.

Mr. Anderson felt the whole Administrative (Officer) thing shouldn't be in there. You want one? Go have one. Create a job description and you can have one at your next meeting; have a good time. Forget about your public voting. Mr. Anderson suggested it should have been done many years ago.

First Selectman recognized Bob Leach.

Bob Leach, 39 Church Street: Mr. Leach indicated he'd like to clarify on Mr. Anderson's point. As I've said before at similar meetings, Connecticut is a Home Rule state, meaning that whatever we write into our Charter that is in violation of State Statutes overrules it. Mr. Leach felt that's the intention of a lot of language that's in here. That's truly the intention. The intention is to micro-manage the Police Department by the Board of Selectmen and eliminate the Police Commission. The intention is to be able to manage other departments through the Administrative Officer through the Board of Selectmen and remove the checks and balances that we have with State Statutes. Mr. Leach felt that's what the intention of a lot of this language is.

Section 6-6(I): Police Department (new section):

First Selectman Maynard moved on to the Police Department.

First Selectman Maynard read sub-paragraph (a) Police Department. "The East Windsor Police Department is hereby established as a department of the Town and subject to the rules and procedures that apply to all town departments as set forth in this Charter."

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Regarding the Police Chief [sub-paragraph (b)] “The Police Commission ~~and the First Selectman shall jointly recommend to the Board of Selectmen who~~ jointly appoint and may remove, in accordance with the provisions of C.G.S. 7-278, a Chief of Police who shall serve for an indefinite term or such other term as the Board of Selectmen shall determine.”

First Selectman Maynard reported everything else the Board of Selectmen crossed out. This just establishes it as a department and gives the Police Commission the ability to hire and fire a Police Chief.

First Selectman Maynard recognized Bob Leach.

Bob Leach, 39 Church Street: Mr. Leach suggested having the East Windsor Police Department “established as a Town department subject to rules and procedures that apply to Town departments set forth in this Charter” – what that does is eliminates the authority of the Police Commission over the Police Department. That’s what that language does, just so you’re aware. It’s making a Town department that’s subject to rules and procedures of other Town departments and removes the authority of the Police Commission.

Mr. Leach recalled that the Police Department was established in 1971 under ordinance as prescribed by General Statute; that’s the way it’s typically done. The Police Commission was also established in the same manner. The Police Commission is an independent body elected by the people of this town to oversee the operation of the Police Department. Mr. Leach recommended that it not be run by a Town Administrator or a Board of Selectmen that is the most political board in this town. Mr. Leach felt it’s the duty of the people of the town to protect the Police Department from political influence. He felt that’s very important, and that’s one of the reasons why the Police Commission does its job the way it does is to protect the department from political influence.

Dick Pippin, 37 Woolam Road: Mr. Pippin referenced an excerpt of the language in sub-paragraph (b) Chief – “...a Chief of Police who shall serve for an indefinite term or such other term as the Board of Selectmen shall determine.” Mr. Pippin questioned why the Board of Selectmen would be hiring. He felt the Police Commission should be in the language, or at least in concert with the Board of Selectmen. Mr. Pippin felt you’re kind of stepping on the duly elected Police Commission of the Town; you’re really getting into micro-managing again. Mr. Pippin questioned that the language he referenced should be left in there.

Section 7-7: Police Commission (replaces ordinance):

First Selectman Maynard read sub-paragraph (a) Membership and term. “In accordance with the provisions Chapter 104 of the General Statutes, a Police Commission shall be elected consisting of five (5) members, who shall serve in accordance with Section 2-1.”

Sub-paragraph (b) Citizen matters, has been deleted.

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First Selectman Maynard read sub-paragraph (c) Powers and duties. “The Commission shall be responsible for establishing Police Department policies and shall also have those powers and duties, not inconsistent with this Charter, as are now or may hereafter be conferred or imposed upon such Commission by Section 7-276 of the General Statutes, including, but not limited to, preparation of a proposed budget for the Police Department to be submitted to the Board of Selectmen, and such other duties as may be imposed by the Board of Selectmen.”

Sub-paragraph (d) Personnel matters, sub-paragraph (e) Collective bargaining matters, and sub-paragraph (f) Chairperson, have been deleted.

Cathy Simonelli: Ms. Simonelli questioned why the Chairperson of the Police Commission is no longer in existence? She questioned how you have a commission without someone in charge? Ms. Simonelli felt that sounds like chaos. First Selectman Maynard agreed; he suggested that language should be put back in.

Paul Anderson, 89 Main Street: Mr. Anderson noted we already have an ordinance, we already have a Police Commission. Once again, we’re trying to put everything into the Charter; I don’t agree with that. Take it out, throw it away, forget the whole thing. You don’t need any of it. The Police Department is run by State Statutes; the Police Commission is run by State Statutes, and there’s a system. Mr. Anderson suggested that because it’s public safety the State wants to be able to decide how it’s done rather than leave that to the locality. Mr. Anderson suggested the locality can manage the Police Department but it’s usually a mistake because managing at this level for something that affects the entire State of Connecticut is very difficult. Mr. Anderson noted our Police Department works with other Police Departments; what we don’t need is a disparity on how Police Departments work. That is a big mistake. And I certainly don’t want to see any language that says they’re going to be subject to other portions of the Charter, which might include the Finance Director signing off on POs. What a joke. That doesn’t make any sense at all. Mr. Anderson felt you have a whole lot of stuff here that says this points to something else that you haven’t determined what it is yet. That’s dangerous language. I just don’t want the whole thing in there. I’ll vote against it absolutely because the whole thing is nonsense. We have a Police Commission, we have a Police Department, we don’t have a problem, I don’t know why we’re trying to fix it. And I definitely don’t want to see the Board of Selectmen directing the Police Commission as to what to do. And that is what that says. That is a mistake.

Dick Pippin, 37 Woolam Road: Mr. Pippin questioned if sub-paragraph (e) Collective bargaining matters, should be left in the Charter language. He noted the Board of Selectmen weighs in on how it’s done now, and the Board of Selectmen ratifies the contract. It works now. First Selectman Maynard questioned that Mr. Pippin was referring to the Board of Selectmen? Mr. Pippin suggested if the “crossed out” language is the way the section read in the original Charter then remove the “crossed out” language; that’s the way it works now. First Selectman Maynard referenced Mr. Leach’s comments that the Police Commission is run now by State Statutes.

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Mr. Pippin suggested the Police Commission should annually elect a chairman.

First Selectman Maynard recognized Bob Leach.

Bob Leach, 39 Church Street: Mr. Leach suggested it goes back to my other point, it doesn't matter what's in the State Statutes. The intention of this Charter is to gut the State Statutes that govern the Police Commission and governing the operation of the Police Department. Mr. Leach suggested that's what this language is intended to do. First Selectman Maynard suggested to say the language you're reading is going to do this - for you to understand the intent is a bit much.

Mr. Leach suggested the Police Commission would definitely be having an attorney looking at that language. The language - which is black and white on the four corners of that paper, the intent - which may be interpreted in a different way, and the opinions - they come from whatever attorney we feel like hiring at that time. Mr. Leach felt those three things do not come together in that document at all.

Rich Leborious, 16 Church Street: Mr. Leborious suggested the Home Rule Statutes do give towns a lot of latitude in how they set up a Police Commission but they don't allow conflict between the Statute and whatever you do with that board. Mr. Leborious felt this Charter proposal, again, is an effort to have it both ways. He suggested the language keeps the Police Commission and gives them certain responsibilities but you call it a Town department. The language puts it under the direction of either the Chief Administrative Officer or the First Selectman or the Town Administrator who's appointed by the Board of Selectmen. Mr. Leborious questioned which one is it under? He suggested who really knows under this document. Who knows what's allowed under the Statute or what's allowed under the Charter. Mr. Leborious felt when you try to mix everything together like this it's just confusing and unworkable.

Section 8-3: Finance General Provisions (revises current sections):

Cathy Simonelli: Ms. Simonelli suggested the Board kept sections A, B, C, and D. First Selectman Maynard indicated there was new language which the Board of Selectmen took out. He indicated they rejected any changes to that section. Ms. Simonelli referenced a document in her hand, and suggested this says new section 8.3; she questioned does that mean the whole thing was new? First Selectman Maynard questioned what Ms. Simonelli was reading? Ms. Simonelli pointed at the information on the Smart Board and responded she was reading that information. Ms. Simonelli suggested it says "this is new section 8.3 at the top." Ms. Simonelli indicated that made her think this was all new language; it's hard to know without papers in front of her. First Selectman Maynard reviewed the Smart Board, noting this isn't the Charter Revision Commission language. Mr. Anderson suggested sections A, B, C, and D is original language.

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Section 8-9: Requirement for Operational and Financial Audits (revises current section):

First Selectman Maynard read Section 8-9: Requirement for Operational and Financial Audits as it appears in the current Charter, and noted the following addition – *“In addition to the foregoing, the Board of Selectmen shall engage a qualified firm licensed to do business in the State of Connecticut to perform operational and special audits of town departments from time to time such that each town department is audited at least every four years.”* First Selectman Maynard suggested the last sentence is new; Mr. Anderson suggested the other language already exists.

First Selectman Maynard recognized Cathy Simonelli.

Cathy Simonelli: Ms. Simonelli questioned how many Town departments we have? First Selectman Maynard indicated 13. Ms. Simonelli questioned that you’re going to do at least 3 a year at what cost? Ms. Simonelli felt that since we can’t pass budgets she wondered what the impact of that would be for cuts across other Town departments, and how we’re going to be able to perform those audits.

First Selectman Maynard agreed, noting he would vote against this unless it said every 10 years. Ms. Simonelli suggested it should say “as needed” because if we don’t have the money then it’s not needed. First Selectman Maynard indicated he felt it would be good to have each department audited once every 10 years. Ms. Simonelli felt this proposal creates a big economic burden, and it’s a requirement based on that language. Ms. Simonelli felt it would be very difficult to fit into a budget which is already stretched as tight as it can be stretched.

Dick Pippin, 37 Woolam Road: Mr. Pippin suggested change the word “shall” to “may”. He questioned if there’s a license to do audits in the State of Connecticut for operational audits? Mr. Pippin felt the Board of Selectmen can audit a department at any time, if they feel the need. Mr. Pippin suggested “shall”, “may”, and “will” are different words. Mr. Pippin felt the whole section should be struck out because you can do it anyway. Ms. Simonelli concurred. Mr. Pippin suggested rewording it so it’s readable.

Section 10-10: Power of Overrule (New section):

First Selectman Maynard noted this is a new section creating a Charter section on referenda to rescind actions of the Town Meeting, Board of Finance, and Board of Selectmen. First Selectman Maynard read Section 10-10 in its entirety.

Paul Anderson, 89 Main Street: Mr. Anderson noted the current Charter ends with section 10-8, this is section 10-10; what happened to section 10-9? Selectman Bowsza suggested that’s coming up later. Mr. Anderson suggested it’s interesting that the sections aren’t presented in order.

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Cathy Simonelli: Ms. Simonelli felt the whole overrule section is inappropriate because of the way it can be used. Ms. Simonelli gave as an example that you hire a new Treasurer and somebody decides they don't like that Treasurer and they go out and get all these signatures and now you're going to have somebody's position being overruled? First Selectman Maynard agreed with Ms. Simonelli. Ms. Simonelli suggested there's so many things that this could apply to; it's inappropriate. And it's just double language; it needs to go. There are things that Ms. Simonelli didn't feel the general public should be weighing in on that kind of manner.

Selectman Bowsza suggested public health and safety? Ms. Simonelli concurred. Ms. Simonelli suggested the Chief is too hard on people so let's fire him. First Selectman Maynard didn't feel personnel should be in the language.

Dick Pippin, 37 Woolam Road: Mr. Pippin felt you probably should draw a line through the whole thing. Mr. Pippin suggested we have a hard enough job trying to get the wheels of government to move to get anything done. Mr. Pippin suggested you're looking at 90, 120 days later for this to come up. What do you do in the meantime.

Mr. Pippin noted the name of the Treasurer was brought up. Ok, let's use that as an example. What are you going to do for a Treasurer for all that time that this is going on? Who's going to take the job when it has to come before a Town referendum? Mr. Pippin thought the Selectmen have enough smarts not to pass some foolish ordinance that would trigger this thing. Mr. Pippin felt this whole section doesn't need to be there; it's a waste of paper.

Paul Anderson, 89 Main Street: Mr. Anderson suggested this would apply to the results of a Town Meeting. He noted the Town Meeting is our form of government so the purpose of that form of government is people have the opportunity to participate in the decision making process. And, during that Town Meeting the request could be made to move it to referendum. Mr. Anderson felt that being able to come after the fact and go to referendum defeats the purpose of the Town Meeting. You can move things to referendum at Town Meeting; it's part of the process. First Selectman Maynard cited the need for the majority vote of the Selectmen. Mr. Anderson understood that but reiterated the process is there; you have a way to move something to referendum already. Mr. Anderson suggested to move it to referendum after the fact is pretty hard to stomach. Mr. Anderson suggested if people choose not to participate in a Town Meeting they're not going to participate in a referendum. It's a waste of time, unless someone wants to stack the voting. We don't need it; it's not that big a problem.

Section 8-6: Duties of the Board of Finance re: Supplemental Appropriations (revises current language):

Paul Anderson, 89 Main Street: Absolutely not.

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First Selectman Maynard read the current change – B)*A narrative justification shall be submitted by the requesting department, commission or agency as approved by the Finance Director/Treasurer to the Board of Finance supporting the need for the supplemental appropriation from the requesting Town department or agency.* (continuing current language deleted). *The narrative supplied by the requesting department or agency shall be publicized on the Town website no less than seven (7) calendar days prior to the date the Board of Finance considers the supplemental appropriation.*”

First Selectman Maynard suggested this is if someone wants a supplemental appropriation for their department. They have to justify why and they have to put it on the website so everyone can see it, and then come to the Board of Finance.

Paul Anderson, 89 Main Street: Mr. Anderson felt this was the only time he’s seen where you have to put something on the Town website. First Selectman Maynard suggested you could publish it in the newspaper but it would cost money. Mr. Anderson suggested he wasn’t suggesting that; he was suggesting we don’t need this. Mr. Anderson suggested when something goes to the Board of Finance and they propose something they get the third degree. That’s a public meeting; people can participate in those, too. If people choose not to attend it’s their choice. Mr. Anderson felt you can’t make everything easy for everybody. You’re going to have to participate or lose out. That’s the way the world works, in everything. If your train is leaving and you’re late to the station you don’t get on the train. That’s the way it goes; you’ll have to come up with a better alternative. I don’t think we’re going to back up the train, so you can have a different way of dealing with something. Mr. Anderson felt this was really unnecessary; we have a board that has people who have been doing this for a long time and understand what questions to ask before they will even consider giving away our money. And the public is here when that takes place. So publishing it somewhere else - they already provide it, and it’s in the minutes, and it’s available on the Town’s website already. Mr. Anderson felt you don’t need all this nonsense. This is just a dance to make things more complex. And I’m against it, especially in the Charter.

Cathy Simonelli: Ms. Simonelli thought that depending on the supplemental appropriation being asked for the reasons for it can be very complex. It’s not always easy to put on a piece of paper in a way that is going to answer all the questions that are going to come up. Ms. Simonelli noted the reason she was present at the last Town Meeting was to explain the reason for the Board of Education’s funding request, and to answer the ancillary questions and correct the misinformation that came out. Ms. Simonelli suggested there’s no way for someone to prepare something that’s going to anticipate those questions; it’s better to be at the Town Meeting, and answer the questions as they’re asked. And the people have the ability to understand and ask additional questions if they need to and vote.

Dick Pippin, 37 Woolam Road: Mr. Pippin suggested this really doesn’t belong in the Charter. What happens if you miss the 7 days by a day? It’s lawyer time. This can be a regulation, you can enact it without putting it in the Charter. It takes an act of Congress to change anything in

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the Charter. Mr. Pippin felt this section doesn't belong in the Charter at all; it's a management issue.

**Section 10-8(I): Board of Finance Review of Proposed Town Meeting
Action (revises current language:**

First Selectman Maynard reported the Board of Selectmen undid the proposed changes; the section is being returned to the current Charter language.

Section 10-9: Automatic Referendum (new section):

First Selectman Maynard read the Board of Selectmen's language revision to the language proposed by the Charter Revision Commission as follows: "Any Town Meeting action under Section 10-8 which involves an expenditure amount in excess of the greater of two hundred thousand dollars (\$200,000) or on half of one percent (1/2%) of the annual budget for the then current fiscal year in the aggregate on any call of any Town Meeting for the then current fiscal year shall be subject to an automatic referendum by all qualified voters of the Town of East Windsor on a date set by the Board of Selectmen. ... (additional language proposed by the Charter Revision Commission has been deleted)."

Cathy Simonelli: Ms. Simonelli questioned what the current amount for referral to referendum is? Mr. Anderson suggested it doesn't exist. First Selectman Maynard suggested there are limits regarding bonding.

Paul Anderson, 89 Main Street: Mr. Anderson felt the proposal was a pretty small number for a referendum. First Selectman Maynard noted 1% would be \$400,000.

First Selectman Maynard recognized Cathy Simonelli.

Cathy Simonelli: Ms. Simonelli believed there was language in this section that says it's in the aggregate; First Selectman Maynard concurred. Ms. Simonelli didn't think that was appropriate either. She felt they have numerous projects which have nothing to do with each other, so sending that to referendum as a total - then the Town no longer has the ability to say to yes to this project or no to this project. First Selectman Maynard agreed that was a good point; he suggested they could bring that up with the Charter Revision Commission to see what they wanted to do. He suggested he would anticipate that a referendum would be broken out.

Ms. Simonelli noted today the limit is \$1 million; she's looking at the original language. She noted that's a significant reduction.

Section 8-5(A) and (B): Separate Budget Questions:

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First Selectman Maynard read the proposed language changes to sub-paragraph (A) Initial budget Referendum: “The budget as approved by the Board of Finance shall be submitted to the voters of the Town in the form of at least two questions, one each for the Board of Education and one for the Town proposed annual budgets. at a Budget Referendum to be held on the second Tuesday of the month of May. First Selectman Maynard indicated the remaining language of this section explains how to do that.

First Selectman Maynard recognized Cathy Simonelli.

Cathy Simonelli: Ms. Simonelli felt that separating the budget into two does nothing to bring the community together and pits them against each other. Ms. Simonelli felt we are one community, and separating things like that does nothing to help anyone. Ms. Simonelli felt it creates a divide that’s already big enough.

Dick Pippin, 37 Woolam Road: Mr. Pippin agreed with Ms. Simonelli. If you make provisions for splitting the budget and part of it passed and part of it doesn’t - he agreed with what Ms. Simonelli said. We are a town, it’s a town budget. And unfortunately this year the Board of Education really got hammered. Mr. Pippin indicated he’s sat up there in the front and the Board of Selectmen got hammered a few years in a row, really hammered hard. And they did ok. So it’s checks and balances. But to split it apart, he didn’t think it served any purpose. Mr. Pippin suggested if you were going to do that, I suppose you got to put it in the Charter to be able to split it. Mr. Pippin recalled one of the regional schools, RHAM was one of them, they didn’t get a school budget until November 5 or 6 years back. It created nothing but chaos. That was a district of 3 towns so it became even worse. That was discussed by the Board of Selectmen at that time. Mr. Pippin didn’t think it would be in the best interest of the town or the taxpayers to break it apart. You can pack it, you can pack your meeting, you can pack your referendum.

First Selectman Maynard recognized Rick Leborious.

Rick Leborious, 16 Church Street: Mr. Leborious suggested there’s a natural tension that happens between the Board side and the Town side in every community, and to encourage those divisions Mr. Leborious didn’t think would make us a better community. We need to stand together as one community and recognize that members of the Board of Education do their very best, the members of the Board of Selectmen do their very best to develop a budget and the Board of Finance does it’s best to balance the needs of the community as a whole. Mr. Leborious felt there should be no split in the budget.

Paul Anderson, 89 Main Street: Mr. Anderson noted he used to be in favor of the split but he’s absolutely against it today. Mr. Anderson felt that the Board of Finance and the Board of Selectmen have expressed their desire to improve communication with the Board of Education to understand their budget better. Mr. Anderson felt that’s what we really need to do; we don’t need to divide anything, we need to work as a team. Mr. Anderson felt the more information we can gather to understand the situation the better; he indicated his belief is that the animosity against the Board of Education is more of a lack of understanding. Mr. Anderson isn’t

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convinced that the cost per pupil is accurate; he's not convinced that the issues they've had is expressed well in the information that has come to us, the taxpayers,. Mr. Anderson felt they've done as they could but there are some people who won't listen at all, they won't hear the words. Mr. Anderson suggested he's talked to people who have said the Board of Education got punished like they should. That's garbage; that's no way to treat anybody; that's not what we want; that's not where we should be going. What we want is our school system to improve its scores and we're not going to do that by having them cut things that affect students - which is what's happening. Mr. Anderson indicated he's not suggesting that it's carte blanche but he was suggesting that we do better to learn more about what they're doing and how they're doing it instead of just splitting it apart and throw it all away. Because that's what you'll do, you'll throw it all away. We'll never get a budget passed. That's garbage. Mr. Anderson noted we all use the roads, we all pay for them - even if you don't drive a car, it doesn't matter. We all use the education system, even if you don't have kids. Because those kids are your future, therefore if you don't support it you lose. Mr. Anderson felt we've got to think long term, we can't think short term. Mr. Anderson felt long term doesn't get better by creating divisions.

First Selectman Maynard called for additional comments; no one requested to speak.

First Selectman Maynard suggested Ms. Simonelli said it best – we're one town. First Selectman Maynard reported he was glad to hear people say we should work together. First Selectman Maynard felt the Board had been given good insight and good input. First Selectman Maynard reported the Board has to schedule a time to get together in a meeting to finalize these recommendations.

First Selectman Maynard thanked everyone for their input.

Dick Pippin, 37 Woolam Road: Mr. Pippin thought somewhere it was discussed at the Board of Selectmen meetings to have the rest of the Charter Revision Commission meetings held at the Town Hall so the people could go on YouTube and the people can see what's going on. Mr. Pippin felt it's imperative to do that. First Selectman Maynard felt that was a good suggestion; we may have to bump people out of here to hold the meetings at the Town Hall.

First Selectman Maynard recognized Bob Leach.

Bob Leach: Mr. Leach suggested you can bump me. First Selectman Maynard questioned if Mr. Leach was referring to the RTC (Republican Town Committee)? Mr. Leach replied – yes. First Selectman Maynard thanked Mr. Leach.

First Selectman Maynard suggested it appeared we're done.

Selectman Bowsza requested to speak before adjourning the meeting. He a few people have spoken opposed to each of these questions. He questioned if there is anyone who hasn't spoken, or who would like to speak in favor of any of these recommendations? No one requested to speak.

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First Selectman Maynard indicated we'll talk about it; we'll give the voters a chance to vote on it as well. First Selectman Maynard thanked everyone for coming.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 9:05 p.m.

Szymanski moved/Maynard seconded/**DISCUSSION:** None

VOTE: In Favor: Unanimous (Maynard/Bowsza/Hoffman/Szymanski)

Respectfully submitted



Peg Hoffman, Recording Secretary, East Windsor Board of Selectmen

Attachments: A - Public Hearing Notice

B – Public Hearing Notice listed on Town website under “NEWS” which lists links to documents under review for the Public Hearing.

C - Summary of BOS recommended Changes: June 20, 2019 Discussion Draft
(Date of BOS Review indicated)

*BN 6/27/2019 Public Hearing Agenda
& also listed under BN Agenda
Attachment A*



PUBLIC HEARING
Town of East Windsor
Board of Selectmen

The Board of Selectmen will hold a Public Hearing on Thursday, **June 27th** at 7:30 p.m. at the East Windsor Town Hall. The purpose of this hearing is to obtain public input and comments on the Board of Selectmen recommendations regarding the East Windsor Charter Revision Commission Draft Report and other relevant comments that were presented to the Town on May 15, 2019 by the Charter Revision Commission.

East Windsor Board of Selectmen

Jl: June 22, 2019

*BOS 6/27/2019 Public Hearing Notice
"Iron Sheds Site - Dye's"
Attachment B*



The Board of Selectmen will hold a Public Hearing on Thursday, **June 27th** at 7:30 p.m. at the East Windsor Town Hall. The purpose of this hearing is to obtain public input and comments on the Board of Selectmen recommendations regarding the East Windsor Charter Revision Commission Draft Report that was presented to the Town on May 15, 2019 by the Charter Revision Commission.

You can find the Board of Selectmen recommendations regarding the Charter Revision Commission Draft Report on our website under:

Boards & Commissions>Board of Selectmen

Boards & Commissions>Charter Revision Commission

or you can click on the links below:

<https://www.eastwindsor-ct.gov/board-selectmen>

<https://www.eastwindsor-ct.gov/charter-revision-commission>

Summary of BOS Recommended Changes: June 20, 2019 Discussion Draft (Date of BOS Review indicated)

East Windsor Charter Revision Commission Proposed Charter Changes

A. Proposed Charter Revisions to Increase the Professional Capacity of Town Staff

1. Section 6-6(B): Town Attorney (revises current language): **6/12/2019**
2. Section 6-6(D): Finance Director/Treasurer (re-names Treasurer): **6/6/2019**
3. Section 6-6(H): Administrative Officer (new position): **6/12/2019**

B. Proposed Charter Revision to Enhance Town Department Coordination

4. Section 6-6(I): Police Department (new section): **6/6/2019**
5. Section 7-7: Police Commission (replaces ordinance): **6/6/2019**
6. Section 8-3: Finance General Provisions (revises current sections): **6/6/2019**

C. Proposed Charter Revisions to Create Greater Checks and Balances in Town Government

7. Section 8-9: Audit (revises current section): **6/12/2019**
8. Section 10-5(a) and (c): Petition Signatures (revises current language) **Not Reviewed?**
9. Section 10-10: Power of Overrule (new section): **6/12/2019**

D. Proposed Charter Revisions to Improve Transparency and Encourage Greater Public Participation in Town Government

10. Section 8-6: Duties of the Board of Finance re: Supplemental Appropriations (revises current language): **6/12/2019**
11. Section 10-8(I): Board of Finance Review of Proposed Town Meeting Action (revises current language): **6/12/2019**
12. Section 10-9: Automatic Referendum (new section): **6/6/2019**
13. Section 8-5(A) and (B): Separate Budget Questions: **6/6/2019**