



Town of Burlington

CHARTER REVIEW COMMITTEE MEETING MINUTES Monday, May 11, 2020 – Teleconference

1. Call Meeting to Order:

The meeting convened at 7:37 p.m., Monday, April 27, 2020. Present were: Dave Goshdigian, Chairman, Tony DiNicola, Vice Chairman, Toni Vosburgh, Secretary, Barry Faticoni and Laurie Gara, members, as well as JP Parente and Jeff Vosburgh, alternates. First Selectman Ted Shafer was also in attendance.

2. Citizen Comment:

There was no citizen comment.

3. Acceptance of April 27, 2020 Meeting Minutes:

Motion made (TD), seconded (BF) and passed unanimously to accept meeting minutes.

4. Timeline for Submission of Report to Board of Selectman:

Chairman Dave Goshdigian kindly brought to the attention of the commission the timeline for submission that must be followed according to the Memo from the Town attorney RE: Charter Review and Revision Process. The Chairman identified that the commission needs to hold one public hearing after the draft proposal of the Charter has been completed and then submit it to the Board of Selectman for their review. The Board must also hold a public hearing and in addition has the opportunity to accept proposal as is or make any recommendations as they see fit. One of the Chairman's main concerns was building in a time cushion in the event the Board has recommendations and the draft proposal needs to be reviewed before the it is deemed final. He suggested submitting out draft proposal to the Board by the middle of June, and June 20th at the latest, to ensure the Commission ultimately meets the September 3, 2020 deadline to appear on the ballot in November of 2020. The Commission unanimously decided to meet the following Monday to continue work on the Charter.

5. Discussion of Specific Charter Sections:

Chapter 7 – Finance and Taxation

Vice Chairman Tony DiNicola, drafted the following proposed change to section 7-5 for the committee to review:

"Duties of the BoF: Following receipt of the budget proposal from the Board and the budget as passed by the Chairman of the BoE, the BoF shall analyze the town's proposed budget and make changes to the expenses and revenue as they deem necessary. The BoF will have departments as necessary review their budget with the BoF during a BoF meeting. The BoF is authorized to make changes to the budget to fulfil their fiduciary responsibilities. The Board will have the ability to review the final proposed budget prior to the Annual Town Budget Meeting. Any concerns will be discussed and reconciled

between the Board and BoF prior to the Annual Town Budget Meeting. The BoF shall prepare the Annual Budget Proposal for the Annual Town Budget Meeting. Keep the last sentence of the current 7.5."

The committee discussed the proposed changes and the following recommendations were made:

- 1) Remove "the Chairman of the" of 1st sentence since the entire Board of Ed is responsible for passing budget, not just Chairman.
- 2) Remove "to the expenses and revenue" of 1st sentence to simplify, already implied in budget.
- 3) Replace the second sentence with "Upon request, the department heads shall meet with the BoF for the purposes of reviewing their proposed budgets" for clarity and to designate department heads as being responsible.
- 4) Amend the first sentence to "Following receipt of the town's budget proposal from the Board and the budget as passed by the BoE, the BoF shall analyze the town's budget proposal and make changes as they deem necessary." This incorporates recommendations 1 & 2 as well as distinguishes the BoF cannot amend the BoE budget since it has already been passed and not a proposal.

Toni V, to incorporate changes into section for Committee's approval the following meeting.

Section 2-5 – Vacancies in Elective Offices

Chairman Dave Goshdigian consulted with Mary Jane, the Burlington Town Clerk, who expressed her preference that appointees for vacancies serve until the end of term versus the next closest election. Her reasoning was that it is difficult to maintain staggered terms and term designations on the ballots if the appointees only serve until next election. Members of the committee expressed concern that this could be seen as favoritism since the position is appointed and not elected. Other members of the committee expressed the importance of experience and continuity in a given position. First Selectman Shafer also weighed in stating the current process is for the Board to fill a vacancy in elective office by reaching out to the political party who previously filled the position and asking them for recommendations on who should fill the position. Chairman Goshdigian held a vote: three members approved amending the language to appointees to serve until the end of the term (TD, BF, TV) while two members voted to keep language as is for appointees to serve until the next election (DG, LG).

Section 3-3 – Board of Selectman, Terms

Chairman Dave Goshdigian discussed with the committee the need to keep minority representation on the Board with the change to staggered terms. One person from a different party needs to be on the Board in order to satisfy minority representation. He posed the question to the committee if they thought the 1st Selectman should be counted towards minority representation or excluded. In the event the 1st Selectman is excluded one out of the four Board members would need to be minority representation. The committee unanimously decided not to count the 1st Selectman towards qualification for minority representation. The committee's reasoning for excluding the 1st Selectman was to encourage a more equally represented Board.

The committee also discussed Chairman Goshdigian's conversation with the Town Clerk regarding linking the staggered terms to political parties. Town Clerk Mary Jane said it was illegal to link the staggered terms to political parties (i.e one democratic candidate for 2-year term and one republican candidate for 2-year term). It is up to the political parties to designate two- and four-year candidates for election. In addition, the minority

representation on the Board follows whichever term language is written first in the charter. With that in mind, the committee agreed 4-year term language should be listed first. In addition, the committee discussed how Canton switched to staggered terms in 2011/2012 and that it would be prudent of the committee to research their exact language for doing so. Chairman Goshdigian to circulate proposed language on this section for next meeting.

Chapter 5 – Appointed Boards, Commissions and Officers

The committee discussed reducing the number of Library Board members from 9 to 7 through the process of attrition. The reason for reducing the number of members on the Library Board is that it has more Board members than any other in the town. The average for other Boards is either 5 or 7 members. The committee also noted the difficulty of getting enough volunteers to fill Board seats.

Chapter 9 – Town Employees

Member Barry Faticoni rewrote Section 9-2 and had the Town Attorney update as necessary. His proposal was unanimously accepted by the committee as drafted (pasted below).

Section 9-2. (New) Town employees subject to a Collective Bargaining Agreement. The First Selectman shall ensure that all personnel and policy issues regarding an employee who is a member of an employee organization, as defined in Conn. Gen. Stat. Section 7-467(6), is handled in accordance with the guidelines set forth within any collective bargaining agreement then in effect.

For the purposes of Chapter 113 of the General Statutes, as amended, the First Selectman shall have the sole authority, on behalf of the Town, to recognize an exclusive bargaining agent for any unit of town employees and shall act as the bargaining agent for the Town. (moved this paragraph over from old section 9-2)

Section 9-3. (New) Town employees not under a Collective Bargaining Agreement. Any town employee who is not hired pursuant to a collective bargaining agreement shall be subject to the personnel and policy guidelines set forth as follows in sections 9-4 through 9-6.

Section 9-4. Personnel Policy (Same as old 9-3)

Section 9-5. Personnel Rules (Same as old 9-4)

Section 9-6. Performance Review (Same as old 9-5)

5. New Business:

There was no new business.

6. Adjourn:

Motion made (TD), seconded (BF) and passed unanimously to adjourn meeting at 9:32 PM.

Respectfully Submitted,

Toni Vosburgh
Secretary, Charter Review Committee