

## MINUTES

### CHARTER REVISION COMMISSION

December 21, 2011

Town Hall Meeting Room

A meeting of the Charter Revision Commission was held on December 21, 2011 in the Weston Town Hall Meeting Room. Present were Richard A. Bochinski, Arne de Keijzer, Kenneth C. Edgar, Jr. , Susan Moch and Dennis H. Tracey, III. Woody Bliss joined the meeting at 7:55 PM. Nina Daniel was absent.

The meeting was called to order at 7:32 PM.

After discussion, a motion was made by Mr. Bochinski to approve the minutes of the December 7, 2011 meeting, with a suggested modification by Mr. de Keijzer, which motion was seconded by Ms. Moch, and there being no further discussion, the minutes were approved unanimously.

The first order of business was to receive testimony from David Coprio, chair of the Building Board of Appeals. Mr. Coprio stated that the Building Board of Appeals has 5 members, 4 of whom are required to have experience in the building trade. Mr. Coprio stated that the function of the Building Board of Appeals was to decide appeals from decisions of the Building Inspector. He said that any further appeal from any decision of the Building Board of Appeals goes to a state building official.

Mr. Coprio stated that the last time the Building Board of Appeals met was in 2002. However, even though it is not used often, Mr. Coprio believes that it is appropriate to have a Building Board of Appeals because there is a need for a body to determine appeals from the decisions of the Building Inspector.

The Commission then turned to discussion of the following questions:

#### **1. When should the Annual Town Budget Meeting (“ATBM”) be held?**

The Commission discussed whether the deadline provided in the current charter, which requires that the ATBM be held no later than April 22, should be changed. It was pointed out that many other towns provide for a later date and that it is often the case that April 22 falls within a school vacation week, requiring that the ATBM be held even earlier. The sense of the Commission was that the Charter should give the town some more flexibility in the timing of an ATBM. There was general agreement that a Charter provision that required an ATBM not later than the first week of May would be appropriate, and would give the town greater flexibility in scheduling the ATBM.

**2. Should the ATBM be allowed to increase or decrease the proposed budget?**

The sense of the Commission was that the ATBM should be permitted to decrease a line item of the proposed budget, but should not be permitted to increase a line item.

**3. Should a quorum be required in order for the ATBM to act?**

The sense of the Commission was that requiring a quorum in order to change a proposed budget appropriation would reduce the possibility that a small and unrepresentative number of persons could change a budget item. The sense was that a quorum of 2 – 2 ½ % of eligible voters should be required to decrease a line item of the budget at the ATBM.

**4. Should any vote on increasing or decreasing the budget at the ATBM be conducted by secret ballot?**

The Commission members discussed the current practice regarding secret ballots, which provides for a secret ballot upon a majority vote of those present at the ATBM, and whether that process was appropriate. It was generally agreed that it is impractical to provide for a secret ballot on all votes, but that some provision for secret ballots was appropriate. Among the options considered were (1) a secret ballot at the outset of the meeting to require secret ballots on any line item; (2) a secret ballot at the outset of the meeting to require secret ballots on any one or more of the total (Town, BOE or Capital) budgets; or (3) a voice vote upon request allowing a secret ballot to be passed with lower than a majority in favor. No consensus was reached.

**5. Should the budget then go to a referendum for approval?**

The sense of the Commission, but not the unanimous view, was that in order to ensure the widest possible input into the annual budget process, a referendum should be mandatory. Ms. Moch was concerned that a mandatory referendum would disenfranchise the ATBM. Mr. Bochinski stated that a mandatory referendum would not diminish the importance of the ATBM because it was only at the ATBM that a line item could be changed. A number of possible scenarios were discussed, including a referendum that would start at the conclusion of the ATBM, and then continue on a later date, in order to ensure that both the ATBM and the referendum play a significant role in the budget process.

**6. What happens if the budget is not approved?**

The sense of the Commission was that in the event that the budget is not approved by referendum, the budget should be returned to the Board of Finance for reconsideration, and would thereafter be determined by referendum.

There being no further business, the meeting was adjourned at 9:05 PM.

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Dennis H. Tracey, III, Co- Chair