

## MINUTES

### CHARTER REVISION COMMISSION

January 4, 2012

Town Hall Meeting Room

A meeting of the Charter Revision Commission was held on January 4, 2012 in the Weston Town Hall Meeting Room. Present were Woody Bliss, Richard A. Bochinski, Nina Daniel, Arne de Keijzer, Kenneth C. Edgar, Jr. , Susan Moch and Dennis H. Tracey, III.

The meeting was called to order at 7:30 PM.

After discussion, a motion was made by Mr. Bochinski to approve the minutes of the December 21, 2011 meeting, which motion was seconded by Mr de Keijzer, and there being no further discussion, the minutes were approved with all members voting in favor except Ms. Daniel who abstained.

The Commission then addressed the following matters:

**Section 8.1.** Section 8.1 provides that each agency of the Town must provide to the First Selectman, on or before January 14<sup>th</sup> (February 3<sup>rd</sup> for the Board of Education) a statement of estimated expenses and revenue for the next fiscal year.

**Question:** Are these the appropriate dates or should they be liberalized?

No changes proposed.

Section 8.1 also provides that the agencies provide the First Selectman with the work accomplished during the current fiscal year.

**Question:** Is this provision in fact followed?

No changes proposed.

**Section 8.2.** Section 8.2 provides that the First Selectman must provide the Board of Selectmen the First Selectman's proposed budget by February 10<sup>th</sup>.

**Question:** Is this deadline appropriate, or should it be revised?

No changes proposed.

**Section 8.3.** Section 8.3 provides that the Board of Selectmen must present the proposed budget to the Board of Finance not later than February 25<sup>th</sup>.

**Question:** Is this deadline appropriate, or should it be revised?

The sense of the Commission was that the deadline should be extended to March 1.

**Section 8.4.** Section 8.4 (f), (g) and (h) specify the mechanics of the approval of the budget.

**Question:** Based on the Commission's discussion on December 21, what should the new mechanics of the budget approval process be?

The Commission discussed these issues during its prior meeting and no further discussion was deemed necessary.

Section 8.4 (i) deals with the situation where the budget has not been approved prior to July 1.

**Question:** Is this provision in compliance with applicable law?

No changes proposed.

**Section 8.5.** Section 8.5(a) provides that the Board of Selectmen have the power to make additional, non-budgeted appropriations to any Town agency up to \$5,000 in any fiscal year, with a limit of \$50,000 of additional appropriations in the aggregate to all agencies.

**Question:** Are these the appropriate limits, or should they be revised?

No changes proposed.

Section 8.5 also provides that, with concurrence of the Board of Finance, the Board of Selectmen can make supplemental appropriations, which cannot exceed 2% of the "current tax levy."

**Question:** Is this limit appropriate, and is the term "current tax levy" clear?

No changes proposed.

Section 8.5 then goes on to specify the sources from which the additional and supplemental appropriations may come.

**Question:** Is this list exhaustive, and need it be so restrictive?

It was the sense of the Commission that subsection (d) should be eliminated.

**Section 8.6.** Section 8.6 deals with extraordinary appropriations. Section 8.6(a) provides that, if approved, the requested extraordinary appropriation "shall be made in accordance with the provisions of Sections 2.4(b) and 2.5 or Section 8.5," whichever is applicable.

**Question:** Is it clear how this provision should be interpreted?

No changes proposed.

Section 8.6 (b) allows an agency of the Town to compel the Board of Selectmen to call a Town Meeting if an extraordinary appropriation has been denied. In such case,

if not less than 10% of the eligible voters are present and voting, a Town Meeting (or if a petition has been filed, a machine vote) can approve an extraordinary appropriation.

**Question:** Is this power appropriate? Also, what happens if an agency's request is granted, but only in part? Finally, isn't there arguably an easier way for the Selectmen's decision to be challenged; i.e., by invoking Section 2.6 or 2.7, which only require 5% of the qualified voters to be present and voting?

It was the sense of the Commission that Section 8.6(b) should be eliminated.

**Section 8.7.** Section 8.7(a) and (b) set forth a procedure for the First Selectman to approve every voucher, etc. payable by the Town.

**Question:** Is this followed, and is it necessary for de minimis expenditures?

It was the sense of the Commission that these sections should be modified to allow a designee duly authorized by the First Selectman to approve expenditures. In addition, Amy Sanborn, the Chair of the Library Board of Trustees, stated that because State Law provides that the Library Committee has "exclusive right to expend all money appropriated by such municipality for any such library", sections 8.7(a) and (c) should be modified to exclude library expenditures. The Commission asked that Ms. Sanborn provide further support for this point – specifically, whether the "exclusive right to expend all money" also includes the right to expend funds for purposes other than those for which they were appropriated.

There being no further business, a motion was made by Mr. Bochinski to adjourn the meeting. The motion was seconded by Mr. de Keijzer and, there being no further discussion, it was unanimously approved. The meeting was adjourned at 9:50 PM.

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Dennis H. Tracey, III, Co- Chair