



TOWN OF ELLINGTON

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2024 Charter Revision Commission

Thomas Palshaw-*Chair*
Cynthia Soto-*Vice Chair*
Warren McGrath-*Secretary*
Jamison Boucher
Joseph Burns
Peter Hany Jr
Thomas Modzelewski

Charter Revision Commission Minutes

June 5, 2024
Ellington Town Hall
Nicholas J. DiCorleto Jr. Meeting Room

Members Present: Tom Palshaw-Chair, Tom Modzelewski, Warren McGrath, Jamison Boucher, Joseph Burns, Pete Hany, Jr.

Members Absent: Cynthia Soto

I. CALL TO ORDER

Mr. Palshaw called the meeting of the Charter Revision Commission (CRC) to order at 6:01 PM.

II. CITIZEN FORUM

No members of the public were present in the meeting hall or on Zoom.

III. APPROVAL OF MINUTES

MOVED (MODZELEWSKI), SECONDED (MCGRATH) AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF THE MAY 22, 2024 CHARTER REVISION COMMISSION MEETING.

IV. DISCUSSION ITEM(S)

Review of Previously Recommended Revisions

Mr. Palshaw suggested that the CRC categorize each of the proposed Charter revisions as a Major or Minor priority at this time. The CRC read through each of the items in order of Section and briefly discussed and assigned them all accordingly [ATTACHED].

a. Newly Suggested Revisions

No new suggestions had been received since the last CRC meeting.

b. General Discussion regarding review and revision process

Discussion was held regarding the possibility of deleting some Sections completely or simply modernizing the language of the Sections to incorporate the Town Administrator. Members read through the Minor Sections and made the following motion:

"A great place to grow."

MOVED (PALSHAW) AND UNANIMOUSLY AGREED TO PROPOSE THE FOLLOWING REVISIONS IN THE TOWN CHARTER TO THE BOARD OF SELECTMEN:

SECTION 204, DELETE THE PROVISION REQUIRING AN ADJOURNED ELECTION TO BREAK A TIE AND REPLACE IT WITH COIN FLIP;

SECTION 207, REVISE VOTING DISTRICTS TO STATE VOTING DISTRICTS SHALL BE DETERMINED BY STATE STATUTE;

SECTION 603, DELETE THE LAST SENTENCE REGARDING APPOINTMENT OF AN AUDITING COMMITTEE;

SECTION 1111, PURCHASING REVISE TO STATE THE TOWN SHALL FOLLOW THE PURCHASING POLICY AS SET FORTH BY THE FINANCE OFFICER AND APPROVED BY THE BOARD OF SELECTMEN.

Discussion continued regarding Section 924 Flood and Erosion and revising the language in Section 1012 Town Engineer to make it consistent with the other competitive bidding processes in Town. CRC Members requested job descriptions for the Emergency and Risk Management and Town Administrator in order to make additional revisions. The Recording Secretary will obtain the job descriptions and will have them available at the next CRC meeting. Mr. Boucher volunteered to reach out to the Director at the North Central District Health Department regarding their job description and how it relates to the Town Charter.

The members also decided to table revisions to Section 1307 Existing Laws and Ordinances at this time. Mr. McGrath inquired about other comparable towns and how their Charters may be written. Mr. Modzelewski shared that he easily located Andover's Charter online and Mr. Palshaw stated that he will get a copy of it for the next meeting.

Selectman Boucher shared that the Town Administrator incorporation into the Charter should be priority and that they could possibly make those recommendations to the Board in the near future and revisit the other sections at a later date. Members agreed to table this discussion when they have more information.

Mr. Reed's presence is requested at the next CRC meeting in order to clarify where it may be best suited to incorporate the Town Administrator position into the Charter. Mr. Palshaw also shared that he will be meeting with Mr. Reed prior to the next CRC meeting to further discuss the spreadsheet items in detail.

c. Future Meeting Schedule

The CRC scheduled the next two meetings to be held on Tuesday, June 18, 2024 and Wednesday, July 3, 2024 both at 6:00 pm in the Nicholas J. DiCorleto, Jr. Meeting Hall.

V. ADJOURNMENT

MOVED (BOUCHER), SECONDED (BURNS) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE CHARTER REVISION COMMISSION AT 7:13 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rebecca Einsiedel". The signature is written in black ink and is positioned below the typed name.

Rebecca Einsiedel
Recording Secretary

Major / Minor	Section to be Changed	Proposed Change	Purpose
Major	604- General Powers and Duties	Revise due date for capital projects to 12/31	Allow finance additional time for Finance to compile
Major	1104-Duties of Bd of Fin on the Budget	Revise to "one or more public meetings" as opposed to "public hearing" as currently required.	Also, the section requires a public hearing on the 2nd Tues of April after preliminary budget compiled.
Major		"[W]ithin ten(10) days after acceptance ADOPTION of the budget at town budget meeting OR REFERENDUM, the Board of Finance by resolution shall fix the tax rate in mills."	Consistency of terms- the budget is "adopted" not accepted by electors.
Major		Add language articulating when the budget should be decided by referendum. Example - proposed increase greater than X percent; less than X percent of electorate attend annual budget meeting proposed budget deemed adopted.	Provide consistency in method of adopting budget.
Major	1107 Execution of the Budget	Revise to reflect modern practice and use of electronic budget tracking tools.	Not practical; not consistent with modern methods; use of words "program" and "allotment" and "appropriation" not consistent and undefined.
Major	1109 Expenditures and Accounting (b)	In lieu of Deputy First Selectman, add the Assistant Finance Officer as "shall substitute temporarily/for Finance Officer."	Update to reflect the Asst Finance Officer position
Major		Include Town Administrator either in addition to or in lieu of First Selectman as person who authorizes payments	Update to reflect addition of Town Administrator
Major	1109 Expenditures and Accounting (f)	Delete "during the last three (3) months of the fiscal year" thus allowing transfers prior to the final 3 months of the fiscal year.	Allow transfers between departments before final 3 months of FY. Reduce occurrence of unfunded accounts during the FY.
Major	1111 Purchasing	Increase threshold for competitive bidding to \$25,000 as provided by state statute. Alternatively, do not set a specific threshold by charter; instead revise section to read: The Town shall adopt an ordinance setting the threshold at which the town shall invite sealed bids... Such ordinance may be revised from time to time.	This is the current threshold by practice but not by Charter. See Sec 28-1 & 28 3 of the Code of Ellington. By removing specific threshold from Charter, the Town can more efficiently revise the threshold through the ordinance process.
Major	1010 Department of Public Works	Transfer duties related to care for parks, grassed areas in the streets and public grounds, athletic fields and public beaches including those under the jurisdiction of the Board of Education and the Parks and Recreation Commission, to Section 1016 Director of Recreation	To align tasks with appropriate town department. Parks and athletic fields fall under control of Recreation.

Major		Revise "coordinate the Recycling Program" to "assist with maintenance and operation of all transfer station operations and municipal solid waste services."	To add consistency of actual tasks with charter description of responsibilities.
Major		Revise "The Director of Public Works shall appoint a Tree Warden", to "The Director of Public Works shall serve as the Tree Warden and appoint a Deputy Tree Warden."	To align with current practice.
Major		Add: The Director of Public Works shall serve as the WPCA Administrator, shall possess such qualifications as are required for such position, and shall serve for an indefinite term. The hours required to perform WPCA-related activities are to be funded by the WPCA user fees collected."	To align with the current practice.
Major	801 The First Selectman - General	Revise language designating the First Selectman as the CEO and CAO. Keep as CEO.	New Section 904--Town Administrator. Authorize as Chief Administrative Officer (CAO)
Major	802 Duties	Revise Section. Add language that First Selectman is CEO; shall preside at all meeting of the BOS and set the agenda for such meeting..shall be an ex officio non-voting member of all other town commissions, boards, agencies and committees. Stipend as compensation? Not employee.	Move other language to new Section 904--Town Administrator. Town Administrator to be the Chief Administrative Officer. Appointed by the BOS, power to hire and discharge without prior approval of BOS, but not Board of Ed.
Major	Chapter IX Sec 901-906 Town Administrator	All NEW	Incorporation of Town Administrator position into charter
Major	703 Special Town Meetings	(f) Revise to clarify language and eliminate any ambiguity. Initiation of real estate leases and/or real estate lease options to which the town is a party which involve a term in excess of one (1) year. The Board of Selectmen is authorized to terminate any lease if such termination is in the best interest of the town. Such termination shall not require action by special town meeting;	Eliminates misinterpretation or ambiguity in language regarding real estate leases.
Major	Varios (1001; 801; Cn VI; XIII)	Amend to include Town Administrator	
Major	Chap X - Administrative Officers & Departments	Review all appointed positions	Ensure conformance with amended charter
Major	1008 - Director of Emergency Management	Update	
Major	1015-Director of Health	Update	
Major	Chapter XI Finance and Taxation	Streamline budget process	Encourage more efficient flow

Major	1111 - Purchasing	Update bid threshold from \$7,500	
Minor	204: Breaking a Tie (Election of Referendum)	Delete provision requiring an adjourned election to break a tie. Replace with coin flip method.	Cost savings associated with elimination of need to conduct special election (Legal? CGS 9-392)
Minor	1012: Town Engineer	Revise language to state that the town engineer shall be	To ensure that the purchase of services complies with the town's
Minor	603: Procedure	Delete last line regarding appointment of Auditing Committee	This language has been in existence since the first charter; however, its purpose is ill-defined. Since the creation of the Finance Department and hiring of professional staff, the Auditing Committee is redundant. The Board of Selectmen reserves the right to form an ad-hoc committee to conduct any investigation necessary. All purchases are reviewed by Finance personnel and the Town Administrator and First Selectman.
Minor	207: Voting District	Revise from 2 to 3	The Town currently has 3 voting districts
Minor	924: Flood and Erosion Control Board	Delete section	Not used
XHOLD	Chapter XIII Transition and Misc Prov	Should commission review all Town Ord & Policies for conformance with the Charter.	Ensure conformance with amended charter

CHARTER REVISION COMMISSION 2024 QUESTIONS

CHAPTER II

- SHALL THE CRC AMEND SECT 207 TO REFLECT THE VOTING DISTRICTS (3)?

CHAPTER VI

- SHALL THE CRC DELETE THE AUDIT COMMITTEE FROM SECT 603?

CHAPTER IX

- SHALL THE CRC AMEND SECT 924, THE FLOOD AND EROSION BOARD?

CHAPTER X

- SHALL THE CRC ADD A NEW SECTION, TOWN ADMINISTRATOR POSITION?
- SHALL THE CRC AMEND AS NEEDED SECTION 1001, SECTION 801, CH VI, AND CH XIII AS NEEDED FOR THE TOWN ADMINISTRATOR POSITION?
- SHALL THE CRC REVIEW ALL APPOINTED POSITION DISCRIPTIONS FOR CONFORMANCE WITH THE AMENDED CHARTER?
- SHALL THE CRC UPDATE SECT 1008, THE DIRECTOR OF EMERGENCY MANAGER POSITION?
- SHALL THE CRC UPDATE SECT 1015, THE DIRECTOR OF HEALTH?

CHAPTER XI

- SHALL THE CRC STREAMLINE THE BUDGET PROCESS FOR A MORE EFFICIENT FLOW?
- SHALL THE CRC AMEND SECTION 1111 REGARDING THE \$7500 BID REQUIREMENT?

CHAPTER XIII

- SHALL THE CRC REVIEW ALL TOWN ORDINANCES AND POLICIES FOR CONFORMANCE WITH THE CHARTER?

