

**Town of Washington
Annual Town Budget Meeting
Bryan Memorial Town Hall
May 16, 2013, 7:30 pm**

Moderator: Hank Martin **Clerk:** Sheila Silvernail

First Selectman, Mark Lyon, opened with requests for nominations for Moderator. Nick Solley nominated Hank Martin with second from Ted Bent. With no other nominations and closed, Hank Martin was designated Moderator.

Moderator: Good evening everybody. Thanks for coming out. Should be an interesting night tonight. I would like to call this annual budget meeting to order and, Sheila, could you come up and read the warning as secretary?

Clerk:

Warning: Town Of Washington

Annual Town Budget Meeting

The voters and electors of the Town of Washington are hereby warned that the Annual Town Budget Meeting will be held on Thursday, May 16, 2013 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

- 1. To consider and act upon the proposed General Fund Expenses and Transfers for the 2013-2014 fiscal year.*
- 2. To consider and act upon the proposed Nonrecurring Capital Expenses for the 2013-2014 fiscal year.*
- 3. To consider and act upon an appropriation of an additional Nonrecurring Capital Expense of \$600,000 for road repair and reconstruction.*
- 4. To establish an Ordinance to change the term of the First Selectman, Board of Selectmen, Tax Collector and Treasurer from two years to four years.*

Dated at Washington, Connecticut this 25th day of April 2013.

*Mark E. Lyon, Richard O. Carey, Anthony J. Bedini
Board of Selectmen*

Moderator: Thank you, Sheila. I see many familiar faces out in the audience so I know most of you have been through this before, but for those of you who may be first time attendees to a town meeting, what we'll do is we have four items on the agenda. For each one, we'll make a motion, have it seconded, and then have discussion about the motion, and then have a vote. In the discussion, we'll explain what the resolution is all about and then take all the questions and comments from the audience that you desire

to weigh in on. When it's time for questions and comments, please raise your hand and I will recognize you and we'll do our best to get you an answer or maybe just listen if it's a comment. With that, could I have a motion for the first item on the agenda please, Mark?

M. Lyon:

Resolved:

To approve an amount not to exceed \$4,308,752 for expenditures from the 2013-2014 General Fund Budget which includes \$4,228,752 for general operating expenses and a transfer of \$80,000 to the legal litigation fund.

Moderator: Would anybody care to second that?

R. Carey: I'll second.

Moderator: Dick Carey. One thing I forgot to mention, when you raise your hand, could you identify yourself because Sheila's looking down at her laptop so she won't be able to see who's talking and that would be a great help. Mark, would you like to say a few words about the motion or I'll leave it up to you.

M. Lyon: This budget is put together through the Board of Selectmen, Board of Finance. It includes a 2% raise for all of our employees. Our larger percentage increases were in the public safety sector and involves increased hours for our fire marshal and our fire department budget and our emergency management budget. Percentage wise these were our larger areas of increase.

Moderator: What's the total percentage increase?

M. Lyon: About 1.6% overall over the whole budget. The operating budget itself is up around 4%.

Moderator: Ok, I'm looking for hands and for anybody that wants to make a comment or ask a question. I'm not seeing any. Are you ready to vote?

J. Boyer: Inaudible.

Moderator: Hold on, could you repeat that with a mic in your hand Jack and identify yourself?

J. Boyer: I'm having a little trouble following. You said that the overall is up one point, how much?

M. Lyon: The general fund expense that we're voting on now is up 2.5%

J. Boyer: 2.5?

M. Lyon: Right, and the school budget was down point one.

J. Boyer: Yeah, practically ..., yeah. So the difference is that?

M. Lyon: The greatest combination of, the combination of all of our expenses up 1.65.

J. Boyer: Yeah, the school budget being 70% roughly and the rest 30% so.

M. Lyon: Correct.

J. Boyer: That modest little 1% is a big chunk so it kept it ...

M. Lyon: Correct, yea.

Moderator: Thank you Jack Boyer. Any other questions, hands? Yes.

J. Torti: Thanks.

Moderator: Please identify yourself.

J. Torti: Oh, sorry, I'm Joanne Torti, director of the After School Arts Program. Does this budget include funding for the After School Arts Program?

M. Lyon: There's \$2500 for the After School Arts Program which was a match of what we contribute to our regional youth sports programs.

J. Torti: Do I make any comments now?

Moderator: If you'd like.

J. Torti: Ok, well our plea was for \$5000 and I would like to make that plea again to include \$5000 for the After School Arts Program.

Moderator: Ok, thank you for your comment and your passion. I have to tell you that I'm as Moderator not just governed by Robert's Rules of Order but also by state statutes. The state statutes say that when an item is put on the budget, the town meeting can make motions to reduce the amount of the item, but they cannot make motions to increase the amount of the item. So, your plea, if I take your plea to be a motion, I would not be able to accept it. I would have to rule it out of order. I hate

doing it, but that's the law. Thank you. Any other questions, comments? Are we ready to vote? Ok, let me read the motion which has been seconded one more time.

Resolved:

To approve an amount not to exceed \$4,308,752 for expenditures from the 2013-2014 General Fund Budget which includes \$4,228,752 for general operating expenses and a transfer of \$80,000 to the legal litigation fund.

All in favor of that motion, please say aye?

Audience: Aye.

Moderator: Any opposed? One opposed. [Motion passes.]

Thank you very much and we're on to item number two. Mark?

M. Lyon: The Nonrecurring Capital Budget:

Resolved:

To approve an amount not to exceed \$1,509,500 for expenditures from the 2013-2014 Nonrecurring Capital Fund Budget which will be offset by anticipated grants and insurance in the amount of \$260,000 resulting in a net expense of \$1,249,500.

Moderator: The motion's been made. Could I hear a second for this?

N. Solley: Second.

Moderator: Ok, Nick Solley for second. Do you care to add anything? Come on you've got to say a couple of words.

M. Lyon: This is a sum total of our road program and our vehicle equipment program. We've also included \$13,500 to put towards computer network upgrades here in the town hall.

Moderator: Ok, would anybody wish to raise a question or make a comment about item number two on the agenda? I'm looking. I see no hands, therefore I'm going to ask you are you ready to vote it?

Audience: Yes.

Moderator: Ok, I will read the motion again. This is item number two on the warning, Nonrecurring Capital Budget.

Resolved:

To approve an amount not to exceed \$1,509,500 for expenditures from the 2013-2014 Nonrecurring Capital Fund Budget which will be offset by anticipated grants and

insurance in the amount of \$260,000 resulting in a net expense of \$1,249,500. All in favor, please say aye.

Audience: Aye.

Moderator: Any opposed? Unanimous this time. The motion passes.
On to number three.

M. Lyon: This is an additional item in the Nonrecurring Capital Budget.

Resolved:

To approve an amount not to exceed \$600,000 for additional expenditures from the 2013-2014 Nonrecurring Capital Fund for road repair and reconstruction.

Moderator: Ok, the motion's been made. Could I have a second on that one? I see lots. Take Kathy Gollow. Mark?

M. Lyon: This was a program that was initiated last year between the Board of Selectman and the Board of Finance to make an aggressive move towards reconstructing and reconditioning our infrastructure. Last year's project we made an amendment at the town meeting to include expenses for replacement of town equipment that had been lost in our garage fire. We spent about \$295,000 out of that sum, 600, on new trucks which have been received and plowed snow very well in February. This year our \$600,000 will be totally dedicated to road reconstruction. The bulk of it will be used hopefully to get working on Calhoun Street from start to finish which will include a fair amount of drainage improvements as well as reclaiming and repaving.

Moderator: Looking for hands, any questions, comments about this item? Are you guys being kind to me tonight?

Audience: Laughter.

Moderator: Yes? Excuse me, wait for the microphone. It's coming.

L. Frank: I'm loud.

Moderator: You're not loud enough.

Audience: Laughter.

L. Frank: Linda Frank. What if we don't get the insurance reimbursement for capital expense?

M. Lyon: That's back in the last question, Linda, but that is, we know we're going to get it because we've settled that. It's just we haven't purchased that piece of equipment yet so we haven't got that reimbursement.

Moderator: So it's for sure we're going to get it then, in other words, right Mark?

M. Lyon: Yes.

Moderator: Ok, other questions, comments? Ok, I'm going to push my luck. Are we ready to vote again.

Audience: Yes.

Moderator: Ok, let me read the motion again, number three, Nonrecurring Capital Budget.

Resolved:

To approve an amount not to exceed \$600,000 for additional expenditures from the 2013-2014 Nonrecurring Capital Fund for road repair and reconstruction.

All in favor, please say aye.

Audience: Aye.

Moderator: Any opposed? Hearing none, it's unanimous. [Motion passes.]
Who's going to introduce the fourth item? Are you?

M. Lyon: I'll ... out. Town ordinance #106 amendment.

Resolved:

That town ordinance #106 to be amended to add the following effective with elections to be held in November 2013 pursuant to Connecticut state statute 9-187, 9-187a, 9-189, and 9-189a the terms of office for the office of First Selectman, Board of Selectmen, Treasurer, and Tax Collector shall be for four years from the day each such term begins. The terms of office for the office of First Selectman, Board of Selectmen, Treasurer, and Tax Collector shall begin on the second Tuesday following the day of the municipal election at which such official is elected. The term of any of the above office shall continue until a successor for such office is elected and has qualified.

Moderator: Ok, we have a motion. Looking for a second. Thank you.

L. Anderson: Second.

Moderator: Uh?

L. Anderson: Leslie Anderson.

Moderator: Thank you. Ok, I'm looking for comments, questions, yea or nay, pros and cons on this one. Kerry? Ok, hold on.

K. O'Toole: Kerry O'Toole, Kielwasser Road. I just want to make the comment that many of us in this audience may be in favor or against this motion, but looking around the room and seeing that there's probably fewer than a hundred people here, I think it's a decision that really should be taken to ballot and shouldn't be decided by so few people. So, knowing that we're only allowed to vote it up or down, I would ask those present when it's time, to vote it down so that this decision could go to a ballot.

Moderator: Thank you. Yes?

A. Grunberg: Thank you Mr. Chairman, Allan Grunberg, Washington Depot. I remember several years ago when this came up when the Democratic town committee thought this was a great idea when they had a First Selectman of their party. I guess it's vice versa now. You know, I just think this is a solution in search of a problem. I don't see any issues with any town officer facing the voters every two years. I agree with Mrs. O'Toole that I think something this important should be placed in front of a town referendum rather than a town meeting. So, Mr. Chair, I'm moving that the motion be postponed indefinitely.

Moderator: Ok, let me explain to the audience what's going on here. We have a secondary motion to the primary motion that's been seconded to postpone this matter indefinitely. That means if it's voted upon and passed that it would come off of the agenda completely tonight and this body would not be voting it up or voting it down. It would just be postponing it until some future either town meeting or the possibility of a petition. Because, the only way this can get on referendum is be a petition. The town meeting could not order that to happen. I've done a little bit of homework and I've read a legal opinion on that. So, and then, just give me a minute. I want to just check my facts regarding any other requirements associated with this motion. It requires just a simple majority and it is debatable. So if anybody wants to agree with or disagree with the motion to postpone the matter indefinitely, your comments would be heard and would be in order. But, before we go any further, I need to have a second to the motion to postpone indefinitely.

Moderator: Ok, I'm seeing Janet Hill in the back. So the sub-motion has been made and has been seconded. So, looking for more comments now about the sub-motion to postpone this matter indefinitely, get it off of tonight's agenda with perhaps the possibility that it will go to referendum at some point in the future. Yes, Marlene? Hold on for a minute. Let the mic catch up to you.

M. Smith: Marlene Smith, 22 Parsonage Lane as of last week. I heard you say the sense of the town meeting gathered here this evening really can't follow our sub-motion. Is that right?

Moderator: It cannot order a referendum.

M. Smith: It can't order a referendum.

Moderator: Right, let me, if you just allow me. We had this matter researched by our town attorney, David Miles, and I asked, my question was if someone on the floor at the town meeting makes a motion to send item number four of the warning to referendum, how do I rule. Answer, rule that the motion is out of order because it cannot be acted on at the meeting. By statute the only way a matter on the call for a town meeting can be referred to a referendum is by petition. Does everybody understand that?

M. Smith: How many people need to sign that petition?

Moderator: There are, I think it's 10% of the voting body or 200 people whichever is less.

M. Smith: Hmm.

Moderator: It, there are, there's a whole state statute that governs this. There are notification requirements too, lead time requirements. There's no. If you're thinking about trying to do it right now, on the spot, no way, because there needs some notice given.

M. Smith: No, I'm a bit taken aback and yet I think, Kerry, it would be a wise thing to have a referendum and yet I also feel it's a brilliant move toward just having a more efficient well-informed government because to have to run for office every two years. I mean, look at what's happening in Washington D.C. I mean, it's really it makes so much sense whether, respectfully, I'm sorry, I didn't catch your name, whether it's Republican or Democrat in office, I don't think that's the issue. The issue is how do we have the most effective government.

Moderator: I hear you. What this town meeting has are three options. You could vote to approve the motion to postpone indefinitely. If that's voted down, you could then vote on the primary motion either up or down extending the terms to four years. Those are your three choices and I'm impartial. I'm your Moderator. I'm going to follow the sense of this town meeting. Let me take the gentleman, no, you, and then the lady in front of you, who are on the aisle in the back.

R. Averill: My name is Ralph Averill. I live in New Preston. I believe that this issue is of such moment whether you're for a two-year term or a four-year term, it's of such moment it needs wide discussion in the town and it should not be decided once and for all at a simple town meeting. I think that if those who proposed this idea, and I don't know where it came from or what the reasons are, should go out and collect signatures and put it before the entire town as a vote. Thank you very much. In other words, I think that the secondary motion should be approved.

Moderator: Ok, now the other, right there, you've got it John.

P. Welles: Pat Welles. I'm the Democratic Registrar of Voters, but I'm not taking sides. I'm just stating. We just had a budget vote. We have 2,497 voters. 400 of them came in and voted. I believe that the people who are interested in this are here tonight and the people who aren't interested shouldn't be given another chance to make a different change. This was presented by a, what do you call it, a petition to the town. It's been in the paper. It's been advertised out front on the sign. I don't understand. We're going over. We're bending over backwards to give people the opportunity to do things. The same thing is happening in the state. They want us to have early voting for a week before voting day. That's crazy. So I just think the people who are here are here because they want to vote on the issue. The people who are not here don't care.

Moderator: Ok, thank you very much. Other questions or comments? Get to you next Jack.

D. Radosevich: My name is Debra Radosevich and I live on Revere Road. I really believe that the entire town people need to decide on this. It's an important decision. I disagree with the fact that we overboard. We should go overboard to get as many people interested and active in town as possible. This is on a Thursday evening. We have a lot of really good citizens that can't make a Thursday evening meeting because they live out of or work out of town. There are people that work in evenings. Yes, we should give people the most opportunity to vote at all times.

Moderator: Thank you, Jack Boyer?

J. Boyer: Thank you, Jack Boyer. I would like to reiterate that this kind of important issue needs to be in my opinion subject to a full-town machine vote. There are almost 1900 voters in this town as I understand it and this little turnout tonight certainly is not fully representative. So I'm in favor of the motion to postpone it so that a petition can be brought, have a very early machine vote, perhaps late summer, early fall because I think the issue should be decided properly. I'm not taking sides at this point on the issue, but I do not think this focus, this forum is the appropriate forum for such an important decision.

Moderator: Thank you, just listening to you all, it's interesting to me that most of the comments that have been made have been oriented to the decision making process, not whether you're really for it or against it, but rather how it should be decided. Am I reading you all right? [Moderator notes many nodding heads in agreement; none in disagreement.] Ok, any other? In the back.

Z. Goodyear: I'm Zack Goodyear. I live on Nettleton Hollow Road. I'd like to associate myself with what Mr. Boyer has just said. It seems to me that the question of the length of terms is the kind of question that charter commissions and constitutional conventions deal with. The immediacy of this moment and the sort of transitory presence of a few residents ought not to dictate an outcome that we'll be living with presumably for the ages. So that's my view and I really don't know on the substance of the matter whether two years or four years makes the most sense. I really would like to have a broader discussion within town on that question, but before I stop, could you clarify one point of procedure for me. Did the Selectmen have the opportunity to put this out to a referendum by petition or did they, were they restricted to bringing to our attention in this manner?

Moderator: I believe and I will stand corrected if I'm wrong, but the petition was brought to the Board of Selectmen in the current form asking for it to be decided here tonight. So I don't think the Selectmen had much choice other than to either agree or disagree with the wording as you see it before you tonight.

Z. Goodyear: Well as I say.

Moderator: Is that correct?

M. Lyon: Yeah, the Selectmen, two months ago the Board of Selectmen received a petition that was verified by the Town Clerk and the Registrar of Voters to place the question on the agenda for the May 16th meeting.

Z. Goodyear: Well, does, let me ask a separate question related to procedure. Is it possible for the Selectmen if they choose tonight to withdraw number four at this point or not?

Moderator: I can answer that and the answer is no. We have a secondary motion that's been made to postpone it indefinitely and that'll be the first thing we vote on. So we must vote on that first.

Z. Goodyear: Ok.

Moderator: Ok.

Z. Goodyear: Well, I'm, I really am against trying to decide this tonight. Thank you.

Moderator: Thank you, any other comments, questions? Ok, just again for my benefit and you all agreed with me a little earlier that the issue seems to be the mechanism for decision here, referendum versus tonight at the town meeting. So that as we move toward voting on the motion to postpone indefinitely getting it off the agenda tonight, should I infer no bias pro or con to that, but just simply a recommendation or an expression by the town meeting for how it should be decided? I'm seeing people nodding up and down. How about the person who made the motion in the first place? Am I reading you correctly?

A. Grunberg: Could you repeat the question?

Moderator: Your motion was not made with regard to whether you're against or for extending the term to four years, but rather just that you want it decided one way or the other at a referendum?

A. Grunberg: Correct.

Moderator: Good, ok. Are we ready to vote on this sub-motion, secondary motion. Alright, the motion before us is to postpone indefinitely item number four on the agenda tonight, on the warning tonight which means we will dispense with it. We will not take it up anymore. We'll be done with it. All in favor of postponing indefinitely, please say aye.

Audience: Aye.

Moderator: All opposed?

Audience: Nay.

Moderator: Ok, this time I'm going to ask you to raise your hands. I just want to make sure it's clear. All we need is a majority and I think the motion carried, but I want to just make sure. All in favor of postponing indefinitely, please raise your hands. Ok, thank you. All in favor of continuing with the item on the call tonight, please raise your hands. We're going to have to have a count. This is not an eyeball type thing. I don't know. Can I have some help here? I'm going to ask you to do this again and I want an actual count of the people that are raising their hands for either pro or con.

Male: Side ...

Moderator: Yeah, ok, yeah, alright. Let's go. What do you want to do.

M. Jackson: I'll count.

Moderator: Just to make easy, we're going to go with your right side, my left side first. Ok, all in favor of postponing indefinitely, raise your hands. Just on this side for now.

M. Jackson: [Counting]

Moderator: Now lower your hands. On this side, all in favor of postponing indefinitely.

M. Jackson: [Counting]

Male: Are you a registered voter Joanne? Are you a registered voter in this town?

J. Torti: ... on certain things?

Male: But you're not ... ok.

Moderator: Ok, one thing I should tell you that this is a matter that requires you to be a registered voter in town, not simply a resident or property owner. Ok? So I think minus one at least. Joanne is.

Male: Ok.

Moderator: Ok, now we're going to do the same thing for the people who want to continue discussing and deciding this motion tonight who are against postponing indefinitely. On your right, my left, who wants to continue?

M. Jackson: [Counting] Ok, keep them up. Let me count them again.

Moderator: Ok, now on my right, your left. Who wants to continue discussing and handling this issue tonight?

M. Jackson: [Counting]

Moderator: Ok, what does it add up to?

M. Jackson: Twenty-four in favor of it. Twenty-three against.

Moderator: Twenty-four in favor of postponing indefinitely.

M. Jackson: Yes.

Moderator: And twenty-three against?

M. Jackson: I think maybe we ... ballot?

Moderator: Yeah, um, the matter is so close. Yeah, tell me, I'm your Moderator. Would anybody here want to have a paper ballot count for this? Do you accept twenty-four to twenty-three? [Moderator notes general agreement that a paper ballot is not needed and that the vote is acceptable, even with the close count; no one in disagreement.]

Moderator: Ok, the motion to postpone indefinitely carries by the closest of margins. Again, I think that from everything I'm hearing I hope that this matter will come up again for broader decision making process at a referendum.

J. Boyer: Would you describe the procedure ... petition ...?

Moderator: Mark? My guess is it's not dissimilar to the petition you already received.

M. Lyon: Jack, I looked. I got some information from the state through Sheila [Town Clerk] and it really wasn't clear how to. I think the Board of Selectmen may be able to call a referendum, but I've got to do some more research on it. The petition required was to force a referendum for a question that's on a town meeting and that petition would have been required either 200 signatures or 10% of the electorate. It had to be filed twenty-four hours in advance. That would force a question that's on the town meeting agenda to a referendum, but I'm not sure about scheduling a referendum other than that. I believe that it could be ... I'll do some more research. A petition can do it, but I don't know about the numbers and stuff.

J. Boyer: I think the whole town should be aware of the ... process.

M. Lyon: Well, Jack, this has come up several times over last six to eight years and it's not a new subject. A year ago I asked the two town committees to look into this to put it on the presidential ballot and it was squashed by the Democratic town committee. There were some individuals that took it upon themselves to initiate this petition to put it on tonight's agenda. This is where we are. So I, we will try to move the process forward. If we put it on the next, if it's going to be, I would think it would have to be done in fairly short order so that everybody would know where they stand on the next election or we put it on that ballot for the next election. It's. We've been kicking this around for eight years. Somebody had the forethought to bring a petition in to get it on the table.

J. Boyer: Early fall ...

M. Lyon: Well then, your nominees have to know going in whether they're going to sign up for two or four years.

Moderator: Alright, with this matter having been resolved in the manner that it has we have completed our agenda. I just want to double check with you that I'm reading that this town meeting is recommending that the matter of the term of years for these particular offices be decided at a referendum. That's what this body wants? Right?

Audience: Right.

Moderator: Ok, so hopefully the Board of Selectmen will listen to that and will act accordingly.

Female: [Question]

Moderator: Yes.

Female: What is the cost every time you have a referendum?

Moderator: What's the cost of a referendum if it's in the absence of another election that's already taking place?

M. Lyon: I would. Our last school budget referendum, I believe Phyllis probably has a better idea, but I think it was probably about \$2000 and that was the eight-hour referendum as compared to the fifteen-hour.

Moderator: If you want to piggy-back it onto the next regularly scheduled election it would be in early November in which case the cost would not be anywhere near that much. Are we ready to adjourn? Could I hear a motion to adjourn please? All in favor? Thank you very much.

Adjourned at 8:09 p.m.