

Title 7 – MUNICIPALITIES – Town Boards of Finance:

Sec. 7-343. Filling of vacancies. In case of a vacancy in the membership of the board of finance, unless otherwise provided by charter or special act, the remaining members of the board shall, at a special meeting called by the chairman for that purpose, by a majority vote, appoint a successor, who shall serve until the next town election and until his successor is elected and has qualified. At the next town election following the occurrence of such vacancy, the electors shall elect a successor to fill the vacancy for the unexpired portion of the term and the office to be filled shall be designated on the official ballot by the words "To fill vacancy for", followed by the duration of the unexpired term.

Town of Chester Ordinances:

ORDINANCE CREATING ALTERNATE MEMBERS TO THE BOARD OF FINANCE

- (1) Under the provisions of Public Act 76-72 of the Connecticut General Statutes, the positions of three (3) alternates to the Board of Finance is hereby created.
 - (2) There shall be three (3) alternate members to the Chester Board of Finance, all and each of which shall be electors and taxpayers of the Town of Chester.
 - (3) The alternate members of the Board of Finance shall be appointed by the Board of Selectmen and shall serve from the date of his or her appointment to the date of the election and qualification of his or her successor in accordance with the provisions hereinafter stated.
 - (4) The Board of Selectmen of the Town of Chester shall specifically designate the term which each alternate shall serve. One alternate shall serve until the next biennial election; one alternate shall serve until the second biennial election from such date of appointment; one alternate to serve until the third biennial election from the date of appointment. Thereafter, one alternate shall be elected or re-elected at each biennial election.
 - (5) The appointment and election of such alternates shall be in accordance with the provisions of Section 9-167(a) of the Connecticut General Statutes concerning minority representation of political parties.
 - 6) Said alternates shall have all of the powers and shall serve under the provisions of Public Act 76-72
- This Ordinance shall become effective fifteen (15) days after publication in The Middletown Press, a newspaper having a circulation in the Town of Chester, and the Town Clerk shall cause such publication to be made immediately. This Ordinance was published in The Middletown Press on September 4, 1976

Title 9 - Chapter 164: Elections:

Sec. 9-220. Town office. If any town office in any town is vacant from any cause, such town, if such office is elective, shall, except as otherwise provided by law, fill the vacancy at the next town election or at a special election called for such purpose in accordance with the provisions of section 9-164, but, until such vacancy is so filled, it shall be filled by the selectmen. The selectmen shall fill all vacancies in offices to which they have the power of appointment.

Subject: Re: Board of Finance Agenda Items

From: Virginia <vcarmanyruiz@comcast.net>

Date: 4/12/20, 1:39 PM

To: "Jon@Joslow.com" <jon@joslow.com>, Andrew Gardner <andrew@reliancewm.com>, Greg Merola <gregmerola@gmail.com>, John O'Hare <johare724@gmail.com>, Michael Joplin <mwjoplin@aol.com>, "rannestadjennifer@lcsnet.com" <rannestadjennifer@lcsnet.com>, Richard Nygard <nygard1942@msn.com>, "Richard Strauss (rstrauss7@gmail.com)" <rstrauss7@gmail.com>, Charlene Janecek <c.janecek@aol.com>, First Selectman <firstselectman@chesterct.org>, "tenglert@whelen.com" <tenglert@whelen.com>

Jon,

Thank you for taking the time to consider all the ways we might improve several aspects of Meeting Minutes, reporting and Policy. I have reviewed all your requests with First Selectwoman Gister and we are in agreement with the following thoughts, though the words are mine:

First, the Meeting on April 15th is a Joint Board of Selectmen & Board of Finance Budget Workshop Meeting. The Board of Finance will be meeting on April 16th. All these suggestions do not belong in the Budget Workshop Meeting.

Item 1: The Board of Finance reviewed the State Statute regarding seating Alternates when a BoF member is absent and had a detailed discussion before voting to continue with our current practice of seating alternates. The basis for coming to that conclusion was the Statute requirements to have the members vote on seating alternates would be significantly cumbersome and would not result in any difference in who gets seated if the same criteria was utilized to democratically alternate which alternate members got seated when a full member is not present. Members indicated (as part of the discussion) that they did not want to predetermine who would be sitting in for them if they knew in advance that they would not be able to attend the next meeting because it would be possible that the designee might not be attending and if the vacancy was determined last minute would be onerous to comply. We covered several scenarios and seemed to fully review how it might play out before voting. The fact that the State Statute was not being followed to the letter of the statute but the result would be the same was a mitigating consideration.

Item 2: First, there is no need to vote to comply with the Handbook for Elected and Appointed Officials and Volunteers. Second, The Handbook incorrectly lumps BoF in with all the other Departments and Commissions. General State Statutes Sec. 7-343 specifically covers Board of Finance Vacancies and states:

In case of a vacancy in the membership of the board of finance, unless otherwise provided by charter or special act, the remaining members of the board shall, at a special meeting called by the chairman for that purpose, by a majority vote, appoint a successor, who shall serve until

the next town election and until his successor is elected and has qualified. At the next town election following the occurrence of such vacancy, the electors shall elect a successor to fill the vacancy for the unexpired portion of the term and the office to be filled shall be designated on the official ballot by the words "To fill vacancy for ...", followed by the duration of the unexpired term.

The Handbook states that the Board of Selectmen choose the candidate to fill the vacancy per minority seating requirements.

To accept the Handbook's version there would be a significant change in the responsibilities given to the Board of Finance and the Board of Selectmen. I have requested a correction page be created and distributed.

Regarding the second part, to follow Robert's Rules written in 1876, my comment is that we do follow Robert's Rules except in the case of meeting minutes as there is additional guidance on the subject via

"Best Practices for Official Minutes of Public Meetings: Practical Solutions to Common Problems & Divergent Standards Under Applicable State Laws" written in 2011

as well as FOIA Statute and Sunshine Laws.

To adopt the Robert Rules section on meeting minutes would significantly reduce the information currently in our meeting minutes.

Item 3: Regarding the documentation that is requested, it is required for any vote, we follow the format as described.

Our minutes are not as condensed as in Robert's Rules and perhaps are too detailed for some people. It has been our policy that more is better than less and I have worked to keep it that way based on feedback from the community and the Board's discussion that has been positive regarding our minutes. To reduce the meeting minutes to your suggestion would reduce the meeting minutes to just votes with a summary of the discussion. In many cases we do not vote but discussions do reach consensus. To reorder the minutes into this format would require additional work on behalf of the clerk rather than the way the minutes are currently prepared. In addition, to adopt these changes when our meeting minutes are prepared by a person that has done meeting minutes for years and over all has had the meeting minutes approved by the board 95% of the time with no changes speaks to the general accuracy and understanding of the meeting minutes. Most of the time she is able to prepare the meeting minutes from an audio file and the time she takes to do that has not exceed the time it takes to prepare the minutes had she sat through the whole meeting in person. To make these changes in the middle of the Budget Process in the middle of a Pandemic

and not across all boards and commissions while only singling out these changes for the Board of Finance is inappropriate. It is also a lot of fuss for little gain when there are more pressing concerns. It is appropriate to find a middle ground and I will endeavor to do so but I am hesitant to take valuable time discussing the pros and cons of this item again with the Board right now.

Item 3 B: This might be appropriate to discuss and incorporate at a future date. However, at the moment it would require additional work from the Town Clerk. This too, if implemented would need to be implemented across all boards and commissions. It would be appropriate for the First Selectwoman/Board of Selectmen address this item after concerns for Covid-19 have passed.

Item 3 C: This is currently covered within the meeting minutes and the items have been either underlined or highlighted. Most often the items have been listed in the next agenda for review. I do make every attempt to ensure that tasks and questions get followed up on. To establish a stand alone set of items in the meeting minutes would require additional work and cost (depending on who does the work.)

Item 4: This request, if in one document would enhance our reporting. Unfortunately our software does not allow for this to be in one report nor does it allow for the forecast to be included. We have initiated an additional excel monthly report that augments the software reports to help fill the gap. The current reports do - with review - allow BoF members to get to most of this requested information. Creating a new report would need to be done in excel and this could be reevaluated for creation (evaluation of time required and ease of maintaining) when the Budget Process is complete and the additional requirements placed on the Accounts Manager due to Covid -19 have passed.

Item 5: This request will be a natural outgrowth of meeting requirements during the Covid-19 pandemic. Each meeting must have all the attachments for the meeting posted with the Agenda. This will be on the Chester website under BoF agenda.

I will not be bringing any of these tasks before the Board of Finance on Thursday. I hope we can address our regular business which has been disrupted since February and address the tasks at hand. There will be a time to bring these ideas forward but it just isn't right now. I appreciate the time and energy you put into creating this list, but as I review all these requests it seems to me that much of this work is the work of the Board of Finance: reviewing the financials for items of concern and reviewing the meeting minutes for items that need to move forward. It does require some review work by each member.

I request that we stick to the agenda/topic and not jump ahead with questions or get side tracked with non agenda items or readdressing issues that have been

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already determined. We burn up a lot of time with these items. It is important to get recognized to speak and the Zoom meetings are already changing our process and requiring additional time. I also request that comments and questions be succinct and time and respect is given so each member can comment on a given topic allowing us to so see where consensus is reached. If appropriate and within reason a motion to take a vote on a topic could be requested, but I hope that our meetings do not devolve into a series of votes. I will do more to ensure this component is a part of our process as well. It is my intention to maintain that we work as a team.

Thank you. Virginia

On 4/10/20 4:41 PM, Jon@Joslow.com wrote:

Hi Virginia:

In order to ensure that the BOF complies with state statues related to Town Board of Finance, (https://www.cga.ct.gov/current/pub/chap_106.htm#sec_7-342), and to increase the effectiveness of our meetings, I propose these five items be included in the agenda for the Board of Finance meeting scheduled for April 15.

Also, in follow up to recommendations regarding reductions to the Municipal and BOF budgets, the imperative of zero based budgeting is a necessity. Let's discuss the necessity and appropriateness of the various contingency expenses across all departments. This is probably not the time to tax for redundant or excess reserves.

Agenda Item 1. BOARD OF FINANCE COMPLIANCE TO STATE STATUES WHEN SEATING ALTERNATES

The BOF will seat alternates based upon State Statue Sec. 7-340a. (Reference: https://www.cga.ct.gov/current/pub/chap_106.htm#sec_7-340a)

"Sec. 7-340a. Alternate members of boards of finance. Appointment or election provided for by ordinance. "...*If a regular member of such board is absent or is disqualified, such absent or disqualified member shall designate an alternate to so act. In the event that an absent or disqualified regular member shall fail or refuse to designate an alternate to so act, the majority of the regular members of the board of finance not absent and not disqualified may designate an alternate subject to the provisions of section 9-167a, to so act for such absent or disqualified regular member.*"

Agenda Item 2. BOARD OF FINANCE COMPLIANCE WITH CHESTER'S HANDBOOK FOR ELECTED AND APPOINTED OFFICIALS AND VOLUNTEERS

The BOF will follow the Town of Chester "Handbook for Elected and Appointed Officials and Volunteers" procedures and meeting protocol will follow Robert's Rules of Order.

Agenda Item 3. BOARD OF FINANCE MINUTES

3A. BOF minutes provide factual information versus select summary commentaries and excerpts of partial sides of deliberations. Summary of each agenda item should be brief unless warranted. Form

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and format to be proposed to BOF for adoption to include the following.

Agenda Item: _____

Motion: _____

Motioned by: _____

Seconded by: _____

Discussion Points: _____

Moved to a vote by: _____

Seconded by: _____

Voted Count: ___Yes ___No

APPROVED: _____

DISAPPROVED: _____

3B. All minutes of the BOF will be initially issued with a watermark DRAFT on each dated page and posted as required. Minutes will be reviewed for accuracy, corrected and approved at the next scheduled meeting. Once approved, the document will be marked APPROVED and will be posted in place of the DRAFT.

3C. The minutes will include agreed upon Decisions and Follow up Issues

- Document agreed upon follow up issues
- Document items deferred for future action/consideration so that deferred issues remain visible until resolved.

Agenda Item 4. FINANCIAL ANALYSIS

Budget reporting: During the year, the BOF will be provided a top view analysis prepared by the Accounts Manager and the Board of Selectmen of significant over or under expenditures/revenues and adherence to budgeted expectations several times a year (frequency/dates TBD). This analysis to include the total of YTD actual revenues and expenses plus associated, departmental/line item estimates for remainder of year as compared to Budget for the same period. The discussion to include this Present View versus Budget as a means to understand major variances, issues and opportunities during the fiscal year. If identified early during the year, there is time to proactively respond to unforeseen variances and proposed incremental expenditures.

Agenda Item 5. INFORMATION TRANSPARENCY

The BOF will use the Chester town web site to provide access to each month's standard BOF financial reports to make it easier to refer to prior periods and to have all information and exhibits available without searching through emails to find the correct or up to date versions of public reports.