

TOWN OF COLCHESTER
ANNUAL BUDGET MEETING – May 31, 2023
MINUTES

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Gayle Furman
GAYLE FURMAN
TOWN CLERK

Present: First Selectman: Andreas Bisbikos, Selectmen: Debbie Bates, Rosemary Coyle, Denise Turner, Jason Lachapelle; Board of Education: Christopher Rivers, Alexander Oliphant, Michelle Millington, Mary Tomasi, Margo Gignac, Rosemary Gignac; Board of Finance: Michael Egan, Michael Hayes, Arthur Shilosky, Andrea Migliaccio, John Thomas, Tim Vallencourt; Other attendees: John Malsbenden, Jayme Legrega, Ursula Tschinkel, Delaney LePage, Mary Williamson, Rachel Linkkila, Cindy Praisner, Marge Mlodzinski, Bernie Dennler, Steven Coyle, DeAva Lambert, Gayle Furman and other citizens.

Meeting was called to order by Andreas Bisbikos, First Selectman at 6:40 p.m.

A Motion that John Malsbenden be Moderator was made by Monica Egan, seconded by Michael Hayes.

A Motion that DeAva Lambert be Moderator was made by Andrew Day, seconded by Taras Rudko.

A Motion to close nominations was made by Monica Egan, seconded by Art Shilosky.

A voice vote was taken on John Malsbenden as moderator. MOTION PASSED

A voice vote was taken on Deava Lambert as moderator. MOTION FAILED

Town Clerk, Gayle Furman, read the warning of the meeting.

A Citizen asked if we could salute the flag with the Pledge of Allegiance. The pledge was said.

Motion to move Item #1, to consider and act upon the first question to make a recommendation to send the 2022-2023 fiscal year budget of the Board of Selectman in the amount of \$15,633,140 as recommended by the Board of Finance to referendum, made by Brian Smith, seconded by Jason Lachepelle.

Discussion:

- Craig Hester asked what the motion means. What happens if the motion passes? Moderator Malsbenden explained that if the motion passes it goes to referendum
- Monica Egan spoke against the motion. She read a statement on the intent of the Charter.
- Jason Lachapelle spoke of the change in the current Charter compared to the previous Charter before revision and the power or lack of that the body at the Annual meeting has. He stated that he feels the Charter states that it has to go to referendum.
- Mike Egan spoke of his concern on what was presented for the mill rate calculation and other concerns with the presented budget numbers.

- Cliff O'Donal spoke on what this meeting should be for and that it is not for hashing numbers. He also spoke to what the charter says about only being able to lower the budgeted numbers at this meeting. He is in favor of the Town Budget.
- Jeremy McKenzie yielded his time to Monica Egan. Monica said she was on the latest Charter Revision Commission and why they changed the wording on the Annual Meeting portion to make it clear that the people in the meeting have the power.
- DeAva Lambert spoke of section 1105 of the charter and the need to focus on the entire section. She read aloud Section C and her interpretation of said section.
- Taras Rudko Spoke of how the budget is a budget of increases. He said that it is not the Board of Finance's job to deal with revenue; he believes it is the Assessor's office and the Chief Financial Officers job.
- Jenny Sevigny commented that her concern is with the errors in the budget that were not corrected and misprinted in the paper. Feels she cannot vote on a budget with incorrect numbers.
- Vince Rose spoke of the process of only being able to vote yes.
- Jim Shuman said that if you want nice things you need to pay for it. He feels the budget is bare bones and if we need things for the town, we need to stand up and pay for it.
- Tim Vallencourt yielded his time to Jason Lachapelle. Jason spoke about the process and indicated that you can vote no but you don't have a vote. He read Article X3001 of the Charter which he feels indicates that there is no choice but to go forward or reduce the budget. He stated that he feels we should have the right but the Charter says different.
- John, (last name not stated) said that if the numbers were correct he would vote yes
- Brian Smith spoke about the Charter process as he was the Chairman on a previous Charter Commission. He feels the opinion from the Town Attorney only focused on one part of the Charter. He feels the intent of the Annual Budget meeting is to recommend or not recommend the budget go to referendum. He also spoke of Section 1106 of the Charter and the legislative body of the town. He spoke of the need to look at the whole charter and not just one section. He feels that if the electors at the Town Meeting vote no then there should be no referendum.
- Michelle Millington questioned on how it is ok to vote on numbers that are not one hundred percent accurate and how the numbers that were published were not correct.
- Jean Smith spoke of the meaning of the words "act upon" in the warning of the Town meeting if it does not mean vote.
- Andrea Migliaccio spoke on what the Board of Finance is in charge of. She stated that the revenue assumptions come from the Finance Department and are always changing. She stated that they are asking about the spending for the budget not the revenue.
- Jeremy Mackenzie stated that the Board of Finance budget process was not transparent. He feels that you cannot vote on a budget when you do not know what the numbers are. He also spoke about the process and the wording "as recommended by the Town Meeting".
- Mike Egan recited the meaning of the word Budget.
- Cliff O'Donal spoke on how the meeting should not be slanderous and he feels the budgets should go to referendum to let all the voters decide.
- Geraldine Transue Spoke on how the town's people are the legislative body. She said that the call says "act upon" would assume that a vote of no does not go to referendum.

- Art Shilosky spoke on how the Charter says can only reduce the budget
- Tiffany Moroch stated that the Charter says it cannot be increased at this meeting but it can be increased at another meeting. She asked who decides what the Charter means. The moderator answered her question as to Robert's Rules and spoke of number one on the agenda not going to referendum if there is a vote of no. She asked what the next step is if they vote no. The moderator said that if the no votes carry then it goes back to the drawing board. Would vote no on the town budget, as it is too low.
- DeAva Lambert stated that the moderator does not decide. That is not what the Charter says. She stated that the Town Attorney provided his opinion and the Board of Selectmen approved the budgets.
- Brian Smith stated that the question on the ballot must say, "As approved by the Town Meeting. He spoke of Section 1106 of the Charter. Agrees that the budget can be reduced and not increased at this meeting. If budget does not get a recommendation then needs to go back for another town meeting after it is adjusted.
- Ron Goldstein stated that he was a member of the original Charter commission and he agrees with what Mr. Smith said. He respectfully disagrees with the legal opinion. He stated that "as recommended by the Annual Budget Meeting" requires an affirmative action to automatically adjourn to a referendum. He spoke of why they put in this language. The practice was that this meeting has a choice and he disagrees with Attorney Ritter's opinion.
- Craig Hester stated that he finds this quite confusing for someone new. He feels he does not know what he is voting for. He would like to hear from the First Selectman.
- The First Selectman read the Charter sections C-1105a-1105e and the opinion from the Town Attorney. He stated any opinions received in the past have been followed. Mr. Hester responded that what the First Selectman said sounds reasonable
- Jeremy Mackenzie asked what the First Selectman's role. The moderator answered that he is here like any other Public Official to answer questions.
- Jim Shuman stated that the legislative body of the town could not be overruled by the Executive so invalidating our vote is not something that can happen. He also stated that the legal opinion couldn't take away their right to vote. Can you define "as recommended".
- Tiffany Moroch asked for clarification on voting no on question one. The First Selectman stated that the voters could not reject the budget. The moderator stated that it is an opinion. Ms. Moroch asked if voted no on the question, does it go back to the Board of Finance. The First Selectman said no, it would go directly to referendum.
- Paul Goodwin spoke on C-1105e of the Charter. He feels the wording "automatically continued" only if voted yes and if voted no it cannot go to referendum.
- Ron Goldstein stated that his opinion would be that he agrees with Mr. Ritter that this body cannot reject the budget as presented. It can be decreased but not increased and cannot reject but we can fail to recommend it. He stated that he feels the meeting should pause until there is clarification
- Mike Dubriel stated that he feels we are debating an improper motion that violates the Charter. He feels there should be an abstain option for people who do not want to vote.
- Mark Gostkiewicz stated that he is frustrated and it is time to move the meeting on.
- Kayleen Sandberg asked Art Shilosky if it fails at referendum would the Board of Finance increase the budget. Mr. Shilosky stated no.

A motion to adjourn the meeting requesting further information on procedure and consequences of the vote and legal opinion, to request clarification on the budget figures was made by Amy Domeika and seconded by Robert Esteve.

Discussion:

- Michelle Gilman asked to make an amendment to the vote.
- Brian Smith restated that his motion was to recommend the question go to referendum
- Deava Lambert read Robert's Rules Article 3.
- Jeremy McKenzie asked to make an amendment to have a second opinion from a lawyer not employed by the town recommended by both parties. Moderator ruled that it is out of order as it is not germane.
- Margo Gignac asked what will happen if the motion to adjourn passes.
- Jason Lachapelle stated he does not know how he feels anymore. He feels that if the vote is no, there is nothing in the Charter that says it has to go back to the Board of Finance and then it can go back to operating on last year's budget if the Board of Finance does not choose to put it on their agenda.
- The moderator suggested that the person making the motion to adjourn withdraw their motion.
- Amy Domeika amended her motion to the following:

A motion to adjourn the meeting requesting further information on procedure and consequences of the vote and legal opinion, to request clarification on the budget figures and asked for a date to regroup the meeting at a later time was made by Amy Domeika and seconded by Scott Chapman.

Additional Discussion:

- Erin Shuman stated that when Jason Lachapelle just said proves that the legal opinion makes no sense. No course of action will be taken; this meeting is part of the process.
- Cliff O'Donal stated that adjourning this meeting is wrong because the school budget will not be passed. It will get reduced to last year's budget. It can only be reduced.
- Cindy Praisner stated that we are in an endless loop and she is against adjourning. Would like to dig in collaboratively.
- Amy Domeika asked if we adjourn until June 6. The moderator answered that we would not have time to warn another meeting by then.

A hand count was taken to adjourn the meeting with 52 voting Yes and 92 Voting No. MOTION FAILED.

A motion to close the discussion was made by Brian Smith and seconded by Taras Rudko. A voice vote was taken. MOTION PASSED

A motion that the Town Meeting recommends the approval of the Board of Selectmen's budget in the amount of \$15,633,140 go to referendum was made by Brian Smith and seconded by Scott Chapman. A hand count was taken with 33 voting Yes and 114 voting No. MOTION FAILED

A motion that the Town Meeting recommends the approval of the Board of Education budget in the amount of \$43,679,351 be sent to town referendum was made by Brian Smith and seconded by Suzanne Salemi.

Discussion:

- Taras Rudko stated that the teachers and union have done a great job of packing the room. He spoke of the education budget not helping so far, as test scores are down etc. Feels we should not put more money toward the education budget. He feels every year the budget will continue to go higher.

A motion to move to a vote was made by Jeremy McKenzie and seconded by Eric Parsel. A voice vote was taken. Motion passed

A voice vote was taken on the Board of Education budget. MOTION FAILED

A motion to adjourn the meeting was made by Cliff O'Donal and seconded by Andrea Migliaccio. A voice vote was taken. MOTION PASSED

Mr. Malsbenden resigned as Moderator.

Respectfully submitted,

Gayle Furman, CCTC, CMC