

Charter Commission Meeting Minutes 7/9/19 7pm

Call to Order: Jill and Pat Excused

Motion to Approve Agenda – Joe, 2nd Peter – Unanimous

Motion to Approve Minutes of 6/17 – Peter, 2nd Martha – Unanimous

Motion to Approve Minutes of 6/24 with request by Anna to remove the names of speakers since not all were included by Sec. 2nd Martha. Motion passed 6-1. Chris opposed

Public Comment Period:

Carol Chappell – If we use electronic clickers for votes at town meeting it is important to have a paper trail. Question by Chris: Does this mean a paper copy of the tally or something else. Carol clarified that she wants her own personal paper receipt of her vote since once she clicks her vote, she has no idea where it truly went.

Donna Karlson- Expressed confusion about our rules of order and if we were properly following them. Also gave feedback on public hearing expressing that comments made to the effect of if LUO decisions are moved to a Town Council control vs at Town Meeting that is a big change and shift. Also expressed a desire to see paper documentation of electronic voting if the results are called into question.

Dessa Dancy- Question about the recent Polco survey that went out as well as a comment that in a previous community she lived in that Saturday Open Town meetings were a wonderful thing and provided lots of turnout and that it worked well as something earlier in the spring.

Michele Gagnon – Submitted handout with com clarifying thoughts on her public hearing comments and emphasized that if LUO changes were done by council there are still methods for checks and balances. Also reiterated her opinion that electing planning board members is a bad idea.

End Public Comment Period

Motion – Joe – To add discussion of Polco survey to agenda, 2nd Peter. Unanimous

Polco Discussion:

Mike commented that the questions were not vetted or approved by the Charter Commission before being released.

Anna question: Who compiled them?

A: They were compiled by Nina St. Germain, Cornell Knight, Gary Friedman, and Michele Gagnon.

Impressions on Public Hearing:

Julie: Impressed by turnout

Martha: Disappointed by turnout. Seemed too homogenous of a crowd

Proposition for Extension by the Town Council on due dates for final draft and report submissions to Town Council.

There was confusion as to the actual date we needed to have reports submitted as they were based on election date not on formation date as we had assumed. This extension gives us time to not feel rushed.

Motion to approve and submit letter: Peter, 2nd Martha

Discussion from Joe centered on the proposed dates in the extension letter not being final and that if needed we could extend further.

Motion carried unanimous

Discussion on taking more official votes:

Chair expressed that it was time to stop spinning our wheels and try to make more official motions on agenda items so that we can start crossing things off our lists. This doesn't preclude the need to have language drafted and reviewed by an attorney.

Action Items on Agenda:

Article II

- Town meeting to Saturday

Motion to eliminate discussion on moving Open town meeting to a new day. – Joe, 2nd Peter

Discussion:

Chris: why not a Saturday. We just heard someone say it worked well in another community they lived in

Joe: Hasn't really seen anyone asking for it so why bother?

Peter: Sees no need to change it.

Chris: Tuesday doesn't seem to be working only a small subset of the same voters who have the free time ever attend

Martha: Thinks Saturday meeting would actually lead to less turnout and that in fact poor turnout at open town meeting leads her to feel that we shouldn't have open town meeting at all and just ballot votes which always have higher voter turnout

Julie: Could see how it could go either way but what is there to suggest that Saturday would be any better?

Anna and Joe: Comments that electronic voting at open town meeting may actually encourage turnout

Peter moved the question: Vote: Unanimous in favor of motion

Use of Technology at Town Meeting

Cornell has been working on sample language and presented some to the group.

Motion to support idea of using technology at open town meeting with the understanding that there will be a proper method established for a backup. – Joe, 2nd Peter

Discussion: What is the current back up for a hand count? Isn't it just moving to a paper vote? So if an electronic tally requires a paper back up what's the point?

Question to Cornell: Are there any towns now that use electronic tallies? He didn't think so.

Joe: its not in our purview to look into every method of backup. Merely to provide that Council or staff establish a method.

Michael: Gave himself task to look into some various methods.

Vote 6-1 motion carried. Martha opposed

Charter Revisions do not have a recorded review of TC, Warrant, or School committee:

The idea is that it is a conflict of interest for bodies that may be affected by changes in the charter to be weighing in through ballot recommendations on those changes.

Chris- Motion to not have the recommendations of Warrant, Town Council, or the School Committee, or Planning Board on the ballot for proposed charter changes. 2nd Peter.

Discussion:

Peter: sees it as a total conflict of interest

Julie: what about the recommendations of the Charter Commission would they be on the ballot?

Michael: our recommendations and the number for and against are required by law to be on our final report so the summary of that report should show our recommendations.

Anna: But does this motion prevent this?

The understanding is that it does not but any language we develop surrounding this will need to be reviewed by an attorney

Vote: Motion carries unanimous

Article III: Town Council

Remove Specific Salary amounts:

Martha: motion to remove salaries from the charter and make it part of the annual budget, 2nd Peter

Discussion:

Julie: should we make sure that the amounts cant be lower than currently and who will eventually set this?

Mike: purpose of this is to not be limiting so that could go up or down. The council could even vote to take no pay.

Peter: The council has wanted to forego pay in the past and couldn't because the charter required it.

Vote: Motion carries unanimous

Term Limits for Town Council

Motion to establish term limits – Martha, 2nd Peter

Discussion:

Joe – How many years?

Martha – No more than 2 consecutive terms

Anna – What do you like about term limits

Martha – No one person should stay in office too long and everyone should have an end goal

Joe – Disagrees with 2 terms... 4 may be a better number. It takes time for a councilor to come into their own and really be effective.

Anna – Institutional memory is important but might support a 3 term limit

Mike – Democracy. It's the voters who decide and who are we to tell the voters that someone they want cant run anymore?

Julie – What about when people run un opposed... not much choice for voters at that point.

Vote – 2 – 5 motion fails. Martha and Peter yay. Mike, Chris, Anna, Julie, Joe nay

Article V:

Add staff planning function to charter:

The idea is that because the function of a planner is vital to the town that it should be memorialized in the charter much like the human resources director.

Motion – Move to add staff planning function to charter in Section V. – Peter, 2nd Chris

Discussion:

Julie: Isn't this already kind of in there?

Martha: Because the planner is not mentioned in the charter technically its not necessary for the town to have one or even someone fulfilling that role

Joe – Although this is an attempt to memorialize the planning function do we need to delve into that level? We don't memorialize the need for a police chief, or public works director, code enforcement officer ,etc. Why this?

Mike: all that's required in the charter is town attorney, town assessor, and human resources director

Martha: What if function changes and now we want something like an economic development director?

Joe: Shouldn't matter because there are already provisions for other town staff. So if we wanted and economic director they could still do that and have the title of planner to satisfy the charter.

Vote: Motion carries unanimous

Change Town Attorney to Legal Counsel

Motion: Change Title of C-25 to Legal Counsel – Joe, 2nd Martha

Vote Unanimous in the affirmative

Remove Salaries for School Committee from the Charter

Motion: Remove School Comm. Salaries from the Charter and have them set in the annual town budget – Joe, 2nd Martha

Vote Unanimous in the affirmative

Article VI: Financial Procedures:

Motion: Move to establish a budget review timeline that begins with a joint meeting of the Warrant Committee and Town Council and concludes with adoption by the Town council for submission to Public hearing within 30 days. 2nd Peter

Discussion:

Anna: She understand that the goal is for more efficient and streamlined process but does 30 days give enough time to account for things like snow cancellations, etc. 30 days may not provide enough wiggle room

Chris: Question to Cornell. Will this benefit the school committee budget timeline as they have to have budget submitted to Town Manager 14 days out from submission to Council

Answer: yes. Since a proposed timeline would move the budget review theoretically to the month of March and first part of April this would give the School Committee which already struggles to get a budget in by the deadline several extra weeks to get their numbers finalized.

It would also allow for town employees to have more accurate numbers as many bids and such are not usually in by mid Jan and that is the cause of most edits to the budget currently.

Anna: Seems like this a big move without getting input from council or warrant on if the process would work for them

Julie: How will this affect budget workshops because she really enjoys them. 2 hour meetings don't seem reasonable

Cornell: 2 hour meetings on the budget are probably not realistic

Chris: Likes that this process allows warrant and town council to set up their own bylaws or procedure for navigating the timeline and it will likely cause them to have to adapt committee structures, or other procedures to make it work. But in the end its not necessary to delve into how Council or Warrant will do this as that responsibility is given to them in the charter to figure out.

Anna: Does this set a process for the number of meetings? How do we assure that there are enough meetings?

Martha: No and that's not the point of how this is supposed to work. Council and warrant have to figure out how many meetings they need to get it done in 30 days. Its not meant to restrict how the budget gets reviewed only that the timeline for review needs to be faster.

Anna: Do we need to require changes to bylaws to make this happen?

Chris: It would seem that Warrant and Council would have to naturally re-evaluate their bylaws to make them fit with the requirements of the Charter so its not necessary to do that in the charter itself.

Julie: Does this really take much time out of the budget process

Mike: It certainly eliminates a considerable amount of duplicate meetings

Julie: But doesn't it really only save 2 weeks?

Mike: By moving the date for submission of the budget later it saves department heads from having to have budgets submitted in Nov or Dec and provide more accurate numbers.

Cornell: moving the process so it takes less time and review starts a bit later helps everyone

Joe: Is there also a way to shorten the public notice process to a week from two weeks? That would save a huge amount of time as well

Vote: Motion Carries 5-2. Joe and Julie opposed

Article VIII: Elections and Nominations

Motion: Move to extend the nomination process from 45 to 60 days to be in compliance with state regulations. 2nd Peter

Vote: Unanimous in approval

Article IX

Require Public Hearing on All Citizen Initiatives and Referendums

Motion: Move to require public hearing on all citizen Initiatives and referendums. 2nd Peter

Discussion:

Anna: Who would host the public hearings?

Mike: It would be Town Councils responsibility to host the hearing but it would also make sense that they source our moderations of the hearing. Maybe the town moderator or someone else?

Martha: We need to make sure that in this kind of public hearing both sides are well represented

Joe: We should spell out that its councils responsibility to host

Amended Motion: add to original motion that the hearings be hosted by the Town council. 2nd peter

Discussion:

Mike: Should we also include the option for them to have a moderator

Joe: Council already has that right on any public hearing

Mike: But without requiring a moderator could there be a perceived conflict of interest or that council is trying to steer the discussion?

Proposal to have a couple draft versions of this language that would spell out how it would work requiring or not spelling out the need for a moderator

Vote: Unanimous approval

Final business:

Agreement to table discussion of Pat's proposal about changes in article III regarding the delegation of authority to Town Council

Joe Comment about procedures for following Roberts rules.

Motion to Adjourn.

Meeting adjourned until Monday July 15th 7pm

Respectfully submitted, Chris Strout