

## **Charter Review Commission Meeting Minutes – July 24, 2018**

Chair Farber called the meeting to order at 6:02 pm.

### **Roll Call**

Members present were: Karen Farber, Dave Goldberg, Ned Kitchel, Bill Lunt, Sean Mahoney, Richard Olson, Rachel Reed. Staff present were: Amy Lamontagne, Nathan Poore, Amy Tchao.

Members absent were: Dave McConnell, Mary Nelson

### **Item 1 – Approve minutes of July 16 meeting**

Bill motioned to accept and Rachel seconded. All in favor.

### **Item 2 – Receive input from committee members and staff related to current charter**

Chair Farber initiated the Charter review by asking Nathan and Amy T. to review staff comments. A discussion summary is below:

- Article II - Town Council - Section 202, Qualifications - based on incidents of employment in the past, and the evolution of employment in the Town over past 10 years, staff would suggest that this section be clarified.
- Article II - Town Council - Section 204, Enumeration of Powers - 204.12 staff suggests that termination of appointees should be at will, rather than “with reasons.” 204.12 - Staff suggests that part of this section is not necessary – Commission would like this to be discussed further.
- Article II - Town Council- Section 205, Compensation - should be discussed to ensure current practice is not in keeping with the Charter.
- Article II- Town Council- Section 206, Induction of Council into office - Staff suggests this be reviewed to ensure that the Council always has a quorum. Commission noted that 206 and 201 must be coordinated.
- Article II - Town Council- Section 209, Chairperson- Staff notes that this section should be clarified. Commission questioned whether this needs to be discussed.
- Article II - Town Council - Section 210, Quorum - Staff questions the value of this item. Commission discussed potential deferral to Roberts Rules. Sean Mahoney gave some potential explanations of value.

- Article II- Town Council - Section 211, Vacancies in Council - Staff questions the provision of 50 days and asserts that a longer period may be more practical given modern election standards.
- Article II - Town Council- Section 213, Public Hearing on Ordinances - Staff notes that the current language of the Charter does not support all the current processes for introduction of new ordinances by town committees, and they would like to understand the proper interpretation of this section. Staff provided several examples of situations where this section has created some concerns. All agreed further discussion is needed.
- Article II - Town Council - Section 214, Town Clerk - Staff noted that this is not how we operate any longer. All agreed to discuss further.
- Article II- Town Council- Section 216, Appointment or removal of Town Council - Staff suggests that this is not consistent with other aspects of practice. To be discussed further.
- Article III - Town Manager - Section 302.3 - Staff suggests rewriting this section to reflect current practice.
- Article III - Town Manager - Section 303, Absence of the Town Manager - Staff suggests a change of procedure to a more practical manner.
- Article III- Town Manager - Section 305, Health Officer - Staff questions whether this section is necessary.
- Article IV - Department of Education - Section 402, Qualifications - staff noted same issues as in Section 202.
- Article IV - Department of Education - Section 403, Vacancy - Staff notes that this and Section 211 should be similar.
- Article IV - Department of Education - Section 404, Organization; qualifications; quorum - Staff noted that this should most likely be similar to the same conditions for the Council.
- Article IV - Department of Education - Section 406, Consolidation - Staff questions if this language is necessary any longer because the consolidation did not happen.
- Article V - Budget- Staff suggests that this article be reviewed by the Town Auditor and Finance Director for modernization.
- Article V - Budget - Section 508, Transfer of Appropriations - replacement of “resolution” by “Order” is suggested by Staff.
- Article V - Budget - Section 510, Effect of School Consolidation - staff questions need for this to be present
- Article VI - Tax Administration- Section 601, Assessor - Staff notes that we now have a different practice, and questions if this section should be updated.
- Article VIII - Nominations and Elections - Section 801, Municipal Elections - this was also added to accommodate the potential School consolidation, so is this language still necessary?
- Article IX - Initiative and Referendum - Section 901.2 - Question was raised whether this section’s initial language is realistic.

- Article IX - Initiative and Referendum - Section 903, Referendum on Certain Expenditures - is a limit of \$1 million still appropriate?
- The Sewer Bond issues encountered last time required were discussed and proposed as also being considered for inclusion in the Charter.

### **Item 3 – Discuss meeting structure and revision approach moving forward**

Chair Farber reviewed the results of the Doodle Poll. Based on commission availability, the following meeting dates are scheduled: July 31, August 7, 14, 21 and September 11. The commission agreed that they will have weekly meetings to work toward the September 24 Council meeting but that timeline could change based on charter work, etc.

The commission agreed to review the Charter in sections with extra sections added to weekly meetings as time permits. The July 31 meeting will include Article I – III, Sections 101 – 304.

### **Item 4 – Other Business**

Chair Farber would like a copy of the legal opinion letter (school employee running for Town Council) sent to all commission members.

Bill requested a copy of the original town charter. He said it would be helpful for the group to read it to understand what the residents were thinking in 1961 and why they wrote the charter the way they did.

Dave G. requested an update of the Charter Commission timeline. Originally given to the Town Council in May, it would be helpful to see one with new meeting dates, etc.

Chair Farber adjourned the meeting at 7:55 pm.