

ELIOT TOWN CHARTER COMMISSION

PUBLIC HEARING MINUTES – JANUARY 11, 2014

PRESENT: Charles Rankie, Jr., Gary Sinden, Rosanne Adams, Roland Fernald, Robert Fisher, Dennis Lentz, John Murphy, Maryann Place, Edward Strong. Thirteen (13) members of the public were in attendance.

Meeting was called to order at 6 PM by Chairman Rankie.

Meeting opened with the Pledge of Allegiance led by Roland Fernald.

Chairman Rankie welcomed the public, gave a definition of what a charter is and does for the town and townspeople, read the mission statement and let the public know that this will not be the only hearing and opportunity for input. He stated that it is very important for the public to get involved early on. He talked about the Town Web page and the information it would contain to offer transparency to the process and keep the public informed. He also informed the public that agendas will be posted on the town website 7 days before each meeting. People have two days to ask for something to be put on the agenda. Maryann reminded people about the minutes that will be posted on the website. Roland mentioned that for those who don't have internet the information would be available at the Town Hall also. Jack had copies of the Maine Statute with case law notations for the public who wished it.

It was reiterated several times by all Commission members that the ideas of the citizens on what the charter might include are sought and welcomed and if anyone has any wording for various items that they should submit it, in writing, to the Commission via the town clerk. At the present time the town clerk will forward messages to the Commission rather than individual members receiving those communications via personal emails.

There was discussion about posting questions and answers on the Town Website. The Chairman said that if there are questions that come in that the Commission as a body would have to decide on the answers and then make decisions whether to post them.

There was concern expressed about at what point the public would be able to "weigh in" on the actual wording of the charter and about public input at Commission meetings. Rosanne explained that the Commission has had two meetings, both organizational, and have not made any decision on the actual items in the charter. This meeting is the beginning of the process and the Commission has not been made any decisions as to the various ways it will use to involve the public and just how it will go about researching and drafting a charter. Gary stated that input from the public would be invited before each vote the Commission takes on the provisions of the charter. Roland asked for input in a timely manner and not waiting till just before a vote. Jack explained that the public will also have 3 months to look at the preliminary report, submit more comments, express concerns, etc. before voting on the final charter. Denny stated that "your (the people's) comments become our action list" in putting together the charter.

The public asked various questions about the charter itself which members answered. Robert pointed out the chart of issues that a charter could deal with and spoke to the bidding process and use of executive session by the Selectmen. Several members of the public, in attendance, indicated they would be sending along their ideas and wording for charter items.

When asked if the Commission would be inviting the town manager and seeking his advice the Chairman replied that the Commission has not discussed it yet, but he was sure they will be asking for his

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input. The town manager will have the same standing during committee meetings that any member of the public would.

There was discussion about the budget for the Commission and where funds might come from. The Chairman stated that the Commission is still working on a budget.

There was discussion about how the charter would be drawn up and the use of other charters. Maryann and other members talked about there being a lot of standard language in charters that could probably be “cut and pasted” and then there will be other things specific to Eliot that will need to be drawn up from scratch. Roland stated that Eliot does a lot of good things and we want to make sure they are included in the charter also.

Comments and Suggestions from the public:

- It might be important and helpful to actually talk with other towns about how the ideas in their charters played out. What might sound as a good idea in the discussion and vote perhaps didn't work out as well as they hoped. [Jack mentioned and presented the books on Charters that are available to the public at the town hall. Gary reminded people they are also available on the web]
- The Commission needs to be as open as possible, video stream meetings, and make documents available. [Chairman explained about the use of the town website]
- Would like to see suggestions from members of the public posted on the town website so everyone can see what other people in town are thinking about. One such way to do this was to have it be in a “forum” style where people could go to put information in, as well as having a document repository. [Gary explained that any emails sent to the Commission are public documents and would be available]
- Commission needs to look back to see what the issues have been in the town in order to see those things needing change. The citizens have clearly asked for change in light of the vote for the charter and a town manager.
- Suggest having town clerk establish a new site – “CharterCommission.org” (?) for the public
- Suggest looking at a newsletter produced by town of Barrington as a way of informing citizens
- There may be a way of taking the non-controversial parts of the charter, leaving holes to be filled in later and then publishing that, getting public comment and adding as you go forward. Each time publishing for comment. The public will then see the document several times as it evolves.
- Suggest looking specifically at Rockport's charter for ideas.
- Look again at Commission's policy re: public input at its meetings. Suggest the Commission adopt the selectmen's policy.

Specific Suggestions for the charter –

- The ability of citizens to petition a decision made by the selectmen and that during the process the selectman's decision be put on hold until the process is carried through to a vote. [Maryann spoke to the 2 provisions for this in the Kittery]

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- that when a referendum is voted down by x% of the voters that the referendum cannot be revisited (or include a time frame for being able to bring the subject up again)
- Consent agreements and authority of the BOS and BOA to issue them – believe that it should be spelled out in the charter. The extent of selectmen involvement and their ability to resolve issues which are the result of punitive action
- That town officers being members of more than one board is an issue that needs to be addressed
- Adopt a policy on conflict of interest
- Establishment of an “ethics board” (?) to provide redress for townspeople
- Process for citizens when the selectmen violate their own policies
- Provide for an equitable division of party members for elected or appointed officials and add gender to this also
- Provide for the Eliot Budget Committee the right to communicate directly with Department Heads during the budget process
- That those delinquent on their taxes not be eligible to hold elected or appointed positions in the town
- When a paid official performs similar duties for another community then his/her pay will be reduced a certain percentage based on time spent in each place - regionalization
- That nepotism be prohibited in appointments and hiring
- That administrative appeal be taken to its highest level before taking it to court.
- That when each of the draft forms of the charter are written there be pagination and line numbers, strike through marks for progressive changes, etc. so public can see and follow the changes as it goes along.

Meeting adjourned at 7:50PM

Respectfully Submitted,

Approved: 1-17-2014



Rosanne M. Adams
Secretary

CC: Committee Members
Eliot Town Clerk