

ELIOT TOWN CHARTER COMMISSION

MINUTES – April 22, 2015

PRESENT: Charles Rankie, Jr. (Chair), Gary Sinden, Rosanne Adams, Roland Fernald, Robert Fisher, Dennis Lentz, John Murphy, Maryann Place, Edward Strong and 1 member of the public.

Meeting opened at 7:01pm.

BUSINESS

1. MOTION by Robert Fisher, 2nd Edward Strong to accept the minutes of March 25, 2015 as corrected. VOTE: 8-0. Rosanne Adams abstained as she was not at the meeting.
2. MOTION by Robert Fisher, 2nd Edward Strong at approve the April 8, 2015 minutes as presented. VOTE: 9-0.
3. Correspondence:
 - a. Series of communications between Robert Pomerleau and the Town Manager concerning “budget referendums” submitted by Robert Pomerleau to the Commission.
 - b. Rewording of “Recall and Forfeiture” article wording from Robert Pomerleau, as requested by the Commission.
4. Union contract question for labor lawyer:
 - a. Following discussion as to how to proceed a MOTION was made by Robert Fisher, 2nd Dennis Lentz to have Gary Sinden and Rosanne Adams write up the wording for the Chair to forward to the Town Manager. VOTE:9-0.
5. May meeting dates: 13th and 27th
6. Review of Article 3 – Town Manager (using 2/25/15 draft): Members read through the document with the following discussions/decisions:
 - i. Article 3.1- Appointment; Qualifications; Compensation (lines 9-21): Discussion centered on whether the criteria for the town manager job should be listed here versus just a reference to a filed document kept by the town. MOTION by Robert Fisher, 2nd Edward Strong to adopt the wording in this sections as presented. VOTE: 9-0.
 - ii. Article 3.1 (lines 34-40): John Murphy suggested and there was CONSENSUS to combine the wording of “A” and “B” concerning consulting with the Maine Municipal Association.

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- iii. There was discussion concerning limiting how far from Eliot the Town Manager could reside resulting in majority deciding that it should be left to the Select Board to make that decision.
 - b. Article 3.2 – Appointment Process: It was noted that a previous decision had been made to bring this wording in accord with the process that was used to choose our present Town Manager. Charles Rankie again agreed to work on items 6-14 and bring back to the Commission for review.
 - c. Article 3.4 – Removal:
 - i. There was CONCENSUS that “D” should read that “The removal of a Town Manager requires a majority of the members of the Select Board present.”
 - d. Article 3.5 –Absence or Disability:
 - i. It was noted that the wording comes from the Kittery Charter.
 - ii. There was some discussion and clarification that only the Select Board can recall the Town Manager. Edward Strong noted that he doesn’t know of any town that allows recall of the Town Manager by the public.
7. Article 7 – Nominations and Elections/Article 8 – General Provisions:
- a. There was CONCENSUS that this will be put first on our agenda for the next meeting since members only received the suggested new wording for “recall” and “forfeiture” a few days ago.
8. Press Release: no comments.
9. Public Comment:
- a. Robert Pomerleau spoke to the new purchasing policy just presented to the Select Board by the Town Manager. He suggested that this is something the Commission needs to address in the Charter.
10. New Business: None.
11. Commission Round Table:
- a. Gary Sinden noted the information concerning the budget referendum in our correspondence this evening and asked if we needed to act upon it. The Chair replied that it was informational. Robert Pomerleau noted that he submitted the information so

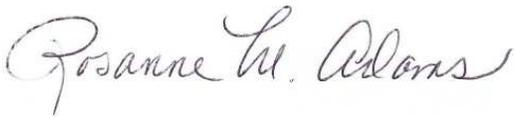
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- the Commission could better understand the issue and that such a vote (as the ones being presented this June) either to establish a budget referendum through an ordinance or a vote for the citizen's petition are not binding on the Select Board. This can only be done by referencing it in a Charter. Gary suggested that it will need to be revisited following the June vote. The Chair and others agreed.
- b. The Chair reported that the Town Clerk will be updating Article 5 on the website.
 - c. The Chair noted that Donna Murphy was asked to give some wording for Article 6 and he will send out a note reminding her of that.

Meeting adjourned at 8:52 pm upon the MOTION of Robert Fisher, 2nd Edward Strong. VOTE: 9-0.

Approved: May 13, 2015



Rosanne M. Adams

Secretary

CC: Committee Members
Eliot Town Clerk