

ELIOT TOWN CHARTER COMMISSION

MINUTES – June 24, 2014

PRESENT: Charles Rankie, Jr., Rosanne Adams, Roland Fernald, Robert Fisher, Dennis Lentz, John Murphy, Maryann Place, Edward Strong. 2 members of the public.

ABSENT: Gary Sinden

BUSINESS

1. MOTION by Edward Strong, 2nd Roland Fernald to accept the Minutes of June 16, 2014 as amended. VOTE: 8-0.
2. Public Comment: none
3. Review of Article 6: Financial procedures. Discussion and amendments included the following –
 - a. Article 6.1 – Fiscal Year and Article 6.2 – Budget: Minor grammatical corrections.
 - b. Article 6.3 – Budget Committee – Additional wording was reviewed and minor corrections made. The last paragraph was deleted as it did not apply to our town procedure.
 - c. Article 6.5 – Budget Review Process and Schedule: Changed the wording of the first sentence in the last paragraph to “The Town Manager will deliver to the Budget Committee copies of the proposed final Town budget at least 5 business days prior to the Budget Committee’s final vote”. Changed wording of end of last sentence in that same paragraph to read “... prior to the final preparation of the budget by the Select Board...”
 - d. Article 6.6 – Select Board Action on the Budget: Minor corrections on A.1 and clarification of the intent of the warrant article mentioned in A.2 with additional wording.
 - e. Article 6.7- Administration of the Budget: minor changes.
 - f. Article 6.8 – Tax Anticipation Borrowing Guidelines:
 - i. 6.8. E -There was discussion about requiring the lending institutions to give the town the option to prepay and it was AGREED that the town should be given that option.
 - ii. 6.8.I – Jack Murphy suggested and it was AGREED to clarify “multiples of one-hundredth of one percent” by adding “i.e. 0.01%”
 - iii. 6.8. J – Jack Murphy raised the question on whether the method of interest should be calculated on the actual number of days outstanding over a 365-day period or a 360-day period. It was AGREED to ask the Town Manager about this.
 - g. Article 6.9 – Public Records: no change
 - h. Article 6.10 – Lapse of Appropriations:
 - i. It was AGREED to change “surplus account” to “Unassigned Account” to correspond with our generally used terms.
 - ii. Rosanne Adams asked members to look at some wording for the procedure of carrying forward of unexpended general fund appropriations of the departments.

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It was AGREED to add the following to the end of the paragraph - . The Select Board may, on advice of the Town Manager, carry forward unexpended general fund appropriations as deemed appropriate to the same department for the next fiscal year.

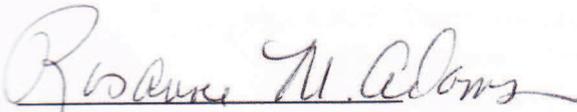
- i. Article 6.11- Annual Audit: no change
4. The members discussed when it might want to release the draft of Article 6 to the public and it was AGREED that members needed one more look at the changes made tonight before posting.
 5. Review of Article 2 – Select Board:
 - a. 2.2 - Eligibility and Qualifications: Jack Murphy submitted wording making it appropriate for Select Board members to serve on elected or appointed special purpose commission, boards and committees as authorized by State Statute (i.e. Charter Commission, MMA legislative committee) it was AGREED to add this wording to the article.
 - b. 2.3 - Election and Terms: The idea of term limits was discussed and there was some support for this. It was AGREED that Denny Lentz will place wording in, separate from the paragraph, concerning term limits of no more than 2 consecutive 3 year terms and that we will bring this up at a public hearing for discussion to get resident's input. Donna Murphy, Roland Fernald and Charles Rankie spoke against having term limits.
 - c. 2.4 - Organizational Meeting: There was discussion on the last sentence concerning endeavoring to elect officers whose previous work on the Select Board, or other town committees and boards, indicated their abilities. Robert Fisher spoke against this statement; that it did not take into account a person's work outside the town and skills they have acquired during their life. Rosanne Adams spoke to the need to vote for those that one feels have the necessary skills for the job they are being nominated for. All members AGREED that this sentence should be deleted.
 - d. 2.5 - Compensation: No change.
 - e. 2.6 – Duties of the Chair: It was agreed to add clarification to the Chair exercising his/her vote as a regular member of the Board by adding “on each voted issue” and extending this vote also to the “Sitting Chair”
 - f. 2.7 – Powers and Duties: Jack Murphy suggested that any motion voted on by the Select Board should have 3 votes to succeed (so that in the event you have a quorum (3) a motion could not be passed on 2 votes which then becomes a weak Select Board vote on an issue). There was much discussion and most members felt that there was not a need to tie the Select Board's hands in this way. Jack asked that this be taken to the public for discussion and input.
 - i. 2.7. C – Create by Ordinance: The Town Manager was to be asked to look at this. The Chair will see that he gets this for review.
 - g. 2.8 – Prohibitions [taken from Arundel Charter]: AGREED to accept the wording with minor changes.
 - h. 2.9 – Vacancies: Minor changes.
 - i. Review stopped at 2.11 – Procedure

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6. FOAA Releases update/procedure: The Chair reported that as noted previously the Article 6 Draft was released. The Town Manager is putting together a procedure to be followed which will help clarify the actions to be taken. In the meantime he reiterated that any releases will go through the Chair, will have the disclaimer on them (a copy of which he handed out to each member) and will be in PDF document form so they cannot be altered. The Chair reminded members that the Town Manager is presenting a course on the FOAA tomorrow evening, the 25th.
7. News Release: Nothing to report.
8. Public Comment:
 - a. Robert Pomerleau asked that the Commission look at the paragraph concerning voting on the budget at the town meeting and insert wording that would also cover the budget going to a referendum vote to prevent the possibility of having to come back to revise the Charter later. This was discussed by the members and it was AGREED there should be wording in Article 6.6.C and Article 6.6.D added to reference “or referendum vote.” Denny Lentz AGREED to work this in.
 - b. Donna Murphy referenced Article 2.9.4 and the use of the words “moral turpitude”. She feels it is a very vague term and perhaps there could be something more concrete written. She also spoke against the wording in 2.9.B.5 which allows the Select Board to remove a member of a committee or board that has been elected by the people suggesting that it takes away the power of the people who elected them.
9. MOTION by Robert Fisher, 2nd Edward Strong to close the meeting. VOTE: 8-0.

Meeting adjourned at 9:45PM


Rosanne M. Adams
Secretary

Approved: July 9, 2014

CC: Committee Members
Eliot Town Clerk