

ELIOT TOWN CHARTER COMMISSION

MINUTES – June 24, 2015

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

Meeting opened at 7:00pm.

BUSINESS

1. MOTION by Edward Strong, 2nd Dennis Lentz to accept the Minutes of June 10, 2015 as corrected. VOTE: 9-0.
2. CORRESPONDENCE:
 - a. Letter from town attorney re: recently passed ordinance and citizen petition for budget referendum. The Chair asked, if there was no objection, that this be put on the next meeting's agenda as the Selectmen will be discussing tomorrow evening. NO OBJECTION. [attached]
 - b. Agenda for tonight's meeting. [attached]
 - c. Agenda for the recent meeting that took place between the Chair and the Town Manager. [attached]
 - d. "Critical Path Schedule" submitted by the Chair. [attached]
 - e. The issue of consent agreements – more information from Bill Hamilton [attached]. The Chair explained that Rosanne Adams, as a citizen, had contacted him and asked for more information on this from him and that he had asked that this be shared with the Commission. The Chair suggested that he come speak with the Commission.
3. CRITICAL PATH SCHEDULE. Discussed steps needed to result in November vote:
 - a. The Chair went over the previous decision to meet July 7th and 8th and the 21st and 22nd.
 - b. It was noted that July 21st there is a Planning Board meeting and July 7th a Budget Committee meeting.
 - c. It was noted, by the Chair, that in discussion with the Town Manager, Mr. Lee had confirmed that by September 3rd the final Charter needs to be given to the Select Board in time to be acted upon at their September 10th meeting.
 - d. Discussion on the role of the public hearing following the issuance of the Preliminary Report. It was felt by several members that following the public hearing the Commission will then want to consider the suggestions of the public and might have to revise the document.

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- e. The Chair reported on his meeting with the Town Manager:
 - i. The town will publish everything for the Commission at a cost of \$.0079 per page.
 - ii. It was suggested to make an initial 500 copies and then more as needed.
 - iii. Clerical help will be provided, as needed to complete and publish the Charter.
 - iv. The Town Manager has written up the RFP for legal review. The Chair will send members a copy of this.
 - v. The Town Manager provided a schedule of upcoming meetings of the all boards, committees and commissions and noted that he would want to attend the Commission's meeting with the Select Board.

- f. Date of Public Hearing on the Preliminary Report:
 - i. PUBLIC HEARING: After much discussion Gary Sinden suggested doing the Public Hearing on the same night as the meeting with the Select Board.
 - 1. The Chair suggested this be on July 21st at 7pm. All AGREED.
 - 2. The Chair clarified that we would post the hearing notice and have the meeting that night in two parts, both open to the public – first a meeting with the Select Board and then with the public. The members of the Select Board could then stay and participate, as citizens, at the public portion, if they wished. There was NO OBJECTION.
 - ii. It was proposed that the hearing notice, as required by law, be put in the Portsmouth Herald and Sentinel 10 days prior to the hearing. There was NO OBJECTION.
 - iii. The Secretary will see that the public hearing notices are posted. It was AGREED that the public hearing notice will say that copies of the Charter draft are available at the Town Hall and on the Website.

- g. It was AGREED to keep our regular meeting of July 22nd, following public hearing.

- h. The Chair suggested that John Murphy might start wording on a preamble for the Charter. This to be discussed at our July 7th meeting so as to be ready for the July 21st meeting with the Select Board. John Murphy AGREED to do this with help provided by Dennis Lentz and Rosanne Adams.

- i. RFP for Legal Review:
 - i. The dates for the proposed start and end of the review were discussed and it was AGREED that the review will start “no later than July 28th” and be finished “not later than August 11th”.

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- ii. The Chair asked if the Legal Review contract needs Select Board approval. The general opinion from members was that the Charter Commission is governed by state statute and awards the contract. The Chair said that he will send the RFP out to members and will review any concerns with the Town Manager. There was NO OBJECTION.

 - j. It was AGREED that we will meet at 7pm on Wednesday July 22nd to finalize the Charter, following the public hearing, to have it ready to send out for legal review.

 - k. Dennis Lentz offered to take the “Critical Timeline Schedule” and revise it with dates and information and send out to members. There was NO OBJECTION.

 - l. Dennis Lentz asked about his taking a look at the Charter in regard to various unspecified articles and, if no objection, to either taking out or putting in the proper references, as needed. If there were any major changes needed he would bring these back to the commission. There was NO OBJECTION.

 - m. Preliminary Report format:
 - i. AGREED that by July 13th the articles of the charter will be compiled into one document with the line numbers kept and the watermark “DRAFT” put across each page. Pages will be numbered consecutively. Dennis Lentz AGREED to do this and Rosanne Adams offered to help.

 - n. The Chair asked Dennis Lentz to think about what clerical assistance might be required from the Town Administration employees. Dennis AGREED to come up with a list.

 - o. Maryann Place noted that we need to schedule a meeting with the newspaper reporter sometime before absentee ballots start. It was suggested to do this in September. There was NO OBJECTION.
4. REVIEW of ARTICLE 4 – Administrative Organization [6/10/15 draft]:
- a. Article 4.11.E – Appointed Officers and Officials: updated wording was reviewed with no further changes.
 - b. The Secretary brought forward citizen suggestion concerning preventing nepotism in hiring and appointments and the issue of supervising of an employee who is related by blood. There was some discussion on just what would be meant by “blood relative” and it was noted that we have some wording regarding this in Article 8.4B. The Chair suggested that the Secretary draw up some wording to be looked at the next meeting to which she agreed to do. There was NO OBJECTION.
5. REVIEW of ARTICLE 6.3 – Budget Committee [6/10/15 draft]: updated wording was reviewed. No further changes.
6. REVIEW of ARTICLE 6.5 – Budget Review Process [6/10/15 draft]: wording reviews and minor corrections were made.

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7. The Chair questioned where the recently voted on “budget referendum” should go in the charter. It was suggested that it might go under Town meetings and the voting article. Robert Fisher AGREED to see where it fits and write something up.
8. The Secretary brought forward the suggestion by Dennis Lentz that there should be something in the Charter stating that the Budget Committee will be represented at the Town Meeting. She suggested that it could be put in Article 6.3 and state that the Budget Committee will be represented at all public hearings dealing with budget/financial matters. Wording was presented and worked on by the members and placed in the article for final review.
9. REVIEW of ARTICLE 3 – Town Manager [5/13/15 draft]: The Chair suggested and there was NO OBJECTION to placing it on next meeting’s agenda.
10. REVIEW of ARTICLE 7 – Nominations and Elections [5/13/15 draft]:
 - a. The Secretary brought up a previous decision to have some language concerning “declared write-ins” drawn up for consideration. Maryann Place explained the process for state candidates and that some towns were also following the state by using declared write-ins for the ballot. Allowing only declared write-ins would prevent people from doing their own write-in votes. It was AGREED that citizens should be able to write-in and vote for anyone they wish and that we do not want to put anything in the Charter about declared write-ins.
 - b. The Secretary brought up the need to finish a previous discussion concerning the filling of vacancy created by an election. It was AGREED that vacancies of elected members of boards, etc. should be filled by election and there is no need for any further wording added to the Charter.
11. PRESS RELEASE: Secretary will submit an article noting July meetings and public hearing.
12. NEW BUSINESS: None
13. COMMISSION ROUNDTABLE:
 - a. The Secretary handed out a list of the remaining citizen suggestions and asked that all look at and consider the suggestions and where they might be placed in the document, if accepted.
 - b. Maryann Place noted that when voting on the Charter it will have to pass by a vote of the citizens equal to 30% of the number of voters voting in the last gubernatorial election.
 - c. The Chair noted that Article 8.7 will be on the next meeting’s agenda.

Meeting was adjourned at 9:30 upon the MOTION of Robert Fisher, 2nd Maryann Place. VOTE: 9-0.



Approved: ___ July 8, 2015 ___

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Rosanne M. Adams

Secretary

CC: Committee Members
Eliot Town Clerk