

**ELIOT TOWN CHARTER COMMISSION**  
***PUBLIC HEARING MINUTES – JULY 21, 2015***  
***Held at THE JOHN F. HILL GRANGE HALL***

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PRESENT: Charles Rankie, Jr. (Chair), Gary Sinden, Rosanne Adams, Roland Fernald\*, Robert Fisher, Dennis Lentz (arrived late due to another meeting), John Murphy\*, Maryann Place, Edward Strong. Selectmen\* Robert Pomerleau and Rebecca Davis, Town Manager Dana Lee, Melissa Albert (video recording), Town Clerk Wendy Rawski, Elinor Ameer, Donna Murphy, Jim Tessier, Sylvia and Bud Moynahan, Sam Davis, Cindy Lentz, Dan Mannschreck, Kim and John Reed, Carol Selsberg, Janet Saurman, Reporter Ralph Morang.

Chair Rankie opened the meeting at 7pm welcoming the public and explaining the absence of Dennis Lentz and Steven Beckert who were attending another meeting. He explained the layout of the hall – exits and bathrooms.

The Chair explained the procedure that would be followed – Commission members will introduce the Charter Article and then, in an effort to save time, questions and suggestions would be taken from both the public and selectmen present at the same time.

He read the mission statement of the Charter Commission:

The purpose of the Charter Commission is to examine the current structure and processes of local government, to gather and discuss concepts and ideas put forth by the citizens and to propose changes in and codification of our form of local government and to present them to the voters of Eliot with the goal of increasing citizen participation and government transparency. **[1-6-2014]**

and then introduced the members of the Commission and commented a little on their backgrounds.

The Chair introduced the Charter by reading a statement explaining just what a Charter is and then highlighted some of the provisions included in the Charter being presented. These included Selectmen serving on other boards, the recall tools, fire department chief administratively under the Town Manager, Assessment review and conflict of interest.

The Chair then made the point that tonight was the time to bring any concerns forward; that the Commission would be taking suggestions and comments back to their meeting the following night as they prepared the Preliminary Charter for a legal review before finalizing for another public hearing to be followed by a vote by the town in November.

Before discussion on the Charter Articles comment was taken on the Preamble. Objection was expressed to line 233 that the emphasis on the referendum budget vote should not be seen as an experiment. A positive spin should be put on it; emphasizing the reason for the referendum vote as a means to encourage more voter participation. Concern was expressed that because it is a document that is included with the Charter it is meant to last 100 years and paragraphs 2 and 3 do not seem to be the

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kind of comments that we want in the document and that the preamble should be more of a mission statement than an editorial.

The meeting then shifted into discussion on the Articles of the Charter with each being introduced by a Commission member.

Line numbers were referenced in order to compile suggestions from the public for use of the Commission in finalizing the preliminary Charter for the legal review. [attached]

Areas of discussion included:

- Concern that there was no decisive wording concerning the budget referendum. The Chair and others explained that the Commission is waiting for some word from the lawyers concerning what wording we need to include and that we might not want to be too specific as it would be harder to change if included in the Charter; may wish to reference. It was expressed by John Reed that this budget referendum was one of the things that people were looking for in supporting the Charter and the wording needs to be worked out before the vote is taken.
- Concern was expressed that a Budget Committee member or designee be appointed to a labor negotiations team for the town; that there seems to be a disconnect/contradiction between the Budget Committee being “independent” and then being put on such a team; represents a conflict of interest. It was explained that this person (a member of the Budget Committee or their designee) would not be acting as part of the Budget Committee and is under strict silence concerning what takes place in the negotiations as all discussion is confidential. It was noted by another resident that members of the Select Board have been on the team and they will ultimately be a part of making the decisions but this is not seen as a conflict.
- The question of what constitutes part time as opposed to permanent part time employees. Dana Lee explained that permanent part time was someone who had a part time (less than 20 hours per week) position year round.
- It was asked and explained that the Chair of the Select Board will now have a vote and not just be a tie breaker.
- There was concern that we may not want to eliminate making decisions by consensus by requiring a vote on all matters before the Select Board.
- There was question as to just what happens when a person clearly has a conflict of interest or bias. It was explained that they are subject to the recall process, initiated by the Select Board or the public; that there are no qualifiers on recall it is whatever the town wishes to do.
- Question as to whether all meetings of the Select Board are public meetings, including workshops. It was explained that all meetings of Boards, Commissions, and Committees are public meetings.
- Town Manager required to live in town unless Select Board decides otherwise. It was explained that that would be a part of the terms of the contract when the TM is hired and as such it would have been agreed upon before being hired and would not be illegal to require.
- Town Purchasing Policy – question as to whether this section says the Town Manager sets the purchasing policy to which it was replied that “no” just that he acts as the purchasing agent for all the departments.

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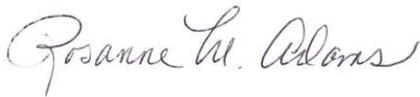
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- Issue of who has the authority to remove the fire chief. It was explained that the Ordinance, which contains the Constitution and By-laws of our fire department sets those parameters and that removal is left with the membership of the fire department. The Chair explained that the Commission felt this issue was best left to be dealt with outside of the Charter, through amendment to the Ordinance so that the town can have full discussion and input on this question.
- Appointment vs. election of vacancies for town officials who have been elected to office. Ex: Budget Committee.
- Pro and con arguments concerning having vote counts listed on the town budget warrant articles. Having this information may be helpful in determining which amount to support; committees vote as a body and their final vote should not have vote counts attached to it.
- Discussion about the amount of information on the warrant articles – commentary? Statement of fact?
- Discussion as to whether there could be some requirement that people serving on Boards, etc. need to be in good standing tax wise in order to vote and participate in their decision making.
- General discussion on video-streaming and written minutes and the benefits of both.

Several citizens expressed their appreciation for the work done by the Charter Commission and the hope that the town's people will recognize the value of having a Charter.

Maryann Place thanked everyone for taking the time to come and review the work with the Commission and expressed appreciation for those attending "doing your part".

The Public Hearing closed at 10:45 PM.



Approved: August 12 2015

Rosanne M. Adams  
Secretary

CC: Committee Members  
Eliot Town Clerk