

ELIOT TOWN CHARTER COMMISSION
MINUTES – August 26, 2015

PRESENT: Charles Rankie, Jr. (Chair), Gary Sinden, Rosanne Adams, Roland Fernald, Robert Fisher (7:20pm), 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 Roland Fernald to accept the minutes of August 12, 2015, as corrected. VOTE: 7-0 with 1 abstention.
2. MOTION by Dennis Lentz, 2nd John Murphy to accept the minutes of July 8, 2015 as corrected. VOTE: 7-0 with 1 abstention.
3. MOTION by Maryann Place, 2nd Edward Strong to accept the minutes of July 7, 2015 as updated and corrected. VOTE: 7-0 with 1 abstention.
4. PUBLIC COMMENT – none
5. CORRESPONDENCE:
 - a. Agenda for August 26, 2015 meeting
 - b. Emails between Town Manager and Attorney Stephen Langsdorf re: Charter legal review. [attached]
 - c. Emails between the Chair and School Superintendent Mary Nash re: the Charter. [attached]
 - d. Breakdown of expenditures and balance in our account from the Finance Director. [attached] Members questioned items 3 and 4. The Chair will ask for clarification. Edward Strong noted that with the payment for the legal review we will have about \$6000 remaining.
6. Review of lawyer's comments on the Charter (legal review)
 - a. The Chair suggested, if there was no objection, that the commission would review an article and then open the meeting for the public to make comment. NO OBJECTION.
 - b. The Chair suggested that we need to make sure the intent was not changed by the lawyer.

ELIOT TOWN CHARTER COMMISSION

MINUTES – August 26, 2015

- c. Edward Strong suggested that in going through each article that we only read the “red lined” items and comments from the lawyer. There was NO OBJECTION and the Commission proceeded to go through the Articles with Gary Sinden reading.
- d. For the most part the suggestions were grammatical, statute based, or a more concise wording suggested. In a number of places the Commission found that although the lawyer thought a particular wording of an Article redundant, the Commission felt that it should keep such wording since the goal was to produce a document easily read by the average citizen, without having to go and look up statute while bringing transparency to how our town government operates.
- e. There was much discussion on Article 6 and the budget referendum. Dennis Lentz and Edward Strong felt that majority and not plurality should decide the outcome of a budget warrant article. Members gave their views on it, and upon a MOTION by Robert Fisher, 2nd Gary Sinden to end discussion and leave the wording as it is, with a VOTE 9-0 the Commission continued with the review.
- f. Dennis Lentz expressed concern with completely ignoring the citizen’s petition and putting in a forth option for each warrant article. Robert Fisher [author of the citizen’s petition] explained what he had hoped the citizen’s petition would do and that because of the addition of a choice for “none of the above” that it, in some way, satisfied him regarding citizens being able to give another option.
- g. Robert Pomerleau said that he thought the Commission missed the point of what was being suggested by the lawyers and that it was enough that the Charter refer to the budget referendum ordinance rather than put the particulars in the Charter. He objected to the use of plurality over majority.
 - i. Roland Fernald noted that the Selectmen had specifically asked their lawyer to come up with some language for the Charter and the Commission had worked with that. The lawyer said there has to be more language in the Charter.
 - ii. Robert Pomerleau took exception to that and said that all that was needed was to make sure that the Charter supports the referendum in order to make it binding and the language referring to a budget referendum ordinance does that and that there is no need to have the particulars in there.
 - iii. The Chair suggested and most agreed that we could take out the reference to what is to be voted on (3 areas).
 - iv. Roland Fernald suggested that both our legal review lawyer and the lawyer who presented the wording for the Charter concerning this issue, needed to get together and try to work out what actually needs to be in the Charter since we have two differing viewpoints.
 - v. There was a CONSENSUS to have the Chair meet with the Town Manager and explain the situation with the goal to have the lawyers discuss and come to some

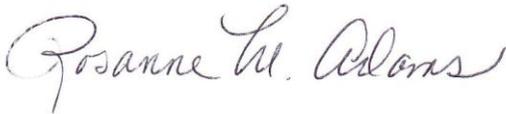
ELIOT TOWN CHARTER COMMISSION
MINUTES – August 26, 2015

agreement as to what we need to put in the Charter concerning the budget referendum.

7. The CONSENSUS of the members was that it was getting late and we will meet Friday, August 28th to complete our review of the Articles and take up the remaining items on tonight's agenda. It was also AGREED to start the meeting at 6PM.

Meeting adjourned at 10:27 pm upon the MOTION of Robert Fisher, 2nd Edward Strong. VOTE:9-0.

Approved: August 28, 2015



Rosanne M. Adams
Secretary

CC: Committee Members
Eliot Town Clerk