BOARD OF APPEALS – TOWN OF ELIOT, MAINE

December 18, 2014

ROLL CALL

Present: Chairman Bill Hamilton, Vice-Chairman Peter Billipp, Ed Cieleszko, Ellen Lemire, Jeff Cutting and Associate Member Charlie Rankie.

Absent: Associate Member John Marshall.

Others Present: Code Enforcement Officer Heather Ross.

APPROVAL OF MINUTES

Ms. Lemire moved, seconded by Mr. Billipp, to accept the minutes of September 18, 2014, as amended. All were in favor.

OTHER BUSINESS

Chairman Hamilton stated that the BOA had received a communique from the Eliot Charter Commission, dated December 2, 2014, and prior communication to the Chairman of the BOA, dated October 20, 2014. The October letter from the Eliot Maine Charter Commission and signed by Charles Rankie, Jr., Chair, stated that

> "Dear Bill:
>
> The Town of Eliot currently has a sitting Charter Commission. Of the many areas being considered for inclusion in the proposed Charter being drafted is the staffing of the Board of Appeals (BOA). Currently we are reviewing the merits of a BOA appointed by the Select Board versus elected by Eliot voters.
>
> It would be most helpful if the Board of Appeals has any constructive input that it be provided to our Commission. We would welcome scheduling a meeting with you, along with any members of your Board delegates, to meet with us at one of our regularly scheduled meetings. Our meetings are generally held on the second and fourth Wednesday of each month. It is our plan to schedule discussion of this matter in the near future.
>
> You can send your reply via letter form to me at crankie@eliotmaine.org or to the above address. Thank you for your consideration."

Mr. Hamilton stated that copies of the letter were sent to the Eliot Town Clerk, the Eliot Town Manager and the Charter Commission members.

Mr. Hamilton stated that the follow-up letter, sent on December 2, 2014, again from Charter Commission Chairman Rankie, stated that

> "Please see the attached letter relative to electing Board of Appeals Members. The Charter Commission is planning to schedule debate on this issue during our January 14, 2015, meeting. The Board of Appeals Members present at this meeting or other input from the Board would be helpful. You can send your reply to me via letter form at crankie@eliotmaine.org or to the above address.
>
> Thank you for your consideration"

Chairman Hamilton stated that he wanted to open a discussion by the BOA, since the correspondence was to the Board. He asked Charter Commission Chairman Rankie to open the discussion by providing some background to the issue.

Mr. Rankie stated that he would discuss the issue but that he wanted to make it very clear that he would be speaking as a member of the BOA and that he had no authorization from the Charter Commission to speak. He added that he had been given the authorization to write the letters to the BOA but that anything he would be stating in the current meeting would be spoken as a BOA member.

Mr. Rankie stated that if he should answer any questions relative to what has occurred at the Charter Commission, it would be nothing more than anything that was a matter of public record.

Mr. Rankie stated that the BOA had addressed the subject before and that he had mentioned that members of the Charter Commission are very much in favor of the idea of both the Planning Board and the Board of Appeals being staffed or filled by election. Mr. Rankie stated that he was an outspoken member who is not in favor, but that he is only one of nine votes.

Mr. Rankie stated that the letter was sent from the Charter Commission to the Planning Board and the Board of Appeals because the members are heavily involved and they know the training involved in order to do the job. Mr. Rankie stated that he did not have any idea where the BOA members stood on the issue. He stated that his feeling, with the blessing of the Charter Commission, was to direct the letters to those who know what the job takes.

Mr. Rankie stated that before he had become a member of the BOA, he thought it was a "piece of cake," but that it is a rather complex job and it is going to take him quite some time to really understand it, because each case is a learning curve. He added that

Chairman Hamilton's information in the meetings is helpful in providing direction as to how to look at things and think about them. He stated that he cannot imagine how a political person who ran for election without the background could do the job.

Mr. Rankie stated that he had been an appellant in the past and that he had thought that he did know a lot more than he actually did.

Chairman Hamilton asked Mr. Rankie if there had been a particular reason why the issue was brought up. He asked if there was a reason why the election versus appointment for the BOA and the Planning Board was brought up to begin with.

Mr. Rankie referred to the old expression that, "People who show up run Eliot." He stated that there seem to be some people who show up who are really in favor of election. He stated that there had been talk about transparency. He stated that the Charter, as it currently stands, would have a recall option for the Board of Selectmen. He added that Chairman Hamilton has asked for a reason and that he would be only guessing at an answer because he did not know.

Mr. Rankie stated that he did not think that election of BOA and Planning Board members was a good idea, especially with the BOA. He stated that he thought that the BOA was pretty much the last recourse for people. He added that if the BOA did its job correctly, the members looked at the rules of the Town and that the decision was pretty much a black or white issue according to the Ordinance and not a political decision.

Mr. Rankie stated that he once lived in New York State, where judges are elected, and that he has seen the effect where the election is a political thing and that it is mighty bad.

Mr. Rankie stated that his interpretation of what the Charter Commission is saying is that the members think that the citizens should elect as opposed to the Selectmen choosing whom they would see as a qualified candidate.

Mr. Cutting asked why the Charter Commission would honestly think that people would be interested in running for the BOA and questioned what would happen if nobody ran for the position.

Mr. Rankie stated that that was one of the reasons why he and other members of the Charter Commission thought that it would be prudent for the BOA to talk to the Commission.

Mr. Cutting stated that he could not think of a reason why anyone would want to spend their hard-earned money trying to put political forces up to run for the BOA. Mr. Rankie stated that he had only run for an office once, when he ran for the Charter Commission, and he stated that it was not fun. He added that he only did so because he thought that

the Charter Commission was very important and he still thinks it is very important for the Town. He stated that he had the opportunity to run for the position and that it was not a pleasant experience.

Mr. Billipp stated that in his case, and he suspected in the case of the other BOA members, he decided to get involved and put his name in. He stated that the Selectmen really bless someone who applies but they do not tap you and ask that you be on the BOA. He stated that that is not the way it works.

Mr. Cutting stated that he put his name in because he was interested in being part of the Town and being involved in the Town. He stated that he actually applied for the Planning Board at the time but that the Board was full. He added that the Selectmen advised that he start on the Zoning Board of Appeals and learn his way up. He stated that that was a discussion they had had on the night that he was approved.

Mr. Cutting stated that being a BOA member had been a huge learning curve from the day he started up to the point where he is currently. He stated that he did not know whether someone off the street would be able to make the decisions that the BOA makes on a monthly basis and do the Town justice.

Mr. Rankie stated that if one reads the minutes of the hearing that was held in September of 2014, it can be noted that Chairman Hamilton facilitated one of the abutters in stating how she felt and what issues concerned her, and yet those things had nothing to do with the black and white part of the ordinance. He stated that he agreed with Mr. Cutting and that the decisions are made on whether an appeal fits with the ordinance, not on whether a member likes the request. He added that if the citizens do not like the decision, they need to change the ordinance.

Mr. Rankie stated that BOA membership is not a popularity contest. He stated that there had been a complaint about the BOA from a citizen and that there had been a hearing in front of the Board of Selectmen. He added that a BOA member can be removed for cause by the BOS.

Mr. Billipp stated that the question of election of BOA members was being raised by some people. He asked how it would be put into effect if it was included in the Charter. Mr. Rankie stated that if a majority of the members of the Charter Commission, which would be at least five out of nine members, voted that they wanted the Charter to state that the BOA member would be elected, there would be some scheme about how to stagger the terms. He stated that the BOA would be no different from the Budget Committee. He added that the elected bodies in the Town of Eliot were the Selectmen (Select Board as referred by the Charter) and the Budget Committee. The BOA would be in the same category with elected positions.

Mr. Billipp asked if the Charter would go before the voters after the Charter Commission has voted. Mr. Rankie replied that it would.

Mr. Rankie stated that the Charter Commission is governed by State Statute. He stated that once the Charter is put together by the Charter Commission, which they hope to have finished by March (after one extension), the Commission would sit with the Board of Selectmen for their review and input. He stated that the Statute requires at least two public hearings, and that there had been one, attended by Chairman Hamilton, when the Commission was just starting. He stated that there would be another public hearing at the end of the process for people to give input.

Mr. Rankie stated that after the public hearing, the Charter would be reviewed by an attorney and then put into the schedule for a vote in June.

Mr. Hamilton asked Mr. Rankie, as Chair of the Charter Commission, if (after the Charter had been formulated, gone through public hearings and put to a vote in June), the Charter would be subject to amendment from the floor. Mr. Rankie stated that there could be no amendments at that point.

Ms. Lemire stated that she was not in favor of the Board of Appeals being elected. She stated that she would not be a BOA member if she had had to run in order to get the position. She stated that she agreed with what everybody else had said so far, and that the environment is a complex one.

Ms. Lemire stated that she thought that the Board of Selectmen did a good job of vetting candidates. She stated that if the Selectmen do know someone who has applied, they ask questions before they appoint them and get to know them a little bit. She added that she has a legal background, which is why she asked specifically to be appointed to the BOA. She added that she knew of others who had been on the BOA who had also had legal backgrounds, had run a business or had worked in management, so they also had experience to allow them to process the BOA information.

Mr. Rankie stated that the argument could be that, “That’s fine. Then run.” Ms. Lemire stated that she really hated the idea of the BOA becoming a politicized Board at all. She stated that there is no subjectivity to the BOA and that the Board is objective.

Mr. Rankie stated that the letters from the Charter Commission had been an invitation for the BOA members to collect their thoughts and present them in person or by letter to the Commission.

Ms. Lemire stated that the BOA is an objective Board and that it needs to stay that way in order to do the best work it can for the people who come before it.

Mr. Cutting stated that the BOA needs to stay free of political pressure. Ms. Lemire concurred. Mr. Cutting stated that the BOA has to make hard decisions. Ms. Lemire concurred and added that, often, the appellant is not very happy with the decision.

Mr. Billipp stated that he did not think that a lot of people think that the BOA is doing a bad job. He stated that his impression was that the Selectmen and others think that the BOA is doing a good job. He asked why the system should be changed and why the Town should jump into something else.

Ms. Lemire stated that she thought that the BOA was very transparent, and that people may not realize that the members do not even talk to each other outside of meetings.

Mr. Rankie stated that the Town Manager's job description requires that he keep an eye on the committees, and that the argument could be made that guidance over Boards and Committees in the past had not been as good as it should have been. He stated that he had disagreed with some of the decisions made by the BOA before he became a member, and that compliance with the four criteria had not always been followed properly. He stated that that is the sort of case where the Town Manager should pay attention, and that when something is seen that is not being run properly, the Selectmen can remove a member for cause.

Mr. Cieleszko stated that if he had been elected, and he thought that he also spoke for the other BOA members, his decision-making would not change at all. He stated that, in that regard, there would be no difference in the Board.

Mr. Cieleszko stated that having elections would result in the BOA members no longer being volunteers. He stated that they would have to actively fight to become members, and he was not sure he liked that. He added that if he had to fight to be on the Board, he should be paid. In the case of elections, he stated, the positions should not be non-paid.

Mr. Cieleszko stated that he was not sure that he wanted to say that he was against elections, because he was not sure of the reasoning involved in the Charter Commission's position at all. He stated that they might have very valid reasons. He added that he could see that they could have problems with the current Board because not everybody loves them. He added that the Commission might also have problems with the Selectmen, who are the overseers of the BOA. He stated that electing the BOA members would result in the Board having a new boss, which would be the public. He stated that the Charter Commission might be trying to limit the input of the Selectmen.

Mr. Cieleszko stated that election of BOA members would result in popularity pressure rather than political pressure. He added that in a small town like Eliot, the result could be a popularity contest, but that he did not foresee his interpretation of real politics getting into the process. He added that he did not know whether he was for or against

elections, but that he would have to hear some very lucid arguments to make him move toward elections.

Mr. Rankie stated that the Charter Commission has not discussed the issue other than the idea of elected versus appointed positions. He stated that the meeting on January 14, 2015, will open things up for discussion with the idea of bringing in subject-matter experts who are directly involved. He stated that the BOA members and the Planning Board would be thanked for attending, and that that would be the time to ask for the reasoning behind the consideration of elections.

Mr. Cieleszko stated that he was not sure that the Board as a whole should be considering a joint effort other than mulling the issue over in the current meeting and then attending the January 14, 2015, meeting as citizens with knowledge of the BOA. He stated that he felt uncomfortable with trying to reach a conclusion that the BOA does not like the idea of elections. He stated that he was not looking forward to enacting some sort of letter of recommendation one way or the other or of taking any action at all.

Chairman Hamilton stated that he had not been planning on calling for any action at all by the BOA to make any statement or even to take a vote on the issue. He stated that he was asking merely for discussion that would then be part of the public record that they had tuned in on the issue.

Chairman Hamilton stated that it did not matter to him whether BOA members were elected or appointed. He stated that if a person is elected, he would start at ground zero just as he would if appointed. He stated that a new member has to learn the Code book and everything else, whether that member got to the Board by election or appointment.

Chairman Hamilton stated that he did not see a huge need for another set of elections in the Town for a Board such as the BOA, only because he did not think there was a waiting list for people who wanted to be on the Board. He stated that he thought that it was hard to fill boards in all towns and that most towns currently have vacancies. He stated that he thought that adding another layer of difficulty to become a member of a board could discourage people from wanting to sign up. A corollary to that, he stated, was that people who have something to gain, such as people who are employed and would gain by membership, might be vetted by an appointment process, but that the issue might not come up in an elective process. He stated that if a person was interested in trying to shift the way the BOA operates and the way in which it interprets the Code and had people supporting them who also wanted to see a big change (such as seeing interpretations loosely interpreted as opposed to fairly strict interpretations), electing the person would probably be a big mistake. He stated that elections could result in members with a vested interest and added that he did not think any current BOA member has a vested interest. He stated that if it is clear that a member has a conflict, the issue is addressed at the beginning of a meeting.

Chairman Hamilton stated that he did not have a position one way or the other as to whether members should be elected or appointed, but that if a person was interested in being on the Board, being elected would add another layer in order to get there, whereas being appointed entails filling out an application and presenting it to the Selectmen, who review the application and determine whether the candidate is the most qualified. He stated that in the appointment process, the candidate's qualifications are part of the application and that that may not be the case in an election. He added that in the appointment process, the candidate has to qualify but that in an election, the candidate has to be popular.

Chairman Hamilton stated that he did not have a preference one way or the other, and that if the Charter Commission or the Town decides that BOA members will be elected, he would put his name in as a candidate. He stated that his own reason for being on the Board was that he feels lucky that he has had a good education and thinks reasonably well, and he would like to share that in making judgments for the Town. He stated that he has also been on the other side of the Board and felt that, in many instances, he did not think the judgment was made very fairly, and that decisions were made very strangely. His position was, "Why fight them? Let's join them and try to do better." He stated that he thought that some of the decisions being made were very unusual. He added that his logical thinking would never have come up with the same result.

Mr. Rankie asked if Chairman Hamilton would share his insights with the Charter Commission. He stated that if the assumption was that the Charter Commission members were watching the video streaming, that that would be a poor assumption. Chairman Hamilton stated that the assumption was that the BOA members should discuss the issue among themselves. He stated that he concurred with Mr. Cieleszko in that the BOA has no stake in the issue any more than any other citizen of the Town. He added that he did not think that being on the BOA gave a member a better opinion as to whether a member should be elected or appointed.

Chairman Hamilton stated that it didn't make any difference to him, except that it seems like there is no waiting list to get onto the BOA, and that people who do want to be on it seem to care enough to fill out an application and go in front of the Selectmen. He stated that he did not know whether they would care enough to want to be in an election. He added that some people just don't want to do that, and the BOA may miss people that are well-qualified but who do not want to deal with being elected.

Chairman Hamilton stated that currently the appointed members can be removed by the Board of Selectmen for cause. He stated that he assumed the same process would occur whether or not the members were elected or appointed. Mr. Rankie stated that if members were elected, they would be subject to recall, and that the Select Board would have no authority. Chairman Hamilton asked what the recall process entailed. Mr.

Rankie stated that, currently, it requires the signature on a petition for recall by 35% of the voters in the last gubernatorial election.

Mr. Rankie stated that he voted for a smaller percentage, but that some Charter Commission members wanted a larger number. He stated that some communities require 45%. He stated that the idea of a recall is that a specified number of citizens sign a petition (as they had recently done in both Kittery and York), the signatures get certified (similar to the process in a referendum) and then there is recall vote. He stated that the Charter Commission had so far only talked about the recall in relation to the Selectmen, but that if the recall failed, it could not be attempted again for a year.

Mr. Rankie stated that the recall process can take time and that, currently, if a BOA member has cause, that member can be removed at the next BOS meeting, and it is that simple. He stated that the recall process is a much more difficult process. He added that he thought some people do not really trust the judgment of the Selectmen, and that that could be the root of some of the thinking on the issue, but that he did not know for sure.

Chairman Hamilton asked if there were any other thoughts on the subject. There were none.

BUDGET DISCUSSION

Chairman Hamilton stated that the next item of business was a request from the Town Manager asking for the 2015-2016 annual budget, to be received on or before the end of business on December 31, 2014. The request stated,

> ”We have a tight budget schedule only allowing the Town Manager’s Proposed Budget until January 30th to be presented to the Budget Committee and Selectmen as complete.”

The request also stated,

> “Each budget request will include:
>
> A. An itemized list of proposed expenditures by function, for example, Salaries, Overtime, Office Supplies, Travel, Telephone, Electricity, Equipment, Maintenance, Training Programs, etc.
> B. Amount appropriated in each category for the current year.
> C. Amount anticipated to be spent in each category by current fiscal year end.
> D. A written explanation of differences in any itemized expenditure of more than three percent above or below the current year’s appropriation.

E. Written justification for any new or additional programs, staffing, or equipment.

F. An itemized list of proposed Capital Expenditures (amounts over $5,000) for the next five years."

Chairman Hamilton stated that he asked for the account status for the last full fiscal year and the total amount expended was $4,618 of which $218 were credits, so the budget was approximately $4,400. He stated that the budget broke down into: recording fees $1,836, advertising $652, legal $1, 494 and miscellaneous $509, for a total of roughly $4,400. Mr. Rankie asked for clarification of the legal expenditure. Chairman Hamilton stated that apparently, in the legal category, Bernstein Shur received four payments described as TIF, CEO, BOA and Planning. He stated that somehow, the amount ended up in the BOA pocket. He stated that the amounts were: $336 on May 1, 2014; $1,000 on May 29, 2014, described as Plan, CEO, general appeal; and $158 on June 19, 2014, described as CEO, General, BOA, so there must have been correspondence from the Board to Bernstein. He stated that the legal expenditures came to $1, 494.

Mr. Rankie asked if the CEO budget fell under the BOA. Chairman Hamilton stated that he had no idea, and that he had just received the budget the other day from Ms. Bergeron (Financial Director) after asking for the itemization. He stated that he had not had a chance to question it, that it has already been expended, and that it was not in the BOA's purview to review it at this point. He stated that it was a guideline as to where the money was being spent.

Mr. Billipp asked how the budget was run over the last year. He added that it seemed very constant. Mr. Cieleszko concurred. He stated that when he was Chairman, he did not itemize, and that the requirements had been less stringent. He stated that the budget request had been $4,400 for the past few years, with no itemization. He stated that during the last year, the amount was cut by some percentage. He stated that Bruce Trott, Robert Pierce and he had all thought that the amount carried the BOA well. He added that State law requires the BOA to have a recording secretary, and that no matter what the budget request was, the Town has to pay for whatever costs were incurred by the BOA. He stated that the amount was always pretty close to $4,400.

Chairman Hamilton stated that he had not received the information regarding the amount the BOA had brought in from fees. Ms. Lemire stated that the information would be part of the Town report. Chairman Hamilton stated that he had never seen information regarding the amount in fees that had been paid by people who came in front of the BOA. He stated that he also believed the BOA was charged for advertising. Mr. Rankie stated that the fees go into the General Fund.

Chairman Hamilton stated that he thought that the budget balanced out, other than the legal. Mr. Cieleszko stated that the BOA did have some litigation, and that the CEO may

have been billing the BOA for his work on that litigation. He added that it was an assumption, but that he did know that there were multiple people working on cases.

Chairman Hamilton stated that, unless there was a difference of opinion, he would request the same amount and would itemize the budget based on last year's expenditures.

Chairman Hamilton asked Heather Ross, the CEO, if she had any further information regarding the budget. He stated that Kate Pelletier had told him recently that Ms. Ross had been thinking about doing the budget for the BOA because Ms. Pelletier does the budget for the Planning Board. He stated that if Ms. Ross had any insights or thoughts from Ms. Pelletier about the budget process, he would welcome them.

Ms. Ross stated that she would be perfectly happy to do the budget if the Board would like her to do so. She stated that she did prepare the budget for the Board of Appeals and for the Code Office in the community she came from. She added that the process is a little different in Eliot, but that she would be more than happy to prepare the BOA budget if the Board would so like. Chairman Hamilton asked if she had the information she needed, and she replied in the affirmative. He added that if she would be willing to prepare the budget that would be great.

Ms. Ross stated that she would put together the budget and itemize it as Chairman Hamilton had specified for the last fiscal year and request the $4,400 total for the next fiscal year. She stated that she would give it to the Town Manager, and then it would be forwarded to others. Chairman Hamilton thanked Ms. Ross for her service.

Chairman Hamilton stated that he did not think there was a need for a vote on the budget and that it was just a recommendation. Ms. Lemire stated that there was consensus.

Mr. Rankie stated that during the last public hearing, he and the other Associate Member stepped down. He stated that during the prior Chairmanship, the non-voting members were given the opportunity for a last word before the public hearing was closed. He stated that Chairman Hamilton had mentioned that he would research the issue. He stated that a discussion would be good for him, especially since he is the last alternate, and it would be nice to know that if he wanted to make a point, he would have to do so before the public hearing was closed.

Chairman Hamilton stated that he did remember Mr. Rankie bringing up the issue, and that he had meant to bring it up during the current meeting. He stated that from now on, before he closes the public hearing for deliberations which are limited to members who are voting members, he will ask for comments from the two Associate Members.

Mr. Rankie stated that, speaking as a Board of Appeals member, he thought that it would be appropriate to make sure that the members agree with Chairman Hamilton's decision to take no action regarding the election versus appointment of BOA members. He added that the Planning Board provided the Charter Commission with a written reply, which became part of the record and will be attached to the minutes that will be approved and will come out after the meeting. He stated that the Planning Board's reply noted that the members did want to attend the meeting with the Charter Commission and gave some reasons for doing so.

Mr. Rankie stated that the format for Charter Commission meetings is that they are opened for public comment from citizens. He stated that, in an issue like this, the Charter Commission might do something similar to what was done in talking with the Fire Chief. He stated that the Fire Department runs off of a constitution and bylaws, and the Charter would require that the Fire Chief report to the Town Manager. He stated that the Charter Commission had a sit-down meeting with the Fire Chief and then the issue was opened up for the public to speak.

Chairman Rankie stated that the idea would be that if the BOA or the Planning Board wanted to meet and talk with the Charter Commission, they would sit and talk at the table as a Board, not as public citizens. Mr. Rankie stated that he is not the type of person who likes to leave things to chance. He stated that Chairman Hamilton seems to be a person who likes to leave things to chance, and that he appears to be successful at doing things that way. Mr. Rankie stated that, as a BOA member, he thought that they should represent themselves in some way, and that he would like an opportunity to hear what each of the members thinks.

Chairman Hamilton stated that he wanted to make his own statement clear. He stated that the BOA members are members of the Board but are also private citizens, and he questions the appropriateness of asking the members to review whether they should be nominated or appointed. He stated that, if the Board disagreed, he would be happy to entertain a motion to make some sort of a statement.

Mr. Billipp stated that he did not think a motion was necessary. He stated that he thought they should attend the meeting with the Charter Commission and have a discussion. Chairman Hamilton stated that Mr. Rankie had wanted the BOA to write a letter to the Charter Commission.

Mr. Rankie stated that he had needed the blessing of the Charter Commission to write the letter to the Board of Appeals. He stated that if the BOA members do not agree that Mr. Cieleszko can go to the Charter Commission meeting and represent himself as a member of the BOA, then he could only represent himself as a citizen. He stated that it was up to the Board to decide whether the BOA members wanted

Peter Billipp to represent them at the meeting or whether they were going themselves.

Mr. Billipp asked if Mr. Rankie wanted the BOA to delegate a spokesperson. Mr. Rankie stated that if a member wanted to go individually, approval of the BOA members would not be necessary. He stated that Chairman Hamilton could not attend the Charter Commission meeting as the Chair of the BOA without authorization from the BOA. Chairman Hamilton stated that he had not been planning to do that.

Ms. Lemire stated that her sense of the Charter Commission was that there was going to be a huge paradigm shift for the Town. She stated that the issue was of high enough priority that she thought the BOA should have some input, because the result would directly impact the Board.

Chairman Hamilton stated that he would like to hear more thoughts. He stated that so far, a consensus had not been reached. Ms. Lemire stated that she did not think the members had to meet a consensus because there were differing viewpoints as to whether members should be elected or appointed. Mr. Billipp stated that he had never thought about it before the Charter Commission raised the issue.

Ms. Lemire stated that it is a big step that the Town is potentially taking, and it is going to have an impact. She added that there needs to be some reasoning as to whether the members should or should not be elected. She stated that she thought that the BOA members are qualified to speak because they have been on the BOA for a while, and they have gone through the process and can speak from their own experience. She added that the bottom line is that the BOA members are only citizens anyway.

Chairman Hamilton stated that he certainly did think that the members should all go as citizens, but that there was no consensus on any sort of agreement on election versus appointment. He stated that, as citizens, they can each give different reasons, but he did not see that as a function of the Board.

Mr. Billipp stated that after the meeting with the Charter Commission, the Board may feel that it wanted to make a statement as the BOA. Chairman Hamilton asked how the statement would sound. Mr. Billipp stated that he would view the first meeting with the Charter Commission as a fact-finding meeting for everybody, presenting an opportunity to ask questions. He stated that if the members were all comfortable with attending just as citizens at the current juncture, then he thought that that was the way to go. He stated that, maybe later, the Board would decide it needed to make a statement. He stated that that would be something they could do in the future but that, right now, it seemed that they should just go and find out what the issue is all about.

Mr. Lemire stated that she understood Mr. Billipp's point of view, because they had yet to hear any reasons why the issue was even brought up. Mr. Rankie stated that it was just an idea that had been thrown out, and that he has a strong argument himself. Mr. Billipp stated that he would like to hear what the strong argument is.

Mr. Cieleszko stated that he thought that every citizen has an opinion on the issue and that the BOA members' opinions are shaped by being on the Board. He stated that the Charter Commission can take that into account if the BOA members attend as citizens. He added that others are shaped by having been before the BOA, and that everybody has his own understanding and interpretation. He stated that he hoped the Charter Commission was bright enough to use the background of the person speaking. He stated that he recommended that the members attend the meeting as citizens, with no action taken. Chairman Hamilton, Mr. Billipp and Ms. Lemire concurred. Chairman Hamilton stated that there did not need to be a motion, but that there was consensus.

Chairman Hamilton stated that the Charter Commission meeting was at 7:00 PM on January 14, 2015.

ADJOURNMENT

Mr. Billipp moved, seconded by Ms. Lemire, to adjourn the meeting. All were in favor. The meeting was adjourned at 8:01 PM.

Respectfully Submitted,
Linda Keeffe
Recording Secretary

Approved by: _____
Bill Hamilton, Chairman

Date Approved: _____