

ELIOT TOWN CHARTER COMMISSION

MINUTES – MARCH 19, 2014

PRESENT: Charles Rankie, Jr., Gary Sinden, Rosanne Adams, Roland Fernald, Robert Fisher, Dennis Lentz, John Murphy, Maryann Place, Edward Strong (via SKYPE).

Also Present: Invited guests Dana Lee, Vickie Mills and Mike Moynahan as well as two Residents.

Meeting opened at 7:05PM.

- The Chair asked that as a courtesy all electronic devices [cell phones, ipads, etc.] be turned off or muted and asked those not recognized to speak to maintain “Library quiet”.
- Handed out were “An Ordinance to Establish the Eliot Fire Department” (1990) and “Town Manager Key Notes to Charter Commission” (March 2014) both are attached to these minutes.
- The Chair introduced the guests at the table for the discussion of Article 3 – “Town Manager”. He explained that they were invited as subject experts; that Vickie Mills and Mike Moynahan were instrumental in writing the job description for the manager search committee and were participating as private citizens and that Dana Lee was participating as the present Town Manager.

BUSINESS

1. Minutes: MOTION by Fisher, 2nd Fernald to accept as corrected (striking of last sentence).
VOTE: 9-0.
2. Review of Article 3 – Town Manager (Town of Eliot’s job description is attached)
 - AGREED to clarify in the document whether it is meant “calendar” or “business” days when referencing # of days.
 - Re: 3.1- Appointment.....: There was discussion re: a municipal officer being appointed Town Manager and the possible need for a waiting time between resignation and the appointment. AGREED to revisit this again.
 - Re: 3.2B (4)- Appointment Process: Wording for this section was submitted by Charles Rankie; it was discussed and corrections made. Denny Lentz will insert for our review.
 - Re: 3.2B (6-9) - Appointment Process: It was AGREED that the wording in this section gives responsibilities to the Select Board that in our case are/were given to the Search Committee. Vickie Mills, Charles Rankie and Jack Murphy agreed to rework this section.
 - Re:3.3-C – Powers and Duties (execute all laws and ordinances of the municipality): It was AGREED that this wording was problematic. Vickie Mills and Dana Lee agreed to take a look at and offer language for consideration.
 - Re: 3.3-D – Dana Lee will check to see if the Town manager is prohibited from serving as the Assessor by statute.
 - Re: 3.3 (J-O) – Powers and Duties: Denny Lentz suggested that Chelsea charter may have clearer as well as more extensive wording. He offered to insert so it could be reviewed.

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- 3.3-J and O: Rosanne Adams suggested adding 2 statements from the Chelsea charter. Denny will insert for further review.
- Re: 3.5 – Removal: Minor corrections were made.
 - Re: 3.5 - Absence or Disability: It was noted that this section needs work. Wording needs to have provisions and make it clear what happens for both planned and unplanned absences including an emergency. Maryann Place read Kittery’s provision. Discussed was whether an instant default appointment was necessary – possibly to the Town Clerk. It was noted that regardless of a planned or an emergency absence there would need to be an appointment by the Select Board. It was AGREED that Denny Lentz will rework section using Kittery’s wording and possibly other charters and rework it with what is already there and then submit for further consideration. Dana Lee pointed out that it was important to have a ‘willing’ person to take over. Robert Fisher recommended that the word “mental” in describing a disability be taken out. It is discriminatory. Jack Murphy commented that waiting 6 months before taking action is too long. Dana Lee suggested that 3.5 and 6 could be combined.
 - Re: 3.6 – Interim Town Manager: Dana Lee explained the bonding of the Town Manager. It was AGREED that Denny Lentz will take a look at combining these two sections and then we will review again later.
3. Group picture of the Commission and guests was taken for the website, following which Dana Lee, Vickie Mills and Mike Moynahan left and the meeting continued.
4. Press Releases: The Secretary reported that it does not appear that notices of the meetings are being printed in the Portsmouth Herald, although she has submitted in several different ways. She has decided to write to the Town Manager and see if Barbara (Thain) could submit our meetings along with other town committee meetings. She reported that she has sent them to Community Radio, the Sentinel, Fosters, the Wire and an online listing that goes out to all the media. She said she has seen it in Fosters but not in any of the others so if anyone sees them to please give her a copy.
5. Public Comment:
- Robert Pomerleau – spoke to the “removal for cause” section in Article 3.4 and that we might want to consider to expand to add some level of “suspension for cause” as well. The Chair asked if he could present some wording that that would be helpful for the commission to have to consider.
6. Town Report: Barbara Thain has been in touch with the Chair about our report, for inclusion in the Annual Town Report, which is due on March 25th. The Chair suggested that he work on this with help from the Secretary. It was AGREED that it be done and then sent to Commission members at the same time it is sent to the town office.
7. Next meetings: April 9th and 23rd at 7:00PM – Town Hall conference room

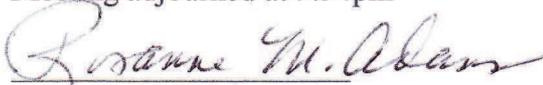
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8. Commission Round Table:

- Gary Sinden handed out some wording for 6.3 (Financial Procedures) to be looked at. (Budget Committee reference) Denny Lentz will take and insert for our review.
- Robert Fisher commented that he thought it was a very good meeting and that the people that were brought in for tonight's meeting were very helpful.
- Roland Fernald asked if the suggestions that the commission has received from the public had been distributed. The Secretary said she had compiled them by category and would send them out to all members.
- Jack Murphy suggested that with the aim of being more truthful and transparent that the Budget Committee's name should be changed to "Budget Advisory Committee" which is used by a number of towns that better describes their role. (Article 6)
- Rosanne Adams brought the commission's attention to the bulletin board prepared by Janet Saurman who is looking for feedback on it. It was noted by Denny Lentz that his name is spelled wrong. Jack Murphy explained about a space on it where a piece of paper could be placed [and changed as needed] with the dates of our meetings. Rosanne explained it will go out in the entry way and the corner and there could also be a table there to place information for the public to take as needed.

Meeting adjourned at 9:34pm

Approved: 4-9-2014



Rosanne M. Adams
Secretary

CC: Committee Members
Eliot Town Clerk