

Charter Commission
Public Hearing
May 20, 2019 7:00 PM

MINUTES

- **Members Present:** Gregg LaFontaine, Karen Buffkin, Myles Davis, Mike Nintean, Pierre Belisle, and Suzanne Gilleese
- **Others Present:** 14 attendees

The Chairman opened the hearing at 7 pm and made introductory remarks. The Chairman explained the purpose of a charter. The Chairman stated that this hearing was to share the status of the charter committee's work and solicit thoughts and opinions from the residents. The Chairman indicated that based on earlier comments residents are generally happy with how the town operates right now and that this was taken into account by the members of the charter commission. The Chairman indicated that a hand out was available summarizing the draft charter.

One resident noted, after looking at the summary, that nothing is changing except that the town clerk and tax collector positions are no longer elected positions. The Chairman responded, indicating that there are a number of changes—(1) clarifications were made; (2) process provided to create a town administrator position, involving the board of selectmen and a town meeting/referendum; (3) small changes such as allowing the First Selectmen to delegate duties, in writing to other selectmen; (4) assistants to Registrars of Voters would have to be sworn in.

A charter commission member noted that the town clerk and tax collector positions would be hired, not appointed.

A resident asked about the benefits of a charter. The Chairman noted that a charter can customize town governance and residents can access the charter and look up the state statutes referenced in there to understand how the town government operates. The Chairman further stated that the charter provides a process to create a town administrator.

Concerns were raised by several attendees. One attendee asked if the proposed process to create a town administrator was reviewed by legal counsel. The attendee was not comfortable with the proposed process because part of it required a town meeting for approval and only a few people would need to attend such a meeting and vote for approval. The attendee noted that that a significant high threshold is needed to create this position. The Chairman responded that the draft charter could be amended so that the approval would have to be at the annual town meeting. The attendee further raised concerns about keeping the two year term for selectmen, that staggering the terms may be better, and that the six year terms for those on the board of education could be a template. The Chairman responded that staggering the two year terms with a three member board of selectmen is not possible. An attendee stated that the town had been lucky that a full turn over of the board of selectmen has not happened.

Another attendee suggested that a five member board of selectmen with staggered terms would be better for transferring knowledge to the newly elected, and that there may be more candidates for such a board with a five member board and then no need for an administrator. There was discussion on whether access to a town attorney was already sufficient to ensure that the right decisions were made. Another responded that a town attorney is not always accessible and that a wrong decision can be costly to the town.

There was discussion on salaries and that the town administrator position would be funded in part by selectmen's salary. Another resident noted the salary of the town administrator in Windham and that it has caused controversy.

Concerns were raised about the kind of employment for the town clerk position, the tax collector position, and the town administrator position. The Chairman stated that the town clerk and the tax collector would only be able to be discharged "for cause" under the proposed charter but that the town administrator would serve at the pleasure of the first selectmen and would be an "at will" position. The chairman also noted that the town administrator position could be eliminated using the same process as the one creating the position. An attendee noted that the charter itself could be amended.

There was further discussion on the proposed process to creating a town administrator position. An attendee asked the Chairman to confirm that only two of the three selectmen need approve the creation of the position and it need not be a unanimous vote. The Chairman responded by confirming that the summary provided as a handout indicates this. The attendee noted that this is a low threshold and that the vote should not be unanimous. Another attendee indicated that, if the vote of the board was not unanimous, then that fact would be telling at the town meeting considering the position.

Other questions were asked about the town administrator position. One attendee asked if the town administrator had to reside in the town. The Chairman said there would be no residency requirement. Chairman further indicated that the Board of Selectmen would post the position and look at a variety of candidates for the position. The Board of Selectmen would also determine the benefits of the position. Another asked about the town administrator's supervisory role. The Chairman stated that the administrator would be given a lot of power due to having to report to the First Selectman. The Chairman explained that the administrator's reporting duties would be similar to the superintendent's reporting duties to the board of education. A person in the audience voiced her assessment that the administrator appeared to be like a quality control person.

There was discussion on the number of town employees, whether to create a human resource department, pensions, and money spent on pensions.

An attendee suggested again that a five member board of selectmen should be considered by the commission and that a two month transition is not enough for those newly elected. Another attendee stated he agreed with these comments.

Several attendees voiced their approval of what the commission is doing and thanked the members of the commission for their work. One attendee stated that she was very much in favor of having a town administrator.

There was discussion on the process of adopting a charter and that the Board of Selectmen could reject it and that it was not automatic that it would go to referendum. If the charter was not rejected, then

the plan was for the charter to go to referendum this November. An attendee and the Chairman further noted that there would be another public hearing on the proposed charter.

Someone in the audience asked if the charter could be eliminated after it was created. Another person in the audience indicated that it could not but it could be amended. The Chairman stated that the proposed charter has a provision for review of the charter every five years.

An attendee asked for a copy of the proposed charter. The Chairman stated that the proposed charter was still a working document.

The Chairman adjourned the public hearing at around 8 pm.

Respectfully submitted,

Suzanne Gilleese
Secretary, Charter Commission