

Charter Commission Regular Meeting

April 3, 2019 7:00 PM

Town Hall

MINUTES

Members Present: Suzanne Gilleese, Myles Davis, Mike Ninteau, Gregg LaFontaine

Others Present: Administrative Assistant Bernard Dennler

1.0 Call to Order

The Chairman called the meeting to order around 7 pm.

2.0 Discuss and act upon approval of minutes from March 20, 2019 Regular Meeting

M. Ninteau MOVED to approve the minutes of the 3/20/19 regular meeting; M. Davis SECONDED;
MOTION CARRIED 4:0:0.

3.0 Communications

None noted.

4.0 Continue review of previous charter proposal as starting point. Work on framework /draft of document/ changes and schedules considering input from hearing, & core points of consensus.

The members continued discussion on the last proposed charter, beginning on page 19. The Chairman noted that sections 8.1.10, 8.1.11, 8.1.12 reflect current practice, so there is no need to change them. Section 8.1.13 concerns justices of the peace. It was noted that justices of the peace are now regionalized, and thus this section may need to be amended. The Chairman noted that legal counsel for the town could take a look at this section and determine if it needs to be modified. Sections 8.2, 8.2.1 were then discussed, including whether to include a town administrator position. One member commented that a permanent town administrator position should not be put in this charter since including such a position in the last proposed charter was apparently a reason why the charter was voted down last time. Reference was made to another town's charter, in which the First Selectman could delegate duties to other selectman and persons responsible to him/her. Another member agreed that the town administrator position should be taken out of this proposed charter. Another member noted the concerns of some that a first selectman may not have the right skill set for day to day activities of the job, but cautioned that such a town administrator position may also lead to mission creep. Another member suggested that a town administrator position would be helpful but that instead of mandating the position, the charter could allow the selectmen to choose to delegate duties to a town administrator, with a narrowly defined scope of duties. The charter could also provide that the compensation for this town administrator would come out of the salary of the First Selectman and stipends for the other selectmen. The Chairman stated that he would draft a proposed provision for this and email it to other members. The Chairman further stated that members were not to discuss it until the next meeting. There was

further discussion on the title of Section 8.2.1 and it was agreed to change it or eliminate it as a separate section and put that section with Section 8.2.

There was discussion on whether all the positions identified in 8.2.2, 8.2.3, 8.2.4, 8.2.5, and 8.2.6 should be appointed positions. It was noted that the Tax Collector, Town Clerk and Treasurer positions are elected positions. Several noted that it may be beneficial to make these positions appointed positions because of certification requirements. Also the town could get a more robust number of qualified applicants if the positions were no longer elected ones. Another noted that the charter should not change much from current practice in order for it to get passed and there is a concern about the Board of Selectmen consolidating too much power. The Chairman decided to postpone deciding this issue until the other two commission members were present.

The members then considered Sections 8.2.7. No changes were suggested. As for Section 8.2.8, M. Nintean indicated that there is only one building official, who can have multiple building inspectors, so the section should be modified to reflect this. No changes were suggested for Sections 8.2.9 through 8.2.13. Section 8.2.14 was discussed, including the position of school officer as a member of the police. A member commented on Section 8.2.15, noting that there is only one burning official. No changes were noted for Section 8.2.16 through 8.2.21.

Section 9.0 was then discussed. It was suggested to change “mean” in the first and third paragraphs to “identify” for clarity. Another suggested putting quotes around “Town Operating Budget” and “Non Operating Budget” for clarity.

One member voiced concerns about Section 9.2 and that there should not be language suggesting that the Board of Finance was under the control of the Board of Selectmen. There was a suggestion that the provision should clarify that letters of guidance are to go out to all the agencies that have budgets.

Section 9.3 was then discussed. A member voiced a concern that leaving the provision as it could be a deal breaker. It was agreed that references to a town administrator be eliminated and that the section should reflect current practice. The Chairman then asked for a certain Board of Finance schedule from B. Dennler for drafting a new Section 9.3 so that the new provision mirrors current practice.

It was agreed that Section 9.4 should not be changed. As for Section 9.5.1, a member noted that that the second, third and fourth paragraphs on page 25 should be stricken. The Chairman stated that he would draft a new section 9.5.1. Section 9.5.2 was then discussed. Two members indicated that it reflects current practice so no changes need to be made. Concerns were raised about Section 9.5.3 and the Chairman proposed to redraft this section and strike out reference to the Board of Selectmen.

The members discussed Section 9.6. The Chairman further noted that he will propose a redraft of Section 9.6 to eliminate dates referenced in the last paragraph, so as to provide flexibility. Section 9.7 was then discussed as reflecting current practice. The second paragraph of Section 9.7.1 should have the word “may” instead of “shall”, so that it reflects current practice. A member voiced concerns about the fourth sentence in the third paragraph of Section 9.7.2. Another voiced concern about the reference to (5) days and that part may have to be changed. Other members agreed that other parts of the section were fine as they reflect current practice.

As for Section 9.8, the Chairman asked M. Nintean to contact the chair of the Board of Finance about how the temporary mill rate is set, to see whether the section sets forth current practice. M. Nintean agreed and indicated he would email the members once he has the answer. The Chairman noted that other than this question about how the temporary mill rate is set, the section reflects current practice.

The Chairman further noted that Sections 9.9 and 9.10 reflect current practice. Section 9.11 through Section 9.16 were discussed and members agreed that the provisions did not have to be changed.

The Chairman then addressed Section 10 and decided to table discussion on this section until the members discussed the number of members of the board of selectmen.

Section 10.2 was then discussed. One member noted the language was vague. Another member voiced a concern that the provision appeared unworkable for a small town such as Lebanon. B. Dennler said he was not familiar with a conflict of interest policy but that there may be one. S. Gilleese offered to rewrite this section after review of other town charters. The Chairman agreed.

The members then reviewed Section 10.3 and agreed that no changes needed to be made. The members ended discussion of the last proposed charter at Section 10.3.

5.0 Select date for 2nd/next public hearing

The Chairman proposed May 20th as the date for the second public hearing. S. Gilleese proposed tabling this until the absent two members were present.

6.0 Consider dates for additional special meetings to work on charter proposal document

The Chairman then proposed to have a special meeting of the commission on April 10th, 7 pm to 9 pm. The Chairman further noted that additional special meetings could be addressed at the April 10th special meeting.

M. Davis MOVED for a special meeting at April 10th, 7 pm to 9 pm; S. Gilleese SECONDED the Motion; MOTION CARRIED 4:0:0.

7.0 Identify questions & areas of concerns, additional reference materials required.

S. Gilleese confirmed that she would attend the 4/10/19 special meeting but that it would be difficult to draft and timely submit the minutes, votes on motions for the meeting, for that particular week. The Chairman asked for a substitute secretary for the meeting. M. Davis agreed to act as secretary for the 4/10/19 special meeting.

8.0 Adjourn

M. Davis MOVED to adjourn; M. Nintean SECONDED; Motion carried 4:0:0.

Meeting adjourned around 8:55 pm.

Respectfully submitted,

Suzanne Gilleese
Secretary, Charter Commission

Please see the minutes of subsequent meetings for any corrections hereto.