



TOWN COUNCIL
Charter Review Committee
Selectmen's Conference Room

Thursday November 5, 2015
MEETING MINUTES

Vice President Ann Canedy
Councilor Jennifer Cullum **Chair**
Councilor Will Crocker Jr.
Councilor Frederick Chirigotis **Vice Chair**
Councilor Paul Hebert

I. BUSINESS

A. Roll Call:

Members present: Chair of Committee Councilor Jennifer Cullum; Vice President Ann Canedy; Councilor Paul Hebert; Councilor Will Crocker **Also present:** Ruth Weil, Town Attorney; Cynthia Lovell, Administrator to the Town Council

Chair of the Committee opened the meeting at 5:30pm.

Chair of Committee discussed the report that needs to be given to the Town Council with regards to the Committee and everything that has been accomplished. Councilor Hebert wanted to know if there was a timeline for this Committee and what it needs to accomplish. Chair Jen Cullum explained that this Committee was already past the deadline to submit a Home Rule Petition to the legislation regarding any Charter changes; however that should not stop us from moving forward with the changes. Attorney Ruth Weil explained to the Committee that the committee could however submit the changes in two years when the general election comes around, or you could also do special legislation if there was an Item that had importance before the two year general election. The cost of a special election is very costly, so you have to keep that in mind as well.

Councilor Hebert asked if it was put on a ballot in 2016 there may be a bigger turnout of voters. The recent town election had very low numbers of turnout.

Chair Cullum went over all the items that have been discussed so far in length as the following:

1. Charter Objection
2. Recall Provision
3. Defining the Term limits
4. 5 year forecast vs 10 year forecast
5. Primary Elections
6. Tax Collector elected vs appointed

Vice President Canedy mentioned that she was still in favor of the Tax Collector being elected position vs an appointed position.

Chair of Committee moved onto the Charter objection and the concerns were that this is used as a tool to get around an item; this committee would like to draft language to have it inserted to say the Charter Objection can only be used when.... Vice president Canedy said she does see the need for it; however it has been used in the past to derail something that has a deadline. Attorney Ruth Weil said another way to think about it is the second half of the Charter Objection that speaks to the fact that it takes two Councilors to object then its moved to the next meeting, the problem with that is typically the next meeting is too far away and the deadline has passed so if you remove that line then you may remove

the time sensitivity issues, then call a special meeting to address the Item. Vice President Canedy feels the political pressure is still there to get this done, so it does not really solve the problem of when it can be used. Attorney Weil said that this does protect the minority issue, as well as give more time to those who truly think that it requires more information before they vote on it. Attorney Weil has had conversations regarding this with the Town Council President and if this Committee decides that this is either being removed, or it needs need to be clarified when the Charter Objection can be used. Attorney Weil mentioned that if language was being considered to be added to clarify when to use it, then she would certainly look at crafting something for the next meeting, but that that decision needs to come from this Committee, and give me direction to do so. Vice President Canedy said she sees two issues that we need to address regarding the Charter Objection (1) When to use it (2) How to safe guard it being used to derail an Item, especially if it has a real estate deadline. It was used twice before when there were issues with a purchase and sale that cost the town an additional two million dollars to pass.

Councilor Crocker said is it possible to put a time limit on the Items that are time sensitive, like for instance, not being able to use inside a certain window of time, this would stop the objection in the 11th hour, and Attorney Weil will look at other language and craft something for the committee to look at for the next meeting.

Chair of Committee asked if we could require that time sensitive Items be brought before the Council earlier, this is what she struggles with is when there are Items shoved in front of the Council that we need to vote on without really knowing everything about it. That is not right. Councilor Hebert asked if there was a way to draft something to say you can't use this Charter Objection motion in a hostile way or in a vicious way. Councilor Hebert mentioned that this Council since he has been on it has always used the postponement of an Item and it has been successful. Chair of the Committee asked if there was a drawback in removing this all together, Attorney Weil said it protects the minority issue. Councilor Hebert said he liked the language if it could somehow be written that you can't use the Charter Objection when or if there is a time sensitive issue, or if it's a real estate deadline or it will cost more monies, or something in that nature. Attorney Weil will look at other Charters written to see if they have any different language or if they struggle with this very issue in their own municipalities.

The Committee discussed the recall issue; Attorney Weil said that the committee looked at attendance issues when it came to the recall process, and conviction and felony charges. Councilor Chirigotis had concerns regarding the misdemeanor charges at the last meeting we had. Vice president Canedy said that the signatures need to be increased so that it is not so easy to start this process. Councilor Hebert feels that there needs to be a little more work on the constituent part and also a real reason for the recall, and by increasing the signatures required to do so. He also feels that the definition should be fine-tuned and clearly stated as to the reasons why and it should be a substantial reason. Chair of the Committee will make a presentation to the Council on November 19, 2015 on the status of this Committee and the progress made on the above listed topics.

Vice President Canedy made a motion to accept the meeting minutes of October 1, 2015 be approved as written, Councilor Hebert seconded the motion, all members present approved the meeting minutes as written.

NEXT MEETING: December 3, 2015 5:30pm

ADJOURNED: 7:15PM