



TOWN COUNCIL
Charter Review Committee
Selectmen's Conference Room

Thursday May 21, 2015
MEETING MINUTES

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

I. BUSINESS

A. Roll Call:

Members present: Chair of Committee Councilor Jennifer Cullum; Vice President Ann Canedy (6pm), Councilor Frederick Chirigotis, Councilor Will Crocker Jr., Councilor Paul Hebert, (5:40pm)

Also present: Ruth Weil, Town Attorney

Vice Chair of the Committee asked for Public Comment, seeing none, the Committee moved onto the Business of the day. Chair of Committee at the meeting of April 21, 2015, suggested that this committee pick three sections that need tightening, and work on those for the next meeting, another suggestion would be to read the Charter and look at other areas outside of the three this Committee chooses.

The three areas that drew interest to this Committee are the following

1. Recall procedure (changed in 2009)
2. Term limits
3. 5 or 10 year forecast

Attorney Ruth Weil had given the committee some information on information contained in the Charter with regards to Section 2-11 Prohibitions:

No Councillor shall, while a member of the Town Council, hold any other compensated appointive town office or town employment until one year after the expiration of his/her service on the Town Council. This provision shall not prevent a town officer or employee who has taken a leave of absence from such duties in order to serve as a member of the Town Council from returning to such office or employment following service as a member of the Town Council.

No person elected to serve as a Town Councilor may serve more than three consecutive terms of office

Section 2-13 Term Limits

No person shall be eligible to stand for election if, at any point during the term office for which said person may be elected, membership on the Town Council would extend beyond twelve consecutive years.

A member from the public overheard the conversation upon leaving regarding the language, Chair of Committee Jennifer Cullum allowed the comment: Sue Rohrbach commented that the language was put in after the original Charter Committee did a lot of discussion, and came up with what they felt was very defined.

Vice President Canedy mentioned possible changing the definition of the word term to define it further and instead of using the explanation of 3 terms to 12 years because of the staggered terms currently in place.

Vice Chair Fred Chirigotis is not a proponent of term limits, but if we are going to have them or need them then the definition needs to be very clear.

Chair of Committee Jennifer Cullum's belief is that if you're a Councilor running for your first term and that term is a 4 year term, then you are running again for a 2 year term and you're successful, then you run again for another 2 year term, and you're successful so now you have served 8 years, but for some reason the census now redirects everything again and you can run for a 4 years again which would equal the 12 year term limit, however I have already served 3 term but that did not equal the 12 years, so maybe we need to remove the word term or at least the number before the word term. The committee also discussed the term limits as consecutive or broken? The Committee felt 12 years consecutively would better serve the purpose.

Vice Chair of the Committee also reminded those present that the census is the driving force behind the precincts, and that could at any time go up or down.

Attorney Ruth Weil wanted clarification on why this committee needed to define the word "term" Vice President Canedy answered with "What would someone say if asked how many terms have you run or how long your term is?"

The Committee discussed the definition of perhaps being 3/ 4year terms or 12 years which ever is greater. If we add the language to the current definition it would become part of the section and numbered 12C.

Attorney Ruth Weil clarified that any new language would be proposed under the same section under election language.

Councilor Hebert asked about the language concerning a town worker leaving their position as a town worker to run for Councilor, and then decides they no longer want to serve as a Councilor, they have the right to go back to their former job, was this language written to avoid the conflict of interest law?

Vice Chair of the committee Fred Chirigotis made a motion to have the town's legal department look to removing the language that pertains to Prohibition. This motion was seconded by Vice President Canedy, voted unanimously by committee to approve this motion.

The next topic of discussion was with regards to section 6-6 Long Term Financial Forecast. Town Attorney Ruth Weil provided a copy of the language currently as it reads:

The Town Manager shall annually prepare a ~~ten~~ five year financial forecast of town revenue, expenditures and the general financial condition of the town. The forecast shall include, but not limited to, an identification of factors which will impact on the financial condition of the town, revenue and expenditure trends; potential sources of new or expanded revenues and any long or short term actions which may be taken that will enhance the financial condition of the town. The forecast shall be submitted to the Town Council and shall be available to the public for inspection.

Vice Chair of the Committee Fred Chirigotis felt the town had to have a long term financial forecast, you can't operate a town without one. Vice President Canedy echoed these thoughts from 2007-2009 when it was discussed back then. Chair of Committee felt that a 5 year forecast is sufficient, but that a 10 year was too long and many variables could happen within that time.

A motion was made by Vice Chair of Committee Fred Chirigotis to accept the section as amended to reflect a 5 year financial forecast in replacement of the 10year language currently as it reads in section 6-6 Long Term Financial Forecast. Seconded by Councilor Hebert; unanimously passed that the language reflects a 5 year forecast in place of 10 year currently.

The Committee looked at the language regarding recall, the Chair of the Committee asked the question "What is the basis of recall, and when does it happen?" It should not be because of the way someone looks or you do not like the way someone looks or because you do not like the person. There should be a standard of language for recall so that it is not a process that is widely used at every election, there should be an industry standard or process that if this, this, and this happens you could be subject to recall by the voters.

Vice Chair of committee Fred Chirigotis stated this committee should come up with a basis for the recall, or at the very least define the cause for recall.

Councilor Hebert noticed that when he took out his nomination papers there was a clause on the bottom that stated in the event you were unable to carry out your duties as an elected person, please indicate in the next section the person or person you would delegate to fulfill your position in the event you could not, would this also include the person you would like to see in office if a recall happens?

Chair of Committee Jennifer Cullum would like clarification on such a clause as she did not see that on her nomination papers. Attorney Ruth Weil said she would look into that with our Town Clerk.

Chair of Committee asked the committee to look at the next Items for discussion for the next meeting.

1. Primary elections vs. elections
2. Look at all 3 sections of the recall language and make suggestions for change or leaving as is
3. Go over the finalized sections discussed at tonight's meeting and revise or keep as is.
4. Article 4

Motion made to adjourn meeting by Councilor Will Crocker, seconded by Vice Chair Fred Chirigotis

NEXT MEETING: June 4, 2015 5:30pm

ADJOURNED AT: 6:45