



TOWN COUNCIL
Charter Review Committee
Selectmen's Conference Room

Thursday March 3, 2016
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 Chair** Councilor Fred Chirigotis; Councilor Paul Hebert; Councilor Will Crocker; Donald Lynde, member at large **Also present:** Cynthia Lovell, Administrator to the Town Council; Ruth Weil, Town Attorney **ABSENT:** Councilor James Tinsley; Peter Hanson, member at large;

Chair of Committee Councilor Jennifer Cullum opened the meeting up asking for a motion to accept the meeting minutes March 3, 2016.

Attorney Ruth Weil stated discussion removing the prohibition to serving more than three terms, or looking at the way a councilor reaches the 12 years but is only at the mid-term, but serve out the remainder and exit after the term ends.

Ruth said this is a very complicated issue and tried to accomplish what the committee was trying to accomplish. If it does not then we can look at it again. Mr. Lynde suggested that the first line be deleted, Attorney Weil stated that they did have this suggestion at the last meeting, this was brought to the Council when Chair of the Committee made her initial report to the full Council, and there were concerns raised that this did not address the actual problem; a Councilor that actually ran against Councilor Will Crocker was faced with this very same issue, if he had ran and won he would have to exit half way through the term, it was much more elegant as written but did not address the issue at the 14 year point if they were elected at a 4 year term. There was some unclear language and at the time we were unsure which rule to use to enforce it since the Charter was not clear.

PART II

Legislative Branch

Section 2-1 Composition; Eligibility; Election and Term

(a) Composition

There shall be a town council which shall exercise the legislative powers of the town. One councillor shall be elected from each precinct.

(b) Eligibility

Only voters who at all times during their term of office shall be and remain residents of the town shall be eligible to hold the office of councillor. A member of the town council who shall remove from one precinct to another during the term for which such councillor was elected shall cease to be a member of the town council, provided however, a councillor with six months or less remaining on the term for which such councillor was elected, notwithstanding removal from one precinct to another, shall continue to serve and to perform all official duties during such term of office.

(c) Election and Term

The term of office of all members of the Town Council shall be for four years beginning on the second Monday following election and continuing until their successors are qualified. Councilors shall serve four year overlapping terms so arranged that the terms of as nearly half of the councilors as may be shall expire at each biennial town election.

(d) Term Limits

No person elected to serve as a town councilor may serve more than three consecutive terms of office or twelve consecutive years, whichever is greater. When the term of office for which said person is elected would extend membership on the town council beyond twelve consecutive years if the member served the full term, the seat shall be deemed vacant at the time of the next scheduled biennial town election and the vacancy shall be filled by a special election within that regular election for the balance of the unexpired term; provided, however, the retiring councilor shall continue to serve until a successor is qualified.

Section 2-11 Prohibitions

No councillor shall, while a member of the town council, hold any other compensated town office or position. No former councillor shall hold any compensated appointive town office or town employment until one year after the expiration of his 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 councillor may serve more than three consecutive terms of office.~~

Councilor Chirigotis asked if he could try and simplify the language a little by saying that if there was a Councilor that a Councilor was elected and serves 10 years; elected three times; and stand for election again to a 4 year term, so we need language that says they can serve two more years, then at the end of that the seat becomes vacant and there is a special election to fill the vacancy. Councilor Chirigotis asked if that really does what we need it to do. Attorney Ruth Weil stated that it reads the following “~~the seat shall be deemed vacant at the time of the next scheduled biennial town election and the vacancy shall be filled by a special election within that regular election for the balance of the unexpired term; provided, however, the retiring councilor shall continue to serve until a successor is qualified.~~”

Chair of the Committee said that an election comes up every two years anyway, so that the Special Election would not be needed because there will be someone to fill the vacancy.

Councilor Chirigotis said that this has been tried to be fixed for years so we need to make sure that the language needs to stay the same with three consecutive terms, Chair of the Committee said she believes that Attorney Ruth Weil has accomplished what this committee wants. Attorney Ruth Weil is going to clarify the language regarding the Special Election language to make sure that it does not need a special election; it would be only for one Precinct if that was the problem. She will clarify and let the members know.

The Chair reminded the committee members that this provision does not happen often, its only when the census changes every 10 years. Councilor Crocker said he agreed with the language that Attorney Ruth Weil has come up with. Attorney Ruth Weil asked if the 14 year language would be better. Councilor Chirigotis asked if the math with the 14 year terms is there a problem with that. There is too many mathematical equations to come up with concrete language because the census is the driving force behind all of this so it does fluctuate.

The Chair said again tis is just an advisory committee and we are recommending to the full Council our thoughts on this and it would be up to the full Council to vote on it or change it or put their ideas into it. Attorney Ruth Weil said the other option is to eliminate the language in its entirety and then there is not a problem.

Councilor Chirigotis made a motion to accept the language as written by the Town Attorney’s office and present to the Town Council as a recommendation. The motion was seconded by Councilor Will Crocker Jr., all members present voted in favor of sending this recommendation to the full Council.

The Chair of the Committee moved onto the next item which was the entire packet that Attorney Ruth Weil put together. The packets included the version of editing as well as the final and how it will look when presented to the Council. (Committee reviewed the documents)

NEXT MEETING: March 31, 2016 5:30pm

ADJOURNED: 6:55pm