

**Charter Commission Meeting Minutes  
April 26, 2010**

**Meeting was held in the Moose Hill Council Chambers. 268B Mammoth Road, Londonderry.**

**In Attendance:**

Chairman Brian Farmer, Vice-Chair Cris Navarro, Secretary Lara McIntyre, Commissioners Al Baldasaro, Marty Bove, Chris Paul (late), Deb Paul, Kathy Wagner, Steve Young

**Absent:**

None

Meeting was called to order by Chairman Farmer at 7:00pm. Chairman Farmer led the Pledge of Allegiance, followed by a moment of silence for the men & women serving in our military both here and abroad.

**Old Business:**

None.

**Public Session:**

Town Manager Dave Caron gives a review of Londonderry's Charter, which will be 15 years old next March. Our current form of government consists of a Town Council / Budgetary Town Meeting. The Town Council is the legislative, governing body, while the Town Meeting approves of the town budget. In theory, Town Manager Caron says we already are an official ballot town for election of offices & bond issues.

Chairman Farmer says some people in town say that the outcome of what we voted upon in March regarding forming a Charter Commission is the way we need to go and asks Town Manager Caron if that is the case. Town Manager Caron says our scope is limited to what we can do. He suggests asking Town Counsel Bart Mayer if we're already technically an SB2 town. Chairman Farmer says the Charter Commission will ask Town Counsel in written form.

Commissioner Bove says he has talked to many people in town, and wonders if we could change the date of the town meeting – many people complain that March is a difficult time of year because of weather, other commitments, etc. He asks if the Commission could recommend changing the time of year of the town meeting. Town Manager Caron says in the RSA there are a couple of options, March or May, and he does know that many towns hold their town meetings in May.

Commissioner Baldasaro asks about the role of the Budget Committee. Town Manager Caron talks about RSA 32, the Municipal Budget Act. He says that some towns use the budget put forth by the Budget Committee for town meetings. In Londonderry, the Budget Committee is advisory and the budgets that they put forth are not binding.

*Commissioner Chris Paul arrives at 7:16pm.*

Town Manager Caron talks about section 5.4 of Londonderry's Charter.

Chairman Farmer asks Town Manager Caron about the report the Charter Commission must issue. He asks if it should contain certain language that would then go on the ballot. Town Manager Caron says to ask Town Counsel Mayer, but usually the ballot will ask what is recommended in the final report.

Chairman Farmer also asks if the Town Council could take the recommendation by the Charter Commission and choose not to do anything with it. Town Manager Caron says no – the Charter Commission's recommendation goes right to the voters.

The issue of the quorum is brought up by Commissioner Bove. He said whatever decision is made should be made clear to the people for the deliberative session. Commissioner Baldasaro asks if there has to be a quorum. Town Manager Caron says that by state law a quorum is not required.

Commissioner Baldasaro asks about absentee ballots – when do they go out. Town Manager Caron says the town can create a calendar to show the timeline, but it is 30 days before the election. Any change to this would have to be under state law.

Commissioner Bove asks for clarification about bonds – will they stay separate from the budget? Town Manager Caron says you still need a public hearing for bonds. The issue of contingent warrants is brought up (e.g. roads – if there is a bond for \$1.5 million for roads, sometimes there is a warrant article that is brought up at the Saturday budgetary town meeting for road maintenance that includes the minimum of what Public Works would need if the bond does not pass on the Tuesday ballot).

Commissioner Wagner asks if one subject can be on the ballot 3 times. Chairman Farmer says by law you cannot do that (e.g. Morrison House – it was originally brought up as a bond, by the Town Council and by a citizens' initiative petition brought up by townspeople. In the end, one of them was thrown out by the state).

Commissioner Deb Paul says we need to make clear to the people in town what the questions are on the ballot, because people vote on items like AES and then the town changes what it does. Commissioner Young asks Town Manager Caron for clarification about AES / Granite Ridge. Town Manager Caron said that the question on the ballot was a non-binding referendum, and that the decision whether to approve of having Granite Ridge come to town was the purview of the Town Council technically. Commissioner Baldasaro says the Council did nothing wrong, but they could have listened to the will of the voters, who voted it down by a 60-40 majority. Commissioner Chris Paul mentions that the AES vote was to see if the town would support AES so they pay less taxes (not how it was worded on ballot), but says that's how people felt.

Commissioner Baldasaro asks the Town Manager if people can vote what to put on the ballot during the deliberative session? He said he went to a deliberative session in another town, and they did that. It was decided that we should ask Town Counsel Mayer what the power of the deliberative session is. It was discussed that you cannot add questions to the ballot because there would not legally be enough notice.

Pauline Caron, 369 Mammoth Road, asks if the Town Council sets the order of the warrants. Town Manager Caron says that they can. She then asks if people at the deliberative session can change the order of the warrants. Commissioner Baldasaro mentions that in the other town's deliberative session that he visited, everything for the ballot was already voted on by the town selectman, was in order & published for the deliberative session.

Chairman Farmer says that the Commission should get a consolidated list of questions to Town Counsel Mayer. Town Manager Caron asks if the Commission would like written responses or for Town Counsel Mayer come in. Chairman Farmer says written responses will work at this time.

Commissioner Baldasaro mentions that he will work on finding more information in the RSA's regarding default budgets.

### **Approval of Minutes**

Commissioner Young makes motion to adopt minutes from the April 12, 2010 meeting. Motion seconded by Commissioner Bove. **Motion passed 9-0.**

### **Other Business**

Secretary McIntyre asks if she should ask Margo LaPietro to reserve the Moose Hill Council Chambers for every two weeks until we issue our draft report in August. Chairman Farmer says to go ahead and reserve the space.

Chairman Farmer says that Peter Curro from the Londonderry School District and Susan Hicks from the Town will be at the next meeting. He says that Town Manager Caron will be coordinating when representatives from the state's DRA & Secretary of State's offices will be coming.

Commissioner Baldasaro makes a motion to adjourn. Motion seconded by Commissioner Chris Paul. **Motion to adjourn passed 9-0 at 8:17pm.**

**Next Meeting: Monday, May 10, 2010 at 7:00pm.**