

Charter Committee Meeting November 6, 2013

Present: Cliff Wells, John Manter, and Tammy Perry. Absent: Pat Rice and Joan Perkins.

Review Notes from Last Meeting

There were no questions on the notes from the last meeting.

Review of Designated Charter Sections

No amendments were suggested for Section 00.01, Grants of Powers to the Town.

The following suggestions for amendments to Section 00.02, The Town Council, were made:

00.02.01: None

00.02.02: None

00.02.03: None

00.02.04: None

00.02.05: None

00.02.06: John suggested checking the state statute this section references to see if any updates have been made to it. Cliff suggested that some things be handled under town-wide policy and procedure manual rather than the charter, such as policies for how the town conducts business and employee policies. He also asked if the charter needed to detail how meetings are set, and John suggested we ask the attorney. There was some discussion on meetings required once per month vs. 30 days; John suggested this may be vague on purpose to allow each council to decide minimum meetings for themselves. There was some discussion on existing policies and contracts, and John suggested referencing a council manual similar to the land use ordinance book that the planning board uses.

00.02.07: None

00.02.08: None

00.02.09: John asked if the statement “Nothing contained herein shall diminish the right of the citizens of the Town of Veazie to approve or disapprove at a Town Meeting acts of the Council, whether such acts be by ordinance or otherwise” conflicted with the budget issue at the last Town Meeting and suggested it be on the list for the town attorney.

00.02.10.01: It appeared as though no changes were needed but the group may decide to run this by the town attorney.

00.02.10.02: John said the statement “After the hearing the Council may adopt the ordinance with or without amendment or reject it; but, if it is amended as to any matter of substance, the Council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance” could be clearer, perhaps by changing “may not adopt” to “shall not adopt.” There was some discussion on the wordiness of this section.

00.02.10.03: None

00.02.10.04: None

00.02.10.05: None

00.02.11: None

00.02.12.01: None

00.02.12.02: John suggested that codification could be part of the policy book discussed earlier. Cliff suggested that keeping the book up to date could be done internally with a policy of it being the Clerk's job to switch pages and date when a change occurs. He suggested not changing this section of the charter but rather have an administrative manual regulating regular updates.

The group discussed going through all the suggested amendments when the review is complete and prioritizing them so that only the most important amendments be proposed to voters since the Charter Review Committee is not trying to circumvent the functions of a Charter Commission.

00.02.13: None

00.02.14: None

00.02.15: None

00.02.16: None

The following suggestions for amendments to Section 00.03, Town Manager, were made:

00.03.01: There was some discussion as to whether or not the charter should contain a statement allowing a contract with a town manager, and stating whether which one takes precedence in a dispute. Cliff stated it is the council's responsibility to make sure a contract does not conflict with the charter. John wanted a statement empowering the council to enter into a contract. Tammy suggested checking 30A of the Maine statute to see what is already covered there. Whether or not to include a statement in the charter will be a question for the town attorney.

00.03.02: None

00.03.03: None

00.03.04: None

00.03.05: None

00.04.01: The group decided there should be a way for the council to discontinue a function. Cliff suggested the following amendment:

The Council may establish ~~or abolish~~ town departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies by ordinance. ~~except that no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.~~

There was then some discussion on putting the Charter in Microsoft Word and using the Track Changes feature.

04.02.01: The group decided to check the state language on Equal Opportunity and update the charter's language to match.

04.02.03: None

04.02.04: John suggested recommending to the council that they put some effort into getting the Board of Appeals together and to fill any open positions. The group decided to ask the attorney if we need a Citizen Personnel Advisory Board. If we keep it, we should define it. If we delete it, there should be something here or in the personnel policy that covers standard mediation/arbitration.

Next Meeting

At the next meeting we will take some time to review what was done at this meeting and get input from Joan and Pat.

At the next meeting the group plans to cover:

00.04.03 School Administration

00.05 Tax Administration

00.06 Board of Appeals

00.07 Financial Procedures

The group might not finish 00.07 but it is an important section and should at least be started.