

APPROVED Minutes of the Town of East Montpelier Charter Committee
Wednesday, June 12, 2013
7:00 pm at the Municipal Building

Committee members present

Karen Gramer
Richard Brock
Edith Miller
Rick Mastelli
Norman Hill
Kim Watson
Michael Duane
Ed Deegan
Carl Etnier (recording secretary)

Public present

Tony Klein
Don Welch

A. Call to Order

Ms. Miller opened the meeting at 7:03 pm.

B. Additions to the Agenda

None.

C. Public Comment

None.

D. Discussion on Charter Process/Content

Tony Klein, EM Rep. to VT legislature

Mr. Klein noted that this committee has older town residents serving on it, and he sees less competition over the years for elected offices. He also sees the town operating in a way that requires a higher level of business expertise, and the two trends lead him to support having an appointed treasurer.

During the legislative session, he met with the House Government Operations Committee on charters. He brought a summary of the process from them, which he distributed to the committee. Their message was to do the charter process carefully and have an attorney well versed in charters review it. When that's done, it's relatively painless to get it through.

Ms. Miller asked what criteria the legislature has in reviewing charters and changes, or whether it's pro forma. She noted that Mr. Etnier's research found two charter changes in this last session that were not approved.

Mr. Klein thinks it ought to be a pro forma review. He thinks the two South Burlington charter changes not approved this session were tax changes, which are more complicated.

He brought a copy of Stowe's recent charter change for us to review.

Mr. Mastelli wondered about the involvement of an attorney in the committee's process. He believes it's important to get our ideas to the attorney early in the process.

Ms. Miller suggested that we get an attorney to help us in the drafting process, once we are decided on what we want.

Mr. Etnier asked Mr. Klein what the role of legislative council is in reviewing the document. He said he would get it to them and tell him that the town is going to vote on it, before town meeting.

Mr. Klein would also like to see the Collector of Delinquent Taxes as an appointed position, as well. Listers, too. If the town goes to appointments, we may have to reconfigure the compensation package. Listers should not be political.

Mr. Deegan cautioned against making too many positions appointed, as it may make it more difficult to sell the change.

Mr. Klein thought that changes may make people pay more attention to selectboard races.

Mr. Hill said that his sense from talking with townspeople is that the more appointed positions that are appointed, the harder the changes will be to sell to the town.

Mr. Klein asked why an elected treasurer would do a better job than an appointed one. Mr. Mastelli said it was a question of checks and balances and different perspectives.

Mr. Klein noted that when the town does not fill a position, the selectboard fills the position. The town could require that there is a process in place to make sure that the candidates are vetted by townspeople, and there is a recommendation to the selectboard.

Mr. Etnier pointed out that the Williamstown charter has that model, with a citizens' committee making a recommendation to the selectboard on whom to appoint as treasurer.

Ms. Watson and Mr. Deegan spoke to the importance of training and competence in positions like the treasurer or the listers, and we aren't always getting elected candidates who have sufficient levels when they are elected. It can be costly to the town to train the elected officials.

D. Information gathering and discussion about the office of treasurer

Don Welch, EM Treasurer

Mr. Welch began by noting that he is colored by current circumstances, which he thinks are working well. He believes it is important to have different people in the town clerk and town treasurer positions, because of the different skills, and because it's hard to give treasurer duties concentrated attention when handling the range of interruptions and errands that the clerk fields at the front desk.

It's important to have a treasurer with financial background, and it's important for the town to be able to find such a person. Now, anyone can run, regardless of qualifications, and the town can be poorly served by it.

Mr. Mastelli asked what benefit he brings to the town as a treasurer who is not answerable to the selectboard, who is elected independently.

Mr. Welch said he could imagine a situation, if the selectboard is not operating in the best interests of the town, where they could affect how the treasurer would act. He would hope that a treasurer would alert townspeople to that. He thinks the 5-person board is better than the 3-person board, because it makes a power grab by anyone less likely.

Mr. Mastelli asked about the question of borrowing money or making a large expenditure out of cash on hand, and a disagreement between the selectboard and treasurer. Mr. Welch said that a good working relationship is extremely important.

Mr. Mastelli noted that Mr. Welch is elected and this is good relationship with the selectboard. Others pointed out that he had been recruited for the job.

Ms. Miller asked if being appointed would constrain him in his relationship with the selectboard. He said no, not for him personally. He can't speak for others.

Ms. Miller wondered whether a hired treasurer could have written into the job description something about a responsibility to the town.

Mr. Duane asked whether a hired treasurer would serve at the pleasure of the selectboard or could be let go only for cause. Mr. Brock asked whether only being let go for cause would imply a specific term.

Mr. Deegan said that regardless of what the charter says, the Department of Labor may object to the terms of terminating someone.

Mr. Welch didn't see a clear difference between being terminated for cause or serving at the pleasure of the selectboard, in practice.

Ms. Watson noted the town's history of hiring someone to put the finances in order but running into an elected treasurer who made that difficult.

Mr. Klein noted that an elected official sometimes defer to another elected official, too. He's focused on getting the best person for the job.

Ms. Miller said that we want to plan for the bad stuff, but the worst hasn't happened here, and it happens in few towns. When people get involved in civic life, it's usually with the best intentions.

Ms. Watson gave an example from another town where one person held three elected positions and controlled a lot.

Ms. Miller listed the criteria we brainstormed and asked how they apply to a hired treasurer. Specifically, she asked Mr. Welch about any downsides to a hired treasurer.

Mr. Welch replied that he doesn't, as long as the treasurer is given latitude to help the town without micromanagement by the selectboard. And the selectboard generally wants to rely on the treasurer's information without spending a lot of time on how the information is developed--oversight comes from other sources than the selectboard.

After working a year as the assistant treasurer, Don said he could have continued in that role even if he

had lost the election. He preferred to be able to make and implement the decisions of what needs to be done.

He thought about having an elected treasurer with a full-time bookkeeper. He's in that position with the school board--he's just signing checks. With normal operations, he doesn't have time to get into the details that the bookkeeper at the supervisory union is doing. He's not comfortable in that position; he doesn't think it serves the town the best.

Ms. Miller asked what implications a hired treasurer position for the town would have for the position of treasurer for the school board. Mr. Welch wondered about that, too. He gets ideas about things that the town could do with its finances from seeing what's done in the school world.

Mr. Hill asked whether a treasurer is elected or hired makes a difference for embezzlement possibilities. Mr. Welch answered that the procedures here make it difficult to embezzle.

Mr. Etnier asked whether the checks and balances would remain if the treasurer were less cooperative with other town officers than Mr. Welch. Mr. Welch said they would remain.

Ms. Miller asked how much of a job the treasurer is now. Mr. Welch replied he has averaged 26 hours a week over the last year.

Ms. Miller noted that we need to consult with the school board on how to handle the school board treasurer when Washington County Supervisory Union [Note: corrected from U-32 named at meeting --ce] keeps the books, if we have a hired treasurer.

Mr. Welch concluded by saying he is in favor of a hired treasurer, primarily because of the experience that the person could bring.

Mr. Hill asked what is driving the need for greater accounting expertise. Mr. Welch pointed to the NEMRC computer systems. But it's more than the accounting side; it's keeping track of things. When the town clerk is also treasurer, the person has the time at best to handle the day-to-day work. He says it's not necessarily more complicated now, but if you have financial background, you can make the systems work better. But also, the selectboard's job is more complicated, and they need good numbers.

Mr. Deegan listed a number of factors that are making accounting more complicated.

Ms. Gramer asked Mr. Welch on his thoughts on the idea of the delinquent tax collector responsibilities going to the treasurer. Mr. Welch says that the human skills necessary for the delinquent tax collector is not necessarily the best match with the treasurer's position. In response to a question from Mr. Mastelli, Mr. Welch acknowledged that he could oversee an assistant treasurer who acts as delinquent tax collector.

E. Discussion on treasurer position: charter or not?

The committee would like to continue the discussion.

F. Discuss culling list of possibilities & prioritizing

Tabled.

G. Set agenda of the next meeting

Mr. Brock said he'd talked with former treasurer Terri Conti, and she would like to submit something in writing to the committee.

Begin considering the details of what a charter might say about a hired treasurer.

Discuss culling list of possible components to a charter and prioritizing

H. Review & Approval of Minutes of May 22, 2013

Motion: I move to approve the minutes as amended. Made: Mr. Brock. Seconded: Mr. Deegan. 9-0.

I. Adjourn 9:11

Motion: I move we adjourn. Made: Ms. Gramer. Seconded: Mr. Brock. 8-0.