

APPROVED Minutes of the Town of East Montpelier Charter Committee
Monday, September 26, 2016
7:03 pm at the Municipal Building

Present

Richard Brock
Carl Etnier (Selectboard liaison; secretary)
Norman Hill
Rick Mastelli
Edie Miller (chair)
Jack Pauly
Julie Potter

A. CALL TO ORDER

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

B. ADDITIONS TO THE AGENDA

The committee decided by unanimous consent to end the meeting by 8:30 pm

C. PUBLIC COMMENT

None.

D. MINUTES

Motion: I move to approve the minutes of August 22, 2016 as submitted. Made: Ms. Potter.

Second: Mr. Hill. 7-0.

Motion: I move to approve the minutes of September 12, 2016 as amended. Made: Mr. Brock.

Second: Mr. Pauly. 7-0.

E. RESCHEDULING OF OCTOBER 10, 2016 COMMITTEE MEETING

The Charter Committee (CC) is scheduled to meet the second and fourth Mondays of each month. The October 10 meeting conflicts with a town-wide discussion of conservation and housing. The CC will meet instead at 7 pm on October 12, at the town office.

G. REVIEW AND FINALIZATION OF LETTER TO SELECTBOARD ABOUT CURRENT THOUGHTS AND QUESTIONS

Ms. Miller presented a revised letter draft to the Selectboard (SB), after receiving comments on the initial draft. One of the comments received was that, if the CC decides the Delinquent Tax Collector (DTC) position does not belong in the charter, that it would be inappropriate for the CC to consider recommendations about appointing the position through a Town Meeting vote.

Ms. Miller disagreed, saying it was within the CC's charge to consider non-charter forms of appointment for the DTC.

Mr. Etnier said that he thought the best way to decide whether to use a charter or existing statutory means to appoint a DTC would be to compare what the two approaches would look like.

Ms. Potter said that the CC was in a similar position in 2013, when it decided not to put anything about conflict of interest into the charter but worked on the language of what became the Town's Conflict of Interest Ordinance.

Mr. Hill drew a parallel with the expanded discussion the CC is having about tax payment incentives and delinquent tax penalties, based on the charge to examine the tax article voted on at Town Meeting.

Mr. Mastelli asked whether the letter has enough information to get a meaningful response from the SB.

Mr. Etnier said he would work with them to get a meaningful response.

Ms. Miller said she just wants to get preliminary feedback from the SB.

Mr. Hill said the letter opens an informal dialog with the SB.

Motion: I move we approve the letter as presented and send it to the Selectboard. Made: Mr. Brock. Second: Ms. Potter. 7-0.

F. REPORTS FROM COMMITTEE MEMBERS ON RESEARCH ASSIGNMENTS

Mr. Hill made the following written report to the CC prior to the meeting:

I reviewed the 78 Charters of Towns and Villages listed on The Vermont Statutes Online, <http://legislature.vermont.gov/statutes/title/24APPENDIX> and discovered the following:

Of the 78 Charters, The City Council or Selectboard appoints the Clerk, Treasurer, and Delinquent Tax Collector in 9 Charters, and I have included charters which combine one or more of the duties. The towns are:

- 1. Vergennes*
- 2. Brattleboro*
- 3. Newport*
- 4. Jamaica*
- 5. Jericho*
- 6. Panton*
- 7. Waitsfield*
- 8. Westford*
- 9. Village of Hyde Park*

In 5 other towns, A City Manager appoints (with City Council or Selectboard approval) the positions:

- 1. South Burlington*
- 2. Winooski*
- 3. Essex*
- 4. Stowe*
- 5. Essex Junction*

Interesting to note that Bellows Falls and West Fairly elect all officers except the Treasurer and/or

CDT.

In his oral report, he said Jamaica, Vergennes, and Newport most closely match what East Montpelier would be trying to do.

He said the Senate has passed bill to allow a town vote on appointing the Town Clerk (TC); the bill has not passed the House.

In five towns, the town manager appoints TC and DTC, with approval of SB. He likes Stowe's charter the best.

Many towns combine DTC and treasurer. He asked what happens if one position is elected and the other is appointed, and this town would like to combine them in the same person?

He answered that a charter could allow them to be combined, while a town vote couldn't.

Ms. Miller said she was not sure that a town vote couldn't result in combining the positions.

Mr. Hill said he didn't think it could, but clearly a charter could allow them to be combined.

Mr. Brock said the Stowe Town Clerk is very nice and would probably be happy to talk to us about the process, if we asked.

Ms. Miller summed up the CC's progress, saying we know we must use a charter if we want to appoint a TC, and may use a charter to appoint a DTC. We have agreed not to recommend the boilerplate tax article be included in the charter. She then asked what more research does the committee need to do to think about the pros and cons of appointing a TC?

Mr. Mastelli said he would like to look at the nine towns with appointed TC to see if they have a variety of approaches.

Mr. Hill said their approaches are very similar. Jamaica uses a committee to propose candidates.

Mr. Mastelli and Mr. Etnier discussed the interaction of a charter and the statutes, and whether the charter might choose to specify or modify some of the duties listed in statute. Mr. Etnier said the charter could specify DTC is paid hourly.

Mr. Hill said that's in some of these charters.

The committee would like to hear from people in Town with expertise in the positions to give their views on the advantages and disadvantages of appointing and electing the TCT and TC. The following people will be invited in:

Former TC Terri Conti

DTC Karen Gramer

Treasurer Don Welch

TA Bruce Johnson

Asst. Town Clerk Denise Brown

An elected auditor

A discussion followed, speculating on what testimony the various guests might offer.

The committee authorized the chair to fit the guests into upcoming meetings based on their availability.

CC members are assigned to ponder what we want to know from these people. Get questions to Edie Miller by October 4. She will compile them for the October 12 meeting.

Assignments for phone calls

- | | |
|-------------------------|--------------|
| 1. Vergennes | Mr. Etnier |
| 2. Brattleboro | Mr. Hill |
| 3. Newport | Ms. Miller |
| 4. Jamaica | Mr. Mastelli |
| 5. Jericho | Ms. Miller |
| 6. Panton | Mr. Brock |
| 7. Waitsfield | Mr. Etnier |
| 8. Westford | (none) |
| 9. Village of Hyde Park | (none) |

Municipalities where a City Manager appoints (with City Council or Selectboard approval) the positions:

- | | |
|---------------------|-----------|
| 1. South Burlington | (none) |
| 2. Winooski | (none) |
| 3. Essex | (none) |
| 4. Stowe | Mr. Brock |
| 5. Essex Junction | (none) |

We are to send notes on the conversations to Ms. Miller by Friday, Oct. 7.

I. OTHER BUSINESS

None.

J. DEVELOPMENT OF OCTOBER 12, 2016 MEETING AGENDA

Talk to TA Johnson about these positions

Go over questions

Reports on what we found from towns

K. ADJOURN

The meeting was adjourned at 8:24 p.m.