

DRAFT Minutes of the Town of East Montpelier Charter Committee
Monday, November 14, 2016
7:03 pm at the Municipal Building

Committee members present

Richard Brock
Ed Deegan
Carl Etnier (Selectboard liaison; secretary)
Norman Hill
Rick Mastelli
Edie Miller (chair)
Kim Watson

Others present: Town treasurer Don Welch

A. CALL TO ORDER

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

B. ADDITIONS TO THE AGENDA AND PUBLIC COMMENT

None.

C. MINUTES

**Motion: I move to approve the minutes of October 24, 2016 as submitted. Made: Mr. Brock.
Second: Mr. Hill. 7-0.**

D. Discussion with Don Welch, Town Treasurer

On the Town Clerk (TC), he doesn't have strong feelings about that position being appointed or elected. He believes continuity is a good thing. He cautioned against over-reacting to a special situation. He felt very strongly that the treasurer should be an appointed position, because of the amount of experience and knowledge needed, and the importance of the qualities of the person in the position. In the TC, he thinks it's important to have a personable person who is the face of the town.

On the delinquent tax collector (DTC) position, he has stronger feelings. It's important to have sound policies on things like collection plans and tax sales. Currently, things are looser than he would like. He is also concerned about compensation. The current compensation, related to payments received, may or may not be related to work involved, but it does provide a strong motivation to collect the taxes. He said Ms. Gramer does a good job while noting that she is operating on her own, without a lot of oversight.

Committee members asked questions of Mr. Welch.

Q: How important are the collaborative relationships among the people regularly staffing the office?

A: There are two parts to the question. He is 100% convinced it is important to have everyone working together as a team. The coordination comes out of that. When he ran for treasurer, one of his goals was to make the office a place where everyone wants to come to work every day. With an appointed position, it might be easier to choose someone who fits well into the team.

Q: You've been elected and appointed. Do you notice any difference?

A: No; I'm lucky.

Q: If you wanted to change how the DTC does the job, would you be able to influence that if the person is elected?

A: I don't see a great difference, one way or the other.

Q: But the elected DTC is autonomous, answerable only to the voters, not to the selectboard (SB) or anyone in the office.

A: It's good to have some influence over the person who is elected. It's important they work as a member of the team. There's almost too much autonomy for the DTC now. And if the two jobs (treasurer and DTC) are combined, it would be easier if both are appointed.

Q: Is it fair to say that while our current DTC works well as a team player, but in the future, it's easier to ensure the DTC works well as a team player if that person is appointed?

A: Yes.

Q: We were surprised to here that books were kept at DTC's house, and the money is sent to her house.

A: We reconcile twice a month. But if someone wanted to take advantage of that system, the possibility is there, whereas it would be more difficult if everything were kept in the office and all the money came to the office.

Q: We have discussed the compensation method for the DTC. Your thoughts?

A: We had a situation occur that was my fault, when I didn't send out a notice about the second tax payment and a lot of people missed the payment. They came in soon after the deadline and paid, and there was a windfall of 8% to the DTC.

Q: Do you feel being an hourly or salaried employee would affect the motivation to collect?

A: I would hope not.

Q: In terms of job motivation, is the position of zoning administrator and issuing zoning permits comparable to DTC and collected taxes?

A: It comes down to individuals being motivated to do the job and do it well. You may get a better one with an appointed person than an elected person, if the election is a popularity contest with no concern about what is going to happen. The townspeople can only know so much about what is going on. In elections, if you see a negative and point it out, you're labeled as doing negative campaigning. The importance of having a team that works well and works well together leads me to lean in the direction of appointed positions.

Q: Did you feel any concern about our personnel policies and procedures, and the job description, when you went from elected to appointed?

A: Unfortunately, I don't really know them. I worked on a job description with the SB. As a part-time employee, I don't get a lot of the benefits.

Q: Both treasurer and DTC are part-time positions. Is it reasonable to combine the tasks?

A: My impression is that DTC's work is more constant over the year. The big difference with the DTC

is that there's a lot of work outside of standard office hours.

Q: But positions could be combined, with assistance from other staff here.

A: Yes; I wouldn't want the DTC position myself, though.

Q: What are your thoughts on the qualifications for TC and DTC, whether elected or appointed, including whether it's important that they be residents of the town?

A: I haven't thought about the residency requirement much; I don't feel strongly the TC needs to be a resident. The person could come from just across the border. It's really important that the person has good people skills, is knowledgeable about the job and the town, and cares about the job. It's important to be tech savvy; digital retention of documents is increasing, and computers are used in other areas.

Q: For the treasurer position, the charter set up a search committee with a specified group of people on it. Do you think a CPA is necessary for the town clerk selection committee?

A: I'm not sure what role that person would play, given what we're looking for in that position.

Q: How about a lister?

A: From the point of view of teamwork in the office, that could be useful.

Q: How much does the TC work with listers?

A: It's varied.

Q: How about the zoning administrator or the town administrator?

A: Maybe the committee should be independent of people working in the office, and then have a second stage of the hiring process be staffed by people in the office, maybe the SB.

Q: The thought was to get at the issue of teamwork in the committee's recommendation.

A: I can see committee guidelines saying we want you to get consider these things, but we're getting too close to the hiring process if too many people making the decision are in the discussion process.

Q: For DTC, who would be critical for that nominating committee?

A: The SB will interview the final choices anyway. It seems a committee not made up of the management team—including the SB—would have a broader look.

Q: But SB members are in a minority.

A: But they'll go through the process twice. And a committee gets cumbersome when it's too big.

Q: Anything else?

A: That's it.

E. Review of information gathered from interviews

Town of Richmond's charter has a general provision that officers be appointed, which keeps it simple. But what does it mean?

The committee agreed to eliminate § 114E-1(d)(5) from the charter.

Issues to be discussed:

Nature of hiring: term, pleasure, cause. Possible language in charter re clarification of independence and serving at the pleasure of SB.

Residency

Constitution of search committee

Duties and responsibilities: enumerated in charter, use statute, or incorporate by reference in job description

How do you maintain the concept of public service in these positions, if the person is appointed? Mr. Mastelli volunteered to bring some sample language to the next meeting.

Residency

Consensus: The charter should remain neutral about residency, and not even mention it if that is possible while remaining neutral, with the expectation the SB will prefer town residents, at least for initial appointments.

Recommendation: Town personnel policy states a preference for town residency for these two positions.

Constitution of search committee

Search committee for all three positions:

Minimum of 2 officers (but less than a quorum of SB), minimum two residents, other appropriate people, up to seven. Include a statement in charter or letter to SB about the purpose of this committee creating the groundwork for a functioning team that runs the town.

Mr. Mastelli volunteers to draft language re: reason for the committee.

We will give this to attorney Paul Gillies and ask him to clarify the distinctions among for cause, at will, and a fixed term, and make a recommendation.

Next meeting: 11/28, with Edie on phone or Skype. Extra meeting 12/12, with Rick Mastelli on phone or Skype. Carl makes sure that we don't run into problems with SB hearing.

Also clarifying statute and job descriptions.

F. ADJOURN

The meeting was adjourned at 9:05 p.m.