

**Town of Chelsea
Public Hearing Minutes
Wednesday, May 22, 2013**

Public Hearing

I. Call hearing to Order

Ben Smith, Board Chairman, called the hearing to order at 5:34 PM. Present were Selectboard members Ben Smith, Chair and Mike Pushard. Also present were Scott Tilton, Town Manager, and 10 members of the public. Ben led the attendees in the Pledge of Allegiance. The Board and attendees of the hearing/meeting also observed a brief moment of silence in honor and memory of Linda Leotsakos who recently passed.

II. Public Hearing on Proposed Charter in Accordance with M.R.S.A. 30-A M.R.S.A. 2528

Ben Smith explained the purpose of the public hearing along with the process and the steps taken to date with regard to the proposed Charter. The Commission held public hearings in the past during the development of the proposed Charter as part of that process. He also talked about the filing process, which included the Final Report of the Charter Commission, the Proposed Municipal Charter, and a written opinion from the Town attorney as required by statute. These materials were available at the hearing. He went on to explain the purpose of tonight's meeting was to ask voters whether it should be on the Town's warrant as an article. He also allowed comment on the proposed Charter.

Public Comment:

Judy Williams asked why the Town Manager's position was the only one listed without any explanation about compensation like others in the Charter including Town Clerk, Assessor's Agent, CEO, Animal Control Officer and Fire Chief. Susan Sargent also asked questions about compensation of the Board of Selectmen. Ben Smith explained it is a line item in the Town warrant for citizens to approve at the Town Meeting. Ben also explained that this year's compensation proposal is a reduction. She asked about payment as Selectboard members versus assessors especially in light of an assessing agent being on duty. Ben explained the duties of the Selectboard which will still include the overall responsibility for assessing, particularly abatements. The Assessing Agent has most of the assessing paperwork duties but the agent will make recommendations to the Board for values, assessments, and other issues and the Board will retain the final authority.

Susan had several other questions. Besides Ben, there were other members of the Commission in attendance to help answer her questions and to provide explanation. Members present included Peter Hanson, Maria Jacques, Elizabeth Cousins, Richard Danforth, Barbara Skehan and Skip Skehan.

Susan asked if parts of the Charter could be more specific and expressed concern about public awareness regarding meeting schedules and agendas, duties and responsibilities of

**Public Hearing on Proposed Charter in Accordance with MRSA 30-A
M.R.S.A. 2528, continued**

town employees/staff and hours of operation. She stated she did not want to see the Town in a situation like it was in the past.

Ben explained the proposed Charter outlines and provides guidance and expectations with regard to many areas but there needs to be some flexibility such as setting meetings and hours of operation. A newly elected Board would determine the schedule for their meetings in the first organizational meeting after election. The proposed Charter explains the public notice requirements for meetings as well as the requirement for the minutes of meetings held by the various Boards.

There was some discussion regarding “Overseers of the Poor” and the meaning of this responsibility for Selectboard members. This term is much broader and different than General Assistance administrator and includes things such as poverty abatements for example.

Susan also asked about the purchasing authority of the Fire Chief. Ben reminded everyone about the Purchasing Ordinance, passed several years ago. It addresses purchases for the Town including the Fire Department. Also the budget approved by the Town provides a threshold on the upper limit of spending so that big-ticket items would not be possible.

There was some discussion about responsibilities of the Town Clerk as Assistant Town Manager, absences of a Town Manager and the replacement procedure of a Manager. The length of the absence (short term vs. long term) and the situation would determine the action needed. The Commission wanted the Board to have the ability to appoint in the absence of a Town Manager. The Commission members also explained they wanted to combine the statute requirements with the current practices and job descriptions the Town is using now. The attendees also discussed the conflict of interest and recall process as outlined in the Charter including the pros and cons of the six month recall prohibition.

Susan also asked about the amendment process, which Ben explained from the Maine statutes referenced in the Charter. Amendments can be initiated by the Board or by petition by voters. Then a Charter Commission works on the amendments. There would be a public hearing process before a vote.

There was no further discussion.

III. Public Comment

A. Subdivision Ordinance Amendments

Barbara Skehan asked how the open space requirement works with the minimum lot size requirement of 2 acres. While the minimum lot size requirement stays in place, the open lot provision allows the house lot to be 1 acre with the open space making up the other 1 acre to meet the requirement for 2 acres. The house lot of 1 acre could be built on; the 1 acre for the open space cannot be built on. She also pointed out that the open lot provision exempt properties from taxes which is a concern

Further discussion, raised some questions about septic systems, wells and set backs. The Code Enforcement Officer, Gary Quintal, was present at the meeting too. He explained how developments could meet this requirement with a 1-acre lot per house. The open space has to be usable space as outlined in the proposed ordinance. Several attendees said the proposed Ordinance is confusing and needs to be reexamined and clarified including issues of right-of-ways and configurations of the lots. There was no further discussion.

B. Minimum Lot Size Ordinance Amendments

Ben Smith asked the CEO if his concerns were addressed with the proposed Ordinance. He said Parts 8 and 9 added Appeals and Penalties.

Ben Smith also said the two proposed ordinances (Minimum Lot Size Ordinance and Subdivision Ordinance) might be inconsistent with each other as proposed. There was no further discussion.

IV. Adjournment of Public Hearing and Comment Period

Mike Pushard moved to adjourn the Public Hearing portion of the meeting. Ben Smith seconded the motion. The meeting was adjourned at 7:10 PM.

Approved by the Board of Selectmen on June 12, 2013

Benjamin Smith

Michael Pushard