

**Town of Chelsea
Charter Commission Meeting Minutes
March 11, 2013, Immediately Following Public Hearing
Chelsea School**

Members Present:

Barbara Skehan, Charles Skehan, Rick Danforth, Peter Hanson, Ben Smith, Maria Jacques, Beth Cousins, Scott Ludwig

Excused:

Elizabeth Larrabee,

1. Call to Order

The meeting was called to order at 7:50 p.m. by Ben Smith.

2. Approval of Minutes—February 21 Charter Commission Minutes

There was a brief discussion concerning language in the timetable contained in the draft minutes which stated, “Public Meetings.” Commission members agreed that, because all meetings are “public” that the timeline set forth in the draft minutes should simply state “Meeting” dates. Peter Hanson made a motion to adopt the minutes with this clarification and two other non-substantive changes: The addition of Barbara Skehan’s last name within the body of the minutes along with a correction that the next meeting of the Commission to March 26, 2013. Rick Danforth seconded the motion. The motion carried by unanimous vote.

3. Discussion of Public Comments and Potential Amendments/Edits to Proposed Municipal Charter

The Commission reviewed and discussed the public comments from the February 11th and March 11th, 2013 Public Hearings and discussed the following changes based on these comments:

- The Commission agreed to move Article 14 (entitled, “severability”) to Article 18 in response to public comments that suggested that language under this Article should be moved to the end of the Charter.

- Public comments sought clarifying language under Section 6.4.1 that would explicitly state that any reappointments of a Town Clerk also be limited to a one (1) year term. The Commission agreed to this clarification and also that any reappointments are also limited to a one (1) year term.
- Public comments suggested that Article 7 should be amended to require the Board of Selectmen to hire an Assessors' Agent. According to these commenters, elected selectmen should no longer be functioning as assessors, because elected selectmen do not have the skills or expertise to act as assessors. In addition, these commenters suggested that an Assessors' Agent could be funded by eliminating or reducing the current Assessors' stipend for an overall revenue neutral impact on the Town's ratepayers. Commenters also discussed the importance of maintaining accurate tax records, emphasizing that having an assessing agent will ensure that the current tax equalization program being conducted throughout the Town is kept up to date and tax records are properly maintained into the future. In response to these public comments, the Charter Commission decided to amend Article 7 of the proposed Charter to require the Board of Selectmen to hire and set the compensation for an Assessors' Agent on an annual basis. This change in practice would bring Chelsea in line with the practice of the majority of municipalities in Maine and should ensure that taxpayers in the town are treated fairly.
- Public comments suggested that Article 8.2 explicitly state that the Code Enforcement Officer be required to perform the three functions of the Code Enforcement Officer, Building Inspector, and Health Officer. After considering these comments, the Charter Commission agreed upon minor clarifying language to state that the Code Enforcement Officer would also perform the duties of the plumbing and building inspector. With respect to duties of the local Health Officer, Charter Commission members felt that the Charter should be flexible enough to allow the Board of Selectmen discretion to select an individual other than the Code Enforcement Officer to perform the duties of the Health Officer. For this reason, the Charter Commission agreed that the charter should state that, in the event that the Board of Selectmen does not designate another individual to serve as Health Officer, the Code Enforcement Officer shall be the default individual to perform these functions.
- Public comments sought clarification of how, and for what period of time, a fire chief was selected. Commenters wished to clarify that the method and practice of selecting a fire chief set forth in the Charter was consistent with the Town's current practice. The Charter Commission agreed with these suggestions and to modify Article 9.7.3, governing the organization of the

Fire Department, to state that the fire chief would be appointed annually by the Board of Selectmen and that appointments would be limited to one (1) year terms.

- There were several commenters who made suggestions for clarification on what minutes should contain and when they should be made available to the public and if the meetings should be recorded. The Commission agreed that minutes kept by the Board of Selectmen should be provided to the Town Clerk within seven (7) days (similar to the deadline provided for other Boards under Section 9). The Commission also agreed to clarify that minutes must include a summary of all motions, proposals and resolutions proposed or considered by the Board of Selectmen along with any final actions taken by the Board, and that similar language should be added to Section 9 governing other Boards and Committees. After much discussion, the Commission felt that, although audio recordings could be of value, such a policy should be left to the discretion of individual boards.
- Public comments requested that Article 10 be amended in order to clarify that annual Town Meetings should be coordinated, if possible, with votes on RSU budgets. Commenters suggested that requiring the Town Meeting to be held on a particular date (e.g., the “second Tuesday of June”) was too specific. In response to these comments, the Commission decided to clarify that the “annual Town Meetings would be held in June of each year...” without a specific date.
- Public comments on the means to amend the Charter questioned the need for additional mechanisms beyond those set forth under state law for amending municipal charters. Questions were also posed by commenters about the Charter Review Committee process, including whether or not there would be sufficiently interested and qualified persons within the Town to fill such a new committee. In response to these public comments, the Charter Commission decided to amend the article to state that the mechanisms of amending a municipal charter should follow the methods that are set forth under State law under 30-A M.R.S.A. § 2102 State Law.

4. Other Business

The next meeting of the Chelsea Charter Commission was scheduled for March 26, 2013 at the Chelsea Town Office.

5. Adjournment

Peter Hanson moved to adjourn, which was seconded by Scott Ludwig.
Ben Smith declared the meeting adjourned at 8:27 p.m.