

## Town Government Study Committee

Minutes of the meeting of May 17, 2021. The meeting took place via Zoom. Members of the committee present were: John Brescher, Linda Williams, Rick Atherton, Curtis Barnes, Campbell Sutton, and Tucker Holland.

- 1) Chair John Brescher called the meeting to order at 9:07 am with a quorum.
- 2) Agenda: A motion was made by Curtis Barnes and duly seconded by Rick Atherton to approve the agenda as written. All voted in favor by voice vote.
- 3) Public Comment: None.
- 4) Meeting Minutes from May 13, 2021: A motion was made by Linda Williams and seconded by Curtis Barnes to approve the minutes of May 13, 2021. All voted in favor by voice vote.
- 5) Discussion re: finalization of report to Select Board and Town Meeting
  - a) Topics to include in report and motions related thereto

John Brescher announced to the Committee that members of the Committee will have the opportunity to bring forth motions so the Committee can make recommendations on certain items.

Rick Atherton submitted the first motion to the Committee. Rick's suggested motion is to move that the Charter require an annual presentation from the Select Board and Town Administration for an organizational chart.

Linda Williams asked what the purpose of this motion was and what the underlying idea was.

Rick explained that he wanted to ensure there is a process by which to show this organizational chart because it is an important issue for everyone to see the chain of command.

Rick had provided examples from what other Towns do and Linda requested that only the motion be voted on, not the examples. Rick agreed this was fine as part of his motion.

Rick also added that for all the Committees motions, there should be a proviso that all of these amendments to the Charter should, ultimately, be drafted by Town Counsel. Campbell agreed with the intent of Rick's suggested motion and also agreed that the verbiage of the Charter change should be drafted by Town Counsel.

Linda Williams formally made the motion to move to require the Charter to require an annual presentation by Town Administration or the Select Board for an organizational chart. The motion was seconded by Tucker Holland. All voted in favor by voice vote.

Rick's second motion was amend the Town Charter to require an annual presentation of the Town's enforcement activities for the Select Board to review. The intent of this amendment is to make the enforcement more transparent.

Linda had some concerns with this proposed amendment to the charter because of the amount of activity the Historic District Commission has with enforcement requests. In her opinion, this was too broad of an amendment.

Tucker had a similar comment – does the term “enforcement” need a tighter definition in this amendment because it is difficult to ascertain what rises to enforcement.

Campbell noted that the Planning Board receives a monthly enforcement memo and what actions were taken by the Staff/Enforcement officer.

Rick noted that the Town should have some discretion on how to implement these matters. There should be some benchmark and some method and it should be an annual review of what has or has not been done.

Linda agreed that it was an important issue, but disagreed that it should be in the Charter. Curtis and Tucker agreed that this issue should be noted as a comment rather than a charter amendment.

John added that it seems as though there are times the Charter needs to be amended in order to effectuate the change because some of the issues/concerns the Committee has addressed could be handled internally, but they haven't been.

Rick suggested amending the motion to remove “enforcement activities” and replace the language with “enforcement actions.” Linda noted that she was still fundamentally opposed to including any type of language like this in the Charter.

Campbell, however, agreed with Rick's change and appreciated leaving it just as enforcement.

Linda made a motion to not include language to amend the Town Charter to require an annual presentation of the Town's enforcement actions for the Select Board to review. The motion was seconded by Curtis. The voice votes were as follows:

Rick Atherton:	Nay
Tucker Holland:	Aye
Campbell Sutton:	Nay
Linda Williams:	Aye
Curtis Barnes:	Aye
John Brescher:	Aye

The motion carried 4-2 in favor, with John noting that this should be a comment directed towards Town Administration.

The Committee then began to discuss Rick's next motion to clearly authorize the Select Board the delegating authority to establish a Licensing Commission and a Parking Commission. This would empower them to do so and give them the discretion to determine if they need to do so or not.

Curtis recommended separating the two issues and they should both be placed in the Charter. Linda noted the difference between “may” and “shall” in the Charter and asked if we should include the Sewer Commission as well.

The Committee seemed to be included to include more forceful language in their recommendations because of the inaction thus far.

Rick agreed to amend the language for the new motions for the next meeting.

6) Other Business:

None.

7) Date and Time of the Next Meeting:

The Committee’s next meeting will be Thursday May 20, 2021, at 9:00 am 2021 via Zoom.

8) Adjournment:

A motion was made by Curtis and seconded by Linda to adjourn at 10:05 am.

Respectfully Submitted,  
John B. Brescher, Chair