

**Minutes of the
2022 SALEM NH CHARTER COMMISSION**

**Knightly Room at Salem Town Hall
33 Geremonty Drive
Salem NH 03079**

**Meeting #6:
Thursday, July 7, 2022**

Present: Bernard W. Campbell (Chair), Joe Sweeney (Vice-Chair), Bonnie Wright (Secretary), Kevin Breen, Joseph Feole, John Janigian, Donna Loranger, and Kelly Moss.

Absent: DJ Bettencourt

The meeting was called to order by Chairman Campbell, at 7:00. Pledge of Allegiance.

Next meeting is Wednesday, July 13.

Minutes:

Meeting of June 29, 2022: Motion by Mr. Sweeney to accept minutes as submitted.

Seconded by Ms. Loranger

Vote: 8-0-0. Minutes accepted as submitted

Old Business

Reports from Members:

Mr. Bettencourt: Is attending a memorial service out-of-town, so is not able to provide his report.

New Business

Mr. Campbell provided a framework for us to start filling in.

Mr. Campbell: We will also think about what we want in our 2nd survey.

Mr. Campbell: Consensus for a town council.

Ms. Wright: Subject to change.

Ms. Wright: Presentation on a proposal for 9 Councilors, with 4 Councilors elected At-Large and 5 by District. Video from 7:38-21:00.

Proposal: elect four at-large councilors and one councilor from each of 5 wards

Election by wards for councilors would have NO EFFECT on any other Town, State, or Federal election ... including special elections such as the Charter Commission

Why Wards? Challenge for voters to know all of the candidates/councilors both before and after an election. Different districts have different concerns. People want

1 someone who is familiar with the issues in their own neighborhoods. For example:
2 2022 election for the Charter commission was for 9 candidates. The candidate from
3 N. Salem had more votes from his district than anyone else. His district wanted him.

4 Why At-Large: It's the process with which people are most familiar

5 Proposal gives everyone 5 councilors that they vote on. (Same as we have now)

6 In recent elections for various offices, all wards were represented.

7 In 2019 municipal election voters turned down voting by wards for State Reps. Why?

8 Minimal explanation before the election. Perceived as a partisan effort, but town
9 offices are nonpartisan. All by ward or all at-large, no choice of a combination.

10 Transition process: Current selectmen become councilors. Details provided of a
11 staggered approach, to maintain continuity.

12 2/7ths of charter towns do a mix. Others are at-large.

13 2/13ths of cities elect councilors at-large.

14 3/13ths of cities elect councilors by ward only, including tiny Franklin (less than 9,000
15 residents)

16 8/13th of cities elect counselors by a combination.

17 Communities most like us use a combination of at-large and by ward.

18
19 <https://www.townofsaalemnh.org/sites/g/files/vyhlf7996/f/uploads/9councilorsbwright.pdf>

20 [https://www.townofsaalemnh.org/sites/g/files/vyhlf7996/f/uploads/9councilorslidesbwright.](https://www.townofsaalemnh.org/sites/g/files/vyhlf7996/f/uploads/9councilorslidesbwright.pdf)
21 [pdf](https://www.townofsaalemnh.org/sites/g/files/vyhlf7996/f/uploads/9councilorslidesbwright.pdf)

22
23 **Mr. Feole:** Likes Districts but wants to pass the charter. Keep town government as close
24 as what we have now, with a town council. Concern that the Council could change
25 polling locations. Likes proposal, but wants first go-around to pass, so prefers 7
26 members at large.

27 **Mr. Sweeney:** Obviously a lot of effort. Echoes Mr. Feole. There isn't support for 9
28 councilors. We would have to lay out the process of who draws the district lines.
29 Redrawing the lines would change the results of the comparison in the slides.
30 Worried about over-complexing the process. A simple charter with a 7-member Town
31 Council, which can be amended in the future, should be our goal. I don't believe 60%
32 of those voting would approve this proposal.

33 **Mr. Campbell:** Echo Mr. Sweeney. Open to 9, likes electing three per cycle. Doesn't like
34 wards. Concerned that whatever we come up will pass. Wards might be too
35 controversial. Would like to include a provision in the charter that the charter must be
36 reviewed every 5-10 years.

37 **Mr. Janigian:** Agree with Mr. Feole and others. Controversial path doesn't make sense.
38 A lot of town charters elect at large. You can call any one of those; not so if by ward.
39 To move it forward we should do all at-large. Open to 7 or 9 councilors.

40 **Mr. Campbell:** Capacity issue at some of the Election locations with the number of
41 people passing through. Soule is the smallest district because it is the smallest
42 school.

43 **Ms. Loranger:** This is municipal elections. We have a 10% turnout, and the towns who
44 presented also have a lower turnout. If it doesn't work, we could take it out. There's a
45 lot of good data here. The polling says a mix of wards or all wards poll higher than
46 just at large. People say they don't feel represented. We just had 2020 census. There

1 must be a program that can splits out wards. It's not out of question to do a mock split
2 out of wards. It's worth exploring. It's all how we sell it. Open to 7 or 9, but really
3 wants to see an attempt at wards.

4 **Ms. Moss:** Was involved in the 2019 push for wards, so not opposed to wards
5 personally, but given the push back we had in 2019, drawing the lines is a political
6 process. Very concerned that wards are political. Does not want to make town
7 elections more political. Wards will make Town Councilors more political. Who draws
8 the lines? Don't want to give any party an advantage. Opposition to wards is fierce
9 and organized. We only have one opportunity to get this passed. Leave wards out,
10 discuss later about changing. Those who don't want it are fiercely against, and will
11 ignore everything else.

12 **Mr. Sweeney:** A logistical hiccup/nightmare that the first election under new districts
13 would probably be the Feb 2024 Presidential Primary with 70 or 80% of registered
14 voters turning up one month before town elections. This is best suited for another
15 timeline which doesn't go with First in the Nation Presidential Primary.

16 **Mr. Campbell:** If we change where people vote, it would change it for every election.
17 Parking on the Street for Soule School.

18 **Mr. Breen:** Some I agree with, some I don't. Not ready to commit to 7 or 9 councils, but
19 nine is a big leap from five. The town is ready for change. Ready for incremental
20 change to make it pass. We don't want to give people a reason to criticize our first
21 effort. We have the ability to make real change. Not ready to commit to 9, open to
22 discussion but agrees that wards could be problematic. Incremental change.
23 Someone would have to redefine the boundaries. Concern about gerrymandering, or
24 the illusion of gerrymandering. Question to Bonnie: Were wards assigned randomly
25 or was there a reason?

26 **Ms. Wright:** Just the order that the current terms expire. One year has to have one
27 councilor by ward, because two at-large would be elected that year.

28 **Mr. Breen:** Bonnie mentioned continuity. Likes that she mentioned a transition, not a
29 clean slate of officers. A lot of what she outlined made sense logistically. Not willing
30 to commit to 9 or wards.

31 **Mr. Campbell:** Agreed. The work on the transition is critical. Keep current Selectmen for
32 the completion of their full elected term. Work well-done, Ms. Wright.

1 Charter Framework

2 (Empty form filled in during discussion)

3 Style:	Town Council
# of Councilors:	7-9
Elected:	At-Large
Voting Day	
Budget Committee	(Yes?) Yes
Elected Land use boards	
Initiative/Referendum Threshold (Citizen's petitions)	100 signatures to force the Council to review, 10% of the people who voted in the previous municipal election to put an item on the ballot.
Recall	Need recall provision
Deliberative Session	No
Vote on Budget	Ballot vote
Vote on Bond Articles	Yes, 3/5
Vote on Zoning Ordinances	

4 Style:

5
6 **Mr. Campbell:** The general consensus is to have a Town Council

7
8 **# of Councilors:** We have agreed on either 7-9

9
10 **Elected:** Majority support at-large, but will be on the survey

11 **Mr. Campbell:** The consensus is to look at an at-large council.

12 **Ms. Wright:** Request in the next survey: Include do you prefer all at-large vs. a
13 combination.

14 **Mr. Campbell:** 80% want some kind of change. Need a broad majority to change.

15
16 **Voting Day:** March, April or May? Put on survey.

17
18 **Budget Committee:** Tentative yes, based on feedback we have received.

19 Elected Land Use Boards:

20
21 **Mr. Campbell:** Would like feedback in the next survey. 2 separate questions (Planning
22 vs. Zoning Board). Note that it has been hard to get people to run recently.

23 **Ms. Wright:** About 90% of towns with charters and cities appoint both. None split it. As
24 Chair of the ZBA, she thinks it would be smart to appoint.

25 **Mr. Sweeney:** Switched to elected in 2007(or about then)

26 **Mr. Campbell:** It was a citizen's ballot. False starts of going back the other way.

1 **Mr. Feole:** As a member of the Planning Board, seconds what Bonnie said, would like it
2 appointed, but wants to hear what the public has to say.

3
4 **Initiative/Referendum Threshold:**

5 **Mr. Campbell:** Citizen's petitions. Right now, Salem allows 25 signatures for a citizen's
6 petition. Derry has 100.

7 **Ms. Moss:** Derry has 100 to get councilors to vote internally, but 20% of the voters in the
8 last municipal election to get something on the ballot. 20% seems high. Would like a
9 higher threshold to get it put on the ballot.

10 **Mr. Feole:** Agree with Ms. Moss. Merrimack has 1,250 to get override.

11 **Mr. Breen:** Going to town meeting to see citizens' warrant articles, without
12 representative to speak on it, is frustrating. Likes the 2-tiered system.

13 **Mr. Sweeney:** Wants no electronic signatures on these petitions. Can we specify in the
14 charter? Or is it the governing body?

15 Mr. Campbell: Agrees

16 **Ms. Campbell:** Lower number to be heard by council, higher number to be on ballot.
17 10% of voters from the last municipal election.

18 **Ms. Moss:** 10% was her choice. That would be 500 signatures if there were 5,000
19 voters.

20 **Mr. Feole:** 10% is a fair number. He was going to say 1,000, but is happy with 10%.

21 **Mr. Breen:** 10% represents a considerable proportion of engaged citizens. Good
22 number.

23
24 **Recall:**

25 **Mr. Campbell:** Limited aspects. Some charters mention it, many don't. We cannot set
26 term limits.

27 **Mr. Feole:** There is a removal provision for Councilors to remove other councilors, but
28 not one for voters to remove a councilor.

29 **Mr. Sweeney** will research what can/cannot be done.
30

31 **Deliberative Session:**

32 **Mr. Campbell:** We can have a Town Council, which still includes a deliberative session
33 where people can come speak.

34 **Ms. Moss:** The deliberative session is the number one source of information, even if she
35 is not there, is the deliberative session, to hear both sides. It has a value, if we have
36 no other way of getting the information out there.

37 **Mr. Feole:** In favor of ending the deliberative session. Love this form of government, but
38 attendance and participation says it all.

39 **Ms. Loranger:** Agrees with Mr. Feole.

40 **Ms. Wright.** One word: Croydon.

41 **Mr. Campbell:** Agrees but doesn't think that's possible here. The default budget would
42 prevent it from happening.

43 **Mr. Breen:** He goes every year. We are going to see people come to the town meeting
44 to amend the budget, a fraction of all our registered voters and we cannot do
45 anything about it. Every year we have attempts at changing language that has taken
46 weeks or months to put together. 50 voters can impact what 19,000+ voters could

1 vote on. We do not have enough space for a fraction of our voters in one location. A
2 few years back, a select few people came to town meeting and made changes to the
3 budget which resulted in a 14% increase in taxes. That is not good government, but
4 then the town employees/officials were blamed. That was what brought us to SB2. It
5 doesn't work if 80 people show up. We can't get enough people to turn up. We can
6 do better. End deliberative session while retaining voter support for the entire budget
7 and perhaps other things.

8 **Mr. Sweeney:** 34 people were at the deliberative session last February. Most of the
9 people in this room were there. The average voter is not turning up. Incremental
10 changes. Remove the deliberative session, but also remove the question of the
11 Budget Committee, where people can go, ask questions, testify. Keep vote on Bond
12 articles. Preserve the right of voters. Informational session on budget before election;
13 a digital video voter guide without the ability to amend or change

14 **Mr. Campbell:** No deliberative session but require an informational session, where they
15 can come, ask questions of Selectmen and Budget committee, make statements, but
16 cannot amend the budget. People might not come, but it should be offered.

17 **Ms. Moss:** Fine with getting rid of deliberative session with a mandated presentation on
18 the Budget, which can be attended, or watched later.

19 **Mr. Breen:** Ms. Moss is spot on. Reviewing the results of Survey#1. It's disturbing that
20 some people seem to be frustrated with their government. A lot of comments about
21 "corruption." We must do a better job of outreach. Serves our residents, make us a
22 better community.

23 24 **Vote on Budget**

25 **Mr. Campbell:** There's a sense that most of us want to retain a ballot vote on the
26 budget.

27 **Ms. Wright:** Wants to hear from Mr. Bettencourt. Talked with a high-level employee at
28 Town of Derry. They do not vote on the budget. It works for them, because the
29 councilors can make a decision as it is needed. They can get grants that they could
30 not get if they had to wait until they could get voter approval in March to accept funds
31 from a grant, especially if it was a matching grant. We would lose the opportunity to
32 get some grants.

33 **Mr. Feole:** Agrees, he likes Derry form of government for speed and efficiency but wants
34 the charter to pass, and voters were clear that this is not what they want.

35 **Mr. Campbell:** Would like the government to be more flexible. But we need 60% to
36 approve.

37 **Ms. Wright:** My taxes are too high!

38 **Ms. Loranger:** Likes Derry. They said, "There has to be a trust in the government."
39 Salem has to earn their trust. People complain that they aren't hearing information
40 from the Charter Commission, but what else can we do? It's on the website.

41 **Mr. Breen:** Loves that the voters validate the budget. Keeping it on the budget allows
42 voters to feel they still have a say. Someday we might change, but that would be an
43 incremental step. Former boss said "Not a dollar is spent without public support."
44 Establishes trust and credibility.

45 **Mr. Janigian:** Trust needs to be established. 78% said no change or minor change.
46 Getting rid of the budget is not a tweak or minor change.

Vote on Bond Articles

Mr. Campbell: If we vote on the budge, we should vote on the bond articles. Passing bond articles is currently 3/5ths of the votes, and we should keep it at that.

Vote on Zoning Ordinances

Mr. Campbell: Feels strongly about Zoning ordinances: Leave them to council.

Mr. Sweeney: Agree with Mr. Campbell. They can and should be done by the council. In a town like Salem, with the growth and potential growth, allowing the town council to fine-tune zoning ordinances is wise. Not wedded to it. Shorten length of ballot.

Ms. Wright: Many people reached out for last election because I'm on the Zoning Board. They were puzzled about what they meant. Very in favor of letting the town council approve them. If the Planning Board or Zoning Board has an issue, it can be dealt with instead of waiting until March. It's important.

Ms. Moss: Is also in favor of letting Council do that. Researched to 2016, of 37 Zoning questions, 90% passed. Average support was over 2/3. Addresses the concerns of those who said they struggle with voting because they don't understand, ballot is too confusing. We have an average of than 5 per ballot. Removing it will make it easier. Referendum process to overturn, so we aren't taking that option away from them, we are just streamlining the process.

Mr. Campbell: Do you know the numbers of those that failed that were presented by Planning Board vs. Citizens?

Ms. Moss: No.

Mr. Breen: We could set a voting threshold within the council to approve zoning ordinances. Rather than a simple majority, it could be a higher threshold to make sure there is strong consensus.

Mr. Campbell: Could look into it. Put it on the survey.

Number of Councilors:

Mr. Campbell: 7 or 9 councilors? Pros and cons for each. 7 is less of a departure from what we currently have. 9 means 3 per year. Most seem to be up to either way.

Mr. Feole: 7 is incremental. Can be amended later.

Mr. Campbell: 7 would be one per 4,200. 9 would be one councilor for 3,300 per person.

Ms. Wright: Before the commission, we kept hearing about concerns about transparency. With 9, a bigger opportunity for more transparency. But with 7 there could still be things that aren't vocalized.

Mr. Sweeney: Can we put it on the survey?

Breen: Look at Survey #1. 7 and 9 were 61%. 9 would be unwieldy. Incremental change. Concerned about the quality of candidates.

Mr. Janigian: Would say 7 tonight, but open to 9. Incremental change is important. People are used to 5. They wanted tweaks.

Ms. Moss: Likes 9, if we go with wards, because that works out well, but 9 at-large makes me concerned about candidates. We don't have many challengers as it is.

Mr. Campbell: Review of potential survey questions.

1 **Ms. Moss:** Many charters call for publication in local newspapers. Can we establish a
2 communication committee in the newspaper? Can we be flexible about notification in
3 the charter?

4 **Mr. Campbell:** Have to check state laws.

5 **Ms. Wright:** I like what Kelly said, but wanted to say that we need to check state law.
6 Also, should we include age in the survey? And, can we block people from
7 responding more than once?

8 **Mr. Campbell:** Age isn't as relevant as it was the first time, but we can include it with
9 some general questions. IP address will limit more than one device, but not multiple
10 devices.

11 **Ms. Wright:** For your eyes only, require name and address.

12 **Mr. Campbell:** Not sure he's comfortable. Would we get fewer responses? Wish we
13 could limit by voter ID #, but that's beyond our capability. By IP address, they could
14 use multiple devices. Would people care enough to stack the survey. Accept that
15 there's that kind of error.
16

17 **FISCAL YEAR**

18 **Ms. Moss:** Ms. Wright's proposal: Pass in March 2023, election in March 2024. If we
19 approve the Charter in March, could we have an election in May to elect new
20 councilors?

21 **Mr. Campbell:** If we start fiscal year on July 1 ... Mr. Sweeney

22 **Mr. Sweeney:** Can't start immediately. In March 23, we would elect a budget from
23 January. In May 2024, we would elect an 18-month budget, from Jan 2024 to June
24 2025. We need more info.

25 **Mr. Campbell:** When we write the transition portion, we would specify.

26 **Mr. Breen:** Would we change the fiscal year in the charter? Should that be up to the
27 council? 18 month transition.

28 **Mr. Campbell:** At least one of the charters he read said the fiscal year would start in
29 July.

30 **Mr. Breen:** We hadn't talked about it.

31 **Mr. Campbell:** He believes Mr. Bettencourt brought it up last week, possibly before Mr.
32 Breen arrived.

33 **Mr. Breen:** That poses additional transition issues.

34 **Mr. Campbell:** Barriers to voting. Time of year.

35 **Mr. Breen:** It is a big problem to operate a budget that starts in January but isn't
36 approved until March. You are operating on a promise. It's hard to get quotes.

37 **Mr. Sweeney:** If we switch to April or May, we would have to switch the fiscal year. He
38 believes if we move to May, the statutes require a fiscal year starting July 1.

39 **Ms. Moss:** The current system means 3 months of operating without a budget. If we
40 move the fiscal year, it would help sell the charter.

41 **Mr. Breen:** Ask the town manager and finance director to come to explain what is
42 involved in that transition.

43 **Mr. Campbell:** I will email the town manager for next week or the week after.

44 **Ms. Loranger:** Would there be an issue with the School Board Election if we move from
45 March to April?

1 **Mr. Campbell:** It would not impact the school board, unless they decide not to move
2 their election to match ours. He will reach out to School Board to see if they might

3 **Ms. Moss:** If they are operating under SB2, will they be able to move their Elections? If
4 we have two election dates, it will cost twice as much and cause confusion with two
5 elections. Are they able to move their election date?

6 **Mr. Janigian:** Good point by Ms. Moss. It would be good if the town and school can align
7 their election dates.

8
9 **Survey:**

10 Limit by IP address.

11 Mr. Campbell will have a draft of questions for next week

12 Elections: March, April or May

13 Land use boards

14 Zoning elected or appointed

15 Planning elected or appointed

16 7 or 9 councilors

17 Councilors all at large or a mix of at large and by district

18 Age, other demographics

19 Where do you go to get town info?

20 Zoning Ordinances

21
22
23 **Public Comments**

24 No one in the audience wished to speak.

25
26
27 **MOTION BY Mr. Feole to adjourn.** Seconded by Ms. Moss.

28 **Vote:** 8-0-0

29 Meeting adjourned at 8:45

30
31 Minutes taken by: Bonnie Wright

32
33 Minutes Approved: Salem 2022 Charter Commission

34 Date: July 13, 2022

Video:

The video of this meeting may be viewed at:

<https://www.facebook.com/sctv17/videos/5252534898187317>

<http://sctv-17.com/CablecastPublicSite/search?channel=1&query=charter%20commission>

Charter Commission Meeting Schedule

7th meeting: Wednesday, July 13, 7pm,
Knightly Room, Salem Town Hall

8th meeting: Wednesday, July 20, 7pm,
Knightly Room, Salem Town Hall

9th meeting: Wednesday, July 27, 7pm,
Knightly Room, Salem Town Hall

10th meeting: **Thursday**, August 4, 7pm,
Knightly Room, Salem Town Hall

11th meeting: **Saturday**, August 13, **10am**, **PUBLIC HEARING**,
Media Center, Salem High School

12th meeting: Wednesday, August 17, 7pm
Knightly Room, Salem Town Hall

13th meeting: Wednesday, August 24, 7pm
Knightly Room, Salem Town Hall