

**MINUTES OF THE
SALEM CHARTER COMMISSION**

**SALEM TOWN HALL
33 GEREMONTY DRIVE
SALEM, NH 03079**

MEETING OF JULY 23, 2009

7:00 P.M.

13 The Charter Commission held a meeting on Thursday, July 23, 2009 at Salem Town Hall, 33
14 Geremonty Drive, Salem, NH.

16 PRESENT: Robert Campbell (Chairman), Arthur Barnes, Kevin Breen, Stephen
17 Campbell, Annette Cooke, William Ganley, Cathy Ann Stacey

19 ABSENT: Patrick Hargreaves (Vice-Chairman), Michael Lyons (Secretary)

21 CALL TO ORDER

22 Chairman Campbell called the meeting to order at 7:00 p.m. and joined the members of the
23 Commission in the Pledge of Allegiance.

25 1. Approval of Meeting Minutes

As not all the members had reviewed the draft minutes of the meeting on July 9, they agreed to table approval of these until their next meeting. Mr. S. Campbell requested the following changes to avoid confusion:

- Amend reference to 'Chairman' Barnes
- Amend reference to 'Selectmen'

32 Chairman Campbell handed out copies of the agenda for the meeting

34 2. Rules of Order

35 Chairman Campbell handed over to Mr. Ganley who handed out copies of draft rules of
36 order. Mr. Ganley explained he had taken the Charter Committee's rules of order and
37 amended them so that they were more relevant to the Commission. He summarized the
38 changes he had made and agreed to e-mail a copy to all the members for their review and
39 comments prior to the next meeting.

Action: Mr. Ganley

42 **MOTION:** by Mr. Ganley

Move that the Commission consider the draft by-laws as submitted by Mr. Ganley at the next meeting

SECOND: Ms. Stacey

VOTE: 7-0-0

1 **The motion carried unanimously.**

2 **3. Discussion on Format of Government**

3 Chairman Campbell reported he had received confirmation from Attorney Connell of the
4 LGC regarding his understanding of the questions raised following his presentation at the
5 last meeting, and he reviewed these with the members. He stated he expected to have
6 received answers in time for the next meeting of the Commission. In response to a request
7 from Mr. Ganley, Chairman Campbell agreed to copy Commission members on the
8 correspondence between Attorney Connell and himself for information.

9 **Action: Chairman Campbell**

10 In response to a request from Mr. Breen, there was a discussion regarding how to obtain
11 copies of charters for other towns of similar size to Salem. Ms. Stacey reported she had a
12 publication called 'Business NH' which was a useful resource and offered to try and obtain
13 copies for the other Commission members. She had also obtained copies of the charters for
14 various municipalities and summarized their form of government.

15 **Action: Ms. Stacey**

16 Mr. Ganley handed out a page of information which had been prepared by the Town
17 Manager's Executive Assistant summarizing the same information for some additional
18 municipalities and the members reviewed this. Mr. S. Campbell suggested adding a column
19 showing the tax rate for each municipality to the list. Having compiled a list of
20 municipalities with charters which the Commission members want to look at in detail,
21 Chairman Campbell agreed to request through the Town Manager's office that a set of these
22 charters be compiled for the Commission (one paper and one version on CD).

23 **Action: Chairman Campbell**

25 **4. Review Process and Schedule**

26 The Commission members reviewed the schedule of meetings for August and how they
27 should proceed. Chairman Campbell stated he felt they should begin to discuss the issues as
28 soon as possible.

30 **Discussion:**

31 Mr. Barnes stated he thought the town should move to a town council form of government,
32 stating he had no objection to a Budget Committee with an official ballot. He suggested
33 rolling into the operating budget those things which are normally done at the 2nd deliberative
34 session. The members discussed how citizens' petitions would be rolled into the budget.

36 Mr. S. Campbell stated he did not like the idea of a default budget as he does not think this
37 works well. He commented that he did not think a town council with official ballot would
38 resolve poor voter turnout issues and that he was not interested in giving more power to a
39 small governing body but would prefer to keep it open to more people being involved.

41 Mr. Ganley spoke about the town's aging infrastructure, stating he would support being
42 more progressive by developing a government that works for the people but works together.
43 There followed a discussion regarding the combination of town council and budget
44 committee, and Ms. Stacey talked about what other municipalities have with regard to a
45 budget committee.

1 Mr. Breen spoke about the budget schedule and process as it currently stands, pointing out
2 the deadline for department heads to put forward their new budget for the following year is
3 mid July while the approved budget is not obtained until April the following year. He stated
4 this was problematic as the numbers which are submitted are not realistic and the process
5 needs to be streamlined.

7 Ms. Cooke stated she had concentrated on investigating how it would be possible to get as
8 many people as possible involved in voting and she raised the question of whether an online
9 vote might be possible. There followed a discussion on the legality of doing this, with Ms.
10 Cooke stating they could lobby for a change with the state. She stated she thought they
11 should investigate the reasons why people do not turn out to vote.

13 Mr. Breen raised the point about budget assumptions which have to be used at the time of
14 budget preparation when actual numbers are not received until much later in the process and
15 adjustments need to be made. He pointed out this results in deferring things which
16 otherwise would not be necessary and this can end up being more costly. He stressed this is
17 a problem with the budget process, stating he thought they should discuss ways of correcting
18 and streamlining this as part of the charter.

20 Chairman Campbell stated he thought a lot of the items mentioned by the members could be
21 done by a council. He pointed out an advantage would be that a council is in session all year
22 and can respond more quickly to issues. Referring to passing budget items on a 2/3 vote, he
23 stated the charter could impose limits. He stated he did not think the law required a
24 deliberative session but would wait for Attorney Connell's response to this question. He
25 pointed out there are no towns where a budget committee has authority to set the budget. He
26 stated he thought there was a defect in the current process regarding a default budget as it is
27 not defined precisely enough, but that the charter could address this. He also stated they
28 could allow the council to put an amendment to the budget on the official ballot and let the
29 voters vote on it. Chairman Campbell stated it was his opinion that there should be no more
30 than two year terms for members of the council as an incentive for council members to be
31 reasonable. There followed a discussion on the advantages and disadvantages of this.

33 Chairman Campbell stated he thought people would be more likely to accept the charter if it is
34 similar to what they already have and the council could propose to change items later. There
35 was a discussion on the types of things which the members thought should be included in
36 the charter. Chairman Campbell spoke about the power of the 'Right to Know' statute and
37 the importance of openness of government, stating there could be something in the charter to
38 demonstrate that as well as strong ethics.

40 Mr. Breen suggested that in the interests of time the Chairman might wish to delegate tasks to
41 specific members.

43 Mr. Barnes offered to look at Nashua's charter with regard to ethics and bring this to the next
44 meeting. There followed a discussion on the benefits of having an ethics section in the charter.

46 5. Any Other Business

47 Chairman Campbell summarized the actions points from the meeting.

1 Mr. Breen suggested having an additional public hearing after the Commission has selected a
2 suitable form of government to obtain public input, and Chairman Campbell clarified that members
3 of the public can attend any of their meetings and request to have input.
4

5 **Upcoming Meetings**

6

- August 6, 2009
- August 13, 2009
- August 27, 2009

9 **MOTION:** by Ms. Cooke

10 *Move to adjourn*

11 **SECOND:** Mr. S. Campbell

12 **VOTE:** 7-0-0

13 **The motion carried unanimously.**

14 Without further business, the meeting adjourned at 8:30 p.m.

15 Notes/Minutes Taken by: Sandra Maxwell

16 Approved: Salem Charter Commission

17 Date: August 6, 2009