

Salem Charter Commission Info Session + Hearing

August 13, 2022

Background

- ▶ Charter Commission was placed on the March 2022 Municipal Election Ballot by a citizens petition.
- ▶ The creation of the Charter Commission was approved by a vote of 2,112 to 1,123.
- ▶ Subsequently, a call for candidates was put out, and election was held to select nine members of the Charter Commission at the end of April.
- ▶ We began our work in mid-May, and have been working throughout the summer.

How Does Our Town Work?

- ▶ Salem currently operates with a Board of Selectmen and an Official Ballot Town Meeting.
- ▶ WHAT DOES THIS MEAN?
 - ▶ The five members of the Board of Selectmen serve as the town's executive authority.
 - ▶ Their primary responsibility is to serve as the supervisor to the Town Manager.
 - ▶ The Town Manager handles the day to day operation of the town and all the departments.
 - ▶ The Selectmen set policies, and manage the budget process.
 - ▶ The Town Manager negotiates with the town's labor unions (Police, Fire, Public Works, etc.) and presents the agreements to the Selectmen
 - ▶ The Selectmen set goals for the town, and manage the capital works: Roads, buildings, etc.

The Budget

- ▶ The Budget process begins with the Town Manager working with the Capital Improvement Plan (CIP) Committee and the town departments to determine the needs of the town.
- ▶ The Selectmen then create a budget for the town, by looking at the needs and wants of each department as well as their own projects, and balancing those against the anticipated revenue (taxes)
- ▶ The Budget and articles proposed by the Selectmen are reviewed by the Budget Committee, which can make its own recommendations.
- ▶ The Town then holds a deliberative session, giving the citizens a chance to amend the budget and the other money articles.
- ▶ The citizens then vote on the budget in March.
- ▶ The tax rate is then set based on the results of the voting.

Other Groups

- ▶ Other groups in town handle different types of issues.
 - ▶ The Planning Board reviews proposed site plans, works with developers to make sure their projects will comply with local regulations and ordinances. (They don't get a say on what stores or businesses come in, though. That's up to the property owner.)
 - ▶ The Zoning Board is there for when a resident or business owner wants a variance or exception to the current zoning rules. (For example, when the homeowner wants to put on a deck that will be too close to the lot line). The ZBA uses strict criteria to evaluate whether an applicant meets the criteria.
 - ▶ The Conservation Commission works with the Planning Board to help protect Salem's natural resources by reviewing site plans when they impact environmentally-sensitive areas.

What is a Charter?

- ▶ A municipal charter is a governing document, a town constitution, if you will, outlining all the ways the town should function.
- ▶ Currently, Salem operates without one, falling back on state laws for how town governments should function.
- ▶ SB2 is the short name for the collection of RSAs that allow the town to function with an “Official Ballot Town Meeting,” which is why we vote on all those warrant articles in March.
- ▶ A charter must be adopted by a vote of the people, so this charter, when it’s finished, will be on the ballot in March for you, the citizens, to approve, or turn down.
 - ▶ 60% of those voting must approve the charter for it to take effect.

Things a Charter Can't Do

▶ Term Limits

- ▶ The NH Courts have ruled term limit provisions invalid. (Hooksett v. Baines, 2002)

▶ Recall Elections

- ▶ Similarly, they have also ruled that the current state law does not allow for recall elections. (Knowles v. Latham, 2005)

▶ Elect the Town Manager by popular vote

- ▶ The state laws governing towns are very specific on the processes around Town Managers.
- ▶ If you want to elect a manager, you would need to become a city, and elect a mayor, as Nashua or Manchester do.

Things a Charter Can Do

- ▶ Specify those things left to a citizens' vote vs. the Town Council.
 - ▶ We hope to shorten the ballot by specifying the inclusion of most money items in a single budget.
 - ▶ Zoning Amendments will be left to the Town Council.
 - ▶ Flexibility: They can be adopted at any time, in response to any immediate need or change in circumstance.
 - ▶ Sale of town property will be subject to vote.
 - ▶ Charter amendments will be voted on.
- ▶ Provide citizens with clear steps toward transparency and communication by stipulating codes of ethics and procedures to follow.

What is the Charter Commission Proposing?

- ▶ We are attempting to create a charter that is very much in keeping with our existing procedures
- ▶ It will look and feel not all that much different from what we do now.
- ▶ Officially, it's called a Town Council-Official Ballot Format.
- ▶ You will still have a deliberative session, and there will still be an election in March of every year to approve spending.

Comparing

Currently

- ▶ Board of Selectmen
 - ▶ 5 members (legally, the largest it can be)
- ▶ Vote on the Budget
- ▶ 3/5th vote to pass a bond article
- ▶ A ballot with 20+ articles to vote on
- ▶ Vote on Zoning Amendments
- ▶ Elected Planning Board
- ▶ Elected ZBA
- ▶ No enshrined code of ethics
- ▶ No codified transparency

Proposed

- ▶ Town Council
 - ▶ 7 or 9 members
- ▶ Vote on the Budget
- ▶ 3/5th vote to pass a bond article
- ▶ A ballot with 6-10 articles to vote on
- ▶ Town Council handles Zoning Amendments
- ▶ Elected Planning Board
- ▶ Elected ZBA
- ▶ An enshrined code of ethics, with an ethics committee to enforce it
- ▶ A charter with requirements for regular communications with citizens

Remaining Issues to Be Determined

- ▶ The Charter Commission is still discussing two primary issues:
 - ▶ 1) How many Councilors should we have?
 - ▶ 2) How should they be elected?
- ▶ The two questions are somewhat connected
- ▶ We currently elect all our selectmen ‘at-large’ which means the whole town votes on all 5, regardless of where in town they live, or where we vote
- ▶ Some have suggested we elect some town counselors ‘at-large’, or some by ‘district’, or ‘ward’, meaning based on where you vote. Some would be elected only to represent the Fisk ‘ward’, or the ‘North Salem’ ward.
- ▶ Ms. Wright made a proposal for nine counselors, with four elected at large, and one from each of the five wards.
- ▶ There are pros and cons to doing either ‘at-large’ or ‘district’ representation
- ▶ It should be pointed out that this is *only* for Town Council, not for any state representation. It would not change how our state reps are elected.

Goals

- ▶ More representation: $30,089/5=6,018$ people per elected representative.
 - ▶ $30,089/7=4,298$
 - ▶ $30,089/9=3,343$ ←Closest to current value for State Reps.
- ▶ More transparency: Campaign finance review, Code of Ethics, Ethics Committee, more communications with citizens.
- ▶ More citizen engagement: Mandated communications with citizens, sample ballots to citizens before elections.
- ▶ Simpler voting: Elimination of many warrant articles, a clear bottom line budget.
- ▶ Having a Charter: Amendment process for changes is clear and straightforward, and gives citizens more control over the form of government.

Current Per Person Representation (Top 21 largest communities in NH)

| Community | Form | Population | # of Reps | Reps per person |
|--------------|-------------|---------------|-----------|-----------------|
| Manchester | City | 115,644 | 14 | 8260 |
| Nashua | City | 91,322 | 15 | 6088 |
| Salem | Town | 30,089 | 5 | 6018 |
| Londonderry | Town | 25,826 | 5 | 5165 |
| Hudson | Town | 25,394 | 5 | 5079 |
| Derry | Town | 34,317 | 7 | 4902 |
| Dover | City | 32,741 | 8 | 4093 |
| Merrimack | Town | 26,632 | 7 | 3805 |
| Goffstown | Town | 18,577 | 5 | 3715 |
| Bedford | Town | 23,322 | 7 | 3332 |
| Hampton | Town | 16,214 | 5 | 3243 |
| Milford | Town | 16,131 | 5 | 3226 |
| Exeter | Town | 16,049 | 5 | 3210 |
| Windham | Town | 15,817 | 5 | 3163 |
| Concord | City | 43,976 | 14 | 3141 |
| Laconia | City | 16,871 | 6 | 2812 |
| Rochester | City | 32,492 | 12 | 2708 |
| Portsmouth | City | 21,956 | 9 | 2440 |
| Durham | Town | 15,490 | 9 | 1721 |
| Hooksett | Town | 14,871 | 9 | 1652 |
| Keene | City | 23,047 | 15 | 1536 |

Salem with 7 Councilors

| Community | Form | Population | # of Reps | Reps per person |
|--------------|-------------|---------------|-----------|-----------------|
| Manchester | City | 115,644 | 14 | 8260 |
| Nashua | City | 91,322 | 15 | 6088 |
| Londonderry | Town | 25,826 | 5 | 5165 |
| Hudson | Town | 25,394 | 5 | 5079 |
| Derry | Town | 34,317 | 7 | 4902 |
| Salem | Town | 30,089 | 7 | 4298 |
| Dover | City | 32,741 | 8 | 4093 |
| Merrimack | Town | 26,632 | 7 | 3805 |
| Goffstown | Town | 18,577 | 5 | 3715 |
| Bedford | Town | 23,322 | 7 | 3332 |
| Hampton | Town | 16,214 | 5 | 3243 |
| Milford | Town | 16,131 | 5 | 3226 |
| Exeter | Town | 16,049 | 5 | 3210 |
| Windham | Town | 15,817 | 5 | 3163 |
| Concord | City | 43,976 | 14 | 3141 |
| Laconia | City | 16,871 | 6 | 2812 |
| Rochester | City | 32,492 | 12 | 2708 |
| Portsmouth | City | 21,956 | 9 | 2440 |
| Durham | Town | 15,490 | 9 | 1721 |
| Hooksett | Town | 14,871 | 9 | 1652 |
| Keene | City | 23,047 | 15 | 1536 |

Salem with 9 Councilors

| Community | Form | Population | # of Reps | Reps per person |
|--------------|-------------|---------------|-----------|-----------------|
| Manchester | City | 115,644 | 14 | 8260 |
| Nashua | City | 91,322 | 15 | 6088 |
| Londonderry | Town | 25,826 | 5 | 5165 |
| Hudson | Town | 25,394 | 5 | 5079 |
| Derry | Town | 34,317 | 7 | 4902 |
| Dover | City | 32,741 | 8 | 4093 |
| Merrimack | Town | 26,632 | 7 | 3805 |
| Goffstown | Town | 18,577 | 5 | 3715 |
| Salem | Town | 30,089 | 9 | 3343 |
| Bedford | Town | 23,322 | 7 | 3332 |
| Hampton | Town | 16,214 | 5 | 3243 |
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Your Input

- ▶ Your voices are important! We look forward to listening!