

**Charter Review Committee Meeting  
February 4, 2021 @ 10:00 a.m.**

In attendance were Committee Chairwoman Barbara Ryer; Committee Members Sharon Brienza, Pat Plocek, Tim Roe, and Town Manager Debbie Botchie; Town Clerk Matt Amerling and Town Finance Director Lisa Wynn.

1. **CALL TO ORDER:** Committee Chairwoman Barbara Ryer called the meeting to order at 10:00 a.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** All Committee members were present.
4. **ADOPTION OF MINUTES**
  - A. January 7, 2021

Committee Member Sharon Brienza motioned to approve the January 7, 2021, Charter Review Committee meeting minutes. Committee Member Pat Plocek seconded the motion. Motion carried 5-0.

5. **OLD BUSINESS**
  - A. Continue discussions on possible Charter amendments.

Town Manager Debbie Botchie stated regarding Mr. Plocek having a question about where the mention is for the authority for the Town to levy fees for using Town facilities. Ms. Botchie stated the authority is in section five (5) where it says the collection of *all* revenues. Ms. Botchie stated the Town does not narrow it down to community center rental or Town Hall rental, but rather this statement is a “catch-all” for all revenues. Mr. Plocek asked if section five (5) gives the Town authority to charge these rentals. Ms. Botchie stated yes, it gives the Town authority to charge of all revenues. Ms. Botchie stated on page sixteen (16), section eleven (11), in item A, there is a sentence stating “Council may determine the agenda, prepare agenda items and submit to the Town Manager in a timely fashion.” Ms. Botchie stated this has never happened and Town Solicitor Seth Thompson said it’s OK to take out. Ms. Botchie stated Mr. Thompson asked about whether the Town Planning & Zoning (P&Z) Commission needs to adopt different rules than Town Council. Ms. Ryer stated P&Z is already following Town Council’s policies and procedures so the Robert’s Rules of Order or The Standard Code of Parliamentary Procedure isn’t needed. Ms. Botchie stated the Board of Adjustment (BOA) does have its own rules to follow since they are a quasi-judicial body and their meetings are sworn-in meetings. Commissioner Tim Roe stated the way Mr. Thompson posed his question regarding Mr. Thompson being the Parliamentarian, Mr. Thompson is suggesting taking out the language or limiting the Parliamentarian role to just Council, or otherwise, Mr. Thompson would have to attend every different body meeting. Town Clerk Matt Amerling stated as was just stated, the Council and P&Z both follow the Town Council Policies and Procedures Manual, so that would take over the following of Robert’s Rules and Parliamentary Procedure. Mr. Amerling stated if the Committee takes out the language starting with “Robert’s Rules” and ending in “Parliamentarian,” and substitutes it with Council, Commissions, and Boards following the

Town Council Policies and Procedures, that will make the predicament of Mr. Thompson having to be at every meeting null and void. Ms. Botchie stated Mr. Thompson added language to the sentence about the Council and Boards following procedures manual, ending with "... shall follow the policies and procedures adopted and made applicable by Town Council, embodied in a manual, and amended periodically." The Committee stated they liked that language. Ms. Botchie stated they are taking out the sentence "Council may determine the agenda, prepare agenda items and submit to the Town Manager," because the Town administration does most of that and Council may submit an agenda topic to the Town Manager whenever he/she wishes to review it at a meeting. Ms. Botchie stated Mr. Thompson had an issue with the language of "all Council meetings" being recorded because that would include executive sessions, which are not recorded. Ms. Brienza stated to place the word "public" between "all" and the other meetings listed. Ms. Botchie stated in item B, Mr. Thompson says the subsection is set up so the named items require the formality of an ordinance, while the unnamed items can be adopted by ordinance or resolution; but the general idea is also that an ordinance is a more lasting act, while a resolution is often more of a temporary measure. Mr. Plocek asked if the Committee should strike the words "or resolution." Mr. Amerling stated his opinion is Mr. Thompson addresses that matter in a roundabout way in the first sentence when he says this subsection sets up the formality of an ordinance. Ms. Ryer stated we may have to keep both ordinance and resolution in there because if we have to make a change it can be done via resolution. Ms. Botchie stated she thinks Mr. Thompson is stating to take out "resolution." Ms. Ryer asked if we are taking out "or resolution." The Committee stated yes. Mr. Amerling stated item C, though, may have to include resolution. Ms. Botchie stated she will get clarification from Mr. Thompson.

Ms. Botchie stated back to the prior meeting minutes, the Committee agreed to omit Section K on page twenty-six (26) where it states "He or she shall keep a full and strict account of all moneys received and all disbursements made by him or her and such accounts shall, at all times, be open to inspection to the Town Council." Ms. Botchie asked why that would be stricken when Ms. Botchie does provide those records to Council. Mr. Amerling and Ms. Botchie stated they think the comment needs to stay in as per Mr. Thompson's comment. Ms. Brienza asked if the Finance Director does this task. Ms. Botchie stated, no, the Finance Director may gather and report the information, but the Town Manager is the person who presents it to Council. The Committee agreed to keep Section K.

Town Finance Director Lisa Wynn stated she reviewed sections twenty-four (24), twenty-six (26), and thirty (30). Ms. Wynn stated in section twenty-four (24), they'd like to change the word "bona fide" to "primary," and the word "freeholders" to "property owners." Ms. Wynn stated also the Town does use County assessments, but County changed the word assessments to 100% land and improvement values; so the Town wants to amend the language as well. Ms. Wynn stated, regarding section twenty-six (26), she wants to change the quarterly supplemental assessment list to a monthly supplemental assessment list because that's how the Town does it now. Ms. Wynn stated under item two (2), they want to add the words "or decreasing" after increasing just so it's clear for both. Ms. Wynn stated she wanted to add the comment "due to improvement to property." Ms. Wynn stated in item C, she wants to strike the sentence beginning with "reduced by 25% ..." Ms. Wynn stated she and Ms. Botchie wanted to strike item G, which doesn't apply. Ms. Wynn stated in section thirty (30), to add the wording "by the Town's Chart of Accounts" in item 3; and striking "Mayor and" in item E. Ms. Wynn stated

under item E of Section twenty-six (26), the Town doesn't public notices for supplemental assessment lists. Ms. Ryer stated she suggests changing the first mention of the word "shall" to "may." The Committee agreed.

Ms. Botchie asked if the Committee wants to review Mr. Thompson's comments. Ms. Ryer stated yes. Ms. Botchie stated she really just received Mr. Thompson's comments and she has to review it more. Ms. Ryer stated the Committee can take home and review Mr. Thompson's comments, and can possibly approve this so it can be moved along to Council, which can get a resolution done to enable the bill going to Legislature. Ms. Brienza asked about page ten (10), under structure of government, where Mr. Thompson's comment mentions the Mayor having a separate election. Ms. Botchie stated she got a request from a Council member to look into the Mayor being elected. Ms. Brienza stated she is not in agreement with having the Mayor elected. Ms. Botchie stated she was directed to look at other towns which have an elected mayor, so she typed the memo to Council with the different Charter sections. Ms. Botchie stated she asked the individual on Council who requested this information if they wanted to put it on a Council agenda – and this was right before the formation of the Charter Review Committee – and that individual said "not at this time." Ms. Ryer stated the Committee can leave in Mr. Thompson's comment on this so when Council sees it, Council can vote on it. Ms. Brienza stated she thinks if the Committee is giving their recommendations, it should be the Committee's recommendations which are given to Council. Ms. Ryer stated she feels people seeing Mr. Thompson's comments is not harmful, it's more transparent and, whether Ms. Ryer agrees with it or not, it's the fair thing to do because it could open up a thought maybe another Council member never thought of. Ms. Brienza asked if the Committee is going to give Council all of Mr. Thompson's comments. Ms. Ryer stated yes. Ms. Botchie stated she will reply to Mr. Thompson's comment on page ten (10), saying "yes, an individual brought it up, but they have not directed the Committee to follow through, and the Committee is not in favor." Ms. Ryer stated that sounds perfect.

**6. CITIZENS PRIVILEGE**

There were no comments.

**7. ANNOUNCEMENT OF NEXT MEETING – MARCH 4, 2021 AT 10 A.M.**

**8. ADJOURNMENT**

Ms. Brienza motioned to adjourn the meeting at 10:51 a.m. Mr. Plocek seconded the motion. Motion carried 5-0.

Respectfully submitted and transcribed  
by Matt Amerling, Town Clerk