

Minutes of the 2022 SALEM NH CHARTER COMMISSION

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

Meeting #10:
Thursday, August 4, 2022

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

The meeting was called to order by Chairman Campbell, at 7:03. Pledge of Allegiance.

The next meeting is SATURDAY, August 13 in the MEDIA ROOM at SALEM HIGH SCHOOL, 44 Geremonty Drive.

Minutes:

Meeting of July 20, 2022:

Page 1, line 22: June was corrected to say July.

Motion by Mr. Sweeney to accept minutes as amended. Seconded by Mr. Janigian.

Vote: 9-0-0.

New Business

Ms. Loranger: Has had requests to remove comments from Survey as they anonymously mention town officials by name.

Mr. Breen: Has also had criticism, but wants transparency. It's inappropriate to include names of individuals. Would like to have the names and bad language redacted

Mr. Campbell: We erred on the side of transparency. He has the PDF and can do the redactions.

Mr. Bettencourt: Motion that the chair have the ability to redact foul language and references to specific individuals or comments. Seconded by **Ms. Loranger**.

Vote: Motion passed 9:0:0

Edit of the 2009 Charter

Secretary's Disclaimer: As always, some of this is verbatim, and some is summarized from what the individual said or implied ... as I understood them.

The draft of the proposed charter can be found at:

<https://www.townofsalemnh.org/sites/q/files/vyhlif7996/f/uploads/charterdraft-4aug22.pdf>

Mr. Campbell: I took the pdf of the 2009 draft charter that had been provided by Mr. Breen and used OCR technology to turn it into a text document. I then compared it to the Attorney General's recommendations and added some of the things that we've been talking about. I also put in some things that maybe we hadn't talked about yet. Nod to Ms. Moss for the suggestion that we start looking at the nitty-gritty details, so we have a starting point.

Everything that has been added or changed is identified. Anything that's red with a line through it are items that were deleted from the 2009 draft. The bold blue text is items that were added,

1 with notes of origin. In the transition section there were dates specified, so those were
2 changed, and shown in green. Some areas we're holding off on until after the Public Session
3 on the 13th (especially how many councilors we will have and how they are elected.) Those
4 items have been highlighted, as well as any place that those decisions affect.

5 **Article One:** Pretty much the same as it was in 2009: A Town Council with an Official Ballot.
6 Same language is in all other town charters.

7 **Article Two** is where we start getting into election material. Again, not many changes here.
8

9 **Tax collector:** Elected or appointed?

10 **Mr. Breen:** Disclaimer: Wife is the elected tax collector. Reminder: This came before the voters
11 in 2020. The language of that [Article 22](#) was "Shall the powers and duties of the office of
12 collector of taxes be transferred from said office to that of the Town Manager?" 4,303 people
13 voted. 1,741 people voted in favor of it. 2,562 voted against it.

14 **Mr. Feole:** With that 60% vote to keep it elected. I would say we leave it as it is.

15 **Ms. Moss:** Not opposed to leaving it as is, but it doesn't seem to belong where it is.

16 **Mr. Campbell:** It does seem to be a strange place but it's not moved from where it was in the
17 2009 draft, We could move it to general provisions or Article Four, which is the administration
18 of government.

19 **Hours of Election:**

20 **Mr. Campbell:** The next area highlighted, is the hours of the election, a question which Ms.
21 Moss raised at our last meeting. This is what the language was in 2009 charter.

22 **Ms. Moss:** Consistency and the timing of elections would be really helpful.

23 **Mr. Campbell:** Technically, Selectmen have the ability now to change the hours.

24 **Ms. Wright:** I'm hearing people want more hours, not less. So, I would like it to say not less than
25 12 hours and at least seven to seven. If they want to hold it open longer, that's fine, or open
26 earlier, that's fine, but at least seven to seven.

27 **Mr. Sweeney:** I think the rest of the paragraph accomplishes this because it says nor closed
28 earlier than seven in the evening.

29 **Mr. Bettencourt:** I'm in favor for doing whatever we can to encourage people to vote. Bonnie
30 suggested that we extend an hour out until eight o'clock, which may very well cause some
31 confusion. The only hesitation I have, perhaps is a little bit selfish, it can take a painfully long
32 time for the votes to get counted. I just worry about how much longer that process might take
33 if there's an extra hour tacked on.

34 **Ms. Wright:** I think Mr. Bettencourt misunderstood that I'm just looking for a 12-hour window,
35 and it has to be at least until seven o'clock. I would like to actually say start at seven or
36 earlier, and end at seven or later. But from seven to seven. I'm not pushing for the eight
37 o'clock unless we have people lined up; they need to be allowed in. If there is a hitch in the
38 system, and things get slowed down, people need to be allowed to vote.

39 **Mr. Campbell:** So what's the limit? It's 12 hours. We could say may not be open earlier than six
40 in the forenoon nor later than eight that's pretty much going to lock it into seven to seven
41 anyway. I think 12 is a good number.

42 **Section 2.11**

43 **Mr. Campbell:** Some communities do require a financial report for funds raised and expensed
44 paid by candidates and for articles. We're pushing for transparency, so I thought this might
45 be appropriate.

46 **Mr. Bettencourt:** I support the spirit of transparency. I have wondered where some of the
47 candidates are getting their support and the different organizations that are pushing warrant
48 articles one way or another. Questions: Who is the keeper of the records of these things?
49 Where are they to be stored? I assume that they are to be publicly available to review where
50

1 and who's in charge of making that public. And then what's your enforcement mechanism for
2 a candidate that chooses not to keep careful records of their campaign contributions? So I
3 think that if you're going to move forward with a provision of this kind, I think you've got to
4 flush it out a little bit.

5 **Mr. Campbell:** You are correct about "who," but the last line says the info would be made
6 available to the public at town hall or on the town website. I guess it would probably be the
7 clerk's responsibility.

8 **Mr. Feole:** I fully support transparency, but I think campaign finance reporting at the town level
9 on a nonpartisan election is overkill and might dissuade some good talented people from
10 running for local office, especially for land boards. I think that we would push some others
11 out. There is already campaign finance laws for the state elections in the general elections. I
12 just think it's overkill for a nonpartisan town election.

13 **Ms. Moss:** I am a big fan of transparency. And I think that we absolutely should have campaign
14 finance reporting at the town level. These are supposed to be nonpartisan elections, and
15 there are people who get all of their money from one side; I think that it is important for
16 people to know. It came up in the last election, where people had some really big signs and
17 there were a lot of questions about where that money came from. And we couldn't get
18 answers to those questions because there is a loophole in campaign finance. The state
19 requires so many things but the town doesn't require them. We should mirror what the state
20 rules are, in terms of how much has to be reported and at what limit and threshold. I wonder
21 if we could use the state as a template.

22 **Mr. Campbell:** We can look at the state. Some of the questions Mr. Bettencourt raised would
23 probably be answered by sort of a deeper dive into that material. And we can look at that.

24 **Ms. Wright:** I agree with most of what Kelly said. The state has changed the level to \$2,000. If
25 you receive less than \$2,000, or spend less than \$2,000, you don't have to report. For town
26 level elections, I would kick that down to maybe \$750 or 500.

27 **Mr. Campbell:** Right now I have \$100.

28 **Ms. Wright:** No, what you have is one person giving \$100. If someone runs for Town Council,
29 and only has one or two people give him \$100, they would not have to report unless all of the
30 little \$5's and \$20's and \$50's add up to \$500 or \$750. That's how the state works.

31 **Mr. Breen:** I'm somewhat ignorant in terms of what the rules are for town-wide elections. State
32 candidates have requirements: If you want to run for state rep, you need to keep some record
33 of income and expenses and a fiscal agent. We don't have that for the town. I agree. I'd like
34 to see some transparency

35 There has been a big effort with signs throughout the entire community for schools, a new police
36 station, new fire station. How do they get the money for this? However, do I have to agree
37 with Mr. Bettencourt. There is no language here about who has oversight, what's the
38 penalty? Who do you report it to? How do their citizens even know if you don't comply?

39 **Ms. Loranger:** The ethics committee meets once a year, according to what we want to
40 implement. Is this something that we could give to the Ethics Committee in May?

41 **Mr. Campbell:** That's only effective if your candidate gets elected. The ethics committee
42 wouldn't have any jurisdiction over somebody who ran and lost, or an organization that ran
43 and lost, because the Ethics Committee can't mete out a penalty to them. The only penalty
44 the ethics committee can do is to recommend to the Town Council to have an official
45 removed. So anybody who lost would not be subjected to any penalty. I'm getting the sense
46 that there's some interest in something like this, maybe it's an idea that needs a little bit more
47 time. Not tonight but sometime before the next time we get together here.

48 **Ms. Wright:** This document says "within 10 days prior to OR following the election day" and I
49 would like it to say "within 10 days prior to AND 10 days following." So you have two
50 submissions. One before and then one amended after the election. That would eliminate the

1 ethics committee doing it in May. This information should be available to the voters before the
2 election.

3 **Mr. Sweeney:** I am not opposed to having campaign finance reporting at the town level. I drive
4 around town and I wonder who paid for all of the signs. I do think with all parts of the charter,
5 we should avoid extensive policy being set in the charter that's just not easily changeable. It
6 might make sense to have the charter enable a campaign finance reporting ability for the
7 town, and then the election of the Board of Electors. The Town Council can actually be the
8 ones to craft the policy and adopt it. That way, they can also change the limits from year to
9 year as time deems fit, without having to have a Charter Commission or charter amendment.

10 In New Hampshire's legislative process, we deal with campaign finance reform and get it done
11 successfully every 40 years or so. The federal government increases the reporting
12 requirements every year due to inflation and updates the policies and issues new policies
13 every other year. I think putting a framework in for the town to have the ability to have
14 campaign financial reports, and then giving that power to the election board to propose, and
15 then the Town Council to adopt by vote on what the actual provisions would be, might make
16 more sense.

17 **Ms. Moss:** I agree putting all the details in the charter is probably not the best idea. But instead
18 of putting in a charter to enable them to do it, can we require them to do it? I worry that if we
19 put in the charter that they have the ability to do it, they might just choose not to.

20 **Mr. Feole:** It would be really easy to skirt or go around or just not even participate because it's
21 not a law. Back to what Mr. Bettencourt said, how would you enforce it? Candidates could
22 just choose to not do it, or they could just say, "I didn't take any contributions." And that's that,

23 **Mr. Sweeney:** If a candidate refuses to put their information as to who's paying for the materials,
24 their opponent would publicize that this candidate refused to be transparent, or this group is
25 not disclosing their donors. Without having penalties, the kind of public pressure would
26 inspire candidates or groups to publish their information. At the state level, it becomes a
27 hobby of many people to look at the finance reports. We would probably see that play out in
28 local elections: 10 days before the election, you can go online and say I think this guy is
29 going to win because they have raised a certain amount of money, and they have the ability
30 to spend this much more in the next 10 days, or vice versa. The public pressure from the
31 groups in town and other candidates would probably get everyone to comply with whatever
32 model is in place for campaign finance reporting.

33 **Mr. Janigian** Having a framework as Mr. Sweeney suggested is a good idea. At the state level,
34 we have the other side of it, the expense side. You may have just a couple of donations from
35 people, but as soon as you spend over \$500, you also have to report where you spend it on.
36 The part that is missing here is if somebody is self-financing, then then you're not going to
37 have that expense side. And so that may be something that would be added. But I would
38 prefer a framework where we shouldn't micromanage it.

39 **Mr. Campbell:** Consensus is building around the table to creating some language around a
40 framework that would require the Town Council to adopt reporting requirements for local
41 elections. I will look at that language. I'm going to make a comment here that we're going to
42 continue to work on this section and it's not finalized. Once we've gone through this whole
43 document, I'm going to put it in a format that we can put online.

44
45 **Town Council**

46 **Mr. Campbell:** I highlighted this because the 2009 group did recommend nine councilors and we
47 had six polling places then, so they were recommending six elected by district and three at
48 large. We do not need to make a final decision on that tonight.

Town Council Organization:

Mr. Campbell: This is all copied from the 2009 charter. Some info could change, depending on the number of councilors we go with. This section deals with qualifications. Residency (If we had district councilors, they would need to be a resident of the district.) Process of removal of a Councilor. (With due notice and hearing, the Councilors may remove one of its own members for cause, including, but not limited to, prolonged absence from, or other inattention to duties, crime, or misconduct in office as specified in Article Six.)

Ms. Moss: They can be removed based on crime. I know I've read in other charters that if someone commits a federal crime or particular crimes, I'm not sure if they get due process. I think that one cannot serve if they've been convicted of a crime.

Mr. Campbell: When we come down to Article 6, there is something that says you can't even run if you've been convicted of a federal crime.

Town Council Salary:

Mr. Campbell: The Council shall establish an annual salary and expense allowance for its members subject to the following: No increase in such salary or expense allowance shall be effective unless it shall have been adopted by the majority of Council and then appear on the official ballot as a separate warrant article approved by the voters. New salary and expense items will be included in the next town budget. The salary is discussed later; this section basically establishes the procedure.

Ballot:

Mr. Campbell: We want to eliminate some items from the ballot, keeping the operating budget and amendments, bond articles and the issuance of debt. There were a number of other things that were listed; I don't know we should keep those as separate warrant articles. I left in sale of town property and adoption or rescinding of the adoption or provision of general laws which are optional for towns, which is a state thing. I took off zoning articles and left on charter amendments which are required and increase in salaries for councilors. The wording of some of this may need to be looked at by someone with more legal acumen than mine. I really wanted to convey that as part of the charter that we're going to have one bottom line budget, vote on up or down, with the only other money that we vote on being bond articles.

Ms. Wright: You're going to hate me, but I'm bringing it up Croydon, again. We've received information from the New Hampshire Municipal Association that said that having a deliberative session and voting on the budget does not release us from Croydon. I want the audience to know what Croydon NH is. Croydon had issue with their school budget when the FreeStaters voted to cut a big chunk out of Croydon's school budget. It passed. Then they woke up and realized that they were going to have to pay \$20,000 to send their kids to school. So the town went to court. The court ruled in favor of the town to have a special election, which cost the town extra money. They had two months to put it together to get 50% plus one of all of the registered voters to come vote in favor of changing that vote.

They had the same number of people at the deliberative session or town meeting as we had. So it could happen here. We could have a concentrated effort, and it could pass because people say -- I don't like my tax bill! If it were to pass as amended, and we have over 19,000 registered voters in Salem, we would have to have a little more than 9,500+1 people come and vote on it in a special election to overturn it.

Mr. Campbell: That doesn't apply because we have an official ballot. It doesn't work like that. There's a different process for that.

Ms. Wright: They can still vote on the ballot to approve the budget that was passed.

Mr. Bettencourt: In my memory, the only thing that's ever happened in a deliberative session is people adding money into the budget. I can't recall a time when anybody was taking anything

1 out. Under this situation you're not able to compare Croydon to Salem because we have a
2 ballot, Croydon does not. Croydon just has a town meeting. If a group of people came in and
3 hijacked a deliberative session in Salem, you would then have the ability to go out in the
4 community and say, "Hey, you're not going to believe what happened to the deliberative
5 session. We need to turn out in March and turn down the budget that has come out from the
6 deliberative session and go to the default budget, which would restore all of the money that
7 was coming in." So sure, you might not get as much money in the budget as was originally
8 proposed by the school district and the budget committee, but you certainly wouldn't have
9 what you had in Croydon which is them cutting in half the school district's budget.

10 **Ms. Wright:** Can convince me with a 100% guarantee that when people go to vote, they're
11 going to vote no on the budget?

12 **Mr. Bettencourt:** I could never make a guarantee on what voters might do. But if that's the
13 community that they want to vote for, then that's the community that they vote for. Those are
14 the choices that they make. You can't save voters from themselves sometimes.

15 **Ms. Wright:** All of the experts on Croydon are telling me that it is a risk.

16 **Mr. Campbell:** It's always a risk. It's always been at risk,

17 **Mr. Breen:** I have mixed feelings about this. I share Bonnie's concern relative to the way of the
18 Town of Salem and I agree. I think we've been fortunate. And to Mr. Bettencourt's point, I
19 would agree. It seems like more often than not, we're amending the budget. Not every time
20 but we're amending the budget.

21 I do share a concern though, relative to the way that we organize with respect to having a
22 deliberative session and then going on for an official ballot on the budget. And so what I
23 would say is my concern is not just cutting money, it's also adding money.

24 I believe we're limited to amending the budget to 10% on what the budget committee has
25 recommended. I believe that is also helping us as far as state statute. So, if the budget
26 committee approves an operating budget of \$50 million, the citizens can't make it 60 million. I
27 think they can only make it \$55 million. I think there's actually a limit to how much you can
28 override or add to or amend the budget at a deliberative session.

29 In Croydon, I think it was \$1.7 million, and they cut it to \$800,000. And I think it was fewer than
30 42 people that showed up at that meeting; it was very small numbers. Some might say "Oh,
31 nothing will happen here in Salem." Well, guess what? We have had fewer than 50 people
32 sometimes at our deliberative session.

33 Could we then go out and try and get people to come to the polls to defeat the budget? What if
34 the default budget is a million dollars less? What if the default budget is \$2 million less? For
35 whatever reason, that formula is possible. That's an immediate layoff of staff. And I know
36 about this because I know the organization that I ran was one of the largest in town. 94% of
37 our budget was personnel, 6% of our budget was discretionary costs. You can't cut 5% from
38 any operating budget in this town and not see people laid off.

39 It's impossible. You still have to heat the buildings, you still have to pay for the water, the sewer,
40 the light bill, the gas and all that sort of stuff. My fear isn't a default budget, but what the
41 default budget is. Can we fall into a trap where we think we're doing the right thing by killing
42 some excess and we ended up with a situation where you're immediately behind the eight-
43 ball? You're now in April, and you're going to be playing catch up and you're going to be
44 laying off 30 people.

45 **Mr. Campbell:** I'm jumping down to **Article Five A** because we're talking about **finances**. This is
46 something that was in the 2009 charter draft that I haven't touched. It says "**Amendments to**
47 **the budget.** The Council may, by two-thirds vote of the members of the Council members
48 authorized by charter, call a special election to amend the budget or make appropriations by
49 special warrant article. Procedures of discharges shall apply except that the hearing dates
50 and notices shall be as required by general law." **Article 5, Section 5, Part 1: Default**
51 **budget** allows the Town Council to call a special town meeting. We have several backstops

1 to prevent an action like they had in Croydon. Your first backstop is telling people to go out
2 and defeat the budget to get to the default budget. The second backstop is the Town Council,
3 which could, by a two-thirds vote, authorize a special meeting to amend the budget. And we'd
4 go through another process where there'd be a deliberative session. Obviously, we would
5 need to be mobilized to prevent it from happening all over again. And then there'd be another
6 vote, which people would have to mobilize and that is the way that democracy works.

7 **Regarding the default budget:** This is the provision for the default budget that was in 2009.
8 And I believe this is taken mainly from state law. "The Council shall prepare a default budget
9 which shall be the final budget if the general budget article in the warrant is not approved.
10 The amount of the default budget shall be identified in the budget article on the warrant. The
11 total value of the default budget shall be the sum of the following appropriations and
12 adjustments of the budget of the previous year and shall not be based on any other
13 appropriations: The annual operating budget from the previous year based on the approved
14 budget article or the default budget increased or decreased based on debt service for
15 outstanding bond issues, and less any extraordinary one-time items or "earmarked" items
16 that were included in the operating budget that is the basis for the default budget; and the
17 amount of any appropriations by special or separate warrant articles that were identified on
18 the ballot for purposes that will be continued in subsequent budget years, and the cost effect
19 for the budget year of previously approved collective bargaining agreements.

20 So that's how you arrive at the default budget number: Last year's budget plus any increases for
21 things that we are committed to, increase in interest payments for bond, salary increases
22 over time for CBA and so on.

23 **Mr. Breen:** If we can come up with a way to remedy those concerns, relative to language that
24 gives the counsel an opportunity to come up with a remedy, and/or the default budget
25 specifically identifies that, I'm fine with that. Because of the letter from October [2009] that we
26 were told there are some concerns relative to going to this type of government without a
27 deliberative session, I want to take a proactive request and get counsel on this. I want to get
28 legal counsel on setting that type of system up. So if we have a Town Council and legislative
29 body meeting with a deliberative session, can we then have language that defines,
30 specifically, that the Council can then have a special meeting? Can the Council limit what can
31 take place in a deliberative session relative to budget additions and subtractions? I don't
32 know if that's possible. But if those insurances and all those backstops, as you termed it can
33 be added. I'm very much in favor of that because I am very concerned about what Bonnie
34 has raised and people manipulating the system.

35 We're exposed under the system with the deliberative session the way we're operating. It's my
36 opinion, but I've hated it. I go into town meeting every year and I look in the audience and I
37 say this is going to hurt us sometime. It's going to hurt us with 50 to 60 to 80 people, some
38 year it's going to stick.

39 **Mr. Campbell:** I can reach out to the town counsel and ask for an opinion on whether or not the
40 charter could limit the percentage by which the budget is amended. I will point out that the
41 provision in this charter that says the Town Council can, by a two-thirds vote, call a special
42 meeting to address a budget problem, was not noted in the 2009 Attorney General's report.
43 So clearly, that's something that we can do. I will look into the additional piece.

44 **Ms. Wright:** Did we get any word from counsel about a quorum for the deliberative session as
45 we talked about last week?

46 **Mr. Campbell:** Not specifically, but I think you asked about that to the NH Municipal Association,
47 didn't you? I thought I read that in your email.

48 **Ms. Moss:** Their response might not have been in your question, but it was in their response that
49 suggested that we cannot have.

1 **Mr. Bettencourt:** I don't know how you would do that. So you set a number as to what the core
2 will be. You don't have a quorum. So therefore, you don't have a deliberative session. And
3 how does the process play out from there if you don't have a deliberative session?

4 **Mr. Campbell:** I think you're right, Mr. Bettencourt. But I will ask.

6 **Article 3.7.1: Matters that must be acted on**

7 **Mr. Campbell:** Language on council ordinances is pretty boilerplate.

8 **Mr. Bettencourt:** **Article 3.7.1.** I just want to make sure I'm clear on this. So with this takes off
9 the ballot articles such as the one we saw on the last election for the purchase of property off
10 of Keewaydin Drive for the police [sic. Fire] station?

11 **Mr. Campbell:** No, because that was a bond article. Now, it doesn't necessarily prohibit the town
12 from purchasing property through the budget, but I can't imagine a situation where the town
13 would be purchasing a major piece of property by cash through the budget.

14 **Ms. Moss:** Just to clarify: Things like the road program wouldn't be a separate line item, it would
15 just be part of the budget?

16 **Mr. Campbell:** That was the main thing they bought. Every year.

17 **Ms. Moss:** We just know it's cash. I'm all for that.

19 **Section 3:10: Codification of ordinances.**

21 **Mr. Campbell:** The ordinance pieces are very similar to the way everyone else thought it was
22 approved. But keep in mind that unless otherwise noted, it was approved by the Attorney
23 General's office.

24 **Ms. Moss:** I saw that some towns have codification of ordinances every five years and some
25 charters have it every 10 years. Do you have a preference there? I'm generally in favor of
26 reviewing them more frequently.

27 **Mr. Campbell:** I left it alone because that's the way it was in 2009. But if there's a desire to
28 change it to five. I certainly have no objections to what other people think.

29 **Section 3:10. "Codification of ordinances.** The Council, not later than eighteen (18) months
30 after taking office under this Charter and at least every tenth year thereafter, shall have
31 prepared a revision or codification of the ordinances of the Town which are appropriate for
32 continuation as local laws of the Town." Basically, we require the Town Council to review all
33 the ordinances and see if they're still applicable or necessary. Are we comfortable with 10?
34 Do we want to do five? I think you suggested five, Ms. Moss. Would that be your preference?

35 **Ms. Moss:** That would be my preference. Yes.

36 **Mr. Campbell:** I see heads nodding.

37 **Mr. Feole:** We'll leave it at 10. The ordinances can come up and the Town Council can vote to
38 change any ordinance at any time. This would just be overall review. 10 years for a master
39 plan and I think I'd be okay with 10 here since the counsel can change it at any time.

40 **Mr. Breen:** That's an important point. It says at least every 10th year. It could be less when the
41 governing body thinks it's time

42 **Mr. Campbell:** Since it says at least I think we'll just leave it for now.

44 **Section 4:**

45 **Mr. Campbell:** All right, coming down to Section 4. Again, I highlighted some numbers because
46 the decision hasn't been made. I didn't change any of that because a lot of that is outlined as
47 it says right there in 4.6. It's outlined in RSA 37.6, so I didn't want to touch it. This is where
48 we should move the provision about the tax collector.

49 **Ms. Wright:** Town attorney is not elected, the town the tax collector is and that is under a section
50 on elected officials.

51 **Mr. Campbell:** We have more elected officials in this section further down.

1 **Ms. Wright:** I'm not sure that it belongs here.

2 **Mr. Campbell:** Not sure it matters.

3

4 **Financial Advisor:**

5 **Mr. Campbell:** The Newmarket Town Charter has an investment advisor. It also specifies that if
6 we hire one, what kinds of reports should be required from that person. I thought that was
7 appropriate.

8 We have **Treasurer:** Part B is the procedure for the audit, and then Part C is the
9 investment advisor. Part D is added, based on the feedback from the 2009 charter draft that
10 we got from the AG's office, requiring that we add "in accordance with applicable state law
11 and administrative rules."

12

13 **Section 4.11 Master Plan**

14 **Mr. Campbell:** I have, "The Master Plan shall be revised no less frequently than once every 10
15 years. If upon adoption of this charter, no such Master Plan review has been authorized by
16 the Town, one shall take place in the first year of the Charter. Thereafter, Master Plan
17 revisions should take place in conjunction with the decennial census. The Town Council, or
18 an Initiative petition, may, at any time, order an update prior to a scheduled revision." This is
19 a combination of a couple different charters and some language of my own.

20

21 **Section 4.12 Library Trustees**

22 **Mr. Campbell:** The library trustees were not included in the 2009 charter at all, so I brought in
23 and modified from another charter to match what we already do here in Salem: We have
24 three Library trustees, one is elected every year for three-year term, so I enshrined them in
25 the township.

26 **Ms. Moss:** Where is there? Or is there a section that talks about who fills vacancies for elected
27 positions?

28 **Mr. Campbell:** Relief in **Article 3 vacancies for Town Council?** That's just for the Town
29 Council. Vacancies in elected office is under Article Nine unless otherwise specified.
30 Unless otherwise specified in this Charter, or as otherwise provided by State Law, in the event of
31 a vacancy in an elected office, board or commission of the Town, it shall be filled pursuant to
32 the provisions of RSA 673. commission the town and shall be permitted to fill pursuant to the
33 provisions of RSA 673, which is the state law

34

35 **Article 4.13: Appointive Officers:**

36

37 **Mr. Campbell:** This is something that I brought in from the Derry charter. "There should be
38 appointed by the Town Manager, subject to confirmation by vote of Town Council, a police
39 chief, Fire Chief and Health Officer ..." And this is where I added a couple of things: A citizens
40 communication director and a code enforcement officer, one or more assessors, town
41 attorney and other such offices as may be necessary to administer all the departments which
42 this charter and the Town Council shall establish.

43 Then there's language about what the assessors shall do. And I added a section to describe
44 what the citizens communication director was. And again, this is based on feedback from our
45 community that says we don't communicate enough. So the citizens communication director
46 and any staff assigned thereto shall be responsible for the maintenance of the town website
47 in a timely and consistent manner, sending regular communications via mail, social media or
48 other electronic format to our residents, arranging for publication of all town meetings and
49 events decisions communications director and their staff responsible for the preparation
50 sample ballot summaries as outlined in article 5.6.M which is later on, where finalizing the

1 budget process would have the town mail a copy of the same sample ballot and the language
2 that explains the different items.

3 **Ms. Moss:** I liked the idea. My question is, are you envisioning this being a specific role that we
4 hire to do that? Or does this language allow the Town Manager to designate someone who's
5 already on the staff to do?

6 **Mr. Campbell:** I think that should be up to the Town Council. Personally, I would like to see
7 someone be added to the staff to handle this, but I don't necessarily want to force them
8 through the charter. If they want to designate the Assistant Town Manager as the Citizens
9 Communication Director, that's fine. Ideally, I'd like to see it as something separate, but I
10 don't know that we need to legislate that.

11 **Mr. Janigian:** This says the Citizens Communications Director and their staff should be
12 responsible for the preparation of the sample ballot. Who's doing it now?

13 **Mr. Campbell:** It's not actually the preparation of the sample ballot, it's preparation of the mailing
14 with the sample ballot.

15 If we jumped down again to **Section 5**, in the middle of a very long section that was brought in
16 from another town that has the official ballot, Town Council and is basically described as an
17 insurance the deliberative session process. We didn't have the 2009 charter, but we clearly
18 need to have based on legal counsel.

19 I inserted that at least 10 days prior to the second session of the annual meeting, the town shall
20 mail to each household, a copy of the sample ballot and a short document that reports the
21 recommendation to both the town Council's budget committee if applicable, and all warrant
22 articles. One was a short summary of each article and its impact on the function of the town.
23 The town may, if desired by both parties, share this mailing with a similar document
24 summarizing the school district ballot articles.

25 **Mr. Janigian:** Do we know the cost?

26 **Mr. Campbell:** That would certainly be something that would have to be taken into consideration.

27 **Mr. Sweeney:** What would happen if we put in the charter the code enforcement officer and
28 Communication director, and require mailing of the sample ballot, and then the Town Council
29 and the budget committee puts in a line item for those at \$1?

30 **Mr. Bettencourt:** I don't know what is preventing the Town Manager from asking for a position in
31 their budget. It makes me uncomfortable to mandate staff or certain staffing levels in the town
32 charter. Those are judgment decisions that need to be made first by the Town Manager, then
33 by the Town Council, the Budget Committee, and so on. We may decide that economic times
34 are tough enough where it's just going to have to fall to somebody within the current staff to
35 do it. There's a level of specificity with some of these positions.

36 **Mr. Campbell:** Fair point. I felt like there was enough feedback from the community that they
37 wanted increased communications, and I was thinking how do we address that? This was my
38 thought.

39 **Ms. Loranger:** I agree with you that it's a good step. I'd rather have people go to an official town
40 page. We should have some type of communications person and let them sell their case to
41 the Town Manager as to how many people they need in order to do this job. But I do think we
42 should codify that there should be some type of communications, because we don't have a
43 town paper. This would highlight that you're going to get your official communications about
44 Salem government from an official Salem government official.

45 **Ms. Wright:** Can we take Communications Director out of Part A, and in Part C state that the
46 duties of a communication director shall be delegated to current staff, or, if it's approved by
47 the Council, then a person can be hired? This way, the duties are covered either way.

48 **Mr. Campbell:** We could probably find some other place to put that rather than here, where it
49 goes among the appointed officers. I think we might have to look at crafting something else.
50 I'm certainly sympathetic to what Mr. Bettencourt said about requiring additional staffing

1 levels. I think there's probably a better place, maybe in general provisions, where we craft
2 some kind of article which encourages better, and more frequent, communications.

3 **Mr. Breen:** I tend to agree with the comments. Maybe it even goes under Town Council. Maybe
4 it even says that the Town Council shall endeavor to keep this at the foremost the importance
5 of communication with the citizens. We can do that. I think it's important that we recognize
6 that communications is an issue. I think we can always do a better job but I'm loathe to
7 require it to be in position. Maybe we can do it in a way that prods somebody to realize this
8 as an important part of our town and good covenant.

9 **Mr. Campbell:** That's fair. What about the **code enforcement officer**? We don't currently have
10 one. Obviously, we're going to have a police chief, fire chief and health officer. They are the
11 important piece of this provision: appointed by the Town Manager, subject to confirmation by
12 vote of the Town Council. The rest of it is language from other charters.

13 **Ms. Wright:** Currently the Assistant Town Planner is doing code enforcement.

14 **Mr. Campbell:** That's true. So maybe we wouldn't want to specify that.

15 **Mr. Breen:** I know we're discussing this and we're not finalizing this because there are numerous
16 places I would like to make some comments on that we'll work on. We can revisit this after
17 allowing people to make comments. There are provisions in here that no Town employee can
18 serve on any commission or board. There are employees who are citizens of the community
19 who want to participate. I don't see a problem with that, as long as it's not a conflict and it's
20 allowed by state law, which I think it is. Those types of things sort of worry me. I don't think
21 an employee can serve as a Counselor; that could be a problem. That's a lot of recusing
22 themselves on votes, but to serve on certain committees, why wouldn't we allow that?

23 **Mr. Campbell:** Is that in Article Six in the ethics code? We'll get there.

25 **Fiscal Year:** We decided to keep it in January.

27 **Budget Committee:**

29 **Mr. Campbell:** This is all from 2009, with the addition that all anticipated expenditures, except
30 those involving the issuance of bonds, shall be compiled into one budget appropriation.
31 Budget Committee shall prepare the budget. We talked about the default budget. This
32 requires budget hearings, which is similar to the way we do it now. This piece about finalizing
33 the budget by official ballot is taken from the Merrimack Town Charter. It basically is the
34 procedure for having a deliberative session and then following by a mailing. That would
35 commit the town to an expense. For a couple of years, different groups have kicked around
36 the idea of requiring some kind of mailing prior to the election. The rest of it is all boilerplate
37 from the state laws regarding deliberative sessions.

38 **Mr. Feole:** I think it's a great addition. I think it's appropriate to be in the charter.

39 **Ms. Moss:** I agree that we should keep it in. People have been asking about it and wanting it, it's
40 not happening. So we want to make sure it happens. Putting it in the charter ensures that it
41 happens and that it can't be something that the budget committee just decides to cut
42 because they don't think it's a priority. Clearly the citizens think it's a priority.

43 **Mr. Campbell:** Again, we need to come back to it, but we'll move on for now.

44 **Ms. Wright:** Can we go back to Part M. We say "at least 10 days." We have people who are in
45 Florida trying to get absentee ballots. I think it needs to be more than 10 days.

46 **Mr. Campbell:** I don't know when the sample ballots are available. We have to wait until the
47 sample ballots are available before it can be mailed out. That's why I said 10 days.

48 **Ms. Wright:** A friend got her absentee ballot in Florida on the day of the election, or the day after
49 the election. She didn't receive it until it was too late to send in. I'd like to make sure that
50 people get the information, and the ballots, in time to vote.

1 **Mr. Bettencourt:** I'm uncomfortable anytime we're talking about putting in a provision in our
2 charter that's going to mandate funds. I'm not comfortable that Ms. Moss is pretty explicit that
3 she wants to take this question away from the Budget Committee. The Budget Committee is
4 elected, they're accountable to the people. Let's say that we do this for 5 or 10 years, and
5 over the course of that time, voter engagement doesn't improve at all. If I'm still on the
6 Budget Committee, I'm going to start scrutinizing whether that's a good use of taxpayer
7 dollars, because the goal that we were set out to achieve is not achieved. I'm all in favor of
8 doing everything we can to ensure that our voters are educated. A newspaper would certainly
9 help our committee to be more informed. But I think that putting things in here that are going
10 to lead to spending in infinity, without there being an ability to assess whether it's achieving
11 the goal that it was set to achieve, is unwise and makes me uncomfortable.

12 **Mr. Breen:** I share some of the same thoughts as Mr. Bettencourt. However, I am also very
13 sensitive to other members of the Commission relative to their preferences and desires about
14 communication and making sure that we are engaged with the citizenry. I want an estimate of
15 what that's going to cost. I think it's going to be expensive. We publish an annual report right
16 now and if you check through the budget over the last decade, it's been decreasing. We
17 literally don't print enough reports to mail. At the end of the year, we end up with a whole
18 bunch of them that so each year there's been an effort to reduce that amount. I'm very
19 sensitive to what Mr. Bettencourt has pointed out and I tend to agree with that. What happens
20 if nothing changes? We're spending a lot of money.

21 **Mr. Campbell:** If nothing changes, then five years from now we can propose to amend the
22 charter and take it out. We can certainly look at how much it would cost. They must have a
23 number for mailing the tax bill. I anticipate this being just a couple of sheets of paper. I don't
24 want to mail the town report; that would be more expensive.

25 **Mr. Breen:** Going by memory, I would estimate we have more than 13,000 households. Probably
26 more, a lot more.

27 **Mr. Campbell:** It's an easy enough question to ask. We're not finalizing anything tonight. We'll
28 come back to it.

30 **Capital Improvements:**

31 **Mr. Campbell:** Most of this is from 2009. I added one line: that the Council shall invite the School
32 Board to send a representative to the CIP committee to facilitate coordination between the
33 town and the school district. Change "shall" to "may" if you prefer but it doesn't change the
34 intent of the article.

35 **Ms. Wright:** I like "shall" because they "shall" invite, but the school board doesn't have to accept
36 the invitation.

38 **Treasurer Issuance and Bonding Notes:**

39 **Mr. Campbell:** We did agree to keep that at 60%, so I changed that from two-thirds to three-
40 fifths. Since we do have **Trustees of the Trust Funds**, I establish them by charter here.

42 **Article Six.**

44 **Mr. Campbell:** I changed this significantly by replacing the language that was in the 2009 charter
45 with the language that I borrowed from the Merrimack charter, which outlines a code of ethics
46 and established the Ethics Committee. I kept some pieces of the 2009 draft, but moved them
47 to a different place. Review it for later.

48 **Mr. Breen:** 6.38 subparagraph D.

49 **Mr. Campbell:** [Unable to interpret.] We can address some of those bits and pieces later. Please
50 make notes for our next regular meeting.

1 **Ms. Wright:** On the Zoning Board of Adjustment, it says there shall not be any members who
2 serve on the Planning Board or Conservation Commission or Historic District Commission.
3 Do we want to include alternates? Right now, we have a planning board member who is a
4 zoning board alternate; we have a Planning Board Alternate who's serving as a Zoning Board
5 Alternate. But we need alternates, and we need board members. I do get frustrated when
6 someone has to disqualify themselves because they're seeing the same project on another
7 board.

8 **Mr. Campbell:** We can make a note that we want to review that again.
9 I'm sensitive of the time here, folks, but I want to try and review, or at least get through with the
10 review of all the different things for at least a first pass.

11 The **Ethics Committee** was brought in from the Merrimack charter. They meet once a year and
12 when there's a complaint. Per **6.6 Removal of Officials**, in addition to provisions of § 3.3.2,
13 Councilors and members of standing committees and boards may be removed from office by
14 a vote of the Town Council upon such a recommendation having been forwarded to the
15 Council by the Ethics Commission. The rest of Section 6 from 2009 is removed as redundant
16 because it's now covered in the Code of Ethics.

17 **Citizens concerns, initiative petition referendum, official ballot questions and recall.**

20 **Mr. Campbell:** New sections are borrowed mainly from the Merrimack charter. The old initiative
21 petition stuff was removed and replaced with the new material. Ms. Moss suggested that
22 rather than automatically removing a Councilor and scheduling an election, which is not
23 allowed, should the Town Council then convene a hearing on the removal of the official?
24 Would that satisfy the due process clause that was highlighted by the Attorney General? It is
25 at least worth discussing or do we feel that recall is redundant if we have an Ethics
26 Commission?

28 **Article 8: General Provisions:**

30 Most of this is unchanged from 2009. In Section 8.6, the charter amendments must be passed by
31 majority according to RSA 49-B:6:IV. The charter itself is a 3/5ths vote, but amendments may
32 be passed by a majority.

33 The rest is the same down into **8:12**. I just modified that just a little bit updated to remain current
34 with current language standards for that kind of provision with respect to age, race, gender,
35 sexual orientation, political or religious opinions or affiliations.

37 **Land Use Ordinances:** They shall be acted upon by Town Council and adopted by two-thirds
38 vote at the Town Council.

39 **Ms. Wright:** I would rather have a fixed number instead of a fraction. We need to determine how
40 many counselors there are and just state that five or six of the counselors must approve it.

41 **Mr. Campbell: Charter Review:** A few years from the adoption of this charter, the town shall
42 include the following warrant article: Should the town authorize the creation of a Charter
43 Commission to study the existing charter for the purposes of making any changes, revisions
44 or amendments as they deem necessary? If this article passes, the town shall establish a
45 Charter Commission in accordance with the RSA 49:B:4.

47 **8:16 Public Records** was pulled in from the Newmarket Charter. All records of the Town and all
48 meetings of the Council, boards, committees, commissions, authorities, or other municipal
49 bodies shall be open to the public, and their minutes and other records shall be available to the
50 public in accordance with the provisions of RSA 91-A. We do this already, but it's good to codify

1 things we do as we're moving towards transparency. The theme of this charter process is
2 transparency.

3
4 **Administrative and Judicial Boards, Planning Board:** That's the same as it is right now and
5 as it was in 2009. Conservation Commission is the same. And then we talked at our last meeting
6 that administrative boards and committees shall be created by the Town Council with
7 composition, structures and committees to be left to the discretion of the Town Council.

8 Economic Development Action Committee (EDAC), Recreation Advisory, Historic ...

9 **Mr. Janigian:** Back to the creating of administrative boards, instead of "shall," shouldn't it be
10 "may?" They can create it at whatever time they deem necessary.

11 **Mr. Campbell:** That's sort of the question. Should we have these committees and then we said,
12 well, maybe we shouldn't, but we should leave the composition of them up to the Town
13 Council. So those are sort of my compromise of saying, we want to have these committees.

14 **Mr. Janigian:** At the last meeting, we went back and forth on the EDAC. One of the questions
15 was, why was it disbanded?

16 **Mr. Campbell:** [We had an email with a link to the Selectboard's meeting.](#)

17 **Mr. Janigian:** I did watch. I did want to summarize it accurately. Now. I looked at it as soon as
18 that came out, so I'd have to look at it again. It left me with questions.

19 **Mr. Campbell:** We can highlight it for further review.

20 **Ms. Moss:** If we don't want an Economic Development Committee, we could change the "shall"
21 to "may," and leave the other two. To enshrining the Recreation Department makes sense, as
22 it's part of our town motto. I think we should make a statement that we care about recreation
23 in town, but if we don't want an Economic Development Committee, just leave it off the list.

24 **Mr. Breen:** There's also paragraph B, which says other administrative boards may be
25 established as necessary.

26 **Ms. Wright:** My interpretation of what I heard on the video was that the Select Board didn't like
27 something that the EDAC did. I think they were working on something – a zoning
28 amendment -- that aggravated them as they were doing something that was different from
29 what the Selectmen wanted. That, to me, was not a good reason for disbanding a committee.

30 **Mr. Janigian:** Another compromise position here is we can say "shall" for Recreation Advisory
31 Committee, and Historic District Commission, and "may" create an Economic Development
32 Committee. It's saying we recognize that it may have value, but it's not required.

33 **Mr. Sweeney:** We have taken away zoning issues from the ballot, so, under this charter, the
34 Economic Development Committee wouldn't consider any zoning amendments. I agree with
35 the scenario in which the EDC was working on a project and wasn't keeping the Selectmen
36 informed about what they were doing. The Selectmen voted against recommending the
37 project. That scenario wouldn't take place under this charter, because zoning ordinances
38 don't go to the ballot.

39 **Mr. Campbell:** We'll come back to that.

40 41 **Land Use Boards**

42 The 2009 charter proposed increasing the Zoning Board of Adjustment from five to seven
43 members.

44 **Ms. Wright:** As I've looked at the town government for many towns, they all have five. I did not
45 see one that had more than five. I think five is good.

46 **Mr. Janigian:** As we saw in the last election, we're having issues getting people to run and if we
47 were to increase it, it's just going to further exacerbate that problem.

48 **Mr. Campbell:** We'll put it back to five.

49 **Mr. Sweeney:** I like those descriptions for Planning Board and Zoning Board. We've talked
50 before about elected versus appointed, and we made the decision document having elected

1 to not rock the boat. Would it be possible to have a combination of elected members on a
2 planning board and zoning board and then also some appointed members?

3 **Mr. Campbell:** I'll make a note to address that to counsel.

4 **Mr. Sweeney:** Like there's some balance there where there's elected representatives on the
5 board that appointed representatives that had to meet some sort of criteria for training,
6 education or profession or whatnot. I'm not sure if that's something that we could do. But kind
7 of in between all appointed all elected. And I agree that on five zoning board members.

8 **Mr. Campbell:** I thought that's where we wanted to go but since it was there in the 2009 chart, I
9 didn't want to take it out without at least checking. I've got my list of questions for Counsel.
10 The rest is the same.

11 **Transitional Provisions** will need to be rewritten regardless. In the 2009 charter, they did
12 propose that the first election for the Town Council would be a special election held on the
13 second Tuesday in May and then the charter would begin immediately, rather than wait an
14 entire year. The rest doesn't need to be changed except for dates.

15 The only other thing that I highlighted was the question of **Councilor Salaries**, which, in 2009,
16 was set at \$1,500 per annum. Ms. Wright, your email said they're currently set at \$3,000.
17 Obviously, we want to match what they're currently getting. The Council can set their own
18 compensation but the voters would have to approve any increase in salary. I think obviously
19 from a transition standpoint, we'd need to match whatever we're paying now.

20 **Ms. Wright:** The town budget says the Select Board's regular pay is \$15,000 per year, divided
21 by five is \$3,000 each. Only two towns pay more than we do. A number of towns do give the
22 chair an additional \$500 fee. The only one that doesn't is Merrimack, which already had the
23 highest salary. Derry's chair gets an additional \$1,500.

24 **Ms. Loranger:** When was the \$1,500 doubled?

25 **Mr. Breen:** I don't believe it was doubled. There may have been some discussion in 2009 about
26 their salary. I want to try to remember the mindset. At a minimum, I think it should be 3,000. I
27 think it's been \$3,000 for a very long time. I would like to know when it went to \$3,000.

28 **Ms. Wright:** In the 2009 minutes it said that they wanted to cut it because they were going from
29 five Selectmen to nine Councilors. That was their rationale. I think the town chair should get
30 the same as everybody else.

31 **Mr. Campbell:** This charter would simply be the transition. They would then be able to decide on
32 their own, and the voters would then have to approve it. I'm not arguing with you, Mr. Breen,
33 that maybe the numbers should be higher but as far as the transition goes, it would be
34 cleaner to keep it as is, and leave it up to a future Town Councilman.

35 We're going to increase the amount we're going to pay. If we go to seven, we're going up to
36 \$21,000 instead of \$15,000 a year. If we go to nine, we're going to go up significantly more
37 than that. I just leave it at what they're getting paid now and let the Town Council sort it out at
38 some future date.

39 So that is the draft that we have so far. We have meetings scheduled. We are meeting next
40 Saturday which is our public hearing, and we have meetings scheduled on the 17th and the
41 24th.

42 **Ms. Wright:** Should we have another meeting between now and Saturday?

43 **Mr. Campbell:** I think pretty much every night is booked. I think that's why we chose the 13th to
44 be our Saturday meeting.

45 I'm going to put this in a format that we can post to the website so that people can review some
46 of the language we've discussed this evening.

47 Is it realistic to think that we could finish looking at this at our meeting on the 24th and then
48 submit it to the Town's counselor for review? Because then we would need to come back at
49 least once get in September before the deadline. I believe the deadline is September 13?

1 **Mr. Sweeney:** I believe that was what we internally said was our goal because we have to
2 submit to the state by October 13. But we wanted to get it all wrapped up by September 13.

3 **Mr. Campbell:** I may have conflated those dates. So we would not necessarily need to try and
4 have this wrapped up by the end of August in order to get it reviewed by local counsel before
5 we get it reviewed by the Attorney General's office. We have a little more wiggle room.

6 **Mr. Sweeney:** I would say before tonight, I wouldn't think we'd be able to get it done before
7 August but I want to commend you for what you've done. We take public input on the 13th
8 We'll have this up tomorrow. By Monday, hopefully, people will have the opportunity to talk to
9 us on the 13th about what they're seeing in the proposal. We can work it out on the 17th and
10 the 24th. I think we can have a well-rounded document by the 24th. We might have to have
11 two-hour meetings on the 17th and the 24th. But I think getting it done before September and
12 giving the attorneys as much time as possible, to review and make sure it's great.

13 **Mr. Campbell:** So this is my thinking: If we think we can get this done by August 24, we will then
14 submit it to the town counselor after the meeting on the 24th. Then we will wait to get it back
15 and then we will communicate by email to schedule a meeting sometime in mid to late
16 September. If there are any suggestions or changes that the attorneys bring us, we can have
17 it ready by the 13th. If that's acceptable to all of you, I think that's the way I'd like to proceed.

18 **Mr. Breen:** Earlier I identified that I was not available for some of those meetings. Can we have
19 a date after the 24th, so the 24th isn't the last date that we can make changes?

20 **Mr. Campbell:** I'd like to have a draft for Town Counsel to review, so we can change it before we
21 send it to the Attorney General's office. I would prefer to have the draft that we want to send
22 to counsel be our final draft.

23 **Mr. Breen:** I guess I'm looking for something for like August 31st. A week later, just to give us a
24 period of time.

25 **Mr. Campbell:** Why don't we say tentatively say we'll come back on the 31st if we need to. I'll
26 look at the availability of the 31st as a meeting date. I'll check with Salem cable television, I'll
27 check with Town Hall about space. If it's available, then great and we'll do that on the 31st
28 and we will have an extra day if we need one. I'd like to finish by the 24th, but if we don't, we
29 finish on the 31st. If we finish early, we can always cancel.

31 **Preparing for the August 13 Meeting:**

33 **Mr. Campbell:** Good work on promoting Saturday's event. Feel free to take that flyer and pass it
34 out at the dump on Saturday morning.

35 I've been working on my presentation for Saturday morning.
36 I thought I would take the first five to 10 minutes to a slide show.

38 Mr. Campbell then showed the Board what he has been working on:
39 Background. How does our town work? The Budget. Other Groups in town. What is a Charter?
40 Things a Charter Can't Do. Things a Charter Can Do. What is the Charter Commission
41 Proposing? Comparing Current to Proposed. Remaining Issues to be Determined.

42 **Ms. Moss:** One other change that we're making, is that we currently vote on zoning amendments
43 on the ballot and we're putting that to the Councilors. I don't see that listed here. That seems
44 like something that should be put in the bullet points.

45 **Mr. Campbell:** I didn't know if we wanted to put that under highlights, but I can. Obviously, we
46 want to be transparent about what we're doing.

47 Two primary issues: We're still discussing highlighting how many Councilors you should have
48 how to be elected. There are pros and cons for each. We are looking people to comment on
49 that, in addition to anything else they want to comment on.

50 **Mr. Janigian:** We want to ask people about elected versus appointed zoning and planning.

1 **Mr. Campbell:** We're just going to leave that for now. We're going to elect these boards just like
2 they're elected now.

3 **Ms. Wright:** Please send this out to us once you've once it's finalized.

4

5 **Public comments**

6

7 **Gail Corcoran, Scollay Circle.** A resident for 48 years. I have gone to deliberative sessions.

8 The deliberative session is very dangerous at this time because of the radical factions that
9 are in our state.

10 Croydon is real. There are a lot of other things we don't think that's going to ever happen, do
11 happen here in Salem.

12 I think that deliberative sessions work for special interest groups, and that was so evident in the
13 last deliberative session.

14 I've gone to most of the deliberative sessions, and I don't really see that there's a benefit to the
15 majority of the residents of Salem.

16 What I do see it's that you have given the Town of Salem incredible access to the Charter
17 Commission; you all are doing a phenomenal job, those of you who are here, and I think this
18 town needs to applaud you and recognize you. Because we all do appreciate what you're
19 doing.

20 **Mr. Campbell:** Just pass the charter. That will be enough!

21 **Ms. Corcoran:** People don't know about the Charter Commission, especially people who don't
22 go on Facebook, or other social media.

23 The town is getting better about communicating with the residents of Salem. I don't think you
24 need a deliberative session to get town input from the people. If the people have an
25 opportunity to give you input, they will have input to give. They are able to give input on the
26 13th, but people just aren't listening.

27 I have no clue what I'm approving when I vote on a budget that the budget committee and staff
28 and Select Board spent hours working on. I think the Budget Committee and the Select
29 Board need to negotiate the final budget. I don't believe that the town should give input
30 because we have no clue what's in that budget, and we rely on recommendations from
31 others. I don't think the budget should be held hostage through an election if somebody
32 wants to input it into it. The residents have an opportunity to talk while it is being put together.

33 I have a background in human resources for 37 years. I think all of our staff should be hired.
34 They should be vetted and we should hire the best person for the job that's qualified for the
35 job, not because they won an election. When we elect people, we have no clue what their
36 background is.

37 Regarding election financing: I think it's important to know where the money is coming from.
38 We're finding that we can elect people are not particularly good for you. I'm sure you all know
39 who they are in New Hampshire. A lot of them are upstate radical groups and they're funding
40 all the elections and they've moved in for the last 20 years.

41 I think the most important thing is getting where the money is coming from not anonymously and
42 we don't know what the facts are. But I think if we identify where we spend the money, we'll
43 know how much money is spent, as opposed to just what's coming in. If somebody has all
44 these great big, huge signs, with pictures on them, where is that money coming from? We
45 don't know. But we can find out how money is being spent. And that gives you an idea of the
46 situation the circumstances.

47 The other thing is the town moderator who said he has not kept up with the things that have been
48 going on with the Charter Commission. I really believe that we should have wards. I grew up
49 in a town. I lived in other communities that have wards and it's so nice to have one person
50 understand where you're coming from when you have an issue in your area. They need to

1 have somebody to whom they can relate to. I think if you have nine representatives on your
2 Town Council, five of them if you decide you want to stay with five wards, then four of them
3 could be at-large and represent the entire town.

4 The other piece of this is that I'm very concerned about how many people show up through
5 deliberative session, how many people vote, and how many votes are required to pass
6 certain things. We don't want to have to go back and do another election. That is a waste of
7 time and resources. We need to do it right the first time and have the right election.

8 I think communicating that there is an election and how important this election is, is needed. The
9 town didn't do it before the last election, but if you think about it, our state legislators have
10 limited our ability to have an absentee ballot. Massachusetts just passed it and anybody can
11 get an absentee ballot for any reason whatsoever. If we're worried about any corruption, we
12 need to have our legislators identify where the corruption is.

13 The state legislature needs to identify how we can make elections easier. Many people couldn't
14 vote because they went south before the ballot was even ready. That is unfair. I think that
15 people should be able to vote in advance. With early voting, we won't need as many poll
16 workers. Make it easy for the voters to vote.

17 Take this town to the future; don't take us backward. Make it easier for our residents to vote in
18 this town and make sure all the documents are available early enough, so people who go
19 south can actually vote.

20 **Mr. Breen:** Just a point of clarification. I was listening to Ms. Corcoran and I just want to make
21 sure she understands that there's absentee balloting and early voting. We do not have early
22 voting, but that's totally different from absentee balloting and I personally I support that as
23 well. Early voting along with the absentee ballot.

24

25

26 **MOTION BY Ms. Wright to adjourn.** Seconded by Ms. Moss.

27 **Vote:** 8-0-0 [Mr. Bettencourt left before 8:40]

28 Meeting adjourned at 9:14.

29

30 Minutes taken by: Bonnie Wright

31

32 Minutes Approved: Salem 2022 Charter Commission

33 Date: August 17, 2022

34

35

36 **Video:**

37 The video of this meeting may be viewed at:

38 <https://www.facebook.com/sctv17/videos/1491147164649780>

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

40

41 **Charter Commission Meeting Schedule**

42

43 **11th meeting: Saturday, August 13, 10am, PUBLIC HEARING,
44 Media Center, Salem High School**

45 12th meeting: Wednesday, August 17, 7pm
46 Knightly Room, Salem Town Hall

47 13th meeting: Wednesday, August 24, 7pm
48 Knightly Room, Salem Town Hall

49 14th meeting: Wednesday, August 31, 7pm (To be confirmed)
50 Goal: Submit paperwork to attorneys after the August 24 meeting.