

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

APRIL 11, 2017

**CORRECTED 05-01-17**

PRESENT Rich Kehoe, Chair; Councillors Bill Horan (arrived 6:00 p.m.) and Esther Clarke

ALSO Marcia Leclerc, Mayor  
PRESENT Rich Gentile, Assistant Corporation Counsel  
Steve Watkins, Democratic Registrar of Voters  
Mary Mourey, Republican Registrar of Voters  
Susan Kniep, 50 Olde Roberts Street  
Donald Sugalski, 1736 Main Street

CALL TO ORDER

Chair Kehoe called the meeting to order at 5:38 p.m.

APPROVAL OF MINUTES

February 14, 2017 Meeting

MOTION By Esther Clarke  
seconded by Rich Kehoe  
to **approve** the February 14, 2017 meeting minutes.  
Motion carried 2/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

Susan Kniep, 50 Olde Roberts Street, commented on the need for the Zoning Board of Appeals to understand their mission and questioned whether municipal officials should be members of the board pursuant to town ordinances.

*To accommodate those present, the following agenda item was taken out of order.*

NEW BUSINESS

Review of the Registrars of Voters Salary

The Committee discussed the current salary for the Registrars which had been set two years ago. There is a regular process by ordinance of reviewing elected officials' salaries.

The Registrars pointed out that under state law they need to pass a certification process and both Registrars have successfully passed most of the components of that certification. The Committee agreed to review the salary of Registrars in other comparable towns. Mary Mourey indicated that she has started to obtain this information and will work with the Council Clerk to provide an update on her findings.

The Committee will take no further action pending receipt of the salary survey.

## OLD BUSINESS

### Boards and Commissions Review

The Committee reviewed the March 26<sup>th</sup> draft of suggested changes and recommended the following revisions to that draft:

1. The permanent Clerk. The permanent Clerk would be designated by the Mayor, solely for minutes, agenda filings, and other related duties. The ordinance should be clear that this Clerk would not be providing staffing to the board or commission, i.e., drafting flyers for events and other similar duties. The adjudicatory boards, which include the Board of Assessment Appeals, have a unique responsibility in that their decisions are appealable to court and as such the documents and the minutes need to be in a much more specific fashion in order to create a written record of the proceedings. Therefore, the Clerk for these boards and commissions must have specific training in what should be required as part of the minutes. Further, the Planning and Zoning Commission, the Inland-Wetlands Commission and the Zoning Board of Appeals all have Town Hall staff who provide document management for appeals or applications made to those boards. The Board of Assessment Appeals does not have such a staff person assigned to that board; rather the history has been to have the Clerk also provide those staffing requirements in return for higher compensation. The Committee is reviewing whether the Board of Assessment Appeals should have a Town Hall employee designated to assist the board or whether because the work load of the board shifts so dramatically depending on the time of the year (~~all~~ **real estate** appeals have to be filed in February and heard in March, **motor vehicle appeals can be filed in August and heard in September**) and also because of revaluation, the Committee decided it may be more appropriate to have a Clerk who has these additional duties rather than a Town Hall employee, but is open to further discussion with the Mayor as to what should be the recommended staffing for that particular board.
2. Establish a bank of individuals who can serve as Clerks of the boards and commissions. The ordinance committee wanted to make it clear that the individual board and commission, by majority vote, select from that bank of individuals a person to be their Clerk.
3. The training manual. It should be clarified that there should be a manual and some initial discussion with a newly appointed member of a board and commission before that person is sworn into office. Annual training should be done by CCM or some other similar organization for all boards and commissions members and that annual training should be mandatory.
4. Required annual attendance. There was a discussion as to whether missing half or two-thirds of the meetings in any one year would meet the presumption of having resigned from that board or commission. It was concluded to maintain the one half of

all meetings since even missing half the meetings could have a dramatic impact on that board or commission's operations. The facts that lead to a presumption of resignation will be essentially constitute "for cause", which is the basis for removing board or commission members under Section 4.3 of the Town Charter.

The Committee went on to discuss the mergers and deletions of certain boards and commissions. It was recommended to merge the Patriotic and Veterans' Affairs Commissions. The Committee discussed the Economic Development Commission and determined that it made the most sense to abolish the commission and establish advisory committees on an ad hoc basis in the manner that the Mayor has established the Silver Lane Economic Development Advisory Committee and that may be a better use of citizens' limited time.

There should be some flexibility in the Board of Assessment Appeals ordinance allowing the Mayor to appoint an additional member during revaluation years if in fact an additional person is necessary to handle the volume of appeals during that time period.

The Committee agreed to the merger of the Fine Arts Commission and the Library Board as a way to enhance the mission of both of those groups.

The Committee agreed to eliminate the Hockanum River Commission and merge its duties with the existing non-profit organization and to formalize a relationship with the town's Park and Recreation Department to facilitate the use of the Hockanum River.

In addition to the Youth Council and EMS Commission, the Committee agreed that the Insurance Commission does not provide any real function and should be eliminated. The Property Maintenance Code Board of Appeals should be eliminated and appeals would then go directly to the citations review officer.

The Committee agreed to meet with those members of the boards and commissions where there is a recommendation for merging or elimination to get the members' input before any final action is taken. The Committee will do so at the next scheduled Ordinance Committee meeting.

#### Off-street Parking Motor Vehicles, Boats and RV's

The Committee reviewed a stack of violations and concluded that there are two hurdles to proper enforcement of the parking of vehicles on residential property. The first is an enforceability issue. It was concluded that the standards for where to park motor vehicles on residential properties in our ordinances should result in a civil fine for any violation of those ordinances, rather than the current system which is a criminal fine enforced by the Police Department. Enforcement by Inspections and Permits Department is a far more efficient process for the purposes of obtaining compliance with our standards set by ordinance. The second hurdle is to provide better clarity that RV's and boats should be parked in the rear of any property and not on lawns and that any parking, other than their driveway, would result in a violation of the ordinance. The Committee agreed to review the drafts provided by Rich Gentile, Assistant Corporation Counsel, to make sure that the Committee is comfortable with the restrictions that would be placed in this ordinance.

## ADJOURNMENT

MOTION      By Esther Clarke  
                 seconded by Bill Horan  
                 to **adjourn** (7:45 p.m.)  
                 Motion carried 3/0.

cc: Mayor Leclerc  
Town Council  
Rich Gentile, Assistant Corporation Counsel  
Steve Watkins, Democratic Registrar of Voters  
Mary Mourey, Republican Registrar of Voters